



# ACT ON GENDER EQUALITY

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EDITED, CONSOLIDATED TEXT  
OFFICIAL GAZETTE  
NOS 82/08, 69/17





**GOVERNMENT OF  
THE REPUBLIC OF CROATIA  
OFFICE FOR  
GENDER EQUALITY**





VLADA  
REPUBLIKE  
HRVATSKE  
ured za  
ravnopravnost  
spolova

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# **ACT ON GENDER EQUALITY**

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## GENERAL PROVISIONS

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### ARTICLE 1

This Act lays down a general framework for the protection and promotion of gender equality as a fundamental value of the constitutional order of the Republic of Croatia and it defines and regulates the method of protection from discrimination on grounds of sex and establishment of equal opportunities for women and men.

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## **ARTICLE 1 a (OFFICIAL GAZETTE 69/17)**

This Act contains provisions in accordance with the following documents of the European Union:

- Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) (Official Journal L 204, 26.7.2006)
- Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC (Official Journal L 180, 15.7.2010)
- Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services (Official Journal L 373/37, 21.12.2004)
- Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (Official Journal L 303, 2.12.2000)



- Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (Official Journal L 348, 28.11.1992)
- Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security (Official Journal L 6, 10.1.1979)

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## **ARTICLE 2 (OFFICIAL GAZETTE 69/17)**

- (1) No one shall be put in a disadvantage or suffer adverse effects, including being prosecuted or exposed to other legal proceedings, as a result of reporting discrimination officially or unofficially in good faith, witnessing discrimination, refusing an instruction to take discriminatory action, testifying in any way in a procedure for protection against sex-based discrimination, or participating in any other way in any proceedings conducted on the grounds of sex-based discrimination.
- (2) No one shall be put in a disadvantage or suffer adverse effects, including being prosecuted or exposed to other legal proceedings, as a result of making a case of sex-based discrimination publically known in good faith.

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## **ARTICLE 3**

- (1) Public bodies, units of local and regional self-government, legal persons with public authorities and legal persons that are majority-owned by the state and units of local and regional self-government shall, in all stages of planning, adopting and implementing legal acts, decisions and actions, assess and evaluate the impact of such acts, decisions or actions on the position of women, or men, with a view to achieving genuine equality between women and men.
- (2) Public bodies, units of local and regional self-government, legal persons with public authorities, education and scientific institutions and legal persons that are majority-owned by the state and units of local and regional self-government shall implement training programmes on gender equality for their staff.

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## ARTICLE 4

The provisions of this Act shall not be interpreted or implemented so as to restrict or diminish the purpose of warranties on gender equality enshrined in the universal rules of international law, the *acquis communautaire* of the European Community, the United Nations Convention on the Elimination of All Forms of Discrimination against Women, the United Nations Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms.



## DEFINITIONS OF TERMS

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### ARTICLE 5

Gender equality means that women and men are equally present in all segments of public and private life, that they have an equal status, equal access to all rights and equal benefits from achieved results.

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## **ARTICLE 6 (OFFICIAL GAZETTE 69/17)**

- (1) Discrimination on the grounds of sex (hereinafter referred to as “discrimination”) refers to any difference, exclusion or restriction made on the grounds of sex with the effect or purpose to jeopardise or frustrate recognising, benefiting from or exercising human rights and fundamental freedoms in the political, economic, social, educational, cultural, civil or other area on the grounds of equality between men and women.
- (2) There shall be no discrimination on the grounds of marital or family status. Less favourable treatment of women for reasons of pregnancy and maternity shall be deemed to be discrimination.
- (3) There shall be no discrimination based on sexual orientation.
- (4) There shall be no discrimination with regard to access to and supply of goods and services.
- (5) An instruction to discriminate, if it is done intentionally, shall be deemed to be discrimination within the meaning of this Act.

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## **ARTICLE 7**

- (1) Direct discrimination is any treatment where, on the grounds of sex, one person is treated or has been treated or might be treated less favourably than another in a comparable situation.
- (2) Indirect discrimination occurs where a neutral legal provision, criterion or practice puts persons of one sex at a disadvantage compared to persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

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## **ARTICLE 8**

- (1) Harassment and sexual harassment shall be deemed to be discrimination within the meaning of this Act.
- (2) Harassment is any unwanted conduct related to the sex of a person that occurs with the purpose or effect of violating the dignity of a person and of creating an unpleasant, hostile, degrading or offensive environment.
- (3) Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature that occurs with the purpose or effect of violating the dignity of a person, in particular when creating an unpleasant, hostile, degrading or offensive environment.





## SPECIFIC MEASURES

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### ARTICLE 9

- (1) Specific measures are specific benefits enabling persons of a specific gender to have equal participation in public life, eliminating existing inequalities or ensuring them rights they were denied in the past.
- (2) Specific measures shall be introduced on a temporary basis with a view to achieving genuine equality of women and men and they shall not be deemed to be discrimination.
- (3) Measures aimed at protecting women, in particular in relation to pregnancy and maternity, shall not be deemed to be discrimination.
- (4) With a view to ensuring full equality of men and women in practice, the principle of equal treatment shall not preclude maintaining or adopting specific measures to prevent or compensate for disadvantages on the grounds of sex in the area of access to and supply of goods and services.

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## **ARTICLE 10**

Specific measures shall be laid down in laws and other regulations regulating specific areas of public life.

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## **ARTICLE 11**

- (1) Public administration bodies and legal persons that are majority-owned by the state shall apply specific measures and adopt action plans for the promotion and establishment of gender equality.
- (2) Bodies referred to in paragraph 1 of this Article shall adopt action plans from their remit on the basis of an analysis of the status of women and men every four years, they shall establish reasons for the introduction of specific measures, goals to be achieved, method of implementation and implementation control methods .
- (3) The plan for implementing activities related to the measures of the National Policy for the Promotion of Gender Equality from the remit and the scope of activity of legal persons referred to in paragraph 1 of this Article shall be an integral part of the action plans for the promotion and establishment of gender equality.

- (4) Action plans referred to in paragraph 1 of this Article shall first be approved by the Office for Gender Equality of the Government of the Republic of Croatia.
- (5) Units of local and regional self-government, legal persons with public authorities and legal persons in the business sector, including private companies, crafts businesses and legal persons that are majority-owned by the units of local and regional self-government with more than twenty employees, shall incorporate anti-discrimination provisions and measures with a view to achieving gender equality in their general acts.
- (6) Social partners shall, in the course of collective bargaining and in collective agreements at all levels, comply with the provisions of this Act and with the measures aimed at ensuring gender equality.

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## ARTICLE 12

- (1) The implementation of specific measures shall serve to promote equal participation of women and men in legislative, executive and judicial bodies, including public services, and to gradually increase the participation of the underrepresented sex in order for its representation to reach the level of its percentage in the total population of the Republic of Croatia.
- (2) With a view to achieving the goal referred to in paragraph 1 of this Article, specific measures shall be introduced where one sex is substantially underrepresented.
- (3) One sex is substantially underrepresented within the meaning of paragraph 2 of this Article if it accounts for less than 40% of representatives in political and public decision-making bodies.
- (4) When making appointments to public bodies and bodies of units of local or regional self-government and other legal persons with public authorities, the balance between both sexes shall be sought in terms of their representation.

(5) When making appointments to diplomatic offices, members of boards, commissions and delegations representing the Republic of Croatia at the international level, public bodies shall seek to ensure the balance in terms of representation of women and men.

# IV

## DISCRIMINATION IN MATTERS OF EMPLOYMENT AND OCCUPATION

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### ARTICLE 13

(1) There shall be no discrimination in the field of employment and occupation in the public or private sector, including public bodies, in relation to:

1. conditions for access to employment, to self-employment or to occupation, including selection criteria and recruitment conditions, whatever the branch of activity and at all levels of the professional hierarchy,
2. promotion,
3. access to all types and to all levels of education, professional guidance, vocational training, advanced vocational training and retraining,

4. employment and working conditions, all occupational benefits and benefits resulting from occupation, including equal pay for equal work and work of equal value,
  5. membership of, and involvement in, organisations of workers or employers, or any professional organisation, including the benefits provided for by such organisations,
  6. balance between a professional and private life,
  7. pregnancy, giving birth, parenting and any form of custody.
- (2) When advertising vacancies, job advertisements shall include a clear indication that persons of both sexes may apply for the job in question.
  - (3) Where a special law requires an invitation to submit applications to be published, the invitation shall include a clear indication that persons of both sexes may apply for the job in question.
  - (4) An invitation to submit applications is not required to include an indication that persons of both sexes may apply for the job only in relation to a specific job where the nature of the occupational activities concerned is such that characteristics related to any of the grounds referred to in Article 6 of this Act constitute a genuine and determining occupational requirement, provided that the objective is legitimate.

- (5) No expressions shall be used in job advertisements that cause or might cause discrimination on the grounds of sex, marital or family status and sexual orientation.
- (6) Where decisions on job assignments or other decisions on the rights and obligations of civil servants are adopted, the title of a post shall be used in the masculine and feminine gender.



# V

## EDUCATION

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### ARTICLE 14

- (1) Public body in charge of education, agencies for training and education and institutions dealing with education as their primary activity shall systematically implement measures to ensure equal access to education at all levels and activities in relation to advanced vocational training and promotion to the professions of employees in training and education.
- (2) Subject matters related to issues of gender equality shall be an integral part of pre-school, primary and secondary school education as well as higher education and lifelong learning and additional training and they shall include measures aimed at preparing both sexes for active and equal participation in all spheres of life.

- (3) Subject matters referred to in paragraph 2 of this Article shall be used to promote non-discriminatory knowledge with regard to women and men, to eliminate inequality of sexes and gender-related stereotypes in the education process at all levels as well as to respect gender-related aspects in all areas of education.
- (4) At all levels of education and training appropriate attention shall be paid to achieving equal participation of both sexes in the population of students, and all educational institutions shall pay particular attention to a balance with regard to the representation of both sexes in managing bodies.
- (5) All education institutions, including all other institutions as well, shall, in their degrees, certificates, licences and diplomas, use linguistic standards pursuant to this Act, indicating professional qualifications, professions and occupations in the feminine or masculine gender, depending on the sex of the recipient.

# VI

## POLITICAL PARTIES

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### ARTICLE 15

(1) When drawing up and proposing lists of candidates for the election of representatives to the Croatian Parliament, for the election of members of representative bodies of units of local or regional self-government or for the elections to the European Parliament, political parties and other authorised entities submitting such lists shall observe the principle of gender equality and seek to achieve the balance in terms of the representation of women and men on such election lists pursuant to the provision of Article 12 of this Act .

(2) With a view to implementing paragraph 1 of this Article, political parties and other entities authorised to submit election lists shall introduce specific measures to prevent a substantial imbalance in the representation of men and women on the lists for the election of representatives to the Croatian Parliament, members to be elected to the representative bodies of units of local or regional self-government and for members of the European Parliament in accordance with Article 12 paragraph 3 of this Act. Pursuant to Article 12 paragraph 1 of this Act, gradual increase in the percentage of the underrepresented sex shall be achieved not later than in the course of the implementation of the third regular elections to follow after the entry into force of this Act.

# VII

## MEDIA

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### ARTICLE 16

- (1) The media shall use their programme, programme framework, programme guidelines and self-regulating acts to promote awareness on equality of women and men.
- (2) It shall be prohibited to publicly present women or men in an offensive, degrading or humiliating manner with regard to their sex or sexual orientation.

# VIII

## STATISTICAL DATA

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### ARTICLE 17

- (1) Any statistical data and personal information collected, recorded and processed in public authorities, bodies of units of local or regional self-government, legal or natural persons pursuing an activity in accordance with laws and regulations shall use gender-specific terminology.
- (2) Such statistical data and information collected, recorded and processed, pursuant to paragraph 1 of this Article, shall be accessible to the public in accordance with the regulations on personal data protection and the provisions of a special act regulating the matters of official statistics.
- (3) All judicial bodies shall keep records of any cases filed on the grounds of sexual discrimination and submit them to the Ministry in charge of justice.

# IX

## ENFORCEMENT OF THE ACT

### 1. OFFICE FOR GENDER EQUALITY

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#### ARTICLE 18

- (1) The Government of the Republic of Croatia shall issue a regulation establishing an Office for Gender Equality (hereinafter referred to as the "Office") as a technical service for the implementation of activities related to the enforcement of gender equality.
- (2) The Office shall perform technical and other tasks by:
  1. coordinating all activities aimed at ensuring gender equality, developing an integrated system of protection and promotion of gender equality in the Republic of Croatia and monitoring its efficiency,
  2. approving action plans of the bodies and entities referred to in Article 11 of the Act,

3. submitting proposals to the Government of the Republic of Croatia for the adoption or amendments of laws and other regulations, and the adoption of other measures,
4. developing the national policy for the promotion of gender equality and monitoring its implementation,
5. conducting surveys, developing analyses and submitting two-yearly reports to the Government of the Republic of Croatia on the implementation of the national policy,
6. monitoring the compliance and implementation of laws and other regulations on gender equality in relation to international instruments,
7. developing national reports on compliance with international obligations in the field of gender equality,
8. cooperating with non-governmental organisations operating in the field gender equality,
9. promoting information on, and awareness of, gender equality,
10. receiving petitions from parties on infringements of this Act and of other regulations and forwarding them to the ombudsman for gender equality and other competent authorities,



11. coordinating the activity of county commissions for gender equality,
  12. submitting annual reports to the Government of the Republic of Croatia, not later than end of April for the preceding year, on its activities.
- (3) The regulation referred to in paragraph 1 of this Article shall lay down the internal structure, method and organisation of work of the Office and other issues relevant for the operations of the Office.

## **2. INDEPENDENT BODY FOR COMBATING DISCRIMINATION IN THE AREA OF GENDER EQUALITY**

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### **ARTICLE 19**

- (1) Ombudsman/woman for gender equality shall perform the tasks of an independent body in charge of combating discrimination in the field of gender equality.
- (2) The responsibilities of the ombudsman/woman for gender equality shall include:
  1. receiving complaints from any natural persons or legal entities regarding discrimination in the area of gender equality,
  2. providing assistance to natural and legal persons who lodged a complaint of sexual discrimination when instituting legal proceedings,
  3. taking steps to investigate individual complaints prior to the legal proceedings,
  4. conducting, with the consent of the parties involved, a mediation process with a possibility to reach an out-of-court settlement,
  5. collecting and analysing statistical data on cases of sexual discrimination,

6. conducting independent surveys concerning discrimination, publishing independent reports and exchanging available information with corresponding European bodies.

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## ARTICLE 20

- (1) The ombudsman/woman for gender equality (hereinafter referred to as the “Ombudsman/woman” shall be appointed and relieved of duty by the Croatian Parliament based on a proposal of the Government of the Republic of Croatia.
- (2) The ombudsman/woman shall have a deputy who shall be appointed and relieved of duty by the Croatian Parliament based on a proposal of the ombudsman/woman.
- (3) The ombudsman/woman and his or her deputy shall be officials of the Republic of Croatia, appointed for the period of eight years and they may be re-appointed.
- (4) The ombudsman/woman and his or her deputy shall be of opposite sexes and one of them shall have a university-level degree in law.
- (5) Croatian citizens who have completed graduate university studies and who have made reputation as a result of their personal efforts in the field of protection of human rights may be appointed to be an ombudsman/woman or his or her deputy.

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## **ARTICLE 21**

The ombudsman/woman and his or her deputy shall be relieved of their duty before the expiry of the term of appointment in case of:

1. personal request,
2. loss of the Croatian citizenship,
3. permanent loss of capacity to discharge the duties of the office,
4. enforceable criminal conviction, or
5. refusal to approve the annual report of activities or unlawful, untimely or incompetent performance of the duties of the office.

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## ARTICLE 22

- (1) The ombudsman/woman shall act in an independent manner, monitor the enforcement of the Act and other regulations on gender equality and report to the Croatian Parliament at least once a year.
- (2) The ombudsman/woman shall investigate cases of infringement of the principle of gender equality, cases of discrimination against individuals or groups of individuals by public bodies, units of local or regional self-government or other bodies with public authority, by employees of such bodies or other legal or natural persons.
- (3) Anyone shall have the right to address the ombudsman/woman on account of any infringements of this Act regardless of whether he or she has suffered direct injury from such infringement, provided that the injured party is not expressly opposed.

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## **ARTICLE 23**

- (1) In discharging the duties from his or her remit, the ombudsman/woman shall be authorised to admonish and to submit proposals or recommendations.
- (2) Bodies referred to in Article 22, paragraph 2 of the Act shall inform the ombudsman/woman in writing about the measures and actions taken in line with any admonishments, proposals or recommendations received, no later than thirty days from the date of receipt of an admonishment, proposal or recommendation from the ombudsman/woman.
- (3) The ombudsman/woman shall be authorised to require from bodies referred to in Article 22, paragraph 2 of the act to submit reports; in case of a failure to submit a report or to provide the information referred to in paragraph 2 of this Article within the stipulated period of time, the ombudsman/woman may request that an inspection be carried out by the appropriate inspection authority controlling their activities.
- (4) If in the course of discharging the duties of the office, the ombudsman/woman becomes aware of any infringements of the provisions of the Act constituting a criminal offence, he or she shall report such cases to the competent State Attorney's Office.

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## **ARTICLE 24**

- (1) The ombudsman/woman shall be authorised to file a motion for judicial review of the constitutionality of a law or constitutionality and legality of other regulations if he or she deems that the principle of gender equality is violated.
- (2) If the ombudsman/woman establishes that the principle of gender equality is violated as a result of the lack of compliance with this Act, he or she shall submit a proposal to amend such a regulation.
- (3) The ombudsman/woman may, in discharging the duties of the office, seek technical assistance from scientific and technical institutions, scientists or experts.



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## **ARTICLE 25**

- (1) Public bodies and legal persons with public authority, bodies of units of local or regional self-government, legal persons that are majority-owned by the state or units of local or regional self-government, legal and natural persons shall provide the ombudsman/woman with all the necessary information and submit any documentation to be inspected, regardless of the degree of confidentiality, not later than 30 days from the date of receipt of a request.
- (2) The ombudsman/woman and persons employed in his or her office shall keep confidentiality of any information they obtained in the course of their professional activities and treat it as an official secret.

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## **ARTICLE 26**

- (1) The ombudsman/woman shall adopt rules of procedure for the activities of an ombudsman/woman regulating the method and organisation of work, the internal structure of the technical service and other matters relevant for the performance of duties of an ombudsman/woman.
- (2) Rules of procedure referred to in paragraph 1 of this Article shall be ratified by the Croatian Parliament.

### **3. COORDINATORS IN PUBLIC BODIES**

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#### **ARTICLE 27**

- (1) Directors of public bodies shall appoint an official or a civil servant in a managing position who shall also perform the duties of a gender equality coordinator.
- (2) The coordinator referred to in paragraph 1 of this Article shall, pursuant to the remit and the scope of activities of the public body, coordinate the enforcement of this Act and the National Policy for the Promotion of Gender Equality and cooperate with the Office for Gender Equality.
- (3) The coordinator shall prepare reports on the implementation of the National Policy for the Promotion of Gender Equality that shall be submitted by public bodies to the Office every two years.
- (4) Rights and obligations and the method of work of the coordinator shall be laid down in an action plan for the promotion and establishment of gender equality referred to in Article 11 of this Act.

## 4. COMMISSIONS FOR GENDER EQUALITY

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### ARTICLE 28

- (1) Units of local and regional self-government and the City of Zagreb shall establish and, pursuant to the proposed programme of activities, provide the conditions and funds for the activity of County commissions for gender equality and the commission for gender equality of the City of Zagreb with a view to promoting gender equality at a local level and enforcing this Act and the National Policy for the Promotion of Gender Equality.
- (2) Commissions for Gender Equality shall be working and consultative bodies of County assemblies and the assembly of the City of Zagreb that shall be composed of members of County assemblies, that is of the Assembly of the City of Zagreb, coordinators from the public bodies, representatives of NGOs and independent experts.
- (3) Units of local self-government may establish city and municipal commissions for gender equality pursuant to the National Policy for the Promotion of Gender Equality.

# X

## PROVISION OF FUNDS

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### ARTICLE 29

- (1) The funds needed for the activity of the Office for Gender Equality and the activity of the ombudsman/woman for gender equality shall be allocated from the state budget of the Republic of Croatia, and the funds needed for the activity of County commissions for gender equality and the commission for gender equality of the City of Zagreb shall be allocated from the budget of units of local and regional self-government and the budget of the City of Zagreb respectively.
- (2) Where units of local self-government, pursuant to Article 25, paragraph 3 of this Act, establish city and municipal commissions for gender equality, the funds needed for their activity shall be provided by the units of local self-government.

# XI

## JUDICIAL PROTECTION

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### ARTICLE 30

- (1) Any persons who consider that as a result of discrimination referred to in Articles 6, 7 and 8 of this Act their right has been infringed upon may lodge a complaint to a regular court of general jurisdiction.
- (2) In cases of discrimination referred to in Articles 6, 7 and 8 of this Act, persons who consider themselves wronged may demand compensation pursuant to the provisions of civil obligations law on tort liability.
- (3) A joint claim may be filed in discrimination cases.

- (4) Where parties to the proceedings claim that they have been wronged because the principle of equal treatment has not been applied, they have the obligation to establish facts from which it may be presumed that there has been discriminatory treatment. In such a case the burden of proof shall be on the respondent to prove that there has been no discrimination.
- (5) Legal proceedings in discrimination cases shall be conducted as expeditious proceedings.

# XII

## SANCTIONS

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### ARTICLE 31

- (1) Any person who, with the aim of causing fear in the other or creating hostile, degrading or offensive environment on the grounds of difference in gender, marital or family status, or sexual orientation, violates the dignity of a person, shall be punished with a fine amounting to HRK 5,000.00 to 30,000.00.
- (2) The fine referred to in paragraph 1 of this Article shall be imposed for a violation on a responsible person in a legal person, public body or unit of local or regional self-government.
- (3) A craftsman or a person pursuing other self-employed activity shall be punished for a violation referred to in paragraph 1 of this Article with a fine amounting to HRK 10,000.00 to 200,000.00.



- (4) In case of a violation referred to in paragraph 1 of this Article, a legal person shall be punished with a fine of HRK 30,000.00 to 300,000.00.
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## **ARTICLE 32**

- (1) Any person who, with the aim to cause fear in the other or to create hostile, degrading or offensive environment, violates the dignity of a person through actions of sexual nature shall be punished with a fine of HRK 5,000.00 to 40,000.00.
- (2) The fine referred to in paragraph 1 of this Article shall be imposed for a violation on a responsible person in a legal person, public body or unit of local or regional self-government.
- (3) A craftsman or a person pursuing other self-employed activity shall be punished for a violation referred to in paragraph 1 of this Article with a fine amounting to HRK 10,000.00 to 250,000.00.
- (4) In case of a violation referred to in paragraph 1 of this Article, a legal person shall be punished with a fine of HRK 30,000.00 to 350,000.00.

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## ARTICLE 33

- (1) Any person who intentionally puts at a disadvantage a person who, in good faith, reported discrimination or was in any manner involved in the proceedings for discrimination pursuant to the provisions of this Act, shall be punished with a fine of HRK 1,000.00 to 20,000.00.
- (2) The fine referred to in paragraph 1 of this Article shall be imposed on a person who puts at a disadvantage a person who witnessed discrimination or who refused an instruction to take discriminatory action.
- (3) Any attempted actions referred to in paragraphs 1 and 2 of this Article shall be punished.
- (4) The fine referred to in paragraph 1 of this Article shall be imposed for a violation on a responsible person in a legal person, public body or unit of local or regional self-government.
- (5) A craftsman or a person pursuing other self-employed activity shall be punished for a violation referred to in paragraph 1 of this Article with a fine amounting to HRK 5,000.00 to 150,000.00.
- (6) In case of a violation referred to in paragraph 1 of this Article, a legal person shall be punished with a fine of HRK 20,000.00 to 200,000.00.

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## **ARTICLE 34**

- (1) A fine amounting to HRK 3,000.00 to 10,000.00 shall be imposed for a violation on responsible persons in public bodies who fail to submit, within the period laid down in Article 11 of this Act, their action plan for the promotion and establishment of gender equality to the Office.
- (2) A fine amounting to HRK 30,000.00 shall be imposed for a violation on legal persons that are majority-owned by the state which fail to submit, within a period laid down in Article 11 of this Act, their action plan for the promotion and establishment of gender equality to the Office.

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## **ARTICLE 35**

Political parties and other entities authorised to propose lists of candidates who, when proposing lists of candidates for the elections of members to the Croatian Parliament, to the representative bodies of units of local and regional self-government or to the European Parliament, do not comply with the principle of gender equality that is laid down in Article 15 of this Act and who do not seek to achieve a balance in terms of representation of women and men on election lists pursuant to Article 12 of this Act shall be punished for a violation with a fine of HRK 50,000.00 in case of elections of members to the Croatian Parliament and to the European Parliament, a fine of HRK 40,000.00 in case of elections of members of city councils and county assemblies or a fine of HRK 20,000.00 in case of elections of members of municipal councils.

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## **ARTICLE 36**

A fine amounting to HRK 1,000,000.00 shall be imposed for a violation on the media that in the publication of their programme or in their advertisements present women and men in an offensive, degrading or humiliating manner with regard to their sex or sexual orientation.

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## **ARTICLE 37**

Responsible persons in public bodies, legal persons with public authority, units of local and regional self-government, legal persons that are majority-owned by the state or legal persons owned by units of local or regional self-government who, upon request of the gender equality ombudsman, fail to provide statements, information and documents relating to discrimination and fails to make them accessible for inspection, shall be punished with a fine of HRK 1,000.00 to 5,000.00.

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## **ARTICLE 38**

- (1) Responsible persons in a public body or a unit of local or regional self-government who fail to report founded suspicion of discrimination that they became aware of while performing their duties of a gender equality ombudsman/woman shall be punished with a fine of HRK 1,000.00 to 5,000.00.
- (2) If the violation referred to in paragraph 1 of this Article was done intentionally, the offender shall be punished with a fine of HRK 3,000.00 to 10,000.00.

# XIII

## TRANSITIONAL AND FINAL PROVISIONS

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### ARTICLE 39

Bodies and legal persons referred to in Article 11 of this Act shall develop analyses and submit action plans including specific measures to the Office within a period of three years from the date of entry into force of this Act.

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### ARTICLE 40

The competent public body referred to in Article 14 of this Act shall harmonise the primary and secondary school curricula, vocational training and advanced training curricula as well as lifelong learning programmes with the provisions of this Act.

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## **ARTICLE 41**

Competent bodies in charge of keeping statistical data referred to in Article 17 of this act shall harmonise the forms used for recording such data so as to ensure the enforcement of this Act.

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## **ARTICLE 42**

- (1) The Decision on the Appointment of the Ombudswoman for Gender Equality shall remain in force after the entry into force of this Act (Official Gazette 157/03).
- (2) The Regulation of the Government of the Republic of Croatia on the Office for Gender Equality (Official Gazette 18/04) shall remain in force after the entry into force of this Act.



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### **ARTICLE 43**

Words and terms that are gender-specific shall refer equally to the masculine and feminine gender regardless of whether they are used in the masculine or feminine gender in laws and other regulations.

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### **ARTICLE 44**

The Act on Gender Equality (Official Gazette 116/03) shall cease to have effect by virtue of the entry into force of this Act.

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### **ARTICLE 45**

This Act shall be published in the Official Gazette and shall enter into force on 15 July 2008.

Class: 004-01/08-01/05

Zagreb, 15 July 2008

THE CROATIAN PARLIAMENT

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## **TRANSITIONAL AND FINAL PROVISIONS FROM THE OFFICIAL GAZETTE 69/17 ARTICLE 4**

This Act shall enter into force on the eighth day after its publication in the Official Gazette.



### **CONTACT**

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