

THE CROATIAN PARLIAMENT

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Pursuant to Article 89 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

Number: 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, designates 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: Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European standardisation), the establishment, organisation, and activity of the national standardisation body, the preparation and issuing of Croatian standards and their use, and other related issues.

Article 2

(1) The body competent for the implementation of 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: Croatian standardisation body).

(2) The contact point for the implementation of formal notification in the field of standards is active within the Croatian standardisation body.

Article 3

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

Article 4

The subject matter of standardisation are products, processes and services that should be standardised.

II THE AIMS OF STANDARDISATION

Article 5

The aims of standardisation are the following:

- to increase the level of safety for products and processes, to protect the health and life of people, and to protect the environment,
- to promote the quality of products, processes, and services,
- to ensure purposeful use of work, material, and energy,
- to improve production efficiency, to limit diversity, to ensure compatibility and substitutability,
- to eliminate technical obstacles in international trade.

Article 6

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

- the right of all interested parties to take part in the procedure of preparing Croatian standards on a voluntary basis, acceptance of Croatian standards, and voluntary use of Croatian standards,
- a consensus on the content of Croatian standards,
- the openness of work to the public in all its phases and appropriate notification of the public,

- preventing the prevalence of individual interests over common interests,
- mutual harmonisation of Croatian standards,
- taking into consideration the achieved state of technological development, techniques and rules and the results of international and European standardisation.

(2) The term consensus within the meaning of paragraph 1, sub-paragraph 2 of this Article means a general agreement characterised by the absence of differences concerning major issues among the majority of interested parties, where an attempt is made to take into consideration the viewpoints of all interested parties and to harmonise opposing positions.

III CROATIAN STANDARDISATION BODY – ESTABLISHMENT AND ACTIVITY OF THE STANDARDISATION BODY

Article 7

- (1) The Government of the Republic of Croatia shall regulate the establishment and activity of the Croatian standardisation body in a regulation.
- (2) The organisation, means, equipment, and the manner of decision-making as well as other issues of significance for the performance of the activity and operation of the Croatian standardisation body shall be regulated in a statute in accordance with law.
- (3) Supervision of the work of the Croatian standardisation body shall be performed in accordance with the Act on Institutions.
- (4) The Croatian standardisation body shall operate in accordance with the legislation relating to public institutions, unless this Act provides otherwise for particular issues.
- (5) The founder shall provide the Croatian standardisation body with premises necessary for its work.
- (6) The scope of funds and equipment referred to in paragraph 2 of this Article shall be regulated in more detail in the act establishing the Croatian standardisation body.

Article 8

- (1) The Croatian standardisation body shall perform the following activities:
 1. prepare, accept, and publish Croatian standards and other documents in the field of standardisation,
 2. represent Croatian standardisation in international and European standardisation organisations,
 3. maintain the filing system of Croatian standards and maintains the register of Croatian standards,

4. regulate, publish, and distribute Croatian standards, other documents and publications from the field of standardisation,
5. establish and maintain databases on standards and other documents from the field of standardisation and provide notifications on standards and other documents,
6. publish notifications of Croatian standards as well as notifications of other documents from the field of standardisation in the official bulletin,
7. provide information about national, European and international standards to the public at large, and the economic sector in particular,
8. promote the use of Croatian standards,
9. perform other activities in accordance with the act on establishment, legislation, and international treaties binding on the Republic of Croatia.

(2) The activity referred to in paragraph 1, items 1 through 7 of this Article shall be in the interest of the Republic of Croatia and shall be performed exclusively by the Croatian standardisation body.

(3) The work referred to in paragraph 1 of this Article shall be performed by the Croatian standardisation body in accordance with the rules of European standardisation bodies.

(4) During the preparation of the European standard, the Croatian standardisation body shall not perform any actions that might be detrimental to the harmonisation of the standard.

(5) The head of the Croatian standardisation body shall prescribe the name and the manner of publication of the official bulletin in a general act.

IV MEMBERSHIP OF THE CROATIAN STANDARDISATION BODY

Article 9

(1) With a view to the realisation of its interests concerning Croatian standardisation, any legal and natural person having its seat or permanent residence in the Republic of Croatia may be a member of the professional council of the Croatian standardisation body.

(2) The member referred to in paragraph 1 of this Article is entitled to take part in the work of the professional council of the Croatian standardisation body in accordance with the general acts of the Croatian standardisation body.

(3) The composition and activities of the professional council shall be set in more detail in the statute of the Croatian standardisation body.

Article 10

(1) A member must pay a membership fee to the standardisation body.

(2) The membership fee and payment terms shall be set in more detail in a general act of the Croatian standardisation body.

Article 11

(1) Membership shall terminate on cancellation, termination of the existence of a legal person, death of a natural person, or removal.

(2) Status-related issues concerning membership of the Croatian standardisation body shall be regulated in the statute and a general act of the Croatian standardisation body.

V CROATIAN STANDARDS – PREPARATION, ACCEPTANCE, AND PUBLICATION

Article 12

(1) Croatian standards are standards available to the public accepted by the Croatian standardisation body.

(2) Croatian standards are prepared, accepted, and published in accordance with the provisions of this Act and its implementing legislation.

(3) The act initiating the procedure for acceptance, the standard, and the announcement of the accepted standard shall be published in the official bulletin of the Croatian standardisation body.

(4) Croatian standards shall be marked with the written designation HRN. The name Croatian standard and the designation HRN may not be used for marking other types of documents.

(5) In accordance with international treaties that are binding on the Republic of Croatia, international standards, European standards, and the national standards of other states are taken into account in the making of Croatian standards.

Article 13

(1) Croatian standards are published as special publications and are protected in accordance with law, national legislation, and international legislation on copyright.

(2) All copyright and the right of use of standards pertain to the Croatian standardisation body.

(3) Any copying as well as distribution of any Croatian standard, in part or in full, is prohibited without the consent of the Croatian standardisation body.

Article 14

Conformity of a particular product, process or service with the Croatian standard may be confirmed further to special legislation in a declaration of conformity, certificate of conformity, or designation of conformity.

VI FUNDING OF THE CROATIAN STANDARDISATION BODY

Article 15

(1) The Croatian standardisation body receives funds for its operation:

- from the State Budget,
- by selling standards, standardisation documents, and other publications,
- from membership fees,
- from payments for services, and
- from other sources.

(2) The activity of the Croatian standardisation body is funded from the State Budget of the Republic of Croatia pursuant to the scope of work referred to in Article 8, paragraph 1, items 1 through 7 of this Act, which is established in the annual work programme, where the projected amount of membership fees, payments for Croatian standards, and funds from other sources are taken into account.

(3) Membership fees paid by the Croatian standardisation body for membership of European and international organisations are secured from the State Budget of the Republic of Croatia.

(4) After acceptance of the State Budget of the Republic of Croatia, the scope of work referred to in paragraph 1 of this Article in the annual work programme of the Croatian standardisation body shall be adjusted, whenever necessary, to the scope of financing for the budget year concerned.

Article 16

Legislation governing the position and salaries of those employed in the public service shall apply to the employees of the Croatian standardisation body.

Article 17

Croatian military standards with the designation "HRVN" and legislation on the manner of publication and issuing of Croatian military standards, the content, conditions, and the manner of implementation of Croatian military standards, and the procedure for assessing conformity and performing supervision in the field of production of military armament and equipment shall be set and adopted by the minister competent for defence.

VII TRANSITIONAL AND FINAL PROVISIONS

Article 18

(1) The legislation adopted under the Standardisation Act (Official Gazette 163/03) shall apply until the entry into force of legislation adopted pursuant to this Act.

(2) The legislation referred to in paragraph 1 of this Article is:

- Regulation establishing 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 in 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 day of entry into force of this Act, the Croatian standardisation body shall proceed with its work further to the Regulation establishing the Croatian Standards Institute (Official Gazette 154/04, 44/05, 30/10, 34/12 and 79/12).

(2) The Croatian standardisation body shall align its Statute and general acts with this Act within 60 days of the entry into force of this Act.

Article 20

On the day of 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 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.