

Representative chamber of the assembly of Republic of Croatia

Pursuant to article 89 of the Constitution of Republic of Croatia, I promulgate the  
Decision

Promulgating the Law on Hunting

I promulgate the Law on Hunting, adopted by the Representative Chamber of Assembly  
of Republic of Croatia on the meeting of January 28, 1999.

Number: PA4 – 17/1-94

Zagreb, February 2 1994

President of Republic of Croatia

Dr. Franjo Tudman

## **LAW ON HUNTING**

### **I. GENERAL PROVISIONS**

#### **Article 1**

- (1) This law regulates breeding, protection, hunting and utilization of wild animals and their parts.
- (2) Works from paragraph 1 of this article have the economic functions of protection and preservation of biological and ecological equilibrium of natural settlements of wild animals.

#### **Article 2**

The following terms shall have the following meanings:

1. Wild animals – designated animal species protected with the law, living freely in nature, areas designated for intensive breeding of wild animals for the purpose of breeding and multiplication;
2. hunting right – authority to undertake measures of breeding, protection, hunting and utilization of wild animals and their parts, inside designated terrains and waters (hereinafter “Terrain”);
3. user of land – concessionaire of the right of use of agricultural land for the purpose of hunting and lessee of terrain for the purpose of hunting,
4. holder of the hunting right– owner of hunting terrain, user of terrain where hunting terrain is established and other legal or natural person who gained the hunting right based on concession or lease, respectively sublease of terrain.
5. user of terrain – owner and user of terrain where hunting terrain is established and surrounding terrains.
6. hunting terrain – designated terrains which present the closed natural complexity where exist ecological and other conditions for breeding, protection, hunting and utilization of wild animals and their parts.
7. open hunting terrain – hunting terrain where free daily and seasonal movement of coat and plumose wild animals is enabled

8. enclosed hunting terrain – hunting terrain enclosed naturally (wide rivers, wide water areas, sea, etc.) and with made hedges (fence or similar equipment or constructions etc.) to prevent or lower the possibility of wild animals which is bred, protected and hunted, to leave the area.
9. animal breeding area – land surface not less than 100 ha and not wider than 2000 ha enclosed with fence or similar natural or constructed barriers securing that wild animal reproduced for hunting, cannot leave the area.
10. menagerie - land surface up to 100 ha enclosed with fence ensuring that wild animal living in, does not leave that area.
11. hunting master plan – planning act regulating details of administration with wild animals and hunting terrain for certain period in compliance with possibility of biotope, and stock and state of population of wild animals bred.
12. wild animal breeding programme – planning and administration act regulating details of breeding, protection and utilization of wild animals in wild animal breeding areas.
13. wild animal protection programme – planning act on protection of wild animals outside hunting terrains.
14. trophy of wild animal – wild animal or its parts designated for long-term preservation or preservation of value,
15. master trophy of wild animal – trophy assessed with higher number of points comparing with the top trophy of certain specie of wild animal in Republic of Croatia.

### Article 3

(1) Wild animal, for the purpose of this law, shall mean:

- Red deer (*Cervus elaphus* L)
- Fallow deer (*Dama dama* L)
- Axis deer (*axis axis* L)
- White-tailed deer (*odocoileus virginianus zimm*)
- Roe deer (*capriolus capriolus* L)
- Wild goat (*Capra ibex* L)
- Chamois (*Rupicapra rupicapra* L)
- Mouflon (*ovi aries musimon pall*)
- Wild boar (*Sus scrofa* L)
- Brown bear (*ursus actors*)
- Badger (*Meles meles* L)
- Pine marten (*Martes martes* L)

- Beech marten (*Martes foina* Erhe)
- Least weasel (*Mustela nivalis* L)
- Eurasian beaver (*castor fiber* L)
- European (brown) hare (*Lepus europaeus* Pall)
- European rabbit (*oryctolagus cuniculus*)
- Dormouse (*glis* sp.)
- Fox (*Vulpes vulpes* L)
- Jackal (*Ianis aureus* L)
- Ferret or European polecat (*Mustela putorius* L)
- Egyptian mongoose (*herpestes ichneumon*)
- Supikoira Raccoon Dog *Canis (nyctereutes procyonoides gray)*
- Hazel grouse (*Tetrastes bonasia* L)
- Black grouse (*Lyrurus tetrix*)
- Pheasant (*Phasianus* sp.)

#### Partridge

- Common quail (*Coturnix coturnix* L)
- *Coturnix virginiana* L

#### Woodcocks

- Woodcock (*Scolopax rusticola* L)
- Common snipe (*Gallinago gallinago* L)

#### Culvers

- Wood pigeon (*Columba palumbus* L)
- Stock pigeon (*Columba oenas* L)
- Rock pigeon (*Columba livia* Gm)
- European turtledove (*Streptopelia turtur* L)

#### Wild goose:

- Bean goose (*Anser fabalis* Latham)
- White-fronted Goose (*anser albifrons scopoli*)

#### Wild duck:

- Mallard (*Anas platyrhynchos*-L)

- Common pochard (*Aythya ferina* L)
- Gadwall (*Anas strepera* L)
- Tufted duck (*Aythya fuligula* L)
- Pintail (*Anas acuta*-L)
- Small Eurasian teal (*Anas querquedula* L)
- Shoveler (*Anas clypeata* L)
- Teal (*Anas crecca*-L)
- Common coot (*Fulica atra* L)
- Hooded-crow (*Corvus corone cornix* L)
- Rook (*Corvus frugilegus* L)
- Eurasian jackdaw (*Coloeus monedula* L)
- Black-billed magpie (*Pica pica* L)
- Eurasian jay (*Garrulus glandarius* L)

(2) wild animal is also considered the large black Old World grouse (*tetrao urogallus* L) except in southern VELEBIT area, and the wildcat (*Felis silvestris* Schreb), except in GORSKI KOTAR area.

(3) If in the territory of Republic of Croatia, new animal specie appears or is brought, its status of wild animals shall be regulated in interim basis by the Minister of Agriculture and Forestry (hereinafter the Minister) with prior opinion of Ministry of Construction and Environmental Protection, until this issue is regulated with the law.

#### Article 4

Wild animals are property with interest for Republic and enjoy its protection.

#### Article 5

(1) The following have the hunting right:

1. owner, through establishment of the hunting terrain in his own terrain;
2. user of terrain, through establishment of hunting terrain on:
  - the land where the administration is gained for the purpose of hunting, based on concession
  - leased terrain for the purpose of hunting
3. other legal or natural person through:
  - concession of hunting right in the hunting terrain
  - leasing or subleasing the hunting terrain

(2) to the owner and user of terrain without hunting right, shall be set the compensation for limitation which they subdue in providing third persons with the hunting right, in compliance with this law.

#### Article 6

Local and foreign legal and natural persons could gain the hunting right in state owned hunting terrains through concession (hereinafter "concession of hunting right") or lease in the manner and under conditions provided for in this law.

#### Article 7

(1) Holders of hunting right and other citizens who are dealing with or are employed in works from article 1 paragraph 1 of this law, and hunters have the right of free joining into hunting unions, federations and other unions, establish and affiliate and leave them, for the purpose of protection of their values of breeding, protection, hunting and utilization of wild animals and human environment in protection of natural residence of wild animals, curing hunting ethics and customs or other purposes.

(2) Croatian hunting federation represents their members in promotion of hunting in Republic of Croatia and abroad.

## II. HUNTING TERRAINS, TYPES OF HUNTING TERRAINS AND AREAS OUTSIDE HUNTING TERRAINS

### 1. Hunting terrains

#### Article 8

(1) Hunting terrain is established depending from specie of wild animal which naturally resides or is bred in those areas, number of wild animals which could be bred according to possibilities of the areas, and its destination.

(2) Hunting terrain does not include;

1. non-constructed or constructed construction plot of 300m from the settlement;
2. public roads and other public areas including security strip;
3. certain parts of nature which are declared to be specially protected natural objects according to provisions of protection of nature, in which according to the declaration act or special act, hunting is prohibited (national parks, sanctuaries, special zoo and ornithological sanctuaries and other specially protected areas) and Natural Park MEDVEDNICA,
4. sea and economic fish ponds with coast land which serve for utilization of fish ponds;
5. nurseries, fruit plantations and vineyards dedicated for intensive production in surface up to 100 ha, if they are enclosed with fence preventing natural movement of all coat animals;
6. other areas where the act on their establishment prohibits hunting.

(3) Provisions of this law do not apply for menagerie.

#### Article 9

(1) Hunting terrain could be established as open hunting terrain, enclosed terrain and wild animal breeding area

- (2) Open hunting terrain may not be smaller than 1.000 ha
- (3) Exceptionally from paragraph 2 of this article, open hunting terrain could be established in island or number of islands of surface over 500 ha.
- (4) Enclosed hunting terrain covers the area with conditions for intensive breeding, protection, hunting and utilization of wild animals, not less than 1.000 ha.
- (5) Wild animal breeding area covers the surfaces where certain species of wild animals could be bred for increasing the number of qualitative and healthy wild animals dedicated for hunting and reproduction. Breeding areas could be established only for landowners.
- (6) Exceptionally from article 8 paragraph 2 points 4 and 5 of this law, wild animal breeding area could be established on surfaces of economic fishpond with coast or nurseries and fruit plantations and vineyards dedicated for intensive production.

#### Article 10

- (1) Boundaries of hunting terrain should be visible, and will be set depending from natural integrity, ecological and geographical conditions, coast strip, constructed protection strip of highways which prevent the natural movement of coat animals.
- (2) When boundaries of hunting terrain cannot be designated as provided for in paragraph 1 of this article, they are designated by railways, regional roads, watersheds, rivers or other similar ways.
- (3) Natural movement of wild animals should be taken into consideration upon designation of boundaries of hunting terrain.
- (4) Hunting terrain boundaries should be visibly marked in places provided for in the act establishing the hunting terrain.

#### Article 11

- (1) Holders of hunting right are obliged to enable the work of scientific – research – education institutions foreseen in special programmes of those institutions on their costs, based on consent of the Ministry of Agriculture and Forestry (hereinafter the Ministry), in mandatory visibly marked areas where work is done.
- (2) Provisions of this law are not valid for areas from paragraph 1 of this article.

#### Article 12

- (1) County office shall administer with cadastre of hunting terrain.
- (2) County office respectively city office of City of Zagreb competent for hunting shall establish and administer with cadastre of hunting terrain (hereinafter “competent office”);
- (3) The Minister shall regulate the form, content and administration of cadastre of hunting terrain;

### 2. Type of hunting terrain

#### A. Own hunting terrain

- (1) Own hunting terrain is established in the land from article 5 paragraph 1 points 1 and 2 of this law, if the area is not smaller than 1000 ha of consolidated land, where crossing from one cadastral plot to another is possible without crossing through plots of other lands. Roads, railways and other facilities, watersheds, canals etc. shall not

be deemed as interception of land. Islands shall be deemed as connected to coast, if movement of animals is possible.

- (2) Areas from paragraph 1 of this article are deemed as intercepted if partitioned in more parts, and connected only through waters and roads which cross through land of other owners.
- (3) If within the area from paragraph 1 of this article, enclaves of total area of less than 1000 ha or half-enclaves of less than 500 ha of other owners are located, same surfaces shall be covered by own hunting terrain, except if in those surfaces the owner does not intend to breed wild animals in the wild animal breeding area;
- (4) The intention of breeding wild animals, in context of paragraph 3 of this article, the owner of land shall forward in written to administrative body of county office competent for hunting, respectively City of Zagreb (hereinafter "competent administrative body") prior taking the decision on establishment of own hunting terrain. If the owner of terrain does not start with breeding of wild animals within one year from declaring the purpose, it shall be deemed that he gave up of this intention.

#### Article 14

- (1) For areas from article 13, paragraph 3 of this Law, user of hunting terrain in own hunting terrain shall pay hunting rent in the special account of county office respectively City of Zagreb (hereinafter "the account") where hunting terrain is located.
- (2) Amount of rent of hunting terrain from paragraph 1 of this article is estimated in the manner where highest rent offered in auction for leasing the hunting terrain is divided by hectares of hunting terrain and multiplied with hectares for which the rent is to be paid.

#### Article 15

- (1) Hunting terrains in surfaces of state property (hereinafter "state hunting terrain") shall be established by the Minister.
- (2) Until the right over state terrain is gained by legal or natural persons in compliance with this law, the Government of Republic of Croatia shall entrust enforcement of hunting right in those hunting terrains to legal or natural persons who use the terrain in state property.

#### Article 16

- (1) Hunting terrains, in surfaces which are not state property, shall be established by the assembly of county, respectively assembly of City of Zagreb (hereinafter "the competent body").
- (2) If the owner, respectively user of terrain from paragraph 1 of this article wants to use the right of hunting in own hunting terrain, he shall request in written the establishment of own hunting terrain from competent administrative body of the area where terrain, respectively major part of the terrain is located. Request should be submitted by February 1 of the year when lease contract of hunting terrain expires, or six months prior first leasing of that hunting terrain.
- (3) Documents proving the ownership respectively the right of use of that terrain and proving that conditions from article 13, paragraphs 1, 2 and 3, article 27 paragraph 3, and article 28 paragraphs 2 and 3 of this law are met, should be attached to the request from paragraph 2,

- (4) Owner respectively user of terrain shall gain the right of hunting in the day of entry into force of the decision establishing that hunting terrain.

#### Article 17

- (1) If the owner, respectively user of terrain does not submit a request for establishing the own hunting terrain within the timeframe provided for in article 16, paragraph 2 of this article, or rejects enclaves or semi-enclaves under conditions from article 13 paragraph 3, and article 14 of this law, his terrain shall be leased as joint hunting terrain.
- (2) If the own hunting terrain upon sale, partition or any other manner changes in the way which does not present the natural integrity or does not meet the conditions provided for in article 8 paragraph 1, article 9 or article 13 paragraph 1 of this law, the competent body according to official task, shall merge his surfaces to surfaces of joint hunting terrain.
- (3) The right of establishing own hunting terrain cannot be gained through merging two or more terrains of different owners.

#### B. Joint hunting terrains

##### Article 18

- (1) Joint hunting terrains shall be established on terrains where own hunting terrains are not established.
- (2) The competent body, in the territory of which the terrains are located, upon proposition from professional commission, shall establish the joint hunting terrain. The competent administrative body, nominating at least three members with degree in forestry, veterinary, agronomy – livestock branch, or biology, shall establish the professional commission.
- (3) If terrains where joint hunting terrain is to be established, are located in territories of more counties, respectively City of Zagreb, the competent body in which the majority of area is located, upon proposition of joint professional commission, shall establish the hunting terrain.
- (4) Established joint hunting shall be leased according to the manner provided for in this law.
- (5) Owners and users of terrains where joint hunting terrain is established, shall receive compensation according to article 35 paragraph 1 of this law.

#### 3. Areas outside hunting terrains

##### Article 19

- (1) Wild animals on terrain outside hunting terrains should be protected by the owner or user of that terrain.
- (2) Exceptionally from paragraph 1 of this article, when terrains up to 100 ha are belongings to different owners or users, the competent office shall entrust protection of wild animals on those terrains to other legal or natural person.

### III. CONCESSION OF HUNTING RIGHT

##### Article 20



- (1) Concession of hunting right could be given to local or foreign natural or legal person for 20 to 40 years.
- (2) Government of Republic of Croatia could decide not to give hunting concession in certain areas of Republic of Croatia where state hunting terrains are established.
- (3) State hunting terrains for which hunting concession is granted, may not be leased or given for sub-concession.

#### Article 21

- (1) The Government of Republic of Croatia based on public collection of offers and public bidding shall take the decision for concession of hunting right.
- (2) The Government of Republic of Croatia upon proposition of the Ministry shall decide on public collection of offers, respectively advertising the competition for granting the concession of hunting right.
- (3) The bidder shall attach proves on meeting the conditions from article 27 paragraph 3 and article 28 paragraphs 2 and 3 of this law, to the bid.
- (4) Procedure of public collection of offers respectively public competition for granting the concession of hunting right, shall be described by the commission consisted of five members and the officer appointed by the Government of Republic of Croatia upon proposition of the Minister.
- (5) The commission from paragraph 4 of this article shall give to the Minister the proposition on decision for selecting the most favorable offer for granting the concession of hunting right.

#### Article 22

- (1) Proposition for making decision on concession for hunting right shall be submitted by the Ministry to the Government of Republic of Croatia, after getting the opinion from the county office, respectively City of Zagreb, in which the hunting terrain for which the concession is being granted, is located.
- (2) Initial fee for concession of hunting right through bidding, respectively public competition shall be set in the value of 50% of hunted animals in year ten of hunting master plan calculated according to market prices.

#### Article 23

- (1) Based on the decision on concession of hunting right, the Minister and bidder shall sign the contract on concession right on hunting right.
- (2) Contract on concession of hunting right shall comprise the provisions on:
  - Location and surface of hunting terrain for which the concession of hunting right is being contracted.
  - Species and number of wild animals bred in the hunting terrain;
  - Manner and conditions for serving the right of hunting in executing the hunting master plan;
  - Duration of concession;
  - Amount of concession fee;

- Possibilities and reasons of early cancellation of the contract;
- Right and reasons of unilaterally termination of contract on concession;
- Admissibility of establishing hunting administrative and technical facilities and their ownership status after expiration of concessions term;
- Reimbursement for negative difference of wild animals, hunting administrative and technical facilities after expiration of concession term, cancellation or unilaterally termination of contract on concession.
- Other obligations provided for in this law.

(3) Hunting master plan is an integral part of the contract on concession of hunting right.

#### Article 24

- (1) Prior signing the contract on concession of hunting right, the Ministry is obliged to submit the draft contract, with decision on concession of hunting right, upon prior opinion of Public Attorney of Republic of Croatia within 15 days from the day of decision over concession of hunting right.
- (2) Public Attorney of Republic of Croatia is obliged to give his opinion within 15 days from the day of receiving the draft contract and the decision from paragraph 1 of this article. On the contrary, it shall be deemed that his opinion on legal aspect of draft contract is affirmative.
- (3) Signed contract on concession of hunting right shall be submitted to Public Attorney of Republic of Croatia.

#### Article 25

The Ministry, prior expiration of concession, could terminate the contract on concession of hunting right, with or without appropriate cancellation term, if the concessionaire: 1. uses the right of hunting in contrary to the contract on hunting concession right, 2. does not undertake measures and works set by the rules of hunting.

#### Article 26

Paid fees for concession of hunting right shall be deposited in state budget.

### IV. LEASING AND SUB-LEASING OF HUNTING TERRAIN

#### Article 27

- (1) Lease of joint hunting terrains is done through public verbal competition (hereinafter "the competition") over hunting right for individual hunting terrain, taking into consideration the hunting master plan.
- (2) Competition from paragraph 1 of this article is performed by the commission of county, respectively City of Zagreb, administrative body of which has established the hunting terrain. The competent administrative body shall establish the commission for performing the competition over hunting right and shall appoint its members.
- (3) Bidder could be legal person based in the territory of Republic of Croatia or adult person who is citizen of Republic of Croatia if not exempted from competition according to provisions of this law, and not convicted for criminal offense of illegal hunting in recent five years or offenses from article 95 or article 99 point 1 for works from article 95 paragraph 1 points 2, 3, 10 and 11 of this law.

- (4) In the first bidding, the guarantee fund of the bidder shall be 10% of starting price of hunting lease. Starting price of hunting lease will be set in 5% of hunted animals in fifth year of hunting master plan calculated according to market price. Upon re-bidding, starting price could be set under the drafting costs of hunting master plan.
- (5) Foreign natural and legal person could also bid during re-bidding.
- (6) Prior advertisement of competition for hunting right for joint hunting terrain, the Croatian Hunting Federation will be informed on the content.
- (7) Competent body shall sign the procedure and conditions of competition for leasing joint hunting terrain and contracting the lease of joint hunting terrain.

#### Article 28

- (1) The county head, respectively mayor of City of Zagreb, shall sign the contract on leasing the joint hunting terrain, for the period of validity of hunting master plan, with the winning bidder (hereinafter "hunting lessee").
- (2) Hunting lessee is obliged:
  1. to ensure financial means for execution of hunting master plan, for compensation of damage to wild animals and hunting terrain and compensation caused by wild animal (insurance at insurance company, deposit in bank, mortgage in real estate, etc.)
  2. to employ the professional service respectively expert for executing the master plan.
  3. to organize the hunting guard service.
  4. to keep hunting dogs of appropriate breed for leased hunting terrain and which are registered at Croatian sinology federation and have their examination passed.
  5. to have hunting dogs trained and with examination passed on tracing blood prints, if hunting of big animals is foreseen in the leased hunting terrain.
- (3) Except for condition from paragraph 2 of this article, hunting terrain lessee who is legal person is obliged to present documents showing hunting registration.
- (4) Hunting lessee is obliged to pay the annual lease and costs of drafting the hunting master plan within 30 days from the day of signing the contract on leasing the joint hunting terrain.
- (5) Means from paragraph 4 of this article and the annual fee of hunting lease shall be paid in special bank account.

#### Article 29

- (1) If the hunting lessee does not pay the lease fee until March 1 of coming hunting year, competent administrative body shall warn him in written. If the hunting lessee does not pay the lease fee within the term stated in the warning, it shall be deemed that lease contract is terminated.
- (2) In the case from paragraph 1 of this article, within 15 days from the day of warning of actual debtor lessee, the competition for leasing the joint hunting terrain shall be advertised.

#### Article 30

In case of seize of legal person or death of hunting lessee, the competent administrative body shall set in written the term for legal successor or inheritor to declare whether they want to assume the hunting right. If the legal successor or inheritor does not give the

statement within the set term, joint hunting terrain shall be put in competition with the status of wild animals verified through hunting master plan for that year, for duration until expiration of hunting master.

#### Article 31

- (1) Hunting terrain lessee could cancel the contract on leasing the joint hunting terrain until 3 months prior expiration of hunting year, without giving the justification.
- (2) County Head, respectively mayor of City of Zagreb, shall cancel the contract on hunting lease:
  1. if irregularities were verified in implementing the hunting master plan, without real reasons, decrease of wild animal stock under minimum set by the hunting master plan or if the hunting lessee fails to meet conditions from article 28 paragraph 2, points 1, 2, 3 respectively paragraph 3 of this law,
  2. if surfaces of joint hunting terrain decrease for more than 20%.

#### Article 32

- (1) In cases from articles 29, 30 and 31 of this law, and expiration of contracted period, state of hunting terrain and implementation of hunting master plan shall be verified by the professional commission from article 18 paragraph 2 respectively 3 of this law.
- (2) Based on verified state, in cases from article 29 and article 31 paragraph 2 point 1 of this law, actual hunting lessee is obliged to compensate negative difference of wild animals, technical and administrative hunting facilities according to market prices and costs of re-competition for leasing the joint hunting terrain, having no right to compete.
- (3) In cases from paragraph 1 of this article, joint hunting terrain is leased through competition. New lease contract is made for the time of validity of hunting master plan.

#### Article 33

- (1) Hunting lessee could give his hunting right over joint hunting terrain or parts of hunting terrain area of which is not less than area provided for in article 8 paragraphs 2, 3 respectively 4 of this law, on sub-lease to legal respectively natural person which meets the condition from article 27 paragraph 3 and article 28 paragraphs 2 and 3 of this law, with prior consent of competent administrative body of that county, respectively City of Zagreb, body of which has established the hunting terrain.
- (2) Upon gaining the hunting right of whole hunting terrain, the sub-lessee shall assume all the rights and obligations of hunting lessee.
- (3) Upon sub-leasing the hunting right over part of hunting terrain, the hunting lessee is not released from his rights and obligations.

#### Article 34

- (1) Provisions on leasing and sub-leasing the joint hunting terrain from article 28 paragraphs 2 and 3, article 33 of this law, are valid for own hunting terrains.
- (2) User of own hunting terrain shall inform the competent administrative body on leasing or sub-leasing the hunting terrain.

#### Article 35

Means paid for hunting terrain in special bank account on behalf of hunting lease from articles 14 and 28 paragraph 5 of this law, are estimated and broke-down as following:

1. 70% of means are arranged for compensation to owners and users of terrain without the hunting right, proportionally with surface taken by the hunting terrain for which hunting lease is paid.
2. 20% remain in special bank account dedicated for covering costs deriving from enforcing this law (establishment of joint hunting terrains, leasing the joint hunting terrains, protection and preservation of hunting terrains which are not for lease, protection of wild animals in areas outside hunting terrains etc.).
3. 10% of means are incomes of Republic deposited in special account of the Ministry dedicated for costs of enforcing the law.

#### Article 36

- (1) State hunting terrain could be leased to local and foreign legal and natural person for a period of 10 years, respectively until expiration of hunting master plan;
- (2) The Government of Republic of Croatia upon proposition of the Ministry shall take the decision on collection of offers or description of public procedure for leasing the state hunting terrain.

#### Article 37

- (1) Decision for leasing the state hunting terrain is taken by the Government of Republic of Croatia based on procedure of public collected offers or public competition;
- (2) The commission established by the Government of Republic of Croatia shall describe the procedure of public collection of offers or public competition and shall give the suggestion on decision for selecting the most favorable offer.
- (3) The highest offer shall be considered as the most favorable;
- (4) If two or more bidders bid with the same price, the bidder using the terrain shall be deemed as the most favorable;

#### Article 38

- (1) Based on decision on selecting the most favorable bid, the Minister and the bidder shall sign the contract on leasing the state hunting terrain.
- (2) Provisions from article 23, 24, 25 and 27, paragraphs 1, 3, 4 and 5, article 28 paragraphs 2, 3 and 4, and articles 29, 30, 31 and 32 of this law shall regulate leasing state hunting terrains.
- (3) State hunting terrain may not be sub-leased.

#### Article 39

Paid hunting lease for state hunting terrain are incomes to state budget.

### V. HUNTING MASTER PLAN, WILD ANIMAL BREEDING PROGRAMME AND WILD ANIMAL PROTECTION PROGRAMME

#### Article 40

- (1) Hunting right in hunting terrain is the right and duty of executing hunting master plan.
- (2) Without hunting master plan, hunting is prohibited.

#### Article 41

- (1) Hunting master plan shall regulate the administration of hunting terrain in the period from April 1 of coming year till 31 March of tenth year.
- (2) Hunting master plan is based on the number of all wild animal species which permanently or on seasonal basis live in hunting terrain, as well as number of wild animals which could be bred in the hunting terrain.
- (3) Number of wild animals bred, respectively which could be bred in the hunting terrain, should be reached within the period set by the hunting master plan which could not be longer than five years for small wild animals, and ten years for big animals.
- (4) Shooting wild animals shall be planned based on the number, and gender and age structure of wild animals in the hunting terrain.

#### Article 42

- (1) Hunting master shall be issued after establishment of hunting terrain.
- (2) User of hunting terrain, in state property, shall issue the hunting master plan for the hunting terrain with approval of the Ministry, while for other properties, its owner respectively user of terrain with approval of the competent office, within 90 days from the day of establishment of hunting terrain.

#### Article 43

- (1) Wild animals, in animal breeding areas, shall be bred in compliance with wild animal breeding programme.
- (2) Programme from paragraph 1 of this article shall be issued by the owner of terrain prior establishment of breeding area upon approval by the competent office.

#### Article 44

- (1) Wild animals on terrains outside hunting terrains shall be protected in compliance with the wild animal protection programme.
- (2) Programme from paragraph 1 of this article shall be issued by the Minister upon proposition from competent office on the area of which the non-hunting terrain is located.

#### Article 45

- (1) Hunting master plan and wild animal protection programme should be in compliance with principles of administration with administrative units and programmes for administration of forests, conditions and manner of utilization of agricultural land, water master plan, spatial plan and certified international agreements on hunting, protection of nature and protection of wild animal domiciles.
- (2) Holder of hunting right respectively legal and natural person who protects wild animals in areas outside hunting terrains, is obliged to implement hunting master plan, wild animal breeding programme and wild animal protection programme.
- (3) Content, manner of drafting and procedure of issuance, respectively approval of hunting master plan, wild animal breeding programme and wild animal protection programme, shall be described by the Minister.

#### Article 46

Drafting of hunting master or wild animal protection programme and their review, and wild animal breeding programme could be entrusted to legal person registered for that activity and employs officers with degree in forestry, veterinary or agronomy – livestock branch, or to natural person with above qualification with license for carrying out with that activity.

#### Article 47

- (1) Review of hunting master plan and wild animal protection programme is done in case of major changes of conditions and circumstances on which the hunting master plan or the wild animal protection programme are based upon.
- (2) Review of hunting master plan and wild animal protection programme is done according to the procedure described for their promulgation.

### VI. BREEDING AND PROTECTION OF WILD ANIMALS

#### Article 48

- (1) Breeding and protection of wild animals include all measures and works described in hunting master plan, wild animal breeding programme or wild animal protection programme and care of other animal species and their domiciles.
- (2) Breeding of wild animals in the number which disturbs nature respectively domiciles of wild animals, except for wild animal breeding areas, is prohibited.

#### Article 49

New species of wild animals could be introduced into hunting terrain or terrains outside hunting areas, only with approval of the Ministry taken upon prior opinion of the Ministry of Construction and Protection of Environment.

#### Article 50

Breeding and protection of wild animals covers especially:

1. hunting prohibition of certain wild animal species;
2. provisional prohibition of hunting of wild animals;
3. carrying out works ensuring existence and breeding of wild animals living permanently or on seasonal basis in the hunting terrain, and measures for improving their domiciles;
4. maintaining the number, gender and age structure of population of wild animals bred;
5. ensuring conditions for multiplication and raising offspring;
6. introduction and protection of wild animals for the purpose of reaching the number as provided for in hunting master plan and breeding programme;
7. to undertake preventive, diagnostic, curative and hygienic – health measures in hunting terrains and other areas where wild animal are being bred, for health protection purpose of wild animals;
8. reduction of number of wild animals causing damage, down to appropriate number, including cats and dogs;
9. rescue of wild animals from elementary calamities;
10. undertake measures for ensuring sufficient qualitative feed and potable water;

11. construct and maintain technical and administrative hunting facilities;
12. undertake preventive measures (drive wild animals) upon conducting agricultural works and other works, and use of protective means in agricultural machinery;
13. use of means for plant protection and other chemical means in described manner and undertake preventive measures upon their use or burning stubble fields, maize, reeds ground, etc.
14. use of certain number of purebred trained hunting dogs
15. guarding of hunting terrain
16. control of illegal hunting.

#### Article 51

- (1) It is prohibited to hunt female animals when martin or while leading offspring, and plumose animal while sitting on eggs and while feeding the offspring, to decay and catch offspring and destroy and damage nests, aeries and eggs of wild animals;
- (2) Until joint hunting terrain is not leased, hunting is prohibited, while on those areas, measures for protecting and breeding wild animals are conducted by the competent administrative body or legal respectively natural person of that area.
- (3) Exceptionally from paragraph 1 of this article, holder of hunting right, during hunting prohibition, may permit, with prior approval by the Ministry, hunting of wild animals and their offspring, destruction of aeries and nests and collection of eggs, for purposes of science, teaching, training on predator birds, zoo, museums and kestrel sinology show, limiting to those needs.

#### Article 52

Damaging and destruction of hunting administrative and technical facilities and signs marking boundaries of hunting terrain, is prohibited.

#### Article 53

- (1) Movement inside hunting terrain with hunting rifle or other weapon or other hunting weapon without the permit of holder of hunting right, is prohibited.
- (2) Movement on public roads inside hunting terrain is permitted only with unloaded hunting rifle and other unloaded weapons, inside the cover or protection box;
- (3) Official persons during their service are exempted from provisions of paragraphs 1 and 2 of this law.

#### Article 54

- (1) Shepherd dogs are allowed to roam in hunting terrains only with the herd.
- (2) Owners of dogs and cats, respectively herder of shepherd dogs, should not release their animals to move throughout hunting terrain without supervision of the owner respectively herder in distance of 300 m.
- (3) Holder of hunting right is entitled to liquidate cats and dogs moving inside hunting terrain in contradiction with provision of paragraph 2 of this article, without being liable to pay compensation to owner of cat or dog.
- (4) It is not allowed to shoot dogs which cross into other hunting terrain during organized hunting, examination or competition.



#### Article 55

- (1) Plant protection means and other chemical means can be used only in the manner which is not harmful for health of wild animals;
- (2) Legal or natural person who intends to burn stubbles, maize fields, reeds ground, etc. is obliged to notify the holder of hunting right at least 48 hours prior burning, for the purpose of undertaking preventive measures in protection of wild animals.
- (3) During the work on areas where wild animals are bred and protected, agricultural machinery should use the animal intimidating equipment.
- (4) Legal or natural person who uses the plant protection means and other chemical means in irregular manner, burns stubbles, maize fields or reeds ground or uses the machinery in contradiction with provisions of paragraphs 1, 2 and 3 of this article, shall be liable to damage compensation caused to wild animals while using those means, machinery or through burning.

#### Article 56

- (1) Holder of hunting right is obliged to organize professional service or employ expert for execution of hunting master plan, and the hunt guarding service.
- (2) For undertaking works of professional service and execution of hunting master plan, the holder of hunting right, if not duly qualified, is obliged to employ worker with at least high school of forestry – biology, veterinary or livestock.
- (3) Service of hunting guard is done by the guard employed by the holder of hunting right.
- (4) Person with lower qualification and trained for guard and meets conditions for holding weapon could become a guard.
- (5) Institutions and other legal persons of medium education, in compliance with provisions of high school education with approval of the Minister, shall issue the curricula for professional qualification of hunting guard.
- (6) Detailed description of professional service for execution of hunting master plan is issued by the Minister.

#### Article 57

- (1) Hunting guard, during execution of duties, is specially authorized to:
  1. verify identity of each person hunting wild animals or moves inside hunting terrain carrying hunting means;
  2. control transporting means and baggage for the purpose of discovery hunting means or hunted animals (wild animals or their parts);
  3. temporary seize means used or dedicated for hunting and hunted wild animal and its parts, if hunting or movement inside hunting terrain is in contradiction with provisions of this law;
  4. prevent destruction and usurpation of wild animals and their offspring and destruction and decay of nests, aeries and eggs.
  5. prevent hunting of wild animals in illegal manner, using inadmissible means and use of dogs with which hunting is not allowed.
  6. supervise holding and transportation of wild animals and their parts in hunting terrain;

7. to shoot wounded or sick wild animal;
  8. to inform without delay, the holder of hunting right and veterinary service on occurrence of disease and death of wild and other animals and on danger of elementary calamities, floods, snowdrifts, ice, fire, etc.
  9. collect information and data on hunting done in contradiction with provisions of this law and inform holder of hunting right and competent state body.
- (2) The Minister shall describe the work of hunting guard service, form of ID and signs of hunting guard, manner of their issuance and manner of utilization of weapon upon execution of hunting guard duty.

(3) VII. HUNTING AND UTILIZATION OF WILD ANIMALS AND THEIR PARTS

Article 58

- (1) Hunting of wild animals includes seeking, ambushing, observation, attracting, tracing, shooting and catching live wild animals, let off predator birds, collection of dead animals and their parts (horns, leather, etc.) and collection of eggs of plumose animals.
- (2) Hunting of wild animals in hunting terrain is done in compliance with hunting master plan, while hunting outside hunting terrain is done in compliance with wild animal protection programme and use of those areas.
- (3) Hunting of wild animals during hunting prohibition is prohibited, except for cases provided for in this law.
- (4) The Minister, upon prior opinion from the Ministry of Construction and Environmental Protection, shall describe hunting prohibition of animal species according to living conditions and other characteristics.

Article 59

Wild animals bred in breeding areas could be hunted throughout the year.

Article 60

- (1) Shooting of wounded and sick animal is allowed during hunting prohibition period, as well as during temporary prohibition of hunting.
- (2) The holder of hunting right shall notify without delay the competent office on shooting from paragraph 1 of this article, providing certificate from competent veterinary service proving that shot animal was wounded or sick.

Article 61

The Ministry is authorized to:

1. shorten hunting prohibition period, if reduction of certain specie wild animal number is required, which endanger agricultural, forestry and other cultures and if bad weather obstructs execution of planned hunting.
2. allow hunting during hunting prohibition, if it is a requirement if science, teaching, zoo, sinology and kestrel shows and museums and protection of human, animal and wild animals health.
3. prohibit hunting of certain wild animal specie, if it is required for protection of its stock, in case of occurrence of chemical or radiological contamination, and recovery of consequences of military activities and riots.

#### Article 62

Competent office is authorized, 1. to extend hunting prohibition or prohibit hunting of certain animal species for certain time when it serves protection of its stock, except in state hunting terrain, 2. to prohibit hunting on agricultural lands sown with agricultural crops, during the time when damage is possible.

#### Article 63

(1) It is prohibit to hunt wild animals:

1. in the manner and using means for mass destruction;
  2. in the time when wild animals are endangered by floods, snow, ice, fire, etc, except for rescue purpose.
  3. using traps, nets, live and artificial clucks, stereo, tape player, reflector and other sources of artificial light, glue or feed with poison, except for purpose of article 51 paragraph 3 of this law and point 2 of this paragraph.
  4. driving over with the vehicle of any type, especially motor vehicle;
  5. using motor boats;
  6. using grey-hounds and other dogs which are not hunting dogs, and hunting dogs which did not pass the examination;
  7. using predator birds and beasts;
  8. using arrows and similar implements;
  9. tempting with feed, water and other means, except at boars and bears and fox;
- (2) at joint hunting of deer, fallow deer, roe deer, fox and Eurasian jay, usage of hunting caller and clucks is allowed;
- (3) it is allowed to hunt dormouse and marten using traps for that purpose, in compliance with provisions of hunting master plan;
- (4) hunting of wild animals using arc and arrow is allowed only in designated areas and in described manner;
- (5) exceptionally from provisions of paragraph 1 point 3 of this article, competent office could allow shooting of wild animals on ambush using reflectors and other sources of light.
- (6) exceptionally from provisions of paragraph 1 point 7 of this article, person who passed the kestrel examination is allowed to hunt wild animals using predator birds which are trained for that purpose, if holds the permit from the Ministry of Construction and Environmental Protection and from the holder of hunting right.
- (7) Croatian Hunting Federation shall organize the kestrel examination;
- (8) The Minister shall describe the kestrel examination programme, manner of hunting using arc and arrow and using predator birds.

#### Article 64

Holder of hunting right or authorized person could, for the purpose of multiplication of wild animals in artificial manner, moving into other hunting terrains, selling, applying drugs and vaccines, could attract the animal using feed and water and catch them using nets, tempters while preserving the life of animal.

#### Article 65

- (1) Hunting is permitted only using hunting rifles and hunting load, which respond to power and resistance of certain specie of wild animal to be hunted, exceptionally from arc and arrow and using predator birds.
- (2) Shooting of big animal is allowed only with small-shots of grooved barrel.
- (3) It is prohibited to hunt wild animals using small-shots which are not for hunting, or using the rifle with smooth barrel which is made to hold more than two bullets and is of the same caliber as semi-automatic and automatic rifles with smooth or grooved barrel.
- (4) It is prohibited to hunt big animals, except wild boar, while driving them or using dogs.
- (5) Provision of paragraph 3 of this article shall be valid for hunting of plumose animals which is artificially being bred in areas for that purpose.
- (6) The minister shall describe the manner of using hunting rifle and loads.

#### Article 66

- (1) Only hunting dogs meeting requirements of article 28 paragraph 2 points 4 and 5 of this law, may be used during hunt.
- (2) Only appropriate hunting dogs should be used during hunting of certain specie of wild animal in certain areas.
- (3) Certificate on completion of examination and qualification of tracing blood prints of hunting dogs from paragraph 1 of this article, shall be issued by Croatian Hunting Federation.
- (4) The Minister upon proposition by Croatian Hunting Federation shall describe the breed and number of hunting dogs to be used at hunting of certain specie of wild animal and in certain areas.

#### Article 67

- (1) Wild animal could be hunted by the person who passed the hunting examination and foreign citizen who has the skills required for hunting wild animals according to provisions of the country he comes from, with prior written approval from the holder of hunting right.
- (2) Prior giving the written approval on hunting of wild animals, holder of hunting right shall verify whether requirements from paragraph 1 of this article are met.
- (3) Legal and natural persons who deal with tourism hunting are obliged to inform the leader of the group on obligations and prohibition from articles 63 and 65 of this law. Copy of signed contract of tourist hunting shall be submitted to holder of hunting right prior beginning of hunting.
- (4) When holder of hunting right invites a citizen of Republic of Croatia or foreign citizen to be his personal guest, the guest does not need his written approval, but the guest should meet the condition of paragraph 1 of this article.

#### Article 68

Hunting of wild animals in border strip shall be regulated with special provision.

#### Article 69

- (1) Trophies of wild animals should be evaluated;
- (2) Holder of hunting right shall hold the register of trophies;
- (3) Trophies of wild animals from paragraph 1 of this article shall be evaluated by the commission consisted of authorized evaluators who passed the examination on evaluating trophies;
- (4) Trophies of wild animals at state hunting terrain shall be evaluated by the commission of the holder of hunting right;
- (5) Trophies of wild animals from state hunting terrains shall be evaluated by the commission appointed by the competent office of that county, respectively City of Zagreb, competent body of which has established the hunting terrain, upon proposition of Croatian Hunting Federation.
- (6) Croatian Hunting Federation which keeps the central register of capital and untypical trophies shall show the values of trophies of commission from paragraphs 4 and 5 of this article. Information is given by May 1 of every year for trophies of previous year.
- (7) Croatian Hunting Federation shall organize displays of trophies and shall designate the content, range and specie of trophies for display in national and international displays.
- (8) Trophies of wild animals from hunting terrains or country is allowed to be taken away according to described trophy list which is issued by commission from paragraphs 4 and 5 of this article.
- (9) The Minister shall describe manner of keeping the register of trophies, model of trophy list and values of trophies.

#### Article 70

- (1) The value of trophy which is estimated to be master, may not be exported from the country;
- (2) Republic of Croatia could buy the master trophy;
- (3) Exceptionally from paragraph 1 of this article, the Ministry could allow alienation to foreign countries, if Republic of Croatia does not buy it.
- (4) Master trophy bought by the Republic of Croatia shall be kept in the museum of Croatian Hunting Federation.

#### Article 71

- (1) Hunting exam and exam for evaluating the trophy shall be taken in secondary school and other legal person.
- (2) Hunting exam shall be accepted for persons who during secondary school or faculty have attended respective curricula of hunting.
- (3) Citizen who meets criteria provided for in the Law on Weapons on approving the purchase of the weapon, could take the hunting exam.
- (4) Programme and manner of accepting hunting exam and exam for evaluating trophies, the examination, type of schools, respectively other legal persons in which hunting exam could be taken, shall be drawn in compliance with provisions on qualifying adults, upon consent by the Minister.

#### Article 72

- (1) Hunted, wounded and dead wild animal and its parts belong to holder of hunting right, if according to hunting master plan that specie is bred inside hunting terrain, while outside hunting terrain it belongs to county, respectively City of Zagreb or person entrusted for protection of wild animals in those areas.
- (2) Holder of hunting right shall own the wild animal and its parts from paragraph 1 of this article, although he does not breed that specie, unless other holder of hunting right does not prove his right over that wild animal or its parts.

#### Article 73

- (1) Wild animal and its parts could be kept or transported to another place only if the holder respectively transporter of wild animal respectively its parts possesses the certificate from the holder of hunting right where the wild animal or its parts originate, and if they are gained in any of the ways regulated by this law.
- (2) Only wild animals and its parts for which the owner holds the certificate from paragraph 1 of this article could be placed into market, taken for consumption or processing.
- (3) Legal and natural persons who place into market or process the wild animal or its parts are obliged to keep records on owner and origin of animal and its parts.
- (4) The Minister shall describe the record from paragraph 3 of this article.

### VIII. PREVENTION AND COMPENSATION OF DAMAGE

#### 1. Damage caused by wild animals

#### Article 74

- (1) Measures for preventing damage from wild animals include: reduction of number of wild animals down to number which could be bred in the hunting terrain, ensuring sufficient water and feed for wild animals in the hunting terrain, protection of fruits and vegetables, driving out animals from endangered terrain, enclosing terrain and use of mechanical and chemical protection means, visible and sound agonistic means, and other common protection means for certain area and animal specie.
- (2) The competent body shall describe common measures from paragraph 1 of this article for the county, respectively City of Zagreb.

#### Article 75

- (1) The act establishing hunting terrain shall set the measures for prevention of damage from wild animals to be undertaken by the holder of hunting right, especially:
  1. issuance of annual plan for undertaking certain measures for prevention of damage (seasonal, according to species and types damage from wild animals, to crops, etc.);
  2. procurement of protection means for executing annual plan from point 1 of this paragraph (mechanical or chemical);
  3. on-time and free distribution of appropriate protection means to users of land, upon their request through prior public announcement and instructing their use;
- (2) Provision of paragraph 1 point 3 of this article shall regulate enclosing of orchards, crop areas and plantations of similar vegetables, for the purpose of preventing damages from wild animals.

#### Article 76

- (1) Holder of hunting right is obliged to undertake certain measures for preventing possible damages from wild animals to human or property on lands within hunting terrain;
- (2) Users of land are obliged to prevent damages from wild animals through undertaking described measures;

#### Article 77

If the holder of hunting right keeps the number of wild animals over the state provided for in hunting master plan, he is obliged to protect proximate fruits and vegetables with appropriate mechanical or chemical means, in his cost.

#### Article 78

Land users have the following rights and obligations:

1. use appropriate means and measures for preventing damages from wild animals in own nurseries, fruit and vegetable fields and cooperate and undertake measures for preventing damages from wild animals on own lands with means received from the holder of hunting right, according to his instructions.
2. inform without delay the holder of hunting right on circumstances which could affect on undertaking measures for prevention of damages from wild animals on their land, as well as on damaged caused.
3. enable holder of the hunting right to undertake measures on his land for preventing damages from wild animals;
4. harvest agricultural crops by described agro-technical timeframe.

#### Article 79

Land users have the right to request execution of measures for preventing damages from wild animals, from competent administrative body, if it is considered that holder of hunting right does not act within provisions of articles 74, 75 and 76 paragraph 1 of this article.

#### Article 80

The Ministry, upon request from the land user, could decide on reduction of number of certain animal specie which is causing enormous damage, if measures provided for in articles 74 and 75 and 76 of this law are not shown to be successful or economically viable.

#### Article 81

- (1) For the purpose of protecting animal and human health, county office, respectively City of Zagreb, holders of hunting right, legal and natural persons who deal with agricultural and forestry activities, are obliged to organize, respectively participate in reducing the number of wild animals in menaced areas down to viable number.
- (2) In hunting terrains outside hunting area in which infective disease occurred, or its occurrence is anticipated, holder of hunting right or person who protects wild animals is obliged to ensure execution of measures in compliance with provisions on animal health protection informing the competent veterinary service, until such disease or danger from its spread exist.

#### Article 82

- (1) Holder of hunting right is liable for damages caused from wild animal in hunting terrain where that animal resides, providing that defective party undertook described mandatory measures for preventing damages from that animal, provided for by this law.
- (2) It shall be considered that animal is permanent resident in the hunting terrain where damage is caused, unless holder of hunting right proves otherwise.
- (3) Holder of hunting right in hunting terrain where damage is caused is liable for damage caused by wild animals in hunting terrain where animal resides permanently, and have the right of shooting the animal. Shooting right is based on prove on damage compensation to defective party and approval of competent administrative body respectively the Ministry when damage is caused to state hunting terrain.
- (4) Shooting of wild animal from paragraph 3 of this article shall be approved up to the level of compensation paid, estimating value of meat and trophy according to market prices.
- (5) Damage caused by the bear to livestock on areas where special provisions prohibit access and pasture of livestock, shall not be compensated.

#### Article 83

If damage reoccurred by wild animal on same agricultural crop, value of each compensation cannot exceed value of expected yield of that crop.

#### Article 84

Competent court is authorized for solving disputes on damage compensation caused by wild animals.

### 2. Damages to wild animals

#### Article 85

- (1) Legal or natural person who causes damage to wild animal in hunting terrain through irregular hunting or any other way, is obliged to compensate the damage to holder of hunting right, while outside hunting terrain to person provided for in article 19 of this law.
- (2) If within a month from the day of damage, the agreement on height of compensation is not reached and if the compensation is not paid on-time, persons from paragraph 1 and this article shall compensate the damage caused to wild animals as described by the competent court according to place where damage is caused.

## IX. ADMINISTRATIVE AND INSPECTION SUPERVISION

#### Article 86

Administrative supervision under provisions of this law and provisions issued based on this law, shall be carried out by the Ministry.

#### Article 87

- (1) Inspection supervision under provisions of this law and provisions issued based on this law is executed by hunting inspectors;



- (2) Inspection in first level is done by the county office and city office of City of Zagreb, competent for hunting inspection (hereinafter "Hunting Inspection"), while in second level is done by the Ministry.

#### Article 88

- (1) Duties of hunting inspectors could be executed by a person who graduated in forestry, veterinary respectively agronomy – livestock branch, or biology, and who passed the examination for hunting inspector with five years of experience.
- (2) The Minister shall describe the programme of professional examination from paragraph 1 of this article, structure of examination commission and manner of taking the professional examination.

#### Article 89

- (1) Hunting inspector has a special identification card showing his official capacity, identity and authorizations.
- (2) Shape of identification card from paragraph 1 and issuance procedure is set by the Minister.

#### Article 90

- (1) Hunting inspector observes the conducted inspection checks.
- (2) The Minister shall describe the manner of observation from paragraph 1.

#### Article 91

Legal and natural persons, work of which subdue to supervision of hunting inspector, is obliged to enable execution of inspective supervision and provide him with required data and information.

#### Article 92

- (1) Hunting inspection carries out all the works of hunting supervision, except works which according to the law are conducted by the Ministry;
- (2) Hunting inspector, upon execution inspective supervision:
1. conducts direct check of hunting master plan, wild animal breeding programme, wild animal protection programme, general and individual acts of the holder of hunting right, described records and documents related to wild animals and their parts;
  2. audits hunting terrain and surface of terrain outside hunting terrain where wild animal lives, hunting administrative and technical facilities, facilities for keeping, transporting, feeding and processing wild animals and their parts, and manner of marking boundaries of hunting terrain;
  3. checks whether holder of hunting right meets conditions provided for in this law;
  4. supervises execution of hunting master plan, wild animal breeding programme and wild animal protection programme;
  5. checks whether shooting of wild animals, marketing of wild animals and their parts and evaluation of trophies of wild animals, is done in accordance with provisions of this law, and checks documents related to shooting, marketing and gaining wild animals and evaluated trophies;

6. supervises whether hunting is done and hunting rifles, loads, arc and arrow, respectively hunting dogs and predator birds are used in compliance with provisions of this law;
7. supervises execution of measures of protection of crops against wild animals;
8. temporary take, in compliance with special provisions, illegally hunted wild animal and adopted dead animal or its parts, implements used upon commitment of offence from the holder, if he does not possess the certificate proving that they were gained in such manner as provided for in this law;
9. orders temporary prohibition of hunting and other activities, if they are not in compliance with provisions of this law and provisions issued based on this law;
10. orders temporary measures for preventing damages to wild animals and hunting terrain;
11. informs competent bodies on observed irregularities and asks their acting, if he is not authorized to act;
12. undertakes other measures as authorized through special provisions.

#### Article 93

Upon execution of inspection, the Ministry shall:

1. execute inspective supervision from article 92 paragraph 2 point 1 through 12 of this law in state hunting terrains;
2. supervise execution of special programme in hunting terrains from article 11 paragraph 1 of this law;
3. supervise execution of ratified international contracts in the field of hunting;
4. supervise realization of concession right of hunting and right of hunting in leased stated hunting terrains;
5. decide in second level on appeals against decision of hunting inspection;

#### Article 94

- (1) If the hunting inspector upon inspective supervision verifies that this law or provisions issued based on this law are violated, shall order elimination of verified irregularities and shortages within the set timeframe;
- (2) The hunting inspector shall sentence administrative measures from article 92 paragraph 2 and article 93 of this law through the decision.
- (3) Appeal against decision from article 92 paragraph 2 of this law shall not delay the execution of the decision;
- (4) Decision from article 93 points 1, 2 and 5 of this law shall be submitted to the party.

### X. PUNITIVE MEASURES

#### Article 95

- (1) Legal person shall be liable to a fine up to 12.000 DEM in equivalent value of local currency, if:
  1. subleases or rents the hunting terrain or part of it in contradiction with provisions for article 33 paragraph 1 of this law;

2. organizes or permits hunting of wild animals while joint hunting terrain is not leased or does not have the hunting master plan (article 40 paragraph 2 and article 51 paragraph 2);
  3. does not issue hunting master plan (article 42 paragraph 2);
  4. does not execute hunting master plan, wild animal breeding programme respectively wild animal protection programme (article 45 paragraph 2 and article 105);
  5. entrusts compilation of hunting master plan or wild animal protection programme or wild animal breeding programme or their reviews, to legal or natural person who does not meet conditions provided for in article 46.
  6. does not revise the hunting master plan (article 47 paragraph 1);
  7. breeds wild animals in the number which disturbs the nature respectively domiciles of those wild animals (article 48 paragraph 2);
  8. hunts female animal when martin or leading offspring (article 51 paragraph 1);
  9. does not have organized professional or hunting guard service or does not employ expert or hunting guard with qualification as provided for (article 56 paragraphs 1, 2, 3 and 4);
  10. hunts wild animals in hunting terrain in contradiction with hunting master plan or surfaces outside hunting terrain in contradiction with wild animal protection programme, or hunts during the time of hunting prohibition (article 56 paragraphs 2 and 3);
  11. organizes, conducts or allows hunting of wild animals in illegal manner or using illegal implements (article 63 paragraphs 1, 2 and 3);
  12. does not protect proximate fruits and vegetables and nurseries in case of keeping the number of wild animals beyond the state regulated by the hunting master plan (article 77).
- (2) Responsible person of legal person shall be liable to a fine of 3.000 DEM in equivalent value of local currency, for offence from paragraph 1 of this article.

#### Article 96

- (1) Legal person shall be liable to a fine up to 6.000 DEM in equivalent value of local currency, if:
1. introduces new specie of wild animal into hunting terrain without approval from the Ministry (article 49);
  2. hunts plumose animal while sitting on eggs or feeding young offspring or decays or allows decay or adoption of offspring, destroys or damages nests, aeries or eggs of wild animals or if hunts respectively allows hunting of wild animals and their offspring without prior approval by the Ministry (article 51 paragraphs 1 and 3);
  3. organizes, carries out or permits alluring or catching live wild animals except for purposes provided for in article 64 of this law;
  4. organizes or allows hunting of wild animals using hunting rifles or loads which are not consistent with power or resistance of certain wild animal specie or other illegal hunting rifle or inadmissible loads and weapon or hunting of wild animals in other inadmissible manner (article 65 paragraphs 1, 2, 3 and 4);

5. allows person to hunt if he does not meet requirements, or at contracting tourism hunting does not proceed in described manner (article 67 paragraphs 1 and 3);
  6. carries away, enables or allows taking the trophy away the hunting terrain or country, not in accordance with described trophy list (article 69 paragraph 8);
  7. does not undertake certain measures for preventing damages from wild animals (article 76 paragraph 1);
  8. does not organize or does not participate in reduction of number of wild animals or does not ensure provision of measures on health protection of wild animals while such disease or danger from its spread, is present (article 81);
- (2) Responsible person of legal person shall be liable to a fine of 2.000 DEM in equivalent value of local currency, for offence from paragraph 1 of this article.

#### Article 97

- (1) Legal person shall be liable to a fine up to 3.000 DEM in equivalent value of local currency, if:
1. does not mark visibly the boundaries of hunting terrain or does not enable scientific – research work in hunting terrain or enables them without the approval of the Ministry or does not visibly mark the area for scientific – research work (article 10 paragraph 4 and article 11 paragraph 1);
  2. damages or destroys hunting administrative or technical facilities or signs marking boundaries of hunting terrain (article 52);
  3. let off shepherd dog in hunting terrain without supervision or distantly from the herd (article 54 paragraphs 1 and 2);
  4. uses plant protection means or other chemical means in the manner which is risky for wild animals or burns stubble fields, maize, reeds ground, etc. without prior notification within certain timeframe or upon execution of works using agricultural machinery does not use the animal intimidating equipment (article 55 paragraphs 1, 2 and 3);
  5. fails to notify on-time the competent office on shooting sick or wounded animal and to submit the certificate of competent veterinary service (article 60 paragraph 2);
  6. hunts wild animals using arc and arrow in unclosed area or in inadmissible manner, or without approval of competent office hunts wild boars in inadmissible manner or hunts using predator birds without written approval (article 63 paragraphs 4, 5 and 6)
  7. hunts or allows hunting using dogs which do not meet designated conditions or hunts certain wild animal in certain areas using inappropriate dog breed (article 66 paragraphs 1 and 2);
  8. does not evaluate the trophy, does not keep records or does not submit information within designated timeframe (article 69 paragraphs 1, 2 and 6);
  9. keeps or transports or places into market wild animals or its parts, takes for consumption or processing, without written certificate or does not keep record of the owner and origin of wild animals and their parts (article 73 paragraphs 1, 2 and 3);
  10. hinders hunting inspector in execution of supervision or does not provide him with required data and information (article 91);
  11. fails to act in accordance with decision of hunting inspector (article 94 paragraph 2);

12. fails to harmonize its works within certain timeframe, with provisions of this law and provisions issued based on in (article 111);
- (2) Responsible person of legal person shall be liable to a fine of 12.000 DEM in equivalent value of local currency, for offence from paragraph 1 of this article.

#### Article 98

Local or foreign legal or natural person shall be liable to a fine of 5.000 DEM in equivalent value of local currency, if alienate master trophy without approval of the Ministry (article 70 paragraph 3).

#### Article 99

Natural person shall be liable to a fine up to 2.000 DEM in equivalent value of local currency, if:

1. does any of the acts from article 95 paragraph 1 points 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of this law;
2. does any of the acts from article 96 paragraph 1 points 1, 2, 3, 4, 6 or 8 of this law;
3. allows hunting to person who does not meet conditions, or at contracting tourism hunting does not act in described manner (article 67 paragraphs 1, 2 and 3);

#### Article 100

Natural person shall be liable to a fine up to 1.000 DEM in equivalent value of local currency, if:

1. commits any offense from article 97 paragraph 1 points 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of this law;
2. moves carrying hunting rifle or other rifle or other hunting weapon in contradiction with provisions of article 53 paragraph 1 or 2 of this law;
3. hunts wild animals without passing the hunting examination or without written permit (article 67 paragraph 1);
4. does not enable holder of hunting right to undertake measures for prevention of damages from wild animals (article 78 point 3);

#### Article 101

Value of fine from paragraphs 95 through 100 of this law shall be sentenced in equivalent value of Republic of Croatia according to average course of DEM at Croatian National Bank in the day of pronouncing the sentence, and shall be calculated according to average course of DEM at Croatian National Bank in day of executing the penalty.

#### Article 102

For violations from article 95 paragraph 1 point 11, article 96 paragraph 1 point 6, article 97 paragraph 1 point 9, article 99 point 1 for committing offenses from article 95 paragraph 1 point 11 and point 12 for committing offenses from article 96 paragraph 1 points 4 and 6, article 100 point 1 for committing offenses from article 97 paragraph 1 point 9 of this law, beside fine, shall be sentenced the protective measure of seizing the implement used, purchased or generated during offense commitment respectively wild animal, while for offenses from article 95 paragraph 1 points 10 and 11, article 96 paragraph 1 point 2, article 99 point 1, for offenses committed from article 95 paragraph 1 point 10 and 11 and point 2, for offenses committed from article 96 paragraph 1 point 2

and article 100 point 3 of this law, beside fine, the protective measure of hunting prohibition from one to three years, shall be sentenced.

## XI. TRANSITIONAL AND FINAL PROVISIONS

### Article 103

- (1) Contracts on giving hunting terrain for administration made based on Law on Hunting (Official Gazette No. 32/73, 8/76, 25/76 and 26/93) regardless the duration of contract, shall remain in power until establishment of hunting terrain according to provisions of this law;
- (2) From the day of entry into force of this Law, all rights and duties shall be transferred from hunting lessee according to article 28 paragraphs 2 and 3 of this law to legal person which administers with hunting terrain based on contract from paragraph 1 of this article.

### Article 104

- (1) Owner and user of terrain who wants to gain the hunting right in his own terrain according to provisions of this law, is obliged to submit written request to competent administrative body by 31 December 1994.
- (2) The Ministry, respectively competent body shall establish the own hunting terrain by March 1, 1995;

### Article 105

- (1) Until establishment of hunting terrain according to provisions of this law, hunting right in existing hunting terrain shall be executed according to hunting master plan in power.
- (2) Competent offices are obliged to issue hunting master plans, while competent administrative body shall organize competition over hunting right for joint hunting terrain by March 1, 1996;
- (3) Exceptionally from paragraph 1 of this article, in the area of that county, respectively City of Zagreb, where surfaces of existing hunting terrain, if the owner respectively user state that area of actual hunting terrain decreased for more than 20%, the competent body shall establish in that area the joint hunting terrain within the timeframe as provided for in article 104 paragraph 2 of this law.

### Article 107

- (1) Competent offices are obliged to propose to the Ministry the wild animal protection programme in terrains outside hunting terrain within one year from the day of entry of this law into force;
- (2) The Minister within two years from the day of entry of this law into force shall issue the wild animal protection programme;

### Article 108

- (1) Until the programme from article 107 paragraph 2 of law is issued, wild animals in areas outside hunting terrains shall be protected according to the wild animal protection plan of competent office;
- (2) The manner of drafting the plan of wild animal protection from paragraph 1 of this paragraph shall be described by the Minister within six months from the day of entry of this law into force.

#### Article 109

Provision from article 46 of this law which is related to entrusting the compilation of hunting master plan respectively wild animal protection programme and its reviews, and the wild animal breeding programme, shall enter into force one year after entry into force of this law;

#### Article 110

Hunting guard, who is not qualified as provided for in article 56 paragraph 4 of this law, is obliged to gain that qualification within one year from the day of entry of this law into force. In contrary he will lose his working position in the last month of deadline.

#### Article 111

Legal person who uses the hunting right in existing hunting terrain is obliged to harmonize his employment respectively general acts in compliance with this Law and provisions issued according to this law, within six months from their entry into force.

#### Article 112

The Minister shall issue provisions for which he is authorized, within two years from the day of entry of this law into force.

#### Article 113

- (1) Provisions issued according to the Law on Hunting (Official Gazette No. 32/73, 8/76, 25/76 and 26/93) remain in power until provisions of article 112 enter into force, unless they are in contradiction with provisions of this law.
- (2) Provisions of decision of the Government of Republic of Croatia and municipal assemblies, respectively decisions taken for implementation of the Law on Hunting (Official Gazette No. 32/73, 8/76, 25/76 and 26/93) remain in power, unless they are in contradiction with provisions of this law.

#### Article 114

The present law, after entry into force, shall supersede the Law on Hunting (Official Gazette No. 32/73, 8/76, 25/76 and 26/93), except the provisions of articles 35 and 36 which shall remain in power in duration of six months after entry of this law into force.

#### Article 115

The present law shall be deemed to have entered into force as of eighth day after publication into Official Gazette.

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Zagreb, January 1, 1994

Representative chamber of the assembly of Republic of Croatia  
Stjepan Mesic, President of Representative Chamber of the Assembly