

REPUBLIC OF LITHUANIA

LAW

ON

PUBLIC ORGANISATIONS

CHAPTER I

GENERAL PROVISIONS

Article 1. Objective of the Law

This law shall establish the basic principles of the establishment, activity and cessation of activity of public organisations.

The law shall not be applicable to political parties, trade unions, religious associations and organisations, and those associations or organisations, charitable organisations, charitable and support foundations whose establishment and activity procedure is established by other laws of the Republic of Lithuania.

Article 2. Concept of Public Organisation

A public organisation shall be a voluntary association (union, society, foundation, association etc.), formed in order to satisfy and implement the common needs and goals of members that shall not contradict the Constitution and laws of the Republic of Lithuania.

Article 3. Basic Principles of Public Organisations

Public organisations shall act in accordance with the Constitution of the Republic of Lithuania, this and other laws and decrees of the Government of the Republic of Lithuania and shall base their activities upon the public organisation bylaws, registered according to the procedure established by this Law.

Public organisations shall be prohibited from establishing themselves and engaging in activity, if their goal or manner of action are aimed at overthrowing or changing the constitutional order of the Republic of Lithuania or violating the integrity of the territory of the Republic of Lithuania, propagating war and violence, and authoritarian or totalitarian rule, inciting racial, religious and social dissent, restricting human rights and freedoms and also, performing actions that are contrary to the laws of the Republic of Lithuania and universally recognised norms of international law, acting in the interest of other states, if these shall contradict the interests of the Lithuanian state.

It shall be prohibited to establish public organisations whose members are uniting on the basis of organisations that have acted against the independence of the Republic of Lithuania and the integrity of its territory.

Governing bodies and headquarters of the public organisation must be located within the territory of the Republic of Lithuania.

Record keeping of public organisations shall be conducted according to the law.

Chapter II

ESTABLISHMENT AND ACTIVITY PRINCIPLES
OF PUBLIC ORGANISATIONS

Article 4. Establishment of Public Organisations

Citizens of the Republic of Lithuania who have reached the age of 18, may become founders of public organisations.

Initiators of the establishment of a public organisation shall call a constituent gathering, conference or meeting, in the course of which laws shall be adopted and administrative

bodies shall be elected. Participants of the constituent meeting shall be comprised of no fewer than 15 constituent members.

Lithuanian branches (structural subdivisions) of international public organisations whose goals, manner of activity and bylaws shall not contradict the Constitution of the Republic of Lithuania or the principles of Par.2 and 3 of Article 3 of this Law. All the provisions of this Law shall apply to registration and activity in Lithuania of Lithuanian branches(structural subdivisions) of international public organisation. A public organisation shall be considered established from the date of registration of its bylaws.

Article 5. Establishment of Public Organisation Structural Subdivisions

Public organisation bylaws shall establish the procedure for establishing public organisations, including those which possess the rights of a legal person.

A structural subdivision of public organisations shall be considered established from the time when a decision to establish a structural subdivision is adopted in accordance with the procedure established by public organisation bylaws.

The administrative body designated in public organisation bylaws shall inform in writing the state institution which had registered the bylaws of this organisation and the executive institution of the municipal authority upon whose territory is located the headquarters of this structural subdivision, regarding the establishment of such structural subdivision, having a legal person's status, no later than within 15 days after the establishment of the structural subdivision.

Article 6. Unions of Public Organisations

Public organisations have the right to unite into public organisation unions.

The union of public organisations shall have the right to establish two or more public organisations.

Public organisation unions shall be established and shall act according to the procedure established by this Law.

In wishing to establish a public organisation union, public organisations must, according to procedure established in their bylaws, adopt a resolution to unite into a union and to authorise an organisation governing body or its own member (members) to participate in the constituent meeting, conference or meeting of the public organisation union.

Article 7. Name and Symbols of Public Organisations

Name and symbols of newly-established public organisations, and their unions must differ from previously-registered political party and political organisation, other public organisation and their union names and symbols.

Article 8. Members of Public Organisations or Persons Participating in Activities of these Organisations

public organisation shall be comprised of its members or other persons participating in its activity. Citizens of Lithuania, 18 or above, may become members.

Members of public organisations whose activity supplies the needs of children and youth, or persons participating in the activity of these organisations, may also be under 18 years of age.

Members of public organisations and persons participating in the activity of these organisations shall have equal rights,

regardless of the size of the amount of entrance or member (participant) fee they shall pay, or whether they shall provide support.

Members of public organisations or persons participating in the activities of these organisations, may leave the public organisation at any time. In this eventuality, a public organisation member or person participating in the public organisation activity fees or funds otherwise paid into the organisation, shall be nonrefundable.

A person (persons) designated in the bylaws and elected according to the procedure established in the bylaws shall represent the public organisation.

As designated in the bylaws of the public organisation, its governing body or its chief must keep the list of organisation members or individuals participating in the activity of this organisation, which must be freely accessible to every organisation member or individual participating in its activity. This type of list must be submitted to the state institution which had registered the public bylaws, when it investigates whether the public organisation has violated the Constitution of the Republic of Lithuania and this or other laws. The person representing it, according to its bylaws, shall be responsible to the public organisation for the implementation of this regulation.

Article 9. Public Organisation Bylaws

Public organisation bylaws must include:

- 1) name, symbols and headquarters' address;
- 2) activity goals, tasks and activity territory;
- 3) procedure and conditions for acceptance, leaving and removal of public organisation members or participants;
- 4) rights and obligations of members and participants;
- 5) procedure for establishment, reorganisation and activity termination of structural subdivisions, relations between governing bodies of structural subdivisions and public organisations and their rights;
- 6) procedure and frequency of convocation of the highest governing bodies (convention, conference, meeting), and their competence;
- 7) procedure for electing other governing bodies and their competence;
- 8) accountability of governing bodies and their heads to the highest governing body of the public organisation and control procedure for their activity;
- 9) fund and income sources and procedure for control of fund and income use;
- 10) procedure for amendments and supplements of bylaws;
- 11) procedure for conclusion of activity and property utilisation.

Other regulations of public organisation activity may also be included in the bylaws, provided they shall not contradict the Constitution of the Republic of Lithuania, this or other laws.

In the event that, following adoption of new laws, the public organisation bylaws, fail to conform with these laws, the public organisation shall be obliged to co-ordinate its bylaws with adopted laws, at the nearest meeting, conference and congress of the authorised governing body. The public organisation shall be guided by (shall apply) the norms of laws,

rather than bylaws, during the period the bylaws of the public organisation shall remain uncoordinated with the newly-adopted laws.

Article 10. Public Organisation Rights

In order to implement the goals and tasks included in the bylaws of public organisations, the latter, according to the procedure established by laws, shall have the right to:

- 1) disseminate information concerning their own activity and propagate the goals and tasks of the organisation, without written, verbal or other type of interference;
- 2) establish public information means and engage in publishing;
- 3) organise: meetings, pickets, demonstrations, processions, various marches and other peaceful and unarmed meetings and mass events;
- 4) purchase or otherwise acquire necessary property, use it, manage it and dispose of it;
- 5) engage individuals to carry on activities provided for in the bylaws;
- 6) obtain funds or other property from international public organisations, non state organisations, foundations, as well as individuals;
- 7) establish (act as founder) of enterprises, which shall be registered and functioning in accordance with laws of the Republic of Lithuania;
- 8) establish foundations.

Public organisations may engage in other necessary activity, as well, in order to implement, according to procedure established by laws, the goals and tasks provided for in their bylaws, except that which is prohibited by laws.

Article 11. Guarantees of Public Organisation

Activity

State institutions and officials, political parties and political organisations and other organisations and individuals shall be prohibited from interfering in public organisation activity.

A state institution, which has registered a public organisation, in resolving the question regarding warning a public organisation, activity termination or cessation, if it has violated the Constitution of the Republic of Lithuania, this and other laws, does have the right to verify whether the public organisation is observing this Law, and whether its activity does not contradict the Constitution of the Republic of Lithuania, this or other laws. The administrative body representing the public organisation, or the individual representing the organisation must, according to its bylaws, furnish the required documents and explanations.

Article 12. Limitations of Public Organisation Activity

Public organisations shall be prohibited from:

- 1) fulfilment of state functions, state institution or its officers' functions;
- 2) fulfilment of trade union functions;
- 3) arming its members, organising of military training for them and formation of military detachments, except in instances provided by laws;
- 4) receiving funds or other property, allocated by governments of other states power and government institutions or state organisations, with the exception of funds or other

property intended for support of education, culture, health protection and sports.

Article 13. Public Organisation International Relations

According to their bylaws, public organisations may join international public (non state) organisations, whose goals and activity are not in contradiction of the Constitution of the Republic of Lithuania and this and other laws, in order to maintain relations with public organisations of other states, as well as with international organisations, and to form agreements with them, provided they do not contradict the Constitution of the Republic of Lithuania, and this and other laws.

Article 14. Public Organisation Property

According to property right, public organisations may possess buildings, equipment, publishing facilities, printing facilities, transportation means, and charity donations, as well as other property, necessary for the implementation of the goals and tasks indicated in their bylaws, that may be acquired for public organisation funds and also, through gifts, inheritance or other legal means.

The funds of public organisations shall be comprised of:

- 1) membership and participant individual fees, as indicated in the bylaws;
- 2) gift funds (contributed) by natural persons, charitable organisations, and charitable foundations;
- 3) gift funds (contributed) by non state and international public organisations;
- 4) interest from credit institutions from public organisation funds deposited there;
- 5) loan capital funds;
- 6) other legally acquired funds.

State power and government institutions and municipal authorities may allocate funds to public organisations only towards implementation of specific cultural, educational, sports, health and other social or special purpose programs. These funds may be used solely for the implementation of these programs and only, in accordance with the confirmed estimate of the state institution which allocated the funds.

Property and funds of public organisations must be utilised for the implementation of the goals and tasks specified in their bylaws and shall not be in any form allocated to members of this organisation, except in the eventuality when the public organisation terminates its activity, based upon its own decision. In this eventuality, having satisfied all creditor demands, of the public organisation being dissolved, having compensated all individuals who were employed according to work contracts, the public organisation bodies, which adopted the decision to terminate activity of a public organisation, shall utilise the funds in accordance with the procedure.

Article 15. Public Organisation Liability

A public organisation shall be held liable for its obligations by way of all of the property in its possession.

A public organisation shall not be liable for obligations incurred by its members, while the members shall not be liable for obligations incurred by the public organisation.

A public organisation, shall be held liable, in accordance with the procedure established by laws, for compensation with its property for damage caused to natural and

legal persons.

Article 16. Legal Regulation of Work of Persons

Employed by Public Organisations

Work

contracts shall be drawn up with employees hired by public organisations, according to the procedure established by laws.

Persons, employed by public organisations, by means of a work contract, shall have the right to social insurance and other rights and guarantees, which have been established by laws, for those employed in state enterprises, institutions and organisations.

For these purposes, public organisations pay the same type of contributions from their income, to the state social insurance fund, as do the state enterprises, institutions and organisations.

Chapter III

REGISTRATION OF BYLAWS OF PUBLIC ORGANISATIONS

Article 17. Procedure of Registration of Public Organisation Bylaws

The Ministry of Justice of the Republic of Lithuania shall register the bylaws of a public organisation whose activity extends beyond more than one county territory.

The county governor shall register the bylaws of a public organisation whose activity extends beyond more than one municipal county and whose headquarters are located in the county centre or another territory of the county, namely a city or rural settlement.

The municipal executive institution shall register the bylaws of a public organisation whose activity encompasses the territory of one region or city.

The public organisation shall file with the appropriate state institution an application regarding bylaws registration no later than within a one-month period from the day of adoption of bylaws and election of governing bodies. In accordance with the bylaws, the application shall be signed by a person representing the public organisation, who shall indicate his place of residence.

The following shall be included with the application: a protocol of the constituent meeting, conference or meeting and four copies of the public organisation bylaws.

The state institution which registers the bylaws, shall examine the application for registration of bylaws during a period of one month from the day of receipt of all the documents indicated in this Article. The state institution which registers the bylaws shall have the right to verify documents submitted for registration and the documents indicated therein.

Changes in public organisation names, symbols, bylaws and supplements shall be registered in the same procedure and with same time limits as the bylaws. Changes in bylaws and symbols shall become effective from the day of their registration.

The state institution which registers the bylaws of public organisations, shall manage the register of these organisations. The Government of the Republic of Lithuania shall establish the register management procedure.

Article 18. Postponement of Bylaw Registration

Registration of public bylaws shall be postponed if:

- 1) procedure for establishment of a public organisation, specified in Articles 4,6, and 7, was not adhered to;

2) data specified in Article 9 of this Law, are not included with the bylaws submitted for registration. Following postponement of bylaw registration, the state institution which registers the bylaws shall return the bylaws and other documents to the founders of the organisation, and shall include a written listing of existing shortcomings. These shortcomings must be corrected no later than within a one-month period.

Following presentation of the corrected bylaws and other documents, their investigation time limit shall be computed anew, from the day of the presentation of the corrected bylaws and documents, as indicated in Par.6 of Article 17 of this Law.

Article 19. Refusal to Register Bylaws

Bylaws of public organisations shall not be registered if:

- 1) the goals and tasks, and modes of activity indicated therein shall contradict the Constitution of the Republic of Lithuania, this or other laws and the decrees of the Government of Lithuania;
- 2) public organisation bylaws shall have been previously registered under the same title;
- 3) requirements of Chapters 9 and 17 of this Law shall not have been observed;
- 4) data of the presented for registration documents shall not reflect reality.

Upon refusal to register the bylaws, applicants shall be notified in writing, no later than within 5 days from the adoption of the decision and specific reasons for refusal shall be furnished.

The decision to register bylaws of public organisations may be appealed within a period of 15 days from the receipt of such by the district court, in accordance with the headquarters location of the state institution registering it.

Article 20. Status of Public Organisations

Public organisations and their unions are legal persons from date of registration.

Public organisations have their own balance sheet, their own name stamp and their own currency account at only one bank, registered within the Republic of Lithuania and also one currency account in any foreign state.

Structural subdivisions of public organisations acquire the rights of legal persons according to procedure established in the public organisation bylaws.

Chapter IV

SUPERVISION OF PUBLIC ORGANISATION ACTIVITY

Article 21. Supervision of Public Organisation

Financial Activity

Financial activity of public organisations is supervised by state tax inspectorates, insofar as this is connected with tax payments.

In the event the public organisation receives funds from the state budget, municipal budget, and also state enterprises, institutions and organisations, the state shall have the right to look into the utilisation of such funds.

Article 22. Warning Concerning Violation of

Constitution or Laws of the Republic of
Lithuania

state institution which has registered the bylaws of the

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public organisation, having established that the public organisation or its structural subdivision has violated the Constitution of the Republic of Lithuania and this or any other laws, shall inform the governing body of the public organisation concerning this, in writing, and shall set a time limit for the removal of the indicated violations.

In the event the violation shall fail to be removed within the set time limit, the state institution which had registered the bylaws of the public organisation, must appeal to the court concerning cessation of the public activity.

Should the violations fail to be removed in the course of a one-year period from the receipt of warning concerning violations of the Constitution of the Republic of Lithuania and this or other laws, the state institution which had registered the bylaws of the public organisation, must appeal to court concerning the discontinuation of the public activity.

The state institution, that had registered the bylaws of the public organisation, in deliberating whether the public organisation had violated the Constitution of the Republic of Lithuania, and this or other laws and also, whether the organisation may continue its activity following the court's decision to stop it, shall have the right of appeal to other state institutions and obtain the conclusions they form.

Article 23. Court Examination of Complaints

Regarding Registration of Public Organisation Bylaws, Reorganisation of Public Organisation or Court Examination of Activity Interruption by Organisation Decision

The district court shall examine appeals regarding bylaws of public organisation registration, its reorganisation or activity interruption by organisation decision, in accordance with location of the public organisation headquarters. No fewer than one-third of public organisation members or persons participating in its activity, shall have the right to appeal to court, concerning recognition as invalid of the public organisation governing bodies' decision on the registration of public organisation bylaws and reorganisation or interruption of organisation activity. Such court appeals may be submitted no later than 20 days following the receipt of appeal decisions.

The state institution that has registered the public bylaws and consequently has determined that the data submitted for bylaw registration do not reflect reality, must turn to the court concerning the cessation of public organisation activity.

Chapter V

TERMINATION OF PUBLIC ORGANISATION ACTIVITY

Article 24. Termination of Public Organisation Activity

Public organisation activity may be terminated:

- 1) upon adoption of a decision, to reorganise the public organisation, i. e. to divide it into several new public organisations or to join it to another public organisation, according to established procedure;
- 2) upon adoption of a decision to terminate activity, in accordance with procedure established in public organisation bylaws;
- 3) upon adoption of a court decision to terminate activity.

This law and bylaws of public organisations set the basis and procedure for public organisation reorganisation as well as cessation of public organisation activity.

Article 25. Public Organisation Reorganisation

Only the supreme governing body of the organisation being reorganised shall have the right to adopt a decision concerning reorganisation of a public organisation by means of dividing it into several new organisations or joining it to another public organisation.

In the event the public organisation shall be reorganised by means of dividing it into several new organisations, its funds and property are allocated to the new organisations, according to procedure established in the public organisation bylaws. If this question is not defined in the bylaws of the public organisation being reorganised, the funds and property shall be apportioned to new organisations based upon a decision by the supreme governing organ, which shall be adopted concurrently with the decision to reorganise the public organisation.

In deciding questions of means of reorganisation and division of public organisations, the supreme governing body of the public organisation must concurrently decide, what the name of the public organisation shall be and what symbols it shall use.

Upon division of a public organisation into several new organisations, bylaws of newly-created public organisations shall be registered according to the procedure established by this Law. Public organisations are considered established from day of their registration.

In the event a public organisation shall join another public organisation, its property shall become the property of the organisation, to which it is joined.

Upon adoption of decision according to the procedure established in the bylaws, of terminating activity of a public organisation, its property shall be used according to the procedure established in the bylaws, if the laws shall not establish otherwise.

Article 26. Separation of Public Organisation's Structural Subdivision from Public Organisation and Termination of its Activity

structural division of a public organisation, also possessing the rights of a legal person, shall have the right to separate from a public organisation and to become a new public organisation, if this is provided for in the public organisation bylaws. The person representing the structural subdivision of a public organisation, must serve notification, in writing, no later than within 5 days after the decision to separate is taken, to the supreme governing body of the public organisation from which it is separating, and also to the executive institution of the municipal government of the territory where the headquarters of this structural subdivision is located.

The structural subdivision of a public organisation loses its former name and symbols, from the day the decision is taken, according to the procedure established in the bylaws of the public organisation, to separate. According to the procedure, established by this Law, such a structural subdivision shall be registered as a new public organisation.

According to the procedure established in its bylaws, a

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public organisation may, at any time, interrupt the activity of its structural divisions, including those which possess the right of a legal person. If the public organisation bylaws contain the appropriate provision the property and funds of such structural subdivisions including those which possess legal person's rights, are transferred to the public organisation. If the bylaws of the public organisation do not provide for the disposition of the property and funds of a structural subdivision, whose activity is being stopped, the question of their utilisation shall be resolved according to the procedure established by laws.

Article 27. Public Organisation Activity Cessation or Termination by Court Decision

Cessation of public organisation activity may be effected by court decision.

A statement concerning cessation or termination of public organisation activity is submitted to a district court according to location of headquarters of the public organisation. This type of statement is exempt from charges.

Article 28. Reasons for Cessation of Public Organisation Activity

A court may effect cessation of a public activity, if the latter, or its structural subdivision fails to remove, by the appointed time, violations of the Constitution of the Republic of Lithuania and this and other laws, as established by the state institution which had registered the bylaws of the public organisation, or continues illegal activity, following receipt of warning concerning termination of activity, which is in violation of the Constitution of the Republic of Lithuania and this and other laws.

Cessation of activity of a public organisation may be effected for a period not to exceed six months.

Article 29. Consequences of Activity Cessation

When cessation of public organisation activity is in effect throughout the entire cessation time limit, the public organisation and its structural subdivisions are prohibited from use of mass information media, organising meetings, utilisation of funds belonging to the public organisation or its structural division accounts, use, administering and disposal of property and funds belonging to the public organisation and its structural divisions.

Cessation of activity of public organisations, included in the union of public organisations, shall not raise any legal consequences for this union, if no fewer than half of the public organisations within the union, have not ceased their activity.

When the activity of a public organisation union is ceased, the public organisations, included within it, shall act according to their bylaws only.

Upon expiration of the time limit established by the court for cessation of the public activity, the public organisation informs the state institution which has registered it, in writing, that it has removed the causes, due to which its activity had been ordered by court, to cease. The public organisation whose activity had been subject to cessation, may continue its activity only after the state institution, which had registered the bylaws of said organisation, shall certify that those causes which have been instrumental in the cessation of the public activity, have been removed, and that it shall permit this public organisation to continue its activity.

Refusal to permit continuation of public organisation activity, issued no later than within a period of 10 days from its adoption, may be appealed in court.

Article 30. Public Organisation Activity Termination

The court may terminate the activity of a public organisation if:

- 1) the public organisation, or its structural subdivision, whose activity has ceased per court decision, shall violate the requirements provided in Article 29 of this Law;
- 2) the public organisation or its structural subdivision, shall have violated the Constitution of the Republic of Lithuania and this or other laws, within the period of one year from receipt of warning concerning violation of laws.

Having adopted a resolution to terminate activity of a public organisation, the court obligates the state institution, which had registered the bylaws of this organisation, to appoint liquidates and establish their authorisations.

Property and funds of the public organisation whose activity has been terminated by court decision, is used according to the procedure established by laws.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

ALGIRDAS BRAZAUSKAS

President of the Republic

Vilnius

2 February 1995

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