

CROATIAN PARLIAMENT

1565

Pursuant to Art. 88 of the Constitution of the Republic of Croatia, I hereby adopt

DECISION ON THE PROCLAMATION OF THE LAW ON THE CROATIAN RED CROSS

I hereby proclaim the Law on the Croatian Red Cross, adopted by the Croatian Parliament at the session held on 12 October 2001.

Number: 01-081-01-3224/2
Zagreb, 17 October 2001

President
of the Republic of Croatia
Stjepan Mesic

LAW ON THE CROATIAN RED CROSS

Article 1

The Croatian Red Cross is a national, humanitarian and voluntary union of the associations of the county societies of the Red Cross and of the associations of the civic and municipal societies of the Red Cross (hereinafter the Croatian Red Cross) that operates on the basis of the principles of the International Red Cross and Red Crescent Movement and that enjoys special protection and concern of the Republic of Croatia.

The Croatian Red Cross carries out the public powers and tasks laid down by this Law and other regulations.

Article 2

In its work, the Croatian Red Cross achieves humanitarian goals and tasks in the field of protection and advancement of health, social welfare, health-related and humanitarian education, and works on achieving the respect of international humanitarian law and human rights protection.

The Croatian Red Cross carries out special obligations in the event of serious natural, ecological and other disasters resulting in mass suffering, epidemic and armed conflict.

The Croatian Red Cross performs its obligations in connection with armed conflict in accordance with the provisions of the Geneva Conventions on the Protection of Casualties of War and the Additional Protocols and Conclusions of the International Conferences of the Red Cross.

Article 3

The basic goals of the Croatian Red Cross are as follows:

- to alleviate human suffering, and particularly that caused by serious natural, ecological and other disasters resulting in mass suffering, epidemic and armed conflict;
- to contribute to the improvement and advancement of health, prevent diseases and advance the health-related and ecological culture of citizens;
- to encourage and improve solidarity and mutual help and social security of citizens.

The Croatian Red Cross works on the achievement of the said goals by respecting the rights and freedoms of everyone, irrespective of the race, skin colour, gender, language, religion, political or other beliefs, national or social origin, property, birth, education or social position.

Article 4

The Croatian Red Cross is active in the territory of the Republic of Croatia as a non-profit legal entity.

The associations of the Croatian Red Cross: federations or communities at the regional and national levels are established and operate in accordance with the provisions of the law regulating the work of associations and this Law.

The assembly of the Croatian Red Cross in the Statute of the Croatian Red Cross regulates the internal organisation, membership, scope and manner of work of the bodies and agencies, property and other issues related to its work and operation.

The Croatian Parliament provides its consent to the Statute of the Croatian Red Cross.

Article 5

The Croatian Red Cross co-operates, develops and maintains relations with the international institutions of the International Red Cross and Red Crescent Movement and the national societies of the Red Cross and Red Crescent, as well as with other international and national humanitarian, care-providing, medical and social organisations.

Article 6

The emblem of the Croatian Red Cross is a red cross with equal upright and transverse pieces on a white ground.

The flag of the Croatian Red Cross is white, rectangular or square, with the emblem of the Croatian Red Cross in the middle. The size of the emblem of the Croatian Red Cross is proportionate to the size of the flag.

The emblem of the Croatian Red Cross is used as a sign of protection, denotation and affiliation with the association in the manner laid down by this Law and other regulations.

Exclusively the Croatian Red Cross or its bodies are entitled to use the emblem and the name of the Croatian Red Cross.

The right of other entities to use the emblem and the name of the Red Cross is established by a special regulation.

Article 7

In performing the public powers and other tasks laid down by this Law, the Croatian Red Cross co-operates with the state administrative bodies and with other bodies of the units of local and regional self-administration, armed forces, civil protection, medical institutions and social-welfare institutions and other legal and natural persons.

In order to perform its tasks, the Croatian Red Cross may request information and facts from the bodies, institutions and other legal entities from par. 1 of this Article, available to them as part of their scope of work, as well as professional and other assistance.

The Croatian Red Cross also co-operates with diplomatic and consular representative offices in accordance with the provisions of the international treaties.

Article 8

Within the Croatian Red Cross, a tracing agency has been formed and is active, which in the event of armed conflict performs the tasks of an information bureau in accordance with the provisions of the Geneva Convention relative to the Treatment of Prisoners of War and the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

The tracing agency collects and transmits information and looks for the casualties of severe natural disasters and other accidents resulting in mass suffering, and carries out peace-time tracing activities.

The tracing agency is in charge of:

- gathering, recording and processing data, providing information about the casualties of armed conflict to interested persons, competent authorities and organisations in the country and abroad, about prisoners of war, civilian internees, protected persons arraigned for a term longer than two weeks, protected persons during forced stay, about the wounded, sick and deceased members of the armed forces, about missing children, children evacuated to another country and about children separated from their parents, because of the armed conflict,
- exchanging family messages of family members separated by armed conflict or other extraordinary circumstances,
- reuniting family members separated by armed conflict or other extraordinary circumstances,
- other tracing tasks within the competence of the Republic of Croatia in which the Croatian Red Cross participates pursuant to international treaties.

Next to the duty of keeping official records, the tracing agency also issues certificates about the established state of facts, as well as excerpts with gathered information, and initiates procedures for entry in the state register of deaths kept by the competent administrative organs.

The Croatian Red Cross determines the organisation, scope and manner of work of the tracing agency in a special general by-law that is adopted by the assembly of the Croatian Red Cross.

Article 9

The Croatian Red Cross performs the following public powers:

1. performs the obligations of the Republic of Croatia as signatory of the Geneva Conventions relative to the Protection of Casualties of War in that field of international affairs entrusted to it;
2. represents and promotes the ideas and principles of the International Red Cross and Red Crescent Movement, as well as of international humanitarian law, and supervises their application in armed conflicts, promotes the protection of all victims and the protection of human rights;
3. organises and runs the tracing agency;
4. seeks, receives and distributes humanitarian aid received from international organisations and other donors, and from the Red Cross and Red Crescent national societies, needed in the territory of the Republic of Croatia;
5. initiates, organises and carries out or participates in regular and extraordinary actions of solidarity in the Republic of Croatia towards persons in need and towards the casualties of severe natural, ecological and other disasters, resulting in mass suffering, epidemic and armed conflicts in the country and in the world, and procures the safe-keeping of specific quantities of material goods for such circumstances;
6. participates in the actions of international assistance and solidarity with the casualties of severe natural, ecological and other disasters, resulting in mass suffering, epidemic and armed conflicts in the country and in the world, in co-operation with the International Committee of the Red Cross and the International Federation of the Red Cross and Red Crescent Societies;
7. contributes to the training of citizens to give first aid in everyday circumstances, schooling, work, traffic, severe natural, ecological and other disasters, resulting in mass suffering, epidemic and armed conflicts, contributes to the training of school-teachers as first aid lecturers, keeps records and issues relevant certificates about the passed exam;
8. contributes to the professional improvement of the lecturers of the subject of giving first aid to persons injured in a traffic accident, keeps records and issues appropriate certificates, and organises the re-training of lecturers every five years.
Co-ordinates the national programme of first aid to drivers. Contributes to the training of driver candidates in the subject of giving first aid to persons injured in a traffic accident, conducts driver first aid exams, keeps records and issues relevant certificates about the passed exam.
9. contributes to the training for giving first aid at work in accordance with the Law on Protection at Work;
10. organises and carries out actions for voluntary blood donation. Popularises voluntary blood donation, seeks donors, keeps records about them, and establishes standards for the recognition of voluntary blood donors, and gives them certificates and recognitions;
11. organises the agency for water life-guards and for ecological protection of the coast and the surrounding area, trains life-guards, keeps records and issues relevant certificates about their training, and organises re-training and testing of their physical fitness every three years;
12. organises, trains and equips task forces for the event of severe natural, ecological and other disasters, resulting in mass suffering, epidemic and armed conflicts, that provide

assistance in the country and abroad, specifically task forces for: first aid, hygienic-epidemiological protection, care of the injured and sick, social work, psychological help to the population and technical assistance, and for the prevention of secondary suffering and assistance in traffic;

13. continuously informs and teaches the population, and particularly children and young people, about the danger of mines and other explosive devices.

Article 10

The organisation, scope and manner of work of the agency for water life-guards and for ecological protection of the coast and the surrounding area are laid down in a special general by-law by the assembly of the Croatian Red Cross, with prior consent of the minister of health care and the minister of maritime affairs, transport and communications.

Article 11

The Croatian Red Cross, apart from the public powers from Art. 9 of this Law, performs the following tasks and duties, as well:

1. participates in the reception, accommodation and other measures contributing to the protection of threatened and afflicted population;
2. contributes to the health education and informing of its members and other citizens, and particularly children and young persons. Contributes to the training for various forms of health self-protection and co-protection, as well as for providing aid to citizens, helps the health care service in providing health protection, particularly related to the prevention of all forms of addiction;
3. renders accommodation and nutrition services to persons who need that type of protection, because of medical, social and other reasons (Red Cross kitchens, home food deliveries, Red Cross resorts and other), and services of the same type to the members of the Croatian Red Cross. The rendering of the said accommodation and nutrition services is not considered a catering activity,
4. organises the agency for providing care and assistance to the sick and disabled in their home, trains its workers for such service and trains family members for providing care to the sick member of their family,
5. organises and transports goods for humanitarian and other purposes, as well as persons with special needs - invalids, the elderly and disabled and other, and voluntary blood donors and the members of the Croatian Red Cross,
6. organises transport of drivers under the influence of alcohol on weekends (holidays) in order to decrease the number of traffic accidents,
7. its mobile teams implement assistance programmes in local communities to elderly and helpless persons,
8. organises various forms of mutual helping of citizens in the spirit of humanism and solidarity and by humanistic upbringing of children and young persons develops solidarity, impartiality, respect of the human being and life in peace and co-operation,
9. performs other activities established by the laws and other regulations.

Article 12

The Croatian Red Cross receives resources for the achievement of its goals and tasks from:

- membership fees,
- the state budget of the Republic of Croatia and the budgets of all units of local and regional self-administration,
- activities entrusted to the Croatian Red Cross by the Republic of Croatia, units of local and regional self-administration, and legal and natural persons,
- activities from Art. 9, items 7, 8 and 9 of this Law,
- implementation of agreed programmes,
- actions and activities undertaken for the purpose of collecting money and other material resources,
- donations, subventions, gifts and inheritance,
- income from assets and rights,
- income of citizens, legal entities and other,
- income earned on the basis of law and other regulations.

From the collected local taxes, 1% is allocated to the agency for water life-guards and for the protection of the coast.

From the compulsory car insurance, 1% of the means is allocated annually to the Croatian Red Cross for the advancement of the activities related to first aid, with the aim of decreasing the number of traffic accidents.

From the means that the Croatian Lottery distributes and allocates for humanitarian aid, 51% of the means is allocated to the Croatian Red Cross for the performance of the activities and tasks from Art. 9 and 11 of this Law.

Article 13

The means for the performance of the activities, which the Croatian Red Cross performs on the basis of the public powers from Art. 9 of this Law are procured from the state budget of the Republic of Croatia.

Article 14

The means allocated from the budget of all units of local and regional self-administration and from the state budget of the Republic of Croatia are provided for financing the public powers from Art. 8 and 9 and the tasks and activities from Art. 11 of this Law, specifically:

- for the work and operation of the tracing agency at the municipal, city and county levels, 0.2% of the means of the budget of that municipality, city and county, and for the National Tracing Agency the state budget provides such means as are provided for in the agreed work plan and under the international obligations,
- for the public powers and the regular activities, from 0,5% to 1.8% of the means of the budget of the municipality, city and county.

The Croatian Red Cross undertakes to provide reports about its financial activities in accordance with the regulations on the implementation of the budget.

Article 15

With respect to natural persons and legal entities that are the payers of the income or profit tax, the expenses which reduce the tax base consist of the outflow of all goods with monetary value (money, goods and services) performed without remuneration to the Croatian Red Cross in accordance with law.

Article 16

For the purpose of promoting its activities, the Croatian Red Cross organises the "Week of the Red Cross", the "Week of Struggle against Tuberculosis" and the "Week of Solidarity".

The "Week of the Red Cross" is held every year from 8 to 15 May, the "Week of Struggle against Tuberculosis" is held from 14 to 21 September, and the "Week of Solidarity" is held from 8 to 15 December.

Without prejudice to the provision under par. 2 of this Article, the Government of the Republic of Croatia may regulate that the "Week of the Red Cross", the "Week of Struggle against Tuberculosis" and the "Week of Solidarity" should be held at some other time in a specific year.

Article 17

During the "Week of the Red Cross", the "Week of Struggle against Tuberculosis" and the "Week of Solidarity", an amount in favour of the Croatian Red Cross will be charged on compulsory basis:

1. for each travel ticket sold in domestic and international air, railway, ship and bus transport - 3% of the price of the ticket,
2. for all postal shipments in domestic transport, except newspapers and magazines, 50% of the nominal value of the first letter rate in postal transport,
3. for each ticket sold for cultural, entertainment and sport events (concerts, festivals, movies, matches and competitions of local, state and international character, and other) - 3% of the price of the ticket.

During the week from par. 1 of this Article, the Croatian Red Cross may organise actions for collecting voluntary contributions and gifts.

Article 18

The means from Art. 17 of this Law are collected by legal entities and natural persons selling tickets for various events, travel tickets and postal securities.

The means collected pursuant to Art. 17, par. 1, items 1 through 3 of this Law, are paid to the account of the associations of the Red Cross in the area in which they were collected, and the means collected pursuant to Art. 17, par. 1, item 2 of this Law are paid to the account of the Croatian Red Cross.

Article 19

The regulation about the manner of calculation and payment of the income to the Croatian Red Cross from Art. 17 of this Law is adopted by the minister of finance.

Article 20

The Croatian Red Cross is entitled to the following benefits:

1. The Croatian Red Cross does not have to pay taxes and contributions on income from its movable and immovable property, gifts and inheritance;
2. The Croatian Red Cross does not have to pay taxes and contributions on income from events, concerts, lectures and other, as well as lotteries that it organises, provided that the income is intended for humanitarian purposes;
3. The Croatian Red Cross does not have to pay taxes and contributions for the preparation of promotional and educational materials;
4. The Croatian Red Cross may organise one lottery draw per year intended for the programme of voluntary blood donation, with the exemption from remuneration it has as the organiser;
5. The Croatian Red Cross is exempt from the payment of fees on submissions to the state authorities;
6. The Croatian Red Cross has discount in the transport of goods and persons by means of public transport, discount for group travel, and is exempt from the payment of toll for the use of motorways and toll-collection facilities for the vehicles of the Croatian Red Cross. The discount for the transport of persons who have the Red Cross card and for group travel (a group of at least five persons) is 50% of the price of the ticket, and the transport of goods for humanitarian assistance is exempt from payment by all means of public transport. The means for providing compensation to public transporters for the services rendered are provided from the state budget and are paid in accordance with the rules adopted by the minister of finance;
7. The Croatian Red Cross is exempt from the payment of postal, telephone and fax services for the tracing agency at the time of severe natural, ecological and other disasters, resulting in mass suffering, epidemic and armed conflict, as well as for calls for voluntary blood donation and for all types of shipments of the Croatian Red Cross;
8. The Croatian Red Cross bears the same expenses as the household with respect to the payment of municipal charges,
9. The Croatian Red Cross, when acquiring humanitarian aid and rendering services within the framework of the activities of the Croatian Red Cross, is entitled to use the zero rate of value added tax, in accordance with law,
10. The Croatian Red Cross is exempt from the payment of customs in accordance with law,
11. The Croatian Red Cross may freely use the means in foreign currency it has obtained.

Article 21

In the event of severe natural, ecological and other disasters resulting in mass suffering and epidemic, in the performance of its tasks and duties the Croatian Red Cross has priority in the transport of persons and goods by all means of public transport and in announcing news by the means of mass media.

Article 22

The lawfulness of work of the Croatian Red Cross and its associations is supervised by the bodies of state administration in accordance with the Law on Associations.

Article 23

The Croatian Red Cross is held liable for its obligations with all its property.

The founders of the Croatian Red Cross are held liable for its obligations on solidary and unlimited basis.

Article 24

The natural person or legal entity shall be fined in the amount between HRK 10,000.00 and 50,000.00 in the following cases:

1. if the insurance companies do not pay the required part of the insurance premium from Art. 12 of this Law in the set amount to the account of the Croatian Red Cross;
2. if the tourist agencies do not pay the required part of the local taxes from Art. 12 of this Law in the set amount to the account of the Croatian Red Cross;
3. if the natural person or legal entity does not pay the amount set for a sold travel ticket and for a sold ticket for cultural, entertainment and sport events in the weeks from Art. 16 of this Law to the account of the Croatian Red Cross in the area where the means have been collected;
4. if the natural person or legal entity does not pay the set amount from the sold postal securities from Art. 17 of this Law to the account of the Croatian Red Cross.

The responsible person within the legal entity shall also be fined for the offence from par. 1 of this Article in the amount from HRK 5,000.00 to 20,000.00.

Article 25

To all relations not regulated by this Law are applied the provisions of the Law on Associations.

Article 26

The property of the Croatian Red Cross which the Croatian Red Cross had the right to dispose with or use until the adoption of the Law on Associations shall become the property of the Croatian Red Cross and its associations.

Article 27

The Croatian Red Cross is obligated to comply its Statute with the provisions of this Law within the term of six months from the effective date of this Law.

Article 28

As of the effective date of this Law the Law on the Croatian Red Cross (Official Gazette No. 61/91) shall cease to be valid.

Article 29

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

Class: 550-05/01-01/01
Zagreb, 12 October 2001

CROATIAN PARLIAMENT
Chairman of the
Croatian Parliament
Zlatko Tomcic