

## THE ACT

### AMENDING THE ACT ON LOCAL ELECTIONS

#### Article 1

In the Act on Local Elections (Official Gazette 144/12) in Article 13 before paragraph 1 the following mark is added: »(1)«.

After paragraph 1, paragraph 2 is added which reads:

»(2) Voters and political parties shall not propose as a member of a representative body of a unit or as a municipality head, mayor or county prefect or their deputies, persons against which a final and effective court decision (including a suspended sentence) has been pronounced consisting of a minimum of six months imprisonment for the commitment of the following criminal offences prescribed by the Criminal Code:

1. murder (Article 90), aggravated murder (Article 91), kidnapping (Article 125 paragraph 3), treason (Article 135), acceding to occupation or capitulation (Article 136), assassination of highest state officials (Article 138), kidnapping of highest state officials (Article 139), violence against highest state officials (Article 140), disclosure of state secrets (Article 144), preventing resistance to the enemy (Article 147), serving in the enemy's army (Article 148), assisting the enemy (Article 149), undermining the military and defensive power of the state (Article 150), espionage (Article 146), damaging the reputation of the Republic of Croatia (Article 151), preparation of criminal offenses against the Republic of Croatia (Article 153), genocide (Article 156), war of aggression (Article 157), crimes against humanity (Article 157.a), war crimes against the civilian population (Article 158), war crimes against the wounded and sick (Article 159), war crime against prisoners of war (Article 160), unlawful killing and wounding the enemy (Article 161), unlawful taking of the belongings of those killed or wounded on the battlefield (Article 162), forbidden means of combat (Article 163 paragraph 2), brutal treatment of the wounded, sick and prisoners of war (Article 165), destruction of cultural objects or of facilities containing cultural objects (Article 167), international terrorism (Article 169), public incitement to terrorism (Article 169.a), recruitment and training for terrorism (Article 169.b), torture and other cruel, inhuman or degrading treatment (Article 176), trafficking in human beings and slavery (Article 175), rape (Article 188), sexual intercourse with a helpless person (Article 189 paragraphs 2, 3 and 4), sexual intercourse by abuse of position (Article 191 paragraph 2), sexual intercourse with a child (Article 192), lewd acts (Article 193 paragraph 2), satisfying lust in the presence of a child or a juvenile (Article 194), pandering (Article 195 paragraphs 1, 4, 5 and 6), abuse of children or juveniles in pornography (Article 196) and child pornography on a computer system or network (Article 197.a paragraph 1) from the Criminal Code (Official Gazette 110/97, 27/98, 50/00, 129/00, 51/01, 111/03, 190/03, 105/04, 84/05, 71/06, 110/07, 152/08 and 57/11),

2. genocide (Article 88), crime of aggression (Article 89), crime against humanity (Article 90), war crime (Article 91), terrorism (Article 97), financing of terrorism (Article 98), public incitement to terrorism (Article 99), recruitment for terrorism (Article 100), training for terrorism (Article 101), terrorist association (Article 102), preparing criminal offences against values protected under international law (Article 103), torture and other cruel, inhuman or degrading treatment or punishment (Article 104), slavery (Article 105), trafficking in human beings (Article 106), trafficking in human body parts and human embryos (Article 107), murder (Article 110), aggravated murder (Article 111), kidnapping (Article 137 paragraph 3), rape (Article 153), serious criminal offences against sexual freedom (Article 154), sexual abuse of a child under the age of fifteen (Article 158), sexual abuse of a child over the age of fifteen (Article 159), satisfying lust in the presence of a child under the age of fifteen (Article 160), child pandering (Article 162), exploitation of children for pornography (Article 163), exploitation of children for pornographic performances (Article 164), serious criminal offence of child sexual abuse and exploitation (Article 166), coercion against a judicial official (Article 312), coercion against a public official (Article 314),

high treason (Article 340), acceding to occupation and capitulation (Article 341), preventing the fight against enemies (Article 342), serving in the enemy's army (Article 343), assisting the enemy (Article 344), undermining the military and defensive powers of the state (Article 345), coercion against the most senior state officials of the Republic of Croatia (Article 346), disclosure of secret information (Article 347), espionage (Article 348), damaging the reputation of the Republic of Croatia (Article 349) and preparing the commission of criminal offences against the Republic of Croatia (Article 350) from the Criminal Code,

3. violation of the right to submit complaints and petitions (Article 112), abuse of office and official authority (Article 337), abuse in performing governmental duties (Article 338), illegal intercession (Article 343), accepting a bribe (Article 347) and offering a bribe (Article 348) from the Criminal Code (Official Gazette 110/97, 27/98, 50/00, 129/00, 51/01, 111/03, 190/03, 105/04, 84/05, 71/06, 110/07, 152/08 and 57/11), committed with the intent and aim of acquiring pecuniary or other gain for oneself or a third person,

4. abuse of position and authority (Article 291), unlawful favouritism (Article 292), taking a bribe (Article 293), giving a bribe (Article 294), trading in influence (Article 295) and giving a bribe for trading in influence (Article 296) from the Criminal Code, committed with the intent and aim of acquiring pecuniary or other gain for oneself or a third person,

5. criminal offences not subject to the statute of limitations pursuant to the Constitution of the Republic of Croatia, in accordance with the Act on the Exemption from the Statute of Limitations of Criminal Offences of War Profiteering and Criminal Offences related to the Transformation and Privatisation Process (Official Gazette 57/11).«.

#### Article 2

»In Article 17 paragraph 1 after the words: »commission« the full stop is deleted and the following is inserted: »and a certificate on the data from the criminal records of the Ministry of Justice, in accordance with Article 13 paragraph 2 of this Act.«.

#### Article 3

This Act shall enter into force on the eighth day after the day of its publication in the Official Gazette.

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Zagreb, 15 December 2016

THE CROATIAN PARLIAMENT

The President of  
the Croatian Parliament  
Božo Petrov, m.p.