

THE CROATIAN PARLIAMENT

3289

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

DECISION

ON PROMULGATING THE SOCIAL WELFARE ACT

I hereby promulgate the Social Welfare Act, passed by the Croatian Parliament at its session on 13 December 2013.

Class: 011-01/13-01/299

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

Zagreb, 18 December 2013

President

of the Republic of Croatia

Ivo Josipović, m.p.

SOCIAL WELFARE ACT

I - GENERAL PROVISIONS

Article 1

(1) This Act regulates the social welfare activity, social welfare principles, financing of social welfare, rights and social services in the social welfare system and procedures for their exercising, beneficiaries, the contents and manner of conducting the social welfare activity, professional staff in social welfare, data filing systems, inspection and administrative supervision, as well as other issues significant for the social welfare activity.

(2) Provisions of this Act pertaining to marriage shall apply accordingly to extramarital partnerships.

(3) Notwithstanding their grammatical gender, the terms used in this Act are gender-neutral and shall apply equally to male and female gender.

Article 2

This Act transposes the following legislation into the legal system of the Republic of Croatia:

- Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27. 12. 2006),

- Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (OJ L 304, 30. 9. 2004),

- Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15. 4. 2011),

- Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17. 12. 2011).

II - SOCIAL WELFARE

Article 3

Social welfare is an organised activity of public interest for the Republic of Croatia, whose aim is to provide assistance to socially vulnerable persons and persons in unfavourable personal or family circumstances, which includes prevention, promotion of change, assistance in providing for the essentials for living, including support to individuals, families and groups, with the aim of improving the quality of life and empowering the beneficiaries to independently provide for their essentials for living, as well as to actively participate in the society.

Article 4

For the purposes of this Act, the following terms shall have the following meanings:

1. *Single person* means a person living alone.
2. *Household* means a family or another group of persons living together and sharing the cost of living, regardless of their kinship.
3. *Family* means a community consisting of spouses or extramarital partners, children and other relatives living together, earn money or generate income in another manner, and jointly spend it. A child who does not live with the family, but attends schooling elsewhere, shall be considered a family member until the completion of his regular schooling, but for no longer than the age of 29.
4. *Single parent* means a parent caring for and supporting a child on his own.
5. *Single-parent family* means a family consisting of a child or children and one parent.
6. *Child* means a person younger than 18.

7. *Extramarital partnership* means a union of an unmarried woman and an unmarried man, fulfilling the conditions prescribed by a special law regulating family relationships.

8. *Young adult* means a person between the ages of 18 and 21.

9. *Disabled person* means a person with long-term physical, mental, intellectual or sensory impairment, which may, in interaction with other obstacles, prevent his full and efficient participation in society on an equal footing with persons without a disability.

10. *Child with developmental difficulties* means a child requiring additional assistance for learning and development, due to his physical, sensory, communicational, speech or intellectual difficulties, in order to achieve the best possible developmental outcome and social inclusion.

11. *Elderly person* means a person of 65 years of age or older.

12. *Person completely incapable for work* means a person older than 65, a child younger than 15 and a person whose incapacity to work has been established according to special regulations, unless otherwise stipulated by this Act.

13. *Homeless person* means a person without a place to live, living in a public place or another place not intended for living, without funds to fulfil his housing needs.

14. *Essentials for living* include: food, accommodation, clothing and other items for personal needs. Essentials for living of children and youth also include needs arising from their development and growing up, as well as from their upbringing and education. Essentials for living of children with developmental difficulties and disabled adults encompass additional needs arising from their health impairment or disability.

15. *Individual plan* means a plan of changes in the life circumstances or behaviour of a beneficiary, prepared on the basis of an overall assessment of needs, difficulties and resources, in agreement with the beneficiary and his family members, with the aim of overcoming unfavourable life circumstances.

16. *Service recipient* means a beneficiary of a social welfare right in the sense of Article 21 of this Act, and another natural person, family or household receiving social services out of the network.

17. *Financial standing* consists of income and assets of a single person or household members.

18. *Income* means all financial resources accrued from work, pension, earnings from assets or in another manner (for instance, earnings from share capital, interest on savings, and alike), either in the country or abroad, in accordance with regulations on income tax, and reduced for the amount of paid tax and surtax.

19. *Assets* means movables, real estate, property rights, cash amounts in domestic and foreign currency, savings or financial resources on personal accounts or savings accounts, securities, stocks, shares, housing savings, life insurance, and other assets in the country and abroad. Stocks in the Croatian Veterans' Fund, obtained on the basis of the status of a Croatian

disabled veteran from the Homeland War and the status of a family member of a perished Croatian veteran, shall not constitute assets.

20. *Decentralised homes* means welfare homes for the elderly and the infirm, the founding rights of which were transferred by the Republic of Croatia to regional self-government units or the City of Zagreb.

21. *Licensed supervisor* means a person who has completed training for supervisor based on appropriate European training standards of the Association of National Organisations for Supervision in Europe (ANSE), or is eligible for the status of a licensed supervisor based on the licensing standards for supervisors of the Croatian Association for Supervision and Organisational Development, harmonised with European standards.

Article 5

(1) Every person must provide for his essentials for living and the essentials for living of persons he is mandated to support pursuant to the law and on another legal bases.

(2) With his work, income and assets, every person must contribute to the prevention, elimination and mitigation of his own social vulnerability and the social vulnerability of his family members, particularly children and other family members who are incapable of providing for themselves.

Article 6

(1) The social welfare activity is performed by social welfare institutions, local and regional self-government units, associations, religious communities, other legal persons, small businesses and other natural persons engaged in social welfare activity, under conditions and in the manner prescribed by this Act, special acts and implementing regulations.

(2) The ministry in charge of social welfare (hereinafter: the Ministry) supervises the social welfare activity, and has additional authority in implementing this Act.

(3) The activity of social welfare institutions is performed as a public service.

III - SOCIAL WELFARE PRINCIPLES

1. Principle of subsidiarity

Article 7

A person incapable of ensuring support through his work, from rights arising from work or insurance, earnings from assets or from other sources, or from persons with the obligation to support him pursuant to regulations regulating family relationships or in another manner, shall be entitled to social welfare rights under conditions prescribed by this Act.

2. Principle of social justice

Article 8

A beneficiary granted social welfare rights may not use those rights to obtain a more favourable financial status than a person securing the resources for his support through work or on the basis of rights arising from work.

3. Principle of freedom of choice

Article 9

Social welfare rights shall be granted to a beneficiary based on the principle of freedom of choice, and under conditions prescribed by this Act.

4. Principle of availability

Article 10

Social welfare shall be ensured in a manner which is physically and economically available to the beneficiary.

5. Principle of individualisation

Article 11

(1) A beneficiary shall be granted social welfare rights in accordance with his individual needs, and based on his active participation.

Social welfare rights shall be personal, non-transferrable, and uninheritable.

6. Principle of integration of the beneficiary into the community

Article 12

When possible, social services shall be provided to a beneficiary in his home or local community, through non-institutional forms of care, for the purpose of improving his quality of life and integration into the community.

7. Principle of timeliness

Article 13

Social welfare shall be granted in a manner ensuring a timely recognition of the beneficiary's needs and provision of social services, with the aim of preventing the onset or development of conditions threatening his security and providing for the essentials for living and prevent his integration into the community.

8. Principle of respecting the beneficiary's human rights and integrity

Article 14

Rights in the social welfare system shall be ensured to a beneficiary respecting his human rights, his physical and mental integrity and security and with recognition of his ethical, cultural and religious beliefs.

9. Principle of prohibition of discrimination

Article 15

Direct or indirect discrimination of social welfare beneficiaries shall be prohibited pursuant to a special act.

10. Principle of providing information about rights and services

Article 16

(1) Every person shall have the right to receive information regarding rights and services, and the right to support in overcoming communication obstacles in the social welfare system, contributing to the fulfilment of personal needs and improvement of the quality of life in the community.

(2) The right to information from paragraph 1 of this Article may be refused if it would result in a less favourable position for another person.

11. Principle of participation in decision-making

Article 17

(1) A beneficiary of social welfare rights shall have the right to participate in the assessment of condition and needs, in making decisions about using services and shall receive information and support for decision-making in a timely manner.

(2) A beneficiary of social welfare rights shall not receive social services without his consent or without consent of his guardian or legal representative, except in cases prescribed by law.

(3) In procedures in which decisions are made regarding the rights and interests of a child, the child shall be entitled to receive information about significant circumstances of the case in an adequate manner, to receive advice and express his opinion, as well as information about the possible consequences of taking his opinion into account. The child's opinion shall be taken into consideration in accordance with his age and level of maturity.

(4) A person declared legally incompetent to act shall be entitled, to the best of his ability, to participate and provide his opinion in procedures in which decisions are made regarding his rights and interests.

12. Principle of confidentiality and personal data protection

Article 18

A beneficiary of social welfare rights shall be ensured confidentiality and protection of his personal data in accordance with special legislation, unless otherwise prescribed by this Act.

13. Principle of respect of privacy

Article 19

(1) A beneficiary of social welfare rights shall be entitled to the respect of his privacy in the process of receiving social welfare services.

(2) A person providing services within the social welfare system shall not violate the privacy of a beneficiary, except to the extent necessary for the provision of a service or to ensure a beneficiary's right.

14. Principle of the right to a complaint

Article 20

(1) A beneficiary of social welfare rights, who is dissatisfied with the service provided, or with actions of persons providing social welfare services, may submit a complaint to the director or another authorised person in the social welfare institution, to an authorised person in the religious community, to another legal person providing a social service, or to a small business owner or another natural person engaged in social services.

(2) The director and other authorised persons of the service provider from paragraph 1 of this Article shall respond to the complaint without delay, and inform the beneficiary in writing about the measures taken, no later than 15 days from the day the complaint was submitted.

(3) If the beneficiary is dissatisfied with the measures taken, he may submit a complaint against the service provider to the Ministry. Provided the complaint is upheld, the Ministry shall issue instructions to the service provider on the actions the latter should take, and shall determine a deadline for the service provider to submit a notice on the actions taken.

IV - SOCIAL WELFARE BENEFICIARIES

Article 21

Social welfare beneficiaries are:

- a single person and a household with insufficient funds to cover their essentials for living , and unable to ensure those funds through work, earnings from assets, from persons mandated to support them, or in another manner,

- a parentless child or a child without adequate parental care, a young adult, a child who is a victim of family, peer or other violence, a child who is a victim of human trafficking, a child with developmental difficulties, a child or young adult with behavioural problems, a child without escort found away from his place of residence without the supervision of a parent or another adult mandated to care about him and a child who is a foreign citizen found in the Republic of Croatia without the supervision of a parent or another adult mandated to care for him,

- a pregnant woman or a parent with a child younger than one without family support or adequate living conditions,

- a family in need of professional help or other assistance, due to dysfunctional relationships or other unfavourable circumstances,
- a disabled adult, incapable of providing for his essentials for living,
- an adult who is a victim of family violence, other type of violence, or of human trafficking,
- a person unable to ensure his own essentials for living due to old age or infirmity,
- a person addicted to alcohol, drugs, gambling or to other addictions,
- a homeless person,
- other persons fulfilling the conditions prescribed by this Act.

Article 22

(1) Under the conditions prescribed by this Act, social welfare rights shall be granted to:

- a Croatian citizen with residence in the Republic of Croatia,
- an alien or a stateless person with permanent stay in the Republic of Croatia.

(2) An alien under subsidiary protection, an alien with an established status of a victim of human trafficking and an asylee and his family members legally residing in the Republic of Croatia shall be granted social welfare rights under the conditions prescribed by this Act and by a special regulation.

(3) By way of derogation, a person not encompassed by paragraphs 1 and 2 of this Article may be granted the right to a one-off allowance and temporary accommodation under conditions prescribed by this Act, provided this is necessary because of the person's circumstances at the time.

Article 23

(1) For the purposes of this Act, it shall be considered that a person can support himself if he can obtain funds for his essentials for living through the sale of assets, or by leasing or renting property not used for providing for the essentials for living of the person in question or of his family members.

(2) By way of derogation from paragraph 2 of this Article, a child's assets may be exempt from burdening or alienation, which shall be decided by the social welfare centre.

Article 24

(1) For the purposes of this Act, it shall be considered that a person can support himself if he is not listed as unemployed with the competent employment service, if he refused a job offer within six months prior to initiating the procedure, or if he may accrue funds for his essentials for living through temporary seasonal, occasional or similar jobs, or accrue income in another way.

(2) The provision of paragraph 1 of this Article shall not apply to:

- a person who lacks less than five years to obtain the right to an old-age pension, pursuant to regulations on pension insurance,
- a child under the age of 15 during his regular schooling, or a young adult until the completion of his regular schooling, but for no longer than the age of 29,
- a pregnant woman and a woman who has recently given birth up to six months after giving birth, and a parent providing for and caring for a child younger than one, for twins to the age of three, or for three or more children to the age of ten, and parents using adoptive parent leave,
- a person completely incapable for work,
- a person with temporary unemployability established by a competent authority pursuant to a special regulation,
- an unemployed household member without income, providing for a child or an adult family member incapable of providing for himself, when such care for a child or an adult replaces institutionalised care pursuant to this Act.

V - RIGHTS IN THE SOCIAL WELFARE SYSTEM

Article 25

Pursuant to this Act, social welfare rights are: guaranteed minimum allowance, housing allowance, heating allowance, personal allowance for an accommodation beneficiary, one-off allowance, education allowances, personal disability allowance, assistance and care supplement, the status of a parent-caretaker and the status of a caretaker, jobseeker's allowance and social services.

1. Guaranteed minimum allowance

Article 26

The guaranteed minimum allowance shall be the right to a cash amount for providing for essentials for living of a single person or a household who lack sufficient funds for providing for their essentials for living.

Article 27

(1) The basis for calculation of the guaranteed minimum allowance amount shall be established by the Government of the Republic of Croatia by a decision.

(2) The basis for calculation of the amount of other rights from Article 25 of this Act shall be established by the Government of the Republic of Croatia by a decision.

Article 28

The guaranteed minimum allowance shall be granted to a single person or a household without sufficient funds for support, in the amount prescribed by Article 30, paragraph 1 of this Act, or to those unable to ensure those funds through work, earnings from assets or from persons mandated to support them, unless a social welfare centre has established that the person mandated to support them is unable to pay support.

Article 29

(1) A single person or a household shall not be entitled to the guaranteed minimum allowance if:

- a single person or household owns another apartment or house, except the apartment or house they live in, provided they can dispose of or lease that property and thus ensure funds for providing for their essentials for living, or own business premises not used for a registered business activity, or own valuable movables (vessels, works of art and alike),
- within a period of three years prior to submitting the application, a single person or a household member sold or gave assets as a gift, ceded his right to his share of inheritance or assigned his share of inheritance, provided he would have been able to ensure support in amount of the guaranteed minimum allowance from the amount obtained from the sale or from the amount corresponding to the amount of the basis for calculating tax for assets given as a gift or the share of inheritance which he renounced or ceded even after submitting the application for the right,
- a single person or a household member owns assets which could be used or sold without endangering essentials for living, and could thus ensure funds in the amount of the guaranteed minimum allowance prescribed by this Act for personal support, or support of his family members,
- a single person or a household member owns a personal vehicle, except for a personal vehicle used for transporting the single person or a household member who is a beneficiary of disability rights, the elderly or the infirm with mobility difficulties, or when a professional staff member at a social welfare centre establishes that the vehicle is necessary due to absence of public transportation,
- a single person or a household member uses a personal vehicle owned by another legal or natural person,
- a single person concluded a contract on lifelong support or support until death as a support recipient,
- a single person able to work is not listed as unemployed at the competent employment service, and conditions from Article 24, paragraph 2 of this Act were not fulfilled,
- a person may ensure support from other sources.

(2) A homeless person with temporary accommodation in a shelter, and a beneficiary of the service of accommodation or organised housing pursuant to this Act or special regulations, shall not be entitled to the guaranteed minimum allowance.

(3) The guaranteed minimum allowance amount from Article 30, paragraph 1 of this Act shall be reduced for a household for the share of a household member who is able to work and is not listed as unemployed at the competent employment service, if the conditions from Article 24, paragraph 2 of this Act are not fulfilled.

(4) The guaranteed minimum allowance amount from Article 30, paragraph 1 of this Act shall be reduced for a household for the share of a household member who has concluded a contract on lifelong support or support until death in which he is the support recipient.

Article 30

(1) The guaranteed minimum allowance amount for a single person shall be established in the amount of 100% of the basis from Article 27, paragraph 1 of this Act, whereas for a household it shall be established in the amount of summed-up shares for each household member, where the shares of household members shall be as follows:

- for a single parent: 100% of the basis from Article 27, paragraph 1 of this Act,
- for an adult household member: 60% of the basis from Article 27, paragraph 1 of this Act,
- for a child: 40% of the basis from Article 27, paragraph 1 of this Act.

(2) If a single person or a household accrue income, the guaranteed minimum allowance amount shall be established as the difference between the guaranteed minimum allowance amount from paragraph 1 of this Article, and the average monthly income of the single person or the household accrued in three months prior to the month in which the procedure was initiated.

(3) The guaranteed minimum allowance amount for a household shall be increased for accommodation costs of a household member in a pupils' hostel during the school year.

(4) The guaranteed minimum allowance amount for a household referred to in paragraph 1 of this Article shall not exceed the gross amount of minimum wage in the Republic of Croatia.

Article 31

(1) For the purposes of Article 30, paragraph 2 of this Act, the following shall not constitute income:

- housing allowance, granted by a local self-government unit and the City of Zagreb,
- heating allowance, granted by a regional self-government unit and the City of Zagreb,
- cash allowance for physical damage,
- orthopaedic supplement,
- assistance and care supplement pursuant to this Act and pension insurance regulations,
- personal disability allowance pursuant to this Act,

- child supplement,
- state subsidy for agriculture, forestry and fisheries, except an income subsidy pursuant to special regulations,
- cash allowance for animals slaughtered or which died in the course of implementing prescribed measures pursuant to a special regulation on veterinary policy,
- scholarship for a pupil or a student during regular schooling or university study, but for no longer than the age of 29,
- allowance received by a foster parent for the needs of a beneficiary of foster care,
- amount of financial resources accrued by natural persons based on donations for medical needs from natural and legal persons,
- amount of financial resources accrued by natural persons based on one-off donations from natural and legal persons up to the amount of HRK 5,000.00 per year,
- amount of funds earmarked for recovery after natural disasters,
- amount of funds for child support based on temporary support at the social welfare centre,
- amount of funds for child support pursuant to a special regulation up to the amount of temporary support at the social welfare centre,
- awards for pupils during practical work and apprenticeship,
- monetary aid and travel expenses for persons attending professional training without entering into employment relationship,
- monetary aid and travel expenses of unemployed persons sent by the Croatian Employment Service for training, organised by or paid by the Croatian Employment Service,
- personal disability allowance, supplement for assistance and care of another person, orthopaedic supplement, special supplement, home assistance allowance, one-off monetary aid, allowance for funeral costs and allowance for free schoolbooks, when such rights were granted based on a special regulation establishing the rights of Croatian veterans from the Homeland War and their family members,
- personal disability allowance, family disability allowance, increased family disability allowance, supplement for assistance and care of another person, orthopaedic supplement, special supplement, home assistance allowance and allowance for free schoolbooks, when such rights were granted based on a special regulation establishing the protection of military and civilian disabled persons from the war,
- monetary earnings for baby layette and supplement for infant support, or support for baby layette paid or provided by a local self-government unit based on its general acts, for which funds were planned in the budget of the unit in question,

- earnings accrued from dividends, and financial resources accrued from the sale of stocks, based on membership in the Croatian Veterans' Fund, obtained on the basis of the status of a Croatian disabled veteran from the Homeland War and the status of a family member of a perished Croatian veteran.

(2) For the purposes of Article 30, paragraph 2 of this Act, income shall not include aids and allowances granted by local and regional self-government units, based on decisions of representation bodies, up to the guaranteed minimum allowance amount.

(3) The amount of income from Article 30, paragraph 2 of this Act shall be reduced for the amount which a household member pays for supporting a person who is not a member of that household, pursuant to regulations regulating family relationships.

Article 32

(1) A farmer or a member of his household engaged in agricultural activity as his sole or main occupation, having obligatory pension and health insurance on that basis, shall have his average monthly income from Article 30, paragraph 2 of this Act established on the basis of his tax return, or a decision of the competent tax administration on the annual lump sum income tax.

(2) The provision from paragraph 1 of this Article shall not apply to a single farmer older than 65, nor to a household engaged in agriculture as its sole or main occupation, provided all household members are older than 65.

Article 33

The guaranteed minimum allowance shall be approved from the day the application was submitted, or from the day the procedure was initiated *ex officio*, and shall be paid each month.

Article 34

(1) The guaranteed minimum allowance may be partially paid directly to the educational institution for a warm meal of a pupil who is a member of the household of a beneficiary of the guaranteed minimum allowance, if a social welfare centre establishes that it is likely that the beneficiary would not use the guaranteed minimum allowance for fulfilling the need in question.

(2) The guaranteed minimum allowance may be approved entirely or partially in kind, if a social welfare centre establishes that it is likely that the beneficiary would not use the guaranteed minimum allowance for providing for his essentials for living.

Article 35

(1) A beneficiary whose right to the guaranteed minimum allowance was granted shall immediately report to the social welfare centre any change affecting further usage or the amount of the allowance, and no later than within eight days from the day the change occurred.

(2) The social welfare centre shall render a new decision based on the report submitted by the guaranteed minimum allowance beneficiary or based on information obtained *ex officio*, only when this is required by modified circumstances which affect the granting and the amount of the guaranteed minimum allowance.

Article 36

(1) Provided that the beneficiary still fulfils the conditions for granting the guaranteed minimum allowance in a lower or higher amount of that already granted after the change occurred, that right shall be granted in the modified amount from the day modified circumstances occurred.

(2) If the beneficiary no longer fulfils the conditions to continue receiving the guaranteed minimum allowance due to modified circumstances, that right shall cease on the day modified circumstances occurred.

(3) In case of death of a beneficiary who is single, the right to the guaranteed minimum allowance shall cease on the day of his death, and in the case of death of a household member, the guaranteed minimum allowance amount shall be reduced for that person's share from the day of his death.

Article 37

(1) The decision on granting the right to the guaranteed minimum allowance shall be revoked if, in the process of monitoring financial and other social circumstances of the beneficiary, the social welfare centre establishes that those circumstances are much more favourable than the ones which can be ensured on the basis of a granted right to the guaranteed minimum allowance.

(2) The decision granting the right to the guaranteed minimum allowance shall be revoked for a single person, and the guaranteed minimum allowance to a household shall be reduced for the share of the household member if the single person or the respective household member is hospitalised, in custody, in detention prison, incarcerated, in temporary accommodation or residing abroad for two consecutive months.

(3) The decision granting the right to the guaranteed minimum allowance shall be revoked for a single person, and the guaranteed minimum allowance shall be reduced to a household for the share of the respective household member if the single person or the respective household member spends more than 15 consecutive days abroad.

(4) The decision granting the right to the guaranteed minimum allowance shall be revoked, and the guaranteed minimum allowance shall be reduced for a certain amount from the day the circumstances from paragraphs 2 and 3 of this Article occurred.

(5) The decision granting the right to the guaranteed minimum allowance shall be revoked for a single person or a household if the single person or the respective household member provided incorrect or incomplete information on income in the procedure of granting the right when the granting of the right or its scope depend on the income or if the person fails to provide the social welfare centre with access to information on his income and assets.

(6) The decision granting the right to the guaranteed minimum allowance shall be revoked in the case from paragraph 5 of this Article from the day changed circumstances occurred, due to which the right to the guaranteed minimum allowance would cease, and the beneficiary from paragraph 5 of this Article shall not be entitled to submit an application for the guaranteed minimum allowance until six months have passed from the day the right was revoked.

Article 38

(1) The social welfare centre and the competent employment service shall cooperate in implementing social inclusion measures for beneficiaries of the guaranteed minimum allowance who are able to work.

(2) The manner of cooperation between the social welfare centre and the competent employment service in implementing social inclusion measures for beneficiaries of the guaranteed minimum allowance who are able to work shall be prescribed by the minister in charge of social welfare in cooperation with the minister in charge of labour.

(3) When receiving the guaranteed minimum allowance, an unemployed person who is completely or partially able to work must accept employment in accordance with employment regulations.

(4) The social welfare centre shall submit to the competent employment service a report on the guaranteed minimum allowance granted to an unemployed beneficiary who is completely or partially able to work, and for a person whose temporary unemployability was established by a competent authority in accordance with a special regulation, within eight days from the day the decision granting that right was rendered.

(5) The competent employment service shall immediately, and no later than eight days from the day it received information, inform the social welfare centre about the fact that a single person or a member of a household that is a beneficiary of the guaranteed minimum allowance lost the status of an unemployed person, indicating the reason for deletion from the records of unemployed persons.

Article 39

(1) The guaranteed minimum allowance or the adequate share in the guaranteed minimum allowance shall be granted to a single person or a household member completely or partially able to work for no longer than two years.

(2) A person from paragraph 1 of this Article shall not be entitled to submit a new application for the guaranteed minimum allowance or for an increase of the guaranteed minimum allowance of a household for the adequate share of a household member, for three months following the month in which the right ceased or was reduced.

(3) If a single person or a household member who is a beneficiary of the guaranteed minimum allowance and is completely or partially able to work refuses an offered job, training, retraining, additional training or single-handedly terminates his employment contract, his right to the guaranteed minimum allowance shall be revoked, and the guaranteed minimum allowance of the household shall be reduced for the share of that member.

(4) A person from paragraph 3 of this Article shall not be entitled to submit an application for the guaranteed minimum allowance, or for an increase of the guaranteed minimum allowance of a household for six consecutive months after the month in which the right was revoked or reduced.

(5) The right to the guaranteed minimum allowance for a single person or the adequate share in the guaranteed minimum allowance for a household member who is completely or partially able to work shall be revoked if he does not respond to the call of the local or regional self-government unit to participate in voluntary community service work.

(6) A person from paragraph 5 of this Article shall not be entitled to submit an application for the guaranteed minimum allowance or for an increase of the guaranteed minimum allowance of a household for six consecutive months after the month in which the right was revoked or reduced.

(7) Beneficiaries of the guaranteed minimum allowance may participate in community service work from paragraph 5 of this Article for at least thirty hours and no more than ninety hours a month.

(8) The social welfare centre shall, on a monthly basis, submit information to the local or regional self-government unit about the single beneficiaries of the guaranteed minimum allowance who are completely or partially able to work and members of a household receiving the guaranteed minimum allowance who are completely or partially able to work.

(9) The local or regional self-government units shall, on a monthly basis, submit information to the social welfare centre on beneficiaries of the guaranteed minimum allowance who responded to the notice and participated in community service work from paragraph 5 of this Article.

Article 40

(1) If a single person or a household member, who has been a guaranteed minimum allowance beneficiary for at least one year and is able to work, finds employment, in the first month of his employment the guaranteed minimum allowance for a single person or a household shall not be withdrawn or reduced for the income accrued.

(2) The guaranteed minimum allowance shall be reduced for a single person or a household for 25% in the second month, and for 50% in the third month of employment of persons from paragraph 1 of this Article.

(3) The right to the guaranteed minimum amount shall be revoked if the person from paragraph 1 of this Article works for longer than three months, and the average income over those three months exceeds the amount of the granted guaranteed minimum allowance for a single person or a household.

2. Housing allowance

Article 41

(1) For the purposes of this Act, housing allowance refers to rent, charges for municipal services, electricity, gas, heating, water, sewage and other housing costs pursuant to special regulations.

(2) The right to housing allowance shall be granted to the guaranteed minimum allowance beneficiaries.

(3) The right to housing allowance shall be granted by local self-government units or the City of Zagreb up to half of the guaranteed minimum allowance amount granted to a single person or a household determined pursuant to Article 30, paragraph 1 of this Act.

Article 42

(1) The local self-government unit or the City of Zagreb may grant the housing allowance up to the amount from Article 30, paragraph 1 of this Act, in cases when the social welfare centre concludes that this is the only possibility not to separate children from their parents.

(2) The housing allowance may be granted in cash directly to the beneficiary or in the manner that the local self-government unit or the City of Zagreb pays the bill partially or in full to the authorised legal or natural person providing the service.

3. Heating allowance

Article 43

(1) A single person or a household who is the guaranteed minimum allowance beneficiary and uses firewood for heating, shall be granted the heating allowance by receiving 3 m³ of wood per year or shall receive a cash amount for the payment of this expense in the amount established by a decision by the competent regional self-government unit or the City of Zagreb.

(2) The decision from paragraph 1 of this Article shall be reached no later than by 30 September for the current year by the competent regional self-government unit or the City of Zagreb.

(3) In order to ensure funds for the heating costs from paragraph 1 of this Article, local self-government units shall submit an application with information on beneficiaries of the guaranteed minimum allowance who use firewood for heating to the competent regional self-government unit no later than by September of the current year for the following year.

Article 44

(1) Local and regional self-government units shall keep, in the prescribed manner, records and documents pertaining to the rights granted within the social welfare system prescribed by this Act, as well as to other social welfare rights established by general acts of the local and regional self-government units, and shall submit reports about them to the state administration office in the county.

(2) A consolidated report from paragraph 1 of this Article shall be submitted by the state administration office in the county to the Ministry and to the regional self-government unit.

(3) The City of Zagreb shall keep, in the prescribed manner, records and documents pertaining to the rights granted within the social welfare system prescribed by this Act, as well as to other social welfare rights established by general acts of the City of Zagreb, and shall submit reports about them to the Ministry.

(4) The contents and manner of keeping records and documentation, including the manner and deadlines for submitting reports from paragraphs 1, 2 and 3 of this Article shall be prescribed by way of an ordinance by the minister in charge of social welfare.

4. Personal allowance for an accommodation beneficiary

Article 45

(1) The right to personal allowance shall be granted to an accommodation beneficiary or organised housing beneficiary, pursuant to provisions of this Act, in the monthly amount of 20% of the basis from Article 27, paragraph 2 of this Act, provided he is unable to fulfil his personal needs while being a beneficiary of accommodation or organised housing.

(2) If the beneficiary contributes to the payment of accommodation or organised housing costs, the amount with which he contributes to the payment of accommodation or organised housing costs shall be reduced for the amount of personal allowance.

(3) The right to personal allowance shall be decided on in the decision on granting the right to accommodation or organised housing pursuant to this Act.

5. One-off allowance

Article 46

(1) A one-off allowance shall be granted to a single person or a household unable to provide for their essentials for living due to current financial difficulties, and pertaining to the birth or schooling of a child, sickness or death of a family member, a natural disaster and alike.

(2) The one-off allowance from paragraph 1 of this Article may be granted for the purchase of essential household items or clothing and footwear, when it is not possible to ensure the procurement of essential household items, clothing and footwear in cooperation with humanitarian organisations.

(3) The one-off allowance shall be granted to a beneficiary of the right to accommodation in a foster family who is attending primary or secondary school, for the purchase of necessary schoolbooks, unless that right was granted on another basis.

(4) The one-off allowance may be granted to beneficiaries of temporary accommodation in crisis situations, for compensating transportation costs to the place of residence, one's own or a foster family, a welfare home, another service provider or another institution.

(5) A social welfare centre may grant a one-off allowance exceptionally to beneficiaries of the service of accommodation or organised housing when the need from paragraph 1 of this Article has not been fulfilled within the service of accommodation or organised housing or an allowance obtained on another basis.

Article 47

- (1) A one-off allowance shall be granted as a right to cash allowance or a right to compensation in kind.
- (2) A one-off allowance may be granted in kind if the social welfare centre establishes it is likely the beneficiary would not use the allowance as intended.
- (3) The total amount of one-off allowances in a calendar year shall not exceed five bases from Article 27, paragraph 2 of this Act for a single person, or seven bases from Article 27, paragraph 2 of this Act for a household.

Article 48

The social welfare centre shall exchange information about granted one-off allowances with local self-government units and the City of Zagreb.

5.1. Increased one-off allowance

Article 49

- (1) In particularly justified cases the social welfare centre may grant an increased one-off allowance upon prior approval of the Ministry.
- (2) Along with an application for a prior approval from paragraph 1 of this Article, the social welfare centre shall enclose social history information, evidence justifying the application, and the amount needed to fulfil the specific need.
- (3) An increased one-off allowance shall be granted in the maximum amount up to HRK 10,000.00.
- (4) The Ministry shall decide on the application for a prior approval without delay, and no later than 15 days from the day the application was received.

5.2. One-off allowance for funeral costs of the guaranteed minimum allowance beneficiary and an accommodation or organised housing beneficiary

Article 50

- (1) The one-off allowance for funeral costs shall be granted for the funeral of a person whom no other person is legally or contractually mandated to support based on a contract on lifelong support or support until death, as follows:
 - a person who, at the time of his death, was a beneficiary or a member of a household that is a beneficiary of the guaranteed minimum amount,
 - a person who was an accommodation or organised housing beneficiary at the time of his death.

(2) The social welfare centre shall request a reimbursement of funeral costs from the heirs of a person from paragraph 1 of this Article who accrues income.

(3) The social welfare centre shall grant the one-off allowance from paragraph 1 of this Article up to the amount of basic funeral costs in the beneficiary's place of death or funeral location, and the costs shall include the costs of transporting the deceased.

(4) The one-off allowance from paragraph 1 of this Article shall be paid by the competent social welfare centre up to the amount stipulated by paragraph 3 of this Article to a natural or legal person who paid for the funeral costs, or the legal person registered for funeral services, who carried out the service.

6. Education-related allowances

6.1. Regular higher education allowance

Article 51

(1) An accommodation or organised housing beneficiary shall be granted the higher education allowance for regular study at a university or a professional study in the amount of four times the basis amount from Article 27, paragraph 2 of this Act.

(2) The right to accommodation or organised housing allowance shall cease for a beneficiary on the day the decision on granting the allowance from paragraph 1 of this Article becomes enforceable.

(3) The application for granting the allowance from paragraph 1 of this Article may be submitted within a term of six months from the day the right to housing or organised housing has terminated.

(4) The beneficiary of the regular higher education allowance at a university or a professional study may be granted the allowance from paragraph 1 of this Article also when extending studies due to a period of standstill during military service, during pregnancy and up to the child's first year of life, during long-term illness, and in other justified circumstances in which study was interrupted, pursuant to a special regulation regulating the scientific activity and higher education.

(5) The beneficiary of the regular higher education allowance shall submit evidence on enrolment into the academic year no later than 31 October each year during the course of studies, and shall inform the social welfare centre about his completion of studies.

(6) The right to allowance from paragraph 1 of this Article shall be granted to a beneficiary regardless of his financial standing.

6.2. Pupils' hostel allowance

Article 52

A child with lower income, attending secondary school, who is not a member of a household which is a beneficiary of the guaranteed minimum allowance, may be granted the pupils' hostel allowance if:

- he comes from a single-parent home, and the average monthly income per family member does not exceed two bases from Article 27, paragraph 2 of this Act,
- he is under guardianship, and his personal income does not exceed 250% of the basis from Article 27, paragraph 2 of this Act,
- he lives with a foster family, and attends school in a different location from the foster parents' residence, because schooling cannot be provided to him in the foster parents' place of residence.

6.3. Compensation of transportation costs

Article 53

(1) The right to compensation of transportation costs for schooling may be granted when transportation is not ensured on another basis, to:

- a disabled person and a child with developmental difficulties, attending school for obtaining secondary school qualifications according to a special programme outside of his place of residence, or training for self-sufficiency, where there is no need for granting the accommodation or organised housing service to him,
- a child placed in a foster home or family home, attending school outside of his place of residence for obtaining secondary school qualifications.

(2) The allowance from paragraph 1 of this Article shall encompass transportation costs in both directions, and shall be granted in the minimum amount for regular means of public transportation and the shortest distance. If the beneficiary uses a personal vehicle, the cost of a public transportation ticket shall be reimbursed.

(3) Transportation for a disabled person or a child with developmental difficulties attending school to obtain secondary school qualifications in his place of residence, unless transportation is ensured on another basis, shall be provided by the local self-government unit or the City of Zagreb.

(4) The right to transportation costs pertaining to secondary schooling shall also be granted to a child who is a beneficiary of the guaranteed minimum amount, for the school year 2013/2014.

7. Personal disability allowance

Article 54

(1) The right to personal disability allowance shall be granted to a person with a severe disability or other severe and permanent changes in health condition, for the purpose of fulfilling his need of integration into community life.

(2) The right to personal disability allowance shall not be granted to:

- a person receiving disability allowance on another basis,
- a person in ownership of another apartment or house, except the apartment or house in which he resides, which he may dispose of or lease, and thus ensure the funds necessary for integration into community life,
- a person in ownership of business premises he does not use for performing a registered activity,
- a child younger than one,
- a child or an adult with a granted right to accommodation or organised housing, pursuant to the provisions of this Act or other regulations.

(3) The right to personal disability allowance shall not be granted to a person receiving the assistance and care supplement pursuant to the provisions of this Act or other regulations.

(4) The right to personal disability allowance shall be granted with the date of application submission or the date the procedure was initiated *ex officio*.

(5) The disability type and severity as well as the type and severity of the change in health condition shall be prescribed by way of an ordinance by the minister in charge of social welfare.

Article 55

(1) Personal disability allowance shall amount monthly to 250% of the basis from Article 27, paragraph 2 of this Act for a person without personal income.

(2) If the person from Article 54, paragraph 1 of this Act accrues income on any basis, the personal disability allowance shall be determined as the difference between the amount from paragraph 1 of this Article and the average income accrued over the three months preceding the month in which the application was submitted, or in which the procedure was initiated *ex officio*.

(3) Income from paragraph 2 of this Article shall not include the guaranteed minimum allowance, housing allowance granted pursuant to this Act, pension up to the amount of minimum pension granted for 40 years of pensionable service, orthopaedic supplement, support funds granted to a child pursuant to regulations on family relations, and the child supplement.

Article 56

The right to personal disability allowance shall be inactive for a beneficiary of personal disability allowance who is in custody, in detention prison, incarcerated or residing abroad for longer than two months.

8. Assistance and care supplement

Article 57

(1) The right to the assistance and care supplement shall be granted to a person unable to fulfil his basic needs, due to which he is in immediate need of assistance and care of another person in organising food, the preparation and consumption of meals, grocery shopping, house cleaning, dressing and undressing, personal hygiene and other essentials for living.

(2) The right to the assistance and care supplement shall not be granted to:

- a person with a concluded contract on lifelong support or support until death,
- a person in ownership of another apartment or house, except the apartment or house in which he resides, which he may dispose of or lease, and thus ensure the funds necessary for assistance and care,
- a person in ownership of business premises he does not use for performing a registered activity,
- a person with an average monthly income of a single person exceeding 250% of the basis from Article 27, paragraph 2 of this Act, or with an average monthly income of household members exceeding 200% of the basis from Article 27, paragraph 2 of this Act in the three months preceding the month in which the application was submitted, or the procedure initiated *ex officio*,
- a child younger than one, if the assistance and care supplement may be obtained pursuant to a special regulation,
- a child younger than one,
- a person with a granted right to personal disability allowance pursuant to this Act or other regulations,
- a person with an ensured accommodation in a social welfare institution or with another social services provider, in a healthcare or another institution, or in organised housing.

(3) The right to the assistance and care supplement shall be granted by the social welfare centre with the date of application submission or the date the procedure was initiated *ex officio*.

Article 58

(1) The right to the assistance and care supplement may be granted in the full or reduced amount, depending on whether an immediate need for assistance and care of another person exists in the full or reduced scope.

(2) The type and scope of the need for immediate permanent or temporary assistance and care shall be prescribed by the minister in charge of social welfare.

Article 59

(1) The amount of assistance and care supplement shall be:

- in the full amount - 100% of the basis from Article 27, paragraph 2 of this Act,
- in the reduced amount - 70% of the basis from Article 27, paragraph 2 of this Act.

(2) The right to the assistance and care supplement shall be inactive for a beneficiary who is hospitalised or is in another institution for longer than 15 days.

Article 60

(1) The right to the assistance and care supplement shall be granted in the full amount, regardless of conditions from Article 57, paragraph 2, subparagraphs 2, 3 and 4 of this Act to:

- a person with a severe disability,
- a person with severe and permanent changes in health condition, or
- a blind, deaf or a blind and deaf person not able to live and work on his own.

(2) The right to the assistance and care supplement shall be granted in the reduced amount, regardless of conditions from Article 57, paragraph 2, subparagraphs 2, 3 and 4 of this Act to:

- a blind, deaf or a blind and deaf person able to live and work on his own, or
- a person declared completely incompetent to act.

Article 61

(1) The right to the assistance and care supplement shall not be granted to a child whose parent uses maternity or parental leave, or employment at standstill up to the child's age of three based on special regulations.

(2) A child whose parent uses the right to work half time, or half time due to an enhanced care for a child, or is on special leave or works half time to care for a child with serious developmental difficulties pursuant to special regulations, may be granted the right to the assistance and care supplement in a reduced amount if he fulfils the conditions prescribed by this Act.

Article 62

A beneficiary of the assistance and care supplement may exceptionally be granted the home assistance service for fulfilling a specific need from Article 57, paragraph 1 of this Act which cannot be provided by his family members.

9. Status of a parent caretaker and status of a caretaker

Article 63

The status of a parent caretaker shall be granted to one parent of a child with developmental difficulties or a disabled person fulfilling one of the following conditions:

- the person is entirely dependent on the assistance and care of another person, as specific care is necessary for keeping him alive, consisting of medical and technical tasks for which the parent is trained based on a recommendation of a medical doctor,
- the person is completely bed-ridden, even with the assistance of orthopaedic devices,
- the person has several types of severe impairments (physical, mental, intellectual or sensory) due to which he is entirely dependent on the assistance and care of another person in providing for his essentials for living.

(2) If there are two or more children with developmental difficulties or disabled persons from paragraph 1 of this Article in a family, the status of a parent caretaker may be granted to both parents.

Article 64

(1) By way of exception, when both parents of a child with developmental difficulties died, or neither parent lives with the child and does not take care of him, or lives with the child but is incapable of providing him with the necessary care due to his psychophysical condition, the status of a caretaker may be granted to one of the family members with whom the child lives in the family community.

(2) The right to the status of a parent caretaker may be granted, instead of the parent, to a spouse or an extramarital partner of the parent of the child with developmental difficulties or a disabled person from Article 63 of this Act with whom the child lives in the family community.

(3) If there are two or more children with disabilities, or disabled persons in a single-parent family, the status of a parent caretaker from Article 63 of this Act may be granted, in addition to the parent, also to one of the family members with whom the child lives in the family community.

Article 65

(1) The status of a parent caretaker or a caretaker shall not be granted to a parent or another person from Articles 63 and 64 of this Act, if the child with developmental difficulties or a disabled person uses the services of accommodation, organised housing or half-day or full-day care pursuant to this Act.

(2) During the period in which one parent is using maternity, parental or adoptive parent leave, the other parent shall not be granted the status of a parent caretaker for the same child.

(3) A parent or another person from Articles 63 and 64 of this Act shall be granted the status of a parent caretaker when the child with developmental difficulties or a disabled person spends less than four hours a day in a preschool, educational or health institution, a welfare home or at another provider of the day care service.

(4) By way of derogation from paragraph 3 of this Article, a parent or another person from paragraph 1 of this Article shall be granted the status of a parent caretaker or a caretaker when the child with developmental difficulties or a disabled person spends four or more hours a day in a preschool, educational or health institution, a welfare home or at a community services centre if the parent or caretaker provides the services of assistance and care during that time.

Article 66

The right from Article 63 of this Act may be granted to a parent caretaker up to the age of 65, or longer if the assistance and care cannot be ensured by persons from Article 64 of this Act.

Article 67

(1) A parent caretaker or a caretaker shall be entitled to an allowance in the amount of five bases from Article 27, paragraph 2 of this Act, to pension insurance, health insurance and unemployment rights as an employed person pursuant to special regulations.

(2) The Ministry shall calculate and pay allowances from paragraph 1 of this Article through the social welfare centre, and shall pay all contributions for obligatory insurances, the resources for which shall be ensured in the state budget.

(3) The basis for the payment of contributions shall be the lowest monthly basis for the calculation of contributions for obligatory insurances for the current year.

(4) The Ministry shall keep records of the persons with a granted right to the status of a parent caretaker or caretaker.

(5) The minister in charge of social welfare shall prescribe the contents and means of keeping records from paragraph 4 of this Article by way of an ordinance.

Article 68

(1) A parent caretaker or a caretaker shall be entitled to an allowance even during temporary inability to provide assistance and care due to an illness or during the annual leave when he is not engaged in caretaker tasks, while the child is granted accommodation during the annual leave of the parent caretaker pursuant to the provisions of this Act, or if the child is hospitalised for no longer than two months.

(2) A parent caretaker or a caretaker may use annual leave up to four weeks in a given year.

Article 69

A decision on granting the status of a parent caretaker or caretaker shall be rendered by the social welfare centre upon approval of the Ministry.

Article 70

The right to the status of a parent caretaker or caretaker shall terminate:

- upon request of a parent caretaker or caretaker,

- if a parent caretaker or caretaker is unable to provide the necessary care due to his psychophysical condition,
- if a parent caretaker or caretaker does not perform his duties of a caretaker, and has no valid reason for it,
- if a parent caretaker or caretaker is in custody, detention prison or is incarcerated for a period longer than two months,
- once the parent caretaker or caretaker reaches the age of 65, except in cases from Article 66 of this Act,
- upon death of the child with developmental difficulties or a disabled person, the parent caretaker or the caretaker.

Article 71

The type of specific care involving medical and technical tasks, and the severity of impairment (physical, mental, intellectual or sensory) from Article 63, paragraph 1 of this Act shall be prescribed by the minister in charge of social welfare.

10. Jobseeker's allowance

Article 72

- (1) The right to jobseeker's allowance shall be granted to a child with developmental difficulties or a disabled person whose physical, mental, intellectual or sensory impairment was established pursuant to the ordinance from Article 54, paragraph 5 of this Act, following his completion of primary, secondary or higher education, and no earlier than the age of 15, provided he does not receive jobseeker's allowance pursuant to other regulations and is listed as unemployed at the competent employment service or has the status of temporary unemployability, granted by the competent authority pursuant to a special regulation.
- (2) The right from paragraph 1 of this Article shall not be granted to a person with an established complete inability to work pursuant to this Act and implementing regulations.
- (3) The right to jobseeker's allowance shall be granted and paid by the social welfare centre from the state budget, from the item of the Fund for Professional Rehabilitation and Employment of Disabled Persons.
- (4) The amount of jobseeker's allowance shall amount to 70% of the basis from Article 27, paragraph 2 of this Act.
- (5) Pursuant to this Act, a jobseeker's allowance beneficiary shall not be simultaneously granted the assistance and care supplement.
- (6) The right to jobseeker's allowance from paragraph 1 of this Act shall be revoked with the day the beneficiary finds employment, and the right may be regranted in case employment ends regardless of the beneficiary's will, and provided he does not receive allowance during unemployment pursuant to other regulations.

11. Social services

Article 73

(1) Social services encompass activities, measures and programmes intended for the prevention, recognition and resolution of problems and difficulties of individuals and families, and for improving the quality of their life in the community.

(2) Social services may be provided over a long-term period or temporarily, depending on the beneficiaries' needs.

(3) Social services are organised as services for children, youth, families and adults, with respecting social connections and the environment of the beneficiaries and their families.

Article 74

(1) Pursuant to this Act, social services are:

1. initial social service (provision of information, recognition and initial assessment of needs),
2. counselling and assistance,
3. home assistance,
4. psychosocial support,
5. early intervention,
6. assistance with inclusion into programmes of upbringing and regular education (integration),
7. day care,
8. accommodation,
9. organised housing.

(2) The initial social service, counselling and assistance, home assistance, early intervention, assistance with inclusion into the programmes of upbringing and regular education, day care and accommodation and organised housing constitute services of care in the family and in the local community, and are considered non-institutional services.

(3) Accommodation is a service of care outside one's family, provided as institutional care in a welfare home, a community services centre and with other providers of services from Article 169 of this Act, or as non-institutional service in a foster home or a family home.

(4) The social welfare centre shall issue a decision on granting the right to social services from paragraph 1, items 3 to 9 of this Article.

(5) By way of derogation from paragraph 4 of this Article, the social welfare centre shall render a decision on granting the right to social services from paragraph 1, item 2 of this Article, when those services are not provided by a social welfare centre.

(6) A service recipient may select a special service and a provider of service with whom he concludes a contract on receiving a social service under conditions stipulated by this Act, without a decision of the social welfare centre.

(7) The service recipient from paragraph 6 of this Article shall bear the full cost of the social service provided.

(8) A child's parent or his guardian or legal representative shall not directly select nor contract with the service provider the provision of the accommodation service or day care for the child.

(9) A child may use the services of accommodation, day care or organised housing only on the basis of a decision of the social welfare centre.

Article 75

The social welfare centre shall primarily grant to a beneficiary the right to social services in the family and in the local community, and exceptionally, provided all needs of the beneficiary cannot be fulfilled with the services in question, and if a network of non-institutional services is not developed in the local community, the beneficiary shall be granted the right to care outside of his family in the form of accommodation service.

11.1. Initial social service

Article 76

(1) The initial social service encompasses the provision of information to the beneficiary regarding social services, service providers, assistance to the beneficiary in determining his needs, the initial assessment of the beneficiary's abilities, as well as support and assistance when selecting rights in the social welfare system.

(2) The service from paragraph 1 of this Article shall be provided by professional staff of the social welfare centre.

11.2. Counselling and assistance

11.2.1 Counselling and assistance for an individual

Article 77

(1) Counselling and assistance for an individual is a social service of systematic professional assistance providing help to an individual with the aim of overcoming difficulties and creating conditions for maintaining and developing personal abilities, and a responsible attitude of an individual towards himself, his family and the society.

(2) The counselling and assistance from paragraph 1 of this Article shall be provided to a beneficiary for overcoming difficulties with respect to illness, advanced age, death of a family member, disability, developmental difficulties, integration into daily life after long-term accommodation in a welfare home or with another social services provider, a health or penal institution and in other unfavourable circumstances or crisis situations.

(3) With the aim of overcoming difficulties in communication and mobility, deaf, and blind and deaf persons shall be entitled to assistance of a professional interpreter in procedures of exercising social welfare rights.

11.2.2 Counselling and assistance to a family

Article 78

(1) Counselling and assistance to a family is a social service encompassing all forms of professional assistance in overcoming family difficulties and difficulties parents have with upbringing and care for children, as well in enabling the family for functioning in daily life.

(2) Counselling and assistance to a family includes support to a family, intensive support to families in crises and long-term work with family members focused on the improvement of family relations. Counselling and assistance to a family also includes psychological preparation of a child for the parent's incarceration, and for contacts the child is to have with the incarcerated parent.

(3) The service of intensive support of a family in crisis is a consultative, therapeutic, social and educative service, provided to a family in crisis, as well as to a foster family, with the aim of improving family relationships, overcoming crisis situations and gaining knowledge and skills for successful parenting and foster parenting.

(4) The service from paragraph 3 of this Article is provided after a comprehensive assessment of family risks, strengths and needs, in accordance with the change and intervention plan, expected to strengthen the family for change in the limited time period of six months at the most, and shall include enabling of parents to provide care to children in the family.

Article 79

The counselling and assistance service is provided by professional staff of social welfare centres, welfare homes, community services centres, other service providers from Article 169 of this Act, and natural persons from Article 172, paragraph 1 of this Act, offering counselling services in the counselling centre, in cooperation with other community services providers, and by other persons who may influence the family.

11.3. Home assistance

Article 80

(1) Home assistance is a social service granted to an elderly person, for whom the social welfare centre has determined a need of another person's assistance.

(2) Home assistance shall be granted to a person in immediate need of assistance of another person due to his physical, mental, intellectual or sensory impairment, or permanent changes in his health.

(3) Home assistance shall also be granted to a person in immediate need of assistance of another person due to a temporary change in his health.

(4) Assistance in the home of a person from paragraphs 1, 2 and 3 of this Act shall be granted, provided the following conditions have been fulfilled:

- the person has no possibility of receiving assistance from parents, spouse or children,
- the person did not conclude a contract on lifelong support or support until death,
- in his place of residence it is possible to ensure such assistance under conditions and in the manner prescribed by this Act,
- the person did not dispose of real estate or movable assets of a higher value in the year preceding the day of submission of the application for recognising the right to a social service, or preceding the day this procedure was initiated *ex officio*,
- income of a single person or income per household member does not exceed 300% of the basis from Article 27, paragraph 2 of this Act.

(5) If the income of a single person or income per family member exceeds the amount of 300% of the basis, but is not higher than 400% of the basis from Article 27, paragraph 2 of this Act, the beneficiary fulfilling conditions from paragraph 4, subparagraphs 1, 2, 3 and 4 of this Act shall be granted the right to reimbursement of 50% of the home assistance service cost.

Article 81

Home assistance may encompass:

- organising food (procurement and delivery of cooked meals to one's home),
- performing household chores (grocery shopping, assistance in food preparation, washing dishes, cleaning, procuring water, wood for heating and alike, organising laundry washing and ironing, procurement of medications and other supplies, and alike),
- maintaining personal hygiene (assistance with dressing and undressing and bathing and assistance with other hygienic needs),
- fulfilling other daily needs.

Article 82

Home assistance is provided by a home assistance centre, a welfare home, a community services centre, by other service providers from Article 169 of this Act, and by natural persons from Article 172, paragraph 1 of this Act, under conditions prescribed by this Act.

11.4. Psychosocial support

Article 83

- (1) Psychosocial support is a social service consisting of rehabilitation and stimulating the development of cognitive, functional, communicational or social skills of beneficiaries.
- (2) Psychosocial support shall be granted to a child with developmental difficulties, a disabled adult, an addict, a victim of family violence, and to all other persons who need it, based on an assessment of the professional team from the competent social welfare centre.
- (3) Psychosocial support may be provided individually or in a group.
- (4) Psychosocial support may be provided by a welfare home, a community services centre and by other service providers from Article 169 of this Act, under conditions prescribed by this Act.
- (5) Psychosocial support shall be provided in the beneficiary's family or foster family, or at the premises of the service provider from paragraph 4 of this Article. The service in the beneficiary's family or foster family shall be provided up to five hours a week, and at the service provider from paragraph 4 of this Article up to six hours a week, for no longer than two hours a day.
- (6) Psychosocial support from this Article may be provided in the presence and with participation of family members.
- (7) The social welfare centre shall recognise the right to the service from paragraph 1 of this Article based on a prior opinion of the service provider from paragraph 4 of this Article, depending on the type, duration and frequency of the service.

11.5. Early intervention

Article 84

- (1) Early intervention is a social service encompassing a stimulating professional assistance to children, as well as professional and counselling assistance to their parents, including other family members and foster parents, when there is an established developmental risk or a developmental difficulty of the child.
- (2) Early intervention shall be provided to children and parents or foster parents, to children living with their families or at a service provider, with the aim of integrating the children into the wider social network when this service is not ensured within the healthcare sector.
- (3) Early intervention shall be provided to a child with an established developmental challenge, a developmental risk or developmental difficulties at an early age, typically up to the age of three, and no later than the age of seven.
- (4) Upon a prior opinion of a medical doctor - neonatology specialist or a paediatrician, and exceptionally a medical doctor with another adequate specialisation, the social welfare centre shall request an assessment of the service provider regarding the duration and frequency of

the provision of the service from paragraph 1 of this Article, and shall grant the right to that service by a decision.

(5) Early intervention may be provided by a welfare home, a community services centre, and by other service providers from Article 169 of this Act, under conditions prescribed by this Act.

(6) Early intervention may be provided in the beneficiary's family or in the foster family, as well as with the service provider from paragraph 5 of this Act, and may be granted up to five hours a week.

(7) The beneficiary granted early intervention shall not simultaneously receive psychosocial support services.

11.6. Assistance with inclusion into programmes of upbringing and regular education (integration)

Article 85

(1) Assistance in including a child with developmental difficulties or a young disabled adult into regular preschooling and schooling programmes in institutions (integration) is a social service provided to early childhood educators and teachers in pre-schools and schools.

(2) The social welfare centre shall grant the service from paragraph 1 of this Article upon a prior opinion of the preschool or school and the service provider, stating the duration and frequency of the provided service, which may be granted up to five hours a week.

(3) The service from paragraph 1 of this Article shall be provided by a welfare home, a community services centre, and other service providers from Article 169 of this Act providing services to children with developmental difficulties and young disabled adults, under conditions prescribed by this Act.

11.7. Day care

Article 86

(1) Day care is a social service encompassing a full-day or a half-day care.

(2) Full-day care may last from 6 to 10 hours, and half-day care from 4 to 6 hours. During that time, the fulfilment of beneficiary's basic needs shall be ensured, depending on the established needs and the choice of beneficiary, by providing food services, maintaining personal hygiene and health, ensuring supervision, upbringing, care, work activities, psychosocial rehabilitation, spare time organisation, and organised transportation.

(3) Full-day and half-day care may be granted one day a week, several days in a week, or during all working days in a week.

(4) The service from paragraph 1 of this Article shall be provided by a welfare home, a community services centre and other service providers from Article 169 of this Act, or by

natural persons from Article 172, paragraph 1 of this Act, who provide the service of day care as a professional activity, under conditions prescribed by this Act.

11.8. Accommodation

Article 87

(1) Accommodation is a social service which may encompass services of housing, food, care, maintaining health, social work, psychosocial rehabilitation, physical therapy, work therapy, work activities, active leisure time, upbringing and education, depending on the established needs and the choice of the beneficiary.

(2) Accommodation from paragraph 1 of this Article may be granted as temporary or long-term.

(3) Accommodation may be granted during all days in a week, or during five working days.

(4) In addition to services from paragraph 1 of this Article, accommodation may also encompass preparing the beneficiary for the return to his family, foster family or for independent life, or a child for adoption or accommodation in a foster family.

(5) The accommodation service shall be provided by a welfare home, a community services centre and other service providers from Article 169 of this Act, or by natural persons from Article 172, paragraph 1 of this Act, who provide the service of accommodation, under conditions prescribed by this Act.

11.8.1 Temporary accommodation

Article 88

(1) Temporary accommodation shall be granted in crisis situations for short rehabilitation programmes, for accommodating children without adequate parental care, and in other cases prescribed by this Act.

(2) Temporary accommodation in crisis situations and temporary accommodation for short rehabilitation programmes shall not be provided in the family home.

11.8.1.1. Temporary accommodation in crisis situations

Article 89

(1) Temporary accommodation in crisis situations shall be granted to a child found without the supervision of parents or while loitering, an adult found away from his place of residence or temporary residence, or without a residence or temporary residence, who is incapable of taking care of himself, a homeless person, a pregnant woman or a parent with a child younger than one, to children and adults who are victims of family violence or victims of human trafficking, and to adults whose life, health or security is in danger due to illness, infirmity, addiction or social exclusion.

(2) Temporary accommodation of persons from paragraph 1 of this Article may last until the person returns to his family or foster family, or until his accommodation has been ensured in another manner, but for no longer than six months.

(3) By way of derogation, temporary accommodation from paragraph 1 of this Article may be granted up to one year:

- to a pregnant woman or a parent with a child younger than one, without housing or a place to live, or who cannot stay in the family with his child due to dysfunctional family relations,
- to a child or an adult who are victims of family violence,
- to a child or an adult who are victims of human trafficking,
- to a homeless person.

(4) For the purpose of preventing, mitigating and eliminating the causes of social exclusion of homeless persons, the temporary accommodation providers, social welfare centres and local and regional self-government units must cooperate and jointly plan activities for ensuring the person's reintegration into community life.

11.8.1.2. Temporary accommodation for short rehabilitation programmes

Article 90

(1) Temporary accommodation shall be granted to a child with developmental difficulties and a disabled adult, a child and a young adult with behavioural problems, and to a person addicted to alcohol, drugs, gambling or with other addictions, for the purpose of short rehabilitation programmes encompassing psychosocial rehabilitation services with the aim of acquisition and developing social skills.

(2) Temporary accommodation may be granted to a parent of a child with developmental difficulties referred to a short rehabilitation programme, for his active participation in implementing the psychosocial programme based on the established assessment and the service provider's programme, but for no longer than 15 days in a calendar year.

(3) Temporary accommodation may last for as long as the need exists, and at the most up to:

- one year for a child with developmental difficulties or a disabled person,
- three years for a child and a young adult with behavioural problems, and a person addicted to alcohol, drugs, gambling or with other addictions.

11.8.1.3. Temporary accommodation of children without adequate parental care

Article 91

(1) A social welfare centre may grant to a child, particularly a child younger than seven, the right to temporary accommodation in a welfare home, a community services centre or at another service provider from Article 169 of this Act, only when accommodation for him

cannot be ensured in a foster home or a family home at the time the need arose, and shall last for as long as the need exists, up to a maximum of six months.

(2) In case a need exists to provide treatment or health services not accessible to the foster parent, the temporary accommodation granted to a child in a welfare home, a community services centre or at another service provider from Article 169 of this Act may last longer than stipulated in paragraph 1 of this Article, up to a maximum of one year.

(3) If it is in the interest of the child, the temporary accommodation service shall be granted to a child whose parents are temporarily incapable of caring for him due to illness, lack of housing or other problems.

(4) Temporary accommodation of a child from paragraph 3 of this Article shall be granted up to a maximum of one year.

11.8.1.4. Temporary accommodation in other cases

Article 92

(1) Temporary accommodation shall be granted to a child and an adult for the purpose of the parent caretaker or caretaker taking time off, for a maximum of 30 days in a calendar year, or due to a temporary inability to provide care due to the parent caretaker's or caretaker's illness, for as long as the need lasts, and for a maximum of 60 days in a calendar year.

(2) Temporary accommodation in a foster family during holidays or school vacation shall be granted to a child and a disabled adult placed in a welfare home, community services centre or at another service provider from Article 169 of this Act, for the purpose of gaining experience of a family environment, under conditions prescribed by this Act.

(3) Temporary accommodation may be granted to a child and a disabled adult for a gradual accommodation to a long-term stay away from his own, or foster, family.

(4) Temporary accommodation may be granted to a child and an adult to prepare him for non-institutional care.

(5) Temporary accommodation may be granted to a child with developmental difficulties and a disabled adult up to the age of 21 for the purpose of schooling according to a special programme away from his place of residence, when schooling cannot be ensured in his place of residence.

(6) Temporary accommodation from paragraphs 3 and 4 of this Article may last for as long as the need exists, and for a maximum of six months.

(7) Temporary accommodation from paragraph 5 of this Article may last for as long as the need for regular schooling lasts.

11.8.2 Long-term accommodation

Article 93

(1) Long-term accommodation shall be granted to a beneficiary in need of intensive care and the fulfilment of other basic needs over a prolonged period of time.

(2) A parentless child, a child neglected by his parents, or whose parents abuse their parental duties shall be granted long-term accommodation in a foster family, a family home or in organised housing.

(3) Long-term accommodation shall be granted to a disabled person or a person with a physical, mental, intellectual or sensory impairment, adequate for his age, type and degree of impairment, when care in the family home cannot be provided by providing adequate non-institutional forms of care.

(4) Long-term accommodation shall be granted to a functionally dependent elderly person, and a seriously ill person in need of continuous assistance and care of another person, due to permanent changes in his health.

(5) Long-term accommodation shall be granted to a person unable to work, with particularly difficult circumstances in life, which cannot be eliminated by applying other social welfare rights, or in another manner.

(6) Long-term accommodation shall not be granted to a person with a concluded contract on lifelong support or on support until death, who may receive assistance and care of family members, or when the assistance and care can be ensured in another manner, and to a person capable of bearing the full cost of accommodation with his income or assets.

11.9. Organised housing

Article 94

(1) Organised housing is a social service ensuring basic needs, as well as social, work-related, cultural, educational, recreational and other needs to one or more persons for 24 hours a day, with an organised continuous or occasional assistance of a professional or another person, in a residence or elsewhere.

(2) Organised housing also encompasses housing in a housing unit community in the same location.

(3) A maximum of eight beneficiaries may live in one housing unit.

VI - COSTS AND BENEFICIARY'S PARTICIPATION IN SOCIAL SERVICES COSTS

Article 95

(1) The method for calculating the cost of social services provided in the social services network shall be prescribed by way of an ordinance by the minister in charge of social welfare.

(2) Welfare homes and community services centres established by the Republic of Croatia shall provide social services for a fee determined by the minister in charge of social welfare, pursuant to the ordinance from paragraph 1 by this Act.

(3) A decision on determining the cost of social services in welfare homes and community services centres established by the Republic of Croatia, and provided in the social services network, shall be rendered by a minister in charge of social welfare.

(4) The decision from paragraph 3 of this Article shall be published in the Official Gazette.

Article 96

The cost of services outside of the social services network shall be determined by the service provider at his own discretion.

Article 97

(1) An adult beneficiary using a social service based on a decision of the social welfare centre, shall participate in the cost of service with his income, pursuant to the ordinance from Article 99 of this Act.

(2) The beneficiary from paragraph 1 of this Article whose income is insufficient for participating in a social service, must sell his assets not used by himself or members of his household for fulfilling the need for basic housing and other basic needs.

(3) When establishing the income for participation of the beneficiary in the costs of services, the amount of income shall be reduced for the amount the beneficiary pays for supporting a family member pursuant to regulations regulating family relations. This amount shall also be reduced for the amount of allowance for personal needs of a beneficiary with long-term or temporary accommodation.

(4) If the beneficiary is unable to pay for the cost of service in full or partially as prescribed by paragraphs 1 and 2 of this Article, the cost shall be paid in full or partially by the persons legally mandated to support him pursuant to the arrangement signed with a social welfare centre, or pursuant to regulations regulating family relations.

(5) When persons mandated to support the beneficiary fail to fulfil their obligations from the arrangement from paragraph 4 of this Article, the social welfare centre shall initiate legal proceedings with the competent court for compensating the costs for the services provided.

(6) By way of derogation, a person mandated to support an adult unable to work need not participate in the cost of services, provided his income or his household's income is lower than three times the guaranteed minimum allowance for a single person or a household, established pursuant to Article 30, paragraph 1 of this Act.

(7) When the cost of services from paragraph 1 of this Article cannot be paid as prescribed by paragraphs 1 to 4 of this Article, the payment shall be made from the Ministry funds.

Article 98

(1) A child's parents shall pay the full amount or the participation for services granted to their child pursuant to this Act, in accordance with the ordinance from Article 99 of this Act, except when the parents are beneficiaries of the guaranteed minimum allowance.

(2) The parents or other persons mandated to support the child shall sign an arrangement with the social welfare centre establishing the payment of services. The arrangement shall constitute an executive document.

(3) When parents or other persons mandated to support the child refuse to conclude the arrangement from paragraph 2 of this Article, the social welfare centre shall initiate legal proceedings with the competent court for compensating costs for the services provided.

(4) A child with a regular monthly income shall participate in the payment of service granted pursuant to this Act, in accordance with the ordinance from Article 99 of this Act, and up to a maximum of 50% of his income.

(5) The child shall not use his assets for the payment of services.

Article 99

The beneficiary's participation in the cost of services and the manner of payment shall be prescribed by way of an by way of by the minister in charge of social services.

VII - COMPETENCE AND THE PROCEDURE OF GRANTING SOCIAL WELFARE RIGHTS

Article 100

(1) The social welfare centre renders decisions regarding the granting of rights in the social welfare system to the guaranteed minimum allowance, personal allowance for an accommodation beneficiary, one-off allowance, educational allowances, personal disability allowance, assistance and care supplement, the status of a parent caretaker or a caretaker, jobseeker's allowance and other social services.

(2) The right to housing allowance is granted by the local self-government unit or the City of Zagreb, pursuant to this Act and special regulations.

(3) The right to heating allowance is granted by the regional self-government unit or the City of Zagreb, pursuant to this Act.

(4) The social welfare centre established for an area in which a person has residence has territorial competence to grant rights from the social welfare system from paragraph 1 of this Article.

(5) If the party does not reside in the Republic of Croatia, the social welfare centre authorised for the area in which the party has a registered residence has territorial competence. If the party does not have a registered residence in the Republic of Croatia, the social welfare centre authorised for the area where the party had his last registered residence or temporary residence in the Republic of Croatia has territorial competence.

(6) If territorial competence cannot be determined as prescribed by paragraphs 4 and 5 of this Article, the social welfare centre in the area where the cause for the procedure occurred has territorial competence.

(7) Territorial competence shall not change once the right to services of accommodation and organised housing away from the place of residence was granted.

(8) If circumstances based on which territorial competence was determined change, the procedure shall be continued by the competent social welfare centre. The competent centre shall reassess whether the beneficiary still fulfils the conditions for using the granted right. A new decision shall be rendered only in case of modified circumstances on which the scope and further usage of the right depend.

Article 101

(1) Territorial competence for children shall be determined on the basis of the parents' residence, and if they do not have residence in the Republic of Croatia, on the basis of their residence.

(2) Territorial competence for a child whose parents do not live together shall be determined according to the residence of the parent with whom the child lives based on a court ruling, and if they do not have residence in the Republic of Croatia, on the basis of his residence.

(3) Until the decision from paragraph 2 of this Article has been rendered, the social welfare centre with territorial competence shall be determined on the basis of residence or temporary residence of the parent with whom the child predominantly lives.

(4) If parents who live apart are divested of the right to live with the child and to raise him, and another person, a welfare home or by another social services provider has been entrusted with the child's care and upbringing, the social welfare centre with territorial competence shall be determined on the basis of the residence or temporary residence of the parent who alone, or predominantly, fulfils other parental duties.

(5) Territorial competence of a social welfare centre shall not change for a child when one parent has been divested of the right to exercise parental care, except in the case of adoption.

Article 102

(1) For a person found away from his place of residence due to natural disasters or for similar reasons, the social welfare centre on whose territory the person is found shall have territorial competence until conditions for his return are met.

(2) For a child found without supervision of a parent or another adult away from his place of residence, and for other persons incapable of protecting their rights and interests who are found away from their place of residence, the social welfare centre on whose territory they are found shall have territorial competence.

Article 103

(1) Issues of conflict regarding territorial competence of social welfare centres shall be resolved by the Ministry.

(2) If a conflict regarding territorial competence occurs, the social welfare centre which initiated the procedure shall complete those actions in the procedure which cannot be delayed.

(3) Conflicts of actual competence between social welfare centres and local or regional self-government units or the City of Zagreb shall be resolved by the competent administrative court.

(4) Procedures from paragraphs 1 and 3 of this Article shall be urgent.

Article 104

(1) The decision on exclusion of a professional staff member and the branch manager of the social welfare centre shall be rendered by the director of the social welfare centre.

(2) A decision on exclusion of a social welfare centre director shall be rendered by the minister in charge of social services.

(3) If a social welfare centre is unable to continue with a procedure due to an exclusion of its director, or a simultaneous exclusion of the director and professional staff members, the minister in charge of social welfare shall designate another social welfare centre for the procedure in question.

Article 105

(1) The procedure for granting rights prescribed by this Act shall be initiated upon application of a party or *ex officio*.

(2) The procedure for granting rights prescribed by this Act shall also be initiated upon application of a spouse, child of age, a parent or guardian of the party in question.

(3) The social welfare centre may also initiate the procedure *ex officio*, based on information provided by family members, citizens, institutions, associations, religious communities, companies, and other legal persons, as well as by the state bodies and other bodies.

Article 106

(1) If facts need to be established in a procedure regarding the health condition prescribed as a requirement for granting a right pursuant to this Act or special regulations, prior to a decision on rights in the social welfare system or on other rights based on special regulations, the social welfare centre or another competent authority shall request the findings and opinion of the first-instance expert examination body.

(2) If an appeal has been filed against the first-instance decision regarding social welfare rights, or other rights based on special regulations regarding the findings and opinion of the first-instance expert examination body, the Ministry or another competent authority in the second instance may obtain the findings and opinion prior to deciding on the appeal.

(3) The expert examination bodies from paragraphs 1 and 2 of this Article shall be established by a decision of the minister in charge of social welfare.

(4) The composition and operation of the expert examination body from paragraph 1 of this Article, contents of the necessary medical documentation, contents of the findings and opinions and forms for the work of the expert examination body shall be prescribed by way of an ordinance by the minister in charge of social services in cooperation with the minister in charge of health.

Article 107

The social services beneficiary shall provide to the official truthful personal data, data about his income and assets, as well as about other circumstances on which a granting of a certain right depends, and shall enable their availability by a written statement in the process of recognising rights pertaining to cash allowances and social services, as well as in the course of using those rights.

(2) The applicant shall be financially and criminally liable for the accuracy of information indicated in the application for granting social service rights.

(3) Competent authorities, courts and financial institutions shall submit information about the income and assets of the applicant and his household members without delay, upon request of the competent authority granting social welfare rights.

Article 108

Based on an assessment of the beneficiary's needs, the social welfare centre shall prepare an individual welfare plan in cooperation with the applicant and members of his family in the course of the procedure of granting rights.

Article 109

If the person whose right is being processed dies prior to the finality of the decision granting a social welfare right, the procedure shall be discontinued.

Article 110

(1) The procedure for granting a social service right shall be urgent.

(2) If a special assessment procedure is unnecessary, the social welfare centre shall reach a decision within 15 days from the day of the submission of a complete application, or the date on which the procedure was initiated *ex officio*, unless otherwise prescribed by this Act.

(3) If a special assessment procedure is necessary, the social welfare centre shall reach a decision within 30 days from the day of the submission of a complete application or the date on which the procedure was initiated *ex officio*, unless otherwise prescribed by this Act.

(4) The competent authority from Article 100, paragraph 1 of this Act shall reach the decision regarding the application for granting a one-off allowance from Articles 46, 47 and 48 of this Act within eight days from the application submission date.

Article 111

(1) In particularly urgent cases requiring measures for eliminating an immediate danger to the life and health of people, and particularly children, or for ensuring public law and order, the social welfare centre may issue a verbal decision and order its implementation without delay.

(2) In cases from paragraph 1 of this Article, the social welfare centre shall render a decision in writing no later than eight days from the day the verbal decision was reached.

Article 112

(1) As necessary, and at least once a year, the social welfare centre shall reassess the existence of facts and circumstances that were decisive for rendering a decision on granting rights from Article 100, paragraph 1 of this Act, and shall render a new decision in case of circumstances on which the granting of a right or the scope of a granted right depend.

(2) A beneficiary with a granted social welfare right shall immediately, and no later than eight days from the day the change occurs, report to the social welfare centre any change influencing further usage or the scope of a right.

Article 113

(1) Costs of the procedure for granting a social welfare right from Article 100, paragraph 1 of this Act shall be ensured in the state budget.

(2) If the social welfare centre decides on the rights for which funds are ensured by local and regional self-government units, mutual rights, obligations and responsibilities shall be determined by a contract concluded between social welfare centre and the local or regional self-government unit.

Article 114

(1) An appeal to the Ministry may be filed against a decision of the social welfare centre from Article 100, paragraph 1 of this Act.

(2) An appeal against a decision of the local self-government unit from Article 100, paragraph 2 of this Act may be filed with the regional self-government unit. An appeal against a decision of the City of Zagreb may be filed with the Ministry.

(3) An appeal to the Ministry may be filed against a decision from Article 100, paragraph 3 of this Act of the regional self-government unit or the City of Zagreb .

(4) An appeal from paragraphs 1, 2 and 3 of this Article shall not delay the execution of the decision.

VIII - FINANCING OF THE SOCIAL WELFARE ACTIVITY

Article 115

Resources for financing the social welfare activity shall be ensured from:

- funds from the state budget of the Republic of Croatia,
- funds from the budgets of regional self-government units and the City of Zagreb,
- funds from local self-government units,
- funds accrued from the participation in the social services costs of beneficiaries and the persons mandated to support them,
- own income,
- donations, assistance and other earmarked income.

Article 116

The Republic of Croatia shall ensure funds in the state budget for:

- rights to cash allowances in the social welfare system,
- rights to social services, except in cases prescribed by this Act,
- financing social welfare centres,
- financing welfare homes and community services centres established by the Republic of Croatia,
- financing expenditures for the construction, expansion and reconstruction of premises, the purchase of business facilities, expenditures for maintenance investment, urgent interventions, interior equipment, and investment into computerisation in welfare homes and in community services centres established by the Republic of Croatia,
- financing expenditures for the construction, expansion and reconstruction of premises, the purchase of business facilities, expenditures for maintenance investment, urgent interventions, interior equipment, and investment into computerisation in social welfare centres.

Article 117

(1) Local and regional self-government units shall ensure funds for the operation of social welfare pursuant to this Act and a special regulation, in accordance with the social plan and the social services network in their areas.

(2) Regional self-government units and the City of Zagreb shall ensure funds in their budgets for the heating allowance, and local self-government units and the City of Zagreb shall ensure funds for granting housing allowances, under conditions and in the manner prescribed by this Act.

(3) Local and regional self-government units shall ensure funds for the work of social welfare institutions which they established, for maintenance investment into premises and their regular maintenance, for equipment and means of transportation of those institutions, and for

the investment and maintenance of information-technology equipment and other communication equipment.

(4) Large cities and cities which are county seats shall ensure funds in their budgets for the service of food in soup kitchens, as well as for accommodation of the homeless in shelters or in overnight accommodation, as by this Act.

(5) Local and regional self-government units may ensure funds for granting cash allowance and social services to inhabitants in their area in a more extensive scope than established by this Act, in the manner prescribed by their general act, provided they ensure funds for it in their budgets.

Article 118

(1) Funds shall be ensured in the state budget for financing social welfare centres, as follows:

- expenditures for the staff (gross salaries, other expenditures for the staff, and contributions on salaries),
- material expenditures (allowances for commuting to work and back, mandatory professional training for staff),
- expenditures for the procurement of non-financial assets (tangible and intangible assets, buildings, plants and equipment, means of transportation, computerisation, additional investments into non-financial assets, and alike).

(2) Funds for material expenditures and financial expenditures of social welfare centres shall be ensured in the budgets of regional self-government units and the City of Zagreb, as follows:

- reimbursement of expenses for staff (business trips, allowances for field work, allowances for life apart and professional development for staff),
- expenditures for material and energy (office material and other material expenditures, material and raw material, energy, material and parts for regular maintenance and maintenance investment, and small inventory),
- expenditures for services (telephone, post and transportation, regular and maintenance investment, utilities, rents and leases with the exception of renting vehicles, for health services, intellectual and personal services, computer services and other services),
- other operating expenditures not listed (allowances for the work of committees, the management council and alike, insurance premiums, entertainment costs, memberships, fees and compensations, as well as other operating expenditures not listed),
- financial expenditures (banking services and payment system services, negative currency exchanges and currency clauses, default interest and other financial expenditures not listed).

Article 119

Funds shall be ensured in the state budget for financing welfare homes and community services centres established by the Republic of Croatia, as follows:

- expenditures for the staff (gross salaries, other expenditures for the staff, and contributions on salaries),
- material expenditures (reimbursement of costs for staff, expenditures for material and energy, expenditures for services, other operating expenditures not listed),
- financial expenditures,
- allowances for citizens and households based on insurance, and other allowances,
- other expenditures,
- expenditures for the procurement of non-financial assets (tangible and intangible assets, buildings, plants and equipment, means of transportation, intangible produced assets, computerisation, additional investments into non-financial assets, and alike).

Article 120

(1) Decentralised functions of the social welfare activity in regional self-government units and the City of Zagreb shall include:

- funds for the operation of homes for the elderly and the infirm, whose founding rights were transferred,
- material and financial expenditures of social welfare centres, and
- heating costs for beneficiaries using wood for heating.

(2) The budget of the Republic of Croatia shall ensure, through balancing, the missing funds in the budgets of regional self-government units and the City of Zagreb for financing decentralised functions, up to the amount of balancing rights, established in the decisions from paragraph 3 of this Article.

(3) The Government of the Republic of Croatia shall adopt decisions on minimum standards, criteria and benchmarks for financing decentralised functions from paragraph 1 of this Article, for each year upon adoption of the state budget for the following year.

Article 121

(1) Funds in the budgets of regional self-government units and the City of Zagreb shall be ensured for financing decentralised homes for the elderly and the infirm established by regional self-government units and the City of Zagreb, as follows:

- expenditures for staff,
- material expenditures,

- financial expenditures,
- urgent interventions (maintenance investment, equipment and procurement of non-financial assets),
- expenditures for the procurement of non-financial assets (tangible and intangible assets, buildings, plants and equipment, means of transportation exclusively for performing the basic activity, intangible produced assets, computerisation, additional investments into non-financial assets, and alike).

(2) The difference in funds between total income for special purposes and established expenditures for homes for the elderly and the infirm from paragraph 1 of this Article shall be ensured in budgets of the regional self-government units and the City of Zagreb.

Article 122

(1) Large cities and cities which are county seats shall, based on their financial abilities, encourage and ensure to the citizens in their area other forms of material assistance and support such as food in soup kitchens, temporary accommodation of the homeless in shelters or in overnight accommodation, provide persons receiving the guaranteed minimum allowance with welfare apartments, subsidies for paying certain social and other services in accordance with their general acts and this Act, encourage the work of associations and volunteerism in social welfare and develop other forms of social welfare in their area.

(2) If large cities and cities which are county seats are unable to ensure funds for food in soup kitchens, temporary accommodation of the homeless in shelters or in overnight accommodation, provide persons receiving the guaranteed minimum allowance with welfare apartments, regional self-government units shall participate in the financing of those forms of assistance and services, based on their financial abilities.

(3) In crisis situations, when a family with minor children loses their home and is unable to ensure its own accommodation, local and regional self-government units shall provide them with temporary accommodation in a social apartment or in another manner, in order to prevent the separation of children from adult family members.

IX - OPERATION OF THE SOCIAL WELFARE SYSTEM

Article 123

Social welfare activities shall be performed by:

- social welfare institutions,
- associations, religious communities, other legal persons and small businesses,
- natural persons engaged in a professional capacity,
- foster families.

1. SOCIAL WELFARE INSTITUTIONS

Article 124

Social welfare institutions are:

1. social welfare centres,
2. welfare homes,
3. community services centres,
4. home assistance centres.

Article 125

- (1) Social welfare institutions shall be entered into the court register and the register of social welfare institutions kept by the Ministry.
- (2) Contents of the register from paragraph 1 of this Article shall be prescribed by way of an ordinance by the minister in charge of social welfare.
- (3) Provisions of the Institutions Act shall apply to social welfare institutions, unless otherwise established by this Act.
- (4) When social welfare institutions are established by the Republic of Croatia, the founding rights and obligations shall belong to the Ministry. When social welfare institutions are established by another legal person, the founding rights and obligations shall belong to its competent authority.

1.1. Social welfare centres

Article 126

- (1) Social welfare centres are public institutions.
- (2) Social welfare centres shall be established by the Republic of Croatia by a decision of the Ministry.
- (3) Social welfare centres shall be established for the area of one or more municipalities or cities within the same county, or for the area of the City of Zagreb.
- (4) Social welfare centres may have one or more branches.

Article 127

- (1) Based on public authority, social welfare centres shall:
 - render first-instance decisions in the administrative field of social welfare, family law protection and criminal law protection, as well as regarding other rights pursuant to provisions of this Act and special regulations,

- implement decisions,
- keep the prescribed register,
- issue certificates and other attestations,
- provide information about family circumstances, as well as opinions and proposals in court proceedings pertaining to family law protection and criminal law protection,
- provide information and opinions in the process of deciding on granting the benefit of leave to prisoners in a penal institution pursuant to a special law regulating the field of prison sentences,
- participate, as a party or an intervenor, in court proceedings or in other proceedings before state authorities pertaining to the protection of personal interests of a child or other family members who are unable to care for themselves or protect their rights and interests,
- issue certificates for foster parents, supervise foster families and keep records of the certificates issued, the register of foster families and the register of accommodated beneficiaries,
- implement educational measures on children with behavioural problems,
- mediate in divorce proceedings.

(2) In addition to tasks from paragraph 1 of this Article, and pursuant to its public authority, a social welfare centre located in the seat of the regional self-government unit, and the Social Welfare Centre of the City of Zagreb shall perform tasks related to activities of a nanny which, prior to the entry into force of this Act, were under authority of a family centre pursuant to a special regulation. It shall, in particular:

- render first-instance decisions on fulfilling the conditions for performing nanny services,
- render first-instance decisions on entering a nanny into a roster of nannies, and assistant nannies into the roster of assistant nannies,
- keep a register of persons working as nannies, and the roster of nannies and assistant nannies,
- perform professional supervision of implementing a special regulation governing the activity of a nanny.

(3) Pursuant to its public authority, social welfare centres may also perform the activities of providing for the children who fled from their families or from providers of social services of accommodation or organised housing, and organise and provide assistance at home.

Article 128

In addition to the public authorities from Article 127 of this Act, social welfare centres shall also conduct other professional tasks, as follows:

- encourage, organise and implement activities with the aim of preventing and combating social and personal problems,
- perform professional analytical tasks,
- encourage and develop self-assistance, neighbourly assistance, volunteerism, humanitarian and other activities,
- participate in fighting against addiction to alcohol, drugs and other forms of addiction,
- propose measures for improving social policies,
- propose, encourage and harmonise other activities in the social welfare sector on the local level,
- participate in adopting the social plan for regional self-government units and the City of Zagreb,
- assess the needs of beneficiaries, and plan the provision of social services,
- ensure the development of social services in accordance with the social plan and the social services network,
- monitor the development of the social services quality standards, propose the improvement of existing and the introduction of new standards,
- coordinate and implement, through county coordinators, activities in the field of preventing human trafficking, family violence, peer violence and addiction problems,
- organise and implement training and professional supervision of foster families, representatives of family homes and the professional staff of other social services providers,
- implement and organise training and professional supervision of the professional staff in social welfare centres,
- implement and organise training for the persons in charge of supervision measures regarding the performance of parental care, and keep records of the persons in charge of supervision measures,
- performs other tasks established of this Act, by special regulations and the statutes of social welfare centres.

Article 129

A social welfare centre located in the seat of a regional self-government unit and the Social Welfare Centre of the City of also perform counselling and prevention tasks, as well as other professional tasks pertaining to:

- counselling services regarding marriage, parenthood, family and partner relations,

- development of socialisation skills in children and the youth, particularly communication skills and non-violent resolution of conflicts between children and the youth,
- development of communication and tolerance between young partners and other partners,
- organisation and implementation of training for adoptive parents,
- family mediation,
- encouragement and development of community programmes, volunteerism and work of associations providing support to parents, families, children, the youth and other socially-vulnerable groups in the society,
- encouragement and implementing programme activities intended for training and promotion of family values.

Article 130

- (1) A social welfare centre shall begin its operation following its entry into a court register and the register of social welfare institutions, based on an enforceable decision from Article 126, paragraph 2 of this Act.
- (2) Minimum conditions for premises, equipment and the number of professional and other staff members in a social welfare centre and its branches shall be prescribed by way of an ordinance by the minister in charge of social welfare.

1.1.1. Management council of a social welfare centre

Article 131

- (1) A social welfare centre shall be governed by a management council, elected for a four-year term. The management council shall perform tasks in accordance with the Institutions Act and the statute.
- (2) The management council shall consist of three representatives of the founder, one representative of the staff employed in the social welfare centre, and one representative of the regional self-government unit or the City of Zagreb.
- (3) Representatives of the founder and representative of the regional self-government or the city of Zagreb, in whose area a social welfare centre is established, shall have at least an undergraduate university degree and a graduate university degree, or an integrated undergraduate and graduate university degree, and work experience in the field of social welfare, and as an exception in another social field or in humanities.
- (4) Representatives of the founder shall be appointed into the management council by the minister in charge of social welfare. The representative of the regional self-government unit or the representative of the City of Zagreb shall be appointed by the minister in charge of social welfare upon proposal of the regional self-government unit or the City of Zagreb.

(5) A member of the management council who represents staff members of a social welfare centre shall be appointed for a four-year term by the workers' council, and when it has not been established, the staff representative shall be elected by the staff in free and direct elections by a secret ballot, pursuant to a special regulation.

(6) The chairman and deputy chairman of a management council shall be elected by the management council members among representatives of the founder.

(7) The management council shall adopt an ordinance on its manner of operation. The management council shall adopt its decisions by a majority vote from the total number of member votes.

(8) The authority of management council members and other issues concerning the management council operation shall be established by the founder in a founding act, or the social welfare statute, pursuant to the law.

(9) The management council of a social welfare centre shall inform the founder about the end of term of a management council member 90 days prior to the end of the respective term.

(10) A management council member may be discharged prior to the end of his term.

(11) The decision on discharge of a management council member who is a representative of the founder shall be rendered by the minister in charge of social welfare, and the decision on discharging a representative of a regional self-government unit or the City of Zagreb shall be reached by the minister in charge of social welfare, upon proposal of the regional self-government unit or the city of Zagreb.

(12) A new management council member whose term shall last until the end of term of the discharged management council member shall be appointed by the decision from paragraph 11 of this Article regarding the discharge of a management council member - representative of the founder.

(13) A new management council member whose term shall last until the end of term of the discharged management council member shall be appointed by the decision from paragraph 11 of this Article regarding the discharge of a management council member representing the regional self-government unit or the City of Zagreb in whose area the social welfare centre is established upon proposal of the regional self-government unit or the City of Zagreb.

(14) The compensation for the work of management council members shall be established by the founder by a decision, provided the social welfare centre has ensured the funds for that purpose.

1.1.2. Director of a social welfare centre

Article 132

(1) The director shall organise and manage the operation, as well as professional work of the social welfare centre. He shall represent and act on behalf of the social welfare centre and shall be responsible for its operation in line with the law.

(2) The authority of the social welfare centre director shall be established by law, the founding act and the statute of the social welfare centre.

(3) The term of the director shall be four years, with a possibility of reappointment.

Article 133

(1) A Croatian citizen with a completed undergraduate and graduate university study, or an integrated undergraduate and graduate university study in social work, social policy, law, psychology, social pedagogy or educational rehabilitation, with at least five years of work experience in professional tasks in the stipulated academic profession and with an academic degree in the social welfare activity, who passed the professional examination, and for whom no obstacle exists from Article 213, paragraph 1 of this Act, may be appointed as a director of a social welfare centre.

(2) A director of a social welfare centre shall be appointed by the management council based on a public tender, upon a prior approval of the minister in charge of social welfare.

(3) A candidate for a director who is a member of the management council shall not participate in the discussion and decision-making regarding the proposal to appoint him as a director of a social welfare centre.

Article 134

(1) The person appointed as the centre director shall conclude a full-time employment contract with the management council for a four-year term.

(2) If the person appointed as director already concluded an employment contract with the social welfare centre for an unlimited period, upon his request his employment rights and obligations shall be at standstill until the end of his term, and for two consecutive terms at the most.

(3) Upon the expiration of his term, the person from paragraph 2 of this Article shall return to his previous post in the social welfare centre, otherwise his employment shall be terminated.

(4) The replacement of the person appointed as the director, whose employment rights and obligations are at standstill, shall be replaced by a person employed for a limited duration, until the appointed person returns to his post.

Article 135

(1) When the director of a social welfare centre is temporarily unable to fulfil his duties, he shall be replaced by a professional staff member of the social welfare centre, appointed by the director.

(2) The professional staff member from paragraph 1 of this Article replacing the director shall have the right and the obligation to perform those duties of the director which cannot be delayed.

Article 136

(1) The management council shall discharge the director of the social welfare centre prior to the end of his elected term, upon a prior approval of the ministry in charge of social welfare, if:

- the director requested that in person,
- one of the circumstances occurs which entails the termination of an employment contract pursuant to special regulations or regulations regulating employment,
- an obstacle from Article 213, paragraph 1 of this Act occurs,
- the director does not implement the work programme adopted by the management council, and has no valid reason for it,
- the director violates regulations and general acts of the social welfare centre in his work, does not execute decisions of the management council with no valid reason or acts contrary to them,
- the director causes significant damage to the social welfare centre with his unconscientious or improper attitude to work, or if he negligently performs his duty, which has or may cause significant obstacles in the operation,
- administrative supervision established a serious violation of regulations and general acts of the social welfare centre, or serious irregularities were noted in the director's work.

(2) Prior to the decision on discharge, the management council shall inform the director about the reasons for discharge, and provide him with an opportunity to address them in writing.

Article 137

(1) In case the director of a social welfare centre is discharged prior to the end of his term, or when no one submits their candidacy in a tender, or none of the candidates in the tender have been chosen, an acting director shall be appointed until a new director has been nominated in a reopened tender, for a maximum of one year.

(2) The person appointed as an acting director shall fulfil all conditions for the director from Article 133, paragraph 1 of this Act.

1.1.3. Professional council of a social welfare centre

Article 138

(1) A social welfare centre shall have a professional council.

(2) The professional council shall adopt its rules of procedure establishing its manner of operation.

(3) The professional council shall consist of all professional staff members in a social welfare centre.

(4) The professional council shall discuss and provide their opinion to the director on the following:

- professional issues pertaining to the social welfare centre operation, established by law and other regulations,
- the organisation of the social welfare centre and its branches,
- the most complex professional issues regarding the granting of rights, and other activities of the social welfare centre,
- the annual plan and work programme of the social welfare centre,
- the need for professional development,
- other issues established by the statute of the social welfare centre.

1.1.4. Statute of a social welfare centre

Article 139

(1) The social welfare centre shall have a statute establishing in detail the organisation of the social welfare centre, the bodies, their authority and manner of reaching decisions, as well as other issues significant for the operation.

(2) The statute of the social welfare centre shall be adopted by the management council upon a prior approval of the Ministry.

1.1.5. Branch of a social welfare centre

Article 140

(1) A branch of a social welfare centre shall be managed by a branch manager.

(2) The branch manager shall have the authority corresponding to the branch activity, determined by the decision on its founding and the statute of the social welfare centre.

Article 141

The branch manager shall be appointed by the director of the social welfare centre, and chosen among the social welfare staff members for a four-year term, upon a prior approval of the management council.

Article 142

(1) The employment rights and obligations of a person appointed as a branch manager shall be at standstill until the end of his term.

(2) The replacement of the person appointed as the branch manager, whose employment rights and obligations are at standstill, shall be replaced by a person employed for a limited duration, until the appointed person returns to his post.

Article 143

(1) A Croatian citizen with a completed undergraduate and graduate university study, or an integrated undergraduate and graduate university study in social work, social policy, law, psychology, social pedagogy or educational rehabilitation, with at least three years of work experience in professional tasks in the stipulated academic profession, and with an academic degree in the social welfare activity, who passed the professional examination, and for whom no obstacle exists from Article 213, paragraph 1 of this Act, may be appointed as a branch manager.

1.1.6. Records and documentation of a social welfare centre

Article 144

(1) The social welfare centre and the branch shall keep records and documentation on beneficiaries, and on activities from Articles 127, 128 and 129 of this Act as prescribed, and shall submit reports about them to the Ministry.

(2) The contents and manner of keeping records and documentation, including the procedure and deadlines for submitting reports from paragraph 1 of this Article shall be prescribed by way of an ordinance by the minister in charge of social welfare.

1.2. Welfare homes

Article 145

A welfare home is a public institution, established for the purpose of providing the services stipulated by this Act.

Article 146

(1) The Republic of Croatia establishes a welfare home based on a decision of the Ministry, which shall have the rights and responsibilities of a founder.

(2) Local and regional self-government units, religious communities, companies, associations and other domestic or foreign legal or natural persons may establish welfare homes under conditions and in the manner prescribed by the Institutions Act and this Act.

Article 147

(1) Upon application of the welfare home founder, the Ministry shall establish in a decision the compliance of the welfare home founding act with the Institutions Act, this Act and special regulations.

(2) The decision from paragraph 1 of this Article shall be rendered by the Ministry within a month from the day the application was properly submitted. In addition to the application, the founder shall also enclose a certified founding act of the welfare home.

(3) An appeal shall not be permitted against the decision from paragraph 1 of this Article, however legal proceedings may be initiated at the competent administrative court.

Article 148

(1) The temporary director of a welfare home shall submit an application for establishing that minimum conditions have been fulfilled for providing social services in a welfare home (license), two months prior to the planned opening of the welfare home.

(2) The following shall be enclosed to the application:

- a draft statute,
- a ruling of the commercial court regarding the entry of the welfare home into the court register,
- the list of necessary professional and other staff members,
- a copy of documentation regarding the welfare home premises and equipment.

1.2.1. Management council of a welfare home

Article 149

(1) A welfare home shall be managed by a management council.

(2) The management council shall consist of three representatives of the founder, one representative of the staff employed in the welfare home and one representative of the welfare home beneficiary, or his parent or guardian.

Article 150

Representatives of the founder in the management council established by the Republic of Croatia or by local and regional self-government units shall have at least an undergraduate university degree and a graduate university degree, or an integrated undergraduate and graduate university degree, and work experience in the field of social welfare, or exceptionally, in another social field or in humanities.

Article 151

(1) Members of the management council, representatives of the founder and of the beneficiaries shall be appointed by the founder for a four-year term.

(2) A management council member and a representative of the beneficiaries shall be proposed by the welfare home beneficiaries at the meeting of beneficiaries.

(3) A member of the management council who represents staff members of a welfare home shall be appointed for a four-year term by the workers' council, and when the latter has not been established, the staff representative shall be elected by the staff in free and direct elections by a secret ballot, pursuant to a special act.

(4) The chairman and deputy chairman of a management council shall be elected by management council members among representatives of the founder.

(5) If a welfare home is established by the Republic of Croatia with two or more other founders, the number of representatives of the welfare home founders shall be established in the founding act or the welfare home statute.

Article 152

(1) The authority of the management council and other issues concerning the management council operation shall be established by the founder in a founding act, or the welfare home statute, pursuant to the law.

(2) The management council shall adopt its rules of procedure which establish its manner of operation and decision-making. The management council shall adopt its decisions by a majority vote from the total number of member votes.

(3) A management council member may be discharged prior to the end of his term.

(4) The decision on discharge of a management council member, a representative of the founder and a representative of the welfare home beneficiaries in a welfare home established by the Republic of Croatia, shall be rendered by the minister in charge of social welfare.

(5) A new management council member whose term shall last until the end of term of the discharged management council member shall be appointed by a decision on discharging a management council member - representative of the founder from paragraph 4 of this Article.

(6) Upon proposal of the beneficiaries, a new management council member representing the beneficiaries, whose term shall last until the end of term of the discharged management council member, shall be appointed by the decision from paragraph 4 of this Article.

(7) The allowance for the work of management council members of a welfare home shall be established by the founder by a decision, provided the welfare home has ensured the funds for that purpose.

(8) The management council of a welfare home shall inform the founder about the end of term of a management council member 90 days prior to the end of the respective term.

1.2.2. Director of a welfare home

Article 153

(1) The director shall organise and manage the operation, as well as professional work of the social welfare centre. He shall represent and act on behalf of the social welfare centre and shall be responsible for its operation in line with the law.

(2) The authority of the welfare home director shall be established by law, the founding act and the statute of the social welfare centre.

(3) The director of a welfare home established by the Republic of Croatia shall be appointed by the welfare home management council based on a public tender, and upon a prior approval of the minister in charge of social welfare.

(4) The term of the director shall be four years, with a possibility of reappointment.

Article 154

(1) A person fulfilling the following conditions may be appointed as a welfare home director:

- holding an undergraduate and graduate university degree, or an integrated undergraduate and graduate university degree in social work, social policy, law, psychology, sociology, social pedagogy, educational rehabilitation, speech therapy, pedagogy, medical or other social sciences, as well as in humanities,

- with at least five years of work experience in professional tasks in the stipulated academic profession and academic degree, of which at least three years in the field of social welfare or another social field in the prescribed academic profession and academic degree, and

- for whom no obstacle exists from Article 213, paragraph 1 of this Act.

(2) By way of exception, if no candidate in the public tender fulfils the conditions from paragraph 1, subparagraph 1 of this Article, a person holding an adequate undergraduate degree from paragraph 1, subparagraph 1 of this Article, fulfilling the conditions from paragraph 1, subparagraphs 2 and 3 of this Article, may be appointed as a director of a welfare home.

(3) A director of a welfare home established by the Republic of Croatia or a local or regional self-government unit, shall, in addition to the requirements from paragraph 1 of this Article, also be a Croatian citizen.

(4) A candidate for a director of a welfare home established by the Republic of Croatia who is a member of the management council, shall not participate in the discussion and decision-making regarding the proposal to appoint him as a welfare home director.

Article 155

(1) The person appointed as the welfare home director shall conclude a full-time employment contract with the management council for a four-year term.

(2) If a person is appointed as a director of a welfare home whose founder is the Republic of Croatia or a local or regional self-government unit, and the appointed person had an unlimited employment contract in that welfare home in another post, upon his request, his employment rights and obligations shall be at standstill, but for no longer than the end of his second term.

(3) The person appointed as the director shall be replaced by a person employed for a limited duration, until the appointed person returns to his post.

Article 156

(1) When the director of a welfare home is temporarily unable to fulfil his duties, he shall be replaced by a professional staff member of the welfare home, appointed by the director.

(2) The professional staff member from paragraph 1 of this Article replacing the director shall have the right and the obligation to perform those duties of the director which cannot be delayed.

Article 157

(1) The management council shall discharge a welfare home director prior to the end of his term, if:

- the director requested that in person,
- one of the circumstances occurs, entailing the termination of an employment contract pursuant to special regulations or regulations regulating employment,
- an obstacle from Article 213, paragraph 1 of this Act occurs,
- the director does not implement the work programme adopted by the welfare home management council without a valid reason,
- the director violates regulations and general acts of the welfare home in his work, does not execute decisions of the management council without a valid reason or acts contrary to them,
- the director causes significant damage to the welfare home with his unconscientious or improper attitude to work, or if he negligently performs his duty, which has or may cause significant obstacles in operation,
- inspection established a serious violation of regulations and general acts of the welfare home, or if serious irregularities were noted in the director's work.

(2) Prior to the decision on discharge, the management council shall inform the director about the reasons for discharge, and provide him with an opportunity to address them in writing.

Article 158

(1) In case the director of a welfare home is discharged prior to the end of his term, or when no one submits their candidacy in a tender, or none of the candidates in the tender have been chosen, an acting director shall be appointed until a new director has been nominated in a reopened tender, for a maximum of one year.

(2) The person appointed as an acting director shall hold at least an adequate undergraduate degree from Article 154, paragraph 1, subparagraph 1 of this Act, and shall fulfil the requirements for a director from Article 154, paragraph 1, subparagraphs 2 and 3 of this Act.

1.2.3. Professional council of a welfare home

Article 159

(1) A welfare home shall have a professional council consisting of all professional staff members of the welfare home.

(2) The professional council shall adopt its rules of procedure determining the manner of electing its chairman and deputy chairman, as well as the manner of operation and the decision-making. A core composition of the professional council, and the procedure for electing the professional council core composition may be established in the rules of procedure, by ensuring that all professions among professional staff members providing services to the welfare home beneficiaries are represented.

(3) The professional council shall discuss and provide their opinion and proposals to the director and the management council of the welfare home on the following:

- professional issues pertaining to the welfare home activity,
- the organisation of a welfare home and its branches,
- determining the programme of professional work of the welfare home,
- the need for professional development of professional staff,
- other professional issues regarding the operation of a welfare home.

(4) The professional council chairman shall participate in the management council operation without the right to vote in discussions regarding tasks from paragraph 3 of this Article.

1.2.4. Branch of a welfare home

Article 160

(1) A branch of a welfare home shall be managed by a branch manager.

(2) The branch manager shall have the authority corresponding to the branch activity, determined by the founding act and the statute. Requirements for a branch manager shall be established by a general act of the welfare home.

(3) A branch manager of a welfare home established by the Republic of Croatia or a local or regional self-government unit shall be appointed by a director of the welfare home, elected among the welfare home staff for a four-year term, upon approval of the management council.

(4) The employment rights and obligations of a person appointed as a branch manager shall be at standstill until the end of his term.

(5) The replacement of the person appointed as the branch manager, whose employment rights and obligations are at standstill, shall be replaced by a person employed for a limited duration, until the appointed person returns to his post.

1.2.5. Statute of a welfare home

Article 161

- (1) The welfare home statute shall regulate the activity, organisation, bodies, scope of authority and manner of its operation, as well as other issues significant for the activity and operation of the welfare home.
- (2) The welfare home statute shall be adopted by the management council of the welfare home, upon approval of the founder.

1.2.6. Records and documentation of a welfare home

Article 162

- (1) The welfare home shall keep the records and documentation, as prescribed, regarding beneficiaries, the types of services and other issues significant for the operation of the welfare home, and shall submit a report about it to the Ministry and the regional self-government unit, or the City of Zagreb, in whose area it operates.
- (2) The contents and manner of keeping records and documentation, including the manner and deadlines for submitting reports from paragraph 1 of this Article shall be prescribed by way of an ordinance by the minister in charge of social welfare.

1.2.7. Programmes of upbringing and education in a welfare home

Article 163

- (1) The programme of primary and secondary school education may be performed in welfare homes established by the Republic of Croatia, under conditions prescribed by the minister in charge of education.
- (2) The Ministry, in cooperation with the ministry in charge of education, shall prescribe by way of an ordinance the educational activity in welfare homes.

1.3. Community services centres

Article 164

- (1) The community services centre is a public institution established with the aim of providing support to beneficiaries and providers of non-institutional forms of accommodation, day care, psychosocial support, home assistance, services of assistance with inclusion into programmes of upbringing and education services (integration), and organised housing services, and as an exception, accommodation services.
- (2) A community services centre shall be established by the Republic of Croatia by a decision of the minister in charge of social welfare, while founding rights belong to the Ministry.
- (3) Local and regional self-government units, religious communities, companies, associations and other domestic or foreign legal or natural persons may establish community services centres under the conditions and in the manner prescribed by the Institutions Act and this Act.

(4) Provisions of Articles 149 to 163 of this Act shall apply accordingly to community services centres.

1.4. Home assistance centres

Article 165

(1) A home assistance centre shall be a social welfare institution established with the aim of providing all or specific home assistance services from Article 81 of this Act.

(2) Local and regional self-government units, religious communities, companies, associations and other domestic or foreign legal and natural persons may establish home assistance centres under the conditions and in the manner prescribed by the Institutions Act and this Act.

1.4.1. Director of a home assistance centre

Article 166

(1) A home assistance centre shall be managed and governed by a director.

(2) A person who is a Croatian citizen and has at least secondary education, and for whom no obstacle exists from Article 213, paragraph 1 of this Act, may be appointed as a home assistance centre director if the home assistance centre was established by the local or regional self-government unit.

(3) The procedure of appointment and discharge, as well as the authority of a home assistance centre director shall be defined in detail in the founding act and the centre's statute in accordance with this Act.

1.4.2. Statute of a home assistance centre

Article 167

(1) A home assistance centre shall have a statute determining the centre's organisation, its bodies and their authority, as well as other issues significant for the centre's activity and operation.

(2) The home assistance centre's statute shall be adopted by its director, upon a prior approval of the founder.

1.4.3. Records and documentation of a home assistance centre

Article 168

(1) The home assistance centre shall keep the records and documentation, as prescribed, regarding beneficiaries, the types of services and other issues significant for the operation of the centre, and shall submit a report about it to the Ministry and the regional self-government unit, or the City of Zagreb, in whose area it operates.

(2) The contents and manner of keeping records and documentation, including the manner and deadlines for submitting reports from paragraph 1 of this Article shall be prescribed by way of an ordinance by the minister in charge of social welfare.

2. ASSOCIATIONS, RELIGIOUS COMMUNITIES, OTHER LEGAL PERSONS AND SMALL BUSINESSES PROVIDING SOCIAL SERVICES

Article 169

An association whose aim is to provide care for socially vulnerable groups, a religious community, a company, and another domestic and foreign legal person, as well as a small business owner may, in addition to its business activity entered into the court register or registered with another competent authority pursuant to special acts, also provide social services in a separate organisational unit, in the manner and under conditions prescribed by this Act.

Article 170

(1) The organisational unit in the legal person or a small business from Article 169 of this Act, providing social services for more than 20 beneficiaries, shall have a supervisor managing the operation, responsible for the operation pursuant to the law and the professional work if the legal person or the small business provides the service of professional work.

(2) The supervisor from paragraph 1 of this Article shall fulfil the conditions from Article 154, paragraphs 1 and 2 of this Act, except when providing only home assistance services.

(3) The organisational unit in the legal person or the small business from paragraph 1 of this Article in which at least five professional staff members provide social services shall have a professional council. The manner of operation, composition and authority of the professional council shall comply accordingly with provisions of Article 159 of this Act.

Article 171

(1) The legal person or small business owner from Article 169 of this Act shall keep the records and documentation as prescribed, regarding beneficiaries, the types of services and other issues significant for the operation of the legal person or small business, and shall submit a report about it to the Ministry and to the regional self-government unit, or the City of Zagreb.

(2) The contents and manner of keeping records and documentation, including the manner and deadlines for submitting reports from paragraph 1 of this Article shall be prescribed by way of an ordinance by the minister in charge of social welfare.

3. PROVISION OF SOCIAL SERVICES AS A PROFESSIONAL ACTIVITY

Article 172

(1) A natural person may independently provide a service of accommodation or day care in a family home, counselling services in a counselling centre and home assistance services as a professional activity, under the conditions prescribed by this Act.

(2) In his business name, the natural person shall indicate his first and last name, his personal identification number (OIB), the address of the business activity holder, and the indication of the activity from paragraph 1 of this Article.

Article 173

(1) The natural person from Article 172, paragraph 1 of this Act shall keep the records and documentation as prescribed, regarding beneficiaries, the types of services and other issues significant for the operation, and shall submit a report about it to the Ministry and to the regional self-government unit, or the City of Zagreb.

(2) The contents and manner of keeping records and documentation of natural persons providing social services, including the manner and deadlines for submitting reports from paragraph 1 of this Article, shall be prescribed by way of an ordinance by the minister in charge of social welfare.

Article 174

Natural persons from Article 172, paragraph 1 of this Act shall accrue income:

1. by direct payment from beneficiaries,
2. based on a contract concluded with the Ministry pursuant to Article 201 of this Act for beneficiaries whose right to services was granted by a decision of the social welfare centre,
3. from foundations, trusts and deeds of donations.

3.1. Family homes

Article 175

(1) A family home is a form of accommodation or day care service for 5 to 20 adult beneficiaries, or for 4 to 10 children, living or staying with the service provider's family.

(2) The service from paragraph 1 of this Article shall be provided by one adult family member in the capacity of a family home representative, who may employ additional staff, depending on the number and type of beneficiaries, in accordance with the conditions prescribed.

(3) Family members of the service provider from paragraph 2 of this Article may participate in the provision of services in the family home without entering into employment, under conditions prescribed by the ordinance from Article 184, paragraph 1 of this Act.

(4) Services in a family home shall not be provided by a single person.

Article 176

(1) A family home representative assuming the care for a beneficiary, shall:

- be a Croatian citizen, and

- have the skills necessary for watching, caring for, raising and fulfilling other needs of the beneficiary.

(2) A family home representative shall have at least secondary education, and should have capacity for performing this activity.

(3) Foreign nationals may provide family home services pursuant to regulations regulating the work of foreign nationals in the Republic of Croatia, provided they fulfil, in addition to conditions from paragraph 1, subparagraph 2, and paragraph 2 of this Article, also the condition of speaking Croatian at least on the level required for fluent and necessary communication with the service beneficiary in the family home.

(4) The Croatian language requirement from paragraph 3 of this Article shall not apply to natural persons who are citizens of European Union member states and contracting states of the European Economic Area, who provide their services outside of the social services network.

Article 177

(1) Family home services shall not be provided by a person for whom an obstacle exists for performing social welfare activities from Article 213, paragraph 1 of this Act.

(2) Family home services shall not be provided in a family home with dysfunctional family relations, or in a family in which, due to a health condition of a family member, the health or other interests of beneficiaries would be endangered based on the opinion of the social welfare centre.

(3) Family home services shall not be provided by a person in the family for which, in relation to a family member, an obstacle exists for performing social welfare activities from Article 213, paragraph 1 of this Act.

3.2. Counselling centre

Article 178

(1) A natural person in the counselling centre shall provide the service of counselling to children, the youth and adults in the form of professional assistance, with the aim of overcoming personal difficulties and for empowering.

(2) The counselling services from paragraph 1 of this Article in a counselling centre shall be professionally performed by a natural person, provided this person:

- holds an undergraduate and graduate university degree, or an integrated undergraduate and graduate university degree for performing professional activities in social welfare, and training in the field of counselling or therapy work, with at least five years of work experience in professional activities in the prescribed academic profession and academic degree in the field of social welfare,

- is legally competent to act,

- is able to work,
- passed the professional examination,
- holds a permit for independent work issued by the competent chamber pursuant to a special act,
- is not employed, or is not engaged in another independent activity,
- has adequate premises and equipment at his disposal.

(3) Counselling services from paragraph 1 of this Article in a counselling centre shall not be performed by a person for whom an obstacle exists from Article 213, paragraph 1 of this Act.

Article 179

(1) Several people may establish a joint counselling centre. Every member of the joint counselling centre shall fulfil the conditions from Article 178, paragraphs 2 and 3 of this Act.

(2) A decision on establishing a joint counselling centre shall be rendered by the regional self-government unit or the City of Zagreb, based on a contract among natural persons establishing the joint counselling centre.

Article 180

(1) Foreign nationals may provide counselling services in a counselling centre from Article 178 of this Act pursuant to regulations establishing the work of foreign nationals in the Republic of Croatia, provided they fulfil, in addition to conditions from paragraph 178, subparagraph 2, and paragraph 3 of this Article, also the condition of speaking Croatian at least on the level required for fluent and necessary communication with the beneficiary of the counselling service.

(2) The Croatian language requirement from paragraph 1 of this Article shall not apply to natural persons who are citizens of European Union member states and contracting states of the European Economic Area, who provide their services outside of the social services network.

Article 181

A natural person providing professional counselling services in a counselling centre independently as a professional activity shall apply professional work methods, respect the beneficiary's personality, his dignity and integrity of personal and family life, and shall keep professional confidentiality.

3.3. Home assistance services

Article 182

(1) A natural person may provide home assistance services in the beneficiary's home prescribed by Article 81 of this Act for no longer than 40 hours a week.

(2) The person from paragraph 1 of this Article shall have at least secondary education.

4. FOSTER CARE

Article 183

(1) Foster care is a form of social service, whereby a child or an adult is provided accommodation in a foster family.

(2) The conditions a foster family must fulfil, the manner of performing foster care and its termination, as well as other issues regarding foster care shall be established by a special act.

5. COMMON PROVISIONS FOR SOCIAL SERVICES PROVIDERS

5.1. Conditions for the beginning of provision of social services

Article 184

(1) Minimum conditions for providing social services and the operation procedure for the committee from paragraph 2 of this Article shall be prescribed by way of an ordinance by the minister in charge of social welfare.

(2) The fulfilment of minimum conditions for providing social services shall be verified by a committee appointed by the minister in charge of social welfare, except for services provided to the elderly and the infirm, the homeless, home assistance services and services provided as a professional activity by natural persons, for which the procedure shall be performed by the regional self-government unit or the City of Zagreb.

Article 185

(1) A decision on fulfilling minimum conditions for providing social services (license) shall be rendered by the Ministry, upon findings of the committee from Article 184, paragraph 2 of this Act, with the exception of a decision on establishing minimum conditions for social services provided to the elderly and the infirm, the homeless, home assistance services and services provided by natural persons as a professional activity, which shall be rendered by the regional self-government unit or the City of Zagreb.

(2) An appeal against the Ministry decision from paragraph 1 of this Article shall not be permitted, however administrative proceedings may be initiated at the competent administrative court.

(3) An appeal to the Ministry may be filed against a decision of the regional self-government unit or the City of Zagreb, from paragraph 3 of this Article.

(4) If, in the course of operation, conditions regarding the premises in which the service provider operates or performs some of the activities change, or if the business activity for which a decision from paragraph 1 of this Article was obtained is expanded or modified, the service provider shall submit an application for a new decision to the competent authority from paragraph 1 of this Article.

Article 186

- (1) A welfare home, a community services centre and a home assistance centre may begin providing social services upon entry into the register of social welfare institutions.
- (2) The service provider from paragraph 1 of this Article shall, in addition to the application for entry into the register of social welfare institutions, enclose an enforceable decision on fulfilling minimum conditions for providing social services (license), and the decision of the competent commercial court regarding its entry into the court register.
- (3) The legal person or the small business from Article 169 of this Act may begin providing social services following its entry into the records of legal persons or small businesses providing social services.
- (4) A natural person from Article 172, paragraph 1 of this Act may begin providing social services following the entry into the records of natural persons providing social services as a professional activity.
- (5) A service provider from paragraphs 3 and 4 of this Article shall, in addition to the application for entry into the records from paragraphs 3 and 4 of this Act, enclose an enforceable decision on fulfilling minimum conditions for providing social services (license).
- (6) By way of derogation from paragraphs 2 and 5 of this Article, legal and natural persons who fulfilled the conditions for providing social services in another European Union member state or in another contracting state of the European Economic Area, may provide social services in the beneficiaries' families outside of the network pursuant to this Act after their entry into the register of social welfare institutions, or the records from paragraphs 3 and 4 of this Article.
- (7) Legal and natural persons from paragraph 6 of this Article shall, in addition to the application for entry into the register of social welfare institutions, or the records from paragraphs 3 and 4 of this Article, submit proof of fulfilling conditions for providing social services from paragraph 6 of this Article, pursuant to regulations of the country in which they are established.
- (8) Legal and natural persons from paragraph 6 of this Article who fulfilled the conditions for providing social services in another European Union member state or in another contracting state of the European Economic Area, may provide social services in the beneficiary's family outside of the network pursuant to this Act, without the obligation to register in the register of social welfare institutions, or the records from paragraphs 3 and 4 of this Article, if such services are not provided permanently.
- (9) Prior to the beginning provision of social services, legal and natural persons from paragraph 8 of this Article shall submit a preliminary statement to the Ministry in writing regarding their intention to provide social services.
- (10) The statement from paragraph 9 of this Article shall contain all important information about the social services provider, and shall be used for the purpose of information and ensuring equal availability for all entities engaged in social services in the Republic of Croatia.

(11) The statement from paragraph 9 of this Article may also be submitted electronically through the single contact point established at the Croatian Chamber of the Economy.

(12) The register from paragraph 1 of this Article, and records from paragraphs 3 and 4 of this Article shall be kept by the Ministry, and published on the Ministry's website.

(13) The contents and manner of keeping the register from paragraph 1 of this Article, as well as records from paragraphs 3 and 4 of this Article shall be prescribed by way of an ordinance by the minister in charge of social welfare.

(14) Service providers from paragraphs 1, 3 and 4 of this Article shall inform the social welfare centre in whose area they operate about the beginning of operation, including their manner and scope of work.

5.2. Termination of social services

5.2.1. Reasons for terminating provision of social services

Article 187

(1) A welfare home, a community services centre, and a home assistance centre shall cease to provide social services in case those institutions terminate their operation pursuant to the Institutions Act.

(2) If the founder so decides, the Ministry shall establish the termination of operation for a community services centre and a welfare home by a decision, with the exception of a home for the elderly, the infirm and the homeless.

(3) If the founder so decides, a regional self-government unit, or the City of Zagreb, shall establish the termination of a home for the elderly, the infirm and the homeless and of a home assistance centre by a decision.

(4) The Ministry shall render a decision terminating the operation of a welfare home established by the Republic of Croatia.

(5) Based on a decision from paragraphs 2, 3 and 4 of this Article, the Ministry shall delete the institutions from paragraph 1 of this Article from the register of social welfare institutions.

(6) The legal person or the small business from Article 169 of this Act shall cease to provide social services:

- once the decision of the competent authority from Article 185, paragraph 1 becomes enforceable, adopted on the basis of a decision of a legal person or a small business from Article 169 of this Act on the termination of providing social services,
- once the decision of the competent inspector prohibiting the provision of social services becomes enforceable.

(7) The legal person or the small business from Article 169 of this Act shall inform the competent authority from Article 185, paragraph 1 of this Act about their intention to

terminate the provision of social services pursuant to paragraph 6 of this Article. The competent authority from Article 185, paragraph 1 of this Act shall render a decision on the termination of providing social services based on a decision on the termination of providing social services from paragraph 6, subparagraph 1 of this Article.

(8) The provision of social services as a professional activity shall terminate for a natural person from Article 172, paragraph 1 of this Act:

- once the decision of the regional self-government unit, or the City of Zagreb, becomes enforceable, establishing the termination of providing social services as a professional activity by a natural person from Article 172, paragraph 1 of this Act in cases from paragraph 9 of this Article,

- once the decision of the social welfare inspector prohibiting the work to a natural person from Article 172 of this Act becomes enforceable.

(9) A regional self-government unit or the City of Zagreb, shall render a decision on terminating the provision of social services as a professional activity to a natural person from Article 172, paragraph 1 of this Act, in the following cases:

- upon a statement of the natural person providing social services that he no longer intends to provide social services as a professional activity,

- upon death of the natural person providing social services,

- on the basis of a final court ruling declaring the natural person - provider of social services legally incompetent to act,

- if the natural person providing social services enters into employment,

- if the natural person providing social services loses his health capacity,

- if the natural person does not fulfil the conditions by this Act, and

- if an obstacle from Article 213, paragraph 1 of this Act occurs in relation to the person providing social services as a professional activity.

(10) An appeal against the decision of the Ministry from paragraphs 2, 4 and 7 of this Article shall not be permitted, however administrative proceedings may be initiated at the competent administrative court.

(11) An appeal to the Ministry may be filed against a decision of the regional self-government unit or the City of Zagreb from paragraphs 3, 7 and 9 of this Article.

5.2.2. Temporary suspension of operation for a natural person providing social services as a professional activity

(1) A natural person providing social services as a professional activity may temporarily suspend his operation due to illness or for another justified reason.

(2) The natural person in question shall inform the regional self-government unit or the City of Zagreb, as well as the social welfare centre in whose area he provides social services, about the temporary suspension of operation.

5.2.3. Care for beneficiaries in case of termination or temporary suspension of operation by a provider of the service of accommodation or organised housing

Article 189

(1) The founder of a welfare home or a community services centre shall inform the Ministry and the beneficiaries, their family members or legal representatives of beneficiaries at least three months in advance of making the decision on the termination of its services.

(2) Prior to terminating the operation of a welfare home or a community services centre, the founder shall ensure other adequate accommodation to a beneficiary accommodated based on an accommodation contract. A social welfare centre shall ensure alternative accommodation to a beneficiary accommodated based on a decision of the social welfare centre.

(3) In case the founder did not ensure accommodation to all beneficiaries accommodated based on an accommodation contract in a welfare home or a community services centre, the social welfare centre with territorial competence shall provide assistance to the beneficiary in finding accommodation at another service provider, or shall offer services in its own welfare home or in a family.

(4) A welfare home or a community services centre whose operation is prohibited based on an inspector's decision, shall inform the beneficiaries about the termination of its operation, and about the need for finding an alternative adequate accommodation.

(5) The inspector who rendered the decision on prohibiting the operation of a welfare home or a community services centre shall inform the social services centre competent for the beneficiary's residence about the termination of operation.

(6) A social welfare centre shall ensure an alternative adequate accommodation to a beneficiary accommodated based on a decision of the social welfare centre in the case from paragraph 4 of this Article. It shall provide assistance to a beneficiary accommodated based on a contract in finding accommodation at another service provider or shall ensure him other services in his own home or in a family.

(7) A welfare home or a community services centre whose operation is prohibited shall not continue providing services to a beneficiary who refuses accommodation with another authorised service provider.

Article 190

(1) In case the provision of accommodation services to beneficiaries with a service provider from Article 169 of this Act is terminated, provisions of Article 189 of this Act shall apply accordingly.

(2) In case the provision of services in the family home as a professional service from Article 175 of this Act is terminated, provisions of Article 189 of this Act shall apply accordingly.

(3) In case of a temporary suspension of provision of services in a family home, the family home representative shall ensure temporary accommodation or day care to the current beneficiaries at another service provider for the corresponding type of beneficiaries, in cooperation with beneficiaries, family members and the social welfare centre competent for the area of the beneficiaries' residence.

5.3. Other common provisions on the provision and termination of provision of social services

Article 191

Social welfare institutions and other legal persons and small businesses providing social services, and natural persons providing social services as a professional activity shall have equal treatment at households in regards to a preferential price for the water supply, sewage and other utilities, as well as for the radio and television broadcasting fee.

Article 192

(1) If one or more household members conclude more than three contracts on lifelong support or support until death, and provide to supported persons the services of housing, food, assistance and care for the health, as well as ensure the fulfilment of other basic needs in their residential or business premises, personally, through a third party, or the staff employed by a natural person, or the staff employed in a legal person owned by the support provider and/or members of his household, for the purposes of this Act, this shall be considered as illegal provision of accommodation services in the field of social welfare took place.

(2) In case a service provider from paragraph 1 of this Article intends to continue providing social services, he shall obtain a decision on fulfilling minimum conditions for providing social services pursuant to provisions of this Act.

Article 193

(1) A legal or a natural person intending to initiate a project for providing social services may send an application about it to the competent authority from Article 185, paragraph 1 of this Act, to provide an opinion on the compliance of the project proposal with minimum conditions for providing social services prescribed by the ordinance from Article 184, paragraph 1 of this Act.

(2) The manner of submitting an application from paragraph 1 of this Article, and the documentation to be enclosed to the application shall be prescribed by way of an ordinance by the minister in charge of social welfare.

(3) The opinion from paragraph 1 of this Article shall not waive the obligation of the natural or legal person to obtain a decision on fulfilling minimum conditions for providing social services prescribed by provisions of this Act.

X - SOCIAL SERVICES NETWORK, STANDARDS AND CONTRACTING

1. Social services network and social planning

Article 194

- (1) The social services network shall establish the number and type of social services in the Republic of Croatia.
- (2) The decision on the social services network from paragraph 1 of this Article shall be rendered by the minister in charge of social welfare upon a prior opinion of the regional self-government unit or the City of Zagreb.
- (3) Social services may be provided within and outside of the social services network.
- (4) Social services in the network shall be provided by institutions established by the Republic of Croatia and legal persons, small businesses and other natural persons with whom the Ministry concluded a contract on the provision of social services, unless otherwise established by this Act or by a special regulation.
- (5) Foreign legal and natural persons may provide social services in the network under conditions prescribed by this Act.
- (6) Social services outside of the network shall be performed by legal persons, small businesses and other natural persons who obtained a decision on fulfilling minimum conditions for providing social services pursuant to this Act and a special regulation.

Article 195

- (1) Regional self-government units and the City of Zagreb shall establish social welfare councils for the planning and development of the social services network, for granting rights and for determining obligations, measures and goals in their areas.
- (2) Social welfare councils shall be established in counties by a decision of the regional self-government unit assembly, and the social services council for the City of Zagreb shall be established by a decision of the assembly of the City of Zagreb.
- (3) The number of members in a social welfare council shall be determined by a decision from paragraph 2 of this Article, and shall consist of representatives from the regional and local self-government units, social welfare centres, welfare homes, home assistance centres, beneficiaries, religious communities and other legal persons, small businesses and other natural persons engaged in social welfare activities, educational, health and employment institutions, professional chambers and associations, and associations for promoting rights of beneficiaries of social welfare.
- (4) Social welfare councils shall propose social welfare plans for the areas of the regional self-government units and the City of Zagreb, which shall be adopted by the representative body of the regional self-government unit and of the City of Zagreb.

(5) The social plan shall encompass the analysis of capacities, availability of the social services network and specific development goals for institutional and non-institutional social services, with a special emphasis on services for groups exposed to a higher risk of social exclusion.

2. Standards for the provision of social services

Article 196

(1) Social services in the network shall be provided in compliance with professional and spatial standards prescribed by way of an ordinance by the minister in charge of social welfare.

(2) Social services in the network shall be provided in compliance with minimum quality standards for social services and the guidelines for their introduction prescribed by way of an ordinance by the minister in charge of social welfare.

(3) The criteria for establishing compliance with minimum quality standards for social services shall be prescribed by way of an ordinance by the minister in charge of social welfare.

3. Granting certificates of compliance with standards for the provision of social services

Article 197

(1) The certificate of compliance with social services standards is a public document allowing the service provider established by the Republic of Croatia to provide social services in the network, or shall represent a precondition for other social services providers to participate in negotiations for concluding contracts on the provision of social services in the network.

(2) The procedure for granting the certificate of compliance with social services standards shall encompass the analysis and evaluation of:

- professional and spatial resources in compliance with standards for the provision of social services in the network, prescribed by the ordinance from Article 196, paragraph 1 of this Act,
- the level of compliance with minimum quality standards based on the criteria prescribed by the ordinance from Article 196, paragraph 3 of this Act,
- the proposed prices for specific services in accordance with the methodology for calculating prices for services from Article 95, paragraph 1 of this Act.

(3) The Ministry shall publish a public call for proposals for granting the certificate of compliance with social services standards at least once a year.

(4) A proposal from paragraph 3 of this Article may be submitted by all social services providers in possession of an enforceable decision on fulfilling minimum conditions for providing social services (license), who thus become bidders in the procedure for granting certificate of compliance with social services standards.

(5) The proposal from paragraph 3 of this Article shall consist of an application for the public call, and documentation prescribed by the ordinance from paragraph 9 of this Article.

(6) Incomplete proposals or proposals not prepared in line with the conditions stipulated by the ordinance from paragraph 9 of this Article shall not be considered.

(7) The analysis and evaluation from paragraph 2 of this Article shall be conducted by the evaluation committee appointed by the minister in charge of social welfare.

(8) Minutes shall be taken regarding the analysis and evaluation of each submitted proposal, signed by all members of the evaluation committee.

(9) The evaluation committee composition, application forms, contents and layout of the proposal, evaluation criteria, negotiation procedure and all other issues pertaining to the procedure for granting certificate of compliance with social services standards, or the negotiation procedure, shall be prescribed by way of an ordinance by the minister in charge of social welfare.

Article 198

(1) Based on the procedure from Article 197 of this Act, upon proposal of the evaluation committee, the minister in charge of social welfare shall render a decision on assessment of the proposal for each bidder. The decision on the proposal assessment is an administrative act.

(2) The number of accrued points for each bidder and his ranking in relation to the point threshold prescribed by the ordinance from Article 197, paragraph 9 of this Act, shall be indicated in the decision from paragraph 1 of this Article.

(3) The decision from paragraph 1 of this Article, along with a copy of the minutes regarding the completed analysis and evaluation of the proposal, shall be submitted to the bidder without delay.

(4) An appeal against the decision from paragraph 1 of this Article shall not be permitted, however administrative proceedings may be initiated at the competent administrative court.

Article 199

The results of the completed evaluation procedure and the points accrued by each bidder shall be published on the Ministry's website.

Article 200

(1) A bidder who fulfilled the conditions in the procedure from Article 197 of this Act, and whose accrued points exceed the point threshold prescribed by the ordinance from Article 197, paragraph 9 of this Act, shall be issued the certificate of compliance with social services standards for a three-year term.

(2) A service provider who obtained the certificate of compliance with social services standards from paragraph 1 of this Article, shall submit a proposal for granting the certificate of compliance with social services standards, based on the published public call in the

calendar year in which the term for which his certificate of compliance with social services standards from paragraph 1 of this Article expires.

(3) Until the procedure for granting the certificate of compliance with social services standards from paragraph 2 of this Article is completed, the service provider may provide social services based on the previously granted certificate of compliance with social services standards.

(4) The certificate of compliance with social services standards shall cease to be valid for a service provider who does not eliminate irregularities in the specified term, established in an inspector's decision, or whose operation was prohibited by the inspector.

4. Negotiation and contracting procedure

Article 201

(1) For the provision of social services in the network, the Ministry shall conduct the negotiation and contracting procedure on the provision of social services in the network.

(2) In the negotiation procedure, the Ministry shall negotiate the type, amount and price of a service with service providers who obtained the assessment from Article 197, paragraph 1 of this Act, starting with the highest ranking service provider in the procedure for granting the certificate of compliance with social services standards, pursuant to the ordinance from Article 197, paragraph 9 of this Act.

(3) The negotiation procedure from paragraph 2 of this Article shall be completed with the conclusion of the contract between the Ministry and the most favourable service providers, in line with the needs within the network.

(4) The means and conditions for concluding the contract on provision of social services in the network, and the implementation of the contract shall be prescribed by way of an ordinance by the minister in charge of social welfare.

5. Public-private partnership in the social welfare sector

Article 202

(1) A public-private partnership model may be applied in the social welfare sector.

(2) The public-private partnership may be engaged in construction, reconstruction, repair or expansion, as well as in maintenance of a public building used for the provision of social services from the public partner's area of competence.

(3) Social services from paragraph 2 of this Article may be provided in the social services network.

(4) A public partner shall be one or more public authorities concluding a contract on the public-private partnership with a private partner, or who establish a joint company with the private partner for the purpose of realising a public-private partnership project.

(5) Public bodies from paragraph 4 of this Article may be the Ministry and local and regional self-government units.

(6) If a public-private partnership is implemented by an association of public bodies, these bodies shall establish mutual rights and obligations, as well as other issues regarding the project implementation, by an agreement.

(7) A public-private partnership in the field of social welfare shall be applied exclusively if that model, i.e. the services provided on its basis, ensures a positive value for the money, is socially and economically justified, and fulfils all other criteria stipulated by a regulation regulating public-private partnerships.

(8) Funds for the payment to the private partner shall be ensured in the state budget and in the budgets of local and regional self-government units, based on the public-private partnership agreement.

(9) In cases from paragraph 8 of this Article, the public partner shall reduce or cancel the funds planned or ensured for the expenditure for the procurement of produced long-term assets, for additional investments into non-financial assets, material expenditures, expenditures for services and other expenditures, in the part and in the amount corresponding to the amount in which these expenditures are financed from compensations or other payments of the public partner to the private partner, based on the public-private partnership agreement.

(10) In cases from paragraphs 8 and 9 of this Article, provisions of this Act determining the financing of social welfare shall apply accordingly.

(11) A special regulation regulating public-private partnerships shall apply to the preparation, proposals, contracting and implementation of public-private partnership projects from paragraph 1 of this Article, as well as to all other issues regarding the public-private partnership, unless otherwise stipulated of this Act.

(12) Upon proposal of the Ministry, the Government of the Republic of Croatia shall issue a decision adopting a programme for the implementation of the public-private partnership model in the social welfare sector within six months from the day this Act enters into force.

(13) The programme from paragraph 12 of this Article shall establish the procedure, conditions and principles of identification and implementation of public-private partnership projects in the social welfare field, as well as all other issues regarding such projects, pursuant to provisions of this Act, a special regulation regulating public-private partnerships, other relevant regulations, and the best international practice.

(14), If during the drafting of the programme it is assessed as justified, in addition to the contents of the programme determined by paragraph 12 of this Article, it shall include the analysis of other alternative models of financing and developing the system of providing social services.

XI - DATA FILING SYSTEMS

(1) Provisions of legislation regulating personal data protection shall apply to the collection, processing, storage, mediation with and use of data contained in data filing systems, including information privacy of the individual, unless otherwise established of this Act.

(2) Data in the social welfare system shall also be kept in the electronic form pursuant to the Personal Data Protection Act.

Article 204

(1) Data filing systems shall be kept, encompassing the entire national social welfare system, for the purposes of social welfare activities laid down by this Act, for the planning and monitoring of the status, and for scientific, research and statistical purposes in the field of social welfare.

(2) Data filing systems shall contain information about:

- rights in the social welfare system and forms of social assistance,
- social services,
- social services providers,
- beneficiaries of cash allowances, other forms of assistance in kind and social services,
- financing social welfare activities,
- obligatory tasks to be performed by the activity holders, as stipulated by other regulations.

(3) Controllers of data filing system from paragraph 2 of this Article shall be social welfare institutions, associations, religious communities and other legal persons providing social services, small businesses providing social services, and natural persons providing social services as a professional activity.

Article 205

(1) The Ministry shall manage, maintain, use and ensure security and supervision of the database and the entire social welfare information system, and shall provide information technology support to the social welfare system.

(2) The Ministry shall issue authorisations and determine the level of privileges for database access, entry of new data and the use of existing data.

(3) The contents of data filing systems, its storage, records and documentation shall be prescribed by way of an ordinance by the minister in charge of social welfare.

Article 206

Data filing systems on cash allowances and social services shall contain the following data about beneficiaries: first and last name, birth information, gender, personal identification number (OIB), citizenship, residence permit information for an alien, residence information,

information about family relations (number of family members, type of family, relationship to the applicant for rights), household information, status (information on education, employments, retirement and alike), on training, the health condition and disability, information on salaries, other revenue and income, information on assets, on social problems and difficulties of individuals, families and population groups, as well as information about exemptions from the payment for services.

Article 207

The Ministry shall ensure conditions for a computerised exchange of information with other beneficiaries pursuant to the provisions of the Personal Data Protection Act and other regulations.

XII - PROFESSIONAL STAFF, PROFESSIONAL DEVELOPMENT AND PROMOTION

1. Professional staff

Article 208

(1) Professional tasks in a social welfare centre shall be performed by social workers, lawyers, psychologists, social pedagogues and educational rehabilitation specialists who have passed the professional examination.

(2) Professional tasks in the social welfare centre shall exceptionally be performed by other professional staff members with an adequate educational level and academic profession, depending on the social welfare centre's type of activity.

Article 209

(1) Professional tasks in a welfare home and in other social services providers shall be performed by social workers, psychologists, social pedagogues, educational rehabilitation specialists, speech therapists, nurses, physiotherapists, occupational therapists, kinesiology therapists and early childhood educators who have passed the professional examination.

(2) Professional tasks in a welfare home and in other social services providers may also be performed by other staff members with an adequate educational level and academic profession, depending on the type of activity of the welfare home or another social services provider.

Article 210

(1) The professional staff from Articles 208 and 209 of this Act (hereinafter: professional staff) shall hold an identity card as evidence of their official capacity, identity and authority.

(2) The contents and form of the card shall be prescribed by way of an ordinance by the minister in charge of social welfare.

Article 211

(1) Professional staff shall perform their tasks based on professional standards, with respect of the beneficiary's personality, his dignity and integrity of personal and family life.

(2) Professional staff shall keep all information learned about the personal and family life of a beneficiary as confidential.

(3) Other staff members in social welfare institutions and other service providers shall also be bound by professional confidentiality.

(4) A violation of professional confidentiality shall constitute a serious violation of employment relationship.

2. Entering into employment relationship

Article 212

(1) Full-time employment in a social welfare institution to which a special regulation regulating salaries in public services applies, shall be established by an employment contract, based on a public tender published in line with the existing collective agreements.

(2) By way of derogation from paragraph 1 of this Article, a social welfare institution to which a special regulation regulating salaries in public services applies, may conclude, without a public tender procedure, a full-time employment contract with an employee of another social welfare institution to which a special regulation regulating salaries in public services applies, pursuant to an agreement of the institutions, and upon a written approval of the employee.

Article 213

(1) Employment in the social welfare system or performing tasks within social welfare activities shall be prohibited for a person:

- sentenced with finality for a criminal offence against humanity and human dignity (Title IX), a criminal offence against life and limb (Title X), a criminal offence against human rights and fundamental freedoms (Title XI), a criminal offence against labour relations and social insurance (Title XII), a criminal offence against personal freedom (Title XIII), a criminal offence against honour and reputation (Title XV), a criminal offence against sexual freedom (Title XVI), a criminal offence of sexual abuse and sexual exploitation of children (Title XVII), a criminal offence against marriage, family and children (Title XVIII), a criminal offence against the health of people (Title XIX), a criminal offence against property (Title XXIII), a criminal offence against the economy (Title XXIV), a criminal offence of forgery (Title XXVI), a criminal offence against official duty (Title XXVIII), a criminal offence against public order (Title XXX) or a criminal offence against the Republic of Croatia (Title XXXII) from the Criminal Code,

- sentenced with finality for a criminal offence against life and limb (Title X), a criminal offence against freedoms and rights of man and citizen (Title XI), a criminal offence against the Republic of Croatia (Title XII), a criminal offence against values protected by international law (Title XIII), a criminal offence against sexual freedom and sexual morality (Title XIV), a criminal offence against honour and reputation (Title XV), a criminal offence

against marriage, family and youth (Title XVI), a criminal offence against property (Title XVII), a criminal offence against people's health (Title XVIII), a criminal offence against the safety of payment and business operations (Title XXI), a criminal offence against authenticity of documents (Title XXIII), a criminal offence against public order (Title XXIV), a criminal offence against official duty (Title XXV) from the Criminal Code, (OG 110/97, 27/98, 50/00, – Decision of the Constitutional Court of the Republic of Croatia; 129/00, 51/01, 111/03, 190/03, – Decision of the Constitutional Court of the Republic of Croatia; 105/04, 84/05, 71/06, 110/07, 152/08, and 57/11),

- under a final misdemeanour legal sanction for domestic violence,

- against whom proceedings are ongoing at the competent court for a criminal offence of sexual abuse and sexual exploitation of a child.

(2) The provision of paragraph 1, subparagraphs 1, 2 and 3 of this Article shall not apply to a rehabilitated person.

(3) The employer shall obtain evidence *ex officio* that a person from paragraph 1 of this Article has not been convicted for a criminal offence or a misdemeanour from paragraph 1 of this Article, and that proceedings from paragraph 1, subparagraph 4 of this Article are not ongoing against him at the competent court.

Article 214

(1) If a social welfare staff member, his spouse or child concludes a contract on lifelong support or on support until death with a social welfare beneficiary while employed in social welfare, this shall constitute a serious violation of employment obligations.

(2) A professional staff member in a social welfare centre, his spouse or child providing social services to social welfare beneficiaries in the family home, in the capacity of a social welfare institution founder or a shareholder in a company providing social services, may not provide social services pursuant to a decision of a social welfare centre.

(3) A professional staff member in a social welfare centre, his spouse or child shall not be providers of foster care, with exception of persons who are kin to beneficiaries of foster care.

3. Training of professional staff for independent work

Article 215

(1) Upon completion of their education, professional staff shall undergo training for independent work in the profession for which they were educated during their internship.

(2) The internship from paragraph 1 of this Article shall last 12 months.

(3) The employment contract with the intern shall be concluded for a limited period.

(4) The internship may also be performed as professional training for work without entering into employment relationship (hereinafter: professional training for work). A professional training for work contract shall be concluded in writing.

(5) By way of derogation, provisions of paragraphs 1 to 4 of this Article shall not apply to healthcare workers and other professional staff in the social welfare sector, engaged in tasks covered by special regulations.

Article 216

(1) Once their internship ends, interns have the right to take the professional examination before the examination commission of the Ministry.

(2) A certificate on a passed professional examination shall be issued by the Ministry.

(3) The contents and method of performing internship in the social welfare sector, conditions for performing internship to be fulfilled by institutions, other legal persons, small businesses engaged in social services, and natural persons providing social services as a professional activity, the contents, programme and procedure of taking the professional examination, and the contents and layout of the certificate on a passed professional examination, shall be prescribed by way of an ordinance by the minister in charge of social welfare.

(4) Provisions of paragraphs 1 to 3 of this Article shall not apply to healthcare workers and other professional staff in the social welfare sector for whom issues from these provisions are stipulated by regulations adopted by ministries governing their respective professions.

Article 217

(1) Provisions of this Act pertaining to internship shall not apply to a professional staff member who, at the time of employment in social welfare, has adequate experience in tasks requiring a certain level of education and adequate professional qualifications, however he shall pass the professional examination within one year from the date of employment.

(2) A professional staff member who passed the professional examination in the adequate profession in another field of activity shall be employed in a social welfare institution or with another social services provider without having to take the professional examination.

(3) A staff member holding a scientific degree of a master or doctor of sciences in the field of social, educational or medical sciences in the fields or branches related to social welfare, or who passed the bar examination or a civil service professional examination in line with regulations on civil servants, or professional staff member with over 20 years of experience, is not mandated to take the professional examination.

4. Professional development for professional staff

Article 218

(1) Professional staff in social welfare shall have the right and obligation to continually develop professionally.

(2) Continuous professional development shall comprise individual and organised professional development in the field of social work, law, social pedagogy, psychology, speech therapy, educational rehabilitation, occupational therapy, early childhood education,

information and communication technology, counselling, management, social policy and in other fields important for an efficient and high-quality work in social welfare.

(3) The annual programme of professional development for professional staff in social welfare institutions established by the Republic of Croatia shall be adopted by the Ministry, no later than by September of the current year for the following year.

(4) Professional staff in the social welfare sector may be promoted in their profession or occupation by acquiring the function of a mentor or advisor.

(5) The levels, adequate titles, conditions and means of promotion shall be prescribed by way of an ordinance by the minister in charge of social welfare.

Article 219

(1) Professional staff in social welfare shall be entitled to professional supervision.

(2) Professional supervision is a process of learning, development and method of support for professional staff, allowing for acquiring new knowledge, development of skills and acquisition of professional and personal awareness through personal professional experience with the aim of improving the quality of work with beneficiaries.

(3) Professional supervision may be performed by licensed supervisors.

XIII - SUPERVISION

Article 220

(1) Supervision of social welfare centres, welfare homes, home assistance centres, community services centres, religious communities, associations and other social services providers shall encompass:

- internal supervision,
- inspection,
- administrative supervision.

(2) Inspection shall be performed by social welfare inspectors and senior social welfare inspectors employed by the Ministry (hereinafter: inspectors). Administrative supervision shall be performed by authorised civil servants.

(3) Supervision regarding the professional work of healthcare workers in social welfare shall be performed by the competent chambers, and sanitary supervision regarding health protection in the field of sanitary safety and quality of food, hygiene of the premises and equipment in the legal person and a small business providing social services, shall be performed by sanitary inspection.

(4) Supervision of educational services provided in welfare homes shall be performed by educational inspection of the ministry in charge of education.

1. Internal supervision

Article 221

- (1) Social welfare institutions shall perform internal supervision of legality of operation, professional work and quality of provision of social services.
- (2) Religious communities, associations, other legal persons and small businesses performing social welfare services shall conduct internal supervision of the operation in its organisational units and of the staff providing social services.
- (3) Social welfare institutions, religious communities, associations, other legal persons and small businesses performing social welfare services for a maximum of 50 beneficiaries need not perform internal supervision.
- (4) Social welfare centres employing up to 10 staff members need not perform internal supervision.

Article 222

- (1) Internal supervision shall be performed pursuant to the general act of the institution, religious community, association, another legal person or a small business performing social welfare services, and the annual plan and programme for implementing internal supervision.
- (2) The general act from paragraph 1 of this Article shall establish the manner of performing internal supervision.
- (3) The annual plan and programme for implementing internal supervision shall be prepared by the social services provider from paragraph 1 of this Article no later than 31 December of the current year for the following year.

2. Inspection

Article 223

- (1) Inspection shall verify the implementation and execution of laws, other regulations, general and individual acts, the professional work of welfare homes, community services centres, home assistance centres and other legal or natural persons performing social welfare services pursuant to this Act and special regulations.
- (2) Inspection tasks from paragraph 1 of this Article shall be performed by inspectors.
- (3) Supervision of professional work, in addition to persons from paragraph 2 of this Article, may also be performed by professional chambers, pursuant to special regulations.
- (4) The inspection procedure and its contents shall be prescribed by way of an ordinance by the minister in charge of social welfare.

Article 224

(1) A social welfare inspector shall be a person eligible for civil service pursuant to conditions prescribed by law, with an undergraduate and graduate university degree, or an integrated undergraduate and graduate university degree, or a specialist graduate professional study in the field of social work, social policy, law, psychology, social pedagogy or educational rehabilitation, who passed the civil service professional examination and has at least four years of work experience in adequate tasks within social welfare.

(2) A senior social welfare inspector shall be a person eligible for civil service pursuant to conditions prescribed by law, with an undergraduate and graduate university degree, or an integrated undergraduate and graduate university degree, or a specialist graduate professional study in the field of social work, social policy, law, psychology, social pedagogy or educational rehabilitation, who passed the civil service professional examination and has at least six years of work experience in adequate tasks within social welfare.

Article 225

(1) Inspectors shall have official identification cards as evidence of their official capacity, identity and authority.

(2) The form and contents of the official identification, as well as the procedure of issuing official identifications and keeping a register of issued official identifications shall be prescribed by way of an ordinance by the minister in charge of social welfare.

Article 226

(1) Inspection shall be performed as regular, exceptional and control inspection.

(2) Regular inspection shall be performed in accordance with the annual supervision plan adopted by the Ministry no later than 31 December of the current year for the following year.

(3) Exceptional inspection shall be performed on the basis of requests by other state bodies, complaints of legal and natural persons, or when significant facts have been revealed, justifying inspection.

(4) Control inspection shall be performed to control the implementation of measures ordered by inspectors in their decisions.

Article 227

(1) In performing inspection, an inspector shall be independent in conducting the procedure, rendering decisions and undertaking measures within the rights, obligations and authority established by this Act or by another regulation.

(2) No person shall use his official position nor shall in any other manner issue orders to inspectors, prevent or obstruct them from performing supervision or from introducing measures and actions for which they are authorised.

(3) When inspection takes place based on a request of a body or other interested legal or natural persons, the inspector shall inform the complainant or the requesting party about the facts established and measures undertaken, except in cases of anonymous complaints.

Article 228

(1) An inspector performing inspection shall have the right to enter facilities and premises of a social welfare institution and other legal or natural person providing social welfare services, at any time, without a prior notice and without obtaining permission from the director or another responsible person.

(2) During inspection the inspector shall be entitled to inspect the buildings, other business and living quarters, documentation, goods and other items found with the service provider, business files, including questioning beneficiaries, staff and other persons found in the premises, review identification documents (identity card, passport and alike) and perform other activities in line with the purpose of inspection.

(3) A director or another responsible person in other legal persons providing social services, a small business providing social services and a natural person providing social services shall ensure undisturbed inspection to the inspector, and make all resources and the necessary documentation available to him.

Article 229

During inspection, inspector shall be authorised to remove objects and original documentation due to possible obstruction of evidence, and shall issue a receipt for the removed items.

Article 230

(1) During inspection, the inspector shall act in such a way as to preserve the confidentiality of classified state, military, official and professional information.

(2) Persons in charge shall provide the inspector with information considered confidential pursuant to their general acts.

(3) The inspector shall keep confidential the documentation and information related to inspection, as well as the identity of the person who submitted the request for inspection, if he so requests.

Article 231

(1) During inspection the inspector shall:

1. prohibit the implementation of certain measures and actions contrary to the law or another regulation;

2. prohibit operation to a welfare home, a community services centre and another service provider from Article 223, paragraph 1 of this Act, when:

- it no longer fulfils the prescribed conditions for operation in this sector,
- it fails to act in accordance with a inspector's prior decision ordering certain measures,
- its provision of services threatens the health and safety of beneficiaries;

3. inform the competent chamber once it has established that a professional staff member does not have approval for independent work from the competent chamber, when it is a condition for working in that post;

4. prohibit a legal person or a small business from providing social services, if it performs services without a decision on fulfilling minimum conditions for providing social services prescribed by this Act;

5. order a natural person performing social welfare activity to suspend the provision of social services if he has obtained a decision on fulfilling minimum conditions for providing social services prescribed herein and by a special regulation;

6. order the elimination of the established irregularities within a specific term, and undertake other measures for which he is authorised by this Act and other regulations;

7. order that procedure be conducted for establishing responsibility of the person in charge in the service provider and among the staff;

8. order other measures in accordance with the law.

(2) The inspector shall inform the competent authority which issued the decision on fulfilling minimum conditions for the beginning of provision of social services about the prohibition of operation issued to service providers from paragraph 1, item 2 of this Article.

(3) If, during inspection, the inspector determines irregularities or violations of regulations for which he is not authorised directly to act upon, he shall inform the competent authority about the determined irregularities or violations of regulations, requesting that an adequate procedure, and the measures prescribed be conducted.

Article 232

(1) If an inspector establishes that smaller irregularities exist in operation which do not significantly influence the provision of services or the legality of operation, he shall issue a verbal warning to the responsible person in the legal person, or to the natural person providing social services, and indicate their consequences, as well as provide a term in which they must be eliminated. The contents of the verbal warning and the term for eliminating irregularities shall be indicated by the inspector in minutes of the inspection.

(2) If the irregularities from paragraph 1 of this Article are not eliminated in the stated term, the inspector shall order measures by a decision in line with the law.

Article 233

(1) The inspector shall prepare minutes about the completed inspection.

(2) A copy of minutes shall be handed over by the inspector to the director or another authorised representative in the legal person, or to the natural person who is the subject of inspection.

Article 234

(1) In case of an immediate danger to human health or life, or in case evidence could be destroyed or obstructed, the inspector shall issue a verbal decision, and order its immediate implementation.

(2) The verbal decision from paragraph 1 of this Article shall be entered into minutes.

(3) The inspector shall render a decision in writing within eight days from the day the verbal decision was reached.

Article 235

Provisions of the General Administrative Procedure Act shall apply to the procedure of inspection.

Article 236

An appeal against the decision issued by the inspector shall not be permitted, however administrative proceedings may be initiated.

Article 237

(1) If the inspector has justified reason to believe that a misdemeanour or a criminal offence was committed by non-compliance with regulations, in addition to a decision he is authorised to issue, he shall, on the basis of established facts decisive for introducing measures, submit a motion for misdemeanour proceedings or a motion for instituting criminal proceedings.

(1) The body to which a motion for misdemeanour proceedings or a motion for instituting criminal proceedings from paragraph 1 of this Article is submitted shall inform the Ministry about the outcome of proceedings.

Article 238

The inspector shall keep a logbook of performed inspections, whose contents, form and manner of keeping shall be prescribed by way of an ordinance by the minister in charge of social welfare.

Article 239

If the inspector meets physical resistance while performing inspection, he shall request the reinforcement of police.

Article 240

The inspector shall be liable:

1. for failing to undertake or order measures during inspection, which he should have taken or ordered pursuant to the law,

2. if he oversteps his authority,

3. if he fails to submit a motion for misdemeanour proceedings or a motion for instituting criminal proceedings, or does not inform competent state authorities about the established irregularities or deficiencies.

3. Administrative supervision

Article 241

Administrative supervision shall control particularly:

1. the legality of operation and actions,
2. the manner of reaching administrative decisions,
3. the efficiency, cost-effectiveness and justification of operation within the state administration,
4. the justification of the internal organisation and training of the civil servants and government employees for performing state administration tasks,
5. the behaviour of civil servants and government employees towards citizens and other parties.

Article 242

The surveillance procedure of professional work, its contents and the conditions to be fulfilled by authorised civil servants for performing administrative supervision shall be prescribed by way of an ordinance by the minister in charge of social welfare.

Article 243

- (1) Authorised civil servants shall prepare minutes establishing the activities completed in the course of administrative supervision.
- (2) Authorised civil servants may temporarily remove items and original documentation, which shall be recorded in minutes.

Article 244

- (1) Administrative supervision shall be performed as regular, exceptional and control supervision.
- (2) Regular administrative supervision shall be performed in accordance with the annual supervision plan adopted by the minister in charge of social welfare, no later than 31 December of the current year for the following year.
- (3) Exceptional administrative supervision shall be performed on the basis of requests by other state bodies, complaints of legal and natural persons, or when significant facts have been revealed, justifying administrative supervision.

(4) Control administrative supervision shall be performed to control the actions from the report from Article 245, paragraph 1 of this Act.

(5) When administrative supervision takes place based on a request of a body or other interested legal or natural persons, the authorised civil servant shall inform the complainant or the requesting party about the facts established and measures undertaken, except in cases of anonymous complaints.

Article 245

(1) The authorised civil servant shall prepare a report about administrative supervision carried out, containing a review of the circumstances established and measures which the supervised body is to undertake in the specified term in order to eliminate the established deficiencies.

(2) The report on completed administrative supervision shall be submitted by the authorised civil servant to the supervised body no later than 30 days from supervision date.

Article 246

(1) In the process of administrative supervision, the authorised civil servant may:

1. suspend the implementation of the supervised body's general act,
2. annul or withdraw a decision of the supervised body,
3. render an immediate decision or undertake a measure necessary for executing the laws and other regulations, or for the protection of beneficiaries, if the competent authority failed to do so in the prescribed period of time,
4. order the procedure for establishing responsibility of the staff and the head of the supervised body,
5. submit a report to the competent authority for establishing the criminal or misdemeanour liability of the staff and the head of the supervised body,
6. order other measures pursuant to the law.

(2) An appeal against the decision of the authorised civil servant shall not be permitted, however administrative proceedings may be initiated.

Article 247

(1) An authorised civil servant shall in particular:

1. monitor implementation of the social welfare activity and propose measures for its efficient performance at a high level,
2. supervise the legality of performing public authority of social welfare centres and local and regional self-government units,

3. supervise the work of professional staff,
4. examine submitted documents of legal and natural entities pertaining to supervision within their specific area of competence, and inform the applicants in writing about the activities and measures undertaken.

(2) An authorised civil servant shall be liable:

1. for failing to undertake or order measures during administrative supervision, which he should have taken or ordered pursuant to the law,
2. for overstepping his authority,
3. for failing to submit a motion for misdemeanour proceedings or a motion for instituting criminal proceedings without justification, and for not informing competent state authorities about the established irregularities or deficiencies.

XIV REIMBURSEMENT AND COMPENSATION FOR DAMAGES

Article 248

- (1) In case of a beneficiary's death, the Republic of Croatia shall be entitled to a reimbursement of amounts paid for the right to the guaranteed minimum allowance and the right to an accommodation or day care service.
- (2) The Republic of Croatia shall be entitled to compensation for damages caused by the beneficiary in cases from Article 251 of this Act.
- (3) The reimbursement of the amount from paragraph 1 of this Article shall be secured by registering a claim on the beneficiary's assets.

1. Registering a claim

Article 249

- (1) A claim shall be registered on the real estate owned by an adult beneficiary, in the land registry and for the benefit of the Republic of Croatia, upon proposal of the competent state attorney's office, pursuant to a final decision on granting the right to the guaranteed minimum allowance and the accommodation or day care service.
- (2) The registration of the claim from paragraph 1 of this Article shall be deleted on the basis of the Ministry's approval, once the payment has been received from the beneficiary's assets or upon write-off of debt.

2. Reimbursement

Article 250

- (1) In case a beneficiary of the guaranteed minimum allowance or the accommodation or day care service dies, who received full or partial amounts from the state budget, the Republic of

Croatia shall be entitled to a reimbursement of amounts paid for the granted right from his heirs, up to the amount of inherited assets.

(2) In case a beneficiary of the guaranteed minimum allowance or the accommodation or day care service, who received full or partial amounts from the state budget, disposes of his assets by giving them as a gift, the Republic of Croatia shall be entitled to a reimbursement of amounts paid for the granted right, from the donee.

(3) The Republic of Croatia shall not file a lawsuit for the reimbursement of amounts from paragraphs 1 and 2 of this Article if the payment of claim would leave the heirs and their family members and donees and their family members without assets or income necessary for fulfilling basic housing needs and other essentials for living.

(4) The Republic of Croatia shall be entitled to the reimbursement of amounts paid for the guaranteed minimum allowance and accommodation and day care service from the person required to support the beneficiary by law, if the assessment procedure preceding the decision on granting that right clearly proves that the persons in question do not support the beneficiary, and had no justification for it, or that they refused to support him without a justified reason.

(5) The statute of limitations for claims from paragraph 1 of this Article shall begin on the day probate proceedings are initiated.

(6) The statute of limitations for claims from paragraph 2 of this Article shall begin on the day the social welfare centre receives information about the gift.

3. Compensation of damages

Article 251

The beneficiary who was granted a social welfare right based on a decision of a social welfare centre shall compensate damages which result from:

- untruthful or incorrect information which the beneficiary knew or should have known to be untruthful or incorrect, or having obtained a social welfare right in another manner without merit, or which was granted to him more extensively than should have been the case,
- a social welfare right obtained because he did not report a change influencing the termination or the scope of rights, which he knew or should have known about.

Article 252

The law regulating civil obligations shall apply to the compensation of damages, unless otherwise prescribed by this Act.

Article 253

(1) Once it has established the damages from Article 251 of this Act, the social welfare centre shall request the beneficiary to compensate the damages in question within a prescribed period of time.

(2) If damages are not compensated in the prescribed period of time, the Republic of Croatia may file a lawsuit for the compensation of damages through the competent state attorney's office based on the documentation submitted by the social welfare centre.

(3) In cases from Article 250, paragraphs 1, 2 and 4 of this Act, the competent social welfare centre shall request the persons mandated to reimburse the paid amount to do so in the prescribed period of time.

(4) If the persons from paragraph 3 of this Article, mandated to reimburse the paid amounts fail to do so in the prescribed period of time, the Republic of Croatia may file a lawsuit for reimbursement of paid amounts through the competent state attorney's office based on the documentation submitted by the social welfare centre, except in the case from Article 250, paragraph 3 of this Act.

4. Settlement and debt write-off

Article 254

(1) The social welfare centre may conclude a settlement with the beneficiary or the person mandated to reimburse the paid amount regarding the means and term of reimbursing the amount received, service costs or damages to be compensated from Article 251 of this Act, which were obtained without merit. The social welfare centre shall take into consideration the person's financial and social standing, with the possibility to postpone the payment for a maximum of three years.

(2) The beneficiary or the person mandated to reimburse the paid amount shall submit proof of payment to the social welfare centre in accordance with the settlement from paragraph 1 of this Article.

(3) The social welfare centre shall keep records about the concluded settlements, containing the first and last name of the beneficiary or person mandated to reimburse the paid amount, the amount of the debt, the time and manner of reimbursement, and shall submit a report about it to the Ministry by 15 January each year for the previous year.

Article 255

(1) Upon proposal of the beneficiary or the person mandated to reimburse the paid amount, the social welfare centre may decide to write off a part or the entire debt pertaining to the non-reimbursed paid amount, or for the compensation of damages from Article 251 of this Act, by taking into account the person's financial and social standing.

(2) If the amount of debt of the beneficiary or the person mandated to reimburse the paid amount or to compensate damages from Article 251 of this Act to be written off, amounts to HRK 10,000.00 or more, upon proposal of the beneficiary or the person mandated to reimburse the paid amount, the social welfare centre may decide to partially or entirely write off the debt only upon a prior approval of the Ministry.

(3) The social welfare centre shall keep records about write-offs granted to beneficiaries or persons mandated to reimburse the paid amount, containing the first and last name of the beneficiary or person mandated to reimburse the paid amount, the total debt amount and the

amount of debt written off, and shall submit a report about it to the Ministry by 15 January each year for the previous year.

5. Reimbursement of undue allowance

Article 256

A service provider who received an undue allowance for a service not provided to a beneficiary shall reimburse the damages to the beneficiary or to the Republic of Croatia if the beneficiary was granted a social service right based on a decision of a social welfare centre.

Article 257

In case when a beneficiary did not reimburse the amount of cash allowances received without merit, or in case the service provider did not reimburse the undue allowance for a service not provided, the Republic of Croatia shall file a lawsuit for the compensation of damages through the competent state attorney's office based on the documentation submitted by the social welfare centre.

XV MISDEMEANOUR PROVISIONS

Article 258

(1) A legal person or a small business shall be fined from HRK 10,000.00 to 50,000.00 if the director or another responsible person in the legal person or a small business does not ensure an inspector undisturbed inspection and fails to place at his disposal all resources and the necessary documentation pursuant to the provision of Article 228, paragraph 3 of this Act.

(2) The responsible person in the legal person shall be fined from HRK 10,000.00 to HRK 20,000.00 for a misdemeanour from paragraph 1 of this Article.

(3) A natural person from Article 172, paragraph 1 of this Act shall be fined from HRK 10,000.00 to HRK 30,000.00 for a misdemeanour from paragraph 1 of this Article.

Article 259

(1) A legal person or a small business who does not implement a final decision of the inspector, rendered pursuant to this Act (Article 231, paragraph 1 and Article 232, paragraph 2) shall be fined in from HRK 10,000.00 to HRK 50,000.00 for a misdemeanour.

(2) The responsible person in the legal person shall be fined from HRK 5,000.00 to HRK 10,000.00 for a misdemeanour from paragraph 1 of this Article.

(3) A natural person from Article 172, paragraph 1 of this Act shall be fined from HRK 10,000.00 to HRK 30,000.00 for a misdemeanour from paragraph 1 of this Article.

Article 260

(1) A legal or natural person shall be fined for a misdemeanour from HRK 10,000.00 to 50,000.00 if:

1. this person begins its operation prior to the competent body's decision establishing that minimum conditions for providing social services have been fulfilled (Article 185, paragraph 1),

2. this person continues working after the termination of social services as a professional activity was established by a final decision of the competent body (Article 187, paragraph 9) or whose operation was prohibited (Article 187, paragraph 8, subparagraph 2, Article 231, paragraph 1, items 2 and 4),

3. this person provides accommodation services to a greater number of beneficiaries than was established by a decision of the competent authority on fulfilling the prescribed minimum conditions for providing social services (Article 185, paragraph 1),

4. one or more household members conclude more than three contracts on lifelong support or support until death, and provide to supported persons the services of housing, food, assistance and care for the health, as well as providing for other essentials for living in their residential or business premises, personally, through a third party or the staff employed by a natural person, or the staff employed in a legal person owned by the support provider and/or his family members, without having obtained a decision on minimum conditions for providing social services, pursuant to this Act (Article 192, paragraphs 1 and 2).

(2) The responsible person in the legal person shall be fined from HRK 5,000.00 to HRK 20,000.00 for misdemeanours from paragraph 1 of this Article.

Article 261

(1) A legal person who employs a staff member for whom an employment obstacle exists (Article 213, paragraph 1) shall be fined for a misdemeanour from HRK 10,000.00 to HRK 30,000.00.

(2) The responsible person in the legal person shall be fined from HRK 5,000.00 to HRK 10,000.00 for a misdemeanour from paragraph 1 of this Article.

(3) A natural person providing social services who employs a staff member for whom an employment obstacle exists (Article 213, paragraph 1) shall be fined from HRK 5,000.00 to HRK 10,000.00.

Article 262

(3) A natural person from Article 172, paragraph 1 of this Act shall be fined from HRK 5,000.00 to HRK 10,000.00 for a misdemeanour:

- if he fails to inform the social welfare centre on the beginning, manner and scope of his work, or does not use his first and last name, the business activity holder's address and the indication of the business activity in his business name (Article 186, paragraph 14 and Article 172, paragraph 2),

- if he suspends his operation without justified reason, or if he fails to inform the competent authorities about the temporary suspension of operation (Article 188, paragraphs 1 and 2).

Article 263

A legal and a natural person who fail to keep in the prescribed way their records and documentation pertaining to beneficiaries, types of services and other issues as prescribed, or who fail to submit reports about it (Article 144, paragraph 1, Article 162, paragraph 1, Article 168, paragraph 1, Article 171 and Article 173, paragraph 1) shall be fined from HRK 5,000.00 to HRK 20,000.00 for a misdemeanour.

XVI TRANSITIONAL AND FINAL PROVISIONS

Article 264

(1) Beneficiaries of cash allowances, supports and services granted on the basis and under conditions prescribed by the Social Welfare Act (OG 73/97, 27/01, 59/01, 82/01, 103/03, 44/06 and 79/07), the Social Welfare Act (OG 57/11) or the Social Welfare Act (OG 33/12, 46/13 and 49/13) shall retain the granted rights after this Act enters into force until the social welfare centre or another competent authority has established by a decision whether the beneficiaries fulfil conditions for those rights pursuant to this Act.

(2) Social welfare centres and other competent authorities shall re-establish whether conditions for granting social welfare rights are fulfilled, within six months from the day this Act enters into force.

Article 265

(1) Procedures initiated prior to the entry of this Act into force shall be completed pursuant to the Social Welfare Act which was in force at the time the procedure was initiated.

(2) In appeal procedures against a decision rendered prior to the entry of this Act into force, the provisions of the Social Welfare Act which was in force at the time the first-instance decision was reached shall apply.

Article 266

The minister in charge of social welfare shall adopt an ordinance on social services quality standards and guidelines for their introduction, as stipulated by Article 196, paragraph 2 of this Act, within six months from the day this Act enters into force.

Article 267

The minister in charge of social welfare shall render a decision on the social services network from Article 194, paragraph 2 of this Act, within a year from the day this Act enters into force.

(2) The Decision on establishing the network of welfare homes and the social services activity (OG 106/06) shall remain in force until a decision on the network of social services has entered into force.

Article 268

(1) Social services providers who have a concluded contract with the Ministry on the provision of social services at the time this Act enters into force shall continue providing social services until the negotiation procedure from Article 201 of this Act has been completed, based on the first public call for granting certificate of compliance with social services standards, published after this Act enters into force.

(2) Until the negotiation procedure from Article 201 of this Act, conducted based on the first public call for granting certificate of compliance with social services standards, published after this Act entered into force, has been completed, as an exception, the Ministry may conclude a limited duration contract for the provision of social services with service providers in possession of a decision on fulfilling conditions for providing social services, in accordance with the Decision on establishing the network of welfare homes and the social services activity (OG 106/06), and the needs determined by the Ministry.

Article 269

Welfare homes established by the Republic of Croatia and decentralised homes for the elderly and the infirm, established by regional self-government units and the City of Zagreb, who have not obtained a decision on fulfilling conditions for providing social services pursuant to regulations previously in force, shall obtain it within a year from the day the ordinance from Article 184, paragraph 1 of this Act has entered into force.

Article 270

(1) Welfare homes established by the Republic of Croatia and decentralised homes for the elderly and the infirm, established by regional self-government units and the City of Zagreb, may provide social services in the network without obtaining the certificate of compliance with social services standards until the negotiation procedure from Article 201 of this Act has been completed, conducted on the basis of the first public call for proposals for granting certificate of compliance with social services standards published following the completion of the analysis of operation, which encompasses determining measures for reorganisation and rationalisation of their operation with the aim of achieving financial stability, rationalisation of operations, strengthening responsibility in their management and increasing the quality and efficiency of providing public services.

(2) The analysis of operation from paragraph 1 of this Article shall be performed by the Ministry based on a decision of the Government of the Republic of Croatia on uniform criteria for analysing the operation of service providers from paragraph 1 of this Article.

(3) The decision from paragraph 2 of this Article shall be adopted by the Government of the Republic of Croatia within three months from the day this Act enters into force.

(4) The Ministry shall submit a report to the Government of the Republic of Croatia about the completed analysis of operation from paragraph 1 of this Article, within nine months from the day the decision from paragraph 2 of this Article entered into force, with which the procedure of analysis of operation ends.

(5) Until the analysis of operation has been completed, service providers from paragraph 1 of this Article shall provide social services in the network in accordance with professional and spatial standards prescribed by the ordinance from Article 196, paragraph 1 of this Act, and

minimum quality standards based on the criteria prescribed by the ordinance from Article 196, paragraph 3 of this Act.

(6) After the completion of the analysis of operation from paragraph 1 of this Article, service providers from paragraph 1 of this Article shall submit a proposal for providing services in the network after the publication of the first call for granting certificate of compliance with social services standards.

(7) On the day the decision from Article 95, paragraph 3 of this Act enters into force, provisions of Article 116, subparagraphs 4 and 5, Article 117, paragraph 3, Article 119, Article 120, paragraph 1, subparagraph 1, and Article 121 of this Act shall cease to be valid.

(8) Providers of social services who have concluded a public-private partnership agreement and provide their services in the social services network, may provide social services without obtaining certificate of compliance with social services standards one year from obtaining the decision on fulfilling minimum conditions for providing social services (license), on the condition that they provide services pursuant to professional and spatial standards prescribed by the ordinance from Article 196, paragraph 1 of this Act, and minimum quality standards based on the criteria prescribed by the ordinance from Article 196, paragraph 3 of this Act.

Article 271

(1) Social welfare institutions shall harmonise their statutes and other general acts with provisions of this Act within one year from the day this Act enters into force.

Article 272

The Ministry and the ministry in charge of education shall adopt the ordinance stipulated by Article 163, paragraph 2 of this Act within six months from the day this Act enters into force.

Article 273

(1) Unless otherwise prescribed by this Act, the minister in charge of social welfare shall adopt implementing regulations for which he is authorised by this Act within one year from the day this Act enters into force, with the exception of regulations from Article 184, paragraph 1 of this Act which he shall adopt within 60 days from the day this Act enters into force.

(2) The minister in charge of social welfare shall adopt the decision from Article 95, paragraph 3 of this Act within four months from the day the last certificate of compliance from Article 200, paragraph 1 of this Act was issued in the procedure for granting certificate of compliance based on the first call for submitting proposals for granting the certificate of compliance based on the first public call for proposals for granting the certificate of compliance with social services standards published after the analysis of operation from Article 270, paragraph 1 of this Act was completed.

Article 274

(1) The decision from Article 27, paragraph 1 of this Act on determining the basis for calculation of the guaranteed minimum allowance for the year 2014 shall be adopted by the

Government of the Republic of Croatia within six months from the day this Act enters into force.

(2) Until the decision of the Government of the Republic of Croatia from paragraph 1 of this Article has been adopted, the basis for calculation of the guaranteed minimum allowance from Article 27, paragraph 1 of this Act shall amount to HRK 800.00 for the year 2014.

(3) The decision from Article 27, paragraph 2 of this Act on determining the basis for calculation of other rights from the social welfare system from Article 25 of this Act for the year 2014 shall be adopted by the Government of the Republic of Croatia within six months from the day this Act enters into force.

(4) Until the decision of the Government of the Republic of Croatia from paragraph 3 of this Article has been adopted, the basis for calculation of other rights from the social welfare system from Article 27, paragraph 2 of this Act shall amount to HRK 500.00 for the year 2014.

(5) The Decision regarding the basis for exercising social welfare rights (OG 112/13) shall cease to be valid on the day this Act enters into force.

Article 275

Until implementing regulations from Article 273 of this Act enter into force, the following regulations shall remain in force, provided they are not contradictory to this Act:

1. Ordinance on conditions regarding space, equipment and the necessary professional and other staff of a social welfare centre and its branches (OG 120/02, 74/08, and 125/07),
2. Ordinance on the contents, manner of keeping records and documentation, and the manner and timeframes for submitting reports by social welfare centres (OG 79/08),
3. Ordinance on the participation and the manner of payment of accommodation costs outside the family by beneficiaries and other persons mandated to support them (OG 112/98, 5/02),
4. Ordinance on the composition and manner of operation for expert examination bodies in the process of exercising social welfare rights and other rights pursuant to special regulations (OG 64/02, 105/07 and 145/11),
5. Ordinance on the type and activity of welfare homes, the manner of providing assistance outside one's family, conditions for space, equipment and staff of social welfare homes, therapeutic communities, religious communities, associations and other legal persons and centres for assistance and care at home (OG 64/09),
6. Ordinance on keeping records and documentation of social welfare homes, including the means and timeframes for submitting reports on beneficiaries, types of services and other information (OG 47/02),
7. Ordinance on the contents of the register of social welfare institutions (OG 52/10),

8. Ordinance on the means of providing family home services, and conditions for space, equipment, professional and other staff (OG 52/10),
9. Ordinance on the contents and means of keeping records of natural persons independently performing social welfare services as a professional activity (OG 52/10),
10. Ordinance on internship of professional staff in social welfare institutions (OG 29/98, 30/08, 99/09 and 38/04),
11. Ordinance on keeping records and documentation of assistance and care centres, including the manner and timeframes for submitting reports on beneficiaries, types of services and other information (OG 26/98),
12. Ordinance on keeping records of natural persons with the recognised right to the status of a parent caretaker (OG 111/07),
13. Ordinance on the contents and manner of performing professional supervision in social welfare (OG 79/08),
14. Ordinance on the contents and form of the identification card for professional staff in social welfare centres, social welfare homes and other legal persons providing social services (OG 124/12),
15. Ordinance on the contents and form of the identification card for inspectors in the Ministry of Social Policy and the Youth, the manner of issuing identification cards and keeping the register of issued identification cards (OG 102/12).

Article 276

- (1) On the day this Act enters into force the rights and obligations of existing family centres shall be assumed by social welfare centres in county seats, competent on the basis of the family centre seat, by assuming tasks, staff, financial resources, equipment, archives, documentation and means of operation.
- (2) Upon the entry of this Act into force, staff in family centres shall retain all vested rights and salaries pursuant to employment contracts and special regulations, until the general act of the social welfare centre, establishing its internal organisation pursuant to the provisions of this Act, enters into force.

Article 277

On the day of entry into force of this Act, the Social Welfare Act (OG 33/12, 46/13, and 49/13) shall cease to have effect.

Article 278

This Act shall be published in the Official Gazette, and shall enter into force on 1 January 2014, except for the provision of Article 95, paragraph 2 of this Act, which shall enter into force on the day of entry into force of the decision from Article 95, paragraph 3 of this Act.

Class: 022-03/13-01/253

Zagreb, 13 December 2013

THE CROATIAN PARLIAMENT

President
of the Croatian Parliament

Josip Leko, m.p.

PROVISIONAL TRANSLATION