

Pursuant to Art.11 of the Act on Associations (Official Gazette No. 88/2001) the Assembly of the Croatian Association of Constitutional Law has, in a session held in Split on October 11, 2002, adopted the following

STATUTE OF THE CROATIAN ASSOCIATION OF CONSTITUTIONAL LAW

I. GENERAL PROVISIONS, AREA OF OPERATIONS

Article 1

(1) The Croatian Association of Constitutional Law (hereinafter: HUUP) is a voluntary, non-profit citizens' association working on the promotion and strengthening of constitutional law and practice, constitutional democracy in the Republic of Croatia, rule of law, political and social dialogue and tolerance, an optimal achievement of human rights and rights of national and ethnic minorities and groups, economic and social progress as well as on strengthening peace and stability at home and in the world.

Article 2

(1) The HUUP pursues its objectives by organizing congresses and debates on current constitutional law, political, social and other issues, by researching issues and phenomena of constitutional law, by anticipation of new issues and identification of approaches leading to achievement of objectives in the best possible way.

Article 3

(1) This Statute regulates the matters of Association's name and headquarters, its area of operations, representation, objectives, publicity of operations, membership, membership fee, members' rights and obligations, members' disciplinary liability, internal organization, functioning and decision-making of the Association's bodies, attainment and means of disposal of the Association's assets, termination of the Association and disposal of assets in the case of its termination, as well as other questions pertinent to the Association's functioning.

Article 4

(1) The HUUP operates within the area of the Republic of Croatia, pursuant to the Constitution and laws of the Republic of Croatia.

(2) The Association can join domestic and international associations the objectives of which are the study and advancement of constitutional law.

II. NAME, HEADQUARTERS AND THE FORM AND CONTENT OF THE SEAL

Article 5

(1) The Association's name is HRVATSKA UDRUGA ZA USTAVNO PRAVO.

(2) The Association's abbreviated name is HUUP.

(3) In its correspondence and in the Association's editions, the Association's name is also stated in English: CROATIAN ASSOCIATION OF CONSTITUTIONAL LAW.

(4) The Association's abbreviated name in English is CACL.

(5) The Association is a legal person.

(6) HUUP's operations are public.

Article 6

(1) HUUP's headquarters are in Zagreb.

Article 7

(1) The Association has a seal of round form 30mm in diameter wherein, inside a circle of Croatian wattle is the title *Hrvatska udruga za ustavno pravo* as well as the abbreviation *HUUP*, and the text *Split* written under a symbol of constitutionalists - the parliamentary façade.

III. REPRESENTATION AND PROCURATION

Article 8

(1) The HUUP is, without restrictions within the described activities, represented by the President of the Association, who is also the authorized signatory for the Association.

IV. PUBLICITY OF OPERATIONS

Article 9

- (1) The Association's operations are public.
- (2) The Association informs the public of its operations via public means of information as well as its publications.
- (3) President of the Association and the Administrative Board are responsible for the publicity of operations.

V. OBJECTIVES AND ACTIVITIES OF THE ASSOCIATION

Article 10

(1) Objectives of Association's existence and activities are: advancement of constitutional legislation, science and practice, as well as of complementary sciences dealing with the issues of the rule of law and constitutional democracy.

Article 11

- (1) Within the framework of objectives the Association has been established to achieve, it also performs the following tasks and activities:
- gathers jurists and other citizens active in the field of constitutional science, practice and complementary disciplines;
 - cooperates with competent state bodies, professional and scientific organizations and with individuals who deal with issues of constitutional law;
 - gives professional opinions and advices, publishes scientific and professional papers, organizes seminars, symposia and other professional and scientific congresses, as well as various forms of professional education;
 - cooperates with domestic and international professional organizations;
 - participates in the international professional exchange and aids its members in their participation in conferences, congresses, symposia and other scientific and professional gatherings;
 - issues scientific and professional publications, and
 - performs other activities contributing to realization of those objectives the Association has been established to attain.

VI. ASSOCIATION'S ASSETS, LIABILITY FOR ITS OBLIGATIONS AND FINANCIAL OPERATIONS, MEMBERSHIP FEE

Article 12

(1) Association's assets are made up of real estate and movables, ownership rights and financial assets intended for Association's operations.

(2) The Association secures the means for its operations from:

- scientific and professional activity subsidies from the state budget, as well as from local and regional self-governments' budgets;
- publishing activities;
- special-purpose funds;
- assets and rights;
- membership fees, and
- other legitimate sources.

(3) The Association is liable with its full assets for all its obligations, pursuant to the law.

(4) Association's Administrative Board determines the membership fee.

(5) Should the Association realize a surplus of income or gains through its operations, those means may only be used for activities realizing the Association's primary objectives.

Article 13

(1) Association's assets and property are managed by the Administrative Board, i.e. by persons authorized by a decision of the Assembly made pursuant to this Statute and law, provisions of this Statute and legal regulations.

(2) The President of the Association or any other person designated by the Association's Administrative Board is authorized to issue orders regarding financial operations.

(3) The Association has a domestic currency (*kuna*) as well as a foreign currency account, keeps account books and issues financial reports pursuant to regulations on non-profit associations' accounting.

VII. MEMBERSHIP

Article 14

(1) Membership of the Association can be regular or honorary.

(2) Regular members must be lawyers by education, Croatian citizens or foreigners dealing with constitutional law as well as other persons contributing to the science and practice of constitutional law.

(3) Honorary members must have had made a significant contribution to the development of Croatian constitutional law, its science and practice, or be persons who have attained significant, internationally recognized results in the field of constitutional law.

Article 15

(1) Membership of the Association is voluntary.

(2) The Association's Administrative Board decides on applications for membership.

(3) The decision to declare an honorary member is made by the Assembly, based on a proposal from the Administrative Board.

(4) The Association keeps the list of its members.

Article 16

(1) Regular and honorary members have equal rights and obligations, especially:

- to participate in Association's activities;
- to choose and be chosen to the Association's bodies;
- to be informed of the whole of Association's activities;
- to pay the membership fee, and
- to realize all other rights stipulated in general acts of the Association.

VIII. MEMBERS' DISCIPLINARY LIABILITY

Article 17

(1) Disciplinary measures are a reprimand and expulsion.

(2) A reprimand is issued against a member whose actions have led to a diminished reputation of the Association, disturbance in its activities, or who has caused material damage to the Association.

(3) A member can be expelled from the Association if he acts contrary to Association's objectives.

(4) Disciplinary proceedings are instituted at the request of the President of the Association or of the Administrative Board, that is on the request of the Administrative Board when instituted against the President of the Association. Disciplinary liability is established by the Court of Honor, composed of a President and two of the Association's members, appointed

by the Administrative Board individually for each case. A member has the right to appeal the decision of the Court of Honor to the Administrative Board, that is the President has the right to appeal to the Association's Assembly, within 8 days of the Court of Honor's decision. Procedure before the Court of Honor and the appeal proceedings are set by a separate regulation.

IX. INTERNAL ORGANIZATION AND MANAGEMENT

a) The Association's bodies

Article 18

(1) The Association is managed directly by its members, as well as by elected representatives that make up the Association's bodies.

(2) Members manage the Association directly by their individual votes at the Assembly's sessions.

Article 19

(1) The Association's bodies are:

- the Assembly;
- the Administrative Board;
- the President of the Association;
- the Supervisory Board;
- the Court of Honor.

b) The Assembly

Article 20

(1) The Assembly is the highest body of the HUUP. It decides on HUUP's objectives and tasks, establishes HUUP's program of activities, decides on statutory amendments, elects members of the Administrative Board and the Secretary, President and Vice-President of the Association, Supervisory Board, approves their reports, decides appeals, decides on HUUP's termination, issues decisions, declarations and conclusions.

(2) The Assembly meets regularly every two years, and the Administrative Board can call for a special session of the Assembly.

(3) At the request of a majority of members of the Administrative Board, the President of the HUUP must call for a special session of the Assembly within 30 days of receiving such a request.

Article 21

(1) The President calls for a session of the Assembly by delivering written invitations to members of the Association 8 days prior to the session at the latest. The Assembly can hold a session and reach valid decisions provided at least half of the Association's members are present. Still, the session can be held and valid decisions can be reached if at least 10 members of the Association are gathered within 30 minutes of the session's commencement.

(2) The Assembly reaches its decisions by a majority of votes of members present.

Article 22

(1) The Administrative Board of the HUUP is the Assembly's executive body, consisting of the President, Vice-President, Secretary and such a number of members as is necessary to ensure all departments of constitutional law in the Republic of Croatia are represented.

(2) The Administrative Board is the Association's collegiate managerial body.

c) The Administrative Board

Article 23

(1) As a rule, the Administrative Board meets in sessions and reaches valid decisions when a majority of its members are present at the session. The Administrative Board has 7 members.

(2) The Administrative Board members' mandate lasts for 2 years. The members of the Administrative Board can be reelected.

(3) The Administrative Board reaches its decisions by a majority of votes of members present.

(4) The Administrative Board can also reach decisions outside of regular sessions, by members' declarations made by telephone or in other appropriate ways.

Article 24

(1) The Association's Administrative Board:

- executes the Assembly's decisions and conclusions;
- manages the Association's assets and property;

- adopts the Association's balance sheet;
- reports on its work to the Assembly;
- decides on membership applications;
- performs other activities necessary for the Association's operation, provided that this Statute does not entrust them to the purview of other bodies.

Article 25

(1) The Administrative Board assures the legality of Association's operation, and in that respect is collectively accountable to the Assembly.

d) The President and Vice-President of the Association

Article 26

(1) The President of the Association is also the President of the Administrative Board, and the Vice-President of the Association is also the Vice-President of the Administrative Board.

(2) The Association's President and Vice-President hold 2-year mandates. The Association's President and Vice-President can be reelected.

(3) President of the Association:

- represents the Association;
- calls for and presides over the sessions of the Administrative Board and Assembly;
- signs documents presenting financial obligations for the Association;
- assures the execution of the Assembly and Administrative Board decisions;
- performs other activities related to the President's function pursuant to conclusions of the Administrative Board, his authority regulated by the Statute, laws and Association's general acts.

(4) The Association's Vice-President replaces the President in cases of his absence or due to other cases of preclusion to perform his duties.

e) The Supervisory Board

Article 27

(1) The Supervisory Board (SB) has a President and 2 (two) members elected by the Assembly for a mandate of 2 years. The members of the SB can be reelected.

(2) Members of the SB cannot be members of the Administrative Board, nor persons representing the Association on any grounds.

Article 28

(1) The Supervisory Board:

- oversees execution of statutory provisions as well as provisions of the Association's general acts, agreements, conclusions and decisions of the Association's Assembly and Administrative Board;
- oversees the legality of Association's financial and material operations;
- proposes measures aimed at removal of perceived deficiencies, and
- issues reports on his work to the Assembly.

f) Court of Honor

Article 29

(1) Court of Honor decides on disciplinary liability of the Association's members.

(2) The President of the Court of Honor is elected by the Association's Assembly for a mandate of 2 years.

(3) The Court of Honor consists of a President and two members of the Association appointed by the Administrative Board individually for every case.

(4) Disciplinary proceedings are instituted at the request of the President of the Association or of the Administrative Board, that is at the request of the Administrative Board when instituted against the President of the Association.

(5) A member has the right to appeal the decision of the Court of Honor to the Administrative Board, that is the President has the right to appeal to the Association's Assembly, within 8 days of the Court of Honor's decision. Procedure before the Court of Honor and the appeal proceedings are set by a separate regulation.

X.MANDATE TERMINATION, AND POWERS

Article 30

(1) Mandate of the Association's bodies' members as well as that of individual officials is terminated:

- upon lapse of mandate;

- by recall;
- upon personal request;
- if a safety measure or penalty has been issued pursuant to a valid court decision, preventing an officer to perform a duty to which he was elected.

(2) An Association's member or official can be recalled should he fail to uphold his duties in a conscientious or satisfactory manner.

(3) The mandate is terminated by the Association's body responsible for elections to the corresponding position, except in cases of lapse of mandate, where it is terminated by virtue of Statute and in cases of mandate being terminated by the virtue of law.

XI. PERFORMANCE OF ADMINISTRATIVE AND EXPERT WORK, EXTERNAL ASSOCIATES' WORK

Article 31

(1) Administrative-professional, ancillary and similar work is performed by the Secretary of the Association.

(2) The Secretary of the Association is elected by the Association's Assembly for a mandate of 2 years, at the proposal of the Association's President.

(3) The Association's Secretary:

- prepares draft proposals of general acts enacted by the Assembly;
- assures the accurate management of the members' registry;
- keeps the minutes at the Assembly and Administrative Board meetings;
- keeps and manages the Association's archive;
- performs professional and other work needed by the Administrative Board pursuant to the Association's general acts.

Article 32

(1) The Association can contractually outsource individual professional services to a legal person registered for such business. In case of a Contract that would regulate mutual relations on a permanent or long-term basis, the Administrative Board of the Association shall decide on entering the contract.

(2) The Association can contractually outsource individual professional services to persons possessing needed knowledge or skill by a piecework agreement, copyright or other appropriate contract. Such

contracts are, on its behalf, made by the Association's President or Secretary.

XII. ENACTMENT OF STATUTE AND OTHER GENERAL ACTS OF THE ASSOCIATION

Article 33

(1) The Assembly enacts the Association's Statute by a majority of votes of members present, but with no less than 10 votes.

(2) Outline of the Statute is drafted by the Administrative Board and laid out on in the Association's premises for members to inspect 15 days prior to the Assembly's session at the latest.

(3) Association's members are entitled to make objections and proposals regarding the draft Statute, as well as to propose new or different provisions. The Administrative Board can propose that the Assembly accept or does not accept individual objections and proposals, and can also make a draft Statute on their basis to propose to the Assembly for enactment.

Article 34

(1) The Administrative Board enacts the regulations and other general acts, unless this Statute provides otherwise.

(2) The Administrative Board is authorized to interpret all general acts it enacts.

Article 35

(1) Amendments and modifications of the Association's Statute and general acts are passed by a procedure proscribed for the enactment of the said acts.

(2) Any member of the Association or its bodies can file a proposal for enactment, amendment or modification of the Association's general acts.

XIII. TERMINATION OF THE ASSOCIATION

Article 36

(1) The Association is terminated in such cases as are foreseen by the Act on Associations or decision of the Assembly made by a two-thirds majority of votes of members present, but with no less than 10 votes. The

decision to terminate the Association will be published in an appropriate way.

(2) In case of Association's termination, its assets are transferred to the organization continuing the pursuit of Association's objectives, tasks and operations, and should such an organization not exist - to the Faculty of Law in Split, unless the law or a decision of a competent state body made pursuant to the law regulates otherwise.

XIV. TRANSITIONAL AND FINAL PROVISIONS

Article 37

(1) Should the Association be terminated by a decision of a competent body of the Association, a person authorized to represent the Association is designated to complete the winding-up procedure.

Article 38

(1) This Statute enters into force in the day of entry into the registry of associations run by the competent registration body.