

**Political Parties Act of Croatia, 1993, amended 1996, 1998, 2001.
Consolidated text, 2001**

I. General Provisions

Article 1

By virtue of their free establishment, political parties shall embody the expression of the democratic multiparty system as the highest value of the constitutional order of the Republic of Croatia.

This Act shall regulate the legal status and the conditions, methods and procedures for the establishment, registration, dissolution and financing of political parties.

Article 2

For the purposes of this Act, political parties shall be legal persons engaged in political activity in compliance with the goals laid down in their platforms and charters.

Article 3

The activities of political parties shall be public.
By way of exception, political parties may exclude the public in cases set forth in their charters.

Article 4

Political parties shall not establish their organizational units in central governmental bodies, local and regional governmental bodies, companies, institutions, the armed forces, the police and other legal persons.

Article 5

A political party shall be administered by its members, either directly or through their elected representatives in its governing bodies established pursuant to its charter.

II. Establishment and Registration of Political Parties

Article 6

A political party may be established by a minimum of one hundred (100) Croatian citizens of legal age and with legal capacity.

Any Croatian citizen of legal age and with legal capacity may become a member of a political party under uniform conditions as laid down in its charter.

Article 7

Political parties shall be entered in a register.
As of the date of its entry in the register, each political party shall obtain the status of a legal person.

The register of political parties shall be maintained by the Ministry responsible for administrative affairs. The Minister responsible for administrative affairs shall establish the forms and methods for maintaining the register of political parties.

The register of political parties shall be public.

Political parties not registered in compliance with the provisions of this Act may not operate in the territory of the Republic of Croatia.

Article 8

Each political party shall notify the Ministry responsible for administrative affairs of the establishment and operation of its organizational units (chapters, branches) within fifteen (15) days after the date of their establishment.

The organizational units of political parties shall not have the status of legal persons.

The Minister responsible for administrative affairs shall set forth the forms and procedures for releasing notices on the establishment and operation of the organizational units of political parties.

Article 9

Each political party shall enclose the following in its application for entry in the register of political parties:

- minutes of the meeting of, and decisions made by, its constituent body;
- its platform and charter;
- a list of its founders and members of its governing bodies;
- the names of persons authorized to represent it and act on its behalf; and
- the Croatian citizenship certificates of its founders and members of its governing bodies.

Article 10

The charter of each political party shall contain provisions on:

- its name and headquarters;
- its symbol;
- representation and activity on its behalf;
- its objectives and methods of operation;
- its membership;
- its organizational units;
- its governing bodies, methods for their election and recall, their term of office and decision-making methods;
- its operating resources; and
- its dissolution and disposal of its assets in the event of its dissolution.

Upon its registration, each political party shall publish its charter in a daily newspaper or Narodne novine (the official journal of the Republic of Croatia).

Article 11

A political party's application for entry in the register of political parties shall be rejected if its name is not clearly distinct from those of the already registered political parties.

If the Ministry responsible for administrative affairs receives applications for the registration of two or more political parties having the same name, it shall accept the application for the registration of that political party which submits its application first.

The name of each political party shall be in the Croatian language.

The name of a political party may also be entered in the register of political parties in its translation into one or more foreign languages, provided that its name in the Croatian language is first listed.

In addition to the full name of a political party, its short name may also be used, provided that it contains a characteristic part of its name.

Any such short name shall be entered in the register of political parties.

Each political party shall use its name and short name as entered in the register of political parties, both in terms of form and substance.

If, in addition to its Croatian version, the name or short name of a political party is entered in the register of political parties in its translation into a foreign language, the political party may use any such translation of its name or short name only together with its name in the Croatian language.

The name or short name of a political party in a foreign language shall not be written in letters larger or more prominent than those used for its name in the Croatian language.

Article 12

The word "Croatia" in any language whatsoever, including any derivative thereof, or any element of the flag or the coat of arms of the Republic of Croatia, including any imitation thereof, may be incorporated into the name or symbol of a political party in a manner which promotes the reputation and dignity of the Republic of Croatia.

The names or symbols of political parties shall contain no official national designations or names of other states.

Article 13

Each political party shall submit its application for entry in the register of political parties within fifteen (15) days after the date of its constituent assembly.

The Ministry responsible for administrative affairs shall make a decision on all applications for entry in the register of political parties.

The decision on any entry in the register shall specify the date of such entry, the registration number under which such entry has been made, and the name and official headquarters of the political party.

Article 14

The Ministry responsible for administrative affairs shall make its decision on any application for entry in the register of political parties within 30 days after the date when such application for entry is duly submitted.

If the Ministry responsible for administrative affairs establishes that any application for entry in the register is not accompanied by all enclosures required under Article 9 of this Act or that the programme and charter of any political party fail to comply with the provisions of this Act, it shall seek rectification of any identified shortcomings from the applicant for registration within 30 days.

If the applicant for registration fails to rectify any identified shortcomings within the required period, the Ministry responsible for administrative affairs shall reject such application for entry in the register of political parties.

Article 15

If the Ministry responsible for administrative affairs fails to make a decision on entry in the register of political parties within the period specified in Article 14(1) of this Act, the political party in question shall be deemed entered in the register as of the next day following the expiry of said period.

The provision of paragraph (1) of this Article shall not apply in the event specified in Article 14(2) of this Act.

Article 16

Political parties shall notify the Ministry responsible for administrative affairs of any changes to their platforms, charters, names, headquarters, the names of persons authorized to represent them and act on their behalf and the membership of their governing bodies, as well as their dissolution, within fifteen (15) days after the date when any such change occurs.

Any such notification shall be accompanied by minutes of the meetings of their highest governing bodies and their decisions approving such changes.

A decision shall be made on the entry of any change to the name or headquarters of a political party or the names of persons authorized to represent it or act on its behalf in the register of political parties.

Article 17

If the ministry responsible for administrative affairs deems that a political party applying for registration plans to use its platform to undermine the free democratic order or jeopardize the existence of the Republic of Croatia, it shall propose the initiation of a constitutional review process before the Constitutional Court of the Republic of Croatia.

Pending the decision of the Constitutional Court, the ministry responsible for administrative affairs shall stay its decision-making process with regard to the registration of such political party.

The ministry responsible for administrative affairs shall reject the application of any political party for its entry in the register if the Constitutional Court of the Republic of Croatia decides that its platform is unconstitutional.

III. Funding of Political Parties

Article 18

Political parties generate any profits from their operations, they shall manage such profits as non-profit organizations.

Political parties may receive revenues from membership fees, voluntary contributions, publishing activities, the sale of promotional materials, the organization of party events, the central budget, local and regional self-government budgets and any such other sources as may be deemed eligible under relevant regulations.

Article 19

A portion of the funds required for the work of political parties, which is to be secured in the central budget for the next budget year, shall amount to 0.056% of current budget expenses incurred in the previous year.

The funds specified in paragraph (1) of this Article shall be allocated to any political party having a minimum of one deputy in the Croatian Parliament.

The funds specified in paragraph (1) of this Article shall be allocated pursuant to a decision made by the Committee on the Constitution, Standing Orders and Political System for each year, whereby an equal amount of funds shall be provided for each deputy in the Croatian Parliament, with each political party being entitled to such funding in proportion to the number of its deputies.

For each elected deputy who belongs to an under-represented gender, political parties shall also be entitled to a bonus of 10% of the amount provided for each deputy, as specified in paragraph (3) of this Article.

The funds allocated under paragraphs (3) and (4) of this Article shall be transferred to the central account of any such political party on a quarterly basis and in equal sums.

Article 20

Political parties shall publicly disclose the origin and purpose of any funds received thereby during each calendar year.

If a political party acquires or uses any funds contrary to law, or fails to present them in its operating records and financial statements, it shall forfeit its right to receive any funding under Article 19 hereof for the next calendar year. Any funds acquired contrary to law shall be appropriated to the central budget and, pursuant to legislation governing execution of the central budget of the Republic of Croatia for the current year, allocated for humanitarian purposes.

Article 21

Political parties shall maintain their operating records and prepare their financial statements in compliance with the accounting regulations of the Government of the Republic of Croatia applicable to non-profit legal persons.

Article 22

Political parties specified in Article 19(1) of this Act shall submit their annual accounts for the previous year to the Croatian National Parliament.

Prior to their submission to the Croatian National Parliament, such annual accounts shall be reviewed by the State Audit Office.

IV. Dissolution of Political Parties

Article 23

A political party shall be dissolved:

- (i) if the competent administrative body decides on its dissolution;
- (ii) if it is ascertained that it has ceased to operate and if its highest governing body has held no session even though a period twice as long as that laid down in its charter for holding such session has elapsed;
- (iii) if it has been banned from operating pursuant to a ruling of the Constitutional Court of the Republic of Croatia.

The circumstances specified in paragraph 1(i) and (ii) of this Article shall be established by the Ministry responsible for administrative affairs.

In the cases specified in paragraph 1(i) and (ii) of this Article, decisions on the dissolution of political parties shall be made by the Ministry responsible for administrative affairs.

In the event specified in paragraph 1(iii) of this Article, the political party in question shall be erased from the register as at the date of the announcement of the decision to ban its operation.

Article 24

The decisions made by the Ministry responsible for administrative affairs under Articles 13(3), 14(3), 17 and 23(3) of this Act may not be appealed, but may be subject to the initiation of administrative lawsuits.

V. Oversight

Article 25

The Ministry responsible for administrative affairs shall oversee implementation of this Act.

VI. Penal Provisions

Article 26

A fine in the Croatian kuna equivalent of DM 200 to 500 shall be imposed on any political party:

- which fails to publicly disclose the origin and purpose of any funds received thereby during the calendar year (Article 20(1)); or
- which acquires or uses any funds contrary to law or fails to report them in its annual accounts (Article 20(2)).

For any offence specified in paragraph (1) of this Article, a fine in the Croatian kuna equivalent of DM 200 to 350 shall also be imposed upon the accountable officer of such political party.

Article 27

A fine in the Croatian kuna equivalent of DM 70 to 340 shall be imposed on any political party:

- which has established its organizational units in the organizational units of central governmental bodies, local and regional governmental bodies, enterprises, institutions, the armed forces, the police and other legal persons (Article 4); or
- which fails to notify the Ministry responsible for administrative affairs of the establishment and operation of its organizational units within the required period (Article 8); or
- which fails to submit its application for registration within the required period (Article 13); or
- which fails to notify the Ministry responsible for administrative affairs of any changes to its platform, charter, name, headquarters, the names of persons authorized to represent it and act on its behalf and the membership of its governing bodies, as well as its dissolution, within the required period (Article 16).

For any offence specified in paragraph (1) of this Article, a fine in the dinar equivalent of DM 14 to 70 shall also be imposed upon the accountable officer of such political party.

Article 28

The amount of any fine specified in Articles 26 and 27 of this Act shall be adjusted by applying the mean exchange rate quoted by the Croatian National Bank on the date of its collection.

VII. Transitional and Final Provisions

Article 29

Political parties shall align their charters with the provisions of this Act within six months after its entry into force.

Article 30

The Minister responsible for administrative affairs shall pass the regulations he/she is authorized to pass under this Act within three months after its entry into force.

Article 31

Upon its entry into force, this Act shall supersede the Political Organizations Act (as published in Narodne novine, no. 19/90, 28/90, 59/90 and 2/91).

The Ordinance on Forms and Methods for Maintaining the Register of Political Organizations (as published in Narodne novine, no. 27/90) shall remain in force pending enactment of the regulations specified in Articles 7(4) and 8(3) of this Act.

Article 32

This Act shall enter into force on the eighth day following the date of its publication in Narodne novine.