THE CROATIAN PARLIAMENT

1657

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

DECISION

PROMULGATING THE ACT ON TECHNICAL REQUIREMENTS FOR PRODUCTS AND ON CONFORMITY ASSESSMENT

I hereby promulgate the Act on Technical Requirements for Products and on Conformity Assessment, adopted by the Croatian Parliament at its session on 21 June 2013.

Class: 011-01/13-01/148

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

Zagreb, 24 June 2013

President
of the Republic
of Croatia
Ivo Josipović, m.
p.

ACT

ON TECHNICAL REQUIREMENTS FOR PRODUCTS AND ON CONFORMITY ASSESSMENT

I GENERAL PROVISIONS

Article 1

(1) This Act lays down the competent authorities and the tasks of the competent authorities responsible for Directive (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008) (hereinafter: Regulation (EC) No 765/2008) and Regulation (EC) No 764/2008 of the European Parliament and of the Council of 9 July 2008 laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another Member State and repealing Decision No 3052/95 (OJ L 218, 13.8.2008) (hereinafter: Regulation (EC) No 764/2008).

(2) This Act regulates the manner of prescribing technical requirements for products and conformity assessment procedures and the adoption of regulations by which the head of the

central state administration body, pursuant to this Act, regulates in more detail at least one of the following elements for individual products or families of products:

- technical requirements which products that are being placed on the market and/or made available on the market have to comply with,

- rights and obligations of economic operators that place products on the market and/or make them available on the market,

- conformity assessment procedures,

- rights and obligations of bodies carrying out conformity assessment procedures of products with technical requirements (hereinafter: conformity assessment bodies),

- documentation relating to conformity: documents of conformity (test report, certificate of conformity or examination certificate), declaration of conformity and technical documentation necessary to prove the conformity of a product that shall be available to the competent authorities,

- the manner of marking a product.

(3) This Act shall not apply to the prescribing of technical requirements and the implementation of conformity assessment procedures for products subject to special laws.

Article 2

For the purposes of this Act, the following terms shall have the same meaning as the terms defined in Regulation (EC) No 765/2008, other than the term „harmonised standard“ which shall have the same meaning as the term defined in Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council, and the term „Croatian standard“ which is a standard accessible to the public adopted by the Croatian national standardisation body.

Article 3

(1) A product that is placed on the market or made available on the market shall comply with the provisions of the regulations in force relating to the product concerned.

(2) The economic operator placing a product on the market or making it available on the market shall be responsible for compliance of such product with the provisions of the regulations in force relating to the product concerned.

(3) Economic operators shall be responsible for the accuracy and completeness of the information with regard to their products and shall ensure that the information is in compliance with the requirements prescribed for the product concerned.

II PRESCRIBING OF TECHNICAL REQUIREMENTS

Article 4

(1) In line with their competences and scope, heads of central state administration bodies shall adopt regulations referred to in Article 1, paragraph 2 of this Act, including, where this is necessary, regulations on regular and extraordinary control of products in service, for the purpose of:

- safety,

- protection of the lives and health of persons, domestic animals and plants,

- environmental and nature protection,

- protection of consumers and other end-users.

(2) When adopting the regulations referred to in paragraph 1 of this Article, international principles and obligations assumed arising from international treaties shall be taken into account with the aim of preventing unnecessary barriers to international trade.

(3) The regulation referred to in paragraph 1 of this Article shall stipulate that a product is presumed to be in conformity with the technical requirements prescribed by the regulations in force if the product is in compliance with the relevant harmonised standards.

(4) In co-operation with the Croatian national standards authority, the head of the central state administration body competent for adopting the regulations referred to in paragraph 1 of this Article shall publish in the Official Gazette the list of Croatian standards adopting the harmonised standards.

(5) Where it is considered that the standard referred to in paragraph 3 of this Article or a part thereof does not fully meet the requirements prescribed, the head of the central state administration body competent for the economy shall file a formal elaborated objection against the standard to the European Commission.

(6) The head of the competent central state administration body referred to in paragraph 1 of this Article shall immediately inform the public of activities referred to in paragraph 5 of this Article by placing a notice on its web site in compliance with the act regulating the right of access to information.

III OBLIGATIONS OF ECONOMIC OPERATORS

Obligations of the manufacturer

Article 5

(1) When placing a product on the market, the manufacturer shall ensure that his product is designed and manufactured in accordance with the requirements set out in the regulations relating to such product.

(2) Where so stipulated by the regulations referred to in Article 4, paragraph 1 of this Act, the manufacturer shall draw up the technical documentation required and carry out the conformity assessment procedure applicable or have it carried out.

(3) Where compliance of a product with the requirements prescribed is demonstrated in the conformity assessment procedure referred to in paragraph 2 of this Article, the manufacturer shall draw up a declaration of conformity affix the conformity marking where so stipulated by the regulations referred to in Article 4, paragraph 1 of this Act.

(4) The manufacturer shall keep the technical documentation and the declaration of conformity after he placed the product on the market for a period specified in the regulation referred to in Article 4, paragraph 1 of this Act.

(5) The manufacturer shall ensure that procedures are in place for series production to remain in conformity. Due account shall be taken of any changes in product design or characteristics and changes in the harmonised standards applied or in technical specifications stated in the declaration of conformity.

(6) The manufacturer shall, in view of risks posed by the product, and in order to protect the health and safety of consumers, carry out sample testing of products placed on the market, investigate and, if necessary, keep a register of complaints of non-conforming products and product withdrawals, and shall keep distributors informed accordingly.

(7) The manufacturer shall ensure that their products bear a type, batch or serial number or other element allowing their identification or, where the size or nature of the product does not allow it, that the required information is provided on the packaging or in a document accompanying the product.

(8) The manufacturer shall indicate his name, registered trade name or registered trade mark and the address at which he can be contacted on the product or, where that is not possible, on its packaging or in a document accompanying the product. The address must indicate a single point at which the manufacturer can be contacted.

(9) Where the regulation referred to in Article 4, paragraph 1 of this Act applicable to the product so requires, the manufacturer shall ensure that the product is accompanied by instructions and safety information in the Croatian language or in a language easily understandable by consumers and other end-users.

(10) Where the manufacturer considers or has reason to believe that a product which he placed on the market is not in conformity with the provisions of the regulations applicable to the product concerned, he shall take the necessary remedial measures, without any delay, to bring that product into conformity or recall it, or withdraw it, if that would be more appropriate. Furthermore, where the product presents a risk, the manufacturer shall inform the competent market surveillance authority to that effect without any delay, giving details, in particular, of the non-compliance of the product and of all remedial measures taken.

(11) The manufacturer shall, further to a reasoned request by the competent inspector, provide all the information and documents necessary to demonstrate the conformity of the product in a language that the competent inspector find easy to understand. The manufacturer shall co-operate with the competent inspector, at his request, on any measures taken to eliminate the risks posed by products which he placed on the market.

Authorised representatives

Article 6

(1) The manufacturer may, by a written mandate, appoint any natural or legal person established in the European Union as its authorised representative.

(2) The obligations referred to in Article 5, paragraph 1 of this Act and the drawing up of technical documentation may not form part of the authorised representative's mandate.

(3) An authorised representative shall perform the tasks specified in the mandate received from the manufacturer. The mandate shall allow the authorised representative to do at least the following:

- keep the declaration of conformity and the technical documentation at the disposal of the competent inspectors for a period that is specified in the applicable regulation;

- further to a reasoned request by the competent inspector, provide all the information and documents necessary to demonstrate the conformity of a product,

- co-operate with the competent inspector, at his request, on any action taken to eliminate the risks posed by products covered by his mandate.

Obligations of the importer

Article 7

(1) Importers shall place on the market of the Republic of Croatia only products that are in compliance with the provisions of the regulations applicable to such products.

(2) Before placing a product on the market the importer shall ensure that the manufacturer has carried out the appropriate conformity assessment procedure and drawn up the technical documentation, that the product bears the required conformity marking or markings and is accompanied by the required documents, and that the manufacturer has complied with the requirements set out in Article 5, paragraphs 7 and 8 of this Act.

(3) Where the importer considers or has reason to believe that a product is not in conformity with the provisions of the regulations applicable to the product concerned, the importer shall not place the product on the market until it has been brought into conformity. Furthermore, where the product presents a risk, the importer shall inform the manufacturer and the competent market surveillance authorities to that effect.

(4) The importer shall indicate his name, registered trade name or registered trade mark and the address at which he can be contacted on the product or, where that is not possible, on its packaging or in a document accompanying that product.

(5) Where the regulations referred to in Article 4, paragraph 1 of this Act so require, the manufacturer shall ensure that the product is accompanied by instructions and safety information in the Croatian language or in a language understandable by consumers and other end-users.

(6) The importer shall ensure that, while a product is under his responsibility, storage or transport conditions do not jeopardise its compliance with the prescribed requirements.

(7) Where deemed appropriate with regard to the risks presented by a product, the importer shall, to protect the health and safety of consumers, carry out sample testing of products to be placed on the market, investigate, and, if necessary, keep a register of complaints of non-conforming products and product recalls, and shall keep distributors informed accordingly.

(8) Where the importer considers or has reason to believe that a product he has placed on the market is not in conformity with the provisions of regulations applicable to the product concerned, the importer shall immediately take the necessary remedial measures to bring that product into conformity, recall it or withdraw it. Furthermore, where the product presents a risk, the importer shall immediately inform the competent market surveillance authorities to that effect, giving details, in particular, of the non-compliance of the product and of any remedial measures taken.

(9) Where the regulations referred to in Article 4, paragraph 1 of this Act so require, the importer shall, for a period specified in the provisions of the regulation applicable to the product concerned, keep a copy of the declaration of conformity for the purpose of making it available to the competent inspectors and make sure that the technical documentation is at the disposal of the competent inspectors, upon request.

(10) The importer shall, further to a reasoned request from the competent inspector, provide all the information and documents necessary to demonstrate the conformity of a product in a language that the inspector finds easy to understand and shall co-operate with the competent inspector on any action taken to eliminate the risks posed by products which he has placed on the market.

Obligations of the distributor

Article 8

(1) When making a product available on the market, the distributor shall act with due care in relation to the applicable requirements.

(2) Before making a product available on the market, the distributor shall verify that the product bears the required conformity marking or other markings, that it is accompanied by the required documents, instructions and safety information in the Croatian language or in a language easily understandable by consumers and other end-users, and that the manufacturer and the importer have complied with the requirements referred to in Article 5, paragraphs 7 and 8, and Article 7, paragraph 4 of this Act.

(3) Where the distributor considers or has reason to believe that a product is not in conformity with the regulations applicable to the product concerned, the distributor shall not make the product available on the market until it has been brought into conformity. Where the product presents a risk, the distributor shall inform the manufacturer or the importer and the competent market surveillance authorities to that effect.

(4) The distributor shall ensure that, while a product is under his responsibility, storage or transport conditions do not jeopardise its compliance with the prescribed requirements.

(5) Where the distributor considers or has reason to believe that a product he has made available on the market is not in conformity with the provisions of the regulations applicable to the product concerned, the distributor shall make sure that the necessary remedial measures to bring that product in conformity or to recall it or to withdraw it, as appropriate, are taken. Where the product presents a risk, the distributor shall immediately inform the competent market surveillance authorities, giving details, in particular, of non-conformity and of any remedial measures taken. If the product was placed on the market of the Member States of the European Union, the distributor shall also in the same manner notify the competent market surveillance authorities of the countries concerned.

(6) The distributor shall, further to a reasoned request from the competent inspector, provide all the information and documents necessary to demonstrate the conformity of the product and shall co-operate with the competent inspector, at his request, on any action taken to eliminate the risks posed by products which he has made available on the market.

Cases in which obligations of manufacturers apply to importers and distributors

Article 9

An importer or distributor who places a product on the market under his name or trademark or modifies a product already placed on the market in such a way that compliance with the applicable requirements may be affected shall be considered to be a manufacturer and shall be subject to the obligations of the manufacturer referred to in Article 5 of this Act.

Identification of economic operators

Article 10

Economic operators shall, for the period specified in the regulation applicable to the product concerned, on request of the competent inspector, provide information on the identity of:

- any economic operator who has supplied them with a product,

- any economic operator to whom they have supplied a product.

IV CONFORMITY ASSESSMENT BODIES AND THE REQUIREMENTS THAT THEY HAVE TO MEET

Article 11

(1) The regulations referred to in Article 4, paragraph 1 of this Act may prescribe special requirements that have to be met by conformity assessment bodies.

(2) The head of the central state administration body adopting the regulations referred to in paragraph 1 of this Article shall stipulate modalities for the meeting of all the requirements prescribed for conformity assessment bodies.

(3) The regulations referred to in Article 4, paragraph 1 of this Act may prescribe the procedures for the monitoring the work of conformity assessment bodies and the measures to be taken in case of non-fulfilment of the prescribed requirements referred to in paragraph 1 of this Article and Article 12 of this Act.

Article 12

(1) The minimum requirements that must be met by conformity assessment bodies are the following:

- the competence of the staff in the relevant sector for which the conformity assessment body is designated,

- the necessary equipment and premises,

- the independence and impartiality in conformity assessment procedures,

- observing professional secrecy,

- liability insurance, unless liability is to be assumed by the state.

(2) The conformity assessment body shall not be an economic operator for products that it assesses nor shall it be directly involved in the design, manufacture or construction, placing on the market and/or making available on the market, installation, use or maintenance of such products.

Article 13

(1) The conformity assessment body may carry out conformity assessment activities which are laid down in in Article 4, paragraph 1 of this Act only pursuant to the decision on designation (hereinafter: designation) that is issued by the head of the competent central state administration body which adopted the regulation.

(2) Where a conformity assessment body demonstrates its conformity with the requirements laid down in the Croatian standards by which the corresponding harmonised standards are adopted, it shall be presumed to comply with the requirements referred to in Article 11, paragraph 1, and Article 12 of this Act. The accreditation certificate which is awarded by the Croatian national accreditation authority is regarded as proof of conformity of the conformity assessment body with the requirements laid down in the Croatian standards by which the corresponding harmonised standards are adopted.

(3) The designation referred to in paragraph 1 of this Article may be time-limited or valid until withdrawal.

(4) The conformity assessment body shall have to comply with the requirements of the regulations referred to in Article 11, paragraph 1 of this Act and the requirements laid down in Article 12 of this Act during the entire period of designation.

(5) The head of the competent central state administration body referred to in paragraph 1 of this Article shall establish a commission to monitor whether the designated conformity assessment body meets the requirements laid out in paragraph 4 of this Article.

(6) The commission referred to in paragraph 5 of this Article shall consist of at least three members where at least one is the representative of the Croatian national accreditation body.

(7) Where it is established that during the term of its mandate the conformity assessment body ceased to meet the requirements prescribed, the head of the competent central state administration body having adopted the regulation referred to in Article 4, paragraph 1 of this Act shall repeal the designation in the part where the body no longer meets the requirements.

(8) Heads of the competent central state administration bodies according to their competences shall notify the European Commission and the Member States of the European Union of the conformity assessment bodies which they designated to carry out the conformity assessment procedures and of any changes in the designation status and shall notify the central state administration body competent for the economy thereof.

(9) Heads of the competent central state administration bodies may entrust the notification procedure referred to in paragraph 8 of this Article to the Croatian national accreditation body.

(10) The notification procedure referred to in paragraph 8 of this Article, as well as the requirements related to the notifying authorities and the requirements related to the notified bodies shall be laid down by the minister competent for the economy by way of an ordinance.

(10) The list of designated conformity assessment bodies referred to in paragraph 1 of this Article shall be published in the Official Gazette by the head of the central state administration body competent for adopting regulations referred to in Article 4, paragraph 1 of this Act in cooperation with the Croatian national accreditation body.

Article 14

(1) Conformity assessment bodies, designated for performing tasks in accordance with the provisions of this Act, shall carry out the conformity assessment procedure based on the application submitted by a manufacturer or his authorised representative.

(2) The conformity assessment body and the applicant shall stipulate mutual rights and obligations concerning the conformity assessment procedures to be carried out in a written contract.

Article 15

The official notification procedure in the field of technical regulations and regulations on information society services shall be laid down in a regulation by the Government of the Republic of Croatia.

V MARKET SURVEILLANCE

Article 16

(1) Market surveillance of the implementation of Regulation (EC) No 765/2008 and Regulation (EC) No 764/2008, this Act and the regulations adopted pursuant to this Act shall be carried out by the competent inspectors with the State Inspector's Office.

(2) By way of derogation from paragraph 1 of this Article, market surveillance of the implementation of Regulation (EC) No 765/2008 and Regulation (EC) No 764/2008, this Act and the regulations adopted pursuant to this Act regulating technical requirements for:

- radio and telecommunications terminal equipment, shall be performed by the inspectors of electronic communications with the Croatian Post and Telecommunications Agency;

- safety of lifts, shall be performed by the competent inspectors with the State Inspector's Office and the building inspectors of the central state administration body competent for construction;

- equipment and protective systems intended for use in potentially explosive atmospheres, shall be performed by the competent inspectors with the State Inspector's Office and the competent inspectors of the central state administration body for internal affairs;

- measuring instruments and non-automatic weighing instruments, shall be performed by metrology inspectors of the central state administration body competent for metrology.

(3) Notification of the European Commission on the implementation of Regulation (EC) No 764/2008 and Regulation (EC) No 765/2008 shall be carried out by market surveillance bodies in accordance with their competences..

Article 17

The head of the central state administration body or the head of the competent regulatory agency shall publish the list of the market surveillance authorities within his competence on its web site in compliance with the act regulating the right of access to information.

Inspectors' authorisations

Article 18

(1) The competent inspectors shall have the following authorisations under this Act:

- to require economic operators to make available all data and the required documents for demonstrating conformity of products with the technical requirements prescribed,

- to carry out the relevant checks and product testing to establish compliance thereof with the technical requirements prescribed, even after having been placed on the market or made available on the market,

- to take free samples and to submit them for testing and conformity assessment with the technical requirements prescribed.

(2) Where the competent market surveillance authorities do not have the required knowledge or equipment to carry out the examination or testing referred to in paragraph 1 of this Article, such actions as part of market surveillance may be entrusted to a professional institution not engaged in the examination and conformity assessment of that product before it was placed on the market or made available on the market.

Administrative measures

Article 19

(1) In the implementation of market surveillance, the competent inspector shall in a decision to the economic operator who placed the product on the market or made it available on the market:

- temporarily prohibit the placing of the product on the market or making it available on the market, the delivery, the offer of delivery, advertising or exhibiting of the product, for the period necessary for the performance of various examinations and testing, where there are grounds to believe that the product does not conform to the technical requirements prescribed,

- order the remedying of any irregularities established and set an appropriate time-limit for such remedial actions,

- prohibit or restrict the placing of non-conforming products on the market or making them available on the market, or order their recall from the market or return from end-users, and carry out additional measures to ensure compliance with this prohibition,

- order the non-conforming products to be destroyed if that is necessary to protect the health and safety of human beings, animals and plants, the environment and property.

(2) The competent inspector shall order to an economic operator that irregularities be removed, and set a reasonable term within which the irregularities must be remedied if he establishes that a product that the economic operator placed on the market or made available on the market (a product with a formal deficiency):

- does not have the prescribed markings or that it is incorrectly marked,

- does not have the prescribed documents of conformity or the documents are incomplete or unavailable,

- does not have the prescribed instructions and information on the safety of the product or if the prescribed instructions and information on safety do not accompany the product.

(3) If the economic operator does not remove the irregularities within the set period referred to in paragraph 1, sub-paragraph 2, and paragraph 2 of this Article, the inspector shall issue a decision prohibiting the placing of the product on the market or the making of the product available on the market.

(4) Where the inspector takes the measures referred to in this Article, the inspector shall act in a way that ensures that the measures are implemented proportionately to the seriousness of the risk while taking into account the principle of caution, that is, that the measure taken is appropriate in view of the nature of the impending danger or risk.

(5) An appeal against the decision issued by the inspector referred to in paragraph 1, sub-paragraphs 3 and 4, and paragraph 3 of this Article shall not postpone its enforcement.

The costs of market surveillance

Article 20

The costs of market surveillance (the cost of testing and of product conformity assessment and the transport costs related to market surveillance) shall be borne by the economic operator who placed the product that is not compliant with the technical requirements on the market or made it available on the market.

Controls of products being imported with a view to being placed on the market of the European Union

Article 21

Controls of products being imported with a view to being placed on the market of the European Union in accordance with Articles 27 through 29 of Regulation (EC) No 765/2008 shall be performed by the Customs Administration with the Ministry of Finance.

VI PENAL PROVISIONS

Article 22

(1) Legal persons shall be fined for a misdemeanour in an amount from HRK 5,000.00 to HRK 1,000,000.00 if they:

- contrary to Article 3 of this Act, place a product on the market or make it available on the market,

- contrary to Articles 5, 7 and 8 of this Act, place a product on the market or make it available on the market,

- contrary to Article 10 of this Act, fail to submit to the competent market surveillance authorities data identifying economic operators,

- contrary to Article 18, paragraph 1, Article 19, paragraphs 1, 2 and 3 of this Act, fail to act in accordance with enforceable decisions of the competent market surveillance authorities,

- fails to comply with the regulations referred to in Article 4, paragraph 1 of this Act,

- contrary to Article 30 of Regulation (EC) No 765/2008, do not affix the prescribed „CE“ marking and/or affix to products markings which are similar to the „CE“ marking to such a degree that they could cause misunderstanding on the market or mislead consumers,

- contrary to Article 11 of this Act, conduct activities of the conformity assessment body in conformity assessment procedures,

- contrary to Article 19, paragraph 1 of Regulation (EC) No 765/2008, deny the taking of samples of the product by the competent inspector necessary for a laboratory check,

(2) The responsible person in the legal person shall also be fined for the misdemeanours referred to in paragraph 1 of this Article in an amount from HRK 500.00 to HRK 50,000.00.

(3) Natural persons who are traders/craftsmen and persons engaged in other independent activities shall also be fined for the misdemeanours referred to in paragraph 1 of this Article committed in relation to the performance of their trade/craft or independent activity in an amount from HRK 1,000.00 to HRK 500,000.00.

Article 23

The competent inspector shall not file a motion to indict or issue a misdemeanour order in relation to a product which was placed on the market or made available on the market by the economic operator (a product with a formal deficiency):

- without the prescribed markings or incorrectly marked,

- without the prescribed documents of conformity or the documents are incomplete or unavailable,

- without the prescribed instructions and information on the safety of the product or if the prescribed instructions and information on safety do not accompany the product,

if the economic operator remedies the irregularities established within the time-limit set in the decision if established they were committed for the first time.

VII TRANSITIONAL AND FINAL PROVISIONS

Article 24

Conformity documents and „C“ marking for products placed on the market before the date of accession of the Republic of Croatia to the European Union shall apply in the territory of the Republic of Croatia until the end of stocks of such products, and at most two years of the date of having been placed on the market.

Article 25

Procedures initiated before the entry into force of this Act shall be concluded according to the provisions of the Act on Technical Requirements for Products and on Conformity Assessment (OG 20/10).

Article 26

(1) Subordinate legislation adopted and transposed under the Standardisation Act (OG 55/96):

- Ordinance concerning technical standards for the protection of low-voltage networks and corresponding transformer stations (Official Journal SFRY No 13/78),

- Ordinance concerning technical measures for the operation and maintenance of electrical energy facilities (Official Journal SFRY No 19/68),

- Ordinance concerning technical standards for the construction of ground electrical energy cables in the voltage range from 1 kV to 400 kV (Official Journal SFRY No 65/88, OG 24/97),

- Ordinance concerning technical standards for the construction of air electrical energy cables (Official Journal SFRY No 51/73, 69/73-corrigendum, 11/80-corrigendum, Article 10 of the Ordinance concerning technical standards for the laying of electrical energy cables and telecommunications cables - No 36/86, Article 333 of the Ordinance concerning technical standards for the construction of ground electrical energy cables in the voltage range from 1 kV to 400 kV-No 65/88), only the provisions relating to low voltage electrical energy cables and connections in the voltage range up to 1 kV are in force,

- Ordinance concerning technical standards for the laying of ground electrical energy cables and telecommunications cables (Official Journal SFRY No 36/86),

shall remain in force until the entry into force of regulations adopted pursuant to special regulations or this Act.

(2) Heads of central state administration bodies shall be responsible for the repealing of the regulations adopted and transposed under the Standardisation Act (OG 55/96) in accordance with their scope of work.

(3) Subordinate legislation adopted pursuant to the Act on Technical Requirements for Products and on Conformity Assessment (OG 158/03 and 79/07) that remained in force under the Act on Technical Requirements for Products and on Conformity Assessment (OG 20/10):

- Ordinance on requirements for the energy efficiency of household electrical refrigerators, freezers and combinations thereof (OG 135/05),

- Ordinance on requirements for the energy efficiency of dimmers for fluorescent lighting (OG 32/09),

- Ordinance setting out requirements for the ecological design of energy-using products (OG 97/09),

- Ordinance for products made from crystal glass (OG 32/09 and 135/05),

- Ordinance on requirements for the degrees of activity of new hot-water boilers fired with liquid and gaseous fuels (OG 135/05 and 140/12),

- Ordinance on mobile pressure equipment (OG 126/08)

– Ordinance on metrological and essential requirements for non-automatic weighing instruments (OG 1/05, 11/05, 42/07),

– Ordinance on tehnical and measuring requirements for measuring instruments (OG 2/07),

– Ordinance on examination and testing of pressurised equipment (OG 138/08),

shall remain in force until the entry into force of regulations adopted pursuant to this Act.

(4) Subordinate legislation adopted pursuant to the Act on Technical Requirements for Products and on Conformity Assessment (OG 20/10):

– Regulation on formal notification procedures in the field of standard, technical regulations and regulations on information society services (OG 40/13),

– Ordinance on notification of conformity assessment bodies (OG 34/11),

- Ordinance on equipment and protective systems intended for use in potentially explosive atmospheres (OG 34/10),

- Ordinance on technical requirements for wood panels (OG 24/11),

- Ordinance on safety of lifts (OG 58/10),

- Ordinance on safety of machinery (OG 28/11),

- Ordinance on pressure equipment (OG 58/10 and 140/12),

- Ordinance on gas appliances (OG 55/10),

- Ordinance on electrical equipment intended to be used within certain voltage limits (OG 41/10),

- Ordinance on simple pressure vessels (OG 58/10 and 140/12),

- Ordinance on electromagnetic compatibility (EMC) (OG 23/11),

- Ordinance on the placing of personal protective equipment on the market (OG 89/10),

- Ordinance on radio equipment and telecommunications terminal equipment (OG 25/12),

- Ordinance on the raw material composition and names of textiles (OG 41/10),

- Ordinance on certain methods of quantitative analyses of two-component mixtures of textile fibres (OG 41/10),

- Ordinance on aerosol dispensers (OG 83/10),

- Ordinance on methods of quantitative analyses of three-component mixtures of textile fibres (OG 41/10),

- Ordinance on the marking of materials of main components of footwear for sale to a final consumer (OG 41/10)

shall remain in force until the entry into force of regulations adopted pursuant to this Act.

Article 27

On the day of entry into force of this Act, the Act on Technical Requirements for Products and on Conformity Assessment (OG 20/10) and the Ordinance on the form, content and the graphic symbol of the „C“ and „CE“ markings (OG 18/11 and 133/12) shall cease to be valid.

Article 28

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

Class: 022-03/13-01/119

Zagreb, 21 June 2013

THE CROATIAN PARLIAMENT

President
of the Croatian Parliament
Josip Leko, m. p.