

CROATIAN PARLIAMENT

3671

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

DECISION

PROMULGATING THE AMENDMENTS TO THE CROATIAN PARLIAMENTARY ELECTIONS ACT

I hereby promulgate these Amendments to the Croatian Parliamentary Elections Act, as enacted by the Croatian Parliament at its session of 15 December 2010.

Class.: 011-01/10-01/158  
Ref. no.: 71-05-03/1-10-2  
Zagreb, 17 December 2010

President  
of the Republic of Croatia  
Ivo Josipović, Ph.D. (*signed*)

AMENDMENTS

TO THE CROATIAN PARLIAMENTARY ELECTIONS ACT

Article 1.

In the Croatian Parliamentary Elections Act (as published in the official journal of the Republic of Croatia, *Narodne novine*, no. 116/99, 53/03, 44/06 and 19/07), a new paragraph (2) shall be inserted into Article 4 which shall read as follows:

“Voters who are members of national minorities which account for less than 1.5% of the population of the Republic of Croatia shall, besides universal adult suffrage, be entitled to special voting rights in the election of members to Parliament.”

The previous paragraph (2) shall henceforth be paragraph (3).

Article 2.

Article 6 shall be amended to read as follows:

“Elections shall be conducted at polling stations inside the territory of the Republic of Croatia and in the seats of diplomatic missions and consulates of the Republic of Croatia in foreign countries.”

Article 3.

In Article 7, paragraph (3) shall be amended to read as follows:

“Voters who have registered domicile in the Republic of Croatia but who are outside of its borders on the date of elections shall vote in the seats of diplomatic missions and consulates of the Republic of Croatia for the members of Parliament for their electoral unit according to their domicile in the territory of the Republic of Croatia.”

Article 4.

Article 8 shall be amended to read as follows:

“Voters who do not have registered domicile in the Republic of Croatia shall be entitled to representation in Parliament and they shall elect three members of Parliament based on candidate slates in a special electoral unit.”

Article 5.

In Article 16, paragraph (2) shall be amended to read as follows:

“National minorities which as at the date of entry into force of the Constitutional Act Amending the Constitutional National Minority Rights Act (*Narodne novine*, no. 80/10) account for over 1.5% of the population of the Republic of Croatia shall be assured a minimum of three seats for the members of this national minority in Parliament.”

After paragraph (2), a paragraph (3) shall be added to read as follows:

“The national minority specified in paragraph (2) of this Article is the Serbian national minority, which shall exercise its representation pursuant to universal adult suffrage in party candidate slates of this minority or candidate slates proposed by the voters of this minority in the electoral units in the territory of the Republic of Croatia.”

Article 6.

In Article 17, paragraph (1) shall be amended to read as follows:

“National minorities which account for less than 1.5% of the population of the Republic of Croatia shall elect five members of Parliament from among the ranks of their national minorities in a special electoral unit which shall cover the entire territory of the Republic of Croatia.”

In paragraph (7), after the word “paragraph” the number “(1)” shall be deleted.

Article 7.

In Article 18, paragraph (1) shall be amended to read as follows:

“The right to nominate candidates as national minority members of Parliament and their alternates shall be accorded to national minority political parties and voters who elect these members of Parliament.”

#### Article 8.

In Article 27, paragraph (1), the words: “or associations of national minorities” shall be deleted.

#### Article 9.

In Article 38, a paragraph (2) shall be added to read as follows:

“The political parties and the voters of the Serbian national minority shall nominate their candidate slates in all ten electoral units with the same candidates listed on the slates.”

#### Article 10.

After Article 40, a new Article 40.a shall be inserted to read as follows:

##### “Article 40.a

“Insofar as the candidate slate of the Serbian national minority fails to secure three seats in Parliament based on verified election results, in compliance with Article 40 hereof, the seats in Parliament up to the guaranteed number shall be determined on the basis of the total number of votes for individual candidate slates in all electoral units.

“The guaranteed parliamentary seats shall be secured by those candidate slates of the Serbian national minority which receive the highest number of votes.

“If one of the slates of the Serbian national minority secures the right to one seat in Parliament on the basis of confirmed election results, the three guaranteed seats in Parliament shall be allotted to that candidate slate of the Serbian national minority which receives the highest number of votes in the remaining electoral units.

“If the slates of the Serbian national minority secure the right to two seats in Parliament based on confirmed election results, the two guaranteed seats in Parliament shall be allotted to the candidate slate of the Serbian national minority which receives the highest number of votes in the remaining electoral units.”

#### Article 11.

Article 43 shall be amended to read as follows:

“Voters who do not have registered domicile in the Republic of Croatia may nominate a minimum of six and a maximum of fourteen candidates on slates for members of Parliament.”

#### Article 12.

Article 44 shall be amended to read as follows:

“The members of Parliament who are to be elected from the candidate slates in the special electoral unit of voters who do not have registered domicile in the Republic of Croatia shall be ascertained as follows:

“The total number of valid votes received by each candidate slate (slate voter pool) shall be divided by number from 1 to 3 conclusively, wherein remainders expressed in decimals shall be taken into account. Out of all sums obtained, the third sum shall be the common denominator with which the total number of valid votes for each candidate slate (slate voter pool) shall be divided. Each candidate list shall receive as many of the three parliamentary seats as the number of times the total number of its valid votes (slate voter pool) contains the common denominator, including decimal remainders.”

Article 13.

Article 45 shall be deleted.

Article 14.

These Amendments shall enter into force on the eighth day after their publication in the official journal of the Republic of Croatia, *Narodne novine*.

Class: 013-01/10-01/02  
Zagreb, 15 December 2010

CROATIAN PARLIAMENT

President  
of the Croatian  
Parliament  
Luka Bebić, *(signed)*