

# THE GOVERNMENT OF THE REPUBLIC OF CROATIA

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Pursuant to Article 1 of the Act on the Power of the Government of the Republic of Croatia to Regulate Certain Matters from the Scope of the Croatian Parliament by Way of Regulations (Official Gazette 115/14), the Government of the Republic of Croatia, at its session on 26 August 2015, adopted the following

## REGULATION

### ON AMENDMENTS TO THE PENSION INSURANCE ACT

#### Article 1

In the Pension Insurance Act (Official Gazette 157/13 and 33/15), in Article 92, paragraph 2, after the words "early retirement pension", the words "disability pension based on occupational disability for work or" are added.

Paragraph 5 is amended to read:

"(5) A member of a mandatory pension fund who suffers from occupational disability for work which makes him or her entitled to a disability pension in accordance with a special regulation, or who suffers from a partial loss of working capacity which makes him or her entitled to a disability pension in accordance with a special regulation, may be granted the right to a pension only under the mandatory pension insurance scheme based on generational solidarity, and the capitalised contributions shall remain in the personal account of the mandatory pension fund member until he or she is granted the right to an early retirement pension, old-age pension or disability pension due to a complete loss of working capacity."

After paragraph 6, paragraph 7 is added which reads:

"(7) A member of a mandatory pension fund who suffers from a partial loss of working capacity which makes him or her entitled to a disability pension or to a temporary disability pension in accordance with this Act, may be granted the right to such pension only under the mandatory pension insurance scheme based on generational solidarity, and the total amount of capitalised contributions shall be transferred, on the day the right is granted, from his or her personal account to the State Budget through the Central Registry of Insured Persons."

### TRANSITIONAL AND FINAL PROVISION

#### Article 2

(1) By way of derogation from Article 1, paragraph 2 of this Regulation, a beneficiary of a disability pension granted due to occupational disability for work in accordance with a regulation governing pension insurance rights of active military personnel, police officers and authorised officials, or whose pension was determined in accordance with that regulation,

who exercised this right before the entry into force of this Regulation, shall cease to be a member of the mandatory pension fund on 1 September 2015 and the total amount of capitalised contributions shall be transferred from his or her personal account to the State Budget through the Central Registry of Insured Persons.

(2) A beneficiary of a disability pension granted due to occupational disability for work in accordance with the Pension Insurance Act (Official Gazette 102/98, 127/00, 59/01, 109/01, 147/2002, 117/03, 30/04, 177/04, 92/05, 43/07 – Decision of the Constitutional Court of the Republic of Croatia, 79/07, 35/08, 40/10 – Decision of the Constitutional Court of the Republic of Croatia, 121/10, 61/11, 114/11, 76/12 and 133/13), as well as a beneficiary of a disability pension granted due a partial loss of working capacity in accordance with the Pension Insurance Act (Official Gazette 157/13 and 33/15), who exercised this right before the entry into force of this Regulation, shall cease to be a member of the mandatory pension fund on 1 September 2015 and the total amount of capitalised contributions shall be transferred from his or her personal account to the State Budget through the Central Registry of Insured Persons.

### Article 3

This Regulation shall be published in the Official Gazette, and shall enter into force on 1 September 2015.

Class: 022-03/15-44/04

Reg. No: 50301-04/12-15-2

Zagreb, 26 August 2015.

Prime Minister  
**Zoran**  
**Milanović, m. p.**