

THE CONSTITUTION OF THE REPUBLIC OF CROATIA

IV ORGANISATION OF GOVERNMENT

1. CROATIAN PARLIAMENT

[OG 113/00, Art. 75, 9 November 2000]
[OG 135/97, Art. 2, 15 December 1997, substitution of words in heading I of Title IV, OG 56/90]

Article 70

The Croatian Parliament shall be a representative body of the people and shall be vested with legislative power in the Republic of Croatia.

[OG 113/00, Art. 75, 9 November 2000]

Deleted.

[OG 28/01, Art. 21, 28 March 2001 - paragraph 2 deleted]

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 70, OG 56/90]

[OG 113/00, Art. 75, 9 November 2000, substitution of words in Art. 70, OG 56/90]

Article 71

The Croatian Parliament shall have no fewer than 100 and no more than 160 Members elected on the basis of direct, universal and equal suffrage by secret ballot.

[OG 28/01, Art. 22, 28 March 2001]

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[OG 28/01, Art. 22, 28 March 2001]

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[OG 113/00, Art. 17, 9 November 2000]

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[OG 113/00, Art. 17, 9 November 2000]

[OG 135/97, Art. 6, 15 December 1997, a word added in Art. 4, OG 56/90]

[OG 113/00, Art. 17, 9 November 2000, revision of Art. 2, OG 56/90]

Article 72

Members of the Croatian Parliament shall be elected for a term of four years.

[OG 113/00, Art. 75, 9 November 2000]

[OG 28/01, Art. 23, 28 March 2001]

[OG 28/01, Art. 23, 28 March 2001, paragraph 2 deleted; paragraph 3 became paragraph 2]

The number of Members of the Croatian Parliament and the conditions and procedure for their election thereto shall be regulated by law.

[OG 28/01, Art. 23, 28 March 2001]

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 72, OG 56/90]

Article 73

The election of Members to the Croatian Parliament shall be held not later than 60 days after the expiry of the term of office or the dissolution of the Croatian Parliament.

[OG 113/00, Art. 18, 9 November 2000]

[OG 28/01, Art. 24, 28 March 2001]

The first session of the Croatian Parliament shall be held not later than 20 days after the completion of elections.

[OG 113/00, Art. 18, 9 November 2000]

[OG 28/01, Art. 24, 28 March 2001]

The Croatian Parliament shall be constituted by the election of its Speaker at its first session attended by a majority of its Members.

[OG 113/00, Art. 18, 9 November 2000]

[OG 28/01, Art. 24, 28 March 2001]

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 73, OG 56/90]

Article 74

Members of the Croatian Parliament shall have no imperative mandate.

[OG 113/00, Art. 75, 9 November 2000]

Members of the Croatian Parliament shall receive regular monetary remuneration and shall exercise any such other rights as may be prescribed by law.

[OG 28/01, Art. 25, 28 March 2001]

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 74, OG 56/90]

Article 75

Members of the Croatian Parliament shall enjoy immunity.

[OG 113/00, Art. 75, 9 November 2000]

No Member of Parliament shall be held criminally liable, detained or sentenced for an opinion expressed or a vote cast in the Croatian Parliament.

[OG 28/01, Art. 26, 28 March 2001]

No Member of Parliament shall be detained nor shall any criminal proceeding be instigated against him/her without approval by the Croatian Parliament.

[OG 28/01, Art. 26, 28 March 2001]

A Member of Parliament may be detained without approval by the Croatian Parliament only if he/she has been caught in the perpetration of a criminal offence carrying a sentence of imprisonment exceeding five years. In such a case, the Speaker of the Croatian Parliament shall be notified thereof.

[OG 28/01, Art. 26, 28 March 2001]

If the Croatian Parliament is not in session, approval for the detention of a Member of Parliament or the continuation of criminal prosecution against him/her shall be given and the decision on his/her right to immunity shall be made by the Credentials and Privileges Commission, subject to its subsequent confirmation by the Croatian Parliament.

[OG 135/97, Art. 10, 15 December 1997]

[OG 28/01, Art. 26, 28 March 2001]

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 75, OG 56/90]

Article 76

The term of office of Members of the Croatian Parliament may be extended by law only in the event of war or in the cases specified in Articles 17 and 101 of the Constitution.

[OG 113/00, Art. 19, 9 November 2000]

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 76, OG 56/90]

Article 77

[OG 113/00, Art. 20, 9 November 2000]

The Croatian Parliament may be dissolved in order to call early elections if so decided by a majority of all of its Members.

[OG 28/01, Art. 27, 28 March 2001]

The Croatian Parliament may be dissolved by the President of the Republic in accordance with the provisions of Article 104 of the Constitution.

[OG 28/01, Art. 27, 28 March 2001]

Article 78

The Croatian Parliament shall be in regular session twice annually: between 15 January and 15 July, and between 15 September and 15 December.

[OG 113/00, Art. 21, 9 November 2000]

[OG 28/01, Art. 28, 28 March 2001]

The Croatian Parliament shall sit in emergency session at the request of the President of the Republic, the Government or a majority of its Members.

[OG 113/00, Art. 21, 9 November 2000]

[OG 28/01, Art. 28, 28 March 2001]

The Speaker of the Croatian Parliament may, upon receiving a prior opinion from the parliamentary parties, convene the Parliament in an emergency session.

[OG 113/00, Art. 21, 9 November 2000]

[OG 28/01, Art. 28, 28 March 2001]

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 78, OG 56/90]

Article 79

[OG 113/00, Art. 20, 9 November 2000]

The Croatian Parliament shall have a Speaker and one or more Deputy Speakers.

[OG 28/01, Art. 29, 28 March 2001]

[OG 28/01, Art. 29, 28 March 2001, paragraph 2 deleted; paragraph 3 became paragraph 2]

The internal organisation and operating method of the Croatian Parliament shall be regulated by its Standing Orders.

[OG 28/01, Art. 29, 28 March 2001]

The Standing Orders shall be adopted by a majority vote of all Members of Parliament.

[OG 28/01, Art. 29, 28 March 2001]

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 79, OG 56/90]

Article 80

The Croatian Parliament shall:

- decide on the adoption of and amendments to the Constitution;
- adopt laws;
- adopt the state budget;
- decide on war and peace;
- adopt documents expressing the policy of the Croatian Parliament;
- adopt the National Security Strategy and the Defence Strategy of the Republic of Croatia;
- exercise civilian oversight of the armed forces and security services of the Republic of Croatia;
- decide on alterations of the borders of the Republic of Croatia;
- call referenda;
- conduct elections, appointments and dismissals in conformity with the Constitution and law;
- supervise the work of the Government of the Republic of Croatia and other holders of public office reporting to the Croatian Parliament, in conformity with the Constitution and law;
- grant amnesty for criminal offences; and
- perform any such other tasks as may be specified by the Constitution.

[OG 135/97, Art. 6, 15 December 1997]

[OG 113/00, Art. 23, 9 November 2000]

[OG 28/01, Art. 30, 28 March 2001]

Article 81

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[OG 28/01, Art. 30, 28 March 2001]

[OG 113/00, Art. 24, 9 November 2000, revision of Art. 81, OG 56/90]

Article 82

Unless otherwise specified by the Constitution, the Croatian Parliament shall adopt decisions by a majority vote, provided that a majority of its Members are present at the session.

[OG 28/01, Art. 32, 28 March 2001]

Members of Parliament shall vote in person.

Article 83*

[OG 113/00, Art. 20, 9 November 2000]

The Croatian Parliament shall adopt laws (organic laws) regulating the rights of national minorities by a two-thirds majority of all Members.

[OG 28/01, Art. 33, 28 March 2001]

The Croatian Parliament shall adopt laws (organic laws) elaborating constitutionally established human rights and fundamental freedoms, the electoral system, the organisation, remit and operation of state bodies, and the organisation and remit of local and regional self-government by a majority vote of all Members.

[OG 28/01, Art. 33, 28 March 2001]

The Croatian Parliament shall adopt the decision specified in Article 8 of the Constitution by a two-thirds majority of all Members.

[OG 28/01, Art. 33, 28 March 2001]

[OG 76/10, Art. 13, 28 March 2010]

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[OG 28/01, Art. 33, 28 March 2001]

*In OG 76/10, Article 83 is marked as "Article 82".

Article 84

Sessions of the Croatian Parliament shall be public.

[OG 113/00, Art. 75, 9 November 2000]

[OG 28/01, Art. 34, 28 March 2001]

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 84, OG 56/90]

Article 85

[OG 28/01, Art. 35, 28 March 2001]

[OG 113/00, Art. 26, 9 November 2000, revision of Art. 85, OG 56/90]

The right to propose bills shall be vested in each Member of Parliament, the parliamentary parties and the working bodies of the Croatian Parliament as well as the Government of the Republic of Croatia.

Article 86

[OG 113/00, Art. 27, 9 November 2000]

Members of the Croatian Parliament shall be entitled to pose questions to the Government of the Republic of Croatia and individual ministers.

A minimum of one tenth of the Members of the Croatian Parliament may submit an interpellation on the work of the Government of the Republic of Croatia or any of its members.

[OG 28/01, Art. 36, 28 March 2001]

Questions from Members of Parliament and the submission of interpellations shall be regulated in more detail by the Standing Orders.

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 86, OG 56/90]

Article 87*

The Croatian Parliament may call a referendum on proposals to amend the Constitution, a bill or any such other issue as may fall within its remit.

[OG 28/01, Art. 37, 28 March 2001]

The President of the Republic may, at the proposal of the Government and with the countersignature of the Prime Minister, call a referendum on a proposal to amend the Constitution or any such other issue as he/she may deem to be of importance to the independence, integrity and existence of the Republic of Croatia.

The Croatian Parliament shall call referenda on the issues specified in paragraphs (1) and (2) of this Article in accordance with law, when so requested by ten percent of the total electorate of the Republic of Croatia.

[OG 113/00, Art. 28, 9 November 2000]

[OG 28/01, Art. 37, 28 March 2001]

At referenda, decisions shall be made by a majority of voters taking part therein.

[OG 76/10, Art. 14, 28 March 2010]

Decisions made at referenda shall be binding.

A law shall be adopted on referenda. Such law may also stipulate the conditions for holding consultative referenda.

[OG 76/10, Art. 14, 28 March 2010]

*In OG 76/10, Article 87 is marked as "Article 86".

Article 88

The Croatian Parliament may, for a maximum period of one year, authorise the Government of the Republic of Croatia to regulate by decree individual issues falling within the remit of Parliament, save for those pertaining to the elaboration of constitutionally established human rights and fundamental freedoms, national rights, the electoral system, and the organisation, remit and operation of state bodies and local self-government.

[OG 28/01, Art. 38, 28 March 2001]

Decrees based on statutory authority shall not have retroactive effect.

Decrees passed on the basis of statutory authority shall cease to be valid upon the expiry of a period of one year from the date when such authority was granted, unless otherwise decided by the Croatian Parliament.

[OG 28/01, Art. 38, 28 March 2001]

Article 89

[OG 113/00, Art. 29, 9 November 2000]

Laws shall be promulgated by the President of the Republic within eight days from the date of their enactment by the Croatian Parliament.

If the President of the Republic holds that a promulgated law does not conform with the Constitution, he/she may institute proceedings to review the constitutionality of such law before the Constitutional Court of the Republic of Croatia.

Article 90

[OG 113/00, Art. 30, 9 November 2000]

Before their entry into force, laws and other regulations of state bodies shall be published in *Narodne novine*, the official journal of the Republic of Croatia.

Regulations of bodies vested with public authority shall, before their entry into force, be published in an accessible manner, in compliance with law.

A law shall enter into force no earlier than the eighth day after the date of its publication, unless otherwise specified thereby for exceptionally justified reasons.

Laws and other regulations of state bodies and bodies vested with public authority shall not have retroactive effect.

Only individual provisions of a law may have retroactive effect for exceptionally justified reasons.

Article 91*

State revenues and expenses shall be established in the state budget.

The Croatian Parliament shall enact the state budget by a majority vote of all Members of Parliament.

[OG 76/10, Art. 15, 28 March 2010]

Any law whose implementation requires financial resources shall provide for the sources thereof.

*In OG 76/10, Article 91 is marked as "Article 90".

Article 92

The Croatian Parliament may form commissions of inquiry on any issue of public interest.

[OG 113/00, Art. 31, 9 November 2000]

[OG 28/01, Art. 39, 28 March 2001]

The composition, remit and powers of such commission of inquiry shall be defined by law.

The chairperson of a commission of inquiry shall be elected by a majority of Members of Parliament representing the opposition.

[OG 113/00, Art. 31, 9 November 2000]

[OG 28/01, Art. 39, 28 March 2001]

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 92, OG 56/90]

Article 93*

[OG 76/10, Art. 16, 28 March 2010]

The Ombudsman shall be a commissioner of the Croatian Parliament responsible for the promotion and protection of human rights and freedoms enshrined in the Constitution, laws and international legal instruments on human rights and freedoms ratified by the Republic of Croatia.

Everyone may lodge a complaint to the Ombudsman if he/she deems that his/her constitutional or legal rights have been threatened or violated as a result of any illegal or irregular act by state bodies, local and regional self-government bodies and bodies vested with public authority.

The Croatian Parliament shall elect the Ombudsman for a term of eight years. The Ombudsman shall be autonomous and independent in his/her work.

Conditions for the election and dismissal of the Ombudsman and his/her deputies, his/her remit, and the method of his/her work shall be regulated by law. By law, the Ombudsman may also be vested with certain powers with regard to legal and natural persons in order to protect fundamental constitutional rights.

The Ombudsman and other commissioners of the Croatian Parliament responsible for the promotion and protection of human rights and fundamental freedoms shall enjoy the same immunity as Members of the Croatian Parliament.

[OG 135/97, Art. 2, 15 December 1997, substitution of words in Art. 93, OG 56/90]

[OG 113/00, Art. 32, 9 November 2000, substitution of words and adding a paragraph in Art. 93, OG 56/90]

[OG 28/01, Art. 39, 28 March 2001, substitution of words in Art. 93, OG 56/90]

*In OG 76/10, Article 93 is marked as "Article 92".