



THE LAW ON CROATIAN CITIZENSHIP

Number: 224-01/91-01/03

Zagreb, June 26. 1991.

PARLIAMENT OF THE REPUBLIC OF CROATIA (SABOR)

(Amended Text)

I. GENERAL PROVISIONS Article 1

This Law regulates Croatian citizenship, the prerequisites for its acquisition as well as for its termination.

Article 2

The citizen of the Republic of Croatia who is at the same time a foreign citizen, shall be, before the authorities of the Republic of Croatia, deemed to be exclusively a Croatian citizen.

II. ACQUIRING CITIZENSHIP Article 3

Croatian citizenship shall be acquired:

by origin;

by birth on the territory of the Republic of Croatia;

by naturalization;

according to international treaties.

Article 4

A child shall acquire Croatian citizenship by origin if:

both of his or her parents were, at the time of his or her birth, Croatian citizens;

one of his or her parents was, at the time of his or her birth, a Croatian citizen, and the child was born in the Republic of Croatia;

one of his or her parents was, at the time of his or her birth, a Croatian citizen, while the other was a stateless person or a person whose citizenship was unknown, and the child was born abroad.

The child who is a foreign citizen or is a stateless person, shall acquire Croatian citizenship by origin, if, according to the provisions of a special Law, he or she was adopted with kinship legal effect by Croatian citizens. Such a child shall be deemed to be a Croatian citizen from the moment of his or her birth.

Article 5

A child born abroad whose one parent was, at the time of his or her birth, a Croatian citizen shall acquire Croatian citizenship by origin if he or she is, by the age of eighteen, signed up for registration as Croatian citizen by the authorized body of the Republic of Croatia abroad or in the Republic of Croatia or if he or she establishes residence in the Republic of Croatia.

A child born abroad, whose one parent was, at the time of his or her birth a Croatian citizen, but he or she does not meet one of the prerequisites from Paragraph 1 of this Article, shall acquire Croatian citizenship if he or she would otherwise be left stateless.

A child who shall acquire Croatian citizenship according to Paragraph 1 or 2 of this Article is deemed to be a Croatian citizen from the moment of his or her birth.

Article 6

(deleted)

Article 7

The child who was born or found on the territory of the Republic of Croatia shall acquire Croatian citizenship if both of his or her parents are unknown or are persons whose citizenship is unknown or are stateless persons. The child shall lose Croatian citizenship if by the time he or she is fourteen it shall be determined that both of his or her parents are foreign citizens.

Article 8

A foreign citizen who files a petition for acquiring Croatian citizenship shall acquire Croatian citizenship by naturalization if he or she meets the following prerequisites:

that he or she has reached the age of eighteen years and that his or her legal capacity has not been taken away.

that he or she has had his or her foreign citizenship revoked or that he or she submits proof that he or she will get a revocation if he or she would be admitted to Croatian citizenship.

that before the filing of the petition he or she had a registered place of residence for a period of not less than five years constantly on the territory of the Republic of Croatia.

that he or she is proficient in the Croatian language and Latin script.

that a conclusion can be derived from his or her conduct that he or she is attached to the legal system and customs persisting in the Republic of Croatia and that he or she accepts the Croatian culture. It shall be deemed that the prerequisites from point 2 paragraph 1 of this Article have been met, if the petition was filed by a stateless person or by a person who, according to the Law of the country whose citizen he or she is, will lose it by naturalization.

If the foreign country does not envisage the revocation or is asking for prerequisites to be met, which can not be met, a statement by the person who has filed the petition stating that if he or she acquires Croatian citizenship, he or she renounces foreign citizenship, is sufficient.

Article 8a

A guarantee of admission to Croatian citizenship may be issued to a foreigner who has filed a petition for admission to Croatian citizenship, and who, at the time of filing a petition did not receive a revocation of foreign citizenship or who does not have proof that he would get a revocation if he gets admitted to Croatian citizenship, if he meets all other prerequisites from Article 8, Paragraph 1, of this Law.

The guarantee issued shall be valid for a period of two years.

Article 9

A person who is born on the territory of the Republic of Croatia can acquire Croatian citizenship although he or she does not meet the prerequisites from Article 8, paragraph 1, points 1, 2 and 4 of this Law.

Article 10

The foreigner who is married to a Croatian citizen and to whom permanent residency on the territory of the Republic of Croatia had been approved, can acquire Croatian citizenship by naturalization although he or she does not meet the prerequisites from Article 8, paragraph 1, points 1-4 of this Law.

Article 11

An emigrant, as well as his or her descendants can acquire Croatian citizenship by naturalization although they do not meet the prerequisites from Article 8, paragraph 1, points 1-4 of this Law.

The foreign citizen who is married to an emigrant who has acquired Croatian citizenship according to the provisions of paragraph 1 of this Article can acquire Croatian citizenship although he or she does not meet the prerequisites from Article 8 paragraph 1, points 1-4 of this Law.

According to paragraph 1 of this Article, an emigrant is a person who has emigrated from Croatia with the intention to live permanently abroad.

Article 12

A foreign citizen whose admission to Croatian citizenship would be of interest for the Republic of Croatia, can acquire Croatian citizenship by naturalization although he or she does not meet the prerequisites from Article 8, paragraph 1, points 1-4 of this Law.

Croatian citizenship can be acquired by the spouse of the person from paragraph 1 of this Article who has acquired Croatian citizenship although he or she does not meet the prerequisites from Article 8, paragraph 1, point 1-4 of this Law.

The authorized Ministry shall issue an opinion on the existence of an interest in the admission to Croatian citizenship of a foreigner from paragraph 1 of this Article.

Article 13

A minor shall acquire Croatian citizenship by naturalization:

if both parents acquire citizenship by naturalization, or,

if only one parent acquires citizenship by naturalization and the child lives in the Republic of Croatia, or,

if only one parent acquires citizenship by naturalization, the other one is a stateless person or a person of unknown citizenship and the child is living abroad.

According to the provision of Paragraph 1. of this Article, a minor of a person from Article 9. of this Law shall acquire citizenship by naturalization.

Article 14

A minor who is a foreign citizen or a stateless person, which was adopted by a Croatian citizen, with parental legal effect shall acquire Croatian citizenship upon the filing of a petition by his or her adoptive parents, although he or she does not meet the prerequisites from Article 8, Paragraph 1, points 1-4 of this Law.

Article 15

A Croatian citizen who petitioned for and had his or her Croatian citizenship revoked for the reasons of acquiring citizenship in another country, which was set forth as a prerequisite by the foreign country in which he or she has place of residence for conducting a profession or a business, can regain Croatian citizenship although he or she does not meet the prerequisites from Article 8, paragraph 1, points 1-4 of this Law.

Article 16

A member of the Croatian people who does not have a place of residence in the Republic of Croatia can acquire Croatian citizenship if he or she meets the prerequisites from Article 8, paragraph 1, point 5 of this Law and if he or she issues a written statement that he or she considers himself or herself to be a Croatian citizen.

The statement from paragraph 1 of this Article shall be given before the competent authority or before the diplomatic or consular office of the Republic of Croatia abroad.

III. TERMINATION OF CITIZENSHIP

Article 17

Croatian citizenship shall be terminated:

by revocation;

by renouncement;

according to international treaties.

Article 18

A revocation of Croatian citizenship can be given to the person who has filed a petition for a revocation and meets the following prerequisites:

that he or she has reached 18 years of age;

that there are no impediments related to his or her military service obligations;

that he or she has paid due taxes, duties and other public obligations as well as obligations towards the legal and physical persons in the Republic of Croatia, for which a writ of execution was issued;

that he or she has duly settled all the property related legal issues stemming from marriage or from the child-parent relationship towards the Croatian citizens and towards the persons who remain in the Republic of Croatia;

that he or she is a foreign citizen or that he or she has proved that he or she will acquire foreign citizenship;

A revocation of Croatian citizenship can not be acquired by a person against whom in the Republic of Croatia criminal proceedings are being carried out for an act which is prosecuted ex officio or if he or she was sentenced to jail in the Republic of Croatia, until he or she serves the sentence.

Article 19

The decree on the revocation of Croatian citizenship shall be set aside by a special decree, upon the receipt of a petition by a person whose citizenship was revoked if he or she does not acquire foreign citizenship in one year from the date of the publishing of the decree on the revocation in "Narodne novine" and he or she continues to live in the Republic of Croatia.

The decree on revocation shall be set aside by a special decree upon the receipt of a petition from the person whose citizenship was revoked and who moved out of the Republic of Croatia if he or she did not acquire foreign citizenship in three years from the date of moving, and if he or she notifies the diplomatic or consular office of the Republic of Croatia abroad or directly the authority in charge of issuing the decree on revocation about this within the following three years.

Article 20

Croatian citizenship shall be terminated by revocation for a child by the age of eighteen:

upon the petition from both parents whose citizenship was terminated by revocation, or,

if Croatian citizenship was terminated in this way for one parent, while the other parent is a foreign citizen;

Croatian citizenship shall be terminated by revocation upon the petition by the adoptive parents, for a child by the age of eighteen, who was adopted with kinship legal effect by foreign citizens.

Article 21

The Croatian citizen who has reached the age of eighteen who resides abroad and who is at the same time a foreign citizen, can renounce his or her Croatian citizenship.

Article 22

Croatian citizenship shall be terminated by renouncement for a child by the age of eighteen:

upon the petition from both parents whose citizenship was terminated by renouncement, or,

if Croatian citizenship was terminated in this way for one parent, while the other parent is a foreign citizen.

Croatian citizenship shall be terminated by renouncement upon the petition by the adoptive parents, for a child by the age of eighteen, who was adopted with kinship legal effect by foreign citizens.

Article 23

The person whose Croatian citizenship was terminated according to Article 20 or Article 22 of this Law, while he or she was a minor, shall regain Croatian citizenship if he or she for a period of not less than a year constantly resides on the territory of the Republic of Croatia. and if he or she issues a written statement stating that he or she considers himself or herself a Croatian citizen.

IV PROCEDURAL PROVISIONS Article 24

The petition for the acquisition or termination of citizenship shall be filed with the police headquarters or police station.

The petition for the acquisition or termination of citizenship may be filed through the diplomatic or consular office of the Republic of Croatia abroad.

The petition for acquiring citizenship for a minor shall be filed by a parent, namely the parent shall issue a written statement stating that he or she considers himself or herself a Croatian citizen.

In the case of the acquisition or termination of citizenship, the consent of a child older than 14 years of age is mandatory.

Article 24 a

Croatian citizenship is acquired by naturalization as of the day on which the decree on admission to Croatian citizenship was served.

Croatian citizenship acquired by a given statement is acquired as of the date of the given statement.

Croatian citizenship is terminated by revocation as of the date on which the decree on revocation of Croatian citizenship was served.

Croatian citizenship is being terminated by renouncement as of the date of the given statement on renouncement.

Article 25

The affairs regarding citizenship shall be conducted by the Ministry of the Interior, and the decree on the acquisition or termination of citizenship shall be issued by the Minister of the Interior.

Article 26

The Ministry of the Interior shall deny a petition for the acquisition or termination of citizenship if the prerequisites are not met, unless otherwise specified by this Law.

The Ministry of the Interior may deny a petition for the acquisition or termination of citizenship although all the prerequisites are met if it is of the opinion that there are reasons of interest for the Republic of Croatia because of which the petition for the acquisition or termination of the citizenship should be denied.

Article 27

A register shall be kept on Croatian citizenship.

The Register of Citizenship shall be kept by the Municipal Registrar's Office, while the Register of Croatian citizens who reside abroad shall be kept by the respective diplomatic or consular office of the Republic of Croatia abroad as well.

Persons born in the Republic of Croatia shall be registered in the Register of Citizenship kept by the Registrar's Office of the municipality in which the place of birth of that person is.

Persons born abroad shall be registered in the Register of Citizenship kept by the Registrar's Office of the Municipality in which the person filing the petition for the acquisition or termination of Croatian citizenship resides.

Persons who acquire Croatian citizenship on the basis of the provisions of this Law, and who do not reside in the Republic of Croatia, shall be registered in the Central Register. The Central Register shall be kept by the body authorized for carrying out general administration in the City of Zagreb.

Article 28

The Certificate of Citizenship is a public document which serves to prove Croatian citizenship, and is issued by the Municipal Registrar's Office or the authorized diplomatic or consular office of the Republic of Croatia abroad.

The Ministry of the Interior is in charge of the procedure for the determination of citizenship.

Article 29

Croatian citizenship is evidenced by a valid identity card, military identity card or passport.

A Croatian citizen who does not have any of the documents listed in Paragraph 1 of this Article shall prove Croatian citizenship with the Certificate of Citizenship which shall be issued by the Municipal Registrar's Office, based on the records.

V TRANSITIONAL AND CONCLUDING PROVISIONS Article 30

A Croatian citizen is deemed to be a person who has acquired this status according to the Laws valid until the taking effect of this Law.

A member of the Croatian people who, by the date on which this Law takes effect, is not a Croatian citizen, and on the said date has registered place of residence in the Republic of Croatia, shall be deemed to be a Croatian citizen if he or she issues a written statement that he or she considers himself or herself a Croatian citizen.

The written statement from Paragraph 2 of this Article shall be submitted to the police headquarters or police station of the municipality on whose territory the person resides.

Determination of the prerequisites from Paragraph 2. of this Article shall be carried out by the police headquarters or police station. If they shall determine that all the prerequisites are met, they shall order an entry into the Register of Citizenship without issuing a written decree. If they shall determine that all the prerequisites are not met, they shall deny the petition by a decree.

Article 31

The Minister of the Interior shall prescribe forms for keeping the Register of Citizenship, the content of Certificates of Citizenship and the manner of keeping the Register.

The Minister of the Interior shall determine the price of the form for the Certificate of Citizenship which shall be paid by the petitioner.

Article 32

The impediments for the revocation of citizenship regarding military service (Article 18, Paragraph 1, point 2) shall be prescribed by the Minister of Defence after acquiring consent from the Minister of the Interior.

Article 33

The regulations according to the provisions of Article 31 and 32 of this Law shall be passed within 60 days of the date on which the Law takes effect.

Article 34

Information contained in the Registers of Citizenship according to Article 4, Paragraph 2 and Article 20, Paragraph 2 of this Law are an official secret.

Article 35

The procedures initiated according to the Law on Citizenship of the Socialist Republic of Croatia ("Narodne novine" No. 32/77) shall be completed according to the provisions of this Law.

Article 36

The supervision upon the implementation of this Law and the regulations passed on the basis of this Law shall be carried out by the Ministry of the Interior.

Article 37

The Law on Citizenship of the Socialist Republic of Croatia ("Narodne novine", No. 32/77) shall be annulled on the day on which this Law takes effect.

Until the regulations from Article 31 of this Law are passed, the Regulations on keeping the Register, the form for keeping the Register and the form for the Certificate of Citizenship ("Narodne novine" No. 7/78, 42/81) shall apply.

Article 38

This Law enters into force on the day of its publication in "Narodne Novine".