

CROATIAN PARLIAMENT

1960

Based on Article 88 of the Constitution of the Republic of Croatia, I have passed the

DECISION

TO DECLARE THE CHANGES AND AMENDMENTS TO THE LAW ON HUMANITARIAN DEMINING

I hereby declare the Changes and Amendments to the Law on Humanitarian Demining, which was passed by the Croatian Parliament at its session held on June 1, 2007

Class: 011-01/07-01/51
Reg. No.: 71-05-03/1-07-2
Zagreb, June 6, 2007

President of the
Republic of Croatia
Stjepan Mesić

CHANGES AND AMENDMENTS TO THE LAW ON HUMANITARIAN DEMINING

Article 1

In the Law on Humanitarian Demining (National Gazette, # 153/05) Article 2, there is an addition – Paragraph 4, which states:

“Humanitarian demining activities as per this Law are also emergency interventions of professionally trained and equipped personnel for anti-explosion protection of the Ministry of the Interior, which are being carried out in mined or mine suspected area and/or buildings.”

Article 2

In Article 12, Paragraph 5 is erased.

Article 3

In Article 15, Paragraph 4, after the word “report” the comma is erased together with the words: “an elaborate of the geodesic re-measurement”.

Article 4

In Article 26, Paragraph 6 is changed and now reads:

“The implementation of the final geodesic re-measurement shall be facilitated by CROMAC within ten (10) days from the day of taking over the worksite.”

Article 5

In Article 32, Paragraph 2, the word "authority" is replaced with "humanitarian demining identification card for deminers".

Paragraph 3 is changed and now reads:

"The worksite leader is obligated to have on his/her person his/her humanitarian demining identification card for the worksite leader and present it to an authorized person performing supervision over humanitarian demining."

In Paragraph 4, the word "authority" is replaced with the words: "humanitarian demining identification card for auxiliary workers."

Article 6

In Article 33 a new Paragraph 4 is added that reads:

Deminers that passed the professional examination based on the ordinance passed by the minister of defense, after ending their active military service, may perform humanitarian demining activities in the Republic of Croatia."

Paragraphs 4 and 5, as per this change, now become paragraphs 5 and 6

Paragraph 7 is added and reads:

Persons trained for performing humanitarian demining activities according to foreign regulations may perform demining in the Republic of Croatia if the Ministry determines the said foreign education and training program is adequate to the program passed as per this Law and issues an appropriate certificate."

Article 7

In Article 34, Paragraph 2, Sub-paragraph 3, after the words: "safety of people and property," the words: "if the crimes are a matter of public prosecution," are added.

Article 8

In Article 49, Paragraph 1, point 3 is erased.
Points 4, 5 and 6 now become points 3, 4 and 5.

Article 9

In Article 52, Paragraph 1 is erased.

Paragraph 2 now becomes Paragraph 1.

In the former Paragraph 3, which is now Paragraph 2, the words "as per Paragraph 2" is changed to "as per Paragraph 1".

Article 10

After Article 55, Article 55 A is added and states:

"Article 55 a

Stipulations as per articles 38 - 55 of this Law are applicable also for anti-explosion protection personnel of the Ministry of the Interior when they are on an emergency intervention mined or mine suspicious area and/or buildings."

Article 11

In Article 57, Paragraph 5 is added and reads:

»QA Officers and QC Monitors are obligated during their carrying out of professional supervision at the worksite have on their persons their official humanitarian demining identity card for QA Officers, i.e. QC Monitors.»

Article 12

After Article 65, Article 65 A is added and reads:

“Article 65 a

The Ministry shall confiscate a humanitarian demining identification card if:

- Some prescribed conditions for performing humanitarian demining cease to exist,
- A person is not performing the work his/her humanitarian demining identity card has been issued for,
- Employment is ceased.”

Article 13

In Article 67, Sub-paragraph is changed and now reads:

“– humanitarian demining identification card for a QA Officer, QC Monitor, worksite leader, deminer and auxiliary worker,”.

Article 14

In Article 71, Paragraph 1, Sub-paragraph 15, the words: “prescribed authority for performing those activities” are replaced with the words “humanitarian demining identity card”.

Paragraph 3 is changed and now reads:

“Inasmuch as during the course of one year the misdemeanors as per Paragraph 1, sub-paragraphs 4 and 15 of this Article are repeated, a fine shall be imposed in the amount between 30,000.00 to 300,000.00 HRK and a protective measure of prohibiting the performance of work for a period no less than six (6) months.”

Article 15

In Article 72, paragraphs 3 and 4 are erased.

Paragraph 5 is now Paragraph 3.

Article 16

After Article 72 is added Article 72 and that reads:

“Article 72 a

If after deminers have completed their work and mines, UXO and/or ERW are found, the Ministry shall issue a writ to suspend the authority of the said deminer for a period of between 30 days to one year.

If quality assurance or inspection supervision confirms the QA Officer, QC Monitor, worksite leader, deminer and auxiliary worker are performing their work contrary to this Law and sub-acts or allow work contrary to this Law or sub-acts, the Ministry shall issue a writ suspending their authority for a period between 30 days and six months, as well as sending them to retake their education and training for performing humanitarian demining activities."

Article 17

CROMAC, authorized legal entities and tradesmen that have failed to harmonize their business by the deadline determined as per Law on Humanitarian Demining.

(National Gazette # 153/05) must do so no later than September 1, 2007.

Authorized legal entities and tradesmen that fail to harmonize their business as per deadline stipulated in Paragraph 1 of this Article shall have their permits for performing humanitarian demining activities suspended by the Ministry.

Article 18

This Law comes into force eight (8) days after its publication in the National Gazette.

Class: 213-04/07-01/03

Zagreb, June 1, 2007

CROATIAN
PARLIAMENT

Speaker of the
Croatian Parliament
Vladimir Šeks