

## CROATIAN PARLIAMENT

1496

Pursuant to Article 88 of the Constitution of the Republic of Croatia, I hereby pass a

### DECISION

#### ON THE PROCLAMATION OF THE LAW ON ASSOCIATIONS

I hereby proclaim the Law on Associations, which was adopted by the Croatian Parliament at its session on 28 September 2001.

Number: 01-081-01-3075/2  
Zagreb, 5 October 2001

President  
of the Republic of Croatia  
**Stjepan Mesic**, *signed*

## THE LAW ON ASSOCIATIONS

### I GENERAL PROVISIONS

#### *The Field of the Law's Application*

##### Article 1

- (1) This Law shall regulate the establishment, registration, legal status and termination of existence of associations, as well as the registration and termination of activities of foreign associations in the Republic of Croatia, unless otherwise stipulated by a special law.
- (2) The provisions of this Law shall not be applied to political parties, religious communities, trade unions and employers' associations.

#### *Definition of an Association and Legal Capacity*

##### Article 2

- (1) An association, in the sense of this Law, shall be any form of a free and voluntary association of several natural or legal persons, who shall, in order to protect their benefits or stand up for the protection of human rights and freedoms, as well as

the ecological, humanitarian, information, cultural, ethnic, pro-natality, educational, social, professional, sports, technical, health, scientific or other believes and goals, without an intention of gaining profit, comply with the rules that regulate the organization and activities of such a form of association.

- (2) An association shall acquire its legal capacity on the day of the registration into the register of associations.

#### *An Association without Legal Capacity*

##### Article 3

- (1) The regulations related to a partnership shall adequately be applied to the associations that do not have legal capacity.

#### *Membership in an Association*

##### Article 4

- (1) Any natural person with business capacity, as well as a legal person may, under the equal conditions set forth by this Law and the statute of an association, become a member of an association.
- (2) The persons without any, or with a limited business capacity, may be members of an association, but without the right to decision-making in the association's bodies. The statute of the association shall stipulate the manner of their participation in the activities of the association's bodies.
- (3) An association shall keep a record of its members.

#### *Activities of an Association*

##### Article 5

- (1) From its establishment onwards, an association may perform the activities that serve the realization of its statutory goals.
- (2) Besides the activities as per Paragraph 1 of this Article, an association may perform an income-generating activity, in compliance with the law.
- (3) An association shall be independent in the realization of its statutory goals.
- (3) An association shall not perform the activities as per Paragraphs 1 and 2 of this Article with the purpose of gaining profit for its members or third persons. If, in the performance of its activities, the association gains profit, such a profit shall be used exclusively for the performance and improvement of the association's activities that serve the realization of its statutory goals, in accordance with the association's statute.

## *Management of an Association and the Bodies of an Association*

### Article 6

- (1) The members shall manage an association directly or through their elected representatives in the association's bodies, in the manner stipulated by the statute.
- (2) The representative of a legal person – a member of the association, shall be appointed by a person authorised to represent the legal person.
- (3) The internal organisation of an association shall be based on the principles of democratic representation and democratic expression of the members' will.
- (4) The assembly shall be the highest body of an association. The statute may determine a different name for the assembly as the highest body of an association.
- (5) In addition to the assembly, the statute of an association may also determine other bodies of the association.
- (6) An association shall appoint one or more natural persons to represent it.

## *Union of Associations and Organizational Forms of Associations*

### Article 7

- (1) Two or more associations may unite and freely determine a name for such a union model. Such a union model may have the capacity of a legal person and shall accordingly be subject to the application of the provisions of this Law.
- (2) Associations may become members of international associations.
- (3) An association may have its organizational forms (affiliations, branches, clubs and similar forms) in accordance with its statute. The organisational forms may have the capacity of a legal person if it is determined so by the Statute of the Association, and they shall accordingly be subject to the application of the provisions of this Law.

## *Foreign Association*

### Article 8

- (1) A foreign association, in the sense of this Law, shall be an association or another union model established without the intention to gain profit, which meets the requirements from this Law and which is validly established on the basis of the legal system of a foreign country.
- (2) A foreign association may perform its activities in the Republic of Croatia after being registered into the register of foreign associations, managed by the Ministry competent for general administration affairs.

- (3) A foreign association shall perform its activities in the Republic of Croatia in accordance with this Law.

### *Transparency of Work of an Association*

#### Article 9

- (1) The transparency of work of an association shall be determined by the association's statute.
- (2) An association shall ensure that all its members are informed about the work of the association, in compliance with the general acts of the association.

## II. ESTABLISHMENT OF ASSOCIATIONS

### *Establishment of an Association*

#### Article 10

- (1) An association may be established by at least three founders.
- (2) A founder of an association, in the sense of this Law, may be a natural person with business capacity or a legal person.

### *Statute of an Association*

#### Article 11

- (1) An association shall have its statute.
- (2) The statute shall be the fundamental general act of the association passed by the assembly of the association. Other general acts, should they be passed by the association, shall be in compliance with the statute. An association may use a different name for the statute, as well.
- (3) The statute of an association shall contain the provisions on:
  - name and seat,
  - representation,
  - goals,
  - activities for the realization of goals,
  - membership, including the rights and obligations of its members,
  - bodies of the association, their composition, election method, revocation, competencies, decision-making manner and duration of the mandate,
  - termination of the association.
- (4) The statute of an association may contain the provisions on:
  - territory in which the association shall perform its activities,
  - property, property gaining manner and use of the gained profit,
  - settlement of disputes and conflicts of interests within the association,
  - disciplinary liability of the members,

- property management in the case of termination of the association,
- sign of the association and its appearance,
- other issues of importance for the association.

### *Name of an Association*

#### Article 12

- (1) The name of the association shall be in the Croatian language and Latin script.
- (2) The name of the association may contain certain foreign words if they constitute the name of an international organization the association is a member of, if such words are common in the Croatian language, if they do not have the appropriate alternative in the Croatian language or if they are words of a dead language.
- (3) An association whose purpose is the protection and promotion of the interests of members of an ethnic minority may, along with its name in the Croatian language and Latin script, also have the name in the language and the script of the ethnic minority.
- (4) The name of the association may, if it is so foreseen by the statute, also be entered into the register of associations, translated in one or more foreign languages. The name in the Croatian language and Latin script shall be entered first.
- (5) Along with its full name, an association may also use an abbreviated name, which shall contain a characteristic part of the name of the association. The abbreviated name shall be entered into the register of associations.
- (6) The association shall be obliged to use its name and abbreviated name in the form and content in which they were entered into the register of associations.
- (7) If, besides the name or abbreviated name, the register of associations contains a name or abbreviated name translated into a foreign language, the name or abbreviated name in the foreign language may be used by the association only along with its name in Croatian language and Latin script.
- (8) A request for registration into the register shall be refused if the name of the association is not clearly distinguished from the name of an association already registered in the register of associations.
- (9) If two or more associations submit a request for registration under the same name to the state administration body managing the register of associations, the registration of the association that submitted the request first shall be approved.

### *Use of the Name and Insignia of the Republic of Croatia*

#### Article 13

- (1) The word “Croatia” in any language and the words deriving from it, parts of the coat of arms and the flag of the Republic of Croatia, names of other countries,

names of local and regional self-government units, parts of their coats of arms and flags, as well as the names of international organizations and names of natural persons, may be incorporated into an association's name and sign, in the manner that emphasizes their reputation and dignity.

- (2) An association whose aim is the protection and promotion of interests of members of an ethnic minority may also include the name of the ethnic minority and the words deriving from it in its name.

### III. REGISTRATION OF ASSOCIATIONS

#### *Registration of an Association and Keeping of the Register of Associations*

##### Article 14

- (1) The registration into the register of associations shall be voluntary and shall be conducted upon the request of the founder of the association.
- (2) Associations shall be registered in the register of associations of the Republic of Croatia (hereinafter: the register of associations).
- (3) Associations shall be registered into the register of associations with the competent state administration body, according to the seat of the association.
- (4) The register of associations shall be managed by the state administration bodies in the regional self-government units (hereinafter: the state administration body).
- (5) The register of associations shall be kept in the electronic form, in an uniform manner for all associations in the Republic of Croatia.
- (6) The register of associations and the register of foreign associations shall be public.
- (7) The minister competent for the general administrative affairs shall stipulate by the Rule Book the content of the register of associations and of the register of foreign associations, the manner of their keeping, as well as the forms of the request for registration into the register of associations and the register of foreign associations and the request for registration of changes in the above mentioned registers.

#### *Registration into the Register of Associations*

##### Article 15

- (1) Along with the request for the registration into the register of associations, the following shall be enclosed:
  - record on the work and decisions of the founding assembly,
  - decision on the initiation of the procedure for the registration into the register of associations,

- statute,
  - list of founders,
  - names of persons authorized to represent the association,
  - certificate from the court's or another register for a legal person – founder of the association,
  - consent or approval of a competent state administration body for the performance of certain activities, when it is prescribed so by a special law, as a condition for the registration of the association,
  - photocopy of the ID card of the founder and persons authorized to represent the association.
- (3) The request for registration into the register of associations may not be submitted after the expiration of a three-month period from the day of the passing of the decision on the initiation of the procedure for the association's registration into the register of associations. A request submitted after that period shall be rejected by a conclusion, against which an appeal shall be allowed.
- (4) The request for registration into the register shall be submitted by a person authorized to represent the association, on behalf of the founder.

*Procedure upon the Request for Registration*

Article 16

- (1) The state administration office shall be obliged to pass a decision on the request for registration within 30 days from the day the proper request for registration was submitted.
- (2) If the state administration office establishes that the statute of the association does not comply with the law, or if the appropriate evidence listed in Article 15, Paragraph 1 of this Law were not submitted with the request, it shall notify the applicant for registration into the register of associations about it by a conclusion, and set a deadline for the conforming of the statute or submission of evidence, which may not be shorter than 15, nor longer than 30 days. No appeal shall be allowed against the stated conclusion.
- (3) The decision on the registration into the register of associations shall include: name, seat, date of the registration of the association, registration number, basic content of the activities of the association, statement that the association acquires its legal capacity upon the registration in the register, as well as the names of persons authorized to represent the association.
- (4) The appeal against the decision on registration into the register of associations shall not delay the execution of the decision.
- (5) The state administration body shall be obliged to forward the decision on registration into the register of associations to the association, to the competent state administration body, whose scope of activities, according to its founding aims, includes the activity of the association, to the ministry in charge of general

administrative affairs, as well as to the state administration body competent for the supervision of public revenues.

- (6) The association's statute shall be certified by the state administration office and forwarded to the association.

### *Presumption on the Registration*

#### Article 17

- (1) Should the state administration office fail to pass the decision on registration into the register of associations within 30 days from the day an association submitted a proper request, it shall be assumed that the association is entered into the register on the first day following the expiration of that period.
- (2) The provision from Paragraph 1 of this Article shall not apply in the case as per Article 16, Paragraph 2 of this Law.
- (3) In the case as per Paragraph 1 of this Article, the state administration office shall, upon the association's request, pass a decision on the registration into the register of associations as per Article 16, Paragraph 3 of this Law within 8 days from the day the repeated application was submitted.

### *Refusal of Registration*

#### Article 18

The request for registration into the register of associations shall be refused if the statutory goals and activities of an association are contrary to the Constitution or the Law, or if the founder does not proceed according to the conclusion as per Article 16, Paragraph 2 of this Law.

### *Change of Data*

#### Article 19

- (1) A person authorised to represent the association shall submit the application for the registration of changes into the register of associations, to the state administration office, in relation to:
  - the statute,
  - name,
  - address of the seat (street and house number),
  - election of persons authorised for representation,
  - termination of the association.
- (2) Enclosed to the request shall be the record on the work of the association's body that has the statutory competence to pass decision on the issue for which a change in the register is sought, the decision on changes, the new statute or its amendments, as well as the photocopy of the identity cards of persons authorized for representation.



- (3) A decision shall be passed on the registration of changes into the register of associations, to which the provisions of Article 16, Paragraphs 3 and 4 of this Law shall adequately apply.
- (4) Along with the decision as per Paragraph 3 of this Article, the association shall be delivered a copy of the certified new statute or amendments to the statute, in case the subject of the registration was a change of the statute.
- (5) In its legal transactions, the association shall not act according to the changes, nor shall it use the information on the changes as per Paragraph 1 of this Article, before they have been entered into the register of associations.

*Registration into the Register of Foreign Associations*

Article 20

- (1) Along with the request for registration into the register of foreign associations, the following shall be enclosed:
  - the excerpt from the register in which the foreign association is registered in the country of the seat, not older than six months, from which it is evident who is authorized to represent the foreign association and which activities it was registered to perform,
  - a decision on the establishment of a foreign association certified by a notary public, if the law of the country in which the foreign association was established does not require registration into the register,
  - a decision on the appointment of a person authorized to represent the foreign association in the Republic of Croatia,
  - a certified translation in the Croatian language and Latin script of the statute or another act from which it is evident which activities the foreign association performs,
  - a certified translation in the Croatian language and Latin script of the documents as per Sub-paragraphs 1, 2 and 3 of this Paragraph,
  - a photocopy of a document on the identity of the person authorized to represent the foreign association in the Republic of Croatia,
  - other evidence, if a special law stipulates special conditions for registration into the register of foreign associations of the Republic of Croatia.
- (2) The request for registration into the register of foreign associations shall be submitted by a person authorized to represent the foreign association in the Republic of Croatia.
- (3) The provisions of Article 16, Paragraphs 1 and 2, Article 17, Article 18 and Article 19 of this Law shall apply to foreign associations in an appropriate manner.
- (4) The decision on registration into the register of foreign associations shall include: the name, seat of the foreign association, the date of registration into the register of foreign associations, the registration number, basic content of the activities of

the foreign association and the names of persons authorized for representation in the Republic of Croatia.

### *Legal Remedies*

#### Article 21

- (1) The Ministry competent for general administrative affairs shall decide on the appeal against the decision issued by a state administration office.
- (2) An appeal against the decision of the Ministry, as per Paragraph 1 of this Article, shall not be allowed, however, an administrative dispute may be initiated.

## IV. PROPERTY AND LIABILITY OF ASSOCIATIONS

### *Property of Associations*

#### Article 22

- (1) The property of an association shall comprise the financial means the association has gained through membership fees, voluntary contributions and gifts, performance of its activities, subventions from the state budget and budgets of local and regional self-government units and funds, as well as other financial means acquired in compliance with the law, its real estate and movable property, as well as other property rights.

### *Budgetary Subventions*

#### Article 23

- (1) The Government of the Republic of Croatia shall provide a subvention to associations, for the projects or programmes of special interest to the general and public good in the Republic of Croatia, on the basis of a conducted tender.
- (2) The amount for subvention for the associations from the state budget shall be determined in the state budget each year. Pursuant to the to the adopted Programme of Co-operation between the Government of the Republic of Croatia and the Non-governmental, Non-profitable Sector in the Republic of Croatia, the Croatian Parliament, upon the recommendation of the Government of the Republic of Croatia, shall pass the Codex of Positive Practice, Standards and Measures for the realization of the financial support for the programmes and projects of the associations.
- (3) Only associations registered into the register of associations may compete for the allocation of the subventions from the state budget.
- (4) The provisions of this Article shall be appropriately applied to the allocation of subventions from the budget of local and regional self-government units.

### *Liability*

#### Article 24

- (1) An association shall be liable for its duties with all of its assets.
- (2) An association may be subject to a bankruptcy procedure.

### *Commercial Operations of Associations*

#### Article 25

Associations shall be obliged to keep business books and prepare financial reports in compliance with the regulations that stipulate the financial management of non-profit organisations.

## V. SUPERVISION

### *Competence to Conduct Supervision*

#### Article 26

- (1) Members of an association shall supervise the work of the association. Should an association member establish irregularities in the implementation of the statute, he shall be authorised to notify the body of the association determined by the statute about it, or the assembly, if the competent body is not determined by the statute. If the notification is not reviewed in a meeting of the body designated by the statute, or of the assembly, within 30 days from the day the written notification was forwarded to it and the irregularities are not eliminated, the member shall be entitled to file a complaint to the county court competent according to the seat of the association, in order to protect his rights stipulated by the statute of the association.
- (2) The administrative supervision over the implementation of this Law and over the regulations adopted on the basis thereof shall be carried out by the Ministry competent for general administrative affairs.
- (3) The inspection supervision over an association's work, in the sense of this Law, shall be carried out by the state administration office.

### *Inspection Supervision Procedure*

#### Article 27

- (1) Should a state official authorised for the inspection supervision over an association's activities establish that this Law has been violated, he shall be authorised to undertake the following measures:

1. order the elimination of detected shortcomings and irregularities within a specified time-limit
  2. file a complaint on the initiation of offence proceedings.
- (2) A senior-grade civil servant of the state administration office shall be obliged to immediately inform the state administration body competent for the association's activities, according to the objectives of the establishment of the association, on the measures as per Paragraph 1 of this Article. Should the senior-grade civil servant from the state administration body competent for the association's activities, according to the objectives of the establishment of the association, undertake the measures from the scope of activities of that body, or file a violation complaint, he shall be obliged to immediately inform the state administration office about it.

## VI. TERMINATION OF AN ASSOCIATION

### *Reasons for Termination of Association*

#### Article 28

- (1) The reasons for termination of an association shall be as follows:
  1. a decision of the competent body of the association on its termination,
  2. termination of association's activities,
  3. final court decision on the prohibition of the association's activities,
  4. bankruptcy
- (2) It shall be deemed that an association has ceased to be in operation if the number of the association's members has decreased below the number stipulated for the establishment of the association or if the assembly has not convened in twice as much time than it is foreseen by the association's statute for the convention of the assembly's meeting.
- (3) The facts from Paragraph 1, Items 1 and 2 of this Article shall be established *ex officio* by a decision of the state administration office, upon the proposal of the competent body of the association, of members of the association or of other interested natural and legal persons or upon its own initiative.
- (4) The state administration office shall adopt a decision on the termination of the association for the reasons referred to in Paragraph 1, Items 1 and 2 of this Article and forward that decision to the competent court, in order to conduct the bankruptcy procedure.
- (5) Pursuant to the legally valid ruling of the court, by which the activities of the association shall be prohibited, and the decision of the state administration office as per Paragraph 4 of this Article, competent court shall initiate the bankruptcy procedure *ex officio* without the implementation of the previous procedure.

## *Liquidation of an Association*

### Article 29

- (1) The decision of the competent body of an association on the termination of the association shall determine:
  - the manner for conducting the liquidation procedure,
  - the person authorized for the conduct of the liquidation procedure (the liquidator),
  - the amount of the remuneration for the liquidator,
  - the manner of reporting to the competent body of the association on the conduct of the liquidation procedure.
- (2) The liquidator shall be obliged to submit a semi-annual report on its work to the competent body of the association and to the competent state administration office according to the seat of the association.
- (3) After the conducted liquidation procedure, the liquidator shall submit annual financial report to the competent body of the association and to the competent state administration office according to the seat of the association and shall give a recommendation on distribution of the remaining property in compliance with the provision of Article 34, Paragraphs 1, 2 and 3 of this Law.
- (4) After the distribution of the remaining property in compliance with Paragraph 3 of this Article, the competent state administration according to the seat of the association shall pass a decision on termination of the association and delete it from the register of associations.

### Article 30

- (5) Until the adoption of the annual financial report as per Article 29, Paragraph 3 of this Law, the competent body of the association may pass a decision on the cessation of conduct of the liquidation procedure. In that case, the competent state administration office according to the seat of the association shall pass a decision on the discontinuation of the liquidation process.

### Article 31

- (1) The competent state administration office according to the seat of the association shall in the decision on the initiation of the liquidation procedure due to the reason as per Article 28, Paragraph 1, Item 2 of this Law, regulate the following:
  - the manner for the conduct of liquidation procedure,
  - the authorized person for the conduct of the liquidation procedure ( the liquidator),
  - the amount of the remuneration for the liquidator,
  - the manner of reporting to the state administration office on the conduct of the liquidation procedure.
- (2) The liquidator shall conduct the procedure and submit the annual financial report to the competent state administration office according to the seat of the association in compliance with the provision of Article 29, Paragraphs 2 and 3 of this Law.
- (3) After the conducted liquidation procedure, the liquidator shall submit the annual financial report to the competent state administration office according to the seat

of the association and shall give a recommendation on distribution of the remaining property in compliance with the provision of Article 34, Paragraphs 1, 2 and 3 of this Law.

- (4) After the distribution of the remaining property in compliance with Paragraph 3 of this Article, the competent state administration office according to the seat of the association, shall pass a decision on the termination of the association and shall delete it from the register of associations.

#### Article 32

- (1) The competent state administration office according to the seat of the association shall, immediately after the receipt of the legally valid verdict on the prohibition of association's activities as per Article 37 of this Law, pass a decision on the initiation of the liquidation procedure.
- (2) The decision of the competent state administration office according to the seat of the association, as per Paragraph 1 of this Article, shall determine:
  - the manner for the conduct of the liquidation procedure
  - the authorized person for the conduct of the liquidation procedure
  - the amount of the remuneration for the liquidator
- (3) The liquidator shall be obliged to submit a semi-annual report about his work to the competent state administration office according to the seat of the association.
- (4) After the conducted procedure, the liquidator shall submit the annual financial report to the competent state administration office according to the seat of the association.
- (5) The liquidator shall be committed by a court decision on the distribution of the remaining property.
- (6) After the distribution of the remaining property, the state administration office shall pass a decision on the termination of the association and shall delete it from the register of associations.

#### *Deletion from the Register*

#### Article 33

- (1) The state administration office shall delete associations from the register on the basis of the legally valid verdict on completion of the bankruptcy procedure.
- (2) The Association shall cease to exist upon its deletion from the register.

## *Disposal of Association's Property in Case of Its Termination*

### Article 34

- (1) In the case of termination of an association, the property shall be transferred to a legal or natural person determined in the statute of the association, after the settlement of debts to creditors and payment of expenses for court and other proceedings.
- (2) Associations, which were given the subventions according to the provisions from Article 23, Paragraphs 1 and 4 of this Law shall, in the case of its termination, return the remainder of the subvention funds to the budget from which the subvention was provided.
- (3) Should an association fail to stipulate in its statute the procedure of disposal of the association's property in the case of termination of the association, the remaining property shall be acquired by the local self-government unit in the territory of which the association has its seat.
- (4) If the operation of the association has been prohibited, the court may, if there are valid reasons therefore, taking into consideration the circumstances of the case, decide on transferring the property of the association to a certain institution, endowment, foundation or association with the same or similar activities and objectives as the association the operation of which has been prohibited.

## VII. PROHIBITION OF ASSOCIATION'S ACTIVITIES

### *Reasons for Prohibition*

### Article 35

- (1) Activities of an association shall be prohibited:
  1. if the association by its activities violently endangers the democratic constitutional system as well as the independence, unity and territorial integrity of the Republic of Croatia,
  2. if they are directed at other activities that are prohibited by the Constitution or law,
  3. if the association performs the activities which are not in compliance with the goals established by the statute ( Article 5, Paragraph 1)
  4. if it is necessary for the protection of freedoms and rights of other persons.
  5. if it is necessary for the protection of health and public morality.

## *Initiation of the Procedure before the Court*

### Article 36

- (1) Everyone may submit a report to the competent county public prosecutor, according to the association's seat, on the existence of reasons for the prohibition of the activities of an association.
- (2) Should the competent county public prosecutor establish pursuant to the filled complaint that there are reasons as per Article 35 of this Law, he shall submit a proposal to the county court competent according to the association's seat for the prohibition of the association's activities.
- (3) The procedure of prohibition of the activities of an association shall be conducted pursuant to the provisions of the Law on Civil Procedure, unless otherwise stipulated by this Law. The procedure of the prohibition of activities shall be urgent.

## *Proceedings before the Court of First Instance*

### Article 37

- (1) The court shall, without delay, deliver the proposal for the prohibition of activities as per Article 36, Paragraph 2 of this Law to the person who was the authorized representative of the association at the time the proposal for the prohibition of the association's activities was submitted, or if the proposal cannot be delivered to this person, or if this person is not in the position to duly represent the association, the court shall appoint a temporary representative from among the lawyers in the territory of that court
- (2) The court shall be obliged to hold the hearing on the proposal for the prohibition association's activities within 15 days from the day the proposal was delivered to the representative of the association, in accordance with the provisions set forth in Paragraph 1 of this Article. The court shall be obliged to publish the place and time of the hearing in daily newspapers three days before the hearing, at least, takes place.
- (3) Each member of the association shall be authorized to become involved in the proceedings on behalf of the association. In case when more than two members of the association have applied to participate in the proceedings, they shall be obliged to appoint their joint representative in the time period determined by the court. If they cannot come to an agreement, the chairman of the council shall appoint their joint representative from among the lawyers in the court's territory, at their expense.
- (4) The court may hold the hearing and pass a decision even if the persons duly summoned to the hearing do not appear before the court, of which they shall be explicitly informed in the summons.



- (5) Based on the hearing, the court shall either pass the decision on the prohibition of activities or overrule the proposal.
- (6) The court shall pass and publish the verdict at the hearing.
- (7) The explanation of the court decision on the prohibition of the activities of an association shall include the reasons for which the activities of the association are prohibited.
- (8) The court verdict on the prohibition of the activities of an association shall also include a decision on the association's property.
- (9) The court decision shall be issued in writing and its certified transcript forwarded to the parties and to the competent court due to the conduct of the bankruptcy within three days from the day of the publishing.
- (10) The particulars of the final court verdict on the prohibition of the activities of an association shall be published in the "Official Gazette".
- (11) The expenses of the procedure shall be advanced from the court funds and shall be paid *ex officio* during the bankruptcy procedure from the property of the association if its activities are prohibited.

### *Appeal*

#### Article 38

- (1) The public prosecutor, a person authorised to represent the association, or the person who is replacing him/her, as well as any member of the association who reported his/her participation in the proceedings before the court of first instance shall be entitled to file an appeal against the court's verdict deciding on the proposal of prohibition of the association's work to the Supreme Court of the Republic of Croatia within eight days from the day of the receipt of the verdict.
- (2) The appeal against the verdict on prohibition of the association's work shall not suspend the execution thereof.
- (3) The appeal shall be forwarded for response. The deadline for the response to the appeal shall be eight days.
- (4) The court shall send a timely and admissible appeal to the Supreme Court of the Republic of Croatia along with all documentation within three days from the day of receipt of the response to the appeal or after the expiration of the time period for the submission thereof.
- (5) The Supreme Court of the Republic of Croatia shall be obliged to pass a decision on the appeal within eight days from the day the appeal and the accompanying documentation were received.

## VIII. PENALTY PROVISIONS

### *Offences*

#### Article 39

- (1) A fine of 1,000.00 HRK up to 10,000.00 HRK shall be imposed for an offence on the association which:
  1. does not keep record of its members (Article 4, Paragraph 3),
  2. performs activities that are not in accordance with the realisation of its statutory goals (Article 5, Paragraph 1),
  3. does not use the name and abbreviated name of the association in the form and content entered into the Register of Associations (Article 12, Paragraphs 6 and 7),
  4. uses data on changes in legal transactions or acts pursuant to the changes before those changes, have been entered into the Register of Associations (Article 19, Paragraph 5).
- (2) A fine of 500.00 HRK up to 5,000.00 HRK shall also be imposed on the responsible person in the association for the offences as per Paragraph 1 of this Article.

## IX. TRANSITIONAL AND FINAL PROVISIONS

### *Conforming With the Provisions of this Law*

#### Article 40

- (1) On the day of coming into effect of this Law, associations shall continue to work under the conditions determined by their statutes and this Law.
- (2) The ministry competent for general administrative affairs shall submit collections of documents of the associations registered in the Register of Associations of the Republic of Croatia to the competent state administration offices within 30 days from the day of coming into effect of this Law.
- (3) The state administration office shall, within 90 days from the day of taking-over the collection of documentation of associations, make an ex officio registration of the taken-over associations in the register.
- (4) On the day of coming into effect of this Law, the Ministry competent for general administrative affairs shall cease to keep the Register of Associations of the Republic of Croatia, pursuant to the provision as per Article 15, Paragraph 1, Sub-paragraph 2 of the Law on Associations (“Official Gazette”, No. 70/97, 106/97 and 20/00).

*Rule Book on the Register of Associations*

Article 41

- (1) The Minister competent for general administrative affairs shall pass the Rule Book as per Article 14, Paragraph 7 of this Law within 30 days from the day of this Law becoming effective.

*Pending procedures*

Article 42

- (1) The requests for registration into the register of associations, or the procedures initiated pursuant to the Law on Associations (“Official Gazette”, 70/97, 106/97 and 20/00) that are still pending until the day of this Law coming into effect, shall be concluded pursuant to the provisions of this Law.
- (2) Public organizations and associations of citizens, which failed to conform their statute with the Law on Associations (“Official Gazette”, 70/97, 106/97 and 20/00) until coming into effect of this Law, shall be considered deleted from the register as of that date.
- (3) The foreign associations which failed to conform with the Law on Associations (“Official Gazette”, 70/97, 106/97 and 20/00) until coming into effect of this Law, shall be considered deleted from the register as of that date.

Article 43

- (1) The property, which an association had at its disposal or over which it had the right to use until the adoption of the Law on Associations ( “Official Gazette”, 70/97, 106/97 and 20/00), apart from the property of trade union associations, to which the provisions of Article 38, Paragraphs 3 and 4 are applied, shall become the property of the association which is its legal successor on the day of coming into effect of this Law.
- (2) The property of the associations which were terminated, and which do not have an association which is their legal successor, on the day of coming into effect of this Law, shall become the property of the local-self-government unit in which territory the seat of the association used to be.
- (3) Upon the request of the interested local self-government units, the State Administration Office for Property and Legal Affairs shall decide on the right to the property of associations as per Paragraph 2 of this Article and shall forward its decision to the competent public prosecutor due to the filing of the request for the transfer of that property into the ownership of the local self-government units.

*Regulations That Cease To Be Valid*

Article 44

- (1) On the day of this Law coming into effect, the Law on Associations (“Official Gazette”, 70/97, 106/97 and 20/00) shall cease to be valid.
- (2) The regulations adopted pursuant to the Law on Associations (“Official Gazette”, 70/97, 106/97 and 20/00) shall remain in effect until the regulations as per Article 14, Paragraph 8 of this Law are adopted.

*Coming Into Effect of the Law*

Article 45

This Law shall come into effect on the eighth day from the day of its publication in the “Official Gazette” and shall be applied as of 1 January 2002.

Class: 230-01/01-01/0  
Zagreb, 28 September 2000

CROATIAN PARLIAMENT  
The Speaker  
of the Croatian Parliament  
**Zlatko Tomcic**, *(signed)*