

**THE CROATIAN PARLIAMENT**

**3073**

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

**DECISION**

**PROMULGATING THE ELECTORAL REGISTER ACT**

I hereby promulgate the Electoral Register Act, passed by the Croatian Parliament at its session on 14 December 2012.

Class: 011-01/12-01/181

Reg. No: 71-05-03/1-12-2

Zagreb, 19 December 2012

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

**ELECTORAL REGISTER ACT**

**BASIC PROVISIONS**

*Subject of the Act*

**Article 1**

(1) This Act establishes the structure, content and manner of maintaining the electoral register, procedures for registration, correction, deletion, closing, preparation of excerpts and issuing of documents as well as the manner in which data are processed for election and referendum purposes.

(2) Regulations governing protection of personal data and information security shall apply to data collection, processing and use.

**Article 2**

Terms used in this Act in a specific gender, regardless of whether male or female, encompass both male and female genders equally.

### *Definition of terms*

#### Article 3

For the purposes of this Act the following definitions apply:

1. *Electoral register* is a database of personal data on all voters Croatian citizens with permanent residence in the Republic of Croatia and Croatian citizens without permanent residence in the Republic of Croatia as well as citizens of European Union Member States who have electoral rights in the Republic of Croatia.
2. *Electoral registry* is a part of the electoral register in which one of the categories of voters referred to in item 1 of this Article is registered.
3. *Electoral list* is part of the electoral register compiled after the closing of the register, and is composed of data from the registry of Croatian citizens with permanent residence in the Republic of Croatia holding valid identity cards, the registry of temporarily registered voters, voters issued a certificate for voting outside their place of permanent residence, the registry of prior registered voters, the list of actively registered Croatian citizens without permanent residence in the Republic of Croatia and the registry of citizens of European Union Member States who have electoral rights in the Republic of Croatia and serves as the basis for voting on the election or referendum day.
4. *Active registration* is a procedure whereby voters without permanent residence in the Republic of Croatia are registered in a special list of actively registered voters in elections for the Croatian Parliament, the President of the Republic of Croatia, national referendums and the election of representatives from the Republic of Croatia in the European Parliament.
5. *Prior registration* is a procedure whereby voters with permanent residence in the Republic of Croatia, who on the day of the elections or national referendum are located abroad, are enabled to vote abroad in elections for the Croatian Parliament, the President of the Republic of Croatia, national referendums and the election of representatives from the Republic of Croatia in the European Parliament, without obtaining the certificate of registration in the electoral list in the Republic of Croatia.
6. *Temporary registration* is a procedure whereby voters with permanent residence in the Republic of Croatia are enabled temporary registration in the electoral list of another city or municipality in the Republic of Croatia, depending on their location on the day of elections or national referendum.

7. *General excerpt from the electoral list* is an excerpt including all voters voting at a specific polling station, regardless of nationality.

#### Article 4

A voter may realise their electoral rights after registering in the electoral register.

#### *Electoral register*

#### Article 5

(1) The electoral register shall be maintained in the form of a unified electronic database on persons who have electoral rights.

(2) The electoral register shall be composed of the registry of voters Croatian citizens with permanent residence in the Republic of Croatia, the registry of voters Croatian citizens without permanent residence in the Republic of Croatia and the registry of voters who are citizens of European Union Member States who have electoral rights in the Republic of Croatia.

#### *Competence for maintaining the electoral register*

#### Article 6

(1) State administration offices in counties and the City Office for General Administration of the City of Zagreb (hereinafter: offices) shall maintain the part of the electoral register for the area under their competence.

(2) The electoral registry of voters without permanent residence in the Republic of Croatia shall be maintained by the City Office for General Administration of the City of Zagreb. This registry shall be the basis for entry in the electoral list of Croatian citizens without permanent residence in the Republic of Croatia.

(3) The offices are competent for registration in the electoral register, corrections, supplements and changes to data in the electoral register, deletion of persons from the electoral register, entry of remarks in the electoral register, preparation of excerpts from the electoral register and performing other tasks in line with this Act.

#### Article 7

(1) The central state administration body competent for general administration affairs (hereinafter: central body) shall establish a uniform software solution for maintaining the electoral register.

(2) The central body shall be competent for processing data from the electoral register and, for that purpose, it shall perform tasks related to analysis of data from the electoral register, undertaking measures aimed at achieving uniformity and accuracy of data, closing and other tasks in line with this Act.

(3) The central body shall administer the personal data base on electoral rights, in line with regulations governing personal data protection.

## MAINTENANCE, REGISTRATION AND CONTENT OF THE ELECTORAL REGISTER

### *Maintenance of the electoral register*

#### Article 8

(1) The electoral register shall be maintained *ex officio* for each city and municipality and shall be based on the principle of permanence.

(2) Within a city or municipality, the electoral register shall be maintained by settlements, streets and squares, while the address information shall be based on the register of spatial units, in line with a special act.

### *Registration in the electoral register*

#### Article 9

(1) Voters shall be registered in the electoral register of Croatian citizens with permanent residence in the Republic of Croatia according to their place of permanent residence in the Republic of Croatia.

(2) In the electoral register of Croatian citizens without permanent residence in the Republic of Croatia voters shall, as a rule, be registered by state and the address information maintained for them in the official registries of the Republic of Croatia. If the bodies maintaining the registries referred to in Article 11 of this Act do not have information on the foreign address of voters, the voters shall be registered in the registry without information on the state and their foreign address.

(3) In the registry of citizens of EU Member States holding electoral rights in the Republic of Croatia, citizens of EU Member States shall be registered according to their place of permanent or temporary residence in the Republic of Croatia, subject to fulfilment of requirements prescribed by special legislation.

#### Article 10

A voter may be registered in the electoral register only for one city or municipality or for one state.

#### Article 11

Registration in the electoral register shall be performed based on data from records on citizenship, from the database on permanent and temporary residence and records on travel documents.

#### *Registry of voters Croatian citizens with permanent residence in the Republic of Croatia*

#### Article 12

The registry of the voters referred to in Article 9 paragraph 1 of this Act shall contain the following data:

1. ordinal number,
2. last and first name,
3. nationality,
4. master citizen number and personal ID number (PIN),
5. gender,
6. date of birth,
7. permanent residence (settlement, street, house number and sub-number) and
8. remarks.

#### *Registry of voters Croatian citizens without permanent residence in the Republic of Croatia*

#### Article 13

The registry of voters referred to in Article 9 paragraph 2 of this Act shall contain the following data:

1. ordinal number,
2. last and first name,
3. nationality,

4. master citizen number and personal ID number (PIN),
5. gender,
6. date of birth,
7. foreign address (state, place, street and house number) and
8. remarks.

*Delivery of data by competent bodies*

Article 14

(1) Police administrations and police stations maintaining databases on permanent and temporary residence shall immediately deliver to the office, according to the place of permanent residence of the voter (hereinafter: competent office), data on:

- registered persons over 18 years of age with a permanent residence,
- registration and deregistration of permanent residence,
- change of address of persons over 18 years of age,
- granting or termination of Croatian citizenship,
- change or annulment of the master citizen number.

(2) The ministry of the interior shall, immediately upon the announcement of elections or referendum, deliver to the competent office data on voters who are registered in the electoral register but do not have valid ID cards or the validity of which will expire by the deadline established in Article 24 paragraph 1 of this Act and, after closure of the electoral register, it shall deliver data on the voters who have submitted an application for the issuance of an ID card by the deadline referred to in Article 24 paragraph 1 of this Act.

(3) The Tax Administration shall immediately deliver to the competent office data on cancelled or valid personal ID numbers.

(4) The body maintaining records on issued travel documents shall immediately deliver data on the address and state of permanent residence for the voters referred to in Article 9 paragraph 2 of this Act.

(5) The registry office shall immediately notify the competent office of death of persons over 18 years of age, last name changes after the conclusion of marriage, changes of first name and gender changes.

*Supplementing data on nationality*

Article 15

If the records on which registration in the electoral register is based do not contain data on nationality, that data shall be registered based on a statement given by the voter before the competent office, in line with Article 24 of this Act.

*Obligations of the competent office*

Article 16

The competent office shall immediately carry out entries, changes and deletions from the electoral register based on the notifications of the bodies referred to in Article 14 of this Act.

*Deletion from the electoral register*

Article 17

(1) Persons who have lost their electoral rights because of death or termination of Croatian citizenship shall be deleted from the electoral register.

(2) Deletion of voters from the electoral register shall be done by entering in the field "Remarks" a note i.e. the legal basis for the deletion.

(3) If during the implemented procedure, the competent office establishes without doubt that the registry of voters with permanent residence in the Republic of Croatia includes persons who have moved permanently abroad from their registered residence address, they shall be deleted from the registry of voters with permanent residence in the Republic of Croatia and the competent office shall request registration in the registry of voters without permanent residence in the Republic of Croatia.

(4) In the case referred to in paragraph 3 of this Article, the competent office shall immediately notify the body competent for maintaining the database on permanent and temporary residence, for the purpose of implementing the verification procedure in line with the act governing permanent residence.

*Change of permanent residence*

Article 18

(1) For voters who change their permanent residence i.e. home address, a remark on change of data shall be entered in the electoral register.

(2) The remark shall be entered by the office according to the place of permanent residence.

(3) If the voter deregisters their permanent residence in the Republic of Croatia, the office according to the last permanent residence shall delete them from the registry of voters with permanent residence in the Republic of Croatia and shall request registration in the registry of voters without permanent residence in the Republic of Croatia.

## CITIZENS OF EUROPEAN UNION MEMBER STATES REALISING ELECTORAL RIGHTS IN THE REPUBLIC OF CROATIA

### *Registration in the electoral registry*

#### Article 19

Citizens of EU Member States realising electoral rights in the Republic of Croatia shall be registered in the electoral registry according to permanent or temporary residence in the Republic of Croatia, within the deadline and subject to fulfilment of requirements prescribed by special legislation.

### *Realising electoral rights for voting for representative bodies of local and regional self-government units*

#### Article 20

Citizens of EU Member States who wish to vote in elections for representative bodies of local and regional self-government units and at local referendums shall be registered in the electoral registry according to permanent or temporary residence in the Republic of Croatia, based on their request.

### *Registry of voters citizens of EU Members States who realise electoral rights in the Republic of Croatia*

#### Article 21

The registry of citizens of EU Member States shall contain the following data:

1. ordinal number,
2. last and first name,
3. citizenship,

4. personal ID number,
5. gender,
6. date of birth,
7. permanent or temporary residence in the Republic of Croatia (settlement, street, house number and sub-number),
8. place of previous temporary residence abroad (state, place, street and house number),
9. remarks.

*Deletion from the electoral registry*

Article 22

(1) Citizens of EU Members States who requested registration in the electoral registry for the purpose of voting in the elections for representatives from the Republic of Croatia in the European Parliament shall be deleted from the electoral registry *ex officio* after the end of elections.

(2) Citizens of EU Members States who requested registration in the electoral registry for the purpose of voting in elections for representative bodies of local and regional self-government units and at local referendums shall be deleted from the electoral registry in case of loss of electoral rights (because of death or due to revoking of electoral rights in conformity with the regulations of their state of citizenship), if they have moved out of the Republic of Croatia and at their request.

(3) Deletion is carried out by entering a note i.e. the legal basis for deletion in the field "Remarks".

(4) The provisions of this Act relating to entry of changes in the electoral register shall apply to the persons referred to in paragraph 2 of this Article.

**REVIEW, CORRECTIONS AND SUPPLEMENTS TO THE ELECTORAL REGISTER  
AFTER ANNOUNCEMENT OF ELECTIONS OR REFERENDUM**

*Public announcement*

Article 23

(1) Immediately upon announcement of elections or a referendum, and at the latest within three days from the day of their announcement, voters shall be notified of the possibility, time and manner of review, supplementation and correction of data entered in the electoral register.

(2) In the same notification the voters shall also be informed of legal deadlines for carrying out temporary registration outside their place of permanent residence, for active registration and for prior registration.

(3) The central body shall inform voters of when elections are held on the entire territory of the Republic of Croatia and when a national referendum is taking place.

(4) The office shall notify the voters of the time when the elections will be held in individual local and regional self-government units and when a local referendum will be taking place.

#### *Verification of registered data*

##### Article 24

(1) Each citizen shall have the right to review their entry in the electoral register, request its supplementation or correction during the entire year, while at the time of already announced elections or referendum, at the latest ten days before the date set for holding the elections or referendum.

(2) An oral or written request for entry, supplementation or correction of data entered in the electoral register shall be filed with the competent office. If the request is made in oral form, the office shall draw up minutes thereon.

(3) If the office establishes that the request is founded, it shall execute the entry, supplementation or correction of data in the electoral register.

#### *Access to data entered in the electoral register*

##### Article 25

(1) After the announcement of elections or referendum access to data entered in the electoral register which relate to the personal name and address of voters shall be accessible to citizens in the offices until the closing of the database, under supervision of an official.

(2) After confirmation of candidate lists, at the written request of the participants in the election process, the competent office shall give the data with the personal name and address of voters within 24 hours from receiving the request.

(3) The act governing personal data protection shall apply to the recipients of the personal data referred to in paragraphs 1 and 2 of this Article.

#### Article 26

(1) Members of representative bodies shall have the right to request from the competent office access to data from the electoral register relating to voters' personal name and address, in line with a special act.

(2) The act governing personal data protection shall apply to the recipients of the personal data referred to in paragraph 1 of this Article.

#### *Voting by special categories of voters*

#### Article 27

(1) For voters who on the day of elections for the Croatian Parliament, for the President of the Republic of Croatia, of national referendum and of election of representatives from the Republic of Croatia in the European Parliament find themselves in service in the Armed Forces of the Republic of Croatia or in peace-keeping operations and missions, crew members on maritime and river ships sailing under the Croatian flag outside its borders, on floating structures in internal waters and the territorial sea of the Republic of Croatia and for voters deprived of freedom, the commands of troops of the Armed Forces of the Republic of Croatia, companies-ship owners, owners of floating structures, the administration of penitentiaries, prison facilities and correctional facilities shall deliver the required data to the competent office.

(2) For voters accommodated in social welfare establishments, on the day of elections referred to in paragraph 1 of this Article, the directors of the establishments shall deliver the required data to the competent office at the request of the voters.

(3) The data referred to in paragraphs 1 and 2 of this Article shall be delivered immediately upon announcement of elections or referendum, and at the latest by expiry of the deadline referred to in Article 24 paragraph 1 of this Act.

(4) After closing of the electoral list the competent office shall deliver excerpts from the electoral list to the electoral commissions which shall deliver them, along with the election materials, to the appropriate polling stations at the latest 24 hours before the time designated for their opening.

#### ACTIVE REGISTRATION OF VOTERS WITHOUT PERMANENT RESIDENCE IN THE REPUBLIC OF CROATIA

## Article 28

- (1) Active registration of voters without permanent residence in the Republic of Croatia shall be carried out for the purpose of voting abroad or in the Republic of Croatia at elections for the Croatian Parliament, for the President of the Republic of Croatia, at national referendums and at elections for representatives from the Republic of Croatia in the European Parliament.
- (2) Active registration of voters who will vote abroad in certain consular areas shall be carried out by diplomatic-consular missions of the Republic of Croatia.
- (3) Active registration of voters who will vote in the Republic of Croatia shall be performed by the office according to the place in the Republic of Croatia where the voters will find themselves on election or referendum day.

### *Obligation of diplomatic-consular missions of the Republic of Croatia*

## Article 29

- (1) Diplomatic-consular missions of the Republic of Croatia shall publicly announce the manner, place and time of implementing the active registration procedure during the entire time of its duration.
- (2) The active registration procedure shall be performed immediately after announcement of elections or national referendum, and at the latest by the expiry of the deadline set in Article 24 paragraph 1 of this Act.

### *Submission of request for active registration*

## Article 30

- (1) The request for active registration shall be filed with the diplomatic-consular mission of the Republic of Croatia or the office according to the place in the Republic of Croatia where the voter will find themselves on the election day or the day of referendum.
- (2) Along with the state and address of temporary residence abroad, if the voter wishes to vote in the area of another diplomatic-consular mission or in the Republic of Croatia, the voter shall state in the request the diplomatic-consular mission and the address of temporary residence in the Republic of Croatia on election or referendum day.
- (3) Active registration pertains only to announced elections or national referendum.

## Article 31

Upon submitting the request for active registration the voter may, in the same request, state whether they also wish to register for the case of repeat elections for the President of the Republic of Croatia and if they wish to register for the same place for the repeat elections.

### *Active registration procedure*

#### Article 32

(1) The diplomatic-consular mission of the Republic of Croatia shall immediately electronically forward the submitted request for active registration for voting abroad to the office referred to in Article 6 paragraph 2 of this Act.

(2) The office in the Republic of Croatia shall immediately electronically forward the submitted request for active registration for voting in the Republic of Croatia to the office referred to in Article 6 paragraph 2 of this Act.

(3) After verification and approval by the office referred to in Article 6 paragraph 2 of this Act, actively registered voters shall be electronically entered in the list of actively registered voters by state and consular area for which they are actively registered or by places of active registration in the Republic of Croatia. In the electoral registry a remark on active registration shall be entered including the state and consular area or the place in the Republic of Croatia for which the voter has actively registered. Changes to the data referred to in Article 13 of this Act stated in the request shall be made in the registry of voters without permanent residence in the Republic of Croatia.

(4) The voter may withdraw their submitted request for active registration or may amend it until the expiry of the deadline set in Article 24 paragraph 1 of this Act.

(5) In the event that the voter withdraws their submitted request for active registration or amends their request, in the registry of voters without permanent residence in the Republic of Croatia the remark entered based on that request shall be deleted or a new remark shall be entered or the voter shall be deleted from the list of actively registered voters.

(6) Provisions of the act on personal data protection regulating the obligations of administrators of personal data bases shall apply to the list of actively registered voters.

### *List of actively registered voters*

#### Article 33

(1) Upon expiry of the deadline for active registration of voters a list shall be drawn up of actively registered voters Croatian citizens without permanent residence in the Republic of

Croatia according to state and consular areas for which the voters are actively registered or according to place of active registration in the Republic of Croatia.

(2) Data on the number of actively registered voters referred to in Article 30 paragraph 1 of this Act shall be delivered immediately by the central body to the National Electoral Commission.

## PRIOR REGISTRATION

### Article 34

(1) For the purpose of voting abroad at elections for the Croatian Parliament, the President of the Republic of Croatia, at national referendum and at election of representatives from the Republic of Croatia in the European Parliament prior registration of voters with permanent residence in the Republic of Croatia shall be carried out.

(2) Prior registration of voters who will vote abroad in a certain consular area shall be performed by diplomatic-consular missions of the Republic of Croatia.

### *Submission of request for prior registration*

### Article 35

(1) The request for prior registration shall be submitted to the competent office in the Republic of Croatia or the diplomatic-consular mission of the Republic of Croatia abroad.

(2) Prior registration pertains only to announced elections or national referendum.

### *Public announcement and deadline for prior registration*

### Article 36

(1) Diplomatic-consular missions of the Republic of Croatia shall publicly announce the method, place and time of implementing the prior registration during its entire duration.

(2) The prior registration procedure shall be performed immediately after announcement of elections or national referendum and at the latest by the expiry of the deadline set in Article 24 paragraph 1 of this Act.

(3) Requests for prior registration shall be submitted until the expiry of the deadline referred to in Article 24 paragraph 1 of this Act.

### Article 37

Upon submitting the request for prior registration the voter may, in the same request, state whether they also wish to register for the case of repeat elections for the President of the Republic of Croatia and if they wish to register for the same place for the repeat elections.

#### *Prior registration procedure*

#### Article 38

(1) The diplomatic-consular mission of the Republic of Croatia shall immediately electronically deliver to the competent office the submitted request for prior registration for the purpose of voting abroad.

(2) The competent office shall, upon receiving the request for prior registration referred to in Article 35 paragraph 1 of this Act, first verify the data and, if it establishes that the requirements for prior registration have been met, it shall electronically approve the prior registration and enter in the electoral registry a remark on prior registration and notify the consular diplomatic mission of the Republic of Croatia thereof.

(3) For voters with an entered remark on prior registration in the electoral register, a certificate of registration in the electoral register cannot be issued nor can temporary registration be carried out outside their place of permanent residence.

(4) The voter may withdraw their submitted request for prior registration or they may amend it until the expiry of the deadline set in Article 24 paragraph 1 of this Act.

(5) In the event that the voter withdraws their submitted request for prior registration or amends their request, the remark entered in the electoral register based on that request shall be deleted or a new remark shall be entered.

#### *Registry of prior registered voters*

#### Article 39

(1) A separate registry of prior registered voters shall be maintained by diplomatic-consular missions of the Republic of Croatia.

(2) The contents of the registry of prior registered voters shall be identical to the contents of the electoral register referred to in Article 12 of this Act, in addition to noting the electoral unit of the place of permanent residence of the voter.

(3) Provisions of personal data protection regulations governing the obligations of administrators of personal data bases shall apply to the registry on prior registered voters.

(4) Upon expiry of the deadline for prior registration, data on the number of prior registered voters according to electoral units shall immediately be delivered by the central body to the National Electoral Commission.

## TEMPORARY REGISTRATION IN THE ELECTORAL REGISTER OUTSIDE OF PERMANENT PLACE OF RESIDENCE

### Article 40

(1) Voters who, on the day of elections for the Croatian Parliament, the President of the Republic of Croatia, representatives from the Republic of Croatia in the European parliament or national referendum, find themselves outside the area of the city or municipality in which they have a permanent residence, may, at their personal request, be temporarily registered in the city or municipality where they will find themselves on the election day or on the day of the national referendum. Voters who temporarily register in the electoral list of the city or municipality where they will find themselves on the day of elections for the Croatian Parliament shall vote for the electoral unit according to their place of permanent residence or according to their national affiliation.

(2) The data on permanent residence or the home address in the electoral register shall not be changed by temporary registration.

### *Submission of request for temporary registration*

### Article 41

(1) Requests for temporary registration outside the place of permanent residence shall be submitted to the office regardless of the place of registration in the electoral register, until the expiry of the deadline set in Article 24 paragraph 1 of this Act.

(2) The office shall immediately electronically forward the submitted request for temporary registration outside of place of permanent residence to the competent office.

(3) The competent office shall electronically approve the temporary registration and shall enter in the electoral register a remark on temporary registration for the place where the voter will be located on the election day or the day the national referendum is held. The remark shall also be entered for the case of repeat elections, or only for the case of repeat elections if it is so stated in the request.

(4) The voter with an entered remark on temporary registration in the electoral register cannot carry out prior registration nor can they be issued a certificate of registration in the electoral register.

(5) The voter may withdraw their submitted request or amend it by the expiry of the deadline prescribed by Article 24 paragraph 1 of this Act.

(6) In the event that the voter withdraws their submitted request or amends it, the remark on temporary registration in the electoral register shall be deleted or a new remark on the change shall be entered.

#### *Temporary registration in the event of repeat elections*

##### Article 42

(1) Temporary registration shall also be possible in the event of repeat elections for the President of the Republic of Croatia. For voters who did not temporarily register for repeat elections, the competent offices shall delete the remarks on completed temporary registration in the electoral register.

(2) Temporary registration may also pertain only to repeat elections for the President of the Republic of Croatia.

#### *Registry of temporarily registered voters*

##### Article 43

(1) Temporarily registered voters shall be registered in the registry of temporarily registered voters.

(2) The registry of temporarily registered voters shall contain data on the voters referred to in Article 12 of this Act, along with a note on the electoral unit of the place of permanent residence.

(3) The registry of temporarily registered voters shall be delivered by the offices to the competent electoral commissions according to the seat of the polling station for temporarily registered voters.

#### CERTIFICATE FOR VOTING OUTSIDE THE PLACE OF PERMANENT RESIDENCE

##### Article 44

(1) Voters with a permanent residence in the Republic of Croatia who, on election day, will find themselves outside their place of permanent residence or abroad, by way of exception, may request from the competent office in which they are registered in the electoral register a certificate for voting outside their place of permanent residence while stating the place of temporary residence in the Republic of Croatia or the state and consular area where they will

be located on the election day, based on which they will be able to vote at a designated polling station.

(2) By way of exception, voters with permanent residence in the Republic of Croatia who, on the day of elections for the President of the Republic of Croatia, national referendum or elections for representatives from the Republic of Croatia in the European Parliament, will find themselves outside their place of permanent residence or abroad, may request the competent office in which they are registered in the electoral register a certificate for voting outside their place of permanent residence without stating the place of temporary residence on the election day, based on which they will be able to vote at any polling station.

(3) The competent office shall issue the voters referred to in paragraph 2 of this Article two certificates if the request also pertains to repeat elections for the President of the Republic of Croatia or one certificate if the request pertains only to repeat elections.

(4) The request for the issuing of a certificate shall be submitted by the expiry of the deadline prescribed by Article 24 paragraph 1 of this Act.

(5) The certificate shall contain the personal data of voters which is stated on the excerpt from the electoral list.

(6) A remark on certificates issued shall be entered in the electoral register.

(7) A voter who has been issued a certificate cannot prior register nor temporarily register in the electoral list outside their place of permanent residence.

#### CLOSING OF THE ELECTORAL REGISTER, COMPOSING THE ELECTORAL LIST AND PREPARATION OF EXCERPTS FROM THE ELECTORAL LIST

*Registration in the register of persons turning 18 years of age on the day of elections or referendum*

##### Article 45

(1) Persons turning 18 years of age in the period from the closing of the register to the day of elections or referendum shall also be registered in the electoral register prior to its closing.

(2) Requests for active registration, prior registration or temporary registration for the persons referred to in paragraph 1 of this Article, who do not turn 18 years of age until the closing of the register, shall be submitted by their legal representatives.

*Unapproved requests of citizens*

## Article 46

- (1) On unapproved requests of citizens for registration in the electoral register or for its supplementation or correction, the central body shall issue a decision against which the citizen shall have the right to file a complaint before the High Administrative Court of the Republic of Croatia (hereinafter: High Administrative Court) within 24 hours from the receipt of the decision.
- (2) The High Administrative Court shall issue a decision on the filed complaint within 24 hours from receipt thereof.
- (3) Based on the ruling of the High Administrative Court, registration in the electoral register or excerpts shall be carried out by the day set for holding elections or referendum.

### *Closing of the electoral register*

## Article 47

- (1) Immediately upon expiry of the deadline referred to in Article 24 paragraph 1 of this Act, the electoral register shall be closed and further entry of data shall be prohibited.
- (2) When holding elections in individual local and regional self-government units and holding local referendums, the part of the electoral register for the area in which the elections or the local referendum is held shall be closed.

### *Composing of the electoral list*

## Article 48

- (1) For the purpose of holding the elections or referendum, the electoral list shall be composed from the closed electoral register.
- (2) Depending on the type of elections or referendum held, the electoral list shall contain data on voters with permanent residence in the Republic of Croatia and a valid ID card, voters who have temporarily registered in the electoral register outside their place of permanent residence, voters who have been issued certificates for voting outside their place of permanent residence, voters who have prior registered and actively registered voters without a permanent residence in the Republic of Croatia.
- (3) When elections are held for representatives from the Republic of Croatia in the European Parliament and for representative bodies of local and regional self-government units, the electoral list shall also contain data on citizens of EU Members States who have requested registration in the electoral register.

## *Closing of the electoral list*

### Article 49

- (1) The electoral list shall be closed by virtue of a decision at the latest eight days prior to the day set for holding elections or referendum.
- (2) In the decision on closing of the electoral list the date of closing of the electoral list shall be defined along with the total number of voters by municipalities and cities, the number of prior registered voters and the number of actively registered voters as on the date the electoral list was closed.
- (3) The head of the central body shall close the electoral list when elections are held on the entire territory of the Republic of Croatia or a national referendum is held.
- (4) When elections are held in individual local and regional self-government units or a local referendum is held, the electoral list for the local and regional self-government unit shall be closed by the head of the office in the area of which the elections or the local referendum are held.

### *Obligation of publication of data from the closed electoral list*

### Article 50

- (1) The central body shall publish on its web site statistical data from the closed electoral list when elections are held on the entire territory of the Republic of Croatia or a national referendum is held.
- (2) The office shall publish on its web site statistical data from the closed electoral list when elections are held in individual local and regional self-government units or a local referendum is held.
- (3) The data referred to in paragraph 1 and 2 of this Article shall be published within 24 hours from the expiry of the deadline referred to in Article 49 paragraph 1 of this Act.

### *Preparation of excerpts from the electoral list*

### Article 51

- (1) From the closed electoral list excerpts from the electoral list shall be prepared, in line with the established polling stations. In the event of simultaneous holding of several types of elections, excerpts shall be prepared in the required number of copies.

(2) The excerpts shall not include the master citizen number or the personal ID number while the information on nationality shall be stated for elections held on the basis of national affiliation.

(3) Members of national minorities in the Republic of Croatia who have the right to representation in the Croatian Parliament are stated on the general excerpt from the electoral list. For members of national minorities who have the right to election of the deputy head of the municipality, city mayor and county prefect in local and regional self-government units, for each polling station an excerpt shall be prepared based on national affiliation, in line with the provisions of the election act.

(4) For members of national minorities in the Republic of Croatia who have the right to election of the council and representatives of national minorities in local and regional self-government units, for each polling station an excerpt shall be prepared based on national affiliation, in line with the provisions of the election act.

#### *Delivery of electoral list excerpts*

#### Article 52

(1) As a rule, one copy of the excerpt from the electoral list shall be delivered to the polling station for voters who will vote according to their place of permanent residence at that polling station.

(2) In the event that voting outside the place of permanent residence is permitted for the announced elections or national referendum, two excerpts shall be prepared from the electoral list and shall be marked »A« and »B«.

(3) In the excerpt from the electoral list marked »A«, voters who will be voting according to their place of permanent residence shall be stated.

(4) In the excerpt from the electoral list marked »B«, voters who are temporarily deregistered shall be stated. This excerpt shall also state the data entered in the field »Remarks« on temporary registration i.e. voting outside their place of permanent residence.

(5) If special polling stations have not been designated for temporarily registered voters outside their place of permanent residence, for each polling station a special registry of temporarily registered voters marked »C« shall also be delivered, in line with Article 43 paragraph 3 of this Act or an empty form marked »C« for the purpose of registering the voters who will be voting at that polling station with a certificate for voting outside the place of permanent residence referred to in Article 44 of this Act.

(6) The excerpts from the electoral list may be delivered to the polling station in electronic form.

*Deadline for delivery of the electoral list excerpts*

Article 53

(1) Excerpts from the closed electoral list shall be delivered by the offices to the competent electoral commission at the latest 24 hours prior to the time set for opening the polling stations on elections or referendum day.

(2) After receiving the excerpts from the electoral list the competent electoral commissions shall be deemed recipients of personal data, in line with regulations on personal data protection.

LIST FOR VOTING IN DIPLOMATIC-CONSULAR MISSIONS OF THE REPUBLIC OF CROATIA

*Preparation of voting lists*

Article 54

(1) At the day of elections for the Croatian Parliament, the President of the Republic of Croatia, national referendum and election of representatives from the Republic of Croatia in the European Parliament, a voting list shall be drawn up in diplomatic-consular missions of the Republic of Croatia.

(2) The voting list shall be based on prior registration in the electoral register.

*Registration in the voting list*

Article 55

(1) Voters without permanent residence in the Republic of Croatia shall be entered in the voting list based on excerpts from the list of actively registered voters for that polling station.

(2) Voters with permanent residence in the Republic of Croatia who are temporarily residing abroad or find themselves there on the day of elections or national referendum and wish to realise their voting rights abroad shall be entered in the voting list.

(3) The voters referred to in paragraph 2 of this Article shall be entered in the voting list based on prior registration or the certificate for voting outside the place of permanent residence.

*Closing and certification of the voting lists*

## Article 56

(1) The voting lists based on which voting was conducted on the election day or national referendum day in diplomatic-consular missions of the Republic of Croatia shall be closed and certified by the authorised representative of the diplomatic-consular mission.

(2) By closing and certification of the voting list it is confirmed that voters who are actively registered, voters who are prior registered and voters who have submitted certificates for voting outside their place of permanent residence are entered therein.

## VOTING CERTIFICATE

### Article 57

(1) Croatian citizens who have electoral rights and are not entered in the excerpts of the closed electoral list delivered to the polling station may, on election or referendum day, prove their right to vote by a certificate of the competent office maintaining the electoral register (hereinafter: voting certificate).

(2) The voters referred to in Article 9 paragraph 2 of this Act, who have not actively registered, shall be issued voting certificates by diplomatic-consular missions of the Republic of Croatia based on prior official verification of their voting rights in the electoral registry of voters without permanent residence in the Republic of Croatia.

(3) The voters referred to in Article 9 paragraph 2 of this Act, who are not registered in the electoral registry of voters without permanent residence in the Republic of Croatia, shall be issued their certificates by diplomatic-consular missions of the Republic of Croatia. Certificates shall be issued based on the prior consent for issuing a voting certificate and registration in the electoral registry of voters without permanent residence in the Republic of Croatia.

(4) The competent office that carried out the new registration in the electoral list, after closing of the electoral list, shall enter in the electoral register a remark on the granting of written consent for issuing a certificate for voting in a certain diplomatic mission or consular office or the issuing of such a certificate in the Republic of Croatia.

(5) In the voting certificate, data stated on the excerpt from the electoral register shall be entered along with a statement that the person is registered in the electoral list for the polling station concerned.

(6) Voting certificates shall be a constituent part of the excerpt from the electoral list for the polling station concerned.

## REGISTRATION OF CHANGES IN CASE OF REPEAT ELECTIONS

### Article 58

- (1) In the case of repeat elections voters issued voting certificates shall be registered in the electoral list.
- (2) For repeat elections for the President of the Republic of Croatia the voter may, immediately after the date for repeat elections has been set, submit a new request for active registration, prior registration or temporary registration, or withdraw their request pursuant to the provisions prescribing the procedure and deadlines for active registration, prior registration or temporary registration.
- (3) The provision of paragraph 2 of this Article of this Act shall also apply to voting at special polling stations.

### Article 59

The provisions of Articles 45, 47, 49 and 51 of this Act shall apply to the closing of the register, closing of the electoral list and preparation of the excerpts from the electoral list referred to in Article 58 of this Act.

## DELETION OF REMARKS IN THE ELECTORAL REGISTER

### Article 60

After the elections or national referendum have been held, the competent office shall *ex officio* delete from the electoral register remarks on voting at special polling stations, active registration, prior registration, temporary registration and the issued certificates for voting outside the place of permanent residence.

### Article 61

- (1) The data base of the closed electoral list shall be permanently kept in electronic form.
- (2) The person in charge of processing the personal data base on electoral rights shall be responsible for safekeeping the database referred to in paragraph 1 of this Article.

### Article 62

All petitions, actions and official acts related to registration in the electoral list as well as supplements and corrections shall be exempt from payment of administrative fees.

## TRANSITIONAL AND FINAL PROVISIONS

#### Article 63

(1) The competent bodies authorised for the performance of specific actions stipulated by this Act shall be responsible for the timely execution of obligations in line with established deadlines.

(2) By non-fulfilment of the prescribed actions within legally established deadlines, officials in the bodies referred to in paragraph 1 of this Article shall be committing grave violation of official duty.

#### Article 64

Persons who have, by the entry into force of this Act, been completely deprived of business capacity based on a final and effective decision of the competent court shall be considered voters and shall be registered in the electoral register.

#### Article 65

Supervision over the implementation of this Act shall be performed by the central body competent for general administration affairs.

#### Article 66

The head of the central body competent for general administration affairs shall hereby be authorised to, within 60 days from the day of entry into force of this Act, prescribe the forms of the certificates to be issued from the electoral register.

#### Article 67

On the day of entry into force of this Act on Electoral Lists (OG 19/07) shall cease to have effect.

#### Article 68

(1) This Act shall enter into force on the eighth day after the day of its publication in the Official Gazette, with the exception of the provisions of Article 9 paragraph 3, Articles 19 to 22 and Article 48 paragraph 3 which shall enter into force on the day of accession of the Republic of Croatia to the European Union.

(2) All initiated actions and procedures relating to electoral lists for the needs of elections announced prior to the day of entry into force of this Act which will be held after its entry into force shall be continued pursuant to the provisions of this Act.

Zagreb, 14 December 2012

THE CROATIAN PARLIAMENT

The President of the

Croatian Parliament

**Josip Leko**, m.p.

PROVISIONAL TRANSLATION