

THE CROATIAN PARLIAMENT

Pursuant to Article 88 of the Constitution of the Republic of Croatia, I hereby issue the

DECISION PROMULGATING THE STANDARDISATION ACT

I hereby promulgate the Standardisation Act passed by the Croatian Parliament at its session on 21 June 2013.

Class: 011-01/13-01/147

Reg. No.: 71-05-03/1-13-2

Zagreb, 24 June 2013

The President of the Republic of Croatia

Ivo Josipović, m.p.

STANDARDISATION ACT

I GENERAL PROVISIONS

Article 1

This Act regulates the aims and principles of Croatian standardisation and defines the body competent for the implementation of Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12–33), (hereinafter: the Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European standardisation), the establishment, organisation and activities of the national standardisation body, the preparation and publishing of Croatian standards and their application, and related other issues.

Article 2

(1) The body competent for the implementation of the Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European standardisation and this Act is the Croatian national standardisation body (hereinafter: the Croatian Standardisation Body).

(2) An inquiry point for notifications in the field of standards shall be appointed within the Croatian Standardisation Body.

Article 3

The terms used for the purpose of the provisions of this Act are provided by and used within the meaning of Article 2 of the Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European standardisation.

Article 4

The object of standardisation shall be a product, process or service that is to be standardised.

II AIMS OF STANDARDISATION

Article 5

The aims of standardisation are as follows:

- enhancing the safety level of products and processes, protecting the health and lives of humans and the environment,
- promoting the quality of products, processes and services,
- ensuring the efficient use of labour, materials and energy,
- improving the efficiency of production, variety control, ensuring compatibility and interchangeability,
- removing technical barriers to international trade.

Article 6

(1) Croatian standardisation (hereinafter: standardisation) shall be based on the following principles:

- the right of voluntary participation of all interested parties in the preparation of Croatian standards, the adoption of Croatian standards, and the voluntary application of Croatian standards,
- consensus on the content of Croatian standards,
- publicity of work in all its stages and adequate informing of the public,
- preventing that individual interests prevail over common ones,
- mutual alignment of Croatian standards,
- taking into consideration the state of the art and the rules and results of international and European standardisation.

(2) Consensus within the meaning of paragraph 1, subparagraph 2 of this Article means a general agreement, characterised by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.

III CROATIAN STANDARDISATION BODY, ITS ESTABLISHMENT AND ACTIVITIES

Article 7

(1) The Government of the Republic of Croatia shall regulate, by means of a Regulation, the establishment and activities of the Croatian Standardisation Body.

(2) The organisation, assets, equipment, decision-making process and other issues relevant for the operation and activities of the Croatian Standardisation Body shall be regulated by the Statute in accordance with the law.

(3) The supervision of the work of the Croatian Standardisation Body shall be conducted in accordance with the Public Institutions Act.

(4) The Croatian Standardisation Body shall operate in accordance with the regulations relating to public institutions unless otherwise provided for by this Act.

(5) The founder shall ensure premises necessary for the operation of the Croatian Standardisation Body.

(6) The amount of assets and equipment referred to in paragraph 2 of this Article shall be defined by the founding charter of the Croatian Standardisation Body.

Article 8

(1) The Croatian Standardisation Body shall perform the following tasks:

1. prepare, adopt and publish Croatian standards and other documents relating to standardisation,

2. represent Croatian standardisation in international and European standardisation organisations,

3. maintain the collection of Croatian standards and keep the register of Croatian standards,

4. edit, publish and distribute Croatian standards, other documents and publications relating to standardisation,

5. establish and maintain relevant databases of standards and other documents relating to standardisation, and provide information on standards and other documents,

6. publish information on Croatian standards, as well as on other documents relating to standardisation, in its Official Bulletin,

7. provide information on national, European and international standards to the public, in particular to business,

8. promote the application of Croatian standards,

9. perform other tasks in accordance with the founding charter, regulations and international agreements binding on the Republic of Croatia.

(2) The activities referred to in items 1 to 7 of paragraph 1 of this Article shall be of interest to the Republic of Croatia and shall be performed solely by the Croatian Standardisation Body.

(3) The Croatian Standardisation Body shall perform the tasks referred to in paragraph 1 of this Article in accordance with the rules of European standardisation bodies.

(4) During the preparation of a European standard, the Croatian Standardisation Body shall refrain from taking any action that could have an adverse effect on the harmonisation of the standard.

(5) The name and manner of publication of the Official Bulletin shall be defined by the Head of the Croatian Standardisation Body in a general act.

IV MEMBERSHIP IN THE CROATIAN STANDARDISATION BODY

Article 9

(1) In order to achieve its interests relating to Croatian standardisation, a legal or natural person established or resident in the Republic of Croatia may become a member of the Expert Council of the Croatian Standardisation Body.

(2) The member referred to in paragraph 1 of this Article has the right to participate in the work of the Expert Council of the Croatian Standardisation Body in accordance with the general acts of the Croatian Standardisation Body.

(3) The composition and tasks of the Expert Council shall be defined in more detail by the Statute of the Croatian Standardisation Body.

Article 10

(1) A member shall pay a membership fee to the Croatian Standardisation Body.

(2) The membership fee and its payment shall be regulated in more detail by a general act of the Croatian Standardisation Body.

Article 11

(1) Membership shall end by a notice of dismissal, cessation of the existence of a legal person, death of a natural person, or by expulsion.

(2) Issues relating to the status of membership in the Croatian Standardisation Body shall be regulated by the Statute and a general act of the Croatian Standardisation Body.

V. CROATIAN STANDARDS – DEVELOPMENT, ADOPTION AND PUBLISHING

Article 12

- (1) Croatian standard means a standard adopted by the Croatian Standardisation Body and made available to the public.
- (2) Croatian standards shall be prepared, adopted and published in accordance with the provisions of this Act and the regulations adopted for its implementation.
- (3) The initiation of the procedure for the adoption of Croatian standards, and the announcement of the adopted standard shall be published in the Official Bulletin of the Croatian Standardisation Body.
- (4) Croatian standards shall be marked with the abbreviation HRN. The name Croatian standard and the abbreviation HRN shall not be used for marking any other types of documents.
- (5) According to the international agreements that are binding on the Republic of Croatia, Croatian standards shall be prepared by taking into consideration international standards, European standards and national standards of other countries.

Article 13

- (1) Croatian standards shall be published as separate publications and protected in accordance with the law and national and international copyright legislation.
- (2) The copyright and all exploitation rights relating to standards shall be owned by the Croatian Standardisation Body.
- (3) Any reproduction or distribution of a part of or a whole Croatian standard without the consent of the Croatian Standardisation Body shall be prohibited.

Article 14

The conformity of a product, process or service with a Croatian standard may be certified by a declaration of conformity, certificate of conformity or mark of conformity.

VI. FINANCING OF THE CROATIAN STANDARDISATION BODY

Article 15

- (1) The Croatian Standardisation Body shall acquire funds for its work from:
 - the state budget,
 - the sale of standards, normative documents and other publications

- membership fees,
- payments received for services provided, and
- other sources.

(2) Activities of the Croatian Standardisation Body shall be financed from the state budget of the Republic of Croatia based on the scope of activities referred to in items 1 to 7 of paragraph 1 of Article 8 of this Act as laid down in the annual work program, taking into account the anticipated amount of funds to be obtained from membership fees, the sale of Croatian standards and other sources.

(3) Membership fees of the Croatian Standardisation Body paid to European and international organisations shall also be funded from the state budget of the Republic of Croatia.

(4) Upon the adoption of the state budget of the Republic of Croatia, the planned scope of activities referred to in paragraph 1 of this Article shall be adjusted in the annual work program, if needed, in line with the amount of financing to be obtained from that year's budget.

Article 16

Regulations prescribing the status and salaries of employees in public institutions shall apply to the employees of the Croatian Standardisation Body.

Article 17

The Minister of Defence shall determine and issue Croatian military standards marked "HRVN", as well as regulations prescribing the manner of adopting and publishing Croatian military standards, the content, conditions and the way of implementing Croatian military standards, as well as the procedure for assessing conformity and performing the supervision as regards the production of weapons and military equipment.

VII TRANSITIONAL AND FINAL PROVISIONS

Article 18

(1) Regulations enacted based on the Standardisation Act (Official Gazette 163/03) shall be applied until the adoption of regulations based on this Act.

(2) Regulations referred to in paragraph 1 of this Article are as follows:

- Regulation on the Establishment of the Croatian Standards Institute (Official Gazette 154/04, 44/05, 30/10, 34/12 and 79/12);
- Ordinance on Standardisation in the Ministry of Defence and the Armed Forces of the Republic of Croatia (Official Gazette 90/12);
- Statute of the Croatian Standards Institute, of 14 June 2005 and 28 June 2010.

Article 19

(1) On the date of the entry into force of this Act, the Croatian Standardisation Body shall continue its work pursuant to the Regulation on the Establishment of the Croatian Standards Institute (Official Gazette 154/04, 44/05, 30/10, 34/12 and 79/12).

(2) The Croatian Standardisation Body shall harmonise its Statute and general acts with this Act within 60 days from the date of the entry into force of this Act.

Article 20

On the date of the entry into force of this Act, the Standardisation Act (Official Gazette 163/03) shall cease to have effect.

Article 21

This Act shall be published in the Official Gazette and shall enter into force on the day of the accession of the Republic of Croatia to the European Union.

Class: 022-03/13-01/101

Zagreb, 21 June 2013

THE CROATIAN PARLIAMENT

The President of the Croatian Parliament

Josip Leko, m.p.