

REGISTRATION OF POLITICAL PARTIES WITH THE COMMISSION

- 90A 90A. For the purpose of this Order, any political party may be registered with the Commission subject to the conditions laid down in Article 90B.
- 90B 90B. (1) If any political party desires to be registered, it shall-(a) fulfill one of the following conditions, namely-
- (i) secured at least one seat with its electoral symbol in any parliamentary election held since the independence of Bangladesh; or
 - (ii) secured five percent of total votes cast in the constituencies in which its candidates took part in any of the aforesaid parliamentary elections; or
 - (iii) established a functional central office, by whatever name it may be called with a central committee ¹⁸¹[,functional] district offices in at least in one-third administrative districts, offices ¹⁸²[in] at least one hundred Upazilas or Metropolitan Thana having a minimum number of two hundred voters as its members in each of them; and
- (b) In addition to comply with the terms and conditions referred to in ¹⁸³[sub-clause(a)], political party, desiring to be registered with the commission, shall have the following specific provisions in its constitution, namely-
- (i) to elect the members of the committees at all levels including members of the central committee ;
 - (ii) to fix the goal of reserving at least 33% of all committee positions for women including the central committee and successively achieving this goal by the year 2020;
 - (iii) to prohibit formation of any organization or body as its affiliated or associated body ¹⁸⁴[consisting of] the teachers or students of any educational institution or the employees or labourers of any financial, commercial or industrial institution or establishment or the members of any other profession :
- Provided that nothing shall prevent them from organizing independently in their respective fields or forming association, society, trade union etc. and exercising all democratic and political rights, and individual, subject to the provisions of the existing laws, to be a member of any political party.
- (iv) to finalize nomination of candidate by central parliamentary board of the party in consideration of panels prepared by members of the Ward, Union, Thana, Upazila or District committee, as the case may be, of concerned constituency.



(2) If an independent member of parliament joins any unregistered political party, the fact of his joining shall not qualify that party for registration with the commission.

90C

90C. (1) A political party shall not be qualified for registration under this Chapter, if-

(a) the objectives laid down in its constitution are contrary to the Constitution of the People's Republic of Bangladesh ; or

(b) any discrimination regarding religion, race, caste, language or sex is apparent in its constitution ; or

(c) by name, flag, symbol or any other activity it threatens to destroy communal harmony or lead the country to cessation; or

(d) its constitution reflects the objectives of maintaining and nourishing party-less or one-party system; or

(e) there is any provision in its constitution for the establishment or operation of any office, branch or committee outside the territory of Bangladesh.

(2) No political party shall be registered under a name, under which another political party has already been registered :

Provided that where more than one party apply for registration with the same name and no party has already been registered under such name, the Commission may, after giving the parties reasonable opportunity of being heard, register any of the parties with such name.

(3) Commission shall not register any political party banned by the Government.

90D

90D. Any political party complying with the conditions laid down in Article 90A, Article 90B and not disqualified under Article 90C may apply for registration in the prescribed manner under the signature of its Chairman and General Secretary or any other person holding the equivalent rank :

Provided that the Commission may allow any political party to apply for registration which has a provisional constitution containing provisions as specified under sub-clauses (b)(i), (b)(ii), (b)(iii) and (b)(iv) of clauses (1) of Article 90B as well as complying with the provisions under Article 90C along with a resolution of the highest policy-making body of the party, by whatever name it may be called, to the effect that the party shall submit a ratified



constitution ¹⁸⁵[within twelve months] from the date of first sitting of ninth parliament.

90E

90E. (1) The Commission shall, after taking a decision to register a political party, issue a registration certificate in the prescribed form and shall publish it in the Official Gazette.

(2) If the application for registration of a political party is cancelled, the Commission shall, within seven working days, inform the concerned party of it in writing.

(3) The decision on registration by the Commission shall be final.

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90F. (1) Subject to the provision of clause (2), a registered political party shall be entitled to-

(a) receive donation or grants from any person, company, group of companies or non-government organization except the sources mentioned in clause (1) of Article 44CC :

Provided that such amount of donation or grants shall not exceed the following limits, in a calendar year-

(i) in the case of a person, taka ¹⁸⁶[ten] lakh or property or service equivalent to it ;

(ii) in the case of a company or organization, taka ¹⁸⁷[fifty] lakh or property or service equivalent to it ;

(b) one of the prescribed symbols for all the candidates set up by it in any election under this Order or rules according to the preference indicated by it and the symbols so allotted shall be kept reserved for it, unless it indicates its preference for any other prescribed symbol available ;

(c) one set of election rolls in compact disk (CD) or digital versatile disk (DVD) or any other electronic format at free of cost ;

(d) broadcasting and telecasting facilities in the state-owned media during the general election to Parliament according to the principles and guidelines prescribed by the Commission ; and

(e) be consulted with by the Commission in respect of any matter relating to election, particularly problems of and measures for holding election fairly, peacefully and in accordance with this Order and rules.

(2) No registered political party shall receive any gift, donation, grant or money from any other country, or non-government organization assisted by foreign aid or from any person who is not a Bangladeshi by birth or any organization established or maintained by such person.



90G 90G. A registered political party shall inform the Commission in the prescribed manner about the compliance of the provisions in ¹⁸⁸[clause (1)(b) of Article 90B].

90H 90H. (1) The registration of a political party may be cancelled for the following reasons, namely-

(a) if the party is declared dissolved according to the constitution of the party by the highest decision making body, by whichever name it is called, or an application is made to the Commission along with the minute for dissolution of the party under the signature of the chairman and general secretary of the party or any other person holding equivalent rank;

(b) if the political party is declared banned by the Government;

(c) if the political party fails to provide any information under this Order and rules to the Commission ¹⁸⁹[for three consecutive years;

(d) if the political party violates the provision of ¹⁹⁰[clause (1)(b) of Article 90B]; ¹⁹¹[***]

(e) if the political party does not participate in the parliamentary elections for two consecutive terms ¹⁹²[; or

(f) if the political party fails to submit a ratified constitution within the stipulated period as mentioned in the proviso of Article 90D.]

(2) The Commission shall, prior to cancellation of registration under ¹⁹³[sub-clauses (c), (d), (e) and (f)] give the concerned political party an opportunity of being heard in the prescribed manner.

(3) No political party shall be registered in the name of a political party which has been declared dissolved.

(4) The name of the dissolved and cancelled political parties shall be published in the Official Gazette.

90I 90I. If a registered political party is aggrieved by an order of cancellation of registration by the Commission, it may prefer an appeal to the High Court Division.]

