

GOVERNMENT OF THE REPUBLIC OF CROATIA

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Pursuant to the articles 62 paragraph 1 of the Security and Intelligence System Act of the Republic of Croatia (“Official Gazette” No. 79/2006 and 105/2006), at its conference on November 10, 2006, the Government of the Republic of Croatia, with the prior sanction by the President of the Republic of Croatia, brought the following

DECREE

ON THE RIGHT OF SECURITY AND INTELLIGENCE AGENCY OFFICIALS TO BEAR AND USE FIREARMS

Article 1

This Decree regulates the right of Security and Intelligence Agency (hereinafter: SOA) officials to bear and use firearms and ammunition.

Article 2

The types of firearms and equipment, as well as the manner in which SOA officials (hereinafter: officials) bear them, are promulgated by the set of rules proclaimed by the SOA director.

Article 3

In order to obtain the qualification to use a firearm and ammunition officials are required to pass a professional examination and they must be issued an official identity card and badge.

Article 4

As a rule, by meeting the requirements described in article 3 of this Decree an official is allocated one firearm with an appropriate quantity of ammunition of a specific caliber.

An official is required to use a certain portion of the allocated ammunition by charging the chamber, magazine or cylinder to their full capacity. The remaining ammunition must be kept in a safe place.

In case an official has used the firearm, he/she is allocated the missing number of bullets to match the quantity of ammunition described in paragraph 1 of this article.

Article 5

An official is allocated a firearm and ammunition with appropriate accessory in the responsible SOA structural unit at the request of the chief officer of the structural unit in which the official performs his/her duties.

Article 6

An official is authorized to use a firearm while performing his/her duties which fall within SOA's scope of operations in case he/she is unable to protect his/her life or body, life or body of a person under his/her protection, life or body of other individuals, as well as in cases described in article 49 of the Security and Intelligence System Act of the Republic of Croatia, in any other way.

In use of a firearm an official must take all measures to avoid killing the other person.

When justified reasons to use a firearm mentioned in paragraph 1 of this article exist, an official is required to give a clear and unequivocal verbal warning informing of his/her intention to use a firearm.

In case of special and reasonable circumstances, an official may use a firearm without prior verbal warning mentioned in paragraph 3 of this article.

Article 7

At times an official is not bearing a firearm, he/she is required to store it in a place unavailable to persons who are not authorized to possess it.

In the case mentioned in paragraph 1 of this article, an official is required to store his/her firearm in a locked place, separated from the ammunition, unless locked in a metal cabinet, safe, or a storage place of a similar sort, which cannot be opened by using regular tools.

Article 8

On the date this Decree enters into force, the Decree on the right of Intelligence Agency officials to bear and use firearms ("Official Gazette" No. 83/2003) and the Decree on the right of Counter-intelligence Agency officials to bear and use firearms ("Official Gazette" No. 83/2003) cease to be valid.

Article 9

This Decree enters into force on the date of its publication in the "Official Gazette".

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Ref. No.: 5030109-06-7

Zagreb, November 10, 2006

President

dr. sc. Ivo Sanader, v. r.