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CROATIAN CITIZENSHIP ACT

Chapter I - GENERAL PROVISIONS

Article 1

This Act regulates Croatian citizenship, the requirements for its acquisition, and its termination.

Article 2

A citizen of the Republic of Croatia who also has foreign citizenship is considered exclusively as a Croatian citizen by Government bodies of the Republic of Croatia.

Chapter II – ACQUISITION OF CITIZENSHIP

Article 3

Croatian citizenship is acquired: 1. by origin; 2. by birth within the area of the Republic of Croatia; 3. by naturalization; 4. pursuant to international treaties.

Article 4

A child acquires Croatian citizenship by origin: 1. if both parents are Croatian citizens at the time of the child's birth; 2. if one of the parents is a Croatian citizen at the time of the child's birth and the child is born in the Republic of Croatia; 3. if one of the parents is a Croatian citizen at the time of the child's birth, the other parent is without citizenship or is of unknown citizenship, and the child is born abroad.

A child of foreign citizenship or a child without citizenship acquires Croatian citizenship by origin if he or she has been adopted by Croatian parents pursuant to the provisions of a special law. Such a child is considered to be a Croatian citizen from the moment of his or her birth.

Article 5

A child born abroad, one of whose parents is a Croatian citizen at the moment of the child's birth, acquires Croatian citizenship by origin if the child is registered for Croatian citizenship by 18 years of age at a competent authority of the Republic of Croatia abroad or in the Republic of Croatia, or if he or she settles in the Republic of Croatia.

A child born abroad, one of whose parents is a Croatian citizen at the moment of the child's birth, and who does not fulfil any of the requirements under paragraph 1 of this Article, acquires Croatian citizenship if he or she would otherwise remain without citizenship.

A child who acquires Croatian citizenship pursuant to paragraph 1 or 2 of this Article is considered to be a Croatian citizen from the moment of his or her birth.

Article 6

(This article was deleted by the Act of 8 May 1992.)

Article 7

A child born or found within the area of the Republic of Croatia, both of whose parents are unknown or of unknown citizenship, acquires Croatian citizenship. The child's Croatian citizenship shall cease if, by his or her fourteenth birthday, it is confirmed that both of his or her parents are foreign citizens.

Article 8

A foreigner can acquire Croatian citizenship by naturalization if he or she has submitted a request for Croatian citizenship and fulfils the following requirements:

1. he or she is 18 years old and is not deprived of working capacity;
2. he or she is released from foreign citizenship, or submits proof that he or she will acquire release if granted Croatian citizenship;
3. he or she has lived and has had a registered residence in the Republic of Croatia for at least 8 years without interruption until the submission of the request and has been granted foreigner status on his or her permanent residence;
4. he or she is proficient in the Croatian language and Latin script, and is familiar with Croatian culture and social arrangements;

5. that it can be concluded from his or her behaviour that he or she respects the legal order and customs of the Republic of Croatia.

The requirement under point 2 of paragraph 1 of this Article shall be considered fulfilled if the request has been submitted by a person without citizenship or a person who will lose his or her citizenship simply by naturalization, pursuant to the laws of the country of his or her citizenship.

If a foreign country does not permit release from its citizenship or if it places requirements for release which cannot be fulfilled, a statement of the applicant who has submitted a request shall be sufficient to renounce his or her foreign citizenship under the conditions of acquisition of Croatian citizenship.

The fulfilment of the requirement under point 4 of paragraph 1 of this Article is determined by a verification of proficiency in the Croatian language and Latin script, and in the culture and social arrangements.

Persons over 60 years of age are not obligated to fulfil the requirements under point 4 of paragraph 1 of this Article.

Article 8a

A foreigner who has submitted a request for Croatian citizenship and who has not yet been granted release from foreign citizenship at the moment of the submission of the request or does not have proof that he or she would gain release in the event of acquiring Croatian citizenship may be issued with a guarantee of acceptance to Croatian citizenship if he or she fulfils the rest of the requirements under Article 8, paragraph 1 of this Act. The guarantee shall be issued for a period of two years.

Article 9

A person who was born within the area of and lives in the Republic of Croatia, and has been granted permanent residence, can acquire Croatian citizenship by naturalization even if he or she does not fulfil the requirements under Article 8, paragraph 1, points 1, 3, and 4 of this Act.

Article 10

A foreign citizen married to a Croatian citizen who has been granted permanent residence within the area of and who lives in the Republic of Croatia can acquire Croatian citizenship by naturalization even if he or she does not fulfil the requirements under Article 8, paragraph 1, points 1-4 of this Act.

Article 11

An emigrant, his or her descendants up to the third degree of lineal kinship and their spouses can acquire Croatian citizenship by naturalization even if they do not meet the requirements under Article 8, paragraph 1, points 1, 2 and 3 of this Act.

An emigrant under paragraph 1 of this Article is a person who has emigrated from the area of the Republic of Croatia with the intention of living permanently abroad.

A person who has emigrated from the area of the Republic of Croatia on the basis of an international treaty or has renounced Croatian citizenship, or a person who has changed his or her place of residence into that of one of the other countries that were formerly part of the state union of which the Republic of Croatia was also a part is not considered to be an emigrant.

Article 12

A foreigner whose acceptance to Croatian citizenship would be of interest to the Republic of Croatia can obtain Croatian citizenship by naturalization even if he or she does not fulfil the requirements under Article 8, paragraph 1, points 1-4 of this Act.

A spouse of the person referred to in paragraph 1 of this Article can also acquire Croatian citizenship even if he or she does not fulfil the requirements under Article 8, paragraph 1, points 1-4 of this Act.

A competent Ministry gives an opinion on whether an interest for the acceptance of the foreigner referred to in paragraph 1 of this Article to Croatian citizenship exists.

Article 13

A minor acquires Croatian citizenship by naturalization: 1. if both parents acquire Croatian citizenship by naturalization; or 2. if only one parent acquires Croatian citizenship by naturalization, and the child lives in the Republic of Croatia and has been granted residence; or 3. if only one parent acquires Croatian citizenship by naturalization, while the other does not have citizenship or is of unknown citizenship, and the child lives abroad.

Article 14

(This article has been deleted.)

Article 15

A Croatian citizen who has requested and received release from Croatian citizenship in order to acquire foreign citizenship, which was imposed on him or her as a requirement to be able to exercise a profession or activity by the foreign state wherein he or she has domicile, may again acquire Croatian citizenship even if he or she does not fulfil the requirements under Article 8, paragraph 1, points 1-4 of this Act, and if he or she lives in the Republic of Croatia and has been granted residence.

Article 16

A person who belongs to the Croatian people with no domicile in the Republic of Croatia can acquire Croatian citizenship if he or she fulfils the requirements under Article 8, paragraph 1, point 5 of this Act. Belonging to the Croatian people is determined by previous declarations and belonging to legal transactions, by statements and affiliation in certain public documents, through the protection of rights and promoting the interests of the Croatian people, and by active participation in Croatian cultural, scientific and sports associations abroad.

Chapter III - TERMINATION OF CITIZENSHIP

Article 17

Croatian citizenship shall cease: 1. by release; 2. by renouncement; 3. pursuant to international treaties.

Article 18

Release from Croatian citizenship can be granted to a person who has submitted a request for release and fulfils the following requirements:

1. he or she is at least 18 years old;
2. there are no impediments for release from citizenship by reason of military conscription;
3. he or she has paid taxes due, fees, and other public charges, and has fulfilled obligations towards legal entities and natural persons in the Republic of Croatia that have been imposed by an executive body;
4. he or she has fulfilled any such financial obligations that he or she might have towards a spouse, parents and children who are Croatian citizens, and towards persons who remain living in the Republic of Croatia;
5. he or she is a foreign citizen, or he or she has proved that he or she will acquire foreign citizenship.

Release from Croatian citizenship cannot be obtained by a person who, at the time when release is requested, is *ex-officio* charged and prosecuted for a criminal offence, or punished by imprisonment in the Republic of Croatia, until he or she has served that sentence in full.

Article 19

The decision on release from Croatian citizenship shall be revoked upon the request of the person who has acquired the release if he or she does not acquire foreign citizenship within three years, and has informed about this a diplomatic mission or consular office of the Republic of Croatia abroad or a body directly competent to enact a decision on release within three years.

Article 20

The Croatian citizenship of a child up to 18 years of age shall cease by release: 1. upon the request of both parents whose Croatian citizenship has ceased by release; or 2. if Croatian citizenship has ceased by release in the case of one parent, and the other parent is a foreign citizen.

A child up to 18 years of age adopted by foreign citizens with kinship effect shall be released from Croatian citizenship upon the adopters' request.

Article 21

A Croatian citizen of age with a domicile abroad and of foreign citizenship may renounce Croatian citizenship.

Article 22

The Croatian citizenship of a child up to 18 years of age shall cease by renouncement: 1. upon the request of his or her parents whose Croatian citizenship has ceased by renouncement; or 2. if Croatian citizenship has ceased by renouncement for one parent, and the other parent is a foreign citizen. The Croatian citizenship of a child up to 18 years of age shall cease by renouncement if he or she has been adopted by foreign citizens with kinship effect, upon the adopters' request.

Article 23

A person whose Croatian citizenship ceased pursuant to Article 20 or 22 of this Act when he or she was a minor acquires Croatian citizenship again if he or she has resided within the area of the Republic of Croatia for at least

a year without interruption and if he or she provides a written statement saying that he or she considers himself a Croatian citizen.

Chapter IV - PROCEDURAL PROVISIONS

Article 24

Persons who have acquired Croatian citizenship by origin or birth within the area of the Republic of Croatia are entered into the records on citizenship while being entered into the register of births. A request to be entered into the records can also be submitted abroad, at a diplomatic mission or consular office of the Republic of Croatia. Affairs related to the acquisition of Croatian citizenship by origin and birth within the area of the Republic of Croatia are handled by the competent public administration offices, or the municipal authority of the City of Zagreb.

A request for the acquisition of Croatian citizenship by naturalization or for the termination of Croatian citizenship is submitted personally to a police administration or to a police station, unless the person in question has a disability. In that case, the request can be submitted by a legal representative or an authorized person.

A request for the acquisition of Croatian citizenship by naturalization or for the termination of Croatian citizenship can also be submitted abroad, at a diplomatic mission or consular office of the Republic of Croatia.

Article 24a

Croatian citizenship is acquired by naturalization on the day of notice of the decision on the acceptance to Croatian citizenship. Croatian citizenship is acquired, if granted on the basis of a given statement, on the day of the submission of the statement.

Croatian citizenship shall cease by release on the day of notice of the decision on release from Croatian citizenship.

Croatian citizenship shall cease by renouncement on the day of the submission of the statement on the renouncement of Croatian citizenship.

Article 25

The Ministry of the Interior handles affairs related to the acquisition of Croatian citizenship by naturalization and international treaties, and affairs related to the termination of Croatian citizenship.

Article 26

The Ministry of the Interior shall reject a request for the acquisition or termination of citizenship if the requirements have not been fulfilled, unless stipulated otherwise by this Act.

The Ministry of the Interior can reject a request for the acquisition or termination of citizenship even if the requirements are fulfilled if, in its judgment, the request for the acquisition or termination of citizenship is to be rejected for reasons of interest to the Republic of Croatia.

Article 27

Records are kept on Croatian citizenship.

The records on citizenship are kept by the registrar's office.

Persons born in the Republic of Croatia are entered into the citizenship records kept by the registrar's office of the person's place of birth.

Persons born abroad are entered into the citizenship records kept by the registrar's office of the domicile of the person submitting the request for the acquisition of Croatian citizenship.

Persons who acquire Croatian citizenship pursuant to the provisions of this Act and do not have a domicile in the Republic of Croatia are registered in the central records.

The central records are kept by the competent authority for general administrative affairs in the City of Zagreb.

Corrections of the data in the records on Croatian citizenship can be performed only on the basis of a decision of the competent body that handled the entry into the citizenship records.

Article 28

A "domovnica" (Citizenship Certificate) is an official document serving as proof of Croatian citizenship, and is issued by a registrar's office.

Article 29

Croatian citizenship can be proved by a valid identity card, military identification card or by a passport.

A Croatian citizen who does not have any of the documents listed in paragraph 1 of this Article proves his Croatian citizenship with a Citizenship Certificate ("Domovnica") issued by a registrar's office on the basis of records of citizenship.

Article 30 (OG 110/15)

A person is considered to be a Croatian citizen if he or she acquired this status pursuant to legislation valid until the day this Act entered into force.

A Croatian citizen is any member of the Croatian people who does not have Croatian citizenship on the day on which this Act enters into force, but does have registered domicile in the Republic of Croatia and provides a written statement saying that he or she considers himself or herself a Croatian citizen.

A Croatian citizen is also any person who was entered into the records on citizenship in the period from 1 March 1978 to 8 October 1991 and who has been issued with an official document serving as proof of Croatian citizenship.

The written statement referred to in paragraph 2 of this Article is submitted to a police administration or to a police station of the municipality where the person has his or her domicile.

The police administration or the police station determines whether the requirements under paragraphs 1 and 2 of this Article are fulfilled. If it is ascertained that all the requirements are fulfilled, it shall order the entry in the records of citizenship, without issuing a written decision to that effect. If it determines that all the requirements have not been fulfilled, it shall decline the request by a decision.

Chapter V - TRANSITIONAL AND FINAL PROVISIONS

Article 31

Forms for keeping records of citizenship, the content of the Citizenship Certificate ("Domovnica"), and the way of keeping the records of citizenship are regulated by the Minister of the Interior.

The Minister of the Interior determines the cost of the form of the Citizenship Certificate ("Domovnica") borne by the person submitting the request.

Article 32

Impediments for release from citizenship concerning military conscription (Article 18, paragraph 1, point 2) are regulated by the Minister of Defence with the prior consent of the Minister of Foreign Affairs.

Article 33

Regulations relating to the provisions of Articles 31 and 32 of this Act shall be enacted within 60 days after this Act has come into force.

Article 34

The data in the records of citizenship referred to in Article 4, paragraph 2, and Article 20, paragraph 2 of this Act are an official secret.

Article 35

Proceedings set in motion on the basis of the Act on Citizenship of the Socialist Republic of Croatia (Official Gazette no. 32/77) shall be completed according to the provisions of this Act.

Article 36

The ministry with competence for internal affairs and the ministry with competence for administration supervise the implementation of this Act and other regulations enacted on the basis of this Act.

The ministry with competence for internal affairs supervises the implementation of provisions related to the acquisition of Croatian citizenship by naturalization and according to international treaties, and the termination of Croatian citizenship.

The ministry with competence for administration supervises the implementation of the provisions related to the acquisition of Croatian citizenship by origin and birth within the area of the Republic of Croatia.

Article 37

When this Act comes into force, the Act on Citizenship of the Socialist Republic of Croatia (the Official Gazette no. 32/77) shall cease to have effect.

Until the enactment of the provisions of Article 31 of this Act, the Ordinance on Keeping Records on Citizenship, Record Forms and the Certificate of Citizenship Forms (Official Gazette no. 7/78, 42/81) shall be in force.

Article 38

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

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Zagreb, 26 June 1991.

TRANSITIONAL AND FINAL PROVISIONS FROM THE OFFICIAL GAZETTE 130/11:

Article 18.

The minister competent for administration provides a set of regulations on the content and the way of keeping records of Croatian citizenship, prescribes the content and form of the Citizenship Certificate ("Domovnica") and sets the price of the form for the Citizenship Certificate ("Domovnica").

The minister competent for internal affairs prescribes through a set of regulations the forms for the request for the acquisition of Croatian citizenship by naturalization and for the termination of Croatian citizenship, the way of keeping and the content of the records on the acquisition of Croatian citizenship by naturalization and by international treaties, and the records on the termination of Croatian citizenship.

The nature of the verification of proficiency in the Croatian language and the Latin script, and in the culture and social arrangements shall be prescribed by a set of regulations by the minister competent for internal affairs, with the consent of the ministers competent for education and culture.

The competent ministers shall pass the regulations under paragraphs 1, 2 and 3 of this Article within 6 months following the day this Act comes into force.

Article 19.

It is considered that persons who had domicile in the Republic of Croatia on 8 October 1991 and who had been granted permanent residence fulfil the requirements for necessary residence in proceedings for the acquisition of Croatian citizenship.

Article 20.

All the proceedings set in motion before the day this Act comes into force shall be completed according to the provisions of the Croatian Citizenship Act (Official Gazette no. 53/91, 70/91 – amendment, 28/92. i 113/93).

Article 21.

Throughout the text of the Croatian Citizenship Act (Official Gazette no. 53/91, 70/91 – amendment, 28/92 and 113/93), the words: "territory of the Republic of Croatia", "police station" and "diplomatic or consular mission" are substituted with the words: "area of the Republic of Croatia", "police station",* "diplomatic mission or consular office", in the appropriate number and case.

Article 22.

This Act shall be published in the Official and shall come into force on 1 January 2012.

Class: 224-04/11-01-02.

Zagreb, 28 October 2011

* Translator's note: there is no difference in the English translation of the Croatian words "policajska stanica" and "policajska postaja"