

THE CROATIAN PARLIAMENT

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

DECISION

PROMULGATING THE ACT ON AMENDMENTS TO THE MISDEMEANOUR ACT

I hereby promulgate the Act on Amendments to the Misdemeanour Act, passed by the Croatian Parliament at its session on 13 December 2013.

Class: 011-01/13-01/304

Reg. No.: 71-05-03/1-13-2

Zagreb, 18 December 2013

The President
of the
Republic of Croatia
Ivo Josipović, m. p.

THE ACT

ON AMENDMENTS TO THE MISDEMEANOUR ACT

Article 1

In the Misdemeanour Act (Official Gazette 107/07 and 39/13), in Article 1a, the full stop after the second indent shall be replaced by a semicolon and the following third indent shall be inserted:

»– Council framework Decision of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence.«

Article 2

In Article 50, paragraph 3, after the words: »paragraph 1« there shall be inserted the words: »and paragraph 2«, and after the words: »two years« a full stop shall be inserted with the second part of the sentence being deleted.

Article 3

In Article 76a, after paragraph 6, there shall be inserted the following paragraph 7:

»(7) The minister responsible for the judiciary in cooperation with the minister responsible for finances shall regulate by an ordinance the manner of handling items seized in misdemeanour proceedings that have become the property of the Republic of Croatia.«

Article 4

In Article 135, paragraph 1, after the words: »a domestic violence-related misdemeanour«, a comma followed by the words: »a misdemeanour relating to the prevention of riots at sports competitions« shall be inserted.

Article 5

In Article 152, paragraph 4, the last sentence shall be deleted.

Article 6

In Article 152j, paragraph 1, points 3, 4, 5 and 6 shall be deleted.

Article 7

The title preceding Article 152k shall be amended to read as follows: »Register of unpaid fines«.

In Article 152k, paragraph 2, the words: »the court and any other authority that made the decision shall inform the Register thereof« shall be replaced by the words: »the Register shall immediately be informed thereof«.

Paragraph 3 shall be deleted.

Paragraphs 4, 5, 6 and 7 shall be renumbered, respectively, 3, 4, 5 and 6.

Article 8

In Article 160, paragraph 2, point 4, the words: »registration number« shall be replaced by the words: »Croatian personal identification number«.

Article 9

In Article 171, paragraph 1, the words: »Croatian citizen's registration number« shall be replaced by the words: »Croatian personal identification number«, and the words: »activity pursued« shall be replaced by the word: »occupation«.

Article 10

In Article 207, after the word: »appeal«, there shall be inserted the words: »or of its own motion«.

Article 11

In Article 238, paragraph 8, the introductory sentence shall be amended to read as follows:

» In deciding on an appeal against a decision rejecting an objection, the court having jurisdiction may:«.

Article 12

In Article 239, paragraph 2, the words: »Article 109, paragraphs 1 and 2« shall be replaced by the words: »Article 109, paragraph 1, points 1 and 2«.

Article 13

In Article 244, paragraph 2, the words: »the penalty imposed or the costs of the proceeding« shall be replaced by the words: »the sanction imposed, referred to in Article 239, paragraph 4, of this Act«, and the words: »on the penalty or the costs of the proceeding« shall be replaced by the words: »on the sanction referred to in Article 239, paragraph 4, of this Act«.

Article 14

In Article 245, after paragraph 1, there shall be inserted the following new paragraphs 2 and 3:

»(2) The fine referred to in paragraph 1 of this Article shall be deemed collected on the spot also in cases where a perpetrator of a misdemeanour is unable to pay the fine when found present at the place of commission of the misdemeanour provided they pay the fine within three days therefrom and deliver proof of payment to the authority that determined the misdemeanour. The cost of determining a misdemeanour by means of a technical device may be paid in the same manner.

(3) The fine referred to in paragraph 1 of this Article shall be deemed collected on the spot also in cases where the identity of a perpetrator of a misdemeanour is unknown at the time the misdemeanour is committed or where the perpetrator of a misdemeanour is not found present at the place of commission of the misdemeanour provided the perpetrator pays the fine within three days from receipt of the misdemeanour notice and delivers proof of payment to the authority that determined the misdemeanour. The cost of determining a misdemeanour by means of a technical device may be paid in the same manner.«.

Paragraphs 2 and 3 shall be renumbered 4 and 5, respectively.

In paragraph 4, renumbered 6, the words: »paragraphs 1 and 2« shall be replaced by the words: »paragraphs 1, 2, 3 and 4«.

Paragraph 5 shall be renumbered 7.

In paragraph 6, renumbered 8, the words: »paragraphs 1 and 2« shall be replaced by the words: »paragraphs 1, 2, 3 and 4«.

In paragraph 7, renumbered 9, the words: »paragraph 6« shall be replaced by the words: »paragraph 8«.

TRANSITIONAL AND FINAL PROVISIONS

Article 15

The responsible ministers shall issue the ordinance referred to in Article 3 of this Act within one month from the entry into force of this Act.

Article 16

This Act shall be published in the Official Gazette and shall enter into force on 1 January 2014.

Class: 022-03/13-01/309

Zagreb, 13 December 2013

THE CROATIAN PARLIAMENT

The President of
the Croatian
Parliament

Josip Leko, m.p.

PROVISIONAL TRANSLATION