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L A W

On Public Organizations and Citizens' Associations

Article 2

Citizens associate freely and of their own free will in order to pursue political, cultural, educational, artistic, scientific, medicinal, recreational, technical, humanitarian and other activities.

Working people and citizens unite into public organizations in order to pursue activities of a wider public interest, whereas they unite into citizens' associations in order to satisfy their individual and common needs.

Exceptionally, organizations created for political purposes may be established both as public organizations and as citizens' associations.

Article 3

Any working man and citizen may, under equal conditions prescribed by the Statutes, become a member of a public organization i.e. of a citizens' association.

Members of public organizations and citizens' associations with political aims may only be citizens of the SFRY.

Article 4

The following persons cannot be the founders of public organizations and of citizens' associations:

- 1. Persons under safety measures comprising the prohibition of public appearance while the said prohibition is in duration;
- 2. Persons convicted of criminal acts against the fundamental political system and safety of the SFRY;
- 3. Persons convicted of criminal acts against public and private property or else against personal dignity and morality;
- 4. Persons unconditionally convicted of other crimes to serve a term in a penitentiary amounting to at least three years.

Prohibition for persons referred to in clauses 2, 3 and 4 of paragraph 1 of the present Article lasts ten years starting from the day of the punishment being served, pardoned or else limited.

Article 5

Public organization and citizens' association are run by their members directly and via delegates in the governing bodies defined by the Statutes.

Article 10

If a public organization or else a citizens' association is entrusted with exercising certain public authorities by law or else by a decision of the administrative body in charge, the said public organization i.e. citizens' association must ensure a regular and unhindered performance of tasks related to the exercising of public authorities.

Article 11

Public organizations, their unions and other forms of alliance are entered into the register of public organizations, whereas citizens' associations, their unions and other forms of alliance are entered into the register of citizens' associations.

The object of entry into the register of public organizations and the register of citizens' associations is: establishment, businesses and activities, name and seat of the organization i.e. the association, names of persons authorized to represent them, governing bodies and cessation of the public organization i.e. the citizens' association and their unions and other forms of alliance.

Article 12

Public organizations and citizens' associations, in the scope of the established foreign policy of SFRY and Croatia may co-operate with the corresponding international organizations and associations and become members of such organizations i.e. associations if this is envisaged by the Statutes of the public organization i.e. the citizens' association in question.

Article 14

A public organization may be established by at least ten major citizens.

Article 15

A special law may envisage the possibility of the interested public corporations, exceptionally with respect to provisions of Article 14 of the present law, also being the establishers and members of a given public organization.

Article 16

Means for establishing and starting the operation of a public organization are ensured by the establishers.

Article 17

A public organization must have its Statutes.

The Statutes are passed by the highest governing body of the public organization in question.

Article 18

Public organizations may become associated into unions and other forms of alliance.

Public organizations, their unions and other forms of alliance have the property of a public corporation, which they acquire on the day of their being entered into the register.

Article 19

Public organizations may acquire means i.e. certain rights over means and use those means as public for the achievement of their goals, employing in compliance with the Statutes and the law.

Public organizations raise means from membership subscription, grants by the administrative bodies in charge, contributions and donations, income resulting from games of chance, income resulting from assets and rights, based on the established compensation for implementing the agreed-upon programme and from the income resulting from performance of an economic or other activity, as well as on the basis of income coming from other sources.

Article 20

Public organizations and citizens' associations may perform economic and other activities, in compliance with specific regulations.

Article 21

A citizens' association may be established by at least ten major citizens.

Article 22

A citizens' association must have its Statutes.
The Statutes are passed by the highest governing body of the citizens' association in question.

Article 23

In order to achieve their common goals, citizens' associations may become associated into unions and other forms of alliance.

Citizens' associations, their unions and other forms of alliance have the property of a civic corporation which they acquire on the day of being entered into the register of citizens' associations.

Article 24

Citizens' associations raise funds from membership subscription, contributions and donations, whereas they may also be raising funds from other sources, in compliance with the law.

Article 25

Unless otherwise specified by the law, in the case of cessation of a citizens' association, the real estate is taken over by the municipality on whose territory it was located, whereas other assets are taken over by the administrative body in charge that is keeping the register into which the said association has been entered.

Assets which are, under provisions of paragraph 1 of the present Article, taken over by the administrative body keeping the register into which the said association has been entered, are established by a commission appointed by the municipality on whose territory was located the association's seat.

Article 26

Financial and material business making of a citizens' association is controlled by the administrative body in charge of public income affairs in co-operation with the body in charge of registration.

IV. REGISTRATION OF PUBLIC ORGANIZATIONS AND CITIZENS' ASSOCIATIONS

1. Registration of Public Organizations

Article 27

The register of public organizations is kept by:

- the municipal administrative body in charge of the general managing of affairs for public organizations active on the municipality's territory;

- the city's administrative body in charge of the general managing of affairs for public organizations active on the territory of one or more municipalities making a part of the city;

- the Republic administrative body in charge of the general managing of affairs for public organizations active on the territory of several municipalities of which at least one is outside a given city's jurisdiction or else on the entire Republic's territory, as well as for public organizations having a seat on the Republic's territory but active also on the territory of other Republics or else autonomous provinces on the entire territory of the SFRY.

Article 32

Public organization whose Statutes or else programme are aimed at activities prohibited by the Constitution i.e. the Penal Code shall not be entered into the register of public organizations.

2. Registration of Citizens' Associations

Article 35

The register of citizens' associations is kept by the administrative bodies referred to in Article 27 of the present law, depending upon the citizens' association area of activity.

V. CESSATION OF PUBLIC ORGANIZATIONS AND CITIZENS' ASSOCIATIONS

Article 42

Public organizations and citizens' associations cease to exist:

1. By the decision of the public organization's i.e. the citizens' association administrative body in charge;

2. If it is established that the public organization i.e. the citizens' association have ceased to act or else if twice the time has passed than the time determined by the Statutes for holding a session, and the session was not held;

3. If the number of members of a public association i.e. a citizens' association decreases below the number determined for the establishment of a public organization i.e. a citizens' association;

4. If they act contrary to the statutory provisions or else if they do not fulfill the tasks because of which they have been established;

5. If the activity of a public organization i.e. a citizens' association has been prohibited.

The facts from paragraph 1 of the present Article are established by the body in charge of registration in the line of duty.

Article 43

The activity of public organizations i.e. of citizens' associations shall be prohibited by the verdict of the District Court in charge with respect to the seat of the public organization i.e. the citizens' association if it is aimed at affairs prohibited by the Constitution i.e. the Penal Code.

The proceedings for prohibiting the activity of a public organization i.e. a citizens' association are started upon the proposal by the body in charge of registration i.e. the district attorney in charge.

Article 44

Upon proposal by the body in charge of registration i.e. the district attorney in charge, the court shall hold a trial within three days of receiving the proposal.

Parties summoned to the trial shall be as follows: a representative of the body in charge of registration i.e. the district attorney and the person authorized for representing the public organization i.e. the citizens' association in question.

Article 45

In the course of proceedings on the prohibition of operation to a public organization i.e. a citizens' association, the court may hold a trial and reach a verdict even if the duly summoned parties do not attend the debate, of which the parties shall be explicitly warned in the subpoena.

Article 46

Following the proposal for prohibiting operation to a public organization or else a citizens' association, the court shall pass the verdict on the prohibition of operation or else decline the proposal of the body in charge of registration or else the district attorney in charge.

Article 47

If the court passes the verdict on prohibiting operation to the public organization i.e. the citizens' association, in the accompanying explanation, it must state the activities of the said public organization i.e. citizens' association that are prohibited by the Constitution i.e. the Penal Code.

By the verdict referring to the prohibition of operation of a public organization or else a citizens' association, the court shall order the dismissal of the said public organization or else citizens' association and determine measures relating to their assets, in compliance with the law.

The Court may, taking into account all the circumstances surrounding the case, determine other measures necessary for implementing the verdict on prohibition of operation of a public organization i.e. a citizens' association, such as sealing off the offices, closing the account in the organizations in charge or else dispossessing the means utilized to perform the prohibited activity.

The Court shall decide whether the dispossessed means are to be destroyed, sold or else turned over to a given body or else organization.

Article 49

Against the verdict passed by the District Court referring to the prohibition of operation of a public organization or a citizens' association, the parties may appeal to the Supreme Court of Croatia within eight days of being forwarded the verdict.

Article 50

The valid verdict on the prohibition of operation to a public organization or a citizens' association is to be published in the "Official Gazette".

Article 51

During the proceedings related to the prohibition of operation to a public organization or a citizens' association, provisions of the Penal Code are duly applied, unless otherwise specified by the present law.

VI. ASSOCIATIONS OF FOREIGNERS AND INTERNATIONAL ORGANIZATIONS

Article 54

Foreigners residing in Croatia may, under the conditions and in compliance with the procedure defined by the Law on the Movement and Residence of Foreigners, establish associations in view of pursuing cultural, scientific, technical and other activities.

Foreigners' associations are established on the basis of approval by the Republic administrative body in charge of internal affairs.

Foreigners' associations are entered into a register kept by the Republic administrative body in charge of internal affairs.

The head of the Republic administrative body in charge of internal affairs shall prescribe the forms and the manner of keeping the register of foreigners' associations.

Article 56

International organizations and their bodies may have a seat on the territory of Croatia if they obtain approval by the parliamentary body in charge and if their activity is in compliance with the Constitution and the international agreements signed by Croatia and if it is not aimed at threatening peace or else equal international co-operation.

VII. CONTROL OVER THE LAWFULNESS OF OPERATION

Article 58

Control over the lawfulness of operation of public organizations and citizens' associations is performed by the body in charge of registration and the administrative body under whose sphere of action falls the activity of the public organization i.e. the citizens' association with respect to the purpose and goals of their establishment.

