

THE CROATIAN PARLIAMENT

2039

Pursuant to Article 89 of the Constitution of the Republic of Croatia, I hereby issue the

DECISION

PROMULGATING THE ACT ON THE AMENDMENT TO THE ACT ON THE LEGAL CONSEQUENCES OF CONVICTION, CRIMINAL RECORDS AND REHABILITATION

I hereby promulgate the Act on the Amendment to the Act on the Legal Consequences of Conviction, Criminal Records and Rehabilitation adopted by the Croatian Parliament at its session on 25 September 2015.

Class: 011-01/15-01/118

Reg. No.: 71-05-03/1-15-2

Zagreb, 1 October 2015

The President
of the
Republic of
Croatia

**Kolinda
Grabar-
Kitarović**, m. p.

ACT

ON THE AMENDMENT TO THE ACT ON THE LEGAL CONSEQUENCES OF CONVICTION, CRIMINAL RECORDS AND REHABILITATION

Article 1

In the Act on the Legal Consequences of Conviction, Criminal Records and Rehabilitation (Official Gazette 143/12), after Article 14 the following Articles 14a, 14b and 14c shall be inserted:

„Article 14a

(1) A person may request at the municipal court seat to be issued a criminal records certificate for the purpose of running for the Croatian Parliament.

(2) The request for the issue of the certificate referred to in paragraph 1 of this Article may be made after the entry into force of the decision on the calling of elections and before the submission of lists of candidates running for a seat in the Croatian Parliament.

(3) The municipal court shall immediately run a criminal record check and issue to the person who made the request a certificate stating whether such person has a criminal record. The municipal court shall issue such certificate on the basis of criminal record data available to it at the day of issuance of such certificate. The contents of such certificate shall be prescribed by the ordinance referred to in Article 35 of this Act.

(4) If a person has a criminal record, the municipal court shall, at his or her request, immediately request from the Ministry to issue a special attestation for the purpose provided for in Article 9, paragraphs 4 and 5 of the Act on the Election of Representatives to the Croatian Parliament (Official Gazette 116/99, 109/00, 53/03, 69/03, 167/03, 44/06, 19/07, 20/09, 145/10, 24/11, 93/11, 120/11 and 19/15). The Ministry shall issue a special attestation without delay and no later than three days from receipt of such request.

(5) The request referred to in paragraph 1 of this Article shall be submitted on the form prescribed by the ordinance referred to in Article 35 of this Act. Such request shall state the full name of the person for whom data are requested, personal identification number (OIB), father's first name, date and place of birth, and the signature of the person for whom data are requested.

(6) The issuance of the certificate and attestation referred to in this Article shall not be subject to the payment of court and administrative fees.

Article 14b

(1) For the purpose of conducting election of representatives to the Croatian Parliament, the Ministry shall provide the State Electoral Commission with direct access to criminal record data for candidates whose names figure in the lists of candidates in the period from the entry into force of the decision on the calling of elections to the announcement of the lists of candidates pursuant to Article 23 of the Act on the Election of Representatives to the Croatian Parliament (Official Gazette 116/99, 109/00, 53/03, 69/03, 167/03, 44/06, 19/07, 20/09, 145/10, 24/11, 93/11, 120/11 and 19/15).

(2) If the State Electoral Commission establishes that a candidate has a criminal record, it shall request without delay from the Ministry to issue a special attestation for the purpose provided for in Article 9, paragraphs 4 and 5 of the Act on the Election of Representatives to the Croatian Parliament (Official Gazette 116/99, 109/00, 53/03, 69/03, 167/03, 44/06, 19/07, 20/09, 145/10, 24/11, 93/11, 120/11 and 19/15). The Ministry shall issue a special attestation without delay.

Article 14c

The Ministry shall issue the attestations referred to in Articles 14a and 14b of this Act on the basis of criminal record data available to it at the time of issuance of such attestations.“

TRANSITIONAL AND FINAL PROVISION

Article 2

The Minister responsible for the judiciary shall align the Ordinance on criminal records (Official Gazette 7/13 and 66/13) with the provisions of this Act within eight days from the day of the entry into force of this Act.

Article 3

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

Class: 740-02/15-01/01
Zagreb, 25 September 2015

THE CROATIAN PARLIAMENT

The President of
the Croatian
Parliament

Josip Leko, m. p.

PROVISIONAL TRANSLATION