

THE CROATIAN PARLIAMENT

1648

Pursuant to Article 89 of the Constitution of the Republic of Croatia, I hereby issue the

DECISION

PROMULGATING THE HOSPITALITY AND CATERING INDUSTRY ACT

I hereby promulgate the Hospitality and Catering Industry Act adopted by the Croatian Parliament at its session held on 15 July 2015:

Class: 011-01/15-01/86

Reg. no. 71-05-03/1-15-2

Zagreb, 20 July 2015

The President
of the Republic of Croatia
Kolinda Grabar-Kitarović, m.p.

HOSPITALITY AND CATERING INDUSTRY ACT

I. GENERAL PROVISIONS

Subject of the Act

Article 1

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

Conformity with EU regulations

Article 2

This Act transposes into the legal order of the Republic of Croatia the provisions of Directive 2006/123/EC of the European Parliament and the Council of 12 December 2006 on services in the internal market (OJ L 376, 27 December 2006).

Gender meaning of terms

Article 3

Gender-specific terms used in this Act apply equally to male and female gender.

Definition of hospitality and catering activities

Article 4

(1) For the purposes of this Act the hospitality and catering activities shall mean the preparation and serving of food, drinks and beverages, as well as the provision of accommodation services.

(2) The hospitality and catering activities shall also mean the preparation of food, drinks and beverages for consumption at another place with or without serving them (from a vehicle, at shows and similar), as well as the supplying of such food, drinks and beverages (*catering*).

Legal and physical persons who may perform hospitality and catering activities, i.e. provide hospitality and catering services

Article 5

(1) The hospitality and catering activities may be performed by companies, cooperatives, individual merchants and craftsmen meeting the requirements proscribed for the performance of those activities (hereinafter: the hospitality and catering service provider).

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

- public institutions managing protected areas
- health institutions - special hospitals and sanatoriums,
- public institution "War of Independence Memorial Centre Vukovar"
- educational institutions providing training from the area of hospitality and catering, as well as pupil and student centres in their own business premises and facilities
- Croatian Youth Hostel Association in youth travel facilities (hostels) for its members and members of international youth travel organisations it is a member of
- Croatian Mountaineering Association and its member associations in their mountaineering facilities primarily for their members and members of international mountaineering organisations it is a member of
- hunting and fishing associations in their premises and facilities, for their members and other registered hunters and anglers

– institutions performing theatre activities, in their business premises and facilities, for the purpose of preparing and serving drinks, beverages, pastries and similar, for the needs of their customers

– amateur sports associations for their needs in their premises and facilities

- Croatian Music Youth in the premises of International Cultural Centre in Grožnjan, for its members and members of international music associations it is a member or partner of

- museums and galleries performing museum activities, in their business premises and facilities, for museum/gallery visitors.

(3) Under the conditions proscribed by this Act and regulations adopted on the basis hereof, certain hospitality and catering services may be provided by physical persons - citizens and family farm owners or members.

(4) A legal and physical person, with business establishment and registered hospitality and catering business in another signatory country of the European Economic Area or the Swiss Confederation may perform hospitality and catering activities in the Republic of Croatia in accordance with the rights of the freedom of business establishment and freedom of cross-border provision of services, provided such person meets the requirements for the performance of hospitality and catering activities proscribed herein.

*Provision of food, drink and accommodation services
exempted from the application of the provisions of this Act*

Article 6

(1) The provisions of this Act shall not apply to:

1. the provision of food and accommodation services in social care, healthcare, educational and training facilities and other similar institutions, if such services are provided by the employees of those institutions to the employees or customers of the same or employees or customers of another such institution

2. the provision of food and accommodation services to the members of the Armed Forces of the Republic of Croatia and employees of the Ministry of Defence and the Ministry of the Interior, provided such services are provided by the employees of the Ministry of Defence and the Ministry of the Interior to the employees or members of the Ministry of Defence and the Ministry of the Interior, as well as to the provision of food and accommodation services to the members of ministries of defence and armed forces of other countries

3. the organization of food and accommodation by the Scout Association of Croatia and its members, for the members of the Scout Association of Croatia and the World Organization of the Scout Movement, for the purpose of performance of the association's activities

4. the provision of food ("hot meal"), drink and non-alcoholic beverage services, without intention to realize profit or obtain other economic benefits, organized for the needs of their employees by legal and physical persons, governmental bodies and local and regional self-governing units, in their business premises and facilities during work time and associations

for their members in their business premises and facilities during the performance of their principal business or activity

5. the preparation and serving of food, drinks and beverages organized by volunteer fire departments for their members, members of other firefighting organizations and citizens, in their business premises and facilities, during firefighting competitions, marking of anniversaries and other firefighting events, maximum four times in any given calendar year, with prior notification to the locally competent tourist inspection office of the Ministry of tourism depending on their seat, no later than three days prior to the event, with mandatory issuance of a legible and accurate bill for each and every provided hospitality and catering service

6. the preparation and serving of food, drinks and beverages, without intention to realize profit or obtain other economic benefits, organized by pensioners' associations for the members of pensioners' associations, in their club premises

7. the organization of food and accommodation and the preparation and serving of food, drinks and beverages in facilities and motor camps in which the accommodation of evacuated citizens is organized and conducted in case of large-scale adversities and disasters by operative forces of civil protection

8. the preparation and serving of food, drinks and beverages organized by national minority associations and institutions in their premises and facilities, for the purpose of organising events aimed at preserving, promoting and expressing their national and cultural identity

(2) The preparation and serving of food, drinks and beverages and the provision of accommodation services if the performance of such actions or the provision of such services is executed under conditions and in a manner indicative of the performance of hospitality and catering activities and the person performing and providing such activities and services can not prove the legality of its operation, shall be considered the performance of non-registered hospitality and catering activity.

II. HOSPITALITY AND CATERING FACILITY AND THE MANNER OF OPERATION OF THE HOSPITALITY AND CATERING SERVICE PROVIDER

Hospitality and catering facilities

Article 7

(1) The hospitality and catering activities shall be performed in a facility intended, designed and equipped for the provision of hospitality and catering services (hereinafter: hospitality and catering facility), which may be located in:

– a building, a separate part of a building or several buildings (building, stand)

– business premises in which another business activity is performed, providing the space intended for the performance of such other business activity is visibly separated from the space in which the hospitality and catering activities are performed

– stationary vehicle, caravan vehicle, train carriage, floating facility and vessel in which passengers are transported, during transportation

– a tent, on a bench, cart or similar devices equipped for the provision of hospitality and catering services.

(2) Low volume trade (sale of souvenirs, paintings, snacks, publications and similar) may be organized in a hospitality and catering facility, outside the premises in which food is prepared, in accordance with the special regulation regulating the performance of trade.

Classification of hospitality and catering facilities

Article 8

(1) Hospitality and catering facilities are categorised into the following groups depending on the type of hospitality and catering services provided in such facilities:

1. Hotels
2. Motor camps
3. Other accommodation facilities
4. Restaurants
5. Bars
6. Catering facilities
7. Simple service facilities

(2) Hospitality and catering facilities from the groups mentioned in paragraph 1 of this Article are categorised into specific types depending on the manner of service provision and services predominating 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 guests (club members).

(4) The Minister in charge of tourism (hereinafter: minister) shall proscribe, by an Ordinance, the 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 a hospitality and catering facility, as well as the types of hospitality and catering facilities which may be of the club-type.

Working hours

Article 9

(1) Hospitality and catering facilities from the group "Hotels", "Motor camps" and "Other accommodation facilities" shall operate 24 hours a day every day, and other hospitality and catering facilities may operate:

- from the group "Restaurants" and "Bars" - 6 a.m. - 12 p.m.
- from the group "Bars" facilities which meet the requirements from special regulations for overnight work, indoors only - 9 p.m. - 6 a.m.
- from the group "Restaurants" and "Bars" facilities located outside inhabited areas - 24 hours a day
- at airports, railway stations, bus stations and the like within working hours of the facility they are located in.

(2) The representative body of a local self-government unit (hereinafter: representative body) may by decision:

- proscribe the working hours of hospitality and catering facilities from the group "Simple service facilities" and "Catering facilities"
- proscribe the working hours of outdoor service areas of hospitality and catering facilities
- establish the locations outside inhabited areas from paragraph 1, subparagraph 3 of this Article for its area
- proscribe reasons for the establishment of shorter working hours for individual hospitality and catering facilities
- may prolong the proscribed working hours of hospitality and catering facilities referred to in paragraph 1, subparagraph 1 of this Article, for all or any type of hospitality and catering facility, by proscribing requirements for the operation of hospitality and catering facilities with prolonged working hours, after consultations with the tourist council of the local tourist board
- may, in specific parts of the territory of the local self-government unit, prolong the proscribed working hours of all or any of the hospitality and catering facilities from paragraph 1, subparagraph 1 of this Article, by proscribing requirements for the operation of hospitality and catering facilities with prolonged working hours, after consultations with the tourist council of the local tourist board

(3) the executive body of a local self-government unit may:

- by official duty, establish working hours shorter by no more than 2 hours than proscribed by paragraph 1, subparagraph 1 of this Article and working hours proscribed by the decision of the representative body referred to in paragraph 2, subparagraphs 5 and 6 of this Article for

specific hospitality and catering facilities by a decision, in accordance with the criteria proscribed by that same decision of the representative body

- establish different working hours for certain hospitality and catering facilities referred to in paragraph 1, subparagraph 1 of this Article at the request of the hospitality and catering service provider by a decision, for the purpose of organization of occasional celebrations (New Years' parties, wedding receptions, proms and similar events)

- establish different working hours for hospitality and catering facilities referred to in paragraph 1, subparagraph 1 of this Article, during events, sporting events, music festivals and similar, by a decision.

(4) The working hours of hospitality and catering amenities in accommodation facilities shall not necessarily be the same as the working hours of such facilities, in which case the hospitality and catering service provider shall display the working hours of individual hospitality and catering amenities at a visible place inside the hospitality and catering facility and abide by such working hours.

Obligations of the hospitality and catering service provider

Article 10

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

1. visibly display at the entrance into the hospitality and catering facility, i.e. at the entrance of a hospitality and catering facility located in a building which is a protected cultural good, in the proscribed manner, a signboard marking the type of the catering and hospitality facility, i.e. its type and category, special standard and quality mark, as established by a decision of the competent state administration office for the county, i.e. the administrative body of the City of Zagreb competent for catering activities, depending on the seat of the facility (hereinafter: competent office), i.e. the ministry in charge of tourism (hereinafter: Ministry)

2. visibly display at the entrance of the facility a notice on working hours in accordance with Article 9 of this Act and working, i.e. non-working days and comply with the displayed working hours

3. establish the house rules of accommodation facilities and display them at the reception as well as display excerpts from the house rules in all rooms and apartments

4. establish standard specifications for the quantity of foodstuffs needed for a specific dish, drink or beverage, and provide services complying with the established standard specifications both in quantity and quality, as well as have the standard specifications in the facility during working hours and present them to a guest at request

5. visibly display the prices of offered services in Croatian and at least one world language, in a manner available to guests and comply with the displayed prices, and when providing accommodation services also visibly display the amount of the sojourn tax in price lists and make a sufficient number of price lists (menu and/or drink offer) available to guests

6. issue the guests legible and accurate bills for each provided hospitality and catering service with stated type, quantity and price of provided services, i.e. any discount granted, and when providing accommodation services also state the amount of the sojourn tax on the bill, providing that the bill for services provided to a guest, if the guest is using hospitality and catering services through a tourist agency or another service orderer, may also be issued to that tourist agency or other service orderer

7. comply with the prescribed working hours

8. keep a guest book in the proscribed manner in the accommodation facility

9. insure the guests of the accommodation facility against accidents

10. allow the guest to lodge a written complaint in the hospitality and catering facility, confirm the receipt thereof in writing without delay and allow the guest to lodge a written complaint by post, fax or electronic mail, visibly display a notification on the manner of submission of written complaints in the hospitality and catering facility, reply to the complaint in writing within 15 days from the day of receipt of the complaint and keep a record of guest complaints one year from the day of receipt of a written complaint

11. in hospitality and catering facilities providing services to naturists, apart from the name of facility type also display a sign that the facility provides services to naturists

12. inform the competent office, i.e. the Ministry in writing of permanent termination of the performance of business activity in a hospitality and catering facility within eight days from the day of such change

13. meet the requirements proscribed by special food regulations

14. provide hospitality and catering services established by the decision of the competent office, i.e. the Ministry

15. treat the guests politely, correctly and professionally

16. act with increased attention, in keeping with the rules of the profession and custom (due care of a good professional)

17. meet the requirements regarding the proper level and type of education, professional training or masters exam, required for the performance of hospitality and catering activities depending on facility type, i.e. employ a person meeting such requirements

18. prevent the taking out of drinks and beverages for consumption outside the indoor premises of the hospitality and catering facility referred to in Article 9, paragraph 1, subparagraph 2 of this Act.

(2) The Minister shall proscribe, by an Ordinance, the form, content and manner of keeping guest books and books of complaints in accommodation facilities.

(3) The Minister shall proscribe, by an Ordinance, the level and type of education, professional training or masters exam required for the performance of hospitality and catering activities depending on facility type.

(4) The representative body may establish areas providing services to naturists.

Advertising of services

Article 11

When advertising services and publishing messages in commercial operation, the hospitality and catering service provider may use a designation of the proscribed hospitality and catering facility type and category, special standard, i.e. the quality mark established by a decision of the competent office, i.e. the Ministry.

Performance of business activities outside the hospitality and catering facility

Article 12

(1) The hospitality and catering service provider may occasionally (during manifestations, fairs, occasional celebrations and the like) perform catering and hospitality activity outside his hospitality and catering facility subject to the prior consent of a sanitary inspector on the fulfilment of the sanitary requirements.

(2) The participants of celebrations and manifestations organised by tourist boards and/or local self-government units or other organizers with the consent of the relevant local self-government unit for promotional and tourist purposes, may provide hospitality and catering services of food, drink and beverage preparation and serving at such events. Apart from hospitality and catering service providers and family farms, legal persons, individual merchants and physical persons-craftsmen who are not hospitality and catering service providers may also participate at celebrations and manifestations, providing they display and comply with the displayed prices and issue legible and accurate bills for provided services.

Prohibition of serving, i.e. allowing the consumption of alcoholic beverages, other drinks and/or beverages containing alcohol

Article 13

(1) It is prohibited to serve, i.e. allow the consumption of alcoholic beverages, other drinks and/or beverages containing alcohol to persons under 18 years of age in hospitality and catering facilities.

(2) A signboard indicating that serving and consumption of alcoholic beverages, other drinks and/or beverages containing alcohol to and by persons under 18 years of age is prohibited must be visibly displayed in hospitality and catering facilities serving such drinks.

(3) Hospitality and catering service provider may not serve a guest, i.e. allow the guest to consume alcoholic beverages, other drinks and/or beverages containing alcohol if the guest is believed to be under 18 year of age and the guest fails to voluntarily prove that s/he is over 18

years of age by giving the service provider an insight into one of his/her personal identifying documents.

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

*The establishment of location and external
appearance of hospitality and catering facilities*

Article 14

(1) The representative body shall establish the areas in which hospitality and catering facilities located in a stand, stationary vehicle and caravan vehicle, tent, on a bench, cart and similar devices equipped for the provision of hospitality and catering services on public surfaces may be located. The same hospitality and catering facilities may be placed on privately-owned land with the consent of the relevant local self-government unit.

(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 hospitality and catering activities are performed, except in the case of events, fairs, occasional celebrations and the like.

(3) The representative body may proscribe 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 paragraphs 1 and 3 of this Article, the hospitality and catering service provider may define the location 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 or in the framework of the hospitality and catering facility from the group "Motor camps", which is categorised, if such definition is not subject to the application of special regulations.

**III. MINIMUM REQUIREMENTS FOR TYPE AND REQUIREMENTS FOR
CATEGORY**

Minimum requirements

Article 15

(1) For the performance of hospitality and catering activities in hospitality and catering facilities, minimum requirements for type, pertaining to the design and equipment of facilities, services, as well as other requirements proscribed by this Act and regulations adopted on the basis hereof (hereinafter: minimum requirements), must be met.

(2) The Minister shall, after consultation with the minister in charge of health and minister in charge of fire protection, proscribe the minimum requirements referred to in paragraph 1 of

this Article by an Ordinance, as well as the composition of the committee to inspect hospitality and catering facilities.

Categories

Article 16

(1) Certain types of hospitality and catering facilities from groups "Hotels", " Motor camps" and "Other accommodation facilities" shall be categorised into categories depending on their organization, equipment, appliances, services, maintenance and other proscribed elements.

(2) The Minister shall proscribe, by an Ordinance, which types of hospitality and catering facilities referred to in paragraph 1 of this Article shall be categorised, the categories, requirements for categories, type and category designations, the manner of marking types and categories, as well as the composition of the committee to inspect the hospitality and catering facility.

(3) A categorised hospitality and catering facility shall meet the requirements for its category established by the decision of the competent office, i.e. the Ministry for the entire duration of its operation.

Special standards and quality marks

Article 17

(1) The Minister may proscribe special standards and quality marks for certain types of hospitality and catering facilities from groups "Hotels", " Motor camps", "Other accommodation facilities", "Restaurants" and "Bars".

(2) The Minister shall proscribe the types of hospitality and catering facilities from groups "Hotels", " Motor camps", "Other accommodation facilities", "Restaurants" and "Bars" for which special standards and quality marks can be established, types of special standards, the requirements and elements required to meet a particular standard, designations and the manner of designating special standards, requirements for the obtainment of a quality mark and the appearance of the quality mark.

(3) A hospitality and catering facility for which a special standard or quality mark is established shall meet the requirements for the special standard, i.e. quality mark established by the decision of the competent office, i.e. the Ministry for the entire duration of its operation.

Name of the hospitality and catering facility

Article 18

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

(2) By way of derogation from paragraph 1 of this Article, a hospitality and catering facility may have the name of two types of hospitality and catering facilities, if its premises meet the requirements for each type proscribed by this Act and regulations adopted on the basis hereof.

(3) The name of the type of hospitality and catering facility may be changed if the requirements proscribed for another type are met, providing a relevant decision of the competent office, i.e. the Ministry is previously issued for that purpose in accordance with the provisions of this Act.

Requirements for the beginning of operation

Article 19

(1) A hospitality and catering service provider may perform hospitality and catering activities providing s/he obtains the decision of the competent office, i.e. the Ministry, stating that the facility meets the requirements proscribed by this Act and the requirements adopted on the basis hereof.

(2) By way of derogation from paragraph 1 of this Article, a hospitality and catering service provider may begin performing hospitality and catering activities in hospitality and catering facilities from the group "Hotels" and hospitality and catering facilities from the group "Motor camps" which are categorised, before obtaining the decision on facility category from the Ministry, if the provider obtains a decision for its type and if he obtained the document allowing the beginning of use of the building for the building which is or which the hospitality and catering facility is situated in, in accordance with special regulations.

IV. PROCEDURE FOR THE ESTABLISHMENT OF REQUIREMENTS FOR THE PERFORMANCE OF HOSPITALITY AND CATERING ACTIVITIES

Decisions issued by competent offices

Article 20

(1) At the request of the hospitality and catering service provider, the competent office shall issue a decision establishing whether the minimum requirements for the type of hospitality and catering facilities which are not categorised have been met, as well as the fulfilment of requirements for a special standard and obtainment of a quality mark for hospitality and catering facilities from groups "Other accommodation facilities", "Restaurants" and "Bars".

(2) At the request of the hospitality and catering service provider the competent office shall issue a decision establishing whether the requirements for the type and category of hospitality and catering facilities have been met, except for the types referred to in Article 21, paragraph 1 of this Act.

(3) The decisions referred to in paragraphs 1 and 2 of this Article, adopting the request, shall be entered into the Central Registry of Hospitality and Catering Facilities and Services in Tourism (hereinafter: Central Registry).

(4) The expenses of the procedure referred to in paragraphs 1 and 2 of this Article shall be met by the hospitality and catering service provider.

(5) The party may lodge a complaint against the decisions of the competent office referred to in paragraphs 1 and 2 of this Article to the Ministry.

(6) A copy of enforceable decisions referred to in paragraphs 1 and 2 of this Article shall be remitted to the locally competent tourist inspection department of the Ministry, the competent branch office of the Ministry of finance, the Tax Administration, the competent sanitary inspection of the Ministry of health and the Croatian Bureau of Statistics, and for hospitality and catering facilities providing accommodation services, to the competent tourist board as well.

Decisions issued by the Ministry

Article 21

(1) At the request of the hospitality and catering service provider, the Ministry shall issue a decision establishing the fulfilment of the requirements for the type and category of hospitality and catering facilities from the group "Hotels", for hotel types and types whose categories are marked with stars, as well as for hospitality and catering facilities from the group "Motor camps" for types of motor camps which are categorised.

(2) At the request of the hospitality and catering service provider, the Ministry shall issue a decision establishing the fulfilment of the requirements for a special standard, i.e. the obtainment of the quality mark for hospitality and catering facilities from groups "Hotels" and "Motor camps".

(3) At the request of the hospitality and catering service provider, in the event from Article 19, paragraph 2 of this Act, the Ministry shall issue a decision establishing the fulfilment of requirements for the beginning of performance of hospitality and catering activities and the temporary performance of hospitality and catering activities in a particular facility, no later than one year from its enforceability.

(4) The decisions referred to in paragraphs 1, 2 and 3 of this Article adopting the request shall be entered into the Central Registry.

(5) The expenses of the procedure referred to in paragraphs 1, 2 and 3 of this Article shall be met by the hospitality and catering service provider.

(6) A copy of enforceable decisions referred to in paragraphs 1 and 3 of this Article shall be remitted to the locally competent tourist inspection department of the Ministry, the competent branch office of the Ministry of finance, the Tax Administration, the competent sanitary inspection of the Ministry of health and the Croatian Bureau of Statistics, and for hospitality and catering facilities providing accommodation services, to the competent tourist board as well.

(7) A copy of enforceable decisions referred to in paragraph 2 of this Article shall be remitted to the locally competent tourist inspection department of the Ministry and the Croatian Bureau of Statistics.

Recategorisation

Article 22

(1) Every four years, the Ministry shall, by official duty, recategorise hospitality and catering facilities referred to in Article 21, paragraph 1 of this Act, as well as re-establish the special standard and re-award the quality marks for hospitality and catering facilities from groups "Hotels" and "Motor camps".

(2) The Ministry shall adopt a decision on the conducted recategorisation and established special standards, as well as on the award of the quality marks referred to in paragraph 1 of this Article, which shall be entered into the Central Registry.

(3) If a hospitality and catering facility is found to no longer meet the requirements established for its specific type and category, a decision shall be issued establishing a new type, i.e. category of hospitality and catering facility or the issued decision on type and category shall cease to be valid.

(4) If it is established that a hospitality and catering facility no longer meets the requirements established for its 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.

(5) In the case referred to in paragraphs 3 and 4 of this Article, the expenses of the procedure shall be met by the hospitality and catering service provider.

(6) If at the request of the hospitality and catering service provider, the provider is granted an additional period to meet the requirements in the procedure referred to in paragraph 1 of this Article, the costs of the procedure shall be met by the hospitality and catering service provider.

(7) A copy of enforceable decisions referred to in paragraphs 3 and 4 of this Article shall be remitted to the locally competent tourist inspection department of the Ministry, the Croatian Bureau of Statistics, and in case of cessation of validity of an issued decision, a copy of the decision referred to in paragraph 3 of this article shall also be remitted to the competent local branch office of the Ministry of finance, the Tax Administration and the competent regional branch office of the Ministry of finance, the Customs Administration.

The right to initiate administrative disputes against first instance decisions of the Ministry

Article 23

No appeal may be lodged against first instance decisions issued by the Ministry pursuant to this Act, but an administrative dispute may be initiated.

Requirements to be met by the hospitality and catering service provider

Article 24

(1) The decisions referred to in Article 20, paragraphs 1 and 2 and Article 21, paragraph 1 of this Act shall be issued to the provider of hospitality and catering services and legal person referred to in Article 5, paragraph 2 of this Act under the following conditions:

1. that he is registered for the performance of hospitality and catering activities
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 meets the requirements proscribed for the specific type, i.e. category of hospitality and catering facility
4. that he also meets other requirements proscribed by this Act and regulations adopted on the basis of this Act,
5. that the building, which is, or in which the hospitality and catering facility is located, meets the requirements proscribed by special regulations, without which pursuant to those regulations, the Ministry or competent office can not issue a decision on the fulfilment of requirements for the performance of business activity.

(2) By way of derogation from paragraph 1 of this Article, a hospitality and catering service provider shall be issued the decision on the fulfilment of requirements for type and category of hospitality and catering facility in residential premises for hospitality and catering facility of the room, apartment, studio and vacation house type, providing that the prior approval of the body in charge of protection against fire is required for facilities located in buildings with construction (gross) surface greater than 400 m².

(3) The decision of the Croatian Privatization Fund or the certificate of a body in charge of procedures for the establishment of assessed, i.e. unassessed real-estate into the social capital of a socially-owned enterprise during the privatization procedure, i.e. entered into the share capital of a company undergoing privatization shall also be considered proof of fulfilment of requirements from paragraph 1, item 2 of this Article for hospitality and catering facilities of the motor camp, hotel and tourist resort type, located on a tourist and/or other construction plots within the meaning of a special regulation regulating tourist and other construction plots unassessed in the privatization procedure.

(4) Based on the proof from paragraph 3 of this Article, the Ministry may, until the issuance of the decision in accordance with the concluded contract of concession on tourist plot or until the completion of the procedure of the establishment of the shape and size of a cadastral plot which the catering facility is located on, issue the hospitality and catering service provider a temporary decision on the fulfilment of requirements for type and category of hospitality and catering facility. After the conclusion of the concession contract, i.e. completion of the procedure of the establishment of the shape and size of a cadastral plot which the catering facility is located on, the Ministry shall adopt the decision on the fulfilment of requirements for type and category of hospitality and catering facility in accordance with the concession

contract, i.e. the decision on the established shape and size of the cadastral plot which the catering facility is located on, by official duty.

(5) If it is established in the administrative proceedings for the issuance of the decision referred to in paragraphs 1 and 2 of this Article that hospitality and catering activities have already been performed in the business premises or facilities, i.e. residential object for which the application for the issuance of the decision was submitted, the proceedings shall not determine whether the requirements from paragraph 1, items 3, 4 and 5 of this Article have been met, providing the new hospitality and catering service provider resumes the hospitality and catering activities of the same type, i.e. category of hospitality and catering facility, that the proscribed requirements for that type, i.e. category have not been altered in the meantime, and that no significant changes pertinent for the fulfilment of the proscribed requirements for the design and equipment of that particular type and category occurred in the hospitality and catering facility.

(6) In case from paragraph 5 of this Article, the hospitality and catering service provider shall supplement his application with a statement that no significant changes pertinent for the fulfilment of the proscribed requirements for the design and equipment of that particular type and category occurred in the hospitality and catering facility.

(7) In certain types of hospitality and catering facilities, a hospitality and catering service provider may perform hospitality and catering activities in facilities which provided hospitality and catering services in a household based on a decision of approval.

(8) In the procedure of issuance of the decision for the hospitality and catering facility referred to in paragraph 7 of this Article, the fulfilment of requirements referred to in paragraph 1, item 5 of this Article shall not be determined for facilities which provided hospitality and catering services in a household and are becoming a part of a hospitality and catering facility.

(9) In the case referred to in paragraph 7 of this Article, the decisions on approval for the provision of hospitality and catering services in a household shall be rescinded in part or in whole depending on whether all or only some of the facilities covered by the decision on approval are becoming a part of the hospitality and catering facility.

(10) The Minister shall proscribe the types of hospitality and catering facilities referred to in paragraph 7 of this Article by on Ordinance.

Temporary decisions

Article 25

(1) Exceptionally, if an application for the initiation of legalization of an illegally constructed building for the building in which the hospitality and catering activity shall be performed was submitted to the competent administrative body for the issuance of the decision on the as-built condition, in accordance with the special regulation regulating the treatment of illegally constructed buildings, the hospitality and catering service provider shall, providing he meets the requirements referred to in Article 24, paragraph 1, items 1, 3 and 4 of this Act, be issued a temporary decision on the performance of hospitality and catering activities in one of hospitality and catering facility types, valid until the enforceability of the decision on the

application for the issuance of the decision on the as-built condition, but no later than by 31 December 2016.

(2) The decision referred to in paragraph 1 of this Article adopting the application shall be entered into the Central Registry.

(3) The party may lodge a complaint against the decision of the competent office referred to in paragraph 1 of this Article to the Ministry.

(4) A copy of enforceable temporary decision referred to in paragraph 1 of this Article shall be remitted to the locally competent tourist inspection department of the Ministry, the competent branch office of the Ministry of finance, the Tax Administration, the competent sanitary inspection of the Ministry of health and the Croatian Bureau of Statistics, and for hospitality and catering facilities providing accommodation services, to the competent tourist board as well.

Decisions on the fulfilment of requirements for the special standard and the award of the quality mark

Article 26

(1) The decisions on the fulfilment of requirements for the special standard or the award of the quality mark shall be issued to a hospitality and catering service provider if the hospitality and catering facility meets the conditions proscribed by the Ordinance from Article 17, paragraph 2 of this Act.

(2) If it is established in the administrative proceedings for the issuance of the decision on the fulfilment of requirements for the special standard referred to in paragraph 1 of this Article that a special standard of the hospitality and catering facility was previously issued for the business premises, i.e. the residential object for which the application for the issuance of the decision was submitted, the proceedings shall not determine whether the requirements proscribed by the regulation referred to in Article 17, paragraph 2 of this Act have been met, providing the new hospitality and catering service provider resumes the hospitality and catering activities of the same type, i.e. category of hospitality and catering facility and the same special standard, that the proscribed requirements for the award of that standard have not been altered in the meantime, and that no significant changes pertinent for the fulfilment of the proscribed requirements for the design and equipment for the establishment of the special standard occurred.

(3) In case from paragraph 2 of this Article, the hospitality and catering service provider shall supplement his application with a statement that there were no significant changes pertinent for the fulfilment of the proscribed requirements for the design and equipment for the establishment of the special standard.

(4) The decisions referred to in paragraph 1 of this Article adopting the application shall be entered into the Central Registry.

(5) The party may lodge a complaint against the decisions of the competent office referred to in paragraph 1 of this Article to the Ministry.

(6) A copy of enforceable decisions referred to in paragraph 1 of this Article shall be remitted to the locally competent tourist inspection department of the Ministry, the competent branch office of the Ministry of finance, the Tax Administration and the competent regional office of the Ministry of finance, the Customs Administration, the competent sanitary inspection of the Ministry of health and the Croatian Bureau of Statistics.

Cessation of decision validity

Article 27

(1) The decision referred to in Article 20, paragraphs 1 and 2, Article 21, paragraph 1 and Article 22, paragraph 2 of this Act shall be rescinded by means of a decision:

1. if it is established that the requirements for the performance of hospitality and catering activities proscribed by Article 24, paragraph 1 of this Act are no longer met

2. in case of submission of the notice of cancellation of the performance of the activity in a hospitality and catering facility, as of the date stated in the notice or date of its submission to the competent office, i.e. the Ministry, if the hospitality and catering service provider stated a retrospective date in the notice, i.e. by official duty if it is established that the provider has permanently ceased to perform the activity

3. if the application of the service provider for the award of concession over tourist land in motor camps owned by the Republic of Croatia is denied.

(2) The decisions referred to in paragraph 1 of this Article shall be entered into the Central Registry.

(3) The party may lodge a complaint against the decisions of the competent office referred to in paragraph 1 of this Article to the Ministry.

(4) A copy of enforceable decisions referred to in paragraph 1 of this Article shall be remitted to the locally competent tourist inspection department of the Ministry, the competent branch office of the Ministry of finance, the Tax Administration, the competent regional office of the Ministry of finance, the Customs Administration and the Croatian Bureau of Statistics, and for hospitality and catering facilities providing accommodation services, to the competent tourist board as well.

Central Registry of Hospitality and Catering Facilities and Services in Tourism

Article 28

(1) The Central Registry is a unique electronic system containing data entered on the basis of decisions approving applications or rescinding decisions issued by the Ministry, i.e. the competent office in accordance with this Act and the special regulation regulating services in tourism.

(2) The Central Registry is public.

(3) The Minister shall proscribe the data to be contained by the Central Registry referred to in paragraph 1 of this Article, the form, the manner of keeping and entry of data and options for its use, by an Ordinance.

(4) The Ministry may make data from the Central Registry publicly available at a website or in another appropriate manner.

V. CAMPING

CAMPING

Article 29

(1) For the purpose of this Act camping shall mean stay in a tent, camping house, camp trailer, (*mobile home*), campervan and other equipment appropriate for outdoor accommodation in hospitality and catering facilities from the group "Motor camps" and in motor camps in households and on family farms.

(2) By way of derogation from paragraph 1 of this Article, during sports, scout, cultural-artistic and similar manifestations, as well as organized trips by canoes and similar vessels on the sea, rivers and lakes, by bicycles and similar, organised camping outside motor camps referred to in paragraph 1 of this Article is 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, public institutions and other legal persons governing a specific area shall establish, by their acts, determine the location of a camping site for camping outside motor camps, establish the requirements to be met by such camping site, as well as the duration of such camping.

(4) Camping outside the motor camps referred to in paragraph 1 of this Article and areas designated for camping outside motor camps pursuant to paragraph 3 of this Article is prohibited.

VI. HOSPITALITY AND CATERING SERVICES IN HOUSEHOLDS AND FAMILY FARMS

1. Hospitality and catering services in households

Lessors and hospitality and catering services in households

Article 30

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

(2) For the purpose of this Act, a lessor may be a citizen of the Republic of Croatia, as well as the citizens of other countries members of the European Economic Area and the Swiss Confederation.

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

1. accommodation in a room, apartment or holiday house, in lessor's ownership, up to the maximum of ten rooms, i.e. 20 beds, not including extra beds
2. accommodation in a motor camp and/or camping site organised on land in lessor's ownership, with the maximum of ten accommodation units, i.e. 30 guests at the same time, not including 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.

(4) The lessor shall not, directly nor through other persons not registered as agencies for selling accommodation services, neither offer nor sell his services referred to in paragraph 3 of this Article outside his facility, except in areas, under conditions and in the manner proscribed by a decision of the representative body.

Minimum requirements for type and requirements for category

Article 31

(1) To provide hospitality and catering services in households, the facilities referred to in Article 30, paragraph 3 of this Act must meet minimum requirements for type and requirements for category.

(2) The Minister shall proscribe the minimum requirements for type, categories, requirements for category, category designations, the manner of designating categories and the composition of the committee to inspect the facility, by an Ordinance.

(3) At the lessor's request, the competent office shall determine whether the minimum requirements for type and requirements for category referred to in Article 30, paragraph 3 of this Act have been met.

Obligations of the lessor

Article 32

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

1. visibly display at the entrance into the facility or in its immediate vicinity, in the proscribed manner, a signboard marking the type and category of the facility, as established by a decision of the competent office
2. display in each facility a designation of its type and category, the prices of services provided, information that the sojourn tax is included in the price and comply with the displayed prices
3. establish standard specifications for the quantity of foodstuffs, drinks and beverages needed for a specific dish, drink or beverage, if such services are provided, and provide

services in keeping with the established standard specifications, have the standard in the facility during working hours and present it to the guests at request

4. issue the guests legible and accurate bills indicating the type, quantity and price, i.e. the approved discount, of the services provided for each provided service, unless the bill for the services provided to a guest is issued by a tour operator

5. keep the guest list in the proscribed manner, except if the guest list is kept by a tour operator on behalf of the lessor

6. allow the guest to lodge a written complaint in the facility, confirm the receipt thereof in writing without delay and allow the guest to lodge a written complaint by post, fax or electronic mail, visibly display a notification on the manner of submission of written complaints in the facility, reply to the complaint in writing within 15 days from the day of receipt of the complaint and keep a record of guest complaints one year from the day of receipt of a written complaint

7. if half board or full board services are provided, meet the requirements proscribed by special regulations on food, with the exception of the procedure of entry into the register of registered facilities in the food business

8. provide hospitality and catering services established by the decision of the competent office.

(2) When advertising services and publishing messages in promotional materials, the lessor may use only the designation of the proscribed facility type and category established by the decision of the competent office.

(3) The lessor is prohibited from serving, i.e. allowing the consumption of alcoholic beverages, other drinks and/or beverages containing alcohol to and by persons under 18 years of age in his facility, and shall visibly display a sign indicating the prohibition of serving, i.e. consumption of the same by persons under 18 years of age.

(4) The Minister shall proscribe the form and content of the template sign and the manner of keeping guest lists referred to in paragraph 1, item 5 of this Article.

Sojourn of persons in flats, apartments and holiday houses considered the provision of hospitality and catering services in the household

Article 33

The sojourn of more than 15 persons who are not members of immediate family, pursuant to the special regulation proscribing the obligation of sojourn tax payment, in flats, apartments and holiday houses in tourist towns in the period 15 June -15 September shall be considered the provision of hospitality and catering services in the household.

Decision on the approval of provision of hospitality and catering services in the household

Article 34

(1) In order to provide hospitality and catering services in his household, the lessor shall obtain a decision on the approval of provision of hospitality and catering services in the household from the competent office (hereinafter: decision on approval).

(2) Decision on approval shall be issued at the request of the lessor under the following conditions:

1. that the lessor is the owner of a facility (room, apartment or holiday house and similar) or owner of a land plot for a motor camp

2. that the facility in which the services will be provided meets the minimum requirements as well as the requirements for category in accordance with this Act

3. that the building – facility in which hospitality and catering services in the household will be provided meets the requirements proscribed by special regulations regulating construction, without which, pursuant to the same regulations, the competent office cannot issue the decision on the fulfilment of requirements for the performance of this activity.

(3) By way of derogation from paragraph 2, item 1 of this Article, the lessor may also provide services in a facility (room, apartment or holiday house and similar) or land plot for a motor camp owned by his/her spouse or extramarital partner, life partner pursuant to the special regulation regulating life partnership of persons of the same sex (hereinafter: life partner), direct relative or family member, with their written consent for the provision of hospitality and catering services in the household.

(4) By way of derogation from paragraph 2 of this Article, if the request for the initiation of the procedure of legalization of an illegally constructed building is submitted within the proscribed period to the competent administrative body for the issuance of decision on the as-built condition, in accordance with the special regulation regulating the treatment of illegally constructed buildings, a temporary decision on the performance of hospitality and catering activities in the household shall be issued, until the enforceability of the decision on the request of the lessor for the issuance of the decision on approval, but no later than by 31 December 2016, if the lessor meets the conditions from paragraph 2, item 2 of this Article.

(5) By way of derogation from paragraph 2 of this Article, a lessor shall be issued a temporary decision on the performance of hospitality and catering activities in the household if the lessor supplements his/her request with an enforceable construction permit or an enforceable decision on the as-built condition of the facility, providing the lessor meets the requirements referred to in paragraph 2, item 2 of this Article, but no later than by 31 December 2016.

(6) The decisions referred to in paragraphs 1, 4 and 5 of this Article adopting the request shall be entered into the Central Registry.

(7) The party may lodge a complaint against the decision of the competent office referred to in paragraphs 1, 4 and 5 of this Article to the Ministry.

(8) A copy of an enforceable decision on approval shall be remitted to the competent branch office of the Ministry of finance, the Tax Administration, locally competent tourist inspection department of the Ministry, the competent sanitary inspection and the Croatian Bureau of Statistics, and for hospitality and catering facilities providing accommodation services, to the competent tourist board as well.

(9) A copy of an enforceable decision on approval shall be remitted to the bodies stated in paragraph 8 of this Article and the competent administrative body deciding on the request for the initiation of the procedure of legalization of illegally constructed building so as to allow that body to forward a copy of the enforceable decision on the request for the initiation of the procedure of legalization of illegally constructed building to the competent office.

Continued provision of hospitality and catering services in households

Article 35

(1) By way of derogation from Article 34, paragraph 2 of this Act, a spouse or extramarital partner, life partner, direct relative, family member and heir of the lessor named in the decision on inheritance, i.e. a person who obtained title over the real-estate from the lessor by a deed of donation or based on a contract on support until death, in case of the inability of the lessor to continue providing the services (due to illness, old age, inability to work and similar), may continue providing hospitality and catering services in the household in the capacity of the lessor, in accordance with the decision on approval issued to the previous lessor, if such person obtains the decision on approval to be issued at his/her request by the competent office, providing s/he can be a lessor in the sense of Article 30 of this Act. In case of contract on support until death, the consent of the previous lessor shall be required.

(2) The statement that no significant changes occurred in the facility which would result in the cessation of the fulfilment of the proscribed requirements for the design and equipment for the type and category of the facility in which services are provided must be submitted with the request from paragraph 1 of this Article.

(3) In case that several heirs and/or donation recipients who are not the co-owners of the real estate in which the services are provided request the issuance of the decision on approval, it shall be issued for their part of the accommodation capacity, and if there are several heirs, donation recipients and/or providers of support until death who are the co-owners of such real estate, the decision shall be issued to the person who obtains the consent of all other co-owners.

(4) The decisions referred to in paragraphs 1 and 3 of this Article adopting the request shall be entered into the Central Registry.

(5) The party may lodge a complaint against the decision of the competent office referred to in paragraphs 1 and 3 of this Article to the Ministry.

(6) A copy of an enforceable decision on approval shall be remitted to the competent branch office of the Ministry of finance, the Tax Administration, locally competent tourist inspection department of the Ministry, the competent sanitary inspection and the Croatian Bureau of Statistics, and for hospitality and catering facilities providing accommodation services, to the competent tourist board as well.

Issuance of the decision to spouses and more than one family member

Article 36

The decision from Article 34, paragraph 1 and Article 35, paragraphs 1 and 3 of this Act may be issued to one and/or both spouses or extramarital partners or life partners and/or one or more family members, providing that the total accommodation capacity established in the issued decisions does not exceed the maximum accommodation capacity proscribed by Article 30, paragraph 3, items 1 and 2 of this Act if such persons live in the same household.

Content of the Decision

Article 37

Decision on approval shall contain:

1. name and surname, permanent residence, address of habitation and personal identification number of the lessor
2. town, street and street number of the facility in which the service is being provided
3. type of hospitality and catering service
4. facility type, capacity and category.

Cessation of decision validity

Article 38

(1) The decision on approval shall be rescinded by a decision:

1. in case of death of the lessor, except if the heir of the lessor continues providing hospitality and catering services in accordance with Article 35, paragraph 1 of this Act
2. in case of cancellation of provision of hospitality and catering services, on the date stated in the notice of cancellation or on the date of its submission to the competent office, if the lessor stated a retrospective date in the cancellation notice
3. if it is established that the requirements for the provision of hospitality and catering services proscribed by Article 34, paragraph 2 of this Act are no longer met.

(2) A copy of the decision referred to in paragraph 1 of this Article shall be remitted to the competent branch office of the Ministry of finance, the Tax Administration, locally competent tourist inspection department of the Ministry, the competent sanitary inspection and the Croatian Bureau of Statistics, and for facilities providing accommodation services, to the competent tourist board as well.

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

(4) The party may lodge a complaint against the decision of the competent office referred to in paragraph 1 of this Article to the Ministry.

2. Hospitality and catering services on family farms

Family farms and hospitality and catering services which may be provided at family farms

Article 39

(1) Within the meaning of this Act, a family farm is a family farm entered into the Register of farmers as a family farm in accordance with the special regulations, providing hospitality and catering services in accordance with the provisions of this Act.

(2) The following hospitality and catering services may be provided at family farms:

1. the preparation and serving of hot and cold food, drinks and beverages mainly of their own production for a maximum of 80 guests (picnickers) at the same time

2. serving (tasting) must, wine, fruit wines, other wine and fruit wine products, strong alcohol and alcoholic beverages and home-made cold meat cuts of their own production in an arranged part of a residential or economic facility, in an indoor, roofed over or outdoor space for a maximum of 80 guests (picnickers) at the same time

3. accommodation in a room, apartment, rural holiday house with the maximum capacity of ten rooms, i.e. 20 guests at the same time, not including extra beds and/or accommodation in a motor camp and/or camp site, with a maximum of 20 accommodation units, i.e. 60 guests at the same time, not including children under 12 years of age. The service of preparation and serving of food, drinks and beverages (breakfast or half board or full board) mostly of own production must be made available to guests. The services may simultaneously be provided in rooms, apartments and rural holiday houses and motor camps up to the total maximum proscribed number of guests (80 guests).

(3) Exceptionally, the services referred to in paragraph 2, items 1 and 2 of this Article may also be provided for more than 80 persons (picnickers) for purposes of organization of occasional traditional festivities and manifestations maximum five times in a calendar year, with the obligation of prior notification to the locally competent tourist inspection office of the Ministry of tourism no later than three days prior to the beginning of provision of services.

(4) Food, drinks and beverages served at a family farm must be common for the region the farm is situated in.

(5) The conditions proscribed by special food regulations must be met during the provision of services referred to in paragraph 2 of this Article.

(6) Services in tourism may be provided on a family farm in accordance with the regulations regulating the provision of such services.

(7) To provide hospitality and catering services on a family farm, the facilities in which hospitality and catering services referred to in paragraph 2 of this Act must meet minimum requirements for type and requirements for category.

(8) The Minister shall proscribe by an Ordinance, after having obtained the opinion of the minister in charge of agriculture, the minimum requirements for type, categories, requirements for categories, category designations, quality marks, the manner of designating categories and the composition of the committee to inspect the facility, what is considered to be mostly own production, and what food, drinks and beverages are considered common for the region which the family farm is situated in, as well as the types of products which do not have to be from own production within the meaning of paragraph 2 of this Article.

(9) The provisions of Article 30, paragraph 4, Article 32, paragraphs 1-3, Article 33, Article 34, paragraphs 4, 5, 8 and 9, Article 35, paragraphs 1 and 3 and Articles 36-38 of this Act shall apply in an appropriate manner to the provision of services on a family farm.

(10) A family farm referred to in paragraph 1 of this Article may also use a commercial name like tourist rural household, tourist farm, rural tourism and similar.

Decision on the approval of provision of hospitality and catering services on a family farm

Article 40

(1) To provide hospitality and catering services, the owner or member of a family farm must obtain the decision of the competent office on the approval of provision of hospitality and catering services on a family farm.

(2) The decision from paragraph 1 of this Article shall be issued at the request of the owner or member of a family farm under the following conditions:

1. that the family farm is entered into the Register of farmers

2. that such person has the right to use the facility and/or land in, i.e. on which the services referred to in Article 39, paragraph 2 of this Act are to be provided

3. that the facility in which the services will be provided meets the minimum requirements and the requirements for category in accordance with the Ordinance referred to in Article 39, paragraph 8 of this Act

4. that the building – facility in which hospitality and catering services are to be provided meets the requirements proscribed by the special regulation regulating construction, without which, pursuant to the same regulation, the competent office cannot issue the decision on the fulfilment of requirements for the performance of this activity.

(3) The decision referred to in paragraph 1 of this Article adopting the request shall be entered into the Central Registry.

(4) The party may lodge a complaint against the decision of the competent office referred to in paragraph 1 of this Article to the Ministry.

Family farm working hours

Article 41

- (1) The representative body shall proscribe the working hours of facilities on a family farm during which hospitality and catering services may be provided, by a decision.
- (2) Family farms shall visibly display a notification of their working hours at the entrance into the facility in which hospitality and catering services are provided, which must be within the working hours proscribed by the decision referred to in paragraph 1 of this Article, working, i.e. non-working days and comply with such working hours.
- (3) Exceptionally, a family farm may display at the entrance into the facility a notification that it also works with prior appointment, i.e. with prior appointment only and/or at request, in which case the notification must also contain contact information.

VII. SUPERVISION

Authority to conduct administrative supervision and inspection

Article 42

- (1) Administrative supervision over the implementation of this Act and regulations adopted on the basis thereof shall be conducted by the Ministry.
- (2) The inspection of the implementation of this Act and regulations adopted on the basis thereof, as well as of other individual acts, requirements and manners of work of supervised legal and physical persons, shall be conducted by the competent tourist inspectors (hereinafter: tourist inspectors) in accordance with this Act.
- (3) The supervision of the prohibition to serve, i.e. allow the consumption of alcoholic beverages, other drinks and/or beverages containing alcohol to persons under 18 years of age shall also be conducted by police officers of the ministry in charge of internal affairs (hereinafter: police officers).
- (4) When conducting supervision referred to in paragraph 3 of this Article, police officers shall have the authority to file a motion for indictment against an offender or issue a misdemeanour warrant or collect a fine at the location of the offence.

Prohibition of continued performance of hospitality and catering activities, i.e. of continued provision of hospitality and catering services

Article 43

- (1) If it is established by inspection that the hospitality and catering activities are performed, i.e. that hospitality and catering services are provided contrary to the issued decision of the competent office, the tourist inspector shall after the completion of inspection, based on the established facts decisive for the adoption of the decision, adopt and deliver to the client a decision prohibiting the legal or physical person from continuing with the performance of

hospitality and catering activities, i.e. provision of hospitality and catering services in the part in which they are performed, i.e. provided contrary to the decision of the competent office, i.e. the Ministry, issued on the basis of Articles 20, 21, 22, 24, 25, 26, 34, 35 and 40 of this Act, until the elimination of the established deficiencies, i.e. irregularities.

(2) Exceptionally, in case of the tourist inspector being prevented from doing so for objective reasons, the tourist inspector shall adopt and deliver to the client the decision referred to in paragraph 1 of this Article on the first workday after the cessation of circumstances preventing the inspector from adopting and delivering the decision.

(3) Appeal against the decision referred to in paragraph 1 of this Article shall not delay the enforcement of the decision.

(4) If the legal or physical person eliminates the deficiencies established in the decision referred to in paragraph 1 of this Article or the obligation of enforcement of the decision ceases for another reason, the tourist inspector shall, by official duty, indicate in the decision enforcement control record that the decision was enforced.

Elimination of established deficiencies and irregularities

Article 44

(1) If it is established by inspection that a hospitality and catering facility or facility in which certain hospitality and catering services are being provided does not meet the requirements proscribed by this Act and the regulations adopted on the basis thereof or that the hospitality and catering service provider provides hospitality and catering services not established by the decision of the competent office, i.e. the Ministry and/or does not provide services established by the decision of the competent office, i.e. the Ministry, the tourist inspector shall order the elimination of the established deficiencies and irregularities and establish the deadline for the elimination thereof.

(2) The tourist inspector shall not adopt the decision referred to in paragraph 1 of this Article if the established deficiencies and irregularities are eliminated during inspection, which the inspector shall establish and indicate in the record.

(3) If the deficiencies and irregularities referred to in paragraph 1 of this Article are not eliminated within the established deadline, the tourist inspector shall adopt a decision prohibiting the performance of the hospitality and catering activities in the facility, i.e. the provision of certain hospitality and catering services in the facility in which such deficiencies and irregularities were established, until their elimination.

(4) If the deficiencies and irregularities referred to in paragraph 1 of this Article represent a threat for the health and life of guests or employees, the tourist inspector shall orally pronounce into the record the measure of the prohibition of performance of hospitality and catering activities in the facility, i.e. the provision of certain hospitality and catering services in the facility in which such deficiencies and irregularities were established, until their elimination.

(5) The tourist inspector shall deliver the dispatch of the oral measure referred to in paragraph 4 of this Article to the other party in written form, within eight days from the pronouncement of the oral measure.

(6) Appeal against the oral measure referred to in paragraph 4 of this Article shall not delay the enforcement of the measure.

(7) Appeal against the decision referred to in paragraph 5 of this Article shall not delay the enforcement of the decision.

(8) If the legal or physical person eliminates the deficiencies established in the decision referred to in paragraphs 1 and 4 of this Article or the obligation of enforcement of those decisions ceases for another reason, the tourist inspector shall, by official duty, indicate in the decision enforcement control record that the decision was enforced.

Prohibition of camping

Article 45

(1) If a tourist inspector establishes by inspection that a person is camping on privately owned land, outside motor camps from the group "Motor camps" and motor camps in a household and on a family farm, or on a public surface outside areas designated for camping in accordance with Article 29, paragraph 3 of this Act, the inspector shall pronounce the oral measure into the record, to the owner of the camping house, camp trailer and other camping equipment or the representative of the owner, prohibiting camping and the placement of camping equipment on such land for purposes of camping for a period of 60 days.

(2) The oral measure referred to in paragraph 1 of this Article shall be carried out immediately by placing a seal on the camping equipment (tent, camp trailer, camping house, campervan and other equipment suitable for outdoor accommodation) or in some other appropriate way.

(3) The tourist inspector shall deliver the dispatch of the oral measure referred to in paragraph 1 of this Article to the other party in written form, within eight days from the pronouncement of the oral measure. An appeal may be lodged only against the written dispatch of the measure.

(4) In case of execution of the oral measure by placing a seal, the person referred to in paragraph 1 of this Article shall remove perishable foodstuffs and take and secure all safety and other measures in order to prevent damage. In case the person referred to in paragraph 1 of this Article fails to take the aforementioned measures, s/he shall be liable for any resulting damage.

(5) Appeal against the measure referred to in paragraph 3 of this Article shall not delay the enforcement of the measure.

VIII. PENAL PROVISIONS

Article 46

(1) A fine in the amount ranging from HRK 5,000.00-30,000.00 shall be imposed on a legal and physical person-craftsman:

1. if the proscribed working hours (Article 10, paragraph 1, item 7) are not complied with
2. for providing hospitality and catering services that have not been established by the decision and/or for not providing hospitality and catering services established by the decision issued by the competent office, i.e. the Ministry (Article 10, paragraph 1, item 14)
3. for providing hospitality and catering services contrary to the provision of Article 12, paragraph 1 of this Act
4. if the hospitality or catering facility does not meet the minimum requirements proscribed for a certain type, and additionally for categorised facilities if it does not meet the requirements for the category, as well as the requirements for the established special standard, i.e. quality mark or when the facility ceases to meet the mentioned requirements (Article 15, paragraph 1, Article 16, paragraph 3 and Article 17, paragraph 3)
5. for performing hospitality and catering activities contrary to the issued decision of the competent office referred to in Article 20, paragraphs 1 and 2 of this Act, i.e. the decision of the Ministry referred to in Article 21, paragraphs 1, 2 and 3 and Article 22, paragraph 2 of this Act or contrary to the temporary decision referred to in Article 25, paragraph 1 of this Act (Article 20, paragraph 1, Article 21, paragraphs 1, 2 and 3 and Article 25, paragraph 1).

(2) A fine in the amount ranging from HRK 3,000.00-10,000.00 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 the amount ranging from HRK 1,000.00-2,000.00 shall be imposed on a volunteer fire department which fails to report the preparation and serving of food, drinks and beverages during firefighting competitions, marking of anniversaries and other firefighting events to the locally competent tourist inspection office of the Ministry of tourism depending on its seat, no later than three days prior to the event, or fails to issue legible and accurate bills for each hospitality and catering service provided (Article 6, paragraph 1, item 5).

(4) A fine in the amount of HRK 1,000.00-2,000.00 shall be imposed on a participant of celebrations and and manifestations referred to in Article 12, paragraph 2 of this Act, who is not a hospitality and catering service provider, who while providing the hospitality and catering services referred to in Article 12, paragraph 2 of this Act fails to display or comply with the displayed prices or does not issue legible and accurate bills for the services provided (Article 12, paragraph 2).

(5) In case of repeated offence referred to in paragraph 1, items 1, 2 and 5 of this Article in the same hospitality and catering facility, the legal and physical person - craftsman shall be fined in the amount of HRK 15,000.00-90,000.00.

(6) In case of repeated offence referred to in paragraph 1, item 4 of this Article in the same hospitality and catering facility, the legal and physical person - craftsman shall be fined in the amount of HRK 10,000.00-60,000.00.

(7) For offences referred to in paragraph 1 of this Article, a tourist inspector may charge a fine in the amount of HRK 2,000.00 on the spot from the legal and physical person - craftsman and a fine in the amount of HRK 1,500.00 from the responsible person in the legal person, except in the case from paragraphs 5 and 6 of this Article.

(8) For offences referred to in paragraph 3 of this Article, a tourist inspector may charge a fine in the amount of HRK 1,000.00 from a volunteer fire department.

(9) For offences referred to in paragraph 4 of this Article, a tourist inspector may charge a fine in the amount of HRK 1,000.00 from a participant of celebrations and manifestations.

Article 47

(1) A fine in the amount ranging from HRK 2,500.00-20,000.00 shall be imposed on a legal and physical person-craftsman:

1. for failing to visibly display at the entrance into a hospitality and catering facility, i.e. at the entrance of the hospitality and catering facility located in a building which is a protected cultural good, in the proscribed manner, a signboard indicating the hospitality and catering facility type, i.e. the facility type and category, special standard and quality mark, as established by the decision of the competent office, i.e. the Ministry (Article 10, paragraph 1, item 1)

2. for failing to visibly display a notice on working hours and working, i.e. non-working days at the entrance into the facility, as well as for failing to comply with the displayed working hours, i.e. for failing to visibly display the working hours of an individual catering amenity inside an accommodation facility if the working hours of such amenity differ from the working hours of the facility and failing to comply with the displayed working hours (Article 10, paragraph 1, item 2 and Article 9, paragraph 4)

3. for failing to establish the house rules in accommodation facilities and failing to display them at the reception as well as for failing to display excerpts from the house rules in all rooms and apartments (Article 10 paragraph 1, item 3)

4. for failing to establish standard specifications for the quantity of foodstuffs used for a specific dish, drink or beverage, failing to provide services that comply with the established standard specifications both in quantity and quality, failing to have the standard specification in the facility during working hours and present it to a guest at request (Article 10, paragraph 1, item 4)

5. for failing to visibly display prices of offered services in Croatian and at least one world language, in a manner available to guests and comply with the displayed prices, and when providing accommodation services, for failing to indicate the amount of the sojourn tax on the price list and make a sufficient number of price lists available to guests (Article 10, paragraph 1, item 5)

6. for failing to issue a legible and accurate bill for each provided service to a guest with stated type, quantity and price of provided services, i.e. any discount granted, and when providing accommodation services for failing to state the amount of the sojourn tax on the bill or failing to issue a bill for services provided to a guest to a tourist agency or other service orderer (Article 10, paragraph 1, item 6)
7. for failing to keep a guest book, in the prescribed form, content and manner, in an accommodation facility (Article 10, paragraph 1, item 8)
8. for failing to insure guests of the accommodation facility against accidents (Article 10, paragraph 1, item 9)
9. for failing to allow a guest to lodge a written complaint in the facility or failing to confirm the receipt thereof in writing without delay or to allow the guest to lodge a written complaint by post, fax or electronic mail or failing to visibly display a notification on the manner of submission of written complaints in the facility or reply to the complaint in writing within 15 days from the day of receipt of the complaint and for not keeping a record of guest complaints for a minimum of one year from the day of receipt of a written complaint (Article 10, paragraph 1, item 10)
10. in a hospitality and catering facilities in which services are provided to naturists, for failing to display, next to the name of facility type, a sign that the facility provides services to naturists (Article 10, paragraph 1, item 11)
11. for failing to inform the competent office, i.e. the Ministry in writing of the termination of the performance of business activity in a hospitality and catering facility in the proscribed time frame (Article 10, paragraph 1, item 12)
12. for failing to treat the guests politely, correctly and professionally (Article 10, paragraph 1, item 15)
13. for failing to meet the requirements regarding the proper level and type of education, professional training or masters exam, required for the performance of hospitality and catering activities depending on facility type, i.e. failing to have in his employment a person meeting such requirements (Article 10, paragraph 1, item 17)
14. for preventing the taking out of drinks and beverages for consumption outside the indoor premises of the hospitality and catering facility referred to in Article 9, paragraph 1, subparagraph 2 of this Act (Article 10, paragraph 1, item 18)
15. when advertising services and publishing messages in commercial operation, for using the designation of the proscribed facility type and category, special standard, i.e. quality mark not established by the decision of the competent office, i.e. the Ministry (Article 11)
16. for serving, i.e. allowing the consumption of alcoholic beverages, other drinks and/or beverages containing alcohol to and by persons under 18 years of age in his facility, for failing to visibly display a sign indicating the prohibition in a facility serving alcoholic beverages, other drinks and/or beverages containing alcohol and for serving alcoholic beverages, other drinks and/or beverages containing alcohol in violation of the proscribed

prohibition, or for serving alcoholic beverages in violation of the prohibition of a representative body (Article 13).

(2) A fine in the amount ranging from HRK 2,000.00-7,000.00 shall also be imposed on the responsible person in the legal person for offences referred to in paragraph 1 of this Article.

(3) In case of repeated offence referred to in paragraph 1, items 5, 6, 9, 12 and 16 of this Article in the same hospitality and catering facility, the legal and physical person - craftsman shall be fined in the amount of HRK 5000.00-40,000.00.

(4) For offences referred to in paragraph 1 of this Article, a tourist inspector may charge a fine in the amount of HRK 1,500.00 on the spot from the legal and physical person - craftsman and a fine in the amount of HRK 1,000.00 from the responsible person in the legal person, except in the case from paragraph 3 of this Article.

(5) For offences referred to in paragraphs 1 and 16 of this Article, a police officer may charge a fine in the amount of HRK 1,500.00 on the spot from the legal and physical person - craftsman and a fine in the amount of HRK 1,000.00 from the responsible person in the legal person.

Article 48

(1) A misdemeanour fine in the amount ranging from HRK 2,500.00-10,000.00 shall be imposed on the lessor:

1. for providing accommodation in more than ten rooms, i.e. 20 beds, not including extra beds (Article 30, paragraph 3, item 1)

2. for providing accommodation in a motor camp in more than ten accommodation units, i.e. for more than 30 guests at a time, not including children under 12 years of age (Article 30, paragraph 3, item 2)

3. for providing breakfast, half board or full board services to guests to whom the lessor provides accommodation services in a room, apartment or holiday house (Article 30, paragraph 3, item 3)

4. for offering and selling services from Article 30, paragraph 3 of this Act in violation of Article 30, paragraph 4 of this Act (Article 30, paragraph 4)

5. if the facility in which services are provided does not meet the minimum requirements for type and requirements for category (Article 31, paragraph 1)

6. for providing services from Article 30, paragraph 3 of this Act in violation of the issued decision on approval or in violation of the issued temporary decision (Article 34, paragraphs 1 and 4).

(2) In case of repeated offence referred to in paragraph 1, items 1-4 and 6 of this Article, the lessor shall be fined in the amount of HRK 5,000.00-20,000.00.

(3) For offences referred to in paragraph 1 of this Article, a tourist inspector may charge a fine in the amount of HRK 1,000.00 on the spot, except in the case from paragraph 2 of this Article.

Article 49

(1) A misdemeanour fine in the amount ranging from HRK 2,000.00-10,000.00 shall be imposed on the lessor:

1. for failing to visibly display at the entrance into the facility or in its immediate vicinity, in the proscribed manner, a signboard marking the type and category of the facility, as established by a decision of the competent office (Article 32, paragraph 1, item 1)

2. for failing to display in each facility a designation of its type and category, the prices of services provided, information that the sojourn tax is included in the price and failing to comply with the displayed prices (Article 32, paragraph 1, item 2)

3. for failing to establish standard specifications for the quantity of foodstuffs, drinks and beverages needed for a specific dish, drink or beverage, if such services are provided, and failing to provide services in keeping with the established standard specifications, failing to have the standard in the facility during working hours or failing to present it to a guest at request (Article 32, paragraph 1, item 3)

4. for failing to issue a legible and accurate bill for each provided service to a guest with stated type, quantity and price of provided services, i.e. any discount granted or failing to issue a bill for services provided to a guest to a tourist agency (Article 32, paragraph 1, item 4)

5. for failing to keep a guest book, in the proscribed manner, or if a guest book is not kept by a tourist agency on his behalf (Article 32, paragraph 1, item 5)

6. for failing to allow a guest to lodge a written complaint in the facility or failing to confirm the receipt thereof in writing without delay or to allow the guest to lodge a written complaint by post, fax or electronic mail or failing to visibly display a notification on the manner of submission of written complaints or reply to the complaint in writing within 15 days from the day of receipt of the complaint and for not keeping a record of guest complaints for a minimum of one year from the day of receipt of a written complaint (Article 32, paragraph 1, item 6)

7. for failing to provide hospitality and catering services established by the decision of the competent office (Article 32, paragraph 1, item 8)

8. when advertising services and publishing messages in promotional materials, for using the designation of the proscribed facility type and category not established by the decision of the competent office (Article 32, paragraph 2)

9. for serving, i.e. allowing the consumption of alcoholic beverages, other drinks and/or beverages containing alcohol to and by persons under 18 years of age or for failing to visibly display a sign indicating the prohibition (Article 32, paragraph 3).

(2) In case of repeated offence referred to in paragraph 1, items 4 and 6-9 of this Article, the lessor shall be fined in the amount of HRK 4000.00-10,000.00.

(3) For offences referred to in paragraph 1 of this Article, a tourist inspector may charge a fine in the amount of HRK 750.00 on the spot, except in the case from paragraph 2 of this Article.

Article 50

(1) A misdemeanour fine in the amount ranging from HRK 2,500.00-10,000.00 shall be imposed on a physical person-owner or member of a family farm:

1. for providing services referred to in Article 39, paragraph 2 of this Act in violation of the issued decision on approval or in violation of the issued temporary decision (Article 39, paragraph 9, in connection with Article 34, paragraph 4).

2. for providing services on a family farm in violation of the provisions of Article 39, paragraphs 3 and 4 of this Act (Article 39, paragraphs 3 and 4)

3. if the facility in which services referred to in Article 39, paragraph 2 of this Act are provided does not meet the minimum requirements for type and requirements for category (Article 39, paragraph 7)

4. for offering and selling services referred to in Article 39, paragraphs 2 and 3 of this Act in violation of Article 30, paragraph 4 (Article 39, paragraph 9, in connection with Article 30, paragraph 4).

(2) In case of repeated offence referred to in paragraph 1, items 1, 2 and 4 of this Article, the legal and physical person - owner or member of a family farm shall be fined in the amount of HRK 5,000.00-20,000.00.

(3) For offences referred to in paragraph 1 of this Article, a tourist inspector may charge a fine in the amount of HRK 1,000.00 on the spot from the physical person - owner or member of a family farm, except in the case from paragraph 2 of this Article.

Article 51

(1) A misdemeanour fine in the amount ranging from HRK 2,000.00-5,000.00 shall be imposed on a physical person-owner or member of a family farm:

1. for failing to visibly display at the entrance into the facility or in its immediate vicinity, in the proscribed manner, a signboard marking the type and category of the facility, as established by a decision of the competent office (Article 39, paragraph 9, in connection with Article 32, paragraph 1, item 1)

2. for failing to display in each facility a designation of its type and category, the prices of services provided, information that the sojourn tax is included in the price and failing to comply with the displayed prices (Article 39, paragraph 9, in connection with Article 32, paragraph 1, item 2)

3. for failing to establish standard specifications for the quantity of foodstuffs, drinks and beverages needed for a specific dish, drink or beverage, if such services are provided, and failing to provide services in keeping with the established standard specifications, failing to have the standard in the facility during working hours or failing to present it to a guest at request (Article 39, paragraph 9, in connection with Article 32, paragraph 1, item 3)
4. for failing to issue a legible and accurate bill for each provided service to a guest with stated type, quantity and price of provided services, i.e. any discount granted or failing to issue a bill for services provided to a guest to a tourist agency or other service orderer (Article 39, paragraph 9, in connection with Article 32, paragraph 1, item 4)
5. for failing to keep a guest book in the proscribed manner (Article 39, paragraph 9, in connection with Article 32, paragraph 1, item 5)
6. for failing to allow a guest to lodge a written complaint in accordance with Article 32, paragraph 1, item 6 of this Act (Article 39, paragraph 9, in connection with Article 32, paragraph 1, item 6)
7. for failing to provide hospitality and catering services established by the decision of the competent office (Article 39, paragraph 9, in connection with Article 32, paragraph 1, item 8)
8. when advertising services and publishing messages in promotional materials, for using the designation of the proscribed facility type and category not established by the decision of the competent office (Article 39, paragraph 9, in connection with Article 32, paragraph 2)
9. for serving, i.e. allowing the consumption of alcoholic beverages, other drinks and/or beverages containing alcohol to and by persons under 18 years of age in the facility or for failing to visibly display a sign indicating the prohibition (Article 39, paragraph 9, in connection with Article 32, paragraph 3)
10. for failing to visibly display a notice on working hours in accordance with the decision of a representative body at the entrance into the facility in which catering and hospitality services are provided, i.e. on working and non-working days and for failing to comply with such working hours (Article 41, paragraph 2).

(2) In case of repeated offence referred to in paragraph 1, items 4 and 6-10 of this Article, a physical person - family farm owner or member shall be fined in the amount of HRK 4,000.00-10,000.00.

(3) For offences referred to in paragraph 1 of this Article, a tourist inspector may charge a fine in the amount of HRK 1,000.00 on the spot from the physical person - owner or member of a family farm, except in the case from paragraph 2 of this Article.

Article 52

(1) A fine in the amount ranging from HRK 1,500.00-10,000.00 shall be imposed on a person camping outside motor camps from the group "Motor camps" and areas designated for camping outside motor camps in accordance with Article 29, paragraphs 2 and 3 of this Act and camps in a household and on a family farm (Article 29, paragraph 4).

(2) For offences referred to in paragraph 1 of this Article, a tourist inspector may charge a fine on the spot in the amount of HRK 1,000.00.

IX. TRANSITIONAL AND FINAL PROVISIONS

Cessation of decision validity due to the expiry of the harmonization period

Article 53

The decisions on the performance of hospitality and catering activities in accommodation facilities motor camps which are categorised, from the group "Motor camps and other types of accommodation facilities", issued to hospitality and catering service providers prior to the entry into force of the Hospitality and Catering Industry Act (Official Gazette no. 138/06), in case the hospitality and catering service providers fail to obtain a decision in accordance with the Ordinance on the Categorisation, Minimum Requirements and Categorisation of Accommodation Facilities Motor Camps from the Group "Motor Camps and Other Types of Accommodation facilities" (Official Gazette no. 175/03 and 106/04) prior to the entry into force of the Hospitality and Catering Industry Act (Official Gazette no. 138/06), and fail to obtain a decision on categorisation by 30 April 2015, in accordance with Article 53 of the Hospitality and Catering Industry Act (Official Gazette no. 138/06, 152/08, 43/09, 88/10, 50/12, 80/13, 30/14, 89/14 and 152/14) shall cease to be valid on the day of entry of this Act into force and effect.

Issuance of decisions for accommodation capacity exceeding the capacity established by the valid decision

Article 54

The competent office shall issue physical persons who harmonize their operation in accordance with the provision of Article 55, paragraph 1 of the Hospitality and Catering Industry Act (Official Gazette no. 138/06, 152/08, 43/09 and 88/10) prior to the entry of the Act Amending the Hospitality and Catering Industry Act (Official Gazette no. 50/12) into force and effect, a decision for the larger accommodation capacity, but not exceeding the maximum accommodation capacity proscribed by the provisions of this Act, without re-establishing the requirements from Article 34, paragraph 3 of this Act. The application shall be supplemented with a statement that no significant changes occurred in the facility and equipment of the facility in which hospitality and catering services in the household are provided.

Harmonization of business operation

Article 55

Hospitality and catering service providers and legal persons referred to in Article 5, paragraph 12 of this Act, who perform hospitality and catering activities on the date of entry of this Act into force and effect, shall harmonise their business activities with Article 10, paragraph 1, item 17 of this Act within the period of 2 years from the date of entry into force of the Ordinance referred to in Article 10, paragraph 3 of this Act.

Establishment of the beginning of the period for re-categorisation, establishment of the special standard and quality mark

Article 56

The period referred to in Article 22, paragraph 1 of this Act, during which the Ministry shall conduct the re-categorisation of the hospitality and catering facilities referred to in Article 21, paragraph 1 of this Act and re-establish the special standard and quality mark for the facilities referred to in Article 17, paragraph 1 of this Act, for hospitality and catering facilities the category, i.e. special standard and quality mark of which have been established by a decision prior to the entry into force of this Act, shall begin as of the day of enforceability of such a decision.

Initiated procedures

Article 57

Procedures initiated before the entry of this Act into force and effect shall be completed in accordance with the provisions of the Hospitality and Catering Industry Act (Official Gazette no. 138/06, 152/08, 43/09, 88/10, 50/12, 80/13, 30/14, 89/14 and 152/14) and regulations adopted on the basis of the same Act.

Decisions of the representative body

Article 58

(1) The representative body shall adopt regulations on the basis of the authorisation referred to in Article 9, paragraph 2, Article 14, paragraph 1 and Article 41, paragraph 1 of this Act within three months from the entry of this Act into force and effect.

(2) Regulations adopted by the representative body in accordance with Article 8, paragraphs 5 and 6 and Article 13, paragraph 1 of the Hospitality and Catering Industry Act (Official Gazette no. 138/06, 152/08, 43/09, 88/10, 50/12, 80/13, 30/14, 89/14 and 152/14) shall remain in force until the adoption of regulations referred to in paragraph 1 of this Article, in part in which they are not contrary to the provisions of this Act.

Ordinance adoption deadline

Article 59

(1) The Minister shall adopt the Ordinances referred to in Article 8, paragraph 4, Article 10, paragraph 2, Article 15, paragraph 2, Article 16, paragraph 2, Article 17, paragraph 2, Article 24, paragraph 10, Article 28, paragraph 3, Article 31, paragraph 2, Article 32, paragraph 4 and Article 39, paragraph 8 of this Act within six months from the date of entry of this Act into force.

(2) The Minister shall adopt the Ordinance referred to in Article 10, paragraph 3 within one year from the date of entry of this Act into force and effect.

Entry of decisions until the establishment of the Central Registry

Article 60

Until the establishment of the Central Registry referred to in Article 28 of this Act, the Ministry and the competent offices shall continue keeping registers in accordance with the Ordinance on the Registers of Hospitality and Catering Facilities and Registers on the Provision of Hospitality and Catering Services in Households and Family Farms (Official Gazette no. 5/08).

Application of regulations

Article 61

(1) Until entry into force of the regulation referred to in Article 59, paragraph 1 of this Act, the regulations adopted on the basis of the Hospitality and Catering Industry Act (Official Gazette no. 138/06, 152/08, 43/09, 88/10, 50/12, 80/13, 30/14, 89/14 and 152/14) shall remain in force in part which is not contrary to the provisions of this Act, namely:

1. Ordinance on the Classification and Minimum Requirements for Hospitality and Catering Facilities from Groups "Restaurants", "Bars", "Catering facilities" and "Simple service facilities" (Official Gazette no. 82/07, 82/09, 75/12, 69/13 and 150/14)
2. Ordinance on the Classification, Categorisation and Special Standards of Hospitality and Catering Facilities from Group "Hotels" (Official Gazette no. 88/07, 58/08, 62/09, 63/13, 33/14 and 92/14)
3. Ordinance on the Classification, Minimum Requirements and Categorisation of Hospitality and Catering Facilities from Group "Motor camps and other accommodation facilities" (Official Gazette no. 75/08, 45/09 and 11/14)
4. Ordinance on the Classification and Categorisation of Other Types of Accommodation Facilities from Group "Motor camps and other accommodation facilities" (Official Gazette no. 49/08, 45/09, 94/13 and 49/15)
5. Ordinance on the Classification and Categorisation of Facilities Providing Hospitality and Catering Services in Households (Official Gazette no. 88/07, 58/08, 45/09 and 78/14)
6. Ordinance on the Provision of Hospitality and Catering Services on Family Farms (Official Gazette no. 5/08, 46/08, 44/11 and 118/11)
7. Ordinance on the Registers of Hospitality and Catering Facilities and Registers on the Provision of Hospitality and Catering Services in Households and on Family Farms (Official Gazette no. 5/08).
8. Ordinance on the Form, Content and Manner of Keeping Guest Books and Guest Lists (Official Gazette no. 5/08).
9. Ordinance on the Award of the Quality Mark of Hospitality and Catering Facility of Type Hotel (Official Gazette no. 36/12).

(2) The provisions of the Ordinance on the Classification and Categorisation of Other Types of Accommodation Facilities from Group "Motor camps and other accommodation facilities" (Official Gazette no. 49/08, 45/09 and 94/13) shall apply to the group of hospitality and catering facilities "Other accommodation facilities", until entry of the regulation from Article 59, paragraph 1 of this Act into force and effect.

Cessation of regulation validity

Article 62

As of the day of entry of this Act into force and effect the following shall cease to be in force:

- Hospitality and Catering Industry Act (Official Gazette no. 138/06, 152/08, 43/09, 88/10, 50/12, 80/13, 30/14, 89/14 and 152/14)
- Ordinance on the Form, Content and Manner of Keeping Complaints Books (Official Gazette no. 5/08) in part which is contrary to this Act.

Entry into force

Article 63

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

Class: 022-03/15-01/55

Zagreb, 20 July 2015

THE CROATIAN PARLIAMENT

The President of
the Croatian Parliament

Josip Leko, m. p.