LEGISLATION COMMITTEE OF THE CROATIAN PARLIAMENT

1259

Pursuant to its authorities as laid down out in Article 62 of the Standing Orders of the Croatian Parliament (Official Gazette 81/13), the Legislation Committee of the Croatian Parliament prepared the consolidated text of the Croatian Parliamentary Elections Act at its 119th session of 9 June 2015.

The consolidated text of the Croatian Parliamentary Elections Act comprises the Act on the Elections of Representatives to the Croatian State Parliament (Official Gazette 116/99), the Authoritative Interpretation of Article 12, Paragraph 3 (Official Gazette 109/00), the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 53/03), the Act on the State Electoral Commission (Official Gazette 44/06), the Decision on non-provision of an authoritative interpretation of Article 4 pertaining to Articles 15 and 16 (Official Gazette 167/03), the Act on Amendments to the Act on the State Electoral Commission (Official Gazette 19/07), the Authoritative Interpretation of Article 13, paragraph 1 (Official Gazette 20/09), the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 145/10), the Political Activity and Election Campaign Financing Act (Official Gazette 24/11), the Decision of the Constitutional Court of the Republic of Croatia (Official Gazette 93/11), the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 120/11 - consolidated text), and the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), determining the time of their entry into force.

Class: 021-17/15-02/19

Zagreb, 9 June 2015

President

of the Legislation Committee

of the Croatian Parliament

Ingrid Antičević Marinović, m. p.

CROATIAN PARLIAMENTARY ELECTIONS ACT

(consolidated text)

With Article 1 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian State Parliament (Official Gazette 53/03; hereinafter: AAAERCSP), which entered into force on 2 April 2003, the word: "state" in the title was deleted.

GENERAL AND FUNDAMENTAL PROVISIONS

Article 1

This Act governs the election of representatives to the Croatian Parliament (hereinafter: elections).

Gender-specific terms used in this Act shall relate equally to both the male and female gender.

With Article 2 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representative and House of Counties of the Croatian Parliament" were replaced with the words: "Croatian Parliament".

With Article 1 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was added.

Article 2

The mandate of representatives elected to the Croatian Parliament (hereinafter: Parliament) shall run for four years and may be prolonged only in the case of war, or in cases stipulated in Articles 17 and 100 of the Constitution of the Republic of Croatia.

With Article 3 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "or in the cases referred to in Articles 17 and 100 of the Constitution of the Republic of Croatia" were added at the end of the text aligning the name of the Croatian Parliament.

The mandate of representatives is not binding and they are not revocable.

Article 3

The freedom of voter orientation and the right to a secret ballot are guaranteed.

Voters may cast their votes at the same elections only once.

With Article 2 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was amended.

No one may vote on behalf of another person.

With Article 2 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, a new paragraph 3 was added.

No one may request voters to declare themselves concerning their voting orientation.

With Article 2 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, former paragraph 3 that became paragraph 4 was amended.

Voters are free to declare their voting orientation.

With Article 2 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 5 was added.

No one may be called to account for voting or for not having voted.

With Article 2 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, former paragraph 4 became paragraph 6.

Article 4

Representatives are elected to the Parliament on the basis of universal and equal suffrage by all Croatian citizens who are 18 years of age and over (hereinafter: voters).

With Article 4 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representatives of the Parliament" were replaced with the word: "Parliament", and the words: "and representatives to the House of Counties of the Parliament on the basis of universal suffrage" were deleted.

With Article 3 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, part of the text was deleted.

Croatian citizens who are 18 years of age or over may stand for election to the office of representative.

With Article 1 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 145/10; hereinafter: AAAERCP), which entered into force on 1 January 2011, a new paragraph 2 was added, which read: "Voters who are members of national minorities accounting for less than 1.5% of the population of the Republic of Croatia, in addition to universal suffrage, shall also have special suffrage in the elections of representatives to the Parliament"; however, the provision was repealed by a Decision of the Constitutional Court of the Republic of Croatia (Official Gazette 93/11).

The Decision of the Croatian Parliament does not give an authoritative interpretation of Article 4 in connection with Articles 15 and 16 (Official Gazette 167/03) with an explanation that: "pursuant to Article 141 of the Constitution of the Republic of Croatia, the Framework

Convention for the Protection of National Minorities constitutes integral part of the legal system of the Republic of Croatia. In accepting this Framework Convention, the Republic of Croatia has undertaken: "to adopt, whenever necessary, adequate measures to promote, in all areas of economic, social, political and cultural life, full and effective equality between national minorities and members of the majority nation. In this respect, they shall take due account of the specific conditions of national minorities," and that: 'The measures adopted in accordance with paragraph 2 shall not be considered an act of discrimination" (Article 4, paragraphs 2 and 3 of the Framework Convention for the Protection of National Minorities).

The provisions of the Constitution of the Republic of Croatia guaranteeing universal and equal suffrage at direct elections by secret ballot (Article 45, paragraph 1) and which, along with universal suffrage, allow national minorities the right to elect their representatives to the Croatian Parliament, constitute a measure ensuring (and not only promoting, as required by the Framework Convention) full and effective equality between members of national minorities and members of the Croatian majority.

Along with ensuring the said measures, the Republic of Croatia has also established conditions for the achievement of full and effective equality between members of national minorities and members of the Croatian majority. Pursuant to Article 15 of the Framework Convention, adoption of the Constitutional Act on the Rights of National Minorities and the Act on the Elections of Representatives to the Croatian Parliament provide not only for direct application of the principle of equality, but also ensure that the distinct characteristics and specific interests of national minorities are taken into account, and ensure the possibility, based on universal suffrage, that this right may in fact be exercised precisely through the election of members of national minorities to serve as representatives in the Croatian Parliament, and that there is a guaranteed number of said representatives irrespective of election results for representatives from the Croatian majority. Of course, this guarantee to members of national minorities is not considered to be an act of discrimination against members of the majority nation, but is rather to be considered one of the values on which the system of constitutional rights in the Republic of Croatia is founded.

This position ensues from the unequivocal will of the Croatian Parliament, expressed in the procedure to adopt the Constitutional Act on the Rights of National Minorities, when an amendment to the text of the Final Proposal of this Act, the content of which would have allowed members of national minorities to vote twice, was not accepted.

Consistent with this linguistic, logical, synthetic, historical and, finally, teleological analysis, it is indubitable that voters have the right and duty to vote only once, which means that if they are members of a national minority, they may vote for one of the political party slates or independent candidates in one of the electoral constituencies, as can persons of the Croatian majority, or for the representatives of national minorities in a separate electoral constituency.

On this basis, it was found that there are no grounds to give an authoritative interpretation.

Representatives to the Parliament have the right of access to the electoral register during their term of office.

With Article 3 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 3 was added.

Article 5

The President of the Republic of Croatia shall call an election for representatives to the Parliament and convene the Parliament to its inaugural session.

Election day shall be designated in the decision to call an election referred to in paragraph 1 of this Article.

Election day shall be a non-working day.

At least 30 days must elapse from the date of entry into force of the decision to call an election referred to in paragraph 1 of this Article to election day."

With Article 4 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 5 was amended.

Article 6

The elections shall be conducted at polling stations in the territory of the Republic of Croatia and at diplomatic missions and consulate posts of the Republic of Croatia.

With Article 6 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "and for the House of Representatives" were deleted, and with Article 2 of the AAAERCP, Article 6 was amended.

With Article 5 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, part of the text was deleted.

Article 7

Voters with residence in the Republic of Croatia shall vote at polling stations in the territory of the Republic of Croatia designated according to their place of residence.

Voters with residence in the Republic of Croatia, but who are serving in the Armed Forces of the Republic of Croatia on election day, who are in peace operations and missions on election day, who as members of the crews of maritime and river ships flying the Croatian flag are outside its borders, on floating facilities within interior sea waters or territorial sea of the Republic of Croatia, voters found in social welfare institutions and voters deprived of their freedom, shall vote at special polling stations designated pursuant to the provisions of this Act.

Voters with residence in the Republic of Croatia, but who are outside the borders of the Republic of Croatia on election day, shall vote for representatives of an electoral constituency based on their residence in the territory of the Republic of Croatia at the seat of a diplomatic mission or consular post of the Republic of Croatia, subject to prior registration or confirmation for the purposes of voting outside the place of residence.

With Article 3 of the AAAERCP (Official Gazette 145/10), which entered into force on 1 January 2011, paragraph 3 was amended.

With Article 6 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraphs 2 and 3 were amended.

Article 8

Voters without residence in the Republic of Croatia shall be entitled to representation in the Parliament and they shall elect three representatives from candidate slates in a special electoral constituency, where the nomination and election of representatives to the Parliament is governed accordingly by the provisions of this Act on preferential voting.

With Article 7 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representatives of the Parliament" were replaced with the word: "Parliament".

With Article 4 of the AAAERCSP (Official Gazette 145/10), which entered into force on 1 January 2011, Article 8 was amended.

With Article 7 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, a comma was inserted and new text was added.

INCOMPATIBILITY OF OFFICE, SUSPENSION AND TERMINATION OF A REPRESENTATIVE'S MANDATE, AND THE SUBSTITUTION OF REPRESENTATIVES

Article 9

Deleted.

With Article 8 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, paragraph 1 was deleted.

A representative may not simultaneously perform the duty of a representative and hold any of the following offices: judge of the Constitutional Court of the Republic of Croatia, judge, state attorney, deputy state attorney, ombudsman, deputy ombudsman, prime minister or deputy prime minister of the Government of the Republic of Croatia, minister or other member of the Government of the Republic of Croatia, deputy minister, assistant minister, director of a state administrative institution, deputy director of a state administrative institution, secretary general of the Government of the Republic of Croatia, secretary general of a ministry, chief of staff of the Government of the Republic of Croatia and director of agencies of the Government of the Republic of Croatia, chief of staff of the president of the Republic of Croatia, director of the Office of the National Security Council, ambassador, general consul, county prefect or deputy county prefect, mayor or deputy mayor of the City of Zagreb, an active duty military person, civil servant or employee of the Armed Forces, a member of the management board of a company, institution or non-budgetary fund that is predominantly in state ownership, and the head of a legal person that is required by law to submit reports to the Parliament.

Paragraph 2 was partly amended by Article 8 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, and by Article 1 of the AAAERCSP (Official Gazette 19/07), which entered into force on 16 February 2007.

With Article 8 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, former paragraph 2 that became paragraph 1 was partly amended.

For the duration of the mandate, a representative may accept the pursuit of an office deemed incompatible pursuant to the provisions of this Act.

With Article 8 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was partly amended.

While occupying the incompatible office, the mandate term shall be suspended, and the representative is to be replaced by a substitute pursuant to the provisions of this Act.

Voters and political parties may not nominate persons sentenced to an unconditional punishment of incarceration over six months in duration by a court decision in full force and effect if at the moment of the entry into force of the decision to call an election the punishment is being enforced or to be enforced.

Voters and political parties may not nominate persons whose rehabilitation terms under a special law have not expired at the moment of the entry into force of the decision to call an election, and who were sentenced by a court decision in full force and effect for any of the following:

1. criminal offences stipulated in Title IX of the Criminal Code (Official Gazette 125/11 and 144/12) against humanity and human dignity:

- genocide, a crime of aggression, a crime against humanity, a war crime, terrorism, terrorist association, torture, slavery,

2. criminal offences stipulated in Title X of the Criminal Code (Official Gazette 125/11 and 144/12) against life and body: aggravated murder.

With Article 8 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 4 was added.

Article 10

The mandate of a representative shall terminate before the end of his/her term if the representative:

1. tenders a resignation,

2. is deprived of the legal capacity by a court judgement with final force and effect,

3. is sentenced by a court judgement with final force and effect to a prison sentence exceeding six (6) months.

4. dies.

Article 11

A representative whose mandate terminated, and a representative holding an incompatible office or whose mandate has been suspended on the basis of a written application, shall be replaced by a substitute representative.

A substitute representative shall take the office of representative once the Parliament establishes that the legal prerequisites for the application of the institute of substitution have come into effect.

With Article 9 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "Representatives or the House of Counties of the Parliament" were replaced with the word: "Parliament"; the word: "established" was changed with no relevance to the English translation.

Article 12

Deleted.

With Article 9 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 12 was deleted.

Article 13

Upon termination of the pursuit of an incompatible office, the representative shall resume the office of representative on the basis of the cessation of the suspension of the mandate in the Parliament if the representative submits a written application to the President of the Parliament within eight days of the termination of the pursuit of the incompatible office. The suspension of the mandate of such representative shall cease on the eighth day of the date of submission of the written application.

With Article 11, paragraph 1 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "Representatives or the House of Counties of the Parliament" were replaced with the word: "Parliament"; the word: "House" was replaced with the word: "Parliament". At the same time, an Authoritative Interpretation was given on 6 February 2009 (Official Gazette 20/09) according to which "in the uncertainty as to whether the deadline in paragraph 1 of this Article is preclusive or instructive, it is determined that the deadline is preclusive (pre-emptory), and failure to submit the written application to resume the office of representative within such deadline means the forfeiture of the right to submit the application."

A representative may seek to resume the office of representative on the basis of cessation of the suspension of his/her term in the Parliament once during the mandate.

With Article 11, paragraph 2 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "Representatives or the House of Counties of the Parliament" were replaced with the word: "Parliament".

Article 14

A representative shall have the right to put his/her mandate under suspension once during his/her mandate as representative by submitting a written application to that effect to the President of the Parliament.

The suspension of the mandate of a representative may not be less than six months, during which suspension of mandate, the representative shall be replaced by a substitute.

The suspension of the mandate of a representative shall cease on the eighth day from the day on which the representative who placed his/her mandate under suspension submitted a written statement on the re-assumption of the office of representative to the President of the Parliament.

With Article 12 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, in paragraphs 1 and 3, the word: "House" was deleted.

Article 15

Deleted.

With Article 13 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 15 was deleted.

THE RIGHTS OF MEMBERS OF NATIONAL MINORITIES IN THE REPUBLIC OF CROATIA TO REPRESENTATION IN THE CROATIAN PARLIAMENT

With Article 14 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the title was amended.

Article 16

The Republic of Croatia guarantees members of national minorities in the Republic of Croatia the exercise of their right to representation in the Parliament.

Members of national minorities in the Republic of Croatia shall have the right to elect eight representatives to the Parliament elected in a special electoral constituency comprised of the territory of the Republic of Croatia.

The provisions of this Act on preferential voting shall not relate to voting for the election of representatives of the national minorities.

With Article 10 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 3 was added.

Article 16 was amended by Article 15 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003; then, with Article 5 of the AAAERCSP (Official Gazette 145/10), which entered into force on 1 January 2011, paragraph 2 was amended and paragraph 3 added, though said Article 5 of the AAAERCSP (Official Gazette 145/10) was repealed by a Decision of the Constitutional Court of the Republic of Croatia of 29 July 2011 (Official Gazette 93/11), which entered into force on 10 August 2011.

Article 17

With Article 16 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 17 was amended.

Members of the Serbian national minority shall elect three representatives to the Parliament as stipulated in the Constitutional Act on the Rights of National Minorities.

With Article 6, paragraph 1 of the AAAECSP (Official Gazette 145/10), which entered into force on 1 January 2011, paragraph 1 was amended; however, Article 6 of the AAAECSP (Official Gazette 145/10) was repealed pursuant to a Decision of the Constitutional Court of the Republic of Croatia of 29 July 2011 (Official Gazette 93/11), which entered into force on 10 August 2011.

Members of the Hungarian national minority shall elect one representative to the Parliament.

Members of the Italian national minority shall elect one representative to the Parliament.

Members of the Czech and Slovak national minorities shall jointly elect one representative to the Parliament.

Members of the Austrian, Bulgarian, German, Polish, Roma, Romanian, Ruthenian, Russian, Turkish, Ukrainian, Vallachian and Jewish national minorities shall jointly elect one representative to the Parliament.

Members of the Albanian, Bosniak, Montenegrin, Macedonian and Slovenian national minorities shall jointly elect one representative to the Parliament.

Members of national minorities in paragraphs 1, 2 and 3 of this Article shall nominate a candidate as representative and a candidate as substitute representative, the two standing jointly for election.

With Article 6, paragraph 2 of the AAAECSP (Official Gazette 145/10), which entered into force on 1 January 2011, the digit: "1! was deleted; however, Article 6 of the AAAECSP (Official Gazette 145/10) was repealed pursuant to a Decision of the Constitutional Court of the Republic of Croatia of 29 July 2011 (Official Gazette 93/11).

Members of the national minorities in paragraphs 4, 5 and 6 of this Article shall nominate only a candidate for representative, and the substitute shall become the candidate representative receiving the next greatest number of votes after the elected representative.

Article 18

Political parties registered in the Republic of Croatia, voters and national minority associations shall have the right to nominate candidates for national minority representatives and their substitutes.

With Article 7 of the AAAECSP (Official Gazette 145/10), which entered into force on 1 January 2011, paragraph 1 was amended; however, Article 7 of the AAAECSP (Official Gazette 145/10) was repealed pursuant to a Decision of the Constitutional Court of the Republic of Croatia of 29 July 2011 (Official Gazette 93/11), which entered into force on 10 August 2011.

With Article 11 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, certain words were added.

At least one hundred voter signatures shall be required for a valid nomination referred to in paragraph 1 of this Article.

With Article 17 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, in paragraphs 1 and 2, the word: "autochthonous" was deleted.

With Article 11 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was amended.

Article 19

The signatures of voters in the procedure to nominate national minority representatives and their substitutes who are to be elected in distinct electoral constituencies shall be collected on the prescribed form, onto which the name, surname, nationality and address of the proposed candidate, and the name, surname and address of the signed voter-nominator shall be entered.

With Article 18 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the word: "autochthonous" and the words: "the unique master citizen number" were deleted.

NOMINATIONS

Article 20

All political parties registered in the Republic of Croatia on the day of the publication of the decision to call elections in Article 5 of this Act shall have the right to nominate party slates for the election of representatives to the Parliament.

With Article 12 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 1 was amended.

Slates for the election of representatives to the Parliament may be independently nominated by a single political party, or by two or more political parties (coalition slate).

With Article 19 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, in paragraphs 1 and 2, the words: "House of Representative and House of Counties of the Parliament" were replaced with the words: "Parliament".

Political parties shall determine their party slates and the sequence of candidates on them independently, in the manner foreseen by their statutes, or pursuant to separate statutory decisions.

Political parties shall nominate the person authorised to submit the party slate and nomination pursuant to the provisions of their respective statutes.

The party slate shall include the same number of candidates as the number of representatives to be elected to the Parliament.

If the person making the nomination proposes fewer candidates than the number of representatives to be elected to the Parliament, in other words, the party slate shall not be valid.

With Article 12 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraphs 4, 5, 6 and 7 were added.

Article 21

Voters may propose candidate slates on the basis of validly collected signatures.

The signatures of at least 500 voters are required for a valid nomination of an electoral constituency slate for the election of representatives to the Parliament.

With Article 20 of the AAAECSP (Official Gazette 53/03, which entered into force on 2 April 2003), the words: "House of Representatives of the Parliament and the county slate for the election of representatives to the House of Counties of the Parliament" were replaced by the word: "Parliament".

With Article 13 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was partly amended.

The person authorised to represent an independent slate, in accordance with the provisions of this Act, shall be the first candidate on the slate.

The independent slate shall include the same number of candidates as the number of representatives elected to the Parliament.

If the person making the nomination proposes fewer candidates than the number of representatives to be elected to the Parliament, in other words, if the requirement referred to in paragraph 2 of this Article is not met, the independent slate shall not be valid.

With Article 13 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraphs 3, 4 and 5 were added.

Article 21.a

At the time of establishing and nominating party slates and independent slates for the election of representatives to the Parliament, the persons nominating the slates shall act in conformity with the principle of gender equality and bear in mind a balanced representation of women and men on such slates.

The slate for the election of representatives to the Parliament is in line with the principles referred to in paragraph 1 of this Article if the slate includes at least 40% of persons of both genders.

With Article 14 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 21.a was added.

Article 22

Nominated slates must be submitted to the State Electoral Commission of the Republic of Croatia (hereinafter: State Electoral Commission) at the latest within 14 days of the day on which the decision to call elections in Article 5 of this Act enters into force.

With Article 21, paragraph 1 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "or the County election commission" were deleted.

With Article 15 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 1 was partly amended.

The nomination of an electoral constituency slate for the election of representatives to the Parliament must include the name of the slate, and the candidates must be numbered on the slate from 1 to 14.

With Article 21, paragraph 2 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representatives of the Parliament" were replaced with the word: "Parliament".

With Article 21, paragraph 3 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, paragraph 3 was deleted.

The name of the slate is the full name(s) of the political party or of the two or more political parties that nominated the slate. If political parties use an abbreviated name of the party or parties, the abbreviations may be used in the name.

With Article 15 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015,

in former paragraph 4 that became paragraph 3, certain words were replaced and some of the words were deleted.

If a slate has been nominated by a voter group, it shall be known as the "independent slate".

Deleted.

With Article 15 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, former paragraph 6 that became paragraph 5 was deleted.

A candidate may only be nominated on one slate in one electoral constituency.

With Article 15 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, former paragraph 6 became paragraph 5, which was formerly paragraph 7.

Article 23

The State Electoral Commission shall, within 48 hours of the expiration of the deadline referred to in Article 22, paragraph 1 of this Act, accept and publish in all daily newspapers in the Republic of Croatia and on the Croatian Radio-Television all validly nominated slates and the names and surnames of candidates for each electoral constituency.

With Article 22 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representatives of the Parliament" were replaced with the word: "Parliament".

With Article 16 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 1 was partly amended.

The State Electoral Commission shall publish the collective list of all duly nominated slates for each electoral constituency.

The collective list of slates shall list the name of each electoral constituency slate. Party slates nominated in all electoral constituencies shall be the first ones to be entered on the collective slate of an electoral constituency, followed by party or independent slates in such electoral constituency, in alphabetical order by the full name of the political party, or two or more political parties nominating the slate, or in alphabetical order based on the last name of the first candidates on the independent slate. If several political parties propose a joint slate, it shall be included on the collective slate based on the name of the political party that is the first one in the nomination.

The State Electoral Commission shall deliver all accepted slates for each electoral constituency, and the collective list of electoral slates for each electoral constituency to Croatian diplomatic missions and consular posts within the deadline referred to in paragraph 1 of this Article for their publication.

With Article 16 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraphs 3 and 4 were amended.

Article 24

Deleted.

With Article 23 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 24 was deleted.

Article 25

Political parties that have nominated accepted slates of candidates for the election of representatives to the Parliament may withdraw the slate in the manner foreseen by their statutes, or a separate decision adopted pursuant to their statutes, no later than 48 hours from its publication as accepted by the electoral commission of the electoral constituency. For an independent slate, the decision to withdraw is made by the slate leader.

With Article 24, paragraph 1 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representatives of the Parliament and the county slate for the election of representatives to the House of Counties of the Parliament" were replaced with the word: "Parliament".

With Article 17 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 1 was partly amended.

A written notice of withdrawal must be received by the electoral commission of the electoral constituency within the deadline referred to in paragraph 1 of this Article.

With Article 24, paragraph 2 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "or the County election commission" were deleted.

With Article 17 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, in paragraph 2, new text was added.

The withdrawal of one or more candidates from a slate shall not be permitted following the acceptance of the slate to which they are nominated, and the withdrawal of one of the candidates shall not be taken into consideration and the slate shall remain valid with the names of all published candidates.

Article 26

A withdrawal may be submitted at the latest within 48 hours of the acceptance and publication of a slate by candidates for the election of representatives to the Parliament in the electoral constituencies electing representatives of national minorities by:

– an independent candidate by written notification legalised by a notary public,

With Article 18 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, subparagraph 1 was partly amended.

– a candidate nominated by a political party with the written approval of the political party, and

– the political party that nominated the candidate.

With Article 25 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representatives of the Parliament" were replaced with the word: "Parliament".

The withdrawal of candidates pursuant to paragraph 1 of this Article shall also relate to their substitutes.

Article 27

If a candidate on a slate for the election of representatives to the Parliament or a candidate or substitute in electoral constituencies in which representatives of national minorities stand for election dies in the period following the day of the publication of the slate of candidates, the political party or parties or national minority associations that nominated said candidate may, in his/her place, nominate a new candidate or substitute without the special conditions for the validity of a nomination stipulated in this Act, up to 10 days before election day.

With Article 26 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, in paragraphs 1 and 2, the words: "House of Representatives of Parliament, or candidate or substitute on county slates for the election of representatives to the House of Counties of Parliament" were replaced by the word: "Parliament", and the word: "autochthonous" was deleted in paragraph 1. Also, with Article 8 of the AAAERCP (Official Gazette 145/10), which entered into force on 1 January 2011, the words: "or national minority association" were deleted in paragraph 1; however, the cited Article 8 of the AAAERCP (Official Gazette 145/10) was repealed by a Decision of the Constitutional Court of the Republic of Croatia of 29 July 2011 (Official Gazette 93/11).

With Article 19 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 1 was partly amended.

If a candidate on a slate for the election of representatives to the Parliament dies after the period referred to in paragraph 1 of this Article, the provisions of Article 42 of this Act shall apply accordingly.

With Article 19 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was partly amended.

ELECTION CAMPAIGNS

Article 28

The election campaign shall commence on the day of the publication of the collective list of slates of the electoral constituencies, and shall end 24 hours before election day.

All election campaign promotions, the publication of election result forecasts and the publication of early, unofficial election returns, the publication of photographs in the public broadcast media, statements from and interviews with slate leaders and candidates and the citation of their statements or written work is prohibited on election day until the closing of polling stations and during the 24 hours prior to election day.

With Article 27 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, in paragraphs 1, the words: "or county slates" were deleted, and in paragraph 2, after the words: "On election day", the following words were added: "until the closing of polling stations".

With Article 20 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, in paragraph 2, part of the text was deleted.

Article 29

The Croatian Television and the Croatian Radio shall follow the electoral campaign, and during the electoral campaign are obliged in their activities to enable all those participating in the elections to present and explain their election programmes. Broadcasters of other media shall decide independently whether and to what extent they will follow the electoral campaign.

All broadcast media are obliged, in their activities of following the electoral campaign and presenting the electoral activities of candidates in the election, to guarantee journalistic independence, professionalism and expertise, consistent compliance with the journalistic code of ethics and in particular the fundamental principle of the freedom of expression stipulated in the Constitution of the Republic of Croatia, the Convention for the Protection of Human Rights and Fundamental Freedoms and the Charter of Fundamental Rights of the European Union, guided by the interests of the public.

With Article 21 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 29 was amended.

Article 30

In order to achieve the equality of all political parties that have nominated slates and the equal opportunity of political parties to present their programmes and campaign advertising, the Parliament shall enact rules of conduct of the electronic media with national concessions in the Republic of Croatia during the election campaign period within 15 days of the entry into force of this Act.

With Article 22 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 1 was partly amended.

The rules referred to in paragraph 1 of this Article shall elaborate and determine the forms and times for the coverage of the election campaign promotion of political parties, the form, duration and other issues concerning advertising, the manner in which the programmes of political parties, candidates on party and independent slates, candidates for the representatives of the national minorities and political party officials shall be presented, and the rules for the broadcast of electoral debates.

With Article 22 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was amended.

Deleted.

With Article 22 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 3 was deleted.

With Article 28 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, paragraph 1 was amended, the word: "autochthonous" was deleted in paragraph 2, and the words: "on Croatian Radio-Television" were replaced with the words: "through the electronic media with national concessions in the Republic of Croatia" in paragraph 3.

ELECTION CAMPAIGN COSTS AND THE RIGHT TO COMPENSATION

Article 31

Ceased to have effect.

With Article 52 of the Act on Political Activity and Election Campaign Financing (Official Gazette 24/11), which entered into force on 3 March 2011, Article 31 ceased to have effect.

Article 32

Ceased to have effect.

With Article 52 of the Act on Political Activity and Election Campaign Financing (Official Gazette 24/11), which entered into force on 3 March 2011, Article 32 ceased to have effect.

Article 33

Ceased to have effect.

With Article 52 of the Act on Political Activity and Election Campaign Financing (Official Gazette 24/11), which entered into force on 3 March 2011, Article 33 ceased to have effect.

Article 34

Deleted.

With Article 3 of the AAAERCSP (Official Gazette 19/07), which entered into force on 16 February 2007, Article 34 was deleted.

Article 35

Ceased to have effect.

With Article 52 of the Act on Political Activity and Election Campaign Financing (Official Gazette 24/11), which entered into force on 3 March 2011, Article 35 ceased to have effect.

Article 36

Ceased to have effect.

With Article 52 of the Act on Political Activity and Election Campaign Financing (Official Gazette 24/11), which entered into force on 3 March 2011, Article 36 ceased to have effect.

Article 37

Deleted.

With Article 35 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 37 was deleted.

ELECTION OF REPRESENTATIVES TO THE PARLIAMENT

With Article 36 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, in the heading above Article 38, the words: "House of Representatives of the Croatian State Parliament" were replaced with the word: "Parliament".

Article 38

A total of 140 representatives to the Parliament, not including representatives of the national minorities and representatives elected by Croatian nationals not having residence in the Republic of Croatia, shall be elected in a way that the territory of the Republic of Croatia shall be divided into ten electoral constituencies, where each electoral constituency shall elect 14 representatives to the Parliament.

Representatives to the Parliament shall be elected based on proportional representation and preferential voting.

Voters may vote only for one slate of candidates.

The voter may mark one candidate on the ballot to have precedence over other candidates on the slate selected (preferred vote).

With Article 37 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representatives of the Parliament" were replaced with the word: "Parliament".

With Article 6, paragraph 9 of the AAAECSP (Official Gazette 145/10), which entered into force on 1 January 2011, paragraph 2 was added; however, the said Article 9 of the AAAECSP (Official Gazette 145/10) was repealed pursuant to a Decision of the Constitutional Court of the Republic of Croatia of 29 July 2011 (Official Gazette 93/11).

With Article 23 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 38 was amended.

Article 39

Electoral constituencies are regulated in the Act on Electoral Constituencies for the Election of Representatives to the Croatian Parliament, such that the difference between the numbers of voters in electoral constituencies may not be greater than ± 5%.

With Article 38 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, in paragraph 1, the words: "House of Representatives of the Croatian State Parliament" were replaced with the words: "Croatian Parliament".

The territories of the counties, cities and municipalities in the Republic of Croatia as determined by law shall be taken into account to the greatest possible extent when determining electoral constituencies.

Article 40

The number of representatives to the Parliament elected from each electoral constituency slate shall be determined as follows:

– the total number of valid votes that each slate won (slate voter pool) is to be divided by the numerals from 1 to 14 conclusively, also taking into account the decimal places. Of all the results yielded, representative seats in the Parliament shall be won by those slates with the 14 numerically greatest results, decimal places included. Each of these slates shall win a number of representative seats in the Parliament corresponding to the number of individual results among the 14 numerically greatest results. The number of representatives elected from the slate shall be the number of mandates won by such slate,

– preferred votes for individual candidates are taken into account if the number of preferred votes of a particular candidate is at least 10% of the votes won by a particular slate,

– candidates elected from each slate are those who win the greatest number of preferred votes. Where two or more candidates win the same number of preferred votes, the deciding factor shall be the order on the candidate slate,

– if, pursuant to subparagraphs 2 and 3 of this Article, the number of representatives elected is not the number of mandates belonging to a particular slate, representatives are assigned to the remaining positions on such slate based on the order on the slate.

With Article 39 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 40 was amended.

With Article 10 of the AAAECSP (Official Gazette 145/10), which entered into force on 1 January 2011, Article 40.a was added; however, the said Article 10 of the AAAECSP (Official Gazette 145/10) was repealed pursuant to a Decision of the Constitutional Court of the Republic of Croatia of 29 July 2011 (Official Gazette 93/11).

With Article 24 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 40 was amended.

Article 41

The right to participate in the division of representative seats in an electoral constituency shall be exercised by those slates that win at least 5% of the valid ballots cast at the elections.

Article 42

Representatives shall have substitutes to perform their duty if the mandate of the representative is stayed or terminates before the expiration of the term for which he/she was elected.

A representative elected from the party slate of candidates shall be substituted by an unelected candidate from the same slate from which the representative whose mandate terminated or is stayed was elected. The provisions of this Act on preferential voting shall apply accordingly to the appointment of the substitute, and if there is no candidate appointed in such manner on the slate who would substitute the representative, the substitute shall be appointed by the political party that nominated the slate of candidates.

The representative who is elected on the slate of candidates of two or more political parties shall be substituted by an unelected candidate from such slate and from the same party to which the representative whose mandate terminated or is stayed belonged at the moment of the election. The provisions of this Act on preferential voting shall apply accordingly to the appointment of the substitute, and if there is no candidate appointed in such manner on the slate who would substitute the representative, the substitute shall be appointed by the political party to which the representative whose mandate terminated or is stayed belonged at the moment of the election.

A representative elected from an independent slate shall be substituted by an unelected candidate from the same slate from which the representative whose mandate terminated or is stayed was elected. The provisions of this Act on preferential voting shall apply accordingly to the appointment of the substitute, and if there is no candidate appointed in such manner on the slate who would substitute the representative, the representative shall be substituted by an unelected candidate who comes next in line on the slate.

A representative elected from the party slate of candidates which is deleted from the register of political parties after the elections shall be substituted by an unelected candidate from the same slate from which the representative whose mandate terminated or is stayed was elected. The provisions of this Act on preferential voting shall apply accordingly to the appointment of the substitute, and if there is no candidate appointed in such manner on the slate who would substitute the representative, the representative shall be substituted by an unelected candidate who comes next in line on the slate.

A representative elected in the electoral constituency for the election of a representative of the national minorities shall be substituted by a substitute elected in the same electoral constituency.

With Article 25 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 42 was amended.

Article 43

Voters without residence in the Republic of Croatia may nominate a minimum of six and a maximum of fourteen candidates for representatives on candidate slates.

With Article 11 of the AAAERCSP (Official Gazette 145/10), which entered into force on 1 January 2011, Article 43 was amended.

Article 44

The number of representatives to the Parliament to be elected from candidate slates in the special electoral constituency for voters without residence in the Republic of Croatia shall be ascertained as follows:

– the total number of valid votes that each slate won (slate voter pool) is to be divided by the numerals from 1 to 3 conclusively, also taking into account the decimal places. Of all the sums obtained, the third sum shall be the common denominator with which the total number of valid votes for each candidate slate (slate voter pool) shall be divided. Each candidate slate shall win as many of the three representative seats as the number of times the total number of its valid votes (slate voter pool) contains the common denominator, including decimal remainders,

– preferred votes for individual candidates are taken into account if the number of preferred votes of a particular candidate is at least 10% of the votes won by a particular slate,

– candidates elected from each slate are those who win the greatest number of preferred votes. Where two or more candidates win the same number of preferred votes, the deciding factor shall be the order on the candidate slate,

– if, pursuant to subparagraphs 2 and 3 of this Article, the number of representatives elected is not the number of mandates belonging to a particular slate, representatives are assigned to the remaining positions on such slate based on the order on the slate.

With Article 12 of the AAAERCSP (Official Gazette 145/10), which entered into force on 1 January 2011, Article 44 was amended.

With Article 26 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 44 was amended.

Article 45

Deleted.

With Article 13 of the AAAERCSP (Official Gazette 145/10), which entered into force on 1 January 2011, Article 45 was deleted.

Article 46

Members of national minorities as referred to in Article 17 of this Act shall elect representatives to the Parliament by individual election such that the elected representative shall be the candidate who has won the greatest number of votes cast. If two or more candidates win the same number of votes, the election shall be repeated.

With Article 40 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representatives of the Parliament" were replaced with the word: "Parliament".

Article 47

Deleted.

With Article 41 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the heading above Article 47 and Article 47 were deleted.

Article 48

Deleted.

With Article 41 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 48 was deleted.

Article 49

Deleted.

With Article 41 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 49 was deleted.

Article 50

Deleted.

With Article 41 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 50 was deleted.

BODIES FOR THE IMPLEMENTATION OF THE ELECTION OF REPRESENTATIVES TO THE PARLIAMENT

With Article 42 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, in the heading above Article 51, the words: "House of Representatives and the

House of Counties of the Croatian State Parliament" were replaced with the word: "Parliament".

Article 51

Bodies for the implementation of the election of representatives to the Parliament are the following: the State Electoral Commission, electoral constituency electoral commissions, municipal and city electoral commissions, and electors' committees.

With Article 43 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representatives of the Parliament" were replaced with the word: "Parliament".

Article 52

Deleted.

With Article 44 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 52 was deleted.

STATE ELECTORAL COMMISSION

Article 53

Deleted.

With Article 3 of the AAAERCSP (Official Gazette 19/07), which entered into force on 16 February 2007, Article 53 was deleted.

Article 54

Deleted.

With Article 3 of the AAAERCSP (Official Gazette 19/07), which entered into force on 16 February 2007, Article 54 was deleted.

Article 55

Deleted.

With Article 3 of the AAAERCSP (Official Gazette 19/07), which entered into force on 16 February 2007, Article 55 was deleted.

Article 56

The State Electoral Commission shall:

1. take care of the lawful preparation and the implementation of the election of representatives to the Parliament;

2. appoint members of the electoral constituency electoral commissions;

3. prescribe and publish obligatory instructions for the work of electoral commissions and voters' committees;

With Article 27 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, in paragraph 1, item 3 was partly amended.

4. determine the polling stations and appoint the chairperson and members of voters' committees at the seats of diplomatic missions and consular posts of the Republic of Croatia;

With Article 27 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, in paragraph 1, item 4 was amended.

5. prescribe the forms in the process of preparing and implementing elections;

6. supervise the work of the electoral constituency electoral commissions and provide them with professional assistance;

With Article 27 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, in paragraph 1, item 6, new text was added.

7. publish the slates of electoral constituencies on the basis of valid nominations, and compile the collective lists of electoral constituencies;

8. supervise the funding of election campaigns in accordance with a special law;

With Article 27 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, in paragraph 1, item 8 was amended.

9. publish the results of the election of representatives to the Parliament;

10. inform voters about the implementation of the election and the possibility of exercising the protection of the right to vote in the electoral process;

With Article 27 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, in paragraph 1, item 10 was amended.

11. perform other activities as stipulated in this Act.

With Article 46 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, in paragraph 1, item 1, the words: "both houses" were deleted; the words: "and county electoral commissions" were deleted in item 2; the words: "and county electoral commissions" were deleted in item 6; the words: "House of Representatives and House of Counties of the Parliament" were replaced with the word: "Parliament" in item 9.

Article 57

The obligatory instructions referred to in Article 56, item 3 of this Act are published in the Official Gazette and in other appropriate ways.

With Article 28 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 57 was amended.

ELECTORAL COMMISSIONS OF ELECTORAL CONSTITUENCIES

Article 58

The electoral commissions of electoral constituencies shall have a permanent and expanded membership.

The permanent membership of the electoral commissions of electoral constituencies shall be composed of the chairperson and two members, and their deputies.

The chairperson, members, deputy chairperson, and deputy members comprising the permanent membership of the electoral commissions of electoral constituencies shall be appointed by the State Electoral Commission from amongst the ranks of judges and prominent lawyers.

Article 59

The expanded membership of the electoral commissions of electoral constituencies shall be determined upon the acceptance, determination and publication of party slates.

The expanded membership of the electoral commissions of electoral constituencies shall exercise the same rights and obligations as the permanent members of the electoral commissions of electoral constituencies.

Article 60

The expanded membership of the electoral commissions of electoral constituencies shall consist of two representatives of the majority political party or coalition and two representatives of opposition political parties or coalitions proposed in agreement, consistent with the representation of parties in the Parliament, and their respective deputies.

If no agreement is achieved on the two representatives of political parties that are, based on the representation of parties in the Parliament, considered to be in opposition, the selection of the two members of the expanded membership and their deputies shall be decided by lot before the State Electoral Commission amongst the candidates and deputies.

With Article 47 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Parliament for which elections have been called" were replaced by the word: "Parliament" in paragraphs 1 and 2.

Article 61

The electoral commissions of electoral constituencies shall:

1. ensure the legality of the implementation of elections at polling stations in its territory;

2. determine the polling stations at the proposal of the municipal and city electoral commissions;

3. appoint municipal and city electoral commissions;

4. appoint and dissolve voters' committees;

5. carry out all technical preparations for the implementation of the election in its territory pursuant to the obligatory instructions of the State Electoral Commission;

6. collect and count the ballots from polling stations in its territory from the municipal and city electoral commissions and deliver them to the State Electoral Commission;

7. perform other activities as stipulated by this Act.

Article 62

The provisions of Article 61 of this Act shall apply accordingly to the electoral commissions of electoral constituencies electing the representatives of the national minorities in the Republic of Croatia.

With Article 48 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, in Article 62, the word: "autochthonous" was deleted.

Article 63

Deleted.

With Article 49 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the heading above Article 63 and Article 63 were deleted.

Article 64

Deleted.

With Article 49 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 64 was deleted.

Article 65

Deleted.

With Article 49 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 65 was deleted.

Article 66

Deleted.

With Article 49 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 66 was deleted.

MUNICIPAL AND CITY ELECTORAL COMMISSIONS

Article 67

The electoral commission of the electoral constituency shall appoint the municipal and city electoral commissions.

The same rules shall apply to the composition and selection of municipal and city electoral commissions as apply to the composition and selection of the electoral commission of the electoral constituency.

Article 68

The municipal and city electoral commissions shall:

– submit a proposal of polling stations in the territory of the municipality or city to the electoral commission of electoral constituencies;

– submit proposals on the appointment of voters' committees in the territory of the municipality or city;

– submit proposals on the dissolution of voters' committees as stipulated in this Act;

– collect data on polling and forward such data to the electoral commission of electoral constituency;

– perform other activities delegated to them from its competences by the electoral commission of electoral constituency.

VOTERS' COMMITTEES

Article 69

Voters' committees shall directly conduct voting by voters at polling stations and ensure the regularity and secrecy of voting.

The voters' committees shall be comprised of a chairperson and four members, and deputy members. Two members and their deputies shall be designated by the majority political party or coalition, and two members and their deputies by the opposition political parties or coalition consistent with the current representation of parties in the Parliament.

With Article 50 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of the Parliament for which elections have been called" were replaced with the word: "Parliament" in paragraph 2.

With Article 29 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, in paragraph 2, new text was added.

Political parties shall designate members of voters' committees and submit their names to the competent electoral commissions at the latest eight days before election day. If they fail to designate them, or fail to submit their names to the competent electoral commissions within the deadline, such electoral commissions shall independently designate the members of voters' committees.

With Article 29 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 3 was partly amended.

The chairperson of the voters' committee and his/her deputy may not be members of any political party and, whenever possible, should be from the legal profession.

Pursuant to the provisions of paragraphs 3 and 4 of this Article, electoral commissions having competence under the provisions of this Act shall appoint voters' committees for all polling stations at the latest five days before election day.

HOLDING THE ELECTIONS

Article 70

Not later than ten days before election day, the State Electoral Commission (for polling stations outside the Republic of Croatia) and electoral constituency electoral commissions (for the territory of the Republic of Croatia) shall publish which polling stations have been designated, indicating which voters vote at which polling station.

With Article 51 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "or county election commissions" were deleted.

With Article 30 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 70 was partly amended.

Article 71

Voters serving in the Armed Forces of the Republic of Croatia shall vote at polling stations to be determined by the minister competent for the Armed Forces.

Voters who, as members of the crews of maritime and river merchant ships flying the Croatian flag, are outside of the borders of the Republic of Croatia on election day shall vote at polling stations to be determined by the minister competent for maritime transport.

Voters deprived of freedom shall vote at polling stations for the implementation of polling to be determined by the minister competent for the prison system.

Voters who are in peace operations and missions on election day shall vote at polling stations to be determined by the minister competent for foreign and European affairs.

Voters placed in social welfare institutions shall vote at polling stations to be determined by the minister competent for social welfare.

The competent ministries shall submit their proposals for the appointment of voters' committees at polling stations referred to in paragraphs 1, 2, 3, 4 and 5 of this Article to electoral implementing commissions within eight days of the day a particular polling station was determined.

Once the proposal referred to in paragraph 6 of this Article is received, the competent electoral implementing commissions shall appoint members of the voters' committee at specific polling stations.

Members of the voters' committee at polling stations referred to in paragraphs 1 and 5 of this Article shall be appointed by the commission of the electoral constituency in the area of which such polling stations are located.

Members of the voters' committee at polling stations referred to in paragraphs 2, 3 and 4 of this Article shall be appointed by the commission of the electoral constituency in the area of which the company owning the ship has its seat, in the area of which the institution in which persons deprived of freedom, and headquarters of the units of the Armed Forces of the Republic of Croatia are located."

With Article 31 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 71 was amended.

Article 72

When determining the location of polling stations, the number of voters to vote at such stations, and the accessibility of and the distance between polling stations shall be taken into account.

The number of voters to vote at a polling station shall be determined in a way that voting may be performed without difficulty in the period of time scheduled for voting.

For each polling station, a separate voting room shall be designated that must be equipped and arranged in a way that ensures the secrecy of voting.

Each polling station shall be assigned its ordinal number.

Article 73

Deleted.

With Article 32 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 73 was deleted.

THE VOTING PROCESS AND DETERMINING VOTING RESULTS

Article 74

Voting shall be made in person on ballots.

Deleted.

With Article 33 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was deleted.

Ballots shall be printed by the state printing press designated and directly supervised by the State Electoral Commission.

Each ballot shall bear a printed serial number.

With Article 33 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, former paragraphs 3 and 4 became paragraphs 2 and 3.

Article 75

The ballot upon which a vote is cast for one of the electoral constituency slates shall include:

1. instruction about the manner of voting,

2. ordinal numbers and names of the slates in the order from the collective slate of candidates, and each slate should also include the ordinal numbers and names and surnames of candidates,

3. serial number.

With Article 52 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "or county slate" were deleted.

With Article 34 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 75 was amended.

Article 76

Every voter at a polling station shall receive a ballot in the electoral constituency based on the place of his/her residence. Voters who are entitled to vote in an electoral constituency for the representatives of national minorities shall be informed about their right to vote for a candidate slate based on the place of residence or to request a ballot for the election of a representative of national minorities, and shall be provided with a ballot of their choice.

Votes may only be cast for electoral constituency slates listed on the ballot.

A vote is cast on the ballot by encircling the ordinal number to the left of the name of a particular electoral constituency slate. If a voter wants to give a preferred vote to a particular candidate on the slate, he/she shall encircle the ordinal number to the left of the name and surname of the candidate to whom such voter wants to give a preferred vote.

With Article 35 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 76 was amended.

Article 77

Ballot used to cast a vote in electoral constituencies electing national minority representative and their substitute shall include the following:

1. name and surname of the candidate and his/her substitute;

2. full and abbreviated name of the political party, or two or more parties that nominated the candidate. If a candidate is nominated by a voter group in accordance with the provisions of this Act, the words: "candidate of voter group" shall be stated to the left of the name and surname of such candidate,

With Article 36 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, item 2 was amended in paragraph 1.

3. serial number.

Candidates shall be listed on the ballot in the order in which they are listed on list of candidates for the election of representatives of national minorities. An ordinal number shall be placed to the left of the name and surname of each candidate.

Votes may only be cast for candidates for the election of representatives of national minorities listed on the ballot by encircling the ordinal number to the left of the name of the candidate.

With Article 54 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the word: "autochthonous" was deleted in paragraphs 1, 2 and 3.

Article 78

A valid ballot is the one that enables the will of the voter and the slate or candidate for whom the voter cast his/her vote to be established with certainty and beyond any doubt.

Article 79

A ballot is spoiled where:

1. the ballot is left blank;

2. the ballot is filled in a manner that makes it impossible to determine the voter's decision and the slate/candidate for which/whom such voter cast his/her vote;

3. completing the ballot by casting one's vote for two or more slates or candidates;

4. the voter cast his/her vote on the ballot for candidates from different slates and failed to encircle one of the slates.

With Article 37 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, item 4 was added.

Article 79.a

If a voter encircles only the ordinal number to the left of the name of the slate, and does not cast a preferred vote in favour of a particular candidate, the ballot is valid.

If a voter encircles the ordinal number for a particular slate and casts a preferred vote in favour of a candidate from another slate, the ballot shall be valid and the preferred vote shall not be accepted.

If a voter casts his/her preferred vote to two or more candidates on a single slate, the ballot shall be valid in relation to the vote for the slate, regardless whether the ordinal number next to the slate is encircled or not, while the preferred votes for candidates shall not be accepted.

If a voter casts a preferred vote in favour of a candidate from a particular slate and does not encircle the ordinal number to the left of the slate concerned, the ballot shall be valid both in terms of the vote for the slate and in terms of the preferred vote for the candidate from such slate.

If a voter casts a preferred vote in favour of candidates from different slates and encircles the ordinal number to the left of one of such slates, the ballot shall be valid in terms of the vote for the slate and for the preferred vote from such slate if the voter cast only one preferred vote in favour of such slate.

With Article 38 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 79.a was added.

Article 80

Voting shall be conducted without interruptions from seven to nineteen hundred hours.

At the seats of diplomatic missions and consular posts, voting shall be conducted over a period of two days, where it shall end on the same day as the closing of voting in the Republic of Croatia.

With Article 39 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was amended.

Polling stations shall be closed at nineteen hundred hours, but voters found at polling stations at the moment of closing shall be allowed to vote.

At least three members of the voters' committee or their deputies shall be present at the polling station at all times.

Article 81

The chairperson of the voters' committee is obliged and authorised to ensure peace and order at polling stations during voting and after the closing of polling stations.

If necessary to ensure peace and order and for the unimpeded conduct of voting, the chairperson of the voters' committee may seek the assistance of the police, which shall be obliged to act on his/her instructions within the scope of their legally vested authorities.

No one, with the exception of members of the police if called by the chairperson of the voters' committee, may come to a polling station bearing a firearm.

Article 82

The chairperson of the voters' committee or a member authorised by the chairperson of the voters' committee shall verify that every voter proceeding to cast a ballot is registered on the voters' list.

The identity of voters is established on the basis of their identity card, in accordance with special legislation.

If a voter is not registered on the voters' list, the chairperson of the voters' committee or a member authorised by the chairperson of the voters' committee shall not permit such voter to cast a ballot, unless such voter proves his/her right to vote at the polling station with a confirmation issued by the competent state body.

The voter shall submit the confirmation referred to in paragraph 3 of this Article to the voters' committee and it shall form part of the transcript from the voters' list for the polling station concerned.

With Article 40 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 82 was amended.

Article 83

A voter unable to vote in accordance with this Act as a result of a physical disability or illiteracy may be accompanied at the polling station by another person who can read and who shall encircle the number as instructed by the voter.

A voter unable to appear at a polling station in person as a result of a serious illness, physical impairment or as a result of being infirm shall inform the voters' committee thereof at least three days before election day or the voters' committee on election day.

The competent electoral commissions shall submit the requests received from voters to vote outside the polling station to the competent voters' committees along with all of the electoral material.

The chairperson of the voters' committee shall designate at least two members of the voters' committee who shall visit the voter referred to in paragraph 2 of this Article and enable him/her to cast a ballot.

The voter referred to in paragraph 2 of this Article shall fold the ballot on which he/she cast his/her vote at least once, place it into a special envelope, and close it. A member of the voters' committee shall hand over the envelope to the chairperson of the voters' committee on return to the polling station.

The chairperson of the voters' committee shall promptly place the folded ballot from the envelope into the ballot box at the polling station.

With respect to the realisation of the right to vote of voters who appear at the polling station, but who do not have access to the polling station, because of their physical disability or for some other reason, the provisions of paragraphs 4, 5 and 6 of this Article shall apply.

Voting performed as stipulated in paragraphs 1 and 2 of this Article shall be recorded specifically in the minutes of the voters' committee.

With Article 41 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 83 was amended.

Article 84

When voting is completed, the voters' committee shall first count any ballots that remain unused and place them in a separate envelope that shall then be sealed.

The voters' committee shall then establish the total number of ballots cast from the records based on the voters' list or a confirmation issued by the competent body.

With Article 42 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was amended.

Once the number of ballots cast is determined, the voters' committee shall open the ballot boxes and count the votes.

Article 85

If it is established during the counting of votes at polling stations that the number of votes based on the voters' list is greater than the number of votes based on the ballots, the results of voting further to the ballots shall prevail.

If it is established during the counting of votes at polling stations that fewer voters cast ballots than the number of ballots in the ballot box, the voters' committee shall immediately cease its work and submit the material to the municipal or city electoral commission accompanied by a report.

The municipal or city electoral commission shall immediately notify the electoral constituency electoral commission, which shall declare that the voting at such polling station is invalid, dissolve the voters' committee, appoint a new one and order voting at the polling station to be repeated within a period of eight days.

Article 86

In determining the results of voting at a polling station, the voters' committee shall register the following in its minutes:

– the number of voters based on the transcript from the voters' list,

– the number of voters who cast ballots based on a transcript from the voters' list, and the number of voters who cast ballots based on a confirmation issued by the competent state body, and the number in total,

– the number of voters who cast ballots for the electoral constituency based on the place of residence, and the number of voters for electoral constituencies for the election of representatives of national minorities,

– the number of votes won by each slate and the number of preferred votes won by an individual candidate on such slate,

– the number of votes won by each slate or individual candidate in the election of representatives of the national minorities,

– the number of ballots declared spoiled.

The minutes of the voters' committee shall also include all other facts important for the polling procedure.

Each member of the voters' committee may provide written comments on the minutes.

The minutes shall be signed by all members of the voters' committee and their substitutes.

Each member of the voters' committee and each substitute is entitled to a copy or transcript of the minutes of the voters' committee, which shall be certified by the signatures of all members of the voters' committee.

With Article 55 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, in subparagraph 3, the word: "autochthonous" was deleted.

With Article 43 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 86 was amended.

Article 87

Voters' committees shall submit their minutes and other election materials to the municipal or city electoral commission at the latest within 12 hours of the closing of polling stations.

With Article 56 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "or county election commissions" were deleted.

Voters' committees **at the seats of diplomatic missions and consular posts of the Republic of Croatia** shall submit their minutes and other election materials directly to the State Electoral Commission within 48 hours of the closing of polling stations.

With Article 44 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 2 was partly amended.

Article 88

The municipal and city electoral commissions shall keep minutes concerning their work in which they shall record:

1. the number of voters registered in the excerpt from the voters' list in their area of responsibility;

2. the number of voters who cast ballots and the number of ballots declared spoiled;

3. the number of votes won by each slate, the names and surnames of candidates from the slate with the number of preferred votes, and the number of votes won by a particular candidate for the election of representatives of national minorities.

With Article 45 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, item 3 was amended in paragraph 1.

Municipal and city electoral commissions shall submit their minutes with other election materials to the electoral constituency electoral commission at the latest within 18 hours of the closing of polling stations.

Article 89

The electoral constituency electoral commissions shall keep minutes in which they shall record:

1. the number of voters registered in the excerpt from the voters' list in their area of responsibility;

2. the number of voters who cast ballots and the number of ballots declared spoiled;

3. the number of votes won by each slate, the names and surnames of candidates from the slate with the number of preferred votes, and the number of votes won by a particular candidate for the election of representatives of national minorities, and the names and surnames of candidates from each slate elected as representatives.

With Article 46 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, in paragraph 1, item 3 was amended.

Every member of an electoral constituency electoral commission may submit written objections to the minutes. The minutes shall be signed by all members of an electoral constituency electoral commission.

The electoral constituency electoral commission shall add up all the results of voting from polling stations in its area of responsibility at the latest within 24 hours from the closing of polling stations.

The electoral constituency electoral commission shall submit election results from its area of responsibility to the State Electoral Commission, along with its minutes in the manner and within the deadline determined by the State Electoral Commission.

Article 90

Deleted.

With Article 57 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, Article 90 was deleted.

Article 91

The State Electoral Commission shall establish the results of elections for representatives to the Parliament.

With Article 58 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of Representatives and House of Counties" were deleted.

Article 92

As soon as the State Electoral Commission establishes the results of voting for representatives, it shall announce:

1. the number of voters registered in voters' lists, the number of voters who cast ballots in each electoral constituency, the number of votes won by individual slates in electoral constituencies, and the number of spoiled ballots,

With Article 47 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, in paragraph 1, item 1, new text was added.

With Article 59 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "or county slate" were deleted.

2. the number of representative seats won by each slate and the names and surnames of the candidates elected as representatives,

With Article 59 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, item 3 was deleted.

4. the names and surnames of candidates and their substitutes elected in each of the electoral constituencies electing a representative of national minorities and his/her substitute.

With Article 59 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, the word: "autochthonous" was deleted.

Article 93

During voting, the State Electoral Commission may publish preliminary data on voter turnout.

Article 94

After the close of polling stations, the State Electoral Commission may publish preliminary and unofficial election results at its discretion.

The official results shall be published after all legal remedies in the protection of the right to vote are exhausted or when the deadlines for submitting such legal remedies expire.

COSTS OF ELECTIONS

Article 95

Funds to cover the costs of elections shall be secured from the State Budget of the Republic of Croatia and managed by the State Electoral Commission.

The State Electoral Commission shall determine the manner in which funds are to be used and oversee the way in which the funds are used, and allocate appropriate funds to electoral commissions in electoral constituencies.

With Article 60 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "or county election commissions" were deleted.

The State Electoral Commission shall publish at its website a full report on the total cost of the elections, detailing the use of funds, no later than within thirty (30) days of the date of publication of the official results of the elections.

With Article 48 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 3 was partly amended.

PROTECTING ELECTORAL RIGHTS

Article 96

The Constitutional Court of the Republic of Croatia shall oversee the constitutionality and lawfulness of elections.

The Constitutional Court of the Republic of Croatia shall also resolve electoral disputes that are not in the jurisdiction of courts when making a decision further to a complaint a decision of the competent electoral commission.

With Article 61 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, paragraph 2 was amended.

Article 97

An objection against irregularities in the nomination procedure or electoral procedure may be submitted by any political party, independent slate leader, candidates for representatives to the Parliament, at least 100 voters or at least 5% of the voters in an electoral constituency in which elections are conducted.

With Article 49 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, paragraph 1 was partly amended.

If an electoral constituency slate or a candidate for the representative of national minority has been nominated by more than one political party, an objection shall be deemed valid even if submitted by only one single political party.

With Article 62 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, paragraph 1 was amended, and in paragraph 2, the words: "county list" and "autochthonous" were deleted.

Article 98

An objection against irregularities in the nomination procedure and the procedure to elect representatives shall be submitted to the State Electoral Commission within 48 hours as of the expiration of the day on which the activity concerned occurred.

The State Electoral Commission shall issue a decision concerning the objection within 48 hours of the day on which the objection was submitted, or of the day on which election materials to which the objection relates were submitted.

Article 99

If the State Election Commission, in rendering its decision on an objection, establishes that there were irregularities that significantly affected or could have affected the results of the elections, it shall declare the activities null and void and set a deadline, which shall provide for the implementation of the elections on election day, for such activities to be repeated.

If there is no possibility for the annulled activities to be repeated or if the irregularities pertain to the voting procedure and had a significant effect or could have had a significant effect on the results of the election, the State Electoral Commission shall declare the election null and void and determine a deadline within which the election is to be repeated.

Article 100

The applicant submitting a complaint shall have the right to file an appeal contesting a decision of the State Electoral Commission with the Constitutional Court of the Republic of Croatia.

Appeals shall be filed with the Constitutional Court of the Republic of Croatia through the State Electoral Commission within 48 hours of the expiration of the day on which the contested decision was received.

The Constitutional Court of the Republic of Croatia shall render its decision on the appeal within 48 hours of the date of its receipt.

Article 101

An objection or appeal filed in the procedure to protect electoral rights shall not result in the postponement of electoral activities as provided for in this Act.

Article 102

Administrative fees shall not be paid for submissions and decisions in proceedings pursuant to the provisions of this Act.

THE ETHICS COMMISSION

Article 103

The Ethics Commission is a supra-partisan body of generally acknowledged good public standing that by means of statements and warnings acts to promote and achieve ethical and democratic principles in elections.

The Ethics Commission evaluates the conduct of participants in the elections during election campaign promotion and the election procedure itself, and conducts extra-administrative oversight of election campaigns.

Article 104

The Ethics Commission shall have a chairperson and six members, three nominated by the majority and three by the opposition political parties, consistent with the representation of parties in the Parliament.

With Article 63 of the AAAECSP (Official Gazette 53/03), which entered into force on 2 April 2003, the words: "House of the Parliament for which elections have been called" were replaced with the word: "Parliament".

Members of the Ethics Commission shall be nominated by the parliamentary political parties and appointed by the Constitutional Court of the Republic of Croatia from amongst the ranks of prominent public figures that are not candidates for election and are not members of any political party.

Article 105

The president of the Croatian Academy of Sciences and Arts shall be chairperson of the Ethics Commission by virtue of his/her office.

Article 106

Following the publication of a decision to call elections, and before the commencement of election campaigns, the Ethics Commission shall issue and publish an Election Code of Ethics comprised of a system of rules on the conduct of individuals and political parties in election campaigns and the election procedure. Before the adoption of the Election Code of Ethics, the Ethics Commission shall request the opinions of parliamentary political parties.

ELECTION OBSERVATION

Article 107

The election procedure, the implementation of elections and the work of electoral bodies may be observed by the following:

– observers from political parties registered in the Republic of Croatia that nominated the slate of candidates or a candidate (hereinafter: "political party observers"),

– observers of voters who nominated an independent slate or a candidate (hereinafter: "voter observers"),

– observers from non-governmental organisations registered in the Republic of Croatia as an association engaged in the field of independent observing of election procedures, that is, the promotion of human and civil rights (hereinafter: "NGO observers"),

– observers from international organisations engaged in the Republic of Croatia (hereinafter: "foreign observers").

The right to observe elections includes the act of observing the election procedure as a whole and, in particular, the work of electoral bodies and access to all of the election materials.

With Article 64 of the AAAERCSP (Official Gazette 53/03), which entered into force on 2 April 2003, after the words: "receives", the following words were added: "minutes of the voters' committee".

With Article 50 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, the heading above paragraph 107 and Article 107 were amended.

Article 107.a

The political party or association shall issue a confirmation of observer status to the designated observer. The confirmation shall be issued and signed by the person authorised to represent the political party or association designated in the statute or some other decision adopted pursuant to the statute of the party or by a proxy empowered by such person.

The person nominating or the person authorised to represent an independent slate, the person nominating the candidature of the candidate of a group of voters, and voters from national minorities or the candidate of a group of voters shall issue a confirmation of observer status to the designated observer. The confirmation is issued and signed by the person nominating or the person authorised to represent an independent slate, voters from national minorities, the person nominating the candidature of the candidate of a group of voters or the candidate of a group of voters, or by a proxy empowered by such person.

A candidate at the elections may not be an observer at such elections.

With Article 51 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 107.a was added.

Article 107.b

Political parties and persons referred to in Article 107.a, paragraph 2 of this Act may submit a request to observe elections as of the day of publication of the collective slates, candidate slates, and collective nomination slates. A confirmation issued by the political party or a confirmation issued by the person nominating the candidate of a group of voters or the candidate of a group of voters concerning observer status shall be submitted next to the request to observe elections.

Non-governmental organisations and foreign observers may submit a request to observe elections as of the date of entry into force of the decision to call the election. The non-governmental organisation shall submit a copy of the decision on entry in the register of associations next to the request to observe elections, and a foreign observer shall submit an approval issued by the State Electoral Commission.

Foreign observer status is granted by the approval of the State Electoral Commission at the proposal of an international organisation engaged in the Republic of Croatia.

Requests to observe elections and the list of observers shall be submitted to the competent electoral commission of the constituency in which the elections are to be observed at the latest five days before election day.

With Article 51 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 107.b was added.

Article 107.c

The official observer identity card shall be issued and served by the competent electoral commission of the constituency in which the elections are observed, and the foreign observer identity card shall be issued and served by the State Electoral Commission. The observer shall wear the official identity card at all times during the observing of the electoral procedure and the work of the electoral body.

If the competent electoral commission did not issue an identity card to an observer, the observer shall be identified on the basis of a ruling of the competent electoral commission of

the constituency in which the observer was granted permission to observe the elections issued to the political party or association and persons referred to in Article 107.a, paragraph 2 of this Act, and the foreign observer shall be identified on the basis of an approval of the State Electoral Commission.

With Article 51 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 107.c was added.

Article 107.d

An observer observing the work of voters' committee is entitled to be present during the work of the voters' committee from the moment of setting up of the polling station to its closing, during the voting, counting the ballots and establishing the results of polling, and filling out the minutes of the voters' committee.

The observer may voice objections with a statement of reasons concerning the work of the voters' committee for the minutes of the voters' committee or enclose them to the minutes in written form.

The voters' committee shall receive such written objections of the observer and attach them to the minutes of the voters' committee and issue a confirmation to that effect.

The observer may visit and leave the polling station, without disturbing the polling procedure and the work of the voters' committee.

The observer may not respond to any questions posed by voters, and if any voter should address the observer, the observer shall instruct him to address the chairperson or member of the voters' committee.

With Article 51 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 107.d was added.

Article 107.e

The observer is entitled to be present during the work of the competent electoral commission at the time of the holding of the session and identify any irregularities observed.

Observers may submit objections with a statement of reasons against the work of the electoral body, and shall enclose them in written form to the minutes of the electoral body.

The observer is entitled to request a copy or transcript of the minutes of the electoral body whose work he/she observed and is entitled to be present at the handover of the electoral materials.

With Article 51 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 107.e was added.

Article 107.f

The electoral body whose work is observed may not exclude observation, but may limit the number of observers if the lack of space or some other reasons do not permit all observers to be present at the same time. Political parties, voters who nominated candidates, non-governmental organisations and international organisations must be provided with an opportunity to have at least one observer at the polling station or with the electoral body.

Electoral bodies shall provide observers with an opportunity to observe and follow their work.

The observer is entitled to observe the election procedure as a whole and has the right of access to all of electoral materials until the official final results of the elections are announced.

With Article 51 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 107.f was added.

Article 107.g

The observer may not disturb the work of the electoral body.

The chairperson of the electoral body shall issue a verbal warning to the observer who disturbs the work of the electoral body. If the observer despite the warning continues to disturb the work of the electoral body, the chairperson of the electoral body is authorised to instruct his/her removal from the premises.

The observer may not make any audio or video recording of the work of the electoral body. In addition, he/she may not wear any markings, candidate photographs or other promotional materials and influence voters in any other way.

With Article 51 of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15), which entered into force on 25 February 2015, Article 107.g was added.

TRANSITIONAL AND FINAL PROVISIONS

Article 108

On the date of the entry into force of this Act, the Act on the Elections of Representatives to the Parliament of the Republic of Croatia (Official Gazette 22/92, 1/93, 30/93 - consolidated text, 11/94, 68/95, and 108/96) shall cease to have effect.

Article 109

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

TRANSITIONAL AND FINAL PROVISIONS

of the Act on Amendments to the Act on the Elections of Representatives to the Croatian State Parliament (Official Gazette 53/03) that entered into force on 2 April 2003

Article 65

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

TRANSITIONAL AND FINAL PROVISIONS

of the Act on the State Electoral Commission of the Republic of Croatia (Official Gazette 44/06) that entered into force on 29 April 2006

Article 27

On the date of the entry into force of this Act, the provisions of Articles 45, 46 and 47 of the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 116/99, 109/00, 53/03 and 69/03 – consolidated text) shall cease to have effect.

On the date of the entry into force of this Act, the provisions of Articles 21, paragraph 1 of the Act on the Election of the President of the Republic of Croatia (Official Gazette 22/92, 71/97 and 69/04) shall cease to have effect.

On the date of the entry into force of this Act, the provisions of Article 30, paragraphs 2, 3, 4 and 5 of the Act on the Elections of Members to the Representative Bodies of Local and Regional Self-Government Units (Official Gazette 33/01, 10/02, 155/02, 45/03, 43/04, 40/05 and 44/05 – consolidated text) shall cease to have effect.

On the date of the entry into force of this Act, the provisions of Article 13 of the Act on Referendums and Other Forms of Personal Participation in the Exercise of State Authority and Local Self-Government (Official Gazette 33/96 and 92/01) shall cease to have effect.

Article 28

The Committee of the Croatian Parliament responsible for elections and appointments shall issue a public invitation for the election of the chairperson of the Commission within 30 days of the date of the entry into force of this Act.

The committee referred to in paragraph 1 of this Article shall submit, within 90 days from the entry into force of this Act, a proposal to the Croatian Parliament for the election of the chairperson, deputy chairperson and members of the Commission as stipulated in this Act.

Article 29

The State Electoral Commission appointed pursuant to the provisions in force until the date of entry into force of this Act shall continue its work until a new Commission is elected pursuant to the provisions of this Act.

Article 30

The Rules of Procedure of the Commission and the Ordinance on the internal structure of the expert service shall be adopted by the Commission within 60 days of the date of taking office.

Article 31

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

TRANSITIONAL AND FINAL PROVISIONS

of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/07) that entered into force on 16 February 2007.

Article 4

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

TRANSITIONAL AND FINAL PROVISIONS

of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 145/10) that entered into force on 1 January 2011.

Article 14

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

TRANSITIONAL AND FINAL PROVISIONS

of the Act on Political Activity and Election Campaign Financing (Official Gazette 23/11) that entered into force on 3 March 2011.

Article 51

The ordinance referred to in Article 10, paragraph 6 of this Act shall be adopted by the minister of finance within 60 days of the date of entry into force of this Act.

Until the ordinance referred to in paragraph 1 of this Article is adopted, the Ordinance on the method of keeping records and issuing confirmation on the receipt of membership fees and voluntary contributions (donations) (Official Gazette 26/07 and 148/09) shall remain in force.

The ordinance referred to in Article 24, paragraph 2, and Article 34, paragraph 4 of this Act shall be adopted by the minister of finance within 60 days of the date of entry into force of this Act.

Article 52

On the day of the entry into force of this Act, the Act on the Financing of Political Parties, Independent Slates and Candidates (Official Gazette 1/07) shall cease to have effect.

On the day of the entry into force of this Act, the Act on the Financing of the Election Campaign for the Election of the President of the Republic of Croatia (Official Gazette 105/04) shall cease to have effect.

On the date of the entry into force of this Act, the provisions of Articles 33, 35 and 36 of the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 116/99, 109/00, 53/03 and 44/06 – consolidated text) shall cease to have effect.

On the date of the entry into force of this Act, the provision of Article 16 of the Act on the Election of the President of the Republic of Croatia (Official Gazette 22/92, 42/92, 71/97, 69/04 and 44/06) shall cease to have effect.

On the day of entry into force of this Act, the provisions of Articles 27, 28, 29, 30, 31 and 32 of the Act on the Elections of Municipal Heads, Mayors, County Prefects, and the Mayor of the City of Zagreb (Official Gazette 109/07 and 125/08) shall cease to have effect.

On the day of entry into force of this Act, the provisions of Article 21 of the Act on the Elections of Members to the Representative Bodies of Local and Regional Self-Government Units (Official Gazette 33/01, 10/02, 155/02, 45/03, 43/04, 40/05, 44/06 and 109/07) shall cease to be applied in relation to the election of members of the representative bodies of local and regional self-government, and shall continue to apply in relation to the elections for national minority councils.

Article 53

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

TRANSITIONAL AND FINAL PROVISIONS

of the Act on Amendments to the Act on the Elections of Representatives to the Croatian Parliament (Official Gazette 19/15) that entered into force on 25 February 2015.

FINAL PROVISION

Article 52

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

Conclusion:

On the date of publication of this Consolidated Text, the consolidated text of this Act published in the Official Gazette 120/11 shall no longer be used.