



E-Handbook on Cross-border Enforcement

OSH for Mobile Workers

CROATIA

Republic of Croatia

Committee of Senior Labour Inspectors (SLIC)

Last version adopted at the 83rd SLIC Plenary in Stockholm, 10 May 2023

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FOREWORD

The first version of the E-Handbook on Cross-border Enforcement was published in 2016 and updated in 2019. The last version was published in 2021 in the [Library of the SLIC public site](#) on the EU collaborative platform CIRCABC.

This last version had a format that enhances a better public disclosure of the organisation of the bodies and entities dealing with the inspection of occupational safety and health in EU Member States, as well as in Norway and Switzerland. The purpose of that E-Handbook was to provide labour inspectorates with informative tools to facilitate cooperation and mutual assistance with competent bodies from other countries.

The new working group on Mobile Workers on OSH matters, which replaced the previous working group dedicated to cross-border enforcement, was mandated to update the content of the E-Handbook for several reasons.

First, it was necessary to add new regulations such as the new Directive (EU) 2020/1057 laying down specific rules for posting of drivers in the road transport, a sector which moreover includes aspects related to the enforcement of working time under Directive 2006/22/EC, a matter that is considered a part of OSH legislation in many Member States.

Secondly, it was necessary to enlarge the content of that handbook following the new scope of the working group dedicated to mobile workers. A mobile worker is someone who works in more than one Member State or travels to other Member States as part of his job (posted workers, cross-border workers, seasonal workers, temporary workers, migrant workers...).

Therefore, the handbook should include information on the competence of SLIC Members on legislation about Third Country National workers. This includes Directive 2014/36 on seasonal workers in aspects related to the health and safety conditions such as workers' accommodation and Directive 2009/52 on sanctions. These directives have been explicitly mentioned in the current EU strategic framework on health and safety at work 2021-2027 in a changing world of work.

Moreover, it was necessary to complement some aspects related to the practice of concerted and joint inspections on OSH matters regarding the legal possibility to carry them out in each Member State.

Lastly, the SLIC working group considered that the easiest way to update the existing E-Handbook was to maintain its structure, with the updated information provided by Member States, and to complete it with new items gathered in a specific annex.

Finally, the handbook needed a new title reflecting its purpose and also support to gain more visibility among labour inspectors on the field.

We hope that this document will be a useful tool for national labour inspectorates and beyond, for all organisations involved in OSH matters for mobile workers.

This new updated version was announced to SLIC members at the 82nd Plenary session of 12 October 2022, held under the Czech Presidency.

DIRECTORY

Austria	<p>ARBEITSINSPEKTION</p> <p>Favoritenstraße 7 A-1040 Wien</p> <p>https://www.arbeitsinspektion.gv.at/inspektorat</p>
Belgium	<p>SURVEILLANCE ON WELL-BEING AT WORK and SURVEILLANCE ON SOCIAL LAW</p> <p>Blerotstraat/rue Blerot 1 B-1070 Brussels</p> <p>http://www.employment.belgium.be In Dutch: www.werk.belgie.be In French: www.emploi.belgique.be</p>
Bulgaria	<p>GLI EA (General Labour Inspectorate Executive Agency)</p> <p>http://www.gli.government.bg/en</p>
Croatia	<p>STATE INSPECTORATE</p> <p>Šubićeva 29, 10 000 Zagreb</p> <p>https://dirh.gov.hr/</p>
Cyprus	<p>DEPARTMENT OF LABOUR INSPECTION (DLI) http://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?OpenDocument</p> <p>DEPARTMENT OF LABOUR (DL) https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument</p> <p>DEPARTMENT OF LABOUR RELATIONS (DLR) https://www.mlsi.gov.cy/mlsi/dlr/dlr.nsf/home_en/home_en?openform</p>
Czech Republic	<p>STATE LABOUR INSPECTION OFFICE OF THE CZECH REPUBLIC</p> <p>Kolářská 13 746 01 Opava</p> <p>Email: opava@suip.cz https://www.suip.cz/web/en</p>
Denmark	<p>ARBEJDSTILSYNET</p> <p>Landskronagade 33 2100 København Ø</p> <p>Email: at@at.dk http://engelsk.arbejdstilsynet.dk/en/</p>
Estonia	<p>TÖÖINSPEKTSIOON</p> <p>Mäealuse 2/3, 12618 Tallinn Estonia</p>

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Finland	<p>TYÖSUOJELUHALLINTO</p> <p>Email: tyosuojelu.viestinta@avi.fi https://www.tyosuojelu.fi/web/en</p>
France	<p>DIRECTION GÉNÉRALE DU TRAVAIL</p> <p>39-43 quai André Citroën 75902 Paris Cedex 15</p> <p>Email: dgt.dir@travail.gouv.fr https://travail-emploi.gouv.fr/ministere/organisation/article/dgt-direction-generale-du-travail</p>
Germany	<p>LASI Länderausschuss für Arbeitsschutz und Sicherheitstechnik (Gremium der Länder) LASI Vorsitz (bis 2024): Ministerium für Wirtschaft, Arbeit und Tourismus Baden-Württemberg;</p> <p>Theodor-Heuss-Straße 4, 70174 Stuttgart</p> <p>https://lasi-info.com</p>
Greece	<p>LABOUR INSPECTORATE</p> <p>8, Dragatsaniou str, 10110 Athens,</p> <p>Email: dpseaye@hli.gov.gr https://www.hli.gov.gr/</p>
Hungary	<p>MINISTRY OF ECONOMIC DEVELOPMENT, STATE SECRETARY OF EMPLOYMENT POLICY</p> <p>Kálmán Imre utca 2. Budapest, 1054-Hungary</p> <p>Email: munkavedelmi-foo@gfm.gov.hu http://www.mvff.munka.hu</p>
Ireland	<p>HEALTH AND SAFETY AUTHORITY</p> <p>The Metropolitan Building James Joyce Street Dublin 1</p> <p>Email: contactus@hsa.ie https://www.hsa.ie/eng</p>
Italy	<p>ISPETTORATO NAZIONALE DEL LAVORO</p> <p>Piazza della Repubblica, 59 00185 Roma</p> <p>https://www.ispettorato.gov.it</p>

Latvia	<p>VALSTS DARBA INSPEKCIJA (VDI)</p> <p>38 k-1, Kr.Valdemara Street Riga LV –1010</p> <p>Email: vdi@vdi.gov.lv https://www.vdi.gov.lv</p>
Lithuania	<p>STATE LABOUR INSPECTORATE OF THE REPUBLIC OF LITHUANIA (SLI)</p> <p>19 Algirdo str. LT-03607 Vilnius Lithuania</p> <p>Email: info@vdi.lt https://www.vdi.lt</p>
Luxembourg	<p>INSPECTION DU TRAVAIL ET DES MINES</p> <p>3 Rue des Primeurs, 2361 Strassen, Luxembourg</p> <p>www.itm.public.lu</p>
Malta	<p>OCCUPATIONAL HEALTH AND SAFETY AUTHORITY</p> <p>17, Triq Edgar Ferro, Pietà PTA 1533 Malta</p> <p>Email: ohsa@ohsa.mt http://www.ohsa.mt/</p>
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Poland	<p>PAŃSTWOWA INSPEKCJA PRACY (PIP)</p> <p>28/30, Barska St., 02-315 Warsaw</p> <p>Email: kancelaria@gip.pip.gov.pl https://www.pip.gov.pl/en</p>
Portugal	<p>AUTORIDADES PARA AS CONDIÇÕES DE TRABALHO</p> <p>Praça de Alvalade, 1 1749-073 Lisboa</p> <p>Email: dir.mail@act.gov.pt http://www.act.gov.pt</p>

Romania	<p>INSPECTIA MUNCII</p> <p>Str. Matei Voievod, Nr. 14 Sector 2, București</p> <p>Email: comunicare@inspectiamuncii.ro www.inspectiamuncii.ro</p>
Slovakia	<p>NÁRODNÝ INŠPEKTORÁT PRÁCE</p> <p>Masarykova 10 040 01, Košice</p> <p>Email: nip@ip.gov.sk https://www.ip.gov.sk/home/</p>
Slovenia	<p>LABOUR INSPECTORATE OF THE REPUBLIC OF SLOVENIA (LIRS)</p> <p>Štukljeva cesta 44 SI-1000 Ljubljana</p> <p>http://www.id.gov.si/en/</p>
Spain	<p>ORGANISMO ESTATAL INSPECCION DE TRABAJO Y SEGURIDAD SOCIAL (OEITSS)</p> <p>Paseo de la Castellana 63 28046 Madrid</p> <p>https://www.mites.gob.es/itss/web/index.html</p>
Sweden	<p>THE SWEDISH WORK ENVIRONMENT AUTHORITY</p> <p>Svetsarvägen 12 SE 171 41 Solna</p> <p>Email: arbetsmiljoverket@av.se https://www.av.se/en/</p>
Switzerland	<p>STATE SECRETARIAT FOR ECONOMIC AFFAIRS (SECO) WORKING CONDITIONS – FEDERAL LABOUR INSPECTION</p> <p>Holzikofenweg 36 CH-3003 Bern</p> <p>Email: abea@seco.admin.ch www.seco.admin.ch/seco/de/home/Arbeit/Arbeitsbedingungen/Arbeitnehmerschutz.html</p>
The Netherlands	<p>NETHERLANDS LABOUR AUTHORITY</p> <p>PO Box 90801 2509 LV Den Haag</p> <p>https://www.nllabourauthority.nl/</p>

NATIONAL REPORT: CROATIA

THE STATE INSPECTORATE	THE STATE INSPECTORATE LABOUR INSPECTION
OTHER COMPETENT AUTHORITIES	<ul style="list-style-type: none"> • Ministry of Economy and Sustainable Development • State Institute for Radiological Protection and Nuclear Safety • Ministry of Health • Ministry of the Interior • Ministry of the Sea, Transport and Infrastructure Croatian Civil Aviation Agency

1. THE STATE INSPECTORATE

1.1. ORGANISATION OF THE STATE INSPECTORATE

The State Inspectorate is an administrative organization of the Republic of Croatia. The Labour Inspection is an organisational unit under the State Inspectorate. Labour Inspection consists of two fields, Occupational Health and Safety and Labour Relations.

The Act of the State Inspectorate (Official Gazette 115/18,117/21) sets duties and powers of inspectors for the purpose of protection public interest and public health interest in law enforcement and misdemeanour liability.

Inspection activities within the scope of the State Inspectorate are performed by market inspection, sanitary inspection, veterinary inspection, agricultural inspection, hunting inspection, forestry inspection, phytosanitary inspection, tourist inspection, mining inspection, pressure vessels inspection, energy inspection, toxic chemical management, labour inspection, construction inspection, environmental inspection, nature protection inspection and water inspection.

1.2. NATIONAL LEGISLATION AND ILO CONVENTIONS RATIFIED ON LABOUR INSPECTION

The Act of the State Inspectorate (Official Gazette 115/18,117/21) sets duties and powers of inspectors for the purpose of protection public interest and public health interest in law enforcement and misdemeanour liability.

Figure N° 1: International Conventions on Labour Inspection ratified

CONVENTION	RATIFIED	NOT RATIFIED
ILO Convention 81 on Labour Inspection in Industry and Commerce	X	
ILO Convention 129 on Labour Inspection in Agriculture	X	
Maritime Labour Convention 2006	X	
ILO Convention 187 on Promotional Framework for Occupational Safety and Health		X

1.3. COMPETENCES OF LABOUR INSPECTORS

1.3.1. Occupational Safety and Health (OSH)

The State Inspectorate, is the competent body on occupational safety and health with the exceptions listed below:

Figure N° 2: Map of competence on Occupational Safety and Health

MATTERS	COMPETENCE OF THE LABOUR INSPECTORATE	OTHER PUBLIC BODIES WITH COMPETENCE
OSH, in general terms	Yes	
Occupational Safety, in general terms	Yes	
Occupational Health, in general terms	Yes	
Work-related accidents	Yes	
Trade of Machines and Equipments	No	Market Inspection
Radiations	No	State Institute for Radiological Protection and Nuclear Safety Ministry of Health
Explosives	No	Ministry of Interior
Mines	No	Mining inspection
Vessels	No	Ministry of the Sea, Transport and Infrastructure
Retail sector	Yes	

Horecca	Yes	
Agriculture	Yes	
Construction sector	Yes	
Aviation	No	Croatian Civil Aviation Agency
Railway	No	Ministry of the Sea, Transport and Infrastructure
Road Transport	No	Ministry of the Sea, Transport and Infrastructure
REACH	No	Ministry of Health
Self Employed	No	
Police	Yes*	*except for intervention
Civil Servants	Yes	
Military personnel and premises	Yes*	*except for intervention
Penitentiaries	Yes*	*except for intervention
Customs	Yes	
Fire protection	No	Ministry of Interior

1.3.2. OSH or Labour Law Matters

Figure N° 3: Map of competences in matters which could be considered within OSH or Labour Law

MATTERS	Yes	No
Working hours	X	
Bullying and harassment	X	
Third Party Violence		X

Third Party Violence may be a minor offence Act under Criminal Law

1.3.3. Labour Law

Figure N° 4: Map of competences on Labour Law matters

MATTERS	Yes	No	COMMENTS
Salaries	X		
Equal Treatment	X		
Labour rights	X		
Foreign workers	X		Defined in The Alien's Act
Others			

1.3.4. Social Security

Figure N° 5 Map of competences on Social Security Matters

MATTERS	Yes	No	COMMENTS
Affiliation of workers (REGISTER)	X		
Contributions to Social Security System	X		
Social Security benefits	X		
Private pension funds	X		
Others			

1.4. INSPECTORS' POWERS

Figure N° 6: Map of Inspectors' powers

POWERS	Yes	No	COMMENTS
Visit workplaces	X		
Request for documents	X		
Summon employers to the Inspection Office	X		
Recommendations / Assistance			
Injunction / Improvement notice	X		
Initiate an administrative punishment procedure	X		
Initiate a judicial punishment procedures	X		
Imposing fines	X		
Stoppage / Prohibition Notice	X		
Notify offences to the Public Prosecutor or the Judge	X		
Others			

1.5. MECHANISMS OF COOPERATION AND EXCHANGE OF INFORMATION WITH OTHER NATIONAL PUBLIC BODIES

Figure N° 7: Cooperation mechanisms with other national public bodies

BODIES	Yes	No	COMMENTS
Tax Authorities	X		
Social Security bodies	X		
Police	X		
Public Prosecutor	X		
Others			

2. POSTING OF WORKERS

2.1. NATIONAL LEGISLATION

The legal disposition which transposes Directive 96/71/EC, of the European Parliament and of the Council, of 16 December 1996, concerning the posting of workers in the framework of the provision of services, is the Law on foreigners of 16 November 2011 and The Acts on amendments to the Law on foreigners of 19 June 2013.

In order to transpose the Directive 2014/67 the following rules were approved:

- the Acts on amendments to the Law on foreigners of 5 July 2017 and 15 May 2018
- the Law on cross-border enforcement of decisions imposing fines relating to the posting of workers of 12 October 2017
- The Ordinance on the form and content of the declaration on the posting of workers of 27 October 2017
- the Ordinance of procedure when carrying out a general assessment of the temporary nature of the work of a posted worker and the temporary nature of the economic activities of an employer in the Republic of Croatia of 27. October 2017
- Act on posting of workers to the Republic of Croatia and cross-border enforcement of decisions on fines (O.G. 118/20, 114/22) will enter into force on 01. 01. 2023

Figure N° 8: EU Directives on posting of workers implemented

DIRECTIVE	Yes	No	DATE
Directive 96/71	X		2013
Directive 2014/67	X		2017
Directive 2018/957	X		2020, 2022

2.2. ADMINISTRATIVE REQUIREMENTS AND CONTROL MEASURES

In the Republic of Croatia every employer (except for the self-employed, and the driver in the road transport sector) who is posting their workers are required to declare posting to the national authorities.

Declarations are available to Labour Inspectors and are not registered in any database.

2.2.1. Deadline to submit the declaration

Prior the start of work.

2.2.2. Content of the declaration of posting

Figure N° 9: Content of the posting declaration

COMPANY DATA		
	YES	NO
Identity of Service Provider	X	
Representative of the company in your country	X	
A person designated for acting as a representative into collective bargaining within the host Member State	X	
Activity	X	
Authorization in the sending MS	X	
If it is a Temporary Work Agency or not	X	
Identity Tax Number	X	

WORKERS DATA		
	YES	NO
Number of workers	X	
Name of workers	X	
Nationality		X
Age		X
Role	X	

POSTING DATA		
	YES	NO
Envisaged beginning	X	
End date of the posting	X	
Anticipated Duration	X	
Address(es) of the workplace	X	
Nature of the services justifying the posting	X	
Contractor	X	

LABOUR CONDITIONS		
	YES	NO
Working hours		X
Salaries		X
Collective accommodation		X
Use of dangerous agents		X
Prevention services		X

2.3. SOCIAL SECURITY PROCEDURES

The State Inspectorate has no role in issuing a certificate A1 Social Security Forms; Croatian Pension Insurance Institute (CPII) does it.

Figure N° 10: Position of the Labour Inspectorate with regard to A1 forms

	Yes	No
Access to A1 forms delivered by national authorities		X
The State Inspectorate is consulted about the approval of A1 forms by competent institutions		X
Access to A1 forms delivered by other Member States		X

2.4. WORK RELATED ACCIDENTS / OCCUPATIONAL DISEASES OF POSTED WORKERS

In the Republic of Croatia the State Inspectorate receives immediately and effectively notifications of work related accidents suffered by posted workers.

2.5. NATIONAL AUTHORITIES INVOLVED IN POSTING OF WORKERS

Figure N° 11: Authorities involved in posting of workers

	Yes	No
Labour authorities	X	
OSH authorities	X	
Customs authorities		X
Tax authorities	X	
Social Security Institutions	X	
Others		

3. COOPERATION AND MUTUAL ASSISTANCE

3.1. LEGISLATION ON MUTUAL ASSISTANCE

Figure N° 12: Legislation and International Conventions signed and ratified

	RATIFIED / IMPLEMENTED	APPLICABLE TO S.I.	COMMENTS
Legislation on Mutual Assistance implementing Dir. 96/71 and Dir. 2014/67	Yes	Yes	Act on posting of workers to the Republic of Croatia and cross-border enforcement of decisions on fines (O.G. 118/20, 114/22)
European Convention in Criminal Matters	Yes	No	
Convention 094 Council of Europe	No		
Others			

3.2. BILATERAL AND MULTILATERAL AGREEMENTS ON LABOUR INSPECTION

Croatia has not specific bilateral agreements on labour inspection with other countries.

3.3. REQUEST AND RECEPTION OF INFORMATION FROM OTHER INSPECTORATES

Figure N° 14: Exchange of information from other Labour Inspectorates

MATTERS	YES	YES But subjected to previous Protection Data Authorities supervision or approval	NO
Does current regulation in your country allow providing information directly to other Labour Inspectorates?	X		
Does current regulation in your country allow receiving	X		

information directly from other Labour Inspectorates?			
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3.4. TOOLS FOR EXCHANGING INFORMATION

3.4.1. IMI (Internal Market Information System) for Posting of workers

Figure N° 15: Liaison office of the State Inspectorate in IMI

Contact for IMI: pisarnica@dirh.hr

	Yes	No
Use of IMI by the Labour Inspectorate	X	
In affirmative case, specify the liaison offices	Central authorities	

3.4.2. KSS (Knowledge Sharing System)

The Croatian Labour Inspectorate participates in KSS System

Contact for KSS: kss.coordinator@dirh.hr

3.5. FINES AND EXECUTION OF FINES PROPOSED OR IMPOSED BY THE STATE INSPECTORATE

Fines are penal or criminal when they are imposed by penal courts and they are administrative when they are imposed by administrative bodies without prejudice the posterior appeal before the courts.

Figure N° 16: Nature of fines

	Yes	No	Comments
Penal or criminal fines	X		both types of fines are possible: penal (or criminal) and administrative (fine on the spot and minor offence warrant)
Administrative fines	X		both types of fines are possible: penal (or criminal) and administrative (fine on the spot and minor offence warrant)
Others			

Figure N° 17: Execution time of fines

Execution of fines could be done after the first resolution of the courts or administrative bodies or after the definitive one.

	Yes	No
After the first judgement of the courts	X	
After the final judgement of the courts	X	
After the first administrative decision	X	
After the binding administrative decision	X	
Others		

Figure N° 18: Nature of Courts where fines can be appealed

The enactment of the current rules on cross-border enforcement could depend on the nature of the courts where the appeals to the fines can be submitted.

	Yes	No
Penal/Criminal courts	X	
Labour/Civil courts		
Courts for administrative affairs	X	
Others		

Figure N° 19: Authorities with competence to collect fines

	Yes	No
Labour Inspection Authorities	X	
Labour/ Government Authorities	X	
Tax/Customs Authorities		X
Courts	X	
Others		

Figure N° 20: Legal framework to collect fines imposed by authorities from other Member States

	YES	IF YES, is it applicable to State Inspectorate proceedings?	NO Authorities supervision or approval	COMMENTS

Framework Decision 2005/214	X	No		Act on judicial cooperation in criminal matters with the EU Member States of 23 July 2010 and The Act on amendments to the Act on judicial cooperation in criminal matters with the EU Member States of 29 June 2013, 9 October 2013 and 9 March 2015
Directive 2014/67 on administrative fines	X	Yes		Act on posting of workers to the Republic of Croatia and cross-border enforcement of decisions on fines (O.G. 118/20, 114/22)
International or Bilateral Conventions			X	
Other National Rules				

ANNEX E-HANDBOOK (UPDATING 2023)

SLIC MEMBER: Mr Miroslav BABIĆ / alternate: Ms Božica BREŠKI DŽODAN

MEMBER STATE: THE REPUBLIC OF CROATIA

- About the Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012**

1.1. Transposition to National Legislation

Transposition	National Law or Regulations	Date
No		

1.2. Competences of the SLIC Member on road transport

LEGISLATION	COMPETENCE	COMMENTS
Regulations 1071/09, 1072/09 and 1073/09 on road transport activity	No	Ministry of the Sea, Transport and Infrastructure
Regulation 561/06 on driving time	No	Ministry of the Sea, Transport and Infrastructure
Directive 2006/22 on social legislation in road transport	No	Ministry of the Sea, Transport and Infrastructure
Article 1 of Directive 2020/1057 on posting of workers on road transport	No	Ministry of the Sea, Transport and Infrastructure

- About Article 20.2.c) of Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers regarding health and safety conditions of workers' accommodation**

2.1. Transposition to National Legislation

Transposition	National Law, Regulations or Collective Agreements	Date
Yes	Alien's Act (O.G. 133/20, 114/22)	2020, 2022.

2.2. Competences of the SLIC Member on health and safety conditions on workers' accommodation

COMPETENCE	COMMENTS
No	

3. About Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals

3.1. Transposition in National Legislation

Transposition	National Law or Regulations	Date
Yes	Alien's Act (O.G. 133/20, 114/22)	2020., 2022.

3.2. Competences of the SLIC Member on sanctions and measures provided in this Directive

COMPETENCE	COMMENTS
Yes	

4. JOINT AND CONCERTED INSPECTIONS ON OSH MATTERS

4.1. Is it allowed to organise concerted and joint inspections on OSH matters with other inspectorates?

Yes, by legal rules	
Yes, by bilateral agreements	
No	x

5. NATIONAL INFORMATION AND INITIATIVES FOR MOBILE WORKERS

5.1. Please describe the initiatives you have implemented (e.g.: website, flyers, documents...)

N/A

6. COOPERATION WITH ELA

6.1. Do you regularly collaborate with the national liaison officer?

Yes.

6.2. Could you provide any useful information regarding your participation in working groups, campaigns, training, etc. ?

- Participation in several working groups
- Member of the Platform for Suppression of Undeclared Work
- Active participation in seminars, workshops
- Joint inspection on supervision in the Republic of Croatia