

HOSPITALITY AND CATERING INDUSTRY ACT

(Official Gazette 136/08, 152/08, 43/09, 88/10, 50/12, 80/13 and 30/14)

I GENERAL PROVISIONS

Article 1

This Act regulates the manner and conditions under which legal and natural persons may perform the hospitality and catering activity.

Article 2

(1) For the purpose of this Act the hospitality and catering industry means preparing food and providing food services, preparing and serving drinks and beverages, as well as providing accommodation services.

(2) The hospitality and catering industry also means preparing food for consumption at another place with or without serving it (in a vehicle, at shows), as well as catering of that food.

Article 3

(1) The hospitality and catering activity may be performed by companies, cooperatives, individual merchant and craftsmen that fulfil the requirements prescribed for the performance of that activity (hereinafter: the hospitality and catering service provider).

(2) Under the conditions prescribed by this Act, the hospitality and catering activity may also be performed by:

- public institutions that manage national parks and nature parks,
- health institutions - specialized hospitals and wellness centers,
- educational institutions related to hospitality and catering, as well as pupils and students' hostels within their own business premises and facilities,
- Croatian Ferial and Hostel Association in youth tourist facilities (hostel) for its members and members of international youth travel organisations whose member the association is,
- Croatian Mountaineering Association and its member associations in their mountaineering facilities primarily for their members and members of international mountaineering organisations whose member the association is,
- hunting associations, which have obtained the right to hunt in hunting areas through a concession or loan pursuant to special regulations as well as angling associations, within their premises and facilities, for their members and other registered hunters and anglers,
- associations of national minority members, within their premises and facilities, for their members and other members of that national minority, that is, members of the same nation for the purpose of organising cultural and other events aimed at preserving, promoting and expressing national and cultural identity of that national minority,
- institutions which perform theatre activity within their business premises and facilities, for the purpose of preparing and serving drinks, beverages, pastries and the like, no longer than two hours before and two hours after a theatre event, for the needs of their customers,

- Scout Association of Croatia at scout centres for its members and members of international scout organisations,
 - amateur sports associations for their needs within their premises and facilities.
 - Croatian Musical Youth in facilities of the International Cultural Centre in Grožnjan for its members or members of international music associations, when the Croatian Musical Youth is their member or partner,
 - museums founded as public institutions in their business premises and facilities during working hours.
- (3) Under the conditions prescribed by this Act and regulations adopted on the basis of the Act, certain hospitality and catering services may also be provided by natural persons – citizens.
- (4) Certain hospitality and catering services may be provided by legal persons that are not hospitality and catering service providers under the conditions prescribed by this Act.

Article 4

- (1) A legal or natural person may organise accommodation and food services for the purpose of organised children vacations in a closed hospitality and catering facility - rest establishment for children under the conditions prescribed by this Act and other regulations.
- (2) For the provision of services referred to in paragraph 1 of this Article, a legal or natural person shall obtain, from the county state administration office, that is, administration body of the City of Zagreb in charge of hospitality and catering industry, according to the seat of the facility (hereinafter: the competent office), a decision on the fulfilment of the requirements prescribed by this Act and other regulations, which is entered into the Registry of closed hospitality and catering facilities.
- (3) The Minister in charge of hospitality and catering industry (hereinafter: the Minister), with the consent of the Minister in charge of health, shall prescribe, by an Ordinance, the minimum technical requirements for the provision of services referred to in paragraph 1 of this Article.
- (4) The competent office shall establish, by a decision, the fulfilment of the requirements, referred to in the regulation adopted on the basis of paragraph 3 of this Article.
- (5) The Minister shall prescribe, by an Ordinance, the form and content of the application form, as well as the manner of keeping the Registry referred to in paragraph 2 of this Article.

Article 5

The provisions of this Act shall not apply to:

1. provision of food and accommodation services in the premises of social welfare, health, education and training institutions, including other similar institutions, the public institution "Vukovar Memorial Centre of the Homeland War", the Armed Forces of the Republic of Croatia and the Interior Ministry, if such services are provided by their staff exclusively to other members of their staff, other members or users, or staff from social welfare institutions also to users of other social welfare institutions, respectively.
2. the preparation and serving of hot and cold beverages, non-alcoholic drinks and dishes, which legal and natural persons organise for the needs of their workers and their members within their premises and facilities.

II HOSPITALITY AND CATERING FACILITY AND THE MANNER OF CONDUCTING BUSINESS BY THE HOSPITALITY AND CATERING SERVICE PROVIDER

Article 6

The hospitality and catering activity shall be performed in a facility intended, arranged and equipped for the provision of hospitality and catering services, which may be located in:

- a building, that is, in a separate part of a building (structure, stand, container, floating facility and the like),
- business premises in which other activity is performed,
- stationary vehicle and caravan vehicle, train carriage or vessel in which passengers are transported,
- a tent, on a bench, cart or similar devices for the provision of hospitality and catering services.

Article 7

(1) Hospitality and catering facilities are classified into the following groups in relation to the type of hospitality and catering services which are provided in them:

1. Hotels
2. Camps and other types of accommodation facilities
3. Restaurants
4. Bars
5. Catering facilities
6. Simple service facilities.

(2) Hospitality and catering facilities from the groups mentioned in paragraph 1 of this Article are classified into specific types in relation to the manner of providing services and services which predominate in a particular facility.

(3) Certain types of hospitality and catering facilities may be club-type facilities (a club), in which services are provided exclusively to a specific group of guest (club members).

(4) The Minister shall prescribe, by an Ordinance, types of hospitality and catering facilities within the groups referred to in paragraph 1 of this Article, hospitality and catering services which must and may be provided in a specific type of hospitality and catering facility, as well as types of hospitality and catering facilities which may be club-type facilities.

Article 8

(1) Hospitality and catering facilities from the group »Hotels« and camps from the group »Camps and other types of accommodation facilities« shall operate from 0:00 to 24:00 hours every day, and other hospitality and catering facilities may operate:

- from the group »Restaurants« and »Bars« from 6:00 to 24:00 hours,
- from the group »Bars« which fulfil the requirements to operate during the night pursuant to special regulations, only in indoor spaces, from 21:00 to 6:00 hours,
- from the group »Restaurants« and »Bars« which are located outside inhabited areas from 0:00 to 24:00 hours,
- at airports, railway stations, bus stations, and the like within working hours of the facility in which they are located.

(2) The representative body of a local self-government unit (hereinafter: the representative body) may prolong, for no more than two hours, the prescribed working hours of hospitality and catering facilities referred to in paragraph 1, subparagraph 1 of this Article.

(3) The executive body of a local self-government unit may establish, by a decision, in the line of its duty, shorter working hours for up to two hours at the most for certain hospitality and catering facilities in relation to the working hours prescribed by paragraph 1, subparagraph 2 and 3 of this Article and working hours prescribed by the decision of the representative body referred to in paragraph 2 of this Article in line with the criteria prescribed by the representative body's decision referred to in paragraph 2 of this Article.

(4) By way of derogation from paragraph 2 of this Article, the executive body of a local self-government unit may prescribe, by a decision, different working hours for certain hospitality and catering facilities referred to in paragraph 1, subparagraph 1 of this Article for the purpose of organising occasional celebrations (New Years' parties, wedding parties, prom parties and similar events).

(5) The representative body shall prescribe, by a decision, working hours for hospitality and catering facilities from the group »Simple service facilities«.

(6) The representative body shall establish, by a decision, the location of inhabited areas referred to in paragraph 1, subparagraph 3 of this Article for their area.

(7) The hospitality and catering service provider or other legal or natural person referred to in Article 3 of this Act shall establish working hours for other types of accommodation facilities from the group »Camps and other types of accommodation facilities«.

Article 9

(1) While performing hospitality and catering activities, the hospitality and catering service provider shall:

1. visibly display at the entrance into a hospitality and catering facility located in a building which is protected as a cultural good, in the prescribed manner, a signboard marking the type of the catering and hospitality facility, that is, the facility type and category, special standard, quality mark, as established by a decision of the competent office, that is the Ministry in charge of tourism (hereinafter: the Ministry),
2. visibly display at the entrance of the facility a notice on working hours and working, that is, nonworking days and comply with the displayed working hours,
3. establish house rules in accommodation facilities and display it at the reception as well as display its extracts in all rooms and apartments,
4. establish standard specifications for the foodstuffs needed for a specific dish, drink or beverage, and provide services that comply with the established standard specifications both in quantity and quality, as well as show the standard specifications to a guest at his request,
5. visibly display prices of offered services, in a manner available to guests and comply with the noted prices, and when providing accommodation services also visibly display the amount of sojourn tax in price lists and make a sufficient number of price list copies available to guests,
6. issue a bill for each provided service to a guest with stated type, quantity and price of provided services, that is, approved discount, and when providing accommodation services also express the amount of sojourn tax in the bill,
7. comply with the prescribed working hours,

8. prevent the taking out of drinks and beverages in order to be consumed outside the indoor premises of the hospitality and catering facility referred to in Article 8, paragraph 1, subparagraph 2 of this Act.

9. keep a guest book, in the prescribed manner, in the accommodation facility,

10. permits the services user to file complaints in writing, in accordance with a special regulation determining the rights of consumers.

11. insure guests in the accommodation facility against accidents,

12. deliver a written notice on the termination of the performance of the activity in the hospitality or catering facility to the competent office, that is, the Ministry, within the period of eight days from the day on which the change emerged.

(2) In order to perform hospitality and catering activity, the requirements in relation to hygiene and sanitary safety of food, and the obligations of entities engaged in the hospitality and catering industry regarding hygiene and sanitary safety of food, as well as other health requirements for work pursuant to special provisions, must be fulfilled.

(3) The Minister shall prescribe, by an Ordinance, the form, content and manner of keeping the guest book and book of complaints.

(4) The hospitality and catering service provider who provides services to naturists in his hospitality and catering facility shall also display, beside the name of the facility type, a mark that he provides services to naturists in that facility.

(5) The representative body may establish areas in which services to naturists shall be provided.

Article 10

When announcing and advertising services and publishing messages in commercial business activities, the hospitality and catering service provider must not use a mark of the prescribed hospitality and catering facility type and category, special standard, that is, the quality mark that has not been established by a decision of the competent office, that is, the Ministry.

Article 11

(1) The hospitality and catering services provider shall provide services established by a decision of the competent office or the Ministry.

(2) The hospitality and catering services provider may occasionally (during events, fairs, shows and alike) provide hospitality and catering services outside of his premises.

(3) Celebration and event participants, organized for promotional and tourist purposes by local tourist offices and local self-governing units, may provide hospitality and catering services at these events, encompassing the preparation and serving of food, beverages, drinks and desserts.

Article 12

(1) It is prohibited to serve, that is, allow consumption of alcohol drinks to persons under 18 years of age in hospitality and catering facilities.

(2) A mark on the prohibition of serving, that is, consumption of alcohol for persons under 18 years of age must be visibly displayed in hospitality and catering facilities which serve alcoholic drinks.

(3) The representative body may prohibit serving of alcoholic drinks in hospitality and catering facilities during a particular time of the day.

Article 13

(1) The representative body shall establish, in line with the physical plan, areas in which hospitality and catering facilities in a stand, container, stationary vehicle and caravan vehicle, tent, on a bench, cart and similar devices equipped for the provision of hospitality and catering services, may be located.

(2) The areas referred to in paragraph 1 of this Article must not be less than 100 m away from the existing hospitality and catering facility in a building, separate part of a building, or business premises in which other activity is performed, unless manifestations, fairs, occasional celebrations and the like are being held.

(3) The representative body may prescribe the exterior design of hospitality and catering facilities referred to in paragraph 1 of this Article taking into account certain features of the local surroundings.

(4) By way of derogation from the provision of paragraph 1 and 3 of this Article, the hospitality and catering service provider may define the area and exterior design of the hospitality and catering facility referred to in paragraph 1 of this Article, without the restrictions referred to in paragraph 2 of this Article, if it is located within the complex of the hospitality and catering facility from the group »Hotels«, which is categorised by stars, and camps from the group »Camps and other types of accommodation facilities«, which are categorised, and if such a definition is not subject to the implementation of special regulations.

III MINIMUM REQUIREMENTS IN RELATION TO TYPE AND REQUIREMENTS REGARDING CATEGORY

Article 14

(1) For the performance of hospitality and catering activity in hospitality and catering facilities, minimum requirements in relation to type regarding the arrangement and equipment of facilities, services, as well as other requirements prescribed by this Act and regulations adopted on the basis of this Act (hereinafter: the minimum requirements), must be fulfilled.

(2) The Minister, with the consent of the Minister in charge of health, shall prescribe, by an Ordinance, the minimum requirements referred to in paragraph 1 of this Article.

Article 15

(1) Hospitality and catering facilities from the group: »Hotels« and certain types of hospitality and catering facilities from the group: »Camps and other types of accommodation facilities«, shall be categorised into categories depending on their arrangement, equipment, appliances, services, maintenance and other elements.

(2) The Minister shall prescribe, by an Ordinance, which types of hospitality and catering facilities referred to in paragraph 1 of this Article are to be categorised, the categories,

requirements in relation to categories, marks of types and categories, manner of marking types and categories, as well as manner of categorisation of those facilities.

Article 16

(1) For certain types of hospitality and catering facilities in the groups of 'Hotels', 'Camps and other accommodation facilities', 'Restaurants' and 'Bars', the minister may establish special standards and quality markings.

(2) The Minister shall prescribe, by an Ordinance, the types of hospitality and catering facilities from the groups of "Hotels", "Camps and other accommodation facilities", "Restaurants" and "Bars" for which special standards may be established and which may be awarded the quality mark, types of special standards referred to in paragraph 1 of this Article, requirements and elements that must be fulfilled for a specific standard, requirements in relation to the award of the quality mark, manner of awarding, as well as the design of the quality mark.

Article 17

A hospitality and catering facility which ceases to fulfil the requirements prescribed for a certain type, category, special standard, that is, award of the quality mark may not operate as such a facility, category, special standard, that is, with the quality mark.

Article 18

(1) A hospitality and catering facility may have a name of just one type of the hospitality and catering facility.

(2) By way of derogation from the provision of paragraph 1 of this Article, the hospitality and catering facility may have the name of two types of hospitality and catering facilities, if it fulfils the requirements for each type prescribed by this Act and other regulations.

(3) The name of the type of hospitality and catering facility may be changed if the requirements prescribed for another type are fulfilled, and if the relevant decision of the competent body has been issued for that purpose pursuant to the provisions of this Act.

Article 19

(1) The hospitality and catering services provider may conduct hospitality and catering services, having obtained a decision of the competent court or the Ministry, stating that the hospitality and catering premises comply with the conditions prescribed herein, and with subordinate legislation adopted on its basis.

(2) By way of derogation from the provision of paragraph 1 of this Article, a hospitality and catering service provider may commence performing hospitality and catering activity in certain types of hospitality and catering facilities from the group »Hotels« even before he obtains the decision on the category of his facility from the Ministry if he has obtained an adequate permit in line with a special regulation according to which a building, which is or in which the hospitality and catering facility is located, may be put into use, that is, into operation.

(3) Upon the hospitality and catering service provider's application in the case referred to in paragraph 2 of this Article, the Ministry shall establish, by a decision, the fulfilment of requirements for the commencement of hospitality and catering activity.

(4) The decision referred to in paragraph 3 of this Article shall establish temporary performance of hospitality and catering activity in a specific facility up to no longer than one year from the day on which it became enforceable.

(5) The Minister shall prescribe the types of hospitality and catering facilities referred to in paragraph 2 of this Article in which, as well as conditions under which, the hospitality and catering service provider may commence the performance of hospitality and catering activity before he obtains the decision on the category of his facility.

IV PROCEDURE FOR THE ESTABLISHMENT OF REQUIREMENTS FOR THE PERFORMANCE OF HOSPITALITY AND CATERING ACTIVITY

Article 20

(1) Upon hospitality and catering service provider's application, the competent office shall establish whether hospitality and catering facilities, which are not categorised, fulfil the minimum requirements in relation to type and shall establish whether conditions have been met for special standards and the granting of a quality mark for hospitality and catering facilities from the group 'Restaurants' and 'Bars'.

(2) Upon the hospitality and catering service provider's application, the competent office shall establish whether hospitality and catering facilities fulfil the requirements regarding type and category, with the exception of the types referred to in Article 22, paragraph 1 of this Act.

(3) The fulfilment of the requirements referred to in paragraph 1 and 2 of this Article, shall be established by a decision of the competent office within the period of 30 days from the day of the duly submitted application.

(4) The decision referred to in paragraph 3 of this Article, shall be entered into the Registry of hospitality and catering facilities which are not categorised, that is, into the Registry of hospitality and catering facilities which are categorised, which is kept by the competent office.

(5) The Minister shall prescribe, by an Ordinance, the form, content and manner of keeping the Registry referred to in paragraph 4 of this Article.

(6) The expenses for the procedure referred to in paragraph 1 and 2 of this Article shall be paid by the hospitality and catering service provider.

Article 21

(1) If the competent office does not issue the decision referred to in Article 20, paragraph 3 of this Act within the prescribed period of time, the hospitality and catering service provider may commence providing hospitality and catering services in his facility upon prior written notice to the competent office if he has obtained an adequate permit in line with a special regulation according to which a building, which is, or in which the hospitality and catering facility is located, may be put into use, that is, into operation.

(2) The competent office shall issue the decision referred to in Article 20, paragraph 3 of this Act within 30 days from the date of receiving the notice referred to in paragraph 1 of this Article.

(3) If the competent office establishes that the requirements prescribed by this Act have not been fulfilled, but the hospitality and catering service provider has commenced his activities pursuant to paragraph 1 of this Article, it shall be considered that he is performing the activity contrary to the provisions of this Act.

Article 22

(1) Upon an application submitted by the hospitality and catering service provider, the Ministry shall establish, by a decision, the fulfilment of the requirements in relation to type and category of hospitality and catering facilities from the group »Hotels«, for types whose categories are marked with stars, as well as for hospitality and catering facilities from the group »Camps and other types of accommodation facilities« for types of camps which are categorised.

(2) Upon an application submitted by the hospitality and catering service provider, the Ministry shall establish, by a decision, the fulfilment of the requirements in relation to a special standard, that is, award of the quality mark for hospitality and catering facilities in the groups of 'Hotels' and 'Camps and other types of hospitality and catering facilities for accommodations'.

(3) The decision referred to in paragraph 1 and 2 of this Article shall be entered into the Registry of hospitality and catering facilities which are categorised, which is kept by the Ministry.

(4) The Minister shall prescribe, by an Ordinance, the form, content and manner of keeping the Registry referred to in paragraph 3 of this Article.

(5) The expenses for the procedure referred to in paragraph 1 and 2 of this Article shall be paid by a hospitality and catering service provider.

Article 23

(1) Every three years, the Ministry shall conduct anew, in the line of its duty, the categorisation of hospitality and catering facilities referred to in Article 22, paragraph 1 of this Act, as well as re-establish the special standard and newly award the quality mark for hospitality and catering facilities referred to in Article 16, paragraph 1 of this Act.

(2) The Ministry shall establish a decision on the conducted categorisation and established special standards, as well as the award of the quality mark referred to in paragraph 1 of this Article, which is entered into the Registry referred to in Article 22, paragraph 3 of this Act.

(3) The Ministry shall comply, in the line of its duty, with the period of time referred to in paragraph 1 of this Article.

(4) If it is established that a hospitality and catering facility no longer fulfils the requirements established for a specific type and category, a decision shall be issued establishing a new type, that is, category of hospitality and catering facility or the cessation of validity of the issued decision on type and category.

(5) If it is established that a hospitality and catering facility no longer fulfils the requirements for the established special standard or quality mark, a decision shall be issued establishing the cessation of validity of the issued decision on special standard or quality mark.

(6) In the case referred to in paragraph 4 and 5 of this Article, the expenses of the procedure shall be paid by the hospitality and catering service provider.

(7) If in the procedure referred to in paragraph 1 of this Article, upon a request made by the hospitality and catering service provider, an additional period of time shall be established for the fulfilment of the requirements, the expenses shall be paid by the provider.

Article 24

There is no possibility to appeal against first degree decisions issued by the Ministry pursuant to this Act, but an administrative dispute may be initiated.

Article 25

(1) The decision referred to in Article 20, paragraph 3 and Article 22, paragraph 1 of this Act shall be issued to the provider of hospitality and catering services under the following conditions:

1. that he is registered for the performance of hospitality and catering activity,
2. that he has the right to use business premises or facilities,
3. that a hospitality and catering facility in which hospitality and catering activity will be provided fulfils the requirements prescribed for a specific type, that is, category of hospitality and catering facility,
4. that he also fulfils other requirements prescribed by this Act and regulations adopted on the basis of this Act,
5. that a building, which is, or in which the hospitality and catering facility is located, fulfils the requirements pursuant to a special regulation, without which pursuant to that regulation, the Ministry or competent office may not issue a decision on the fulfilment of requirements for the performance of the activity.

(2) By way of derogation from paragraph 1 herein, for a hospitality and catering facility with rooms, apartments or studio apartments, the hospitality and catering services provider shall be issued a temporary decision on the fulfillment of requirements for the type and category of the hospitality and catering facility, until execution date of the decision on modifying the purpose of these premises to business premises, no later than 31 December 2016. Facilities located in a building whose construction (gross) surface exceeds 400 m² shall also obtain a positive opinion of the body in charge of fire protection.

(3) By way of derogation from paragraph 1 of this Article, a person who submitted a request for legalizing an illegally constructed building, which represents a less demanding building, to the competent administrative body in charge of issuing a decision on the constructed state, in accordance with a special regulation governing the procedure concerning illegally constructed buildings, shall be issued a temporary decision on conducting hospitality and catering services in one of the types of the hospitality and catering facilities, until execution date of the decision whereby the provider's request is resolved, and no later than 31 December 2016, provided requirements from paragraph 1, items 1, 3 and 4 of this Article are fulfilled, as well as the following requirements:

1. that he is the owner of the land on which the building is located, for which a request for legalizing an illegally constructed building has been submitted,
2. that the request was submitted in due time for legalizing an illegally constructed building in which he intends to provide hospitality and catering services.

(4) Evidence on fulfilling the conditions from paragraph 1 item 2 of this Article for a hospitality and catering facility - camp, located on a tourist plot in camps, shall include a

decision of the Croatian Privatisation Fund or a certificate by an authority competent for state property management regarding real estate assessed as social equity in a social company in the privatisation process, i.e. entered into the company equity in the privatisation process. Based on this evidence, the Ministry of Tourism may issue a temporary decision on the fulfilment of conditions for the type and category of camp until the decision is reached, in accordance with the concluded concession agreement on tourist land in camps, based on the special regulation concerning tourist land. When concluding the concession agreement, the Ministry of Tourism reaches a decision *ex officio* about the fulfilment of conditions for the type and category of camp, in accordance with the concession agreement and the determined facts.

(5) If the administrative procedure of issuing the decision from paragraph 1 of this Article establishes that the business premises, or the facility for which the request for a decision was submitted, had previously conducted hospitality and catering services, this procedure shall not encompass the fulfilment of conditions from paragraph 1 items 3, 4 and 5 of this Article, on the condition that the new provider of hospitality and catering services continues to provide hospitality and catering services in the same type or category of hospitality and catering facility, that the prescribed conditions for this type or category were not modified in the meantime, and that the hospitality and catering facility did not undergo significant changes regarding the fulfilment of prescribed conditions in terms of equipment and comfort for this type and category.

(6) A decision on the fulfilment of requirements for a special standard or award of the quality mark shall be issued to the provider of hospitality and catering services if his hospitality and catering facility fulfils the requirements established by the regulation referred to in Article 16, paragraph 2 of this Act.

(7) If the administrative procedure of issuing the decision on the fulfilment of conditions for the special standard from paragraph 3 of this Article establishes that the business premises for which the request for a decision was submitted had a previously determined special standard for this hospitality and catering facility, this procedure shall not encompass the fulfilment of conditions from Article 16 paragraph 2 herein, on the condition that the new provider of hospitality and catering services continues to provide hospitality and catering services in the same type or category of hospitality and catering facility for the allocation of this special standard, that the prescribed conditions for this type or category were not modified in the meantime, and that the hospitality and catering facility did not undergo significant changes regarding the fulfilment of prescribed conditions in terms of equipment and comfort for this type and category, in terms of establishing this special standard.

(8) In the case from paragraphs 3 and 5 of this Article, the hospitality and catering provider shall enclose a statement to the request, indicating that no significant changes occurred regarding this hospitality and catering facility, as prescribed.

Article 26

(1) The decision referred to in Article 20, paragraph 3 and Article 22, paragraph 1 of this Act shall cease to be in force in the case of:

- if the hospitality and catering services provider does not commence business activities, in a hospitality and catering facility to which the decision refers to, within the period of nine months after the date on which the decision became enforceable,
- if one of the conditions prescribed by Article 25 paragraph 1 items 1, 3 or 4 herein are no longer fulfilled

– the cancellation notice in relation to the performance of the activity in a hospitality and catering facility, on the date of its submission to the competent office, that is, the Ministry, or if it in the line of its duty establishes that the provider has ceased to perform the activity.

- if the hospitality and catering provider is denied concession on tourist land in camps owned by the Republic of Croatia.

(2) The competent office, that is, the Ministry, shall issue a decision on the cessation of validity of the decision referred to in paragraph 1 of this Article.

(3) The decision referred to in paragraph 2 of this Article shall be entered into the Registry referred to in Article 20, paragraph 4, that is, Registry referred to in Article 22, paragraph 3 of this Act.

V CAMPING

Article 27

(1) For the purpose of this Act camping means a sojourn in a tent, camp house, camp trailer, mobile home, camper and other equipment adequate for outdoor accommodation in camps from the group »Camps and other types of accommodation facilities«.

(2) By way of derogation from paragraph 1 of this Article, during sports, scouts, cultural and artistic and similar manifestations, organised camping outside camps referred to in paragraph 1 of this Article is also permitted in areas designated for that purpose.

(3) Depending on the purpose of camping referred to in paragraph 2 of this Article, local self-government units and public institutions governing a specific area shall establish, by their acts, a camping site for camping outside camps, requirements that must be fulfilled by that camping site, as well as the duration of such camping.

(4) It is prohibited to camp outside the camps from the group »Camps and other types of accommodation facilities« and areas designated for camping outside camps pursuant to paragraph 2 and 3 of this Article.

VI HOSPITALITY AND CATERING SERVICES IN HOUSEHOLDS AND IN RURAL HOUSEHOLDS

1 Hospitality and catering services in households

Article 28

(1) Hospitality and catering services in a household may be provided by a natural person - citizen (hereinafter: the lessor).

(2) For the purpose of this Act, a lessor is considered to be a citizen of the Republic of Croatia.

(3) Lessors within the meaning of this Act are also citizens of Member States of the European Union and European Economic Area.

(4) For the purpose of this Act, the following hospitality and catering services shall be considered hospitality and catering services in households:

1. accommodation services in a room, apartment or holiday house, which the lessor owns, up to a maximum of 10 rooms, that is, 20 beds, which does not include the number of extra beds,

2. accommodation services in a camp, organised on land which the lessor owns, with the maximum of 10 accommodation units, that is 30 guests at the same time, which does not include children under 12 years of age,

3. breakfast, half board or full board services to guests to whom the lessor provides accommodation services in a room, apartment or holiday house.

(5) The lessor must not offer or sell, directly or through other persons that are not registered as agencies for selling accommodation services, his services referred to in paragraph 4, item 1 and 2 of this Article outside his facility, except in areas, under conditions and in the manner which may be prescribed by the decision of the representative body of a local self-government unit.

Article 29

(1) For the provision of hospitality and catering services in households, the facilities referred to in Article 28 of this Act must fulfil minimum requirements in relation to type as well as requirements regarding category.

(2) The Minister shall prescribe, by an Ordinance, the minimum requirements in relation to type, categories, requirements regarding category, marks of categories, and manner of marking categories as well as the procedure for the categorisation of facilities from paragraph 1 of this Article.

(3) Upon the lessor's application, the competent office shall determine whether the facilities referred to in Article 28, paragraph 1 of this Act fulfil the minimum requirements in relation to type and requirements regarding category.

(4) The party shall be entitled to submit an appeal to the Ministry regarding the decision of the competent office from paragraph 3.

Article 30

(1) The lessor who provides hospitality and catering services in his household must fulfil the health requirements for work in the hospitality and catering industry pursuant to special regulations.

(2) The lessor must also fulfil health requirements pursuant to the regulation adopted on the basis of this Act.

(3) The Minister, with the prior consent of the Minister in charge of health, shall prescribe, by an Ordinance, the health requirements referred to in paragraph 2 of this Article.

Article 31

(1) When providing hospitality and catering services in his household the lessor shall:

1. visibly display at the entrance into a facility or in its immediate vicinity, in the prescribed manner, a signboard marking the facility type and category, as established by a decision of the competent office,

2. display in each facility a mark of the facility type and category, prices of services he provides, information on sojourn tax pursuant to special regulation, as well as comply with the noted prices,

3. establish standard specifications for foodstuffs, drinks and beverages needed for a specific dish, drink or beverage, if he provides such services, as well as provide services pursuant to established standard specifications and show the standard specification to a guest at his request,
 4. issue a bill with stated type, quantity and price, that is, approved discount, of provided services for each provided service to a guest,
 5. keep a guest list in the prescribed manner,
- (2) When announcing and advertising services and publishing messages in promotional materials, the lessor must not use a mark of the prescribed facility type and category that has not been established by the decision of the competent office.
- (3) The Minister shall prescribe, by an Ordinance, the form and content as well as the manner of keeping the guest list referred to in paragraph 1, item 5 of this Article.

Article 32

The sojourn of more than 15 persons who are not members of closer family, pursuant to special regulation which prescribes the obligation to pay sojourn tax, in flats, apartments and holiday houses in tourist places for which a special regulation prescribes that the period of main tourist season is the period from 15 June to 15 September, shall in that period be considered as provision of hospitality and catering services in households.

Article 33

- (1) The lessor providing hospitality and catering services in a household shall obtain a decision of the competent office granting the provision of hospitality and catering services in a household (hereinafter: granting decision).
- (2) The granting decision shall be issued upon the lessor's request under the following conditions:
 1. that the lessor owns the facility (room, apartment or vacation home), or that he owns the camping grounds,
 2. that he fulfills health requirements prescribed by the ordinance from Article 30, paragraph 3 herein,
 3. that the facility in which services are to be provided fulfills minimum requirements and conditions for that category, as stipulated herein,
 4. that the facility - building in which the hospitality and catering services are to be provided fulfills the requirements from the special regulation, failing which the competent office shall not issue a decision on the fulfillment of conditions for this activity, as prescribed by the regulation in question.
- (3) By way of derogation from paragraph 2 item 1 of this Article, the lessor may provide services also in the facility (room, apartment or vacation home) or camping grounds in the ownership of his spouse, direct relative or family member, respectively, who lives in the common household with him, upon their consent in writing for providing hospitality and catering services in a household.
- (4) By way of derogation from paragraph 2 of this Article, a person who submitted a request for legalizing an illegally constructed building, which represents a less demanding building, to the competent administrative body in charge of issuing a decision on the constructed state, in accordance with a special regulation governing the procedure concerning illegally constructed buildings, shall be issued a temporary decision on granting the provision of hospitality and

catering services in a household, until execution date of the decision whereby the lessor's request is for issuing a temporary decision is resolved, and no later than 31 December 2016, provided requirements from paragraph 2, item 3 of this Article is fulfilled, as well as the following requirements:

1. that he is the owner of the land on which the building is located, for which a request for legalizing an illegally constructed building has been submitted,
2. that the request was submitted in due time for legalizing an illegally constructed building in which he intends to provide hospitality and catering services.

(5) By way of derogation from paragraph 2 of this Article, the spouse, direct relative or family member, respectively, living in the same household as the lessor and the lessor's heir determined in the inheritance decision, or the person who acquired the right to the real estate from the lessor by donation or life-long subsistence contract, may continue to provide hospitality and catering services in a household in the capacity of a lessor, according to the decision issued to the previous lessor, upon receiving a granting decision requested from the competent office, on the condition that this person can be considered a lessor according to Article 28 herein, and that he fulfills the requirements from paragraph 2, items 2 and 3 of this Article. A statement indicating that no significant changes had occurred regarding the facility shall be enclosed to the statement, which conditions would influence the fulfillment of prescribed conditions regarding comfort and equipment for the type and category of facility in which services are provided. In case several heirs and/or donation recipients, who are not co-owners of the real estate in which services are provided, request the granting decision, it shall be issued to them for the accommodation capacities pertaining to them. In case several heirs, donation recipients and/or providers of life-long subsistence who are co-owners of such real estate request this, the approval shall be granted to those with permission from all other co-owners.

(6) The decision from paragraphs 1 and 5 of this Article may be issued to one and/or both spouses, and/or to one or several family members living in the same household, on the condition that total accommodation capacities determined in the decisions issued do not exceed the maximum accommodation capacities prescribed by Article 28, paragraph 4 herein.

(7) The party shall be entitled to submit an appeal to the Ministry regarding the decision of the competent office from paragraphs 1, 4 and 5.

Article 34

(1) If the competent office does not issue a decision on the lessor's application in the term prescribed by law the lessor can commence providing hospitality and catering services in his facility upon prior written notice to the competent office if he has obtained an adequate permit in line with a special regulation according to which a building, which is, or in which the hospitality and catering facility is located, may be put into use, that is, into operation.

(2) The competent office shall issue a decision on authorisation within 30 days from the date of receiving the notice referred to in paragraph 1 of this Article.

(3) If the competent office establishes that the requirements prescribed by this Act have not been fulfilled, but the lessor has commenced his activities pursuant to paragraph 1 of this Article, it shall be considered that he is providing services contrary to the provisions of this Act.

(4) The competent office shall deliver the granting decision to the Tax Administration, to the competent local tourist inspection service of the Ministry, to the competent sanitary inspection and to the Croatian Bureau of Statistics. In addition to these bodies, it shall deliver the temporary decision on approval from Article 33, paragraph 4 herein also to the competent administrative body processing the request for initiating legalization of an illegally constructed building, submitted by a citizen - lessor who obtained an executive temporary decision.

(5) The administrative body competent, based on a special regulation, for processing the legalization of an illegally constructed building, shall deliver a copy of the executive decision resolving the request of the citizen from paragraph 4 of this Article also to the competent office which issued the temporary decision on approval to provide hospitality and catering services in a household.

Article 35

A decision on authorisation contains:

1. lessor's name and surname, date of birth, place of residence and address, and the personal identification number
2. place, street and street number of the facility in which a service is provided,
3. type of hospitality and catering service and number of guests to which the service can be provided,
4. type and category of a facility in which a service is provided.

Article 36

(1) A decision on authorisation shall be entered into the Registry on the provision of hospitality and catering services in a household which is kept by the competent office.

(2) The Minister shall prescribe, by an Ordinance, the form, content and manner of keeping the Registry referred to in paragraph 1 of this Article.

Article 37

(1) A decision on authorisation shall cease to be in force in the case of:

1. death of the lessor, except if the lessor's heir continues to provide hospitality and catering services according to Article 33 paragraph 6 herein,
2. the lessor's cancellation notice, on the date stated in the notice or on the date of its submission to the competent office, if the lessor has stated a retrospective date in the cancellation notice,
3. if the lessor does not commence providing services within the period of one year after the date on which the decision became enforceable,
4. if one of the conditions prescribed by Article 33 paragraph 2 items 1, 2, 3 or 4 herein are no longer fulfilled,
5. if during inspectional supervision it is established that the requirements prescribed by this Act or regulations adopted on the basis of this Act have not been fulfilled, and that established deficiencies have not been removed in the given period of time.

(2) The competent office shall issue the decision on the cessation of validity of the decision on authorisation and deliver it to a competent Tax Administration, competent branch office of a branch unit of the State Inspector's Office, competent sanitary inspection, and the Central Bureau of Statistics.

(3) The decision referred to in paragraph 2 of this Article shall be entered into the Registry referred to in Article 36, paragraph 1 of this Act.

(4) The party shall be entitled to submit an appeal to the Ministry regarding the decision of the competent office from paragraph 2.

2 Hospitality and catering services in rural households

Article 38

(1) For the purposes of this Act, a rural household shall be a family agricultural farm entered into the Ledger of Agricultural Farms pursuant to regulations within the competence of the ministry in charge of agriculture, which provides hospitality and catering services pursuant to provisions of this Act.

(2) The following hospitality and catering services may be provided in a rural household:

1. preparation and serving of hot and cold dishes, as well as drinks and beverages mainly from own production for a maximum of 80 guests (picnickers) at one time,

2. serving (tasting) of must, wine, fruit wines, other wine and fruit wine products, strong liquor and alcoholic drinks, including home-made cured meats from its own production in an arranged part of a residential or business facility, in an indoor, covered or outdoor space for a maximum of 80 guests (picnickers) at the same time,

3. accommodation services in a room, apartment, rural vacation home with a maximum of 10 rooms, or for 20 guests simultaneously or accommodation services in a camp, with a maximum of 20 accommodation units, or 60 guests simultaneously. The food, drinks and beverages available to the guests (breakfast or 2 daily meals or 3 daily meals) must be mainly from own production. Services may simultaneously be provided in rooms, apartments, rural vacation homes and camps for the maximum number of guests (80 guests).

(3) As an exception, services from paragraph 2 items 1 and 2 may be provided to more than 80 guests (picnickers) for the purpose of organising traditional celebrations and events no more than five times in a calendar year, with a mandatory report to the competent local tourist inspection service of the Ministry, at the latest 3 days prior to the provision of such services.

(4) Dishes, drinks and beverages served in a rural household must be common for the region in which that rural household is located.

(5) Tourist services may be provided at a rural household in conformity with regulations determining the provision of these services.

(6) To provide hospitality and catering services in a rural household, the facilities in which hospitality and catering services from paragraph 2 of this Article are to be performed must conform to minimum requirements for the type and conditions for that category.

(7) The Minister shall prescribe, upon approval of the minister in charge of agriculture and in an ordinance, the minimum requirements for the type, categories, category requirements, marks of categories as well as the manner for categorising facilities in which accommodation services referred to in paragraph 2 item 3 of this Article are provided, health requirements, definition of own production, and which dishes, drinks and beverages are considered common

for the region in which that rural household is located, as well as the types of products which do not have to be from own production within the meaning of paragraph 2 items 1 and 2 of this Article.

(8) Provisions of Article 28, paragraph 5, Articles 30, 31, 32, 33, paragraphs 4, 5 and 6, 34, 35 and 37 herein shall apply accordingly to the provision of services in a rural household.

Article 38a

(1) To provide hospitality and catering services in a rural household, the agricultural farm shall obtain a decision from the competent office on the approval to provide hospitality and catering services in a rural household.

(2) For the purposes of this Act a rural household shall be a family agricultural farm whose holder is a citizen of the Republic of Croatia and a citizen of a signatory state of the Agreement on the European Economic Area.

(3) The decision from paragraph 1 of this Article shall be issued upon request of the holder or a family member of the agricultural farm, subject to the following conditions:

1. that the agricultural farm is entered into the Ledger of Agricultural Farms,
2. that he/she is entitled to use the facility and/or land on which the hospitality and catering services from Article 38, paragraph 2 herein are to be provided,
3. that members of the agricultural farm fulfil health requirements prescribed by the ordinance from Article 38, paragraph 7 herein,
4. that the facility in which hospitality and catering services are to be provided fulfil minimum requirements and conditions for that category as stipulated by this Act,
5. that the facility - structure in which the hospitality and catering services are to be provided at the agricultural farm fulfils the requirements from the special regulation, failing which the competent office shall not issue a decision on the fulfilment of conditions for this activity, as prescribed by this regulation.

(4) The competent office shall resolve the request from paragraph 3 of this Article within 30 days from the date the request was submitted.

(5) The decision on approval to provide services on the agricultural farm shall be entered into the Ledger of Agricultural Services Provided by Rural Households, kept by the competent office.

(6) The minister shall prescribe the contents, form and means of keeping the Ledger from paragraph 5 of this Article.

(7) The party shall be entitled to submit an appeal to the Ministry regarding the decision of the competent office from paragraph 1.

VII SUPERVISION

Article 39

(1) Administrative supervision over the implementation of this Act and regulations adopted on the basis of this Act shall be conducted by the Ministry.

(2) Inspectional supervision over the implementation of this Act and regulations adopted on the basis of this Act, as well as other individual acts, requirements and manners in relation to business activities of the supervised legal and natural person, shall be conducted by competent

tourist inspectors (hereinafter: the tourist inspectors) and other inspectors, each within their competence, pursuant to special regulation.

(3) The supervision over the prohibition to serve, that is, permit consumption of alcohol drinks to persons under 18 years of age shall also be conducted by police officers of the Ministry in charge of internal affairs (hereinafter: the police officers).

(4) When conducting supervision referred to in paragraph 3 of this Article, the police officers are authorised to submit the request for the initiation of a misdemeanour proceedings against an offender.

Article 40

(1) When conducting inspection in the area of hospitality and catering industry, and in the provision of hospitality and catering services, the tourist inspector shall prohibit, by an oral decision recorded in minutes, further performance of hospitality and catering activities or the provision of hospitality and catering services to a legal or natural person until the established deficiencies have been eliminated, and for a minimum period of 30 days:

– if activities are performed without entry into the prescribed register or ledger, or without authorisation,

– if activities are performed without a decision establishing that premises, appliances and equipment fulfil the prescribed requirements.

(2) If the person from paragraph 1 herein is not present during inspection, the tourist inspector shall issue an oral decision on prohibiting further hospitality and catering activities or provision of hospitality and catering services in his/her absence and without his/her statement, in the presence of other on-site participants.

(3) The oral decision from paragraph 1 of this Article shall be carried out by sealing off the premises, facilities, appliances and other equipment used for the hospitality and catering activity or the provision of hospitality and catering services, at the latest within 24 hours from the oral decision or in another adequate manner, regardless of whether the person from paragraph 1 of this Article is present or not.

(4) In case of implementing the oral decision pertaining to the sealing off of premises, the legal or natural person shall remove perishable foodstuffs and ensure safety and other measures to prevent any damages. In case the legal or natural person fails to take the above measures, he/she shall be liable for any damages.

(5) By way of derogation, the measure of prohibiting the performance of hospitality and catering activities or the provision of hospitality and catering services from paragraph 1 of this Article shall not be implemented, i.e. the sealed off premises, facilities, appliances and other equipment for work shall be unsealed earlier than 30 days if the competent inspector receives proof about the elimination of deficiencies established, and proof of payment of HRK 30,000.00, and for facilities in which accommodation services are provided, proof of payment of HRK 2,000.00 for each facility or accommodation unit in that facility, no higher than HRK 100,000.00 total, paid into the state budget.

(6) In the case from paragraph 5 of this Article the tourist inspector shall cancel the administrative procedure, and annul the measures completed.

(7) The decision from paragraph 1 herein shall be delivered to the party by the inspector within 8 days from the date the prohibition was issued in an oral decision, except in the case from paragraph 6 of this Article. An appeal shall be permitted only for the written portion of the decision.

(8) An appeal against the decision shall not postpone its enforcement.

Article 41

- (1) The tourist inspector shall prohibit, by an oral decision pronounced to the hospitality and catering service provider, the provision of hospitality and catering services if the provider does not comply with the prescribed working hours, which shall last 30 days from the date of the pronounced oral decision.
- (2) If the hospitality and catering services provider from paragraph 1 herein is not present during inspection, the tourist inspector shall issue an oral decision on prohibiting further hospitality and catering activities to his employees without his/her statement.
- (3) The oral decision from paragraph 1 of this Article shall be carried out by sealing off the premises, facilities, appliances and other equipment used for the hospitality and catering activity within 24 hours from the oral decision, by which time the hospitality and catering services provider or the participant on-site must ensure the removal of perishable foodstuffs and ensure safety and other measures to prevent any damages. In case the hospitality and catering services provider or the participant on-site fails to take the above measures, he/she shall be liable for any damages.
- (4) By way of derogation, the oral decision from paragraph 1 of this Article shall not be implemented, i.e. the sealed off premises, facilities, appliances and other equipment for work shall be unsealed earlier than 30 days if the competent inspector receives the proof of payment of HRK 30,000.00 into the state budget.
- (5) In the case from paragraph 4 of this Article, the tourist inspector shall cancel the administrative procedure, and annul the measures completed.
- (6) The decision from paragraph 1 herein shall be delivered to the party by the inspector within 8 days from the date the prohibition was issued in an oral decision, except in the case from paragraph 5 of this Article. An appeal shall be permitted only for the written portion of the decision.
- (7) An appeal against the decision shall not postpone its enforcement.

Article 42

- (1) If a hospitality and catering facility or facility in which certain hospitality and catering services are provided does not fulfil the requirements prescribed by this Act or regulations adopted on the basis of this Act, the tourist inspector shall order the removal of the established deficiencies and irregularities and establish the period of time in which those deficiencies and irregularities must be removed.
- (2) If the deficiencies and irregularities referred to in paragraph 1 of this Article are not removed within the given period of time, the tourist inspector shall prohibit the performance of hospitality and catering activity, that is, provision of certain hospitality and catering services in the facility in which deficiencies and irregularities were established until the deficiencies and irregularities have been removed.
- (3) If the deficiencies and irregularities referred to in Article 39 paragraph 2 of this Act endanger health or life of guests or workers, the economic and other inspectors referred to in Article 39, paragraph 2 of this Act shall prohibit the performance of hospitality and catering activity, that is, provision of certain hospitality and catering services until these deficiencies and irregularities have been removed.
- (4) In the case referred to in paragraph 3 of this Article, the economic and other inspectors may pronounce the measure orally and demand the measure to be carried out without delay (immediately)

Article 43

- (1) If the tourist inspector establishes during inspection that a person is camping on private land, not encompassed by the group 'Camps and other types of accommodation facilities', and outside of the areas designated for camping outside camps pursuant to Article 27 paragraphs 2 and 3 herein, he/she shall ban, by an oral decision recorded in minutes, the owner of the camper, camp trailer and other camping equipment, or his/her representative, from camping for 60 days and placing camping equipment on this land.
- (2) The decision from paragraph 1 of this Article shall be implemented immediately by sealing off the camp equipment (tent, camper, camp trailer, RV and other equipment for accommodations in the open), or in another adequate manner.
- (3) A copy of the oral decision from paragraph 1 of this Article shall be sent to the party in writing by the tourist inspector, within 8 days from the ban ordered in the oral decision. An appeal shall be permitted only for the written portion of the decision.
- (4) In case of implementing the oral decision pertaining to the sealing off of premises, the person from paragraph 1 of this Article shall remove perishable foodstuffs, and ensure safety and other measures to prevent any damages. In case the person from paragraph 1 of this Article fails to take the above measures, he/she shall be liable for any damages.
- (5) An appeal against the ruling from paragraph 3 of this Article shall not delay its execution

VIII MISDEMEANOUR PROVISIONS

Article 44

- (1) A misdemeanour fine in an amount ranging from HRK 10,000.00 to 150,000.00 shall be imposed on a legal person:
 1. provides hospitality and catering services not encompassed by the decision issued by the Ministry or the competent office (Article 11, paragraph 1),
 2. if a hospitality or catering facility does not fulfil the minimum requirements prescribed for a certain type, and for facilities that are categorised also the requirements in relation to categorisation, as well as the requirements for the established special standard, that is, the quality mark or when it ceases to fulfil the mentioned requirements (Article 17),
 3. for performing hospitality and catering activity contrary to the issued decision from the competent office referred to in Article 20, paragraph 3 of this Act, that is, the decision from the Ministry referred to in Article 22, paragraph 1 of this Act, with the exception of the case referred to in Article 19, paragraph 2, 3 and 4 and Article 21, paragraph 1 and of this Act.
- (2) A fine in an amount ranging from HRK 5,000.00 to 15,000.00 shall also be imposed on a responsible person in the legal person for misdemeanours referred to in paragraph 1 of this Article.
- (3) A fine in an amount ranging from HRK 5,000.00 to 15,000.00 shall be imposed on a natural person for misdemeanours referred to in paragraph 1 of this Article.
- (4) For the misdemeanours referred to in paragraph 1 of this Article, the legal and natural person shall be fined as well as deprived of a material benefit gained from the misdemeanour.
- (5) For misdemeanors from paragraphs 1 of this Article, the tourist inspector may charge a fine of HRK 5,000.00 to the legal person on the spot where the misdemeanor occurred, and a fine of HRK 2,500.00 to the natural person and the responsible person in the legal person.

Article 45

(1) A misdemeanour fine in an amount ranging from HRK 5,000.00 to 100,000.00 shall be imposed on the legal person:

1. for failing to visibly display at the entrance into a hospitality and catering facility, or in the entrance hall of the hospitality and catering facility located in a building which is protected as a cultural good, in the prescribed manner, a signboard marking the hospitality and catering facility type, that is, the facility type and category, special standard, quality mark, as established by a decision of the competent office, that is the Ministry (Article 9, paragraph 1, item 1),
2. for failing to visibly display at the entrance into the facility a notice on working hours and working, that is, nonworking days, as well as for failing to comply with the displayed working hours (Article 9, paragraph 1, item 2),
3. for failing to establish house rules in accommodation facilities and display it at the reception as well as for failing to display excerpts from the house rules in all rooms and apartments (Article 9 paragraph 1, item 3),
4. for failing to establish standard specifications of foodstuffs used for a specific dish, drink or beverage, and provide services that comply with the established standard specifications both in quantity and quality, or for failing to show the standard specification to a guest at his request (Article 9 paragraph 1, item 4),
5. failing to visibly display prices of offered services, in a manner available to guests and comply with the noted prices, and when providing accommodation services also visibly display the amount of sojourn tax in price lists and make a sufficient number of price list copies available to guests (Article 9 paragraph 1, item 5),
6. for failing to issue a bill for each provided service to a guest with stated type, quantity and price of provided services, that is, approved discount, and when providing accommodation services also express the amount of sojourn tax in the bill (Article 9 paragraph 1, item 6),
7. for failing to comply with the prescribe working hours (Article 9 paragraph 1, item 7),
8. for failing to prevent the taking out of drinks and beverages in order to be consumed outside the indoor premises of a hospitality and catering facility referred to in Article 8, paragraph 1, subparagraph 2 of this Act (Article 9, paragraph 1, item 8)
9. for failing to keep a guest book, in the prescribed form, content and manner, in an accommodation facility (Article 9 paragraph 1, item 9),
10. does not permit the services user to file complaints in writing, in accordance with a special regulation determining the rights of consumers (Article 9, paragraph 1, item 10),
11. for failing to insure guests in the accommodation facility against accidents (Article 9 paragraph 1, item 11),
12. for failing to deliver a written notice on the termination of the performance of the activity in the hospitality or catering facility to the competent office, that is, the Ministry, within the prescribed period of time (Article 9, paragraph 1, item 12),
13. for failing to display in a hospitality and catering facility in which services are provided to naturists, beside the name of the facility type, a mark that services are provided to naturists in that facility (Article 9, paragraph 4),
14. for using a mark of the prescribed hospitality and catering facility type and category, special standard, that is, the quality mark that has not been established by the decision of the competent office, that is, the Ministry, when announcing and advertising services and publishing messages in commercial business activities (Article 10),
15. for serving, that is, permitting consumption of alcohol drinks to persons under 18 years of age in the hospitality and catering facility, and for failing to visibly display a mark on the

prohibition of serving, that is consumption of alcohol for persons under 18 years of age or for serving alcohol drinks contrary to the prescribed prohibition (Article 12, paragraphs 1, 2 and 3).

(2) A fine in an amount ranging from HRK 3,000.00 to 15,000.00 shall also be imposed on the responsible person in the legal person for misdemeanours referred to in paragraph 1 of this Article.

(3) A fine in an amount ranging from HRK 3,000.00 to 15,000.00 shall be imposed on the natural person for the misdemeanours referred to in paragraph 1 of this Article.

(4) For misdemeanors from paragraphs 1 and 2 of this Article, the tourist inspector may charge a fine of HRK 2,500.00 to the legal person on the spot where the misdemeanor occurred, and a fine of HRK 1,500.00 to the natural person and the responsible person in the legal person.

Article 46

(1) A fine ranging from HRK 5,000.00 to 50,000.00 shall be imposed for a misdemeanor on the legal person if the hospitality and catering inside premises do not fulfill the requirements prescribed by this Act and other regulations (Article 4, paragraphs 2 and 3).

(2) A fine in an amount ranging from HRK 1,500.00 to 7,500.00 shall be imposed on the responsible person in the legal person for misdemeanours referred to in paragraph 1 of this Article.

(3) A fine in an amount ranging from HRK 3,000.00 to 15,000.00 shall also be imposed on a natural person for misdemeanours referred to in paragraph 1 of this Article.

(4) For the misdemeanours referred to in paragraph 1 of this Article, the legal and natural person shall be fined, as well as deprived of a material benefit gained from the misdemeanor.

(5) For misdemeanors from paragraphs 1 and 2 of this Article, the tourist inspector may charge a fine of HRK 2,500.00 to the legal person on the spot where the misdemeanor occurred, a fine of HRK 1,500.00 to the natural person and a fine of HRK 750.00 to the responsible person in the legal person.

Article 47

(1) A fine in an amount ranging from HRK 2,000.00 to 15,000.00 shall be imposed on a lessor:

1. for providing accommodation services in more than 10 rooms that is 20 beds, which does not include the number of extra beds (Article 28, paragraph 4, item 1),
2. for providing accommodation services in a camp in more than 10 accommodation units, that is, for more than 30 guests at the same time, which does not include children under 12 years of age (Article 28, paragraph 4, item 2),
3. for providing breakfast, half board or full board services to guests to whom he does not provide accommodation services in a room, apartment or holiday house (Article 28, paragraph 4, item 3)
4. for offering and selling services referred to in Article 28, paragraph 4, item 1 and 2 of this Act contrary to Article 28, paragraph 5 of this Act (Article 28, paragraph 5),

5. if a facility in which he provides services does not fulfil the minimum requirements in relation to type as well as requirements regarding category (Article 29, paragraph 1),
6. if he does not fulfil the prescribed health requirements (Article 30, paragraph 2),
7. for failing to visibly display at the entrance into a facility or in its immediate vicinity, in the prescribed manner, a signboard marking the facility type and category, as established by a decision of the competent office (Article 31, paragraph 1, item 1) ,
8. for failing to display in each facility a mark of type and category, prices of services he provides, information on sojourn tax, and failing to comply with the listed prices (Article 31, paragraph 1, item 2),
9. for failing to establish standard specifications for foodstuffs, drinks and beverages for a specific dish, drink or beverage, if he provides such services, as well as for failing to provide services pursuant to established standard specifications and show the standard specification to a guest at his request (Article 31, paragraph 1, item 3),
10. for failing to issue a bill for each provided service to a guest with stated type, quantity and price of provided services, that is, approved discount (Article 31, paragraph 1, item 4),
11. for failing to keep a list of guests in the prescribed manner (Article 31, paragraph 1, item 5),
12. for using a mark of the prescribed facility type and category that has not been established by the decision of the competent office when announcing and advertising services and publishing messages in promotional materials (Article 31, paragraph 2),
13. provides services from Article 28 of this Act contradictory to the issued decision on approval, except in the case from Article 34, paragraph 1 herein or contrary to the issued temporary decision (Article 33, paragraphs 1, 4 and 5)

(2) For the misdemeanours referred to in paragraph 1, item 1, 2, 3 and 13 of this Article, apart from the fine pronounced, material benefit gained from the misdemeanour shall be confiscated.

(3) For the misdemeanours referred to in paragraph 1 of this Article, the tourist inspector may charge a fine in the amount of HRK 1,000.00 at the place on which the misdemeanour has been committed.

Article 47a

(1) A fine of HRK 2,000.00 to HRK 15,000.00 for a misdemeanour shall be imposed on a natural person - agricultural farm holder or family member, if:

1. he/she provides services on the agricultural farm contrary to provisions of Article 38 paragraphs 2 to 6 herein (Article 38, paragraphs 2 to 6),
2. he/she provides services on the agricultural farm contrary to provisions of Article 28 paragraph 5, Article 30 paragraph 2, Articles 31 and 34 herein (Article 38 paragraph 8),
3. he/she provides services on the agricultural farm contrary to the issued decision on approval from Article 38a, paragraph 1 herein, except in the case from Article 34 paragraph 1 herein (Article 38a paragraph 1).

(2) In case of misdemeanours from paragraph 1 of this Article, material gain resulting from the misdemeanour shall be confiscated in addition to the fine.

(3) For misdemeanours from paragraph 1 of this Article, the tourist inspector may charge a fine of HRK 1,000.00 on-site at the premises on which the misdemeanour was committed.

Article 48

(1) A fine in an amount ranging from HRK 2,000.00 to 15,000.00 shall be imposed on a person who camps outside camps from the group »Camps and other types of accommodation facilities« and areas designated for camping outside camps pursuant to Article 27, paragraph 2 and 3 of this Act (Article 27, paragraph 4).

(2) For the misdemeanour referred to in paragraph 1 of this Article, the tourist inspector may charge a fine in the amount of HRK 1,000.00 at the place on which the misdemeanour has been committed.

Article 49

For the misdemeanours established by Article 44 and 45 of this Act which have been committed for the second time in the same hospitality and catering facility within the period of two years from the first legally effective misdemeanour decision, a fine shall be imposed on the hospitality and catering service provider accompanied by a protection measure forbidding him to perform hospitality and catering activity in that facility during the period ranging from three months to one year.

Article 50

For the misdemeanours established by Article 44 and 45 of this Act which have been committed for the third time in the same hospitality and catering facility within the period of two years from the second legally effective misdemeanour decision, a fine shall be imposed on the hospitality and catering service provider accompanied by a protection measure forbidding him to perform hospitality and catering activity during the period ranging from six months to one year.

IX TRANSITIONAL AND FINAL PROVISIONS

Article 51

(1) Hospitality and catering service providers who, on the date of entry into force of this Act, perform hospitality and catering activity in the facilities referred to in Article 9, paragraph 1, item 2 and 3 of the Hospitality and Catering Industry Act (Official Gazette, No. 48/95, 20/97, 68/98, 45/99, 76/99, 92/01, 117/01, 4/02, 117/03 and 42/05) shall harmonise their business activities with the provisions of the Ordinance referred to in Article 14, paragraph 2 of this Act within the period of 5 years from the date of entry into force of that Ordinance.

(2) Hospitality and catering service providers who perform hospitality and catering activity in a hospitality and catering facility referred to in Article 33 and 34 that is in the manner prescribed by Article 15, paragraph 1 of the Hospitality and Catering Industry Act (Official Gazette, No. 48/95, 20/97, 68/98, 45/99, 76/99, 92/01, 117/01, 4/02, 117/03 and 42/05) shall harmonise their business activities with the provisions of the Ordinance referred to in Article 14, paragraph 2 of this Act within the period of 3 months from the date of entry into force of that Ordinance.

(3) The competent office shall forbid, by a decision, the hospitality and catering service provider who fails to harmonise his business activities pursuant to paragraph 1 and 2 of this

Article to perform hospitality and catering activity and establish the cessation of validity of the issued decision on the performance of hospitality and catering activity.

Article 52

(1) Legal and natural persons, that on the date of entry into force of this Act, provide hospitality and catering services in a closed facility pursuant to Article 4 of the Hospitality and Catering Industry Act (Official Gazette, No. 48/95, 20/97, 68/98, 45/99, 76/99, 92/01, 117/01, 4/02, 117/03 and 42/05), may continue their business activities, but shall obtain, within the period of 5 years from the date of entry into force of this Act, a decision on the fulfilment of the minimum requirements for a certain type of hospitality and catering facility prescribed by an Ordinance adopted on the basis of this Act.

(2) The competent office shall forbid, by a decision, a legal or natural person that fails to obtain the decision referred to in paragraph 1 of this Article to provide hospitality and catering services and establish the cessation of validity of the issued decision on the provision of services in the closed facility.

(3) By way of derogation from paragraph 1 of this Article, legal and natural persons, that on the date of entry into force of this Act provide hospitality and catering services in a closed facility for children for the purpose of organised children vacations, shall continue their business activities as the hospitality and catering facility referred to in Article 4, paragraph 1 of this Act.

(4) Until the expiry of the period referred to in paragraph 1 of this Article, the provisions of the Hospitality and Catering Industry Act (Official Gazette, No. 48/95, 20/97, 68/98, 45/99, 76/99, 92/01, 117/01, 4/02, 117/03 and 42/05) and regulations adopted for its implementation shall be applied to the provision of services in the facility referred to in paragraph 1 of this Article, with the exception of the facilities referred to in paragraph 3 of this Article.

(5) Until the regulations referred to in Article 4, paragraph 3 and 5 of this Act enter into force, the provisions of the Hospitality and Catering Industry Act (Official Gazette, No. 48/95, 20/97, 68/98, 45/99, 76/99, 92/01, 117/01, 4/02, 117/03 and 42/05) and regulations adopted for its implementation shall be applied to the facilities referred to in paragraph 3 of this Article.

Article 53

(1) Hospitality and catering service providers who, on the date of entry into force of this Act, perform hospitality and catering activity in accommodation facilities camps which are categorised, from the group »Camps and other types of accommodation facilities« and who, until the entry into force of this Act, have not obtained a decision on categorisation pursuant to the Ordinance on classification, minimum requirements and categorisation of other types of accommodation facilities from the group »Camps and other types of accommodation facilities« (Official Gazette, No. 175/03 and 106/04) shall obtain the decision on categorisation by 30 April 2015.

(2) The Ministry, that is, the competent office shall forbid, by a decision, the hospitality and catering service provider who fails to obtain the decision referred to in paragraph 1 of this Article to perform hospitality and catering activity and establish the cessation of validity of the issued decision on categorisation.

Article 54

The Ministry shall forbid, by a decision, hospitality and catering service providers, who, on the date of entry into force of this Act perform hospitality and catering activity in accommodation facilities from the group »Hotels« which are categorised, and who have failed to obtain the decision on categorisation pursuant to the Ordinance on classification, categorisation, special standards and special quality of accommodation facilities from the group »Hotels« (Official Gazette, No. 48/02, 108/02, 132/03 and 73/04) before the entry into force of this Act, to perform hospitality and catering activity and establish the cessation of validity of the issued decision on categorisation.

Article 55

(1) Natural persons (citizens) who, on the date of entry into force of this Act, provide hospitality and catering services in citizens' households shall continue providing hospitality and catering services in line with the provisions of this Act, which regulate the provision of hospitality and catering services in citizens' households, while the ones whose accommodation capacities exceed the limits prescribed by Article 28, paragraph 4 items 1 and 2 herein must harmonise their operation with the provision of Article 28 paragraph 4 herein item 1 and 2 of this Act within the period of five years of the entry into force of this Act.

(2) Natural persons who, on the date of entry into force of this Act, provide hospitality and catering services in rural households shall harmonise their provision of services with the provision of Article 38, paragraph 2 of this Act within the period of one year of the entry into force of this Act.

(3) The competent office shall forbid, by a decision, a natural person who fails to harmonise his business activities pursuant to paragraph 1 and 2 of this Article to provide hospitality and catering services in his household, that is, rural household and establish the cessation of validity of the issued decision on authorisation.

Article 56

The period of time referred to in Article 23, paragraph 1 of this Act, during which the Ministry shall conduct categorisation of the hospitality and catering facilities referred to in Article 22, paragraph 1 of this Act anew and re-establish the special standard and quality mark for the facilities referred to in Article 16, paragraph 1 of this Act, for hospitality and catering facilities whose category, that is, special standard and quality mark has been established, by a decision, before the entry into force of this Act, starts running on the day on which these decisions became final.

Article 57

Procedures initiated before the entry into force of this Act shall be ended in accordance with the provisions of this Act.

Article 58

(1) The representative body shall adopt regulations pursuant to the authorisation arising from this Act within the period of two months of the entry into force of this Act.

(2) Until the entry into force of the regulations referred to in paragraph 1 of this Article of the Act, regulations adopted by the representative bodies pursuant to the authorisation arising from the Hospitality and Catering Industry Act (Official Gazette, No. 48/95, 20/97, 68/98, 45/99, 76/99, 92/01, 117/01, 4/02, 117/03 and 42/05), in the part which is not contrary to the provisions of this Act, shall remain in force.

(3) Individual decisions adopted by the administration of a local self-government unit pursuant to Article 11, paragraph 2 of the Hospitality and Catering Industry Act (Official Gazette, No. 48/95, 20/97, 68/98, 45/99, 76/99, 92/01, 117/01, 4/02, 117/03 and 42/05) which are contrary to the provisions of this Act shall cease to apply from the day this Act enters into force.

Article 59

The Minister shall adopt regulations pursuant to the authorisation arising from this Act within the period of two six of the entry into force of this Act.

Article 60

Until the entry into force of the regulations referred to in Article 58 and 59 of this Act, the regulations adopted for the implementation of the Hospitality and Catering Industry Act (Official Gazette, No. 48/95, 20/97, 68/98, 45/99, 76/99, 92/01, 117/01, 4/02, 117/03 and 42/05) shall remain in force.

Article 61

On the day this Act enters into force, the Hospitality and Catering Industry Act (Official Gazette, No. 48/95, 20/97, 68/98, 45/99, 76/99, 92/01, 117/01, 4/02, 117/03 and 42/05) and the provisions of Article 58, paragraph 5 of the Act on the State Inspector's Office (Official Gazette 76/99, 96/03, 151/03, 160/04, 174/04, 33/0., 48/05, 129/05 and 140/05) in the part which refers to the implementation of inspectional supervision in the area of hospitality and catering industry, that is, the provision of hospitality and catering services, shall cease to apply.

Article 62

If not otherwise regulated by an international agreement which is in force in the Republic of Croatia, the provision of Article 28, paragraph 3 of this Act shall enter into force on the date of the entry of the Republic of Croatia into full membership of the European Union.

Article 63

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

**FROM THE ACT ON AMENDMENTS TO THE HOSPITALITY AND CATERING
INDUSTRY ACT (OG 43/09)**

Article 3

This Act shall be published in the Official Gazette, and shall enter into force on the date of decision to hold the first subsequent general and regular elections for members of municipal and city councils, county assemblies and the Assembly of the City of Zagreb, as well as for municipal heads, mayors, county prefects and the mayor of the City of Zagreb. The existing administrations of the local self-government units shall continue operating until municipal heads and mayors elected in direct elections take office.

FROM THE ACT ON AMENDMENTS TO THE HOSPITALITY AND CATERING INDUSTRY ACT (OG 88/10)

Article 21

This Act shall enter into force eight days after its publication in the Official Gazette.

FROM THE ACT ON AMENDMENTS TO THE HOSPITALITY AND CATERING INDUSTRY ACT (OG 50/12)

Article 8

(1) Persons who, on the date of entry into force of this Act, perform hospitality and catering activity in households, and have not harmonised their operation in accordance with provisions of Article 55 paragraph 1 of the Hospitality and Catering Industry Act (OG 138/06, 152/08, 43/09 and 88/10), and did not obtain a decision from Article 55, paragraph 3 of that Act, may continue to provide hospitality and catering services pursuant to the Act.

(2) Natural persons who, on the date of entry into force of this Act, have harmonised their operation according to Article 55, paragraph 1 of the Hospitality and Catering Industry Act (OG 138/06, 152/08, 43/09 and 88/10) shall obtain a decision for more accommodations from the competent office, to the maximum accommodations prescribed by provisions of this Act, without redetermining the conditions from Article 33 herein. The request shall be accompanied by a statement that no significant changes have occurred regarding the facility in which household hospitality and catering services were provided.

Article 9

Procedures initiated before the entry into force of this Act shall comply with provisions of Articles 1, 3 and 8 herein.

Article 10

This Act shall enter into force eight days after its publication in the Official Gazette.

**FROM THE ACT ON AMENDMENTS TO THE HOSPITALITY AND CATERING
INDUSTRY ACT (OG 80/13)**

Article 22

Procedures ongoing at the time this Act enters into force shall be completed pursuant to provisions of this Act.

Article 23

This Act shall enter into force eight days after its publication in the Official Gazette.

**FROM THE ACT ON AMENDMENTS TO THE HOSPITALITY AND CATERING
INDUSTRY ACT (OG 30/14)**

Article 11

This Act shall enter into force on the date of its publication in the Official Gazette.