

# **CROATIA**

## **Weapons Law**

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## **I Basic Provisions**

### **Article 1**

Acquisition, holding, carrying, collecting, manufacturing, repairing, modification, trade and transportation of weapons and ammunition shall be conducted pursuant to the requirements provided by this Law.

This Law shall not apply to armaments and ammunition that is acquired, held, carried, manufactured, repaired and modified, traded, or transported for the purposes of the armed forces, police, and correctional facilities, and other state entities and legal persons designated by separate regulations.

### **Article 2**

Weapons and ammunition may be acquired only based on the approval, unless otherwise provided by this Law.

### **Article 3**

For the purposes of this Law a weapon is:

- 1) a firearm;
- 2) air weapon;
- 3) gas weapon;
- 4) explosive;
- 5) stringed weapon;
- 6) cold weapon.

Weapons shall for the purposes hereof also include devices designated by this Law as weapons.

### **Article 4**

Firearms include all types of rifles, pistols, and revolvers, and all types of devices which

discharge a bullet, ball, pellet, dart, or other projectile from a barrel by means of gunpowder gases propulsion.

Firearms referred to in paragraph 1 of this Article are short or long firearms that may have a repeating mechanism, semiautomatic or automatic firearms.

Short firearms are firearms with barrels not exceeding 30 cm, and their overall length does not exceed 60 cm.

Long firearms are firearms with barrels exceeding 30 cm, and their overall length exceeds 60 cm.

Repeating arms are arms which, when a round has been fired, must be reloaded through a mechanism from a clip or cylinder manually.

Semiautomatic arms are arms which are reloaded automatically when a round is fired and which can fire only one round with one pull of the trigger.

Automatic arms are arms which reload automatically when a round is fired and which can fire more than one round with one pull on the trigger.

## **Article 5**

Air weapons are all types of rifles, pistols, and revolvers, and all types of devices that discharge a bullet, ball, or other projectiles from a barrel under the pressure of compressed air or other gas.

## **Article 6**

Gas weapons are all types of pistols and revolvers, and other devices that, under the pressure of gunpowder charge or compressed gas, disperse in a certain direction or expel harmless irritant gas substances that have a short-term effect to human health.

## **Article 7**

Explosives are all types of bombs, mines, grenades, and other devices equipped with explosive substance or a detonator, which, under suitable external or internal force (weight, impact, movement, friction, chemical reaction, electricity, etc) release energy and cause explosion.

## **Article 8**

Stringed weapons are bows, crossbows, slings and other devices that, by force of the arched string thrust the arrow or other projectile.

## **Article 9**

Cold weapons are metal knuckles, daggers, knives, swords, sabres, bayonets, maces (spiked clubs) and other items whose main intended use is assault or infliction of injury.

Cold weapons shall for the purposes hereof also include the items suitable for infliction of injury when carried at public gatherings, public places or similar.

## **Article 10**

Weapons shall for the purposes hereof also include essential components thereof.

Essential components of weapons are barrels with chambers, barrel cartridges, breeches, holsters, and, in case of revolvers, cylinders.

## **Article 11**

It is forbidden to acquire, hold, carry, manufacture, repair and modify, trade and transport, unless otherwise provided by this Law:

- 1) all types of automatic arms, semiautomatic arms and repeating long-barrelled firearms with a rifled barrel and magazine whose capacity is more than five rounds or with a fixed bayonet, i.e. with a possibility of mounting a bayonet of the arms with the inbuilt integral silencer, silencer intended for arms, long-barrelled arms without a fixed grip, with a folding grip or with a grip shorter than 25 cm, arms that propel projectiles by means of explosive or gas substances, and other arms intended exclusively for military or police purposes (hereinafter: "military and police arms");
- 2) explosives;
- 3) cold weapons;
- 4) ammunition mainly intended for the penetration of armour, ammunition with explosive and incendiary projectiles, ammunition with the projectiles charged with substances dangerous to

human health, and other ammunition intended exclusively for military and police purposes:

5) devices that use instantaneous high-voltage electricity shock that are intended for temporary incapacitation of humans and weapons concealed in the items for common use that are, by their appearance, unrecognizable as weapons;

6) devices intended for marking the target, and active and passive night sights, if intended for the arms, and parts of such devices.

The Minister of the Interior shall specify the weapons and ammunition intended solely for police purposes, and the Minister of Defence shall specify the weapons and ammunition intended solely for military purposes.

## **Article 12**

As referred to in this Law, certain expressions shall mean the following:

1) Hunting weapons are repeating long firearms of different calibre, with rifled or smooth-bore barrels, or a combination of such barrels; long semiautomatic firearms whose magazine cannot be loaded, or is blocked so it is impossible to load, with more than three rounds; short firearms whose barrel is not less than 10 cm, and other arms allowed to be used for hunting by other regulations;

2) sporting weapons are repeating and semiautomatic short firearms of different calibre, and semiautomatic and repeating long firearms, provided they are specially designed and adapted to be used in target shooting; long firearms with smooth-bore barrels intended for the sport discipline of trap and skeet shooting; stringed weapons and other weapons used in sport disciplines;

3) weapons intended for self-defence are short firearms and gas weapons;

4) registering arms means the registering of data on the arm and owner or holder thereof in the official records prescribed by this Law, as well as by regulations passed in accordance with this Law, and the issuance of the appropriate document (weapon licence, licence to hold weapons, certificate of registration, licence to carry weapons).

## **II Acquisition, Holding, Carrying of Weapons and Ammunition, and Collecting of Weapons**

### **1. Acquisition of weapons and ammunition**

#### **Article 13**

Firearms, gas and air weapons, with the bullet whose kinetic energy exceeds 7.5 joules and velocity exceeds 150 m/sec, may be acquired only subject to permit.

The application for issuing the permit to acquire weapons shall be submitted on a prescribed form to the police administration in accordance with residence or seat of the applicant (hereinafter: competent authority).

The content and appearance of the form referred to in paragraph 2 of this Article shall be prescribed by the Minister of the Interior.

#### **Article 14**

Citizens may be issued permits to acquire weapons for the purposes of self-defence, hunting, and target shooting.

Only acquisition of self-defence weapons may be approved for the purposes of self-defence.

Acquisition of self-defence weapons may be approved for the purposes of holding, and of hunting and sporting weapons for the purposes of holding and carrying.

As an exception from paragraph 3 of this Article, citizens, for the purposes of self-defence, may be approved acquisition of self-defence weapons also for the purposes of holding and carrying, provided they, due to their occupation or other justifiable reasons, need to hold and carry arms outside the business or residential facilities on which they have property rights or rights of use.

#### **Article 15**

Government authorities, companies, organizations and other legal persons (hereinafter: "legal persons") may be issued the permit to acquire weapons for the purpose of protection of their own property or the property they are entitled to use (hereinafter: "protection of property"), as well as for

the purposes of hunting, target shooting, and conducting other activities designated by this Law.

For the purposes of protection of property, legal persons may be approved acquisition of short firearms, hunting weapons, and military and police semiautomatic and repeating long firearms with rifled barrel.

## **Article 16**

Scientific institutions, government authorities and other legal persons may be approved acquisition of firearms or air weapons with the projectile charged with opiating substance for the purposes of scientific research and collecting data on animal species, protection of animals as well as other justifiable cases being part of their course of work, and concern the protection of nature.

## **Article 17**

The competent authority shall issue the permit to acquire weapons to a citizen if he meets the following requirements:

- 1) That he is 18 or older;
- 2) that he has not been convicted of a criminal offence against the Republic of Croatia, for a criminal offence against the life or body or against the property, as well as for other criminal offences with elements of violence, self-interest, or malicious intent or if the proceedings have been initiated for such criminal offence;
- 3) that he has not been convicted of a minor offence, i.e. that no proceedings indicating that the arms might have been abused have been initiated:
- 4) that there are no other circumstances indicating that the weapon may be abused, and especially: frequent and excessive consummation of alcohol, seriously disturbed family relationships, neighbourly relationships or relationships at workplace, disciplinary infringement of regulations on hunting or target shooting, etc;
- 5) that he has a justifiable reason to acquire weapons;
- 6) that the medical examination has shown that his health is such to make him capable of holding or holding and carrying a weapon;
- 7) that he is equipped with technical knowledge for the adequate use of the weapon and that he is familiar with the regulations related to holding and carrying a weapon.

Following the receipt of the application for issuing the permit to acquire weapons, the competent authority shall verify whether the requirements referred to in paragraph 1, items 1) through 5) of this Article have been met.

The competent authority shall require from the applicant meeting the requirements referred to in paragraph 1, items 1) through 5) of this Article to submit evidence on meeting the requirements referred to in paragraph 1, items 6) and 7) of this Article within the time period of 60 days.

The meeting of the requirement referred to in item 7), paragraph 1 of this Article shall be subject to proof only in the case of applying for the permit to acquire hunting weapons, sporting weapons, and short firearms, solely in the event referred to in Article 14, paragraph 4 hereof.

## **Article 18**

The meeting of the requirement referred to in Article 17, paragraph 1, item 8) hereof shall be proved by the health certificate.

The health certificate to hold or to hold and carry weapons shall be issued by the health organization that is authorised to conduct such medical examinations.

The Minister of the Interior, with the consent of the Minister of Health, shall specify the requirements to be met by health organizations to perform the medical examinations verifying the medical capability to hold or to hold and carry weapons, manner and procedure for conducting medical examinations, list of diseases and health conditions rendering a person incapable of holding and carrying weapons, manner of keeping records and medical documentation, and content of the certificate of the performed medical examination; competences, composition, and manner of work of second-instance medical commission, and fees related to assessment of health capability.

The Minister of the Interior, with the consent of the Minister of Health, shall specify which health organizations may perform medical examinations referred to in paragraph 3 of this Article.

## **Article 19**

Compliance with the requirements referred to in Article 17, paragraph 1, item 7), hereof shall be proven:

- 1) For hunting firearms – by a certificate indicating successfully passed hunting exam;
- 2) for sporting firearms– by a certificate issued by a target shooting organization on active membership in a target shooting organization;
- 3) for short firearms – by a certificate on capability to hold and hold and carry and properly use weapons, issued by a competent authority of the Ministry of the Interior designated by the Minister of the Interior.
- 4) For weapons whose use legal persons grant to the persons conducting the activity of protection of property – by a certificate issued by the authority referred to in item 3 of this paragraph.

The Minister of the Interior shall prescribe the program and manner of implementation for the cases referred to in paragraph 1, items 3 and 4 of this Article.

## **Article 20**

Compliance with the requirements referred to in Article 17, paragraph 1, item 6 hereof shall be proven also by weapon licence and valid licence to carry weapons.

Compliance with the requirements referred to in Article 17, paragraph 1, item 7 hereof shall be proven by weapon licence issued for such type of weapon and the licence to carry weapons.

Employees of the Ministry of the Interior, Ministry of Defence, Croatian Army and correctional facilities, who are by separate regulations authorised to hold and carry weapons, compliance with the requirements referred to in Article 17, paragraph 1, items 6) and 7) hereof may be proven by a document or certificate issued by the relevant Ministry which clearly denotes that they are authorised to hold and carry weapons.

## **Article 21**

The competent authority shall issue to legal person a permit to acquire weapons if such person has;

- 1) A justifiable reason to acquire weapons;
- 2) A space for safe storing and keeping of weapons.

The permit to acquire weapons for the purposes of protection of property shall be issued to a legal person who, in addition to the requirements referred to in paragraph 1 of this Article employs persons who comply with the requirements referred to in Article 17, paragraph 1, hereof.

## **Article 22**

The permit to acquire weapons shall be issued by the competent authority to be valid for a term of six months from the issuance date.

The permit to acquire weapons that is not used within the period of time referred to in paragraph 1 of this Article shall be returned to the competent authority within eight days from the expiry of the term.

Content and appearance of the form of the permit to acquire weapons shall be prescribed by the Minister of The Interior.

## **Article 23**

The competent authority shall refuse the application to acquire weapons if the applicant does not comply with the requirements for acquisition of weapons as prescribed by this Law.

## **Article 24**

The ammunition for the purposes of this Law is the whole cartridge, jacket, and gunpowder. The citizens may acquire ammunition for firearms and gas arms based on the weapon licence, and legal persons based on the licence to hold weapons, unless otherwise provided by this Law.

## **Article 25**

The weapons and ammunition may be sold or handed over only to a person who may own them pursuant to the provisions hereof.

The enterprises and shops which are, pursuant to the provisions hereof, authorized to circulate weapons and ammunition (hereinafter: "licensed weapons dealer") shall have the obligation to notify the competent authority within eight days from the date of sale about the sale of weapon that is acquired based on the permit, and the weapon that must be registered pursuant to this Law, and about the sale of ammunition that may be pursuant to this Law acquired based on the permit or weapon licence.

The citizens and legal persons who own registered weapons shall have the obligation to can-

cel registration of such weapons with a competent authority within eight days from the date of sale or handover, in the case they sell or hand over such weapons.

## **2. Issuance of weapon licences and licences to hold weapons**

### **Article 26**

For the weapons acquired based on the permit, the application for registration of weapons shall be filed with the competent authority within eight days from the date of acquisition.

For the weapons acquired based on the permit, the citizens shall be issued weapon licences, and legal persons shall be issued the licence to hold weapons.

The content and appearance of the form of weapon licences and licences to hold weapons shall be prescribed by the Minister of the Interior.

### **Article 27**

The weapon licence shall be issued for holding of weapons or for holding and carrying of weapons.

The weapon licence shall be issued to the name of the owner, or user of weapons.

For the same weapon, the weapon licence may be issued for not more than three persons (co-users of the weapon).

### **Article 28**

Legal persons who own weapons based on the licence to hold weapons may make them available for use only to persons who conduct the activity of protection of their property, and to other persons if their line of business implies the use of weapons, provided they comply with the requirements referred to in Article 17, paragraph I hereof.

The persons referred to in paragraph I of this Article shall be issued a licence to carry weapons.

The validity of the licence to carry weapons shall be two years. The validity of the licence to carry weapons may be extended provided the persons to whose name such licence is continues to comply with the requirements referred to in Article 17, paragraph 1: items 1) through

6) hereof. The content and appearance of the form of the licence to carry weapons shall be prescribed by the Minister of The Interior.

## **Article 29**

The competent authority shall refuse to issue the weapon licence for the weapon for which no origin can be proven, which has not been furnished before placement into circulation with a stamp or marked in accordance with the regulations on testing, stamping, or marking the hand fire arms, and when presence of justifiable reasons to refuse the application to acquire weapons has been established in the registration procedure.

In the event referred to in paragraph 1 of this Article, the weapon and the permit to acquire the weapon shall be seized.

The competent authority shall refuse the application to be issued the licence to carry weapons if the person who will conduct the activity of protection of property does not comply with the requirements referred to in Article 17, paragraph 1, items 1) through 7) hereof.

## **3. Collecting weapons**

### **Article 30**

Without the permit issued by the competent authority, the citizens may not acquire or hold more than three pieces of antique weapons.

The antique weapon is the weapon with historical value, the weapon which is the integral part of folk costumes, the weapon fired by flint, fuse, or cap, and other firearm, not including military and police weapons, that is worn and unfit for use.

For holding more than three pieces of antique weapons, or for collecting weapons that may be collected pursuant to this Law, the licence to collect weapons is required.

The competent authority shall issue the licence to collect weapons to a person who complies with the requirements referred to in Article 17, paragraph 1, items 1) through 6) hereof and owns the space for safe storing and keeping of the collected weapons.

## **Article 31**

The citizen who acquires the licence to collect weapons may collect, in addition to antique weapons, the cold weapons and the automatic, semiautomatic and repeating military and police weapons which no longer belong to the armaments of the armed forces and police and which has been permanently rendered unfit for use.

The weapons have been permanently rendered unfit for use if their barrel has been permanently closed along the whole of its length or if the cartridge chamber has been permanently closed. In the case of the weapon whose barrel may be modified without using the tools, in addition to being permanently closed, the barrel must be permanently attached to the base.

## **Article 32**

The antique weapons and the weapons held based on the licence to collect weapons may not be carried or used, and no ammunition may be acquired, held or made for such weapons.

The firearm that is rendered unfit for use in the context of Article 31, paragraph 2, hereof may not be rendered usable.

The cold, military, and police weapons referred to in Article 31, paragraph 1, of this Law, may be sold or handed over only to the persons who have been issued licence to collect weapons.

## **Article 33**

The weapons referred to in Article 31, paragraph 1, hereof, may be acquired and held by film-making companies, theatres and museums, under the requirements referred to in Articles 30 and 32 hereof.

The legal persons referred to in paragraph 1 of this Article may, under the requirements referred to in Articles 30 and 32 hereof, acquire self-defence weapons, hunting weapons, sporting weapons, semiautomatic and repeating long military and police weapons and police weapons that no longer belong to the weapons of the armed forces or police, or that have been modified so it can fire only blanks.

## **4. Weapons subject to mandatory registration and free acquisition**

### **Article 34**

The citizen of more than 18 years of age may without the permit issued by the competent authority acquire, hold and carry a crossbow or air weapon kinetic energy of whose bullet is less than 7.5 joules and velocity is less than 150 m/sec.

The citizens who acquire weapons referred to in paragraph 1 of this Article shall have the obligation to register them with the competent authority within eight days from the date of acquisition.

For the same weapon, a certificate may not be issued for more than three persons.

A certificate shall be issued for the registered weapon.

The air weapons referred to in paragraph 1 of this Article may be used by persons of less than 18 years of age at the target ranges and at other places designated or equipped for shooting practice or use of such weapons and under supervision of a professional.

The content and appearance of the form of the certificate referred to in paragraph 4 of this Article shall be prescribed by the Minister of the Interior.

### **Article 35**

Without the permit or the registration, the following may be acquired:

1) Weapons, and devices intended exclusively for alarm, signalling, life saving, pneumatic pistols, devices for animal slaughtering and other similar devices intended for industrial or technical purposes, provided they are tested in accordance with the regulations on testing stamping, and marking of hand firearms and ammunition;

2) the weapons that are acquired and held as souvenirs or replica weapons that serve the decoration purposes, from which no ammunition can be fired, may not be modified so that ammunition can be fired;

3) imitations of weapons and items intended for play from which only such ammunition may be fired which does not attain the kinetic energy exceeding 0.5 joules, firecrackers etc;

4) underwater guns and other items which, by force of the coil, stressed rubber, or compressed gas, propel harpoons and trident spears which are intended solely for the purposes of fishing (underwater arms);

5) stringed arms, not including the crossbow.

### **III Manner of Handling the Arms and Ammunition**

#### **1. Storing of weapons and ammunition**

##### **Article 36**

The weapons and ammunition shall be kept in such a manner so as to be inaccessible to persons not authorised to own them, locked and isolated, unless they are kept in a metal cabinet, safe box, or similar storing place that may not be opened by a tool in common use.

The weapons and ammunition shall be kept within residential or business facilities located in the place of residence or the place of the principal office of the owner, or user of arms and ammunition.

##### **Article 37**

The owner of arms which pursuant to this Law may be kept based on the weapon licence or certificate of registration, who is leaving his place of residence for a period longer than six months without taking with him the weapon and ammunition, shall have the obligation to hand over such weapon and ammunition to a person who is entitled to hold or hold and carry such arms.

The owner of weapon shall have the obligation, in the event referred to in paragraph 1 of this Article, to notify the competent authority within eight days from the day of handover about handing over the weapon and ammunition to be kept by other person.

The competent authority shall issue a certificate about the notification referred to in paragraph 2 of this Article.

The user of weapon in the event referred to in paragraph 1 of this Article shall return the arms to their owner.

#### **2. Using of weapons**

##### **Article 38**

The owner or user of the weapon shall have the obligation to keep the weapon in good condition and to handle it in a proper and cautious manner.

The weapon may not be carried without a suitable document (weapon licence, licence to carry weapons, weapon certificate of registration) and identification document:

### **Article 39**

It is forbidden to use the weapon in public places or in places where safety of people may be jeopardised.

The hunting weapons may not be used outside the hunting grounds, shooting ranges, or other places designated for shooting practice.

Sporting arms may not be used outside the shooting rounds or other places designated for shooting practice.

As an exception to paragraph 2 of this Article, air weapons and stringed arms may be used at places that are, by their position or undertaken safety measures, such that safety of people is not jeopardised.

Outside the hunting grounds or shooting ranges, hunting and sporting weapons may be carried only in suitable holsters or cases and may not be loaded.

The arms may not be displayed in public places in a manner that may disturb the citizens, and self-defence weapons carried in a manner that renders them visible to other citizens.

### **Article 40**

For the purposes of protecting the property situated in populated areas, legal persons may hold only short firearms and hunting weapons with smoothbore barrels.

The weapons of the legal persons whose use is granted to the persons conducting the activity of protection of property may be carried only in the course of conducting such activity and inside the facilities or areas that are guarded.

As an exception to Paragraph 1 of this Article the weapon may be carried outside the guarded facility or area in the event of transport and transfer of cash, valuables or guarded objects.

The members of target shooting organizations who use the sporting weapons of the organization of which they are members must hold the certificate of such organization to be able carry such arms and accompanying ammunition.

Carrying of weapons referred to in Article 16 hereof may be entrusted only to a person who

owns the weapon licence for carrying hunting weapons based on a written or oral order of the director of legal person that is authorised to own such weapons.

Legal persons referred to in Article 28, paragraph 1, hereof, shall have the obligation to designate a person who shall be in charge of storing, issuing, taking over, and using the arms and ammunition, and consumption of ammunition.

### **Article 41**

The citizens who own weapons based on the weapon licence for holding weapons may not take such weapons outside the residential or business facilities on which they have the property right or the right to use.

As an exception to paragraph 1 of this Article, the citizens who own the weapons based on the weapon licence for holding weapons may carry such weapons only for the purposes of repairing or modifying them, or using them at the shooting range, unloaded and closed in a suitable holder or case and without the ammunition.

In the event referred to in paragraph 2 of this Article, the ammunition may be transported only separately from the weapon and locked in a separate box or other suitable container.

### **Article 42**

The weapon may be lent only to the persons who own the weapon licence for such weapon or a permit to acquire such arms, or a certificate of registration of such weapon.

## **3. Loss or theft of weapon**

### **Article 43**

The citizens and legal person who own weapons shall have the obligation to immediately report any loss or theft of such weapons.

The report referred to in paragraph 1 of this Article shall be filed to the police administration as appropriate according to the location at which the event took place or the place of becoming aware about the loss or theft of the weapon.

## **4. Change of place of residence and principal place of business**

### **Article 44**

When citizens or legal persons who own weapons based on the weapon licence or licence to hold weapons, licence to collect weapons, or certificate of registered weapons, change their place of residence or principal place of business, they shall have the obligation to notify about it the competent authority within 30 days from the date of such change, so as to enable the entry of the information about the owner or co-user into the official records of the competent authority and the document for holding or holding and carrying weapons.

## **5. Procedure in the event of death of the weapon owner**

### **Article 45**

In the event of death of the weapon owner, the spouse, or a member of immediate family who is over 18 and who has shared the same household with the deceased owner, shall have the obligation to hand over the weapon and ammunition to the competent authority within 30 days.

The competent authority shall issue a certificate on the handed over weapon. The inheritor of weapon may be, upon his request, issued the weapon licence for holding or holding and carrying the weapon provided he complies with the requirements referred to in Article 17, paragraph 1, items 1) through 7) hereof.

The inheritor of the weapon wishing to keep the weapon only as a souvenir may be, upon his request, issued a weapon licence for holding the weapon as a souvenir, provided he complies with the requirements referred to in Article 17, paragraph t. items 1) through 4) hereof.

### **Article 46**

If the inheritor of the weapon of the deceased owner fails to file the application to be issued a weapon licence within six months from the death of the owner, or if such application is refused, the competent authority shall seize the weapon and ammunition and handle it in a manner prescribed in Articles 52 and 53 hereof.

## **6. Seizure of weapon, ammunition, and documents for procurement, holding, or carrying the weapon**

### **Article 47**

The competent authority shall seize the weapon, ammunition, weapon licence, licence to carry weapons and licence to collect weapons, if any one of the requirements referred to in Article 17, paragraph 1, items 2) through 5) hereof cease to exist.

As an exception to paragraph 1 of this Article, if ceasing to comply with a requirement referred to in Article 17, paragraph 1, item 5) hereof, the citizens may be seized the weapon licence for holding and carrying the weapon and issued the weapon licence for holding weapon or the weapon licence for holding the weapon as a souvenir.

For the weapon for which the weapon licence for holding the weapon as a souvenir has been issued, the ammunition may not be acquired or held and such weapon may not be used as weapon.

### **Article 48**

The competent authority shall refer to the medical examination the owner, or the user of weapon who is reasonably suspected not to be capable any longer, due to medical reasons, to hold or hold and carry weapons.

In the event of paragraph 1 of this Article, the owner, or the user of weapon shall have the obligation to deliver within 60 days to the competent authority the health certificate.

The competent authority shall seize the weapon, ammunition, weapon licence, licence to carry weapons, and licence to collect weapons, from the owner, or user of weapon who at the medical examination has been assessed as incapable to hold or hold and carry weapons, or who fails to deliver the health certificate on his capability to hold or hold and carry weapons within the period of time referred to in paragraph 2 of this Article.

In the event referred to in paragraph 1 of this Article, the costs of medical examination of the owner, or user who has been pronounced medically incapable to hold or hold and carry weapons, shall be borne by the competent authority that has referred him to the medical examination.

## **Article 49**

The administrative decision to seize the weapon, ammunition, weapon licence, licence to carry weapons, and licence to collect weapons, shall be issued by the competent authority.

The appeal against the administrative decision referred to in paragraph 1 of this Article shall not stay its execution.

## **Article 50**

The weapon, ammunition, weapon licence, licence to carry weapons, and permit to acquire weapon and ammunition, and licence to collect weapons, may be temporarily seized before the conclusion of procedure, when emergency measures are to be undertaken for the protection of public order without delay and when the facts on which the administrative decision should be based have been established or at least made credible.

The competent authority shall issue the certificate on the seized weapon, ammunition, licence to carry weapons, and permit to acquire weapons and licence to collect weapons.

## **Article 51**

The seized weapon and ammunition shall be stored with the police administration of the region in which the procedure is conducted.

The police administration referred to in paragraph 1 of this Article must carefully maintain the seized weapon and ammunition.

## **Article 52**

The weapon and ammunition which have been seized based on the decision issued in the administrative procedure may be sold or handed over by their owner, within two months from issuance of final and enforceable administrative decision on seizure of weapon and ammunition.

If the owner of the seized weapon and ammunition does not sell or hand over the weapon and ammunition within the period of time referred to in paragraph 1 of this Article, the competent authority shall hand over the weapon and ammunition to the authorised dealer to be sold.

The weapon and ammunition referred to in paragraph 2 of this Article may be displayed for sale for not more than three months from the date of handover to the authorised weapons dealer. For the sold weapon and ammunition, the owner of weapon and ammunition shall be entitled to compensation in the amount agreed with the authorised dealer.

If the authorised weapons dealer does not sell the weapon and ammunition within the period of time referred to in paragraph 3 of this Article, he shall return them to the competent authority.

### **Article 53**

The weapon and ammunition seized in the administrative procedure which is not sold or handed over within six months from issuance of the final and enforceable administrative decision on seizure of weapon and ammunition, and the weapon and ammunition that is seized in the effectively concluded penal or misdemeanour procedure, the competent authority shall deliver to the Ministry of the Interior for further disposal.

The Ministry of the Interior Commission appointed by the Minister of the Interior shall decide about the manner of disposal of the weapon and ammunition referred to in paragraph 1 of this Article.

The Commission referred to in paragraph 2 of this Article may decide to take over the weapon and ammunition in the armaments fund of the police, to hand it over to the Ministry of Defence, Ministry of Justice and Administration, or other government authority or institution, to sell it through the authorised weapons dealer and ammunition, or to destroy it.

For the weapon and ammunition referred to in paragraph 1 of this Article the owner is not entitled to compensation.

## **7. Foreigner related provisions**

### **Article 54.**

Only the foreigners staying in the Republic of Croatia on the business visa or permanent residence permit may acquire, hold and carry weapons under the provisions of this Law.

The regulations on state border control shall apply to the foreigners who carry the weapon across the state border.

## **IV Manufacturing of Weapons and Ammunition**

### **Article 55**

The enterprises for manufacturing of weapons may be established by legal and physical persons who, under the conditions provided by the law, acquire the licence to conduct such business activity.

The licence referred to in paragraph 1 of this Article shall be issued by the Ministry of the Interior with the consent of the Ministry of Defence.

The enterprises for manufacturing of ammunition may be established by legal and physical persons under the conditions stipulated in the regulations governing the manufacturing of explosive substances.

Manufacturing of weapons pursuant to paragraph 1 of this Article shall mean manufacturing of new weapons, and manufacturing of ammunition shall mean manufacturing of ammunition and recharging of ammunition.

Charging of cartridges for own purposes and for the weapon for which weapon licence or licence to hold weapons has been issued shall not be considered to be manufacturing of ammunition.

### **Article 56**

The application to be issued licence to manufacture weapons will be accompanied by a list of founders of the enterprise and the persons in charge of managing the enterprise or its affiliates.

The licence to manufacture weapons shall not be issued if the applicant, or one of the founders of the enterprise, or the persons in charge of managing the enterprise or its affiliate, does not comply with the requirements referred to in Article 17, paragraph 1, items 1) through 4) i items 6) hereof.

The application to be issued licence to manufacture weapons may be refused if the applicant is not a Croatian citizen or if he has no place of residence, or principal of place of business in the territory of the Republic of Croatia.

### **Article 57**

The enterprise for manufacturing weapons may not commence operation before the Ministry

of the Interior Commission establishes that:

- 1) Business premises on which manufacturing will take place are arranged in accordance with the regulations on specific spatial and technical requirements for safe manufacturing and storing of weapons, and protection against fire, theft, and other accidents and misuse;
- 2) the enterprise has the property right or right to use for the business premises on which manufacturing of weapons will take place.

The licence shall expire if the manufacturing of weapons and ammunition does not commence within a year from the date of issuance of the licence, or if the business activity has been suspended for a minimum of one year from the day of fulfilment of the requirements for commencement of the business activity.

The Commission referred to in paragraph 1 of this Article shall be established by the Minister of the Interior.

The specific spatial and technical requirements referred to in paragraph 1, item 1), of this Article, shall be prescribed by the Minister of the Interior in agreement with the Minister of Construction and Environmental Protection.

## **Article 58**

In the course of manufacturing process, the weapons may not be handled by the persons who do not comply with the requirements referred to in Article 17, paragraph 1, items 1) through 6), of this Law.

The premises on which the manufactured weapons are stored must be secured against access by unauthorised persons by continuous physical-technical protection.

## **V Trade in Weapons and Ammunition**

### **Article 59**

The enterprises and shops for trade in weapons and ammunition may be established by physical and legal persons under the conditions provided by this law, provided they acquire from the Ministry of the Interior the licence to conduct such business activity.

The trade in weapons and ammunition shall for the purposes of this Law be understood to be

acquisition of weapons and ammunition for the purposes of selling, storing and keeping the weapons and ammunition, and their wholesale and retail sale.

The provisions of Articles 56 and 57 and Article 58, paragraph 1, of this Law, shall accordingly apply to trade in weapons and ammunition.

The warehouses in which wholesale in weapons and ammunition takes place must comply with the requirements stipulated for storing and keeping of explosive substances in the law or the regulations passed based on the law.

## **VI Repair and Modification of Weapons**

### **Article 60**

The enterprises and shops for repair and modification of weapons may be established by legal and physical persons under the conditions stipulated by the law, provided they acquire from the Ministry of the Interior the licence to conduct such business activity.

Repair of weapons shall mean the removal of defect on weapons and replacement or mounting of original parts of weapons, and modification of weapons shall mean shortening of weapons, adaptation of weapons to other ammunition, replacement or mounting of non-original essential components of weapons, and other interventions on weapons that may affect their functionality or technical characteristics.

The provisions of Articles 56, 57, and Article 58, paragraph 1, of this Law, shall accordingly apply to repair and modification of weapons.

### **Article 61**

The repaired weapon shall be subject to mandatory testing and stamping.

The enterprises and shops registered for repair and modification of weapons may accept only registered weapons to be repaired or modified.

The enterprise or the shop registered for conduction of such business activity shall notify the competent authority within eight days from the date of repair about the repair of weapons which have been changed the calibre or technical or ballistic characteristics.

## **Article 62**

The weapon accepted to be repaired or modified might not be taken out of the premises designated for work until they are handed over to the owner, unless it is so necessary for repair, modification or testing of the weapon.

For the purpose of testing the performance of the repaired or modified weapons, the enterprises and shops registered for conduction of such business activity may acquire and hold necessary types and quantities of ammunition, based on the permit to acquire ammunition.

## **VII Weapons and Ammunition Transportation**

### **Article 63**

The permit is required for weapons transportation.

The permit for weapons transportation in domestic trade shall be issued by the police administration from whose territory the transportation commences, and for the transportation across the state border, by the Ministry of the Interior.

No permit is required for the transportation of smaller quantities of weapon for own purposes.

### **Article 64**

The application to be issued a permit for weapons transportation shall include:

- 1) name and address of the sender;
- 2) name and address of the recipient;
- 3) name and address of the weapons manufacturer;
- 4) type, make, manufacturing number, calibre, quantity, and method of packing the weapons;
- 5) indication of the type and registration number of the means of transportation;
- 6) date and approximate hour of commencement of transportation, direction of movement and the destination;
- 7) name of the entry and exit border crossing and the time of weapon transportation across the border crossing;

8) safety measures in the course of weapon transportation.

The body in charge of issuing licenses for transportation of weapon may, as required, order that specific safety measures be undertaken in the course of weapon transportation (direction of movement, escorting the sender or the forwarder, police escort, etc).

### **Article 65**

The regulation on explosive substances transportation shall accordingly apply to ammunition transportation.

## **VIII Civilian Target Ranges**

### **Article 66**

The target ranges for sport-recreational activities of the citizens (civilian target ranges) may be established by legal and physical persons under the conditions stipulated by this Law, provided they acquire from the Ministry of the Interior the licence to conduct such business activity.

The provisions of Articles 5s, 57, and Article 58, paragraph 1, of this Law shall accordingly apply to the establishment of target ranges.

### **Article 67**

The firearms at the target ranges may be used for shooting only by the citizens who are entitled to own such weapons pursuant to the law.

The weapons and ammunition at the civilian target range may not be handled and the target range may not be directly managed by the persons who do not comply with the requirements referred to in Article 17, paragraph 1, items 1) through 7) hereof.

### **Article 68**

The enterprises and shops referred to in Article 66, paragraph 1, of this Law may acquire necessary quantities of weapons and ammunition for the purposes of shooting at the civilian target ranges.

The ammunition for the weapon for which the enterprise or the shop referred to in Article 66,

paragraph 1, of this Law does not own the licence to hold weapons may be acquired based on the permit issued by the competent authority.

In the event referred to in paragraph 2 of this Article, a permit for multiple acquisitions of ammunition valid for one year may be issued, depending on the possibilities of storing and the extent of ammunition consumption.

## **IX Supervision**

### **Article 69**

The competent authority shall conduct immediate supervision over the manufacturing, trade, storing, holding, carrying, and safekeeping of weapons and ammunition, use of civilian target ranges and keeping of the prescribed records.

### **Article 70**

When conducting the supervision, the competent authority shall have the authority to:

1. Inspect warehouses of weapons and ammunition, civilian target ranges and other premises on which weapons and ammunition are manufactured, repaired or modified, traded and stored; review the prescribed records and other documentation related to the weapons and ammunition manufacturing, repair and modification, trade and safekeeping; and order that the identified deficiencies be eliminated within the period of time they designate;
2. Prohibit further conduction of manufacturing, trade, repair or modification of weapons and ammunition and use of civilian target ranges, if establishing that major omissions have been made in conduction of such business activity related to undertaking protective and other safety measures, or other serious acts subject to sanctions, when the requirement under which the licence has been issued no longer exists or if the order issued by the competent authority has not been acted upon;
3. Prohibit the handling of weapons and ammunition to the persons who do not comply with the requirements referred to in Article 17, paragraph 1, items 1) through 7) hereof;
4. Order the undertaking of other prescribed measures.

## **X Records**

### **Article 71**

The competent authority shall keep records on the issued permits to acquire weapons and ammunition, issued weapon licences, and licences to hold weapons, issued licences to carry weapons and issued certificates, issued permits to collect weapons, and the seized, found, and handed over weapons.

### **Article 72**

Sporting (target shooting) and hunting organisations and other legal persons who have acquired weapons and ammunition and registered them for the purposes of conducting their business activity, or protecting own property, shall have the obligation to keep records of such weapons and ammunition and the weapons and ammunition whose use they grant to another person.

The records shall be kept by the enterprises and shops authorised for:

- Manufacturing of weapons, on the manufactured and delivered weapons;
- trade in weapons and ammunition, on the acquired and sold weapons and ammunition;
- repair and modification of weapons, on the repaired and modified weapons;
- running the civilian target ranges, on the acquired weapons and the weapons granted use of, and on the acquired and consumed ammunition.

The citizens who have been issued licence to collect weapons shall have the obligation to keep records on the collected weapons.

### **Article 73**

The content and appearance of the form and manner of keeping the records prescribed by Articles 71 and 72 of this Law shall be prescribed by the Minister of the Interior.

## **XI Penal Provisions**

### **Article 74**

A fine between 30,000 and 100,000 Croatian dinars or prison sentence up to 60 days shall

be imposed for the offence of unauthorised acquisition, holding, carrying, making, selling, exchange or giving to another person a weapon, ammunition or other devices whose acquisition, holding, carrying, making, sale or giving to another person is prohibited (Article 11. paragraph 1.). For the offences referred to in paragraph 1 of this Article, apart from the fine or prison sentence, the protective measure of seizure of weapon, ammunition and devices shall be imposed.

## **Article 75**

A fine between 20,000 and 50,000 Croatian dinars or a prison sentence of up to 30 days shall be imposed for the following offences:

- 1) Acquiring, holding or carrying a weapon which requires a permit to acquire (Article 13, paragraph 1.);
- 2) acquiring and holding ammunition for the weapon for which he does not have a weapon licence (Article 24, paragraph 2.);
- 3) selling or handing over a weapon or ammunition to the persons who, under the provisions of this Law, may not own them (Article 25, paragraph 1.);
- 4) holding more than three pieces of antique weapons or collects weapons without a licence (Article 30, paragraph 3.);
- 5) using the antique weapons and weapons held on the basis of the licence to collect weapons as weapons and who acquires, holds or makes ammunition for such weapons (Article 32, paragraph 1.);
- 6) making usable weapons rendered unfit for use (Article 32, paragraph 2.);
- 7) selling military and police weapons referred to in Article 31, paragraph 1. Hereof to the person who does not have a licence to collect weapons (Article 32, paragraph 3.);
- 8) granting use of weapon to a minor outside sport target ranges or places designated for shooting practice and without the supervision of a professional person (Article 34, paragraph 5.);
- 9) not keeping weapons and ammunition in accordance with the provisions of Article 36, paragraph 1. and 2. Hereof;
- 10) not handing over the weapon and ammunition upon leaving the place of residence (Article 37, paragraph 1.);

- 11) not maintaining the weapon in good condition or handling it in a proper and cautious manner (Article 38, paragraph 1.);
- 12) using weapons in contravention of the provisions of Article 39;
- 13) carrying a weapon held on the basis of a weapon licence for holding weapons in contravention of the provisions of Article 41, paragraph 2. and 3.;
- 14) lending weapons to the persons who does not have a weapon licence, permit to acquire weapons or certificate of registration of such weapon (Article 42.);
- 15) using the weapon for which a weapon licence has been issued for holding weapons as souvenir as weapon or acquiring and holding ammunition therefore (Article 47, paragraph 4.);
- 16) unauthorised repairing and modification of weapons (Article 60, paragraph 2.);
- 17) unauthorised establishing of civilian target range (Article 66, paragraph 1.);
- 18) not keeping records on collected weapons (Article 72, paragraph 3);

For the offences referred to in paragraph 1 of this Article, apart from the fine or prison sentence, the protective measure of seizure of weapon, ammunition and devices shall be imposed.

## **Article 76**

A fine between 10,000 and 30,000 Croatian dinars shall b imposed for the following offences:

- 1) Not returning the unused permit for acquisition of weapons (Article 22, paragraph 2.);
- 2) not reporting removal of weapon (Article 25 paragraph 3.);
- 3) not applying for registration of weapon within the prescribed period of time (Article 26, paragraph 1.);
- 4) not registering the weapon within the prescribed period of time (Article 34, paragraph 2.);
- 5) not reporting the handing over of the weapon and ammunition for safekeeping (Article 37, paragraph 2.);
- 6) carrying the weapon without a weapon document or identity document (Article 38, paragraph 2.);
- 7) carrying hunting and sporting weapon in contravention of the provision of Article 39, paragraph 5.;

8) displaying the self-defence weapon in a public place or carrying it visible to other citizens (Article 39, paragraph 6.);

9) carrying weapons whose use is granted outside the working hours or outside the facility or area guarded (Article 40, paragraph 1.);

10) not immediately reporting a loss or theft of weapon (Article 43, paragraph 1.);

11) carrying the weapon and ammunition belonging to a sporting (target shooting) organisation without the certificate issued by that organisation (Article 40, paragraph 3.);

12) not reporting the change of residence within the prescribed period of time (Article 44);

13) not handing over the weapon upon the death of the owner thereof (Article 45, paragraph 1.).

For the offences referred to in paragraph 1 of this Article, apart from the fine, the protective measure of seizure of weapon, ammunition and devices shall be imposed.

## **Article 77**

A fine between 200,000 and 1,000,000 Croatian dinars shall be imposed for the following offences:

1) On legal person which acquires or holds weapons or ammunition whose acquisition is prohibited (Article 11, paragraph 1);

2) on legal person which without authorization acquires and holds the weapon whose acquisition requires a permit (Article 13, paragraph 1.);

3) on authorised weapons dealer who sells or hands over weapons or ammunition to the persons who under the provisions hereof may not possess them (Article 25, paragraph 1.):

4) on authorised weapons dealer, if he does not report a sale of weapon within the prescribed period of time (Article 25, paragraph 2.)

5) On legal person which grants use of weapon to the person who does not conduct activities of property or personal protection or to the person who does not have a licence to carry weapons for those purposes (Article 28, paragraph 1.);

6) on legal persons which grants use to the minor of the weapon which must be registered outside the sport target ranges or place designated for shooting practice and without supervision by a professional (Article 34, paragraph 5.);

- 7) on legal persons which hold arms whose holding is forbidden for the purposes of protecting the property located in an inhabited area (Article 40, paragraph 1.);
- 8) on legal person which entrusts a person who does not have a weapon licence for hunting weapon with a weapons for temporary opiating animals or who carries such weapon without the order issued by the manager of the legal person (Article 40, paragraph 5.);
- 9) on legal person who does not report a change of principal place of business within the prescribed period of time (Article 44.);
- 10) on enterprise or shop which manufactures weapons without authorisation (Article 55, paragraph 1.);
- 11) on the enterprise which commences weapon production before the commission establishes that the requirements for the commencement of operations have been met. (Article 57, paragraph 1.);
- 12) on the enterprise which grants direct us of the weapon in production to the person who does not meet the requirements (Article 58. paragraph 1.);
- 13) on the enterprise which does not secure against unauthorised entrance the space in which the produced weapons are stored (Article 58, paragraph 2.);
- 14) on the enterprise or shop which t5des in weapons or ammunition without authorisation (Article 59, paragraph 1.):
- 15) on the enterprise or shop which commences trading in weapons and ammunition before the commission established that the requirements for commencement of operations have been met (Article 59, paragraph 3. with reference to Article 57, paragraph 1.);
- 16) on the enterprise or shop which entrusts direct handling of weapons and ammunition to the person who does not meet the requirements (Article 59, paragraph 3. with reference to Article 58, paragraph 1.);
- 17) on the enterprise or shop which repairs and modifies weapons without authorisation (Article 60, paragraph 1.);
- 18) on the enterprise or shop which begins the activity of repair and modification of weapons before the commission establishes that the requirements for the commencement of operations have been met (Article 60, paragraph 3. with reference to Article 57, paragraph 1.);
- 19) on the enterprise or shop which entrusts direct handling of weapons during repair or modification to the person who does not meet the requirements (Article 60, paragraph 3. with reference to Article 58, paragraph 1.);

20) on the enterprise or shop which does not hand over modified weapons for testing and stamping (Article 61, paragraph 1.) ;

21) on the enterprise or ship which accepts unregistered weapons for repair and modification (Article 61, paragraph 2.);

22) on the enterprise or shop which does not report the modification of a weapon within the prescribed time period (Article 61, paragraph 3.);

23) on freight forwarder who forwards the weapons without a permit or in contravention of the instruction contained in the permit (Article 63, paragraph 1. and Article 64, paragraph 2.);

24) on the enterprise or shop which opens a civilian target range without authorisation (Article 66, paragraph 1.);

25) on the enterprise or shop which opens a civilian target range before it is established that the requirements for the commencement of operations have been met (Article 66, paragraph 2. with reference to Article 57, paragraph 1.);

26) on the enterprise or shop which entrusts the direct handling of weapons and ammunition within the civilian target range to the person who does not meet the requirements (Article 66, paragraph 2. with reference to Article 58, paragraph 1.);

27) on the enterprise or shop which allows shooting at the civilian target range to the person who is not authorised to own weapons (Article 67, paragraph 1.);

28) on the enterprise or shop which entrusts the handling of weapons or direct management of civilian target range to the person who does not meet the requirements (Article 67, paragraph 3.);

29) on sports (target shooting) organisations, hunting organisations and other legal persons which do not keep the records referred to in Article 72, paragraph 1. hereof;

30) on the enterprise or shop which does not keep the records referred to in Article 72, paragraph 2. hereof.

For the offences referred to in paragraph 1. items 1), 2), 6), 9) i 13) of this Article, the protective measure of seizure of weapon, ammunition and devices shall be imposed.

A fine between 200,000 and 1,000,000 Croatian dinars shall also be imposed on the responsible person in the legal persons

For the offences referred to in paragraph 1. of this Article, apart from the fine, a protective measure of the prohibition of engaging in the activities of manufacturing, trade, repair and modification of weapons or opening a civilian target range may be imposed.

## **Article 78**

For the offences referred to in Article 74 and 75 hereof, the weapons and ammunition shall be seized even in the event of the proceedings before a magistrate court ending in the decision by which the defendant is not found guilty.

The special decision referred to in 1. of this Article shall be passed by the magistrate before whom the proceedings were completed.

## **XII Transitional and Final Provisions**

### **Article 79**

The citizens who own the weapons whose acquisition, holding, and carrying under the provisions hereof is prohibited, are obligated to surrender such weapons and ammunition to the competent authority not later than six month from the entry into force of this Law.

The citizens acting in accordance with paragraph 1. of this Article shall not be subject to criminal or summary offence proceedings.

The citizens who, in the capacity of Croatian army or police personnel acquired the weapons referred to in paragraph 1 of this Article as a war trophy (trophy weapons), may exceptionally, upon their request and on the basis of the decision issued by the Minister of Defence or Minister of the Interior, be issued weapon licences for holding such weapons as souvenirs.

### **Article 80**

The citizens who within the time period referred to in Article 79, paragraph 1, hereof report to the competent authority that they own without the weapon licence weapons which, under the provisions hereof may be held only with the weapon licence for such a weapon, may be issued the weapon licence by the competent authority without the establishment of the origin of such weapon, except in the event of such weapon having been acquired by committing a criminal offence.

The persons referred to in paragraph 1. of this Article shall not be subject to proceeding before the magistrate court.

## **Article 81**

The citizens who own weapons that may be held under the provisions hereof on the basis of the registration certificate must report such weapons to the competent authority within the time period referred to in Article 79, paragraph 1 hereof.

## **Article 82**

Legal persons which for the property protection purposes own the weapons which they may not hold for these purposes under the provisions hereof, are obligated to hand over such weapons to the competent authority within six months from the date of entry into force of this Law.

The weapons referred to in paragraph 1 of this Article, whose acquisition, holding or carrying under the provisions hereof is not prohibited may be sold within the time period referred to in paragraph 1 of this Article.

The weapons referred to in paragraph 1 and paragraph 2 of this Article which are not handed over, or sold within the time period referred to in paragraph 1 of this Article shall be seized by the competent authority without compensation.

## **Article 83**

The citizens who own weapons on the basis of the weapon licence or licence to hold trophy weapons, and legal persons on the basis of the licence to hold weapons and the certificate for holding and carrying weapons must replace these documents for new documents within one year from the passing of the implementing regulations for this Law which will regulate the content and appearance of the form for new documents.

The weapon licence on the basis of which citizens' own hunting or sporting weapons shall after the entry into force of this Law have the validity of a licence to hold and carry weapons and the weapon licence for short firearm as a weapon licence for holding weapons.

As an exception to the provisions in paragraph 2 of this Article, citizens who have a weapon licence for short firearms issued before the entry into force of this Law, may have it replaced for the weapon licence to hold and carry weapons if they meet the requirements referred to in Article 17, paragraph 1, items 1) to 7) hereof.

## **Article 84**

Proceedings initiated prior to the entry into force of this Law shall be completed under this Law.

## **Article 85**

The implementing regulations for this Law shall be adopted by the ministers authorised under this Law to adopt them, within three months from the date of entry into force of this Law.

The Minister of the Interior shall determine by his decision the price of the form for the permit to acquire weapons, weapon licence, licence to hold weapons, licence to carry weapons, and certificate of registered weapon borne by the applicant.

## **Article 86**

Enterprises or shops which engage in the manufacturing of weapons, trade in weapons and ammunition, repair or modification of weapons or have opened civilian target ranges, and are registered in the court register, or shop register, prior to the entry into force of this Law may arrange their business premises in accordance with the requirements stipulated in the regulations referred to in Article 57, paragraph 4 hereof within six months from the date this regulations comes into force.

## **Article 87**

On the date of entry into force of this Law, the Law on acquisition, holding and carrying weapons shall cease to apply. ("Official Journal ", no. 54/74, 47/89, 59/90, and 29/91.).

## **Article 88**

Until the adoption of implementing regulations for this Law, the Rulebook on issuing permits to acquire and hold weapons, on storing and safeguarding weapons and on the records of weapons trade ("Official Journal " no. 19/75 and 42/91). The Rulebook on the type of weapon, manner of acquisition, carrying and safeguarding of weapons and the manner of training and

carrying, handling, and use of weapons for the performance of direct physical protection activities ("Official Journal" no. 16/87) and the Rulebook on special conditions for the arrangement of business premises for the trade in weapons and ammunition and on record of trade in weapons and ammunition ("Official Journal" no. 8/91) if they are in accordance with this law.

### **Article 89**

This Law shall come into force on the eighth day from its publication on the "Official Journal".

Class 213-02/92-01/01

Zagreb 14 September 1992

REPUBLIC OF CROATIA PARLIAMENT, HOUSE OF REPRESENTATIVES

Speaker of the Parliament House of Representatives

Stjepan Mesic, in own hand

# **CROATIA**

## **Laws on Amendments and Supplements to The Weapons Law**

## **Law on Amendments and Supplements to The Weapons Law**

### **Article 1**

In the Weapons Law (“National Journal”, Nos. 69/92, 26/93, 43/93, 29/94, 108/95 and 20/97), Article 4, paragraph 1, the full stop at the end of the sentence shall be deleted and the following words shall be added: “and mortars, i.e. hand devices or self-supporting devices intended for causing a loud blast, constructed so that they cannot receive a full round, muzzle-loaded by a certain quantity of black gunpowder and ignited by fuse, flint, or cap”.

After paragraph 7, paragraph 8 shall be added and read:

“The Minister of the Interior shall stipulate the requirements for the acquisition, testing, marking and use of the mortar.”

### **Article 2**

In Article 11, paragraph 1, item 2 shall be amended and read:

“2. Other semiautomatic arms with a magazine whose capacity is more than five rounds, not including rifles of caliber 22 LR”.

After item 8, item 9 shall be added and read:

“9. Daggers – flick-knives, whose blade is concealed or recessed into the handle and which opens by gravity or centrifugal force or by any pressure applied to a button or bar, the knuckle dusters, and the star-shaped metal throwing shurikens.”

### **Article 3**

In Article 17, paragraph 1, item 1, the words: “18 or older” shall be replaced by the words: “21 or older”.

After paragraph 1, new paragraph 2 shall be added and read:

“As an exception to paragraph 1, item 1, of this Article, the permit to acquire weapons may be issued to the personnel of the Ministry of Interior, Ministry of Defense, Croatian Army, and correctional facilities, who are over 18 and authorized, by separate regulations, to hold and carry weapons, and to the security guards who, based on the law, conduct security activities

for conduction of such activities, and to the members of sport shooting societies who actively participate in the target shooting competitions, following the written certificate of the Croatian Shooting Federation, and the members of hunters associations for hunting weapons.”

Paragraphs 2, 3, and 4, shall become paragraphs 3, 4, and 5.

## **Article 4**

In Article 18, after paragraph 2, new paragraph 3 shall be added and read:

“The citizen who has been issued the certificate referred to in paragraph 2 of this Article shall have the obligation to every ten years undertake the medical examination for assessment of capability to hold or to hold and carry weapons.”

Paragraphs 3 and 4 shall become paragraphs 4 and 5.

## **Article 5**

After Article 27, Article 27a shall be added and read:

“Article 27a

The validity term of the weapons license shall be ten years.

The validity term of the weapons license shall be extended by the competent body, following the request of the applicant, provided the applicant complies with the requirements prescribed in Article 17, paragraph 1 hereof.

The weapon license may not be issued if the certificate of health capability is more than three months old.”

## **Article 6**

Article 74 shall be amended and read:

“A fine between 20,000 and 150,000 kuna or prison sentence up to 60 days shall be imposed for the offence of unauthorised acquisition, holding, carrying, making, selling, exchange or giving to another person a weapon, ammunition or other devices whose acquisition, holding, carrying, making, sale or giving to another person is prohibited (Article 11, paragraph 1).

When the offence referred to in paragraph 1 of this Article has been perpetrated to gain material benefit, the perpetrator may be imposed a fine or prison sentence.

The Republic of Croatia shall acquire property rights over the weapons and ammunition referred to in paragraph 3 of this Article on the day of their seizure.”

### **Article 7**

In Article 75, paragraph 1, in the introductory sentence, the words: “between 600 and 4,000” shall be replaced by the words: “between 10,000 and 30,000”.

### **Article 8**

In Article 76, paragraph 1, in the introductory sentence, the words: “between 200 and 800” shall be replaced by the words: “between 5,000 and 15,000”.

### **Article 9**

In Article 77, paragraph 1, in the introductory sentence, the words: “between 20,000 and 80,000” shall be replaced by the words: “between 60,000 and 150,000”.

### **Article 10**

The citizens who own registered long semiautomatic firearms with the magazine whose capacity is more than five rounds, shall have the obligation to, within twelve months from the effective date of this Law, present to the competent body the certificate issued by the legal person or the shop referred to in Article 60 of the Weapons Law (“National Journal”, Nos. 69/92, 26/93, 43/93, 29/94, 108/95 and 20/97) which clearly indicates that the weapon has been modified so that that its magazine capacity is less than five rounds.

The competent body may request that the citizen present the modified weapon.

### **Article 11**

The citizens who own registered weapons or who have been issued the permit to acquire weapons, who are younger than 21 on the effective date of this Law, shall maintain the right to own registered weapons, or the right to register weapons based on the permit to acquire weapons.

## **Article 12**

The citizens who own registered weapons, when ten or more years has passed from the date of registration, shall have the obligation to, within twelve months from the effective date of this Law, undergo medical examination for assessment of the capability to hold or to hold and carry weapons, and to present the certificate thereof to the competent body within 30 days from the issuance date of the certificate of health capability.

## **Article 13**

The citizens failing to act pursuant to the provision of Article 19, paragraph 1, of the Law on Amendments and Supplements to the Weapons Law ("National Journal", No. 20/97) and surrender the weapons whose acquisition, holding, and carrying is forbidden, shall have the obligation to surrender such weapons to the competent body before 1 June 1999.

The citizens referred to in paragraph 1 of this Article shall not be entitled to pecuniary compensation.

Against the citizens failing to act pursuant to paragraph 1 of this Article, no proceedings before the magistrate court shall be instigated.

## **Article 14**

The citizens owning, without the weapons license, the weapons which, pursuant to the Weapons Law ("National Journal", Nos. 69/92, 26/93, 43/93, 29/94, 108/95, and 20/97) may be owned only based on the weapons license, and having failed to act pursuant to the provision of Article 20 of the Weapons Law ("National Journal", No. 20/97), shall have the obligation to report to the competent body that they own such weapons before 1 June 1999.

Against the citizens referred to in paragraph 1 of this Article no proceedings before the magistrate court shall be instigated.

## **Article 15**

A fine between 10,000 and 30,000 kuna or prison sentence up to 60 days shall be imposed for the offence to a person:

1) Failing to present within the term stipulated by this Law to the competent body the certificate issued by the legal person about the modification of weapons (Article 10, paragraph 1),  
2) failing to undergo within the term stipulated by this Law medical examination and present to the competent body the certificate of health capability (Article 12).

For the offences referred to in paragraph 1 of this Article, the protective measure of seizure of weapon shall be imposed.

The Republic of Croatia shall acquire property rights over the weapons and ammunition referred to in paragraph 2 of this Article on the date of seizure thereof.

## **Article 16**

A person who failing, within the term referred to in Article 13, paragraph 1, of this Law, to surrender the weapons to the competent body, shall be imposed prison sentence between six months and three years.

The weapons referred to in paragraph 1 of this Article shall be seized.

## **Article 17**

The Minister of Interior shall stipulate the forms of weapons licenses referred to in Article 27, paragraph 1, of the Weapons Law ("National Journal", Nos. 69/92, 26/93, 43/93, 29/94, 108/95 and 20/97), and the procedure, manner and terms of weapons licenses replacement, within 60 days from the effective date of this Law.

## **Article 18**

The Minister of Interior is herewith given authority to stipulate, by the regulations referred to in Articles 1 and 17 of this Law, the offences and to impose sentences for such offences.

## **Article 19**

The Legislative Board of the House of Representatives of the Republic of Croatia Parliament is herewith given authority to define and publish the consolidated text of the Weapons Law.

## **Article 20**

This Law shall come into force on the eighth day from its publication in the "Official Journal".

Class 213-02/93-01/01

Zagreb 5 March 1999

REPUBLIC OF CROATIA PARLIAMENT, HOUSE OF REPRESENTATIVES

Deputy Speaker of the Parliament House of Representatives

Vladimir Seks, in own hand

# **Law on Amendments and Supplements to the Weapons Law**

## **Article 1**

In the Weapons Law («National Journal», Nos. 69/92, 26/93, 43/93, 29/94, 108/95, 20/97, 46/97 – consolidated text, and 27/99), in Article 15, after paragraph 1, paragraphs 2, 3, and 4 shall be added and read:

»The legal persons referred to in paragraph 1 of this Article may rent the hunting arms to the hunters – Croatian or foreign citizens.

The hunters – foreign citizens may give the weapons owned by them and brought by them in the Republic of Croatia to be kept by legal persons referred to in paragraph 1 of this Article, based on a written contract, for a period of one year after the day they gave the weapons to be kept by such legal persons.

After expiry of the term referred to in paragraph 3 of this Article, a new written contract may be concluded about giving the weapons to be kept by legal person.«

Paragraph 2 shall become paragraph 5.

## **Article 2**

In Article 63, after paragraph 1, new paragraph 2 shall be added and read:

»For the weapons whose acquisition is free and for which no obligation to register has been imposed as referred to in Article 35 hereof, no permit for weapons transportation is required.«

Paragraphs 2 and 3 shall become paragraphs 3 and 4.

## **Article 3**

The citizens failing to act pursuant to the provision of Article 13, paragraph 1, of the Law on Amendments and Supplements to the Weapons Law (“National Journal”, No. 20/97) and surrender the weapons whose acquisition, holding and carrying is forbidden, shall have the obligation to surrender such weapons to the competent body within a year from the effective date of this Law.

The citizens referred to in paragraph 1 of this Article shall not be entitled to pecuniary compensation.

Against the citizens failing to act pursuant to paragraph 1 of this Article, no proceedings before

the magistrate court shall be instigated.

#### **Article 4**

The citizens owning, without the weapons license, the weapons which pursuant to the Weapons Law may be owned only based on the weapons license, and failing to act pursuant to the provision of Article 14 of the Weapons Law ("National Journal", No. 27/99), shall have the obligation to report to the competent body that they own such weapons within a year from the effective date of this Law.

Against the citizens referred to in paragraph 1 of this Article no proceedings before the magistrate court shall be instigated.

#### **Article 5**

A fine between 10,000 and 30,000 kuna or prison sentence up to 60 days shall be imposed to a citizen failing to act pursuant to the provision of Article 12 of the Law on Amendments and Supplements to the Weapons Law ("National Journal" No. 27/99), if failing, within a year from the effective date of this Law, to undergo medical examination for assessment of health capability to hold or to hold and carry weapons, and to present the certificate of health capability to the competent body.

For the offence referred to in paragraph 1 of this Article, the protective measure of seizure of weapons and ammunition shall be imposed.

The Republic of Croatia shall gain property rights over the weapons and ammunition referred to in paragraph 2 of this Article on the date of seizure thereof.

#### **Article 6**

This Law shall come into force on the eighth day from its publication on the "Official Journal".

Class 213-02/00-01/01

Zagreb 2 February 2001

REPUBLIC OF CROATIA PARLIAMENT, HOUSE OF REPRESENTATIVES

Speaker of the Parliament House of Representatives

Zlatko Tomcic, in own hand

# **Law on Amendments to the Law on Amendments and Supplements to the Weapons Law**

## **Article 1**

In the Law on Amendments and Supplements to the Weapons Law («National Journal», No. 12/01), in Article, paragraph 1, the words: »within a year from the effective date of this Law« shall be replaced by the words: »not later than 31 December 2002«.

Paragraph 3 shall be amended and read:

»If the citizens voluntarily surrender the weapons referred to in paragraph 1 of this Article before 31 December 2002, and before commencement of investigation against the offences pursuant to Articles 177 and 180 of the Criminal Procedure Law, the urgent investigation of the acts pursuant to Article 184 of the Criminal Procedure Law, or before commencement of police authorizations designated by the Police Law, no procedure before the magistrate court nor criminal procedure shall be instigated.«

## **Article 2**

In Article 4, paragraph 1, the words: »within a year from the effective date of this Law«, shall be replaced by the words: »before 31 December 2002«.

Paragraph 2 shall be amended and read:

»If the citizens voluntarily report to the competent body that they own the weapons referred to in paragraph 1 of this Article before 31 December 2002, and before commencement of investigation against the offences pursuant to Articles 177 and 180 of the Criminal Procedure Law, the urgent investigation of the acts pursuant to Article 184 of the Criminal Procedure Law, or before commencement of police authorizations designated by the Police Law, no procedure before the magistrate court or criminal procedure shall be instigated.«

## **Article 3**

In Article 5, paragraph 1, the words: »within a year from the effective date of this Law«, shall be replaced by the words: »before 30 June 2003«.

## **Article 4**

This Law shall come into force on the day of its publication in the "Official Journal".

Class 213-02/02-01/01

Zagreb 21 February 2001

REPUBLIC OF CROATIA PARLIAMENT

Speaker of the Parliament

Zlatko Tomcic, in own hand

# **CROATIA**

## **Law on Manufacturing, Overhaul, and Trade in Armaments and Military Equipment**

## **Law on Manufacturing, Overhaul, and Trade in Armaments and Military Equipment**

On the basis of Article 88 of the Constitution of the Republic of Croatia, I herewith enact this

### **Decision**

#### **On Proclamation of the Law on Manufacturing, Overhaul, and Trade in Armaments and Military Equipment**

I herewith proclaim this Law on Manufacturing, Overhaul and Trade in Armaments and Military Equipment as passed by the Croatian Parliament at the session held on 19 March 2002

Number: 01-081-02-1299/2

Zagreb, 25 March 2002

Signed by

Stipe Mesic

President of the Republic of Croatia

## **Law on Manufacturing, Overhaul and Trade in Armaments and Military Equipment**

### **Chapter I**

#### **Basic Provisions**

#### **Article 1**

This Law regulates: planning, development of the armaments and military equipment manufacturing and overhaul process; criteria for identification and utilization of the armaments and military equipment manufacturing and overhaul capacity; trade in armaments and military

equipment; security and safety of manufacturing and trade in armaments and military equipment; assessment of compliance with the prescribed requirements for armaments and military equipment; manufacturing and overhaul of armaments and military equipment in war and in the event of immediate threat to the independence and integrity of the Republic of Croatia, and recognition of the patents for the invention of interest for defense affairs.

## **Article 2**

Unless otherwise provided by this Law, the particular terms used in this Law shall have the following meaning:

1. »Armaments and military equipment« are armaments, lethal and technical means and systems intended for equipping, using, handling, storing, maintaining, and supervising armaments, lethal and technical means (hereinafter: AME).
2. » AME manufacturing « is the activity that comprises designing new AME means and systems, development of prototypes, design - construction, small series production and serial production of AME, development of new technologies in peaceful circumstances, and preparation for AME manufacturing in war and in the event of immediate threat to independence and integrity of the Republic of Croatia.
3. »AME overhaul« are the activities conducted on AME means for the purposes of maintenance and ensuring proper technical and functional operation of AME means.
4. »Cold run« is pecuniary compensation paid by the Government of the Republic of Croatia to AME manufacturing for maintenance of readiness of the capacities for AME manufacturing, at the time when such capacities are not in operation and when they are of special importance for the defense of the Republic of Croatia.
5. »Services« are all activities (professional, entrepreneurial, and other) undertaken within the process of AME manufacturing, overhaul, and trade, in accordance with the Law on Public Procurement.
6. »Capacities for manufacturing and overhaul of AME« are the facilities and production potentials of special importance for the defense of the Republic of Croatia, to which apply special rules of procedure and management in peace, war, and immediate threat to independence and integrity of the Republic of Croatia.
7. »Facilities and production potentials of special importance for the defense « are the facili-

ties of scientific and research institutions involved in development of AME, buildings in which AME manufacturing, maintenance, storing, and keeping take place, supporting infrastructure, production plants and other means within the framework of the AME manufacturing technological process.

8. »Security and safety of AME manufacturing and trade« is the overall system of security-safety measures, norms, and means, used for the purposes of preventing destruction or damaging of capacities, endangering safety of people and property, or alienation of AME manufacturing, disclosure of secret information about AME manufacturing and trade, which requires application of special safety measures when handling hazardous matter.

9. »Offset program« is the program that defines obligation of a foreign supplier of AME and the compensation for the contract on procurement of AME for the requirements of the Ministry of Defense.

10. »Material means reserve« are machinery, tools, raw materials, reproduction materials, assemblies, and sub-assemblies, required for organizing AME manufacturing and overhaul in war and in the event of immediate threat to independence and integrity of the Republic of Croatia.

### **Article 3**

The Agency of the Government of the Republic of Croatia (hereinafter: the Agency) shall conduct the activities of supervision over manufacturing for the requirements of exportation, importation and exportation of AME, and maintain an integrated database on imported and exported AME.

In addition to the activities referred to in paragraph 1 of this Article, the Agency shall conduct, for the requirements of the Armed Forces of the Republic of Croatia (hereinafter: the Armed Forces) and the Ministry of Internal Affairs, the activities of selling the redundant AME.

The Government of the Republic of Croatia shall establish the Agency by a separate act.

### **Article 4**

The Government of the Republic of Croatia shall prescribe in a separate regulation what shall be understood to be armaments, and what shall be understood to be military equipment, for the requirements of the Armed Forces and the Ministry of Internal Affairs.

## **Chapter II**

### **Planning the Manufacturing and Overhaul of the Armaments and Military Equipment**

#### **Article 5**

Manufacturing of AME for the requirements of the Armed Forces shall be based on the Long-term Development Plan of the Armed Forces as enacted by the Croatian Parliament following the proposal of the Government of the Republic of Croatia.

Manufacturing of AME for the requirements of export shall take place based on the contract between the manufacturer referred to in Article 6, paragraph 1, of this Law, and the buyer, subject to previous approval of the Agency referred to in Article 3 of this Law.

As an exception to the provision of paragraph 2 of this Article, for the requirement of AME exportation, the contract with the manufacturer may be concluded by the Agency.

#### **Article 6**

AME may be manufactured by:

- Legal persons (hereinafter: the manufacturers) registered for manufacturing for special purposes and entered in a list of licensed AME manufacturers issued by the Government of the Republic of Croatia, following the proposal of the Ministry of Defense,
- Entrepreneurs (hereinafter: the manufacturers) which manufacture AME and are entered in a list of licensed AME manufactures composed by the Government of the Republic of Croatia following the proposal of the Ministry of Defense.

The manufactures manufacture AME for the requirements of the Ministry of Defense on the basis of the contract concluded with the Ministry of Defense in accordance with the adopted Long-term Development Plan for the Armed Forces, and for the requirements of the Ministry of Internal Affairs on the basis of the contract concluded with this Ministry.

The Government of the Republic of Croatia shall define by a separate regulation the requirements and criteria to be met by the manufacturers.

## **Article 7**

The firm and name of the manufacturer, or the affiliate of the manufacturer, may not contain designation of the activity related to the manufacturing for special purposes.

The manufacturers shall have the principal place of business in the territory of the Republic of Croatia.

## **Article 8**

The main actors in development of AME, the main actors in making the prototypes and prototype components of AME, and in technological adoption of AME production and overhaul, are the manufacturers, scientific and research institutions, and overhaul capacities of the Armed Forces and the Ministry of Internal Affairs.

The Minister of Defense, following approval of the Minister of Internal Affairs, shall prescribe specific requirements for conduction of the activities of AME development that must be met by the manufacturers and scientific and research institutions referred to in paragraph 1 of this Article.

## **Article 9**

The overhaul of AME may be conducted by the manufactures, legal persons registered for conduction of the overhaul of AME, on the basis of the approval by the Ministry of Defense, and the Armed Forces and the Ministry of Internal Affairs in their overhaul capacities.

## **Chapter III**

### **Criteria for Identification and Utilization of the Capacities for Manufacturing and Overhaul of the Armaments and Military Equipment**

## **Article 10**

Construction, reconstruction, or modernization, and utilization, of the capacities for manufacturing and overhaul of AME shall be conducted in accordance with the provisions of this Law and other laws governing the defense, spatial planning, environmental protection, building, and the Law on Explosive Substances for Commercial Use.

## **Article 11**

The capacities for AME manufacturing and overhaul of the manufacturer referred to in Article 6, paragraph 1, of this Law, may be subjected to legal transaction (alienation, lien, forfeiture, etc) and therefore the bankruptcy proceedings may be instigated against the legal entity only following approval of the Ministry of Defense.

## **Article 12**

For the period in which the capacities for AME manufacturing and overhaul of special importance for the defense of the Republic of Croatia are out of function, the manufacturers registered for AME manufacturing and overhaul may exercise the right to pecuniary compensation for cold run. Itemized request for pecuniary compensation the manufacturers shall forward to the Ministry of Defense before 1 September of current year for the ensuing budget year.

The manufacturers registered for AME manufacturing may realize pecuniary compensation for the production costs in the event they are denied the permit to export AME items for commercial purposes in accordance with Article 17 of this Law.

The funds for cold run referred to in paragraph 1 of this Article may be realized only for the capacities for manufacturing and overhaul that are of special importance for the defense of the Republic of Croatia.

The Government of the Republic of Croatia shall regulate by a separate regulation the main criteria to be met by the manufacturers to be able to exercise the right to pecuniary compensation referred to in paragraphs 1 and 2 of this Article.

On the basis of the request referred to in paragraphs 1 and 2 of this Article, the Ministry of Defense shall, in conjunction with the Ministry of Internal Affairs and the Ministry of Economy, assess justifiability of each individual request and forward the justifiable requests to the Government of the Republic of Croatia.

The Government of the Republic of Croatia, following proposal of the Ministry of Defense, shall pass the decision on the amount and number of pecuniary compensations in accordance with the appropriations in the state budget of the Republic of Croatia.

Provisions of this Article shall apply to scientific and research institutions of importance for development of AME.

### **Article 13**

Records of the facilities and production potentials of special importance for the defense shall be kept by the Ministry of Defense.

Records referred to in paragraph 1 of this Article shall be a military secret and shall be kept in accordance with the regulations governing secret information of defense and general and specific procedures for their keeping.

### **Article 14**

Foreign legal persons with a principal place of business outside the Republic of Croatia may be permitted to invest capital and realize commercial interest in the field of AME manufacturing. Investment of capital shall take place based on the investment programs approved by the Ministry of Economy, subject to previous obtaining of the opinion of the Ministry of Defense, or the Ministry of Internal Affairs.

Records of the foreign investors shall be kept by the Ministry of Economy.

## **Chapter IV**

### **Trade in Armaments and Military Equipment**

#### **Article 15**

Trade in AME comprises the activities of trade and service provision in connection with AME. Activities of trade are those with regard to procurement, sale, and procurement for the purposes of sale.

Activities of services provision are those with regard to transportation, storing and keeping AME.

#### **Article 16**

Trade in AME in the country may be conducted by the manufacturers in accordance with the regulations on trade.

Manufacturers of mines and explosive means shall conduct trade in these means in accor-

dance with the provisions of this Law and other laws in compliance with the international norms and conventions.

Manufacturers are under obligation to keep records on placement into circulation of AME and, at the time of each individual placement into circulation of AME, to deliver entries from the records to the Ministry of Defense and the Ministry of Internal Affairs.

### **Article 17**

Activities of importation and exportation of AME for the requirements of the Armed Forces and the Ministry of Internal Affairs shall be conducted by the Agency.

Activities of importation and exportation of AME for commercial purposes, in addition to the Agency, shall be conducted by legal persons registered for importation and exportation of AME.

Permits for importation of AME intended for the requirements of the Armed Forces and the Ministry of Internal Affairs shall be issued by the Ministry of Defense, or the Ministry of Internal Affairs.

Permits for importation and exportation of AME items for commercial purposes shall be issued by the Ministry of Economy subject to prior approval of the Board consisting of the Ministry of Defense, Ministry of Internal Affairs, Ministry of Foreign Affairs, and Ministry of Economy.

Ministry of Defense, Ministry of Internal Affairs, and Ministry of Economy, for the purposes of keeping the integrated database, notify the Agency in writing about the permits issued for importation and exportation of AME.

### **Article 18**

AME are classified into the forms of importation and exportation within the licensing regime in accordance with the Law on Trade.

Classification of AME into the forms of importation and exportation shall be conducted by the Government of the Republic of Croatia, following the proposal of the Ministry of Defense and Ministry of Economy and subject to the opinion of the Croatian Chamber of Commerce.

## **Article 19**

AME may be placed into circulation only if compliance is confirmed with the requirements for AME in accordance with the provisions of this Law and other laws and international agreements.

## **Article 20**

Transportation of AME across the territory of the Republic of Croatia may be conducted through the international border crossings, unless otherwise provided by interstate agreement.

Permit for transportation of AME across the territory of the Republic of Croatia shall be issued by the Ministry of Internal Affairs subject to approval of the Ministry of Defense.

Regulations on transportation of weapons shall accordingly apply to the transportation of AME.

## **Article 21**

Contract on procurement of AME for the requirements of the Ministry of Defense and Ministry of Internal Affairs shall be concluded, as a rule, with a domestic manufacturer.

The Government of the Republic of Croatia shall define, in a separate provision, the requirements, criteria, manner and procedure for conclusion of the contract with a domestic manufacturer.

Contract on procurement of AME with a foreign supplier, depending on the value of AME to be procured, may be concluded as an »offset program«.

Minister of Defense and Minister of Economy shall compose instructions on the manner and requirements for application of the »offset program« when concluding the contract on procurement of AME with a foreign supplier.

## **Chapter V**

### **Security and Safety of Armaments and Military Equipment Production and Trade**

## **Article 22**

Security, safety and development of AME manufacturing, trade, and overhaul shall be conducted in accordance with this Law, the Law on Defense, the Law on Protection of Defense Information Secrecy, the Law on Explosive Matter for Commercial Use, and other regulations governing occupational safety, environmental protection, and protection when handling hazardous matter.

## **Article 23**

The manufacturers, scientific and research institutions, the Armed Forces and the Ministry of Internal Affairs Security, and other participants in the trade in AME, shall have the obligation to conduct security and safety measures referred to in Article 22 of this Law in their overhaul capacities.

General and specific measures constituting an overall system of security and safety referred to in paragraph 1 of this Article shall be prescribed by the Minister of Defence.

Supervision over implementation of security and safety measures as conducted by the entities referred to in paragraph 1 of this Article shall be conducted by the relevant department of the Ministry of Defense and Ministry of Internal Affairs.

## **Article 24**

Secret defense information in the field of AME manufacturing and trade shall be considered to be the following:

1. Information about plans for production of AME and about implementation of such plans,
2. Information about the AME research and development programs,
3. Information about the AME manufacturing capacities,
4. Information about the technological procedure for manufacturing AME and about the construction documentation,
5. Information about the AME importation and exportation,
6. Information about the scientific-technical and other cooperation with a foreign partner,
7. Information about creation, renewal, utilization and spatial distribution of the war material reserves for the requirements of manufacturing and overhaul.

## **Article 25**

Manufacturers are under obligation to ensure security of the capacities against access of the unauthorized persons by means of physical-technical protection in accordance with the Law on Protection of Persons and Property.

## **Chapter VI**

### **Assesment of Compliance with the Prescribed Requirements for Armaments and Military Equipment**

## **Article 26**

Confirmation of compliance with the prescribed requirements for AME, during the manufacturing and overhaul process and before placing AME into circulation, shall be conducted by the Ministry of Defense, Ministry of Internal Affairs, and legal persons authorized (accredited) by the State Standards and Measures Office.

During the manufacturing and overhaul process, for the purposes of confirming the compliance with the prescribed requirements for AME, the Minister of Defense shall have the authority to assign to the manufacturers even the persons other than those employed by the Ministry of Defense and the Armed Forces.

Manufacturers of AME shall have the obligation to ensure for the persons referred to in paragraphs 1 and 2 of this Article the conditions required for assessment of compliance with the prescribed requirements for AME.

## **Article 27**

Assessment of compliance with the prescribed requirements for AME shall be conducted based on the regulations governing the quality of products, by way of which the following is identified:

1. Technical data about the AME means and systems,
2. Content of AME means and systems,
3. Accompanying technical documentation,
4. Quality requirements for AME means and systems,

5. Methods for testing and confirmation of the prescribed quality characteristics,
6. Criteria for assessment and evaluation of quality of the AME means and systems.

Rules on assessment of compliance and product quality for AME shall be issued by the Minister of Defense. The rules on assessment of compliance and product quality for AME, for the requirements of the Ministry of Internal Affairs, shall be issued by the Minister of Internal Affairs.

## **Chapter VII**

### **Manufacturing and Overhaul of Armaments and Military Equipment In War and in the event of Immediate threat to Independence and Integrity of the Republic of Croatia**

#### **Article 28**

Manufacturing and overhaul of AME in war and in the event of immediate threat to the independence and integrity of the Republic of Croatia, in addition to the manufactures, may be conducted by other persons designated by the Ministry of Defense, following the proposal of the Ministry of Economy.

Legal persons referred to in paragraph 1 of this Article may change their business activity exclusively following the approval of the Ministry of Defense.

#### **Article 29**

For the requirements of manufacturing and overhaul of AME in war and in the event of immediate threat to independence and integrity of the Republic of Croatia, necessary material reserves shall be provided in accordance with the law.

Funds for financing the material reserves for the requirements of manufacturing and overhaul of AME in war and in the event of immediate threat to the independence and integrity of the Republic of Croatia shall be provided in the state budget of the Republic of Croatia.

#### **Article 30**

The Government of the Republic of Croatia is herewith given authority to, following the proposal of the Ministry of Defense, issue the regulations that shall govern creation, renewal, utilization, and spatial distribution of the material reserves for the requirements of manufacturing

and overhaul referred to in Article 29 of this Law.

Supervision over the management of material means reserves for the requirements of manufacturing and overhaul referred to in Article 29 of this Law shall be conducted by the Ministry of Defense and Ministry of Economy.

### **Article 31**

If, due to circumstances of war or the circumstances arisen due to the immediate threat to the independence and integrity of the Republic of Croatia, the manufacturers are unable to have access to the means for manufacturing, raw materials, and reproduction materials, or other means for work, the Ministry of Defense may, subject to the approval of the Ministry of Economy, in accordance with the plans for development and utilization of the Armed Forces, decide to make such means available to and transfer such means to other legal persons that manufactures AME, pursuant to the provisions of this Law.

Provision of paragraph 1 of this Article likewise applies to other legal persons whose means for manufacturing, raw materials, reproduction materials, and other means for work, may be used for manufacturing of AME.

### **Article 32**

Trade in AME in war and in the event of immediate threat to the independence and integrity of the Republic of Croatia, in addition to the manufacturers and the Agency, may be conducted by the Ministry of Defense.

## **Chapter VIII**

### **Patents**

### **Article 33**

Applications to register patents for the inventions of interest for the defense affairs shall be submitted to the State Office for Intellectual Property (hereinafter: the Office) in accordance with the regulations on the patents.

If the party submitting the application to register a patent indicates in his application, or if the

Office establishes within the procedure of reviewing the application to register a patent, that an invention of possible interest for defense affairs is in question, they shall notify the Ministry of Defense in writing immediately, and in any case before registering the patent in the »Official Gazette«, and submit a copy of the content of the submitted application to register a patent.

Inventions referred to in paragraph 2 of this Article shall be considered classified until it is proven that they are of no interest for the defense affairs. Applications to register patents for such inventions shall not be published in the official gazette of the Office and the Office shall ensure that they are treated as classified matter, in accordance with its internal regulations.

Ministry of Defense shall, not later than 90 days from receiving the notification from the Office, notify the Office in writing whether the relevant classified invention is of interest for defense affairs or not.

If the Ministry of Defense delivers to the Office the notification that a classified invention is in question, the Office shall enact the conclusion on conceding the matter to the Ministry of Defense.

If the Ministry of Defense fails to notify the Office within the term referred to in paragraph 4 of this Article about the presence of interest for the referenced application to register a patent, it shall be considered that the invention is not of interest for defense affairs.

### **Article 34**

Ministry of Defense shall conduct the administrative procedure to grant the patent for classified invention.

No appeal may be lodged against the decisions passed within the administrative procedure referred to in paragraph 1 of this Article.

If the Ministry of Defense establishes, within the procedure of examining the conditions for recognizing the patent for the conceded application to register the patent for a classified invention, that the invention is of no interest for the defense affairs, they shall notify the party submitting the application to register the patent and the Office about it and concede the matter for further procedure.

### **Article 35**

If the Ministry of Defense, after granting the patent for a classified invention, establishes that the invention has ceased to be of interest for the defense affairs, they shall notify about it the

holder of the patent and the Office to which they shall deliver the complete file pertaining to the patent.

Upon written request of the holder of patent, within 90 days from receiving the notification referred to in paragraph 1 of this Article, the Office shall commence the suitable procedure for granting of the patent in accordance with the regulations on patents, taking into account results of the procedure conducted by the Ministry of Defense.

If all the requirements prescribed by the Law on Patents are met, the Office shall enter the referenced patent into the Registry of Patents.

### **Article 36**

Ministry of Defense shall have the exclusive right to utilize the classified invention and shall have it on their disposal.

For the classified inventions protected by a patent, the inventor shall be entitled to one-off compensation regardless whether the inventions is used for the requirements of the defense affairs and in what extent.

Amount of the compensation referred to in paragraph 2 of this Article shall be determined in agreement between the party submitting the application and the Ministry of Defense. In the event of failure to reach an agreement, the party submitting the application to register a patent may petition the court of competent jurisdiction to determine the amount of compensation.

### **Article 37**

Classified invention shall not be published.

Domestic legal and natural person may file for protection of the classified invention abroad only subject to approval of the Ministry of Defense.

### **Article 38**

The Government of the Republic of Croatia shall prescribe the criteria for identification of the inventions considered to be classified and the manner of protecting the patents for such inventions, following the proposal of the Ministry of Defense.

## **Chapter IX**

### **Penal Provisions**

#### **Article 39**

A legal person shall be fined between 20,000 and 100,000 kuna if, in contravention of the provisions of this Law:

1. Including in the name designation of the activity of special purpose (Article 7, paragraph 1),
2. In contravention of the provisions of this Law, building the facilities for manufacturing, maintaining, storing and keeping AME (Article 10),
3. Placing in legal circulation the capacities for manufacturing and overhaul of AME without the approval of the Ministry of Defense (Article 11),
4. Importing or exporting AME contrary to the provision of this Law (Article 17),
5. Failing to implement security and safety measures for AME manufacturing, trade and overhaul (Article 23, paragraph 2),
6. Enabling to the unauthorized persons the access to secret defense information in the field of AME production and trade (Article 24),
7. Changing the business activity without the approval of the Ministry of Defense (Article 28, paragraph 2),
8. Publishing the classified invention contrary to the provisions of this Law (Article 37, paragraph 1).

In the event of repeating the offence referred to in paragraph 1 of this Article, a legal person may be imposed, in addition to a fine, a protective measure of temporary ban to conduct business activity of AME manufacturing for the period of up to one year.

For the offence referred to in paragraph 1 of this Article, the responsible person in the legal person shall be fined between 5,000 and 50,000 kuna.

### **Transitional and Final Provisions**

#### **Article 40**

The Government of the Republic of Croatia shall, within 6 months from the effective date of this Law, issue the regulation on:

- Requirements and criteria to be met by the AME manufacturers (Article 6, paragraph 3),
- Establishment of the Agency of the Government of the Republic of Croatia for conduction of the activities of supervision over the manufacturing for the requirements of exportation, and the exportation of AME (Article 3, paragraph 2),
- Criteria for designation of inventions as classified, and the manner of granting the patents for such inventions (Article 38).

### **Article 41**

The Minister of Defense and the Minister of Economy are herewith given authority to, within 6 months from the effective date of this Law, issue instructions for implementation of the »offset program« when concluding contracts on procurement of AME with a foreign supplier.

The Minister of Defense is herewith given authority to, within 6 months from the effective date of this Law, enact rules on:

- Specific requirements for conduction of the activities of AME development (Article 8, paragraph 2),
- General and specific security and safety measures for AME manufacturing, trade, and overhaul (Article 23, paragraph 2),
- Assessment of the AME compliance and product quality (Article 27, paragraph 2).

### **Article 42**

Provisions of this Law applicable to AME manufacturers shall accordingly apply to the legal persons involved in AME overhaul.

### **Article 43**

On the effective date of this Law, the following shall cease to apply: Law on Armaments and Military Equipment Manufacturing (»Official Gazette«, No. 52/91), Decree on Armaments and Military Equipment Manufacturing, and on economic and other relation in manufacturing and trade in armaments and military equipment in the event of the state of war or the immediate threat to the independence and integrity of the Republic of Croatia (»National Journal«, No. 55/91), Decree on Obligatory Testing of Armaments, Ammunition, and Equipment (»Official Gazette«, No. 56/92), and Decision on the products considered armaments items and equipment for Croatian army, police, Headquarters of the Medical Corps of the Republic of Croatia,

and bodies enforcing criminal and misdemeanor sanctions («Official Gazette», No. 6/93), and provisions of Articles 104 – 110 of the Law on Industrial Property («Official Gazette», Nos. 53/91, 19/92, and 26/93).

### **Article 44**

This Law shall come into effect eight days after being published in the »Official Gazette«.

Class: 213-02/02-01/02

Zagreb, 19 March 2002.

CROATIAN PARLIAMENT

Signed by Zlatko Tomcic

President of the Croatian Parliament



# **CROATIA**

## **Regulations Regarding Purchase, Registration and Legalization of Weapons**

## **Regulations Regarding Purchase, Registration and Legalization of Weapons**

- Purchasing a Weapon
- Registering a Weapon
- Legalizing a Weapon
- Replacing a Weapon License
- Medical Examinations Locations
- Law on Weaponry
- Weapon License Image
- Forms

### **Purchasing a Weapon**

The following is required:

1. Form no. 1
2. 45.00 kunas administrative fee
3. if, following the checking, the party meets the requirements for obtaining the license for purchasing a weapon, the party is referred to health examination, which is not to be undertaken prior to the referral.

### **Registering a Weapon**

The following is required:

1. Form no. 3
2. 70.00 kunas administrative fee
3. if the party does not have any previously registered weapons, the payment of 40.00 kunas for a weapon license should be made into the account of the Ministry of Internal Affairs

### **Legalizing A Weapon**

The following is required:

1. Form no. 3
2. 70.00 kunas administrative fee and presenting the weapon (for each weapon the form should be submitted and the fee paid)

## **Replacing a Weapon License**

The following is required:

1. Form no. 3 for each weapon
2. 70.00 kunas administrative fee for each weapon
3. proof of payment of the amount of 40.00 kunas into the account of the Ministry of Internal Affairs of the Republic of Croatia for each weapon license
4. a photograph for each weapon + an additional photograph
5. the persons not having passed the health examination shall pass the said examination by June 30, 2003 in accordance with the Law on Alterations and Amendments of the Law on Weapons (OG no. 19/02).

## **Medical Examinations Locations**

Health Center of the Ministry of Internal Affairs, Carengradaska 3, Zagreb

City of Zagreb Health Protection Institute, Mirogojska cesta 16, Zagreb

Health Center Medvedjak

Health Center Crnomerec

Railway Workers' Center

Health Center Tresnjevka II

Health Center Institute for Traffic Medicine and Traffic Psychology Zagreb, Jarun,

Park prijateljstva

Health Center Pescenica – Marija Fiket, MD, specialist

## **CROATIA**

**Decree on the Right to Carry and Manner of using  
Firearms of the Military Security Agency Officers**

Government of the Republic of Croatia . Based on Article 39, paragraph 1 of the Law on Security Services of the Republic of Croatia (Official Gazette, nos. 32/2002 and 38/2002), the Government of the Republic of Croatia, at the proposal of the Minister of Defense and with the prior approval of the President of the Republic of Croatia, at the session held on May 15, 2003 issued the following

## **Decree on the Right to Carry and Manner of using Firearms of the Military Security Agency Officers**

### **I General Provisions**

#### **Article 1**

This Decree regulates the right to carry and manner of using firearms and carrying the ammunition of the officers of the Military Security Agency (hereinafter referred to as: the MSA).

#### **Article 2**

As referred to in this Decree, firearms shall mean firearms with short and long barrels (hereinafter referred to as: short and long firearms) carried by officers of the MSA (hereinafter referred to as: an officer).

### **II Short Firearms**

#### **Article 3**

An officer may be issued a short firearm after being issued the official identification.

#### **Article 4**

An officer meeting the requirement referred to in Article 3 of this Decree, is issued one short firearm with 50 pieces of ammunition of appropriate caliber.

The officer shall insert part of the ammunition in the magazines to their full capacity, and the remaining quantity shall be kept in a safe manner.

If the officer has used the firearm, he is issued the quantity of ammunition missing to complete the number of 50 pieces of ammunition.

The integral part of a firearm set is the holster for the firearm and holster for the storage magazine.

### **III Long Firearms**

#### **Article 5**

An officer is issued a long firearm and the accompanying ammunition when it is necessary for the successful execution of a particular official assignment.

The authorization for the officer to be issued a long firearm is provided by the director of the MSA or the person authorized by him, based on the plan for the execution of official assignment referred to in paragraph 1 of this Article.

#### **Article 6**

The officer shall return the long firearm and the ammunition immediately following the execution of the official assignment.

### **IV Carrying and use of Firearms**

#### **Article 7**

In performing the activities within the scope of work of the MSA, an officer is authorized to carry a firearm and ammunition, and that concealed in an appropriate manner.

When a MSA officer is in uniform, he shall carry a firearm in accordance with the regulations of the Armed Forces of the Republic of Croatia.

#### **Article 8**

An officer is issued a firearm and ammunition with the accompanying gear in the Support Department, following the written authorization by the Director of the MSA.

The Director provides a written authorization based on the written request by the head of the service unit where the person is assigned.

## **Article 9**

An officer of the MSA is authorized to use firearms in conducting activities within the MSA scope of work when he cannot in any other manner protect his own life or body, life or body of the person he is protecting, or life or body of other persons.

At the time of using the firearm an officer must endeavor to avoid the killing of the other person. When justifiable reasons for the use of firearms referred in paragraph 1 of this Article are present, the officer shall observe the prescribed procedure (warning, alarming) based on the regulations governing the police matters.

## **Article 10**

A MSA officer may carry a short firearm off duty as well.

When carrying a firearm off duty, the officer may use the firearm under circumstances and in the manner referred to in Article 9 of this Decree.

## **Article 11**

When an officer is not carrying a firearm, he shall keep it separately from the ammunition and in a safe place, beyond the reach of other persons.

## **Article 12**

This Decree comes into effect on the day of its publication in the »Official Gazette«.

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Zagreb, May 15, 2003

Signed by President,

Ivica Racan