

THE LAW ON STATE INSPECTORATE

I GENERAL PROVISIONS

Article 1

(1) This law governs inspection work, the organisation and manner of the work of the State Inspectorate.

(2) The headquarters of the State Inspectorate is in Zagreb.

Article 2

(1) The State Inspectorate carries out the work of inspection that relates to supervision and control: carrying out work and implementing regulations about: trade in goods, work and protection at work, electricity supply, mining, pressurised vessels, livestock rearing and winemaking, fresh and salt water fisheries, forestry and hunting, forestry seeds and forestry plants, the collection and paying in of tourist taxes, and the catering and tourist industries.

(2) The State Inspectorate carries out inspection work in other areas of the administration when this is determined by a special law.

(3) The Chief Inspector and the Minister of Defence, or the Chief Inspector and the Minister of Internal Affairs together prescribe which work of supervision and control as defined by Paragraph 1 of this Article will be done for the Ministry of Defence, or the Internal Affairs Ministry, by the State Inspectorate.

Article 3

The State Inspectorate in the area of trade in goods, the catering and tourist industries, winemaking, fresh and salt water fisheries, forestry, hunting and stock rearing supervises the application of laws and other regulations governing:

- the undertaking of the business of trade (on the domestic market, with foreign countries, protective measures during import and export, measures restricting the undertaking of trade, unfair commercial competition, speculation, commercial agency work and so on);
- work in the catering and tourist industries (classification, minimum conditions, the categorisation of catering and tourist facilities and other things);
- the checking in and checking out of tourists, and the collection and paying in of the tourist tax;
- the undertaking of crafts and trades;
- consumer protection;
- prices of products and services, remuneration, fees, subscriptions and similar charges that are made according to regulations;
- fundamental requirements or quality, standards that are obligatorily employed, the system for evaluating the compliance of products with fundamental requirements and standards, the documents that must accompany products, making declarations, marking, labelling and packaging products, processes and services in production, trade and services (product quality);
- the validity of stamps and soundness documents, measures, and the fulfilment of requirements about measures in packages;
- the use of units of measurements and the way they are cited in the trade in goods;
- the trade in, multiplication and reproduction of musical and cinematic works recorded on sound media and video cassettes, and computer programmes;
- the protection of industrial design, stamps and the use of marks of the geographical origin of products;

- making, offering for sale, selling, use, import and warehousing of products made according to an invention, or that are directly obtained by a process that is the subject of an invention, without the permission of the holder of the patent;
- special conditions for carrying out international forwarding in connection with the customs clearing of goods;
- the trade in items made of precious metals;
- the manner and conditions for putting goods from the goods reserves on the market;
- the production of and trade in grapes for processing into wine;
- fishing, the protection and breeding of fish and other marine organisms;
- fishing, the protection and breeding of fish in fresh water;
- the gathering, hunting, protection and breeding of aquatic organisms in fresh water;
- the trade in fish and other salt and fresh water organisms;
- management of the forests and forest lands within a forest management area;
- the production of, trade in and quality of forestry seeds and forestry plants;
- the breeding, protection, hunting and use of game and parts of the stock of game;
- the breeding, production of and trade in animals suitable for breeding;
- the fertilisation of domestic animals, zoo-hygienic conditions for keeping domestic animals, the protection of the environment in the breeding and use of domestic animals, the production of and trade in animal feed and products of animal origin and other things from area of stockbreeding (apart from the soundness of products from the point of view of veterinary science);
- the use of breeding animals in natural mating;
- the production of sperm, ovaries and embryos;
- the protection of original and protected breeds;
- the production of new breeds, kinds and hybrids;
- other matters in the area of trade in goods, the catering and tourist industry, winemaking, fresh and salt water fisheries, forestry, hunting and stock rearing when so determined by a special law.

Article 4

The State Inspectorate in the area of work and protection at work supervises the application of the laws and other regulations that govern relations between employer and employee (employment and protection at work), particularly regulations that relate to:

- the obligation of the employer to register employees in the regulation time periods with the competent retirement and health insurance bodies;
- hours of work, pay, employment and work of minors, women, pregnant women, women after delivery, disabled persons, foreigners and so on;
- conditions of work, protection of employees, safety and health protection of employees;
- and in particular the protection of the health of minors, women and disabled persons.

Article 5

In the area of the electric power industry, the State Inspectorate supervises the application of laws and other regulations that govern:

- the construction, use and maintenance of the electrical parts of buildings, plants, process, equipment and installation for the production, transmission, management of the electrical power system, the distribution and consumption of electrical power,

- the quality of, trade in, installation of, use and maintenance of electrical engineering products and processes, and the carrying out of services in electrical engineering;
- the quality of electrical power;
- the industry for the production of and transmission of electricity, the management of the electrical power system and the distribution of electrical power and the use of electrical power with respect to the rational use of energy, safety, the reliability and continuity of supply of electrical power, the protection of lives and human health and the environment, and of material and other values;
- carrying out restrictions on the consumption of electrical power;
- the implementation of plans for the overhaul of electrical power facilities and plants as determined by the electrical power balance sheet.

Article 6

In the area of mining the State Inspectorate supervises the implementation of laws and other regulations governing:

- the exploration for and exploitation of mineral raw materials;
- technical standards, protection at work, security of people and property, protection of the environment during exploration for and exploitation of mineral raw materials;
- fire protection in the case of underground mining work;
- the construction of buildings and plant in the mining industry;
- the exploitation of mineral raw materials, buildings and plant that are in use until the end of the exploitation and the management of the area where the exploitation is carried out;
- investigation into fatal accidents or accidents involving groups or extraordinary events that lead to major material damage;
- carrying out measurement in mines and drawing up and adding to mine plans and other documentation;
- fulfilment of regulation conditions of work people employed in given tasks in mining;
- the carrying out of the jobs of legal entities and natural persons registered for the industry of the exploitation of mineral raw materials.

Article 7

The State Inspectorate, in the region of vessels under pressure, supervises the application of laws and other regulations that govern:

- the construction and reconstruction of boiler plants – boiler rooms (steam and hot water)
- the construction, reconstruction, installation or production and use of steam and hot water boilers, stable (steam) pressurised vessels, superheaters, water heaters and heat exchangers, or all equipment that is counted as pressurised equipment and plant;
- the technical characteristics and quality of materials that serve for the construction or production of steam boilers or pressurised vessels;
- the fulfilment of regulation conditions for workers employed on certain jobs in boiler houses (numbers and loading);
- the fulfilment of the regulation conditions of legal and natural persons that deal with the design, construction, making and installation, and exploitation of boiler plants and boilers.

Article 8

(1) In order to carry out work in the sphere of competence of the State Inspectorate, this Law organises branch units of the State Inspectorate, to wit:

- the branch unit headquartered in Rijeka that carries out inspectorial supervision of legal and natural persons in the region of the Istrian, Lika and Senj, Coast and Mountain (Primorsko-goranska) counties;
- the branch unit headquartered in Split that carries out inspectorial supervision of legal and natural persons in the region of the Dubrovnik and Neretva, the Split and Dalmatia, the Šibenik and Knin and the Zadar counties;
- the branch unit headquartered in Osijek that carries out inspectorial supervision of legal and natural persons in the region of the Brod and Posavina, the Osijek and Baranya, the Požega and Slavonian, the Virovitica and Podravina and the Vukovar and Srijem counties;
- the branch unit headquartered in Varaždin that carries out inspectorial supervision of legal and physical persons in the area of the Krapina and Zagorje, the Koprivnica and Križevci, the Međimurje and Varaždin counties;
- the branch unit headquartered in Zagreb that carries out inspectorial supervision of legal and physical persons in the area of the Bjelovar and Bilogore, the Karlovac, the Sisak and Moslavina and Zagreb counties, and the city of Zagreb.

(2) The international organisation of the State Inspectorate, the number of local offices and where they are located, and the approximate number of inspectors and officials are ordered by a decree of the government of the Republic of Croatia, and in more detail by the Regulations about the Internal Order of the State Inspectorate.

Article 9

- (1) The work of the State Inspectorate is administered by the Chief Inspector.
- (2) The Chief Inspector has a deputy, who is appointed and discharged by the government of the Republic of Croatia at the recommendation of the Chief Inspector. The Deputy Chief Inspector is responsible for his or her work to the Chief Inspector.
- (3) The Chief Inspector can have one or more assistants, who are appointed and discharged by the government of the Republic of Croatia at the recommendation of the Chief Inspector. The assistant to the Chief Inspector is responsible for his or her work to the Chief Inspector.
- (4) The work of a branch unit of the State Inspectorate is administered by a Head of the rank of Inspector who is appointed and discharged by the Chief Inspector. Only a person who meets the general and special conditions for being appointed to the rank of Inspector can be appointed the head of a branch unit.
- (5) The work of a local office of the State Inspectorate is administered by a Local Office Manager with the rank of inspector, who is appointed and discharged at the recommendation of the Head of the Branch Unit by the Chief Inspector. Only a person who meets the general and special conditions for the rank of inspector can be appointed a Local Office Manager.

II INSPECTORIAL JOBS

1. General Provisions

Article 10

- (1) Jobs of inspectorial supervision are carried out by inspectors of the State Inspectorate.
- (2) Inspectors of the State Inspectorate, in line with the provisions of this Law that prescribe inspectorial supervision for certain administrative areas and the conditions that inspectors have to meet are appointed to the rank of economic inspector, labour inspector, electrical power inspector, mining inspector and pressurised vessel inspector.
- (3) An inspector of the State Inspectorate who meets the conditions with respect to the regulation qualifications and has passed the special state examinations can be appointed to more than one inspectorial rank.

(4) Inspectorial jobs are understood to be jobs in which there are special conditions of work.

Article 11

(1) Inspectorial jobs within the competence of the State Inspectorate are performed in the first instance by inspectors who work in the Branch Units and Local Offices of the State Inspectorate in line with the provision of Article 8 of this Law.

(2) Exceptionally to Paragraph 1 of this Article, the Chief Inspector can order that inspectorial jobs be performed in the first instance by another inspector of the State Inspectorate.

(3) An appeal against the ruling of an inspector can be made to the State Inspectorate.

(4) An appeal against a ruling of an inspector is handled by a special commission of the State Inspectorate appointed by the Chief Inspector.

2. An Economic Inspector

Article 12

(1) Inspectorial supervision that relates to the application of laws and other regulations in the area of the trade in goods, the catering and tourist industries, the collection and payment of tourist taxes, winemaking, fresh and salt water fisheries, forestry, hunting, forest seed and plant material and livestock rearing is carried out by a Senior Economic Inspector and an Economic Inspector.

(2) Inspectorial supervision as defined by Paragraph 1 of this Article can also be carried out by an Economic Inspector Grade III in line with Article 13 of this Law.

(3) To be appointed an Economic Inspector, a person must have a degree in law, economics, veterinary science, technology, biology, agriculture, fishery, catering, tourism, forestry or construction, have spent at least two years working in the profession, and have passed the state expert examination for the rank of Economic Inspector.

(4) To be appointed a Senior Economic Inspector a person must have a degree, as prescribed by Paragraph 3 of this Article, and at least ten years of work experience in the profession, at least three of these years in inspectorial jobs, after having passed the state expert examination.

(5) To be appointed an Economic Inspector Grade III a person can have secondary education (economic, administrative, tourist and catering, technical, veterinary and general), at least one year's work experience in the profession and have passed the professional state examination for the rank of Economic Inspector Grade III.

Article 13

(2) An Economic Inspector Grade III carries out less complex inspectorial jobs related to consumer protection (displaying and keeping to prices and hours of work, correctness of measures and units of measurement, exactitude of measurement and similar things), impermissible trade by natural persons, the display of trade names, renting rooms, houses and flats for holidays, tourist apartments, the checking in and checking out of tourists, the collection and payment of tourist taxes.

(2) An Economic Inspector Grade III can, in his jobs of supervision and control as described by Paragraph 1 of this Law, impose penalties on the spot where the offence has been committed in the case of offences for which a fine in a set amount is specified and may ask to have charges pressed, and is in other jobs of supervision and control authorised to take actions up to the making of a ruling.

3. Quality control of products for which a certificate is required

Article 14

(1) The quality control of products is carried out before distribution to the market. During quality control, the authorised economic inspector assesses the conformity of products with basic requirements for products or with a standard whose application is obligatory, documents that should accompany those products, as well as the obligatory declarations, marks, labels and packing.

(2) The quality control of domestic products is carried out in the producer's warehouse.

(3) The quality control of imported products intended for further sale is carried out in the importer's warehouse, or the user of imported products warehouse, if the products were imported for third persons.

(4) The controls under paragraph 2 and 3 do not exclude quality controls of those products on the market.

(5) In the sense of this Law, the importer is legal or natural person considered the importer in the sense of regulations governing trade activities.

Article 15

(1) The Government of the Republic of Croatia determines the list of products subject to quality control.

(2) The products from Paragraph 1 that are imported by a legal or natural person, or that are delivered by a producer of domestic products, for the purpose of carrying out activity of further processing (raw materials and semi-manufactures) and products intended for personal usage are not subject to quality control.

Article 16

The customs office is obliged to submit to the authorised economic inspector a copy of import customs declaration of products subject to quality controls according to the provision of Article 15, paragraph 1 above immediately after customs clearance is completed.

Article 17

(1) For the products referred to in Article 15, Paragraph 1 of this Law, the importer or the domestic producer must submit to the authorised economic inspector a written request for the issuance of a certificate on quality for products.

(2) For products referred to in Paragraph 1 of this Article that that comply with quality requirements, the authorised Economic Inspector shall issue a quality certificate in accordance with the provisions of this Law.

(3) The importer, the user of imported products, or the domestic producer, are not allowed to deliver the products subject to quality control onto the Croatian market before the quality certificate for those products is issued.

Article 18

(1) The costs of quality control and issuance of the certificate on quality are borne by the importer or domestic producer.

(2) The Government of the Republic of Croatia shall issue a Decision determining the amounts to cover the costs of a quality certificate under paragraph 1 above.

(3) The chief inspector shall issue a regulation on the quality control procedure, the conditions for issuance, the contents and the form of the certificate on quality under paragraph 1, Article 17 of the Law, the liabilities of the importer, the user, and the producer of domestic products in relation to quality control as well as minimal

requirements to be fulfilled by the expert institutions determining the quality of products and the list of such institutions.

(4) The list of expert institutions under paragraph 3 hereof shall be published in the Official Gazette.

4. A Labour Inspector

Article 19

Inspectorial supervision that relates to the application of laws and other regulations in the area of labour and protection at work is carried out by a labour inspector or a senior labour inspector.

Article 20

(1) To be appointed a labour inspector, a person must have, as well as the conditions laid down by the law for employment in the service of the state, the following special qualifications:

- to carry out inspectorial supervision of the implementation of laws and other regulations that govern the relations between employer and employees (employment), a degree in law and at least two years of experience in this profession and have passed the state expert examination;
- to carry out inspectorial supervision on the implementation of laws and other regulations about protection at work, a degree in some technical subject or in medicine (labour medicine) or a degree in psychology, at least two years experience in the profession, and have passed the state expert exam.

(2) To be appointed a senior labour inspector, a person must meet all the conditions established for a labour inspector as defined in Paragraph 1 of this Article, and must have at least ten years work experience in the profession, of which at least three must have been as a labour inspector, and must have passed the state expert exam.

Article 21

The number of labour inspectors and senior labour inspectors in branch units is determined according to the number of employees and is as a rule one per four thousand employees.

Article 22

When the regulations as defined by Article 4 of this Law relate to the means for the work of marine, river, rail, road and air transport, the implementation of these regulations is supervised by a labour inspector who is competent according to the headquarters of the employer, or according to where the work is done.

Article 23

Employer and employee in the meaning understood by this Law are persons who are considered employer and employee according to the provisions of the Labour Law.

5. An Electric Power Inspector

Article 24

Inspectorial supervision relating to the implementation of laws and other regulations in the area of electrical power is carried out by an electric power inspector or a senior electrical power inspector.

Article 25

(1) To be appointed an electrical power inspector a person must have a degree in electrical engineering or electrical power or some similar subject, have had a least 5

years experience in the profession and have passed the state expert exam for an electrical power inspector.

(2) To be appointed a senior electrical power inspector a person, apart from meeting the conditions of the previous paragraph of this Article, must have had at least ten years experience in the profession, at least three of them on inspectorial jobs, after having passed the state expert exam.

6. A mining inspector

Article 26

Inspectorial supervision relating to the implementation of laws and other regulations in the area of mining is carried out by a mining inspector or a senior mining inspector.

Article 27

(1) To be appointed a mining inspector a person must have a degree in mining or petroleum mining, and to supervise regulations that relate to electrical power plant and machinery during exploration and exploitation of mineral raw materials, a degree in electrical engineering, and have had a least 5 years experience in the profession and have passed the state expert exam for an electrical power inspector.

(2) To be appointed a senior mining inspector a person, apart from meeting the conditions of the previous paragraph of this Article, must have had at least ten years experience in the profession, at least three of them on inspectorial jobs, after having passed the state expert exam.

7. An inspector of pressurised vessels

Article 28

Inspectorial supervision relating to the implementation of laws and other regulations in the area of pressurised vessels is carried out by a pressurised vessels inspector or a senior pressurised vessels inspector.

Article 29

(1) To be appointed a pressurised vessels inspector a person must have a degree in mechanical engineering, have had a least 5 years experience in the profession and have passed the state expert exam for an electrical power inspector.

(2) To be appointed a senior pressurised vessels inspector a person, apart from meeting the conditions of the previous paragraph of this Article, must have had at least ten years experience in the profession, at least three of them on inspectorial jobs, after having passed the state expert exam.

8. Other work of inspectorial supervision

Article 30

(1) An economic inspector, a labour inspector, an electric power inspector, a mining inspector and a pressurised vessels inspector, apart from the supervision defined in Article 12 Paragraph 1, Articles 1, 19, 24, 26 and 28 of this Law, unless the competence of some other body of the national administration is stipulated by some special regulation, also carry out supervision of the implementation of the law and other regulations that govern:

- the general conditions for carrying out some economic activity (registration, permission for the work, ruling, consent, other approval of the competent bodies, subject of the activity, headquarters and trade name);

- consumer protection (displaying prices of products and services, correctness of charging for goods sold or services done, exactness of measuring goods, adhering to the correct hours of work and so on).

(2) An economic inspector, a labour inspector, an electric power inspector, a mining inspector and a pressurised vessels inspector carry out inspectorial supervision in other administrative areas when this is determined by a special law.

III RIGHTS, DUTIES AND AUTHORITIES

1. Common provisions

Article 31

(1) In carrying out inspectorial supervision a senior economic inspector, an economic inspector, an economic inspector Grade III, a senior labour inspector, a labour inspector, a senior electric power inspector, an electric power inspector, a senior mining inspector, a mining inspector, a senior pressurised vessels inspector, a pressurised vessels inspector (in subsequent text: an inspector) are authorised to inspect buildings, facilities, forestry nurseries, forestry land, plantations and other land; commercial premises and other premises and rooms; ports, temporary work sites; the execution of works, facilities meant for work with their appropriate premises, rooms and installations; residential premises and rooms in households or residential buildings, flats and houses for rent in which travellers and tourists are provided with catering and tourist services; products, machinery, equipment, means of work and fishing equipment; vehicles and vessels; business books, registers, documents, contracts, documents and other business documentation that provides insight into the business of legal and natural persons to do with the implementation of regulations defined in Articles 3, 4, 5, 6 and 7 of this Law, and carry out other actions in line with some other regulation.

(2) In the sense understood by this Law, commercial premises are understood to include residential and other premises, means of transportation and similar, in which the supervised legal or natural person carries out some approved activity, or work.

(3) In the process of supervision, an inspector is authorised to ask for and inspect documents on the basis of which he can determine the identity of a person (identity card, passport and similar), and persons subject to supervision are bound to let an inspector see such a document when he asks for it.

(4) While carrying out inspectorial supervision, an inspector can take statements from representatives of the supervised legal and natural persons and from witnesses.

Article 32

An inspector will inform the responsible person in a legal person or the natural person, if the person is available, about the beginning of the carrying out of supervision, unless he considers that such information will reduce the effectiveness of the supervision.

Article 33

An inspector is bound to compose a minute about inspectorial supervision that has been carried out.

Article 34

(1) Legal and natural persons subject to the supervision of an inspector are bound to let him carry out his supervision in line with the provisions of Article 31, paragraphs 1, 3 and 4 of this Law and ensure him conditions for unhindered work.

(2) It is considered that the supervised legal or natural person has not let supervision be carried out as defined by Paragraph 1 of this Article if in the period determined in the minute it or he does not provide the inspector with an insight into the products,

the business documentation sought or the other documents necessary for determining the circumstances of the case in the supervision that has been begun.

(3) Legal and natural persons as defined by Paragraph 1 of this Article are bound when so required by the inspector to halt the work in the supervised facility during the time of the inspectorial supervision if the inspector is not able to carry out inspectorial supervision or establish the facts of the case in any other way.

(4) An inspector can require of the supervised legal or natural person, after the inspectorial supervision has been carried out, that certain individual actions in the process be done for the complete ascertainment of the facts of the case, and can determine a time limit for this work to be done.

Article 35

Legal and natural persons are bound at the written request of an inspector, in a period appropriate to the execution of the obligation, to supply or prepare accurate and full data, information and materials that are necessary for the inspector for him to carry out his inspectorial supervision.

Article 36

(1) The inspector will inform the competent body of the state administration about any irregularities observed and seek procedures and the undertaking of measures for the removal of these irregularities, if he is not authorised to proceed directly.

(2) An inspector may inform and advise the supervised legal and natural persons about the most effective way to implement the laws and other regulations if he thinks this useful or necessary after carrying out supervision.

Article 37

(1) An inspector is bound to consider the submission of any legal or natural person that relates to supervision in his competence, and inform the person making the submission in writing about measures and actions taken.

(2) An inspector is bound to keep the identity of the person making the submission confidential.

Article 38

(1) In carrying out inspectorial supervision an inspector may temporarily confiscate, until a ruling about the commission of a misdemeanour or a verdict about the commission of an economic offence or a felony has been made, any documentation or objects that might serve as evidence in the misdemeanour process or judicial proceeding.

(2) A receipt for precisely identified confiscated documentation or objects is given for any temporarily confiscated documentation or objects as defined by Paragraph 1 of this Article.

Article 39

(1) If the law or some other regulation allows of the right to confiscate objects with which a misdemeanour, economic offence or felony has been committed, the inspector may temporarily confiscate this object.

(2) An inspector is bound temporarily to confiscate an object when a regulation foresees the obligatory confiscation of an object.

(3) A person who has objects temporarily confiscated is issued a receipt with the objects confiscated identified precisely according to kind and quantity.

(4) An inspector is bound at once to inform the competent judicial body to which he has suggested that charges be made in connection with the commission of a misdemeanour, an economic offence or a felony about any temporary confiscation of goods, and hand to it the goods that have been temporarily confiscated.

(5) In the event that goods that are subject to spoiling, animals, tools and equipment for fishing or a vessel are confiscated temporarily until the decision of the competent judicial body, the charges must be made or the request to have charges made within a period of 48 hours of the confiscation, and the competent judicial body has to decide on the charges or the request for charges to be made according to the urgent procedure.

(6) The inspector is bound to deal with the confiscated objects in the manner stipulated by a special law.

(7) The State Inspectorate is bound to provide conditions for the confiscation, storage and maintenance of temporarily confiscated objects until these objects are surrendered to the judicial body.

(8) The inspector may not dispose of objects that have been temporarily confiscated (destroy them, or sell, hand over, give, exchange and similar) before surrendering them to the judicial body.

Article 40

If in the procedure of inspectorial supervision it is necessary to ascertain whether products being produced or on sale correspond to the regulation or declared composition or the regulation and declared quality (in subsequent text: quality), the inspector may take samples in production or on sale and give them sealed and with the regulation markings for testing to the expert institution authorised to test the quality of products (in subsequent text: the expert institution).

Article 41

While taking samples of individual goods, the inspector has the right and the duty:

- to take at most three samples in the quantity necessary for the testing of the quality (for the first analysis, the second analysis and for the party) in the same conditions and at the same time;
- to compose a minute about the taking of the samples;
- to deliver the sample taken for the first analysis without delay to the expert institution, and to keep the sample meant for the second analysis in appropriate conditions until the first analysis is complete;
- without delay to inform in writing the party from whom the sample was taken about the results of the first analysis;
- at the request of the party, without delay to deliver the sample for the second analysis to an expert institution of his (the party's) choice;
- to ascertain by a separate conclusion the amount of the costs that have arisen during the procedure of testing the samples, who they have to be paid to and by when, in the event that the tested sample does not correspond to the quality regulations.

Article 42

(1) A sample taken for quality testing of a product subject to spoiling will be delivered by the inspector to the expert institution for analysis, and at the request of the party will at the same time deliver it to another expert institution of his (the party's) choice for second analysis.

(2) If the results of the analyses defined by Paragraph 1 of this Article differ, the result of the analysis done at the request of the party is the competent result. When a party during the taking of a sample does not request the simultaneous taking of a sample for second analysis, it is considered that he concurs with the result of the analysis done at the request of the inspector.

Article 43

- (1) The result of the first analysis of a sample can at the written request of the party be rebutted by the result of the second analysis, of a sample taken at the same time and in the same way and tested in the same manner.
- (2) This request is made in a period of three days of the day of the delivery of the results of the first analysis.
- (3) If the request is not made within the period defined in Paragraph 2 of this Article, it will be considered that the party concurs with the result of the first analysis.
- (5) The same expert institution cannot be used for the undertaking of both first and second analysis.

Article 44

- (1) Legal and natural persons are bound to make the necessary quality of products available without charge for quality testing.
- (2) The costs of the testing of the samples are borne by the party if it is ascertained that the samples do not correspond to the quality regulations, and by the State Inspectorate if it is ascertained that the samples do correspond to the regulation quality requirements.
- (3) The result of the second analysis is competent with respect to the costs of the first analysis as well.

Article 45

The provisions of Articles 40 to 44 of this Law do not refer to products for which such questions are governed by special regulations.

Article 46

- (1) If in the performance of inspectorial supervision an inspector ascertains that the law or some other regulation has been breached he can by a ruling order the removal of the irregularity ascertained while determining the period in which the irregularity has to be removed.
- (2) If by this Law or some other regulation it is foreseen that a given administrative measure is applied for the irregularity ascertained, the inspector is bound to impose this measure in his ruling.
- (3) An inspector will make a ruling as defined by Paragraphs 1 and 2 of this Article without delay, and by the latest within a period of eight days of the conclusion of the supervision with the facts ascertained that are crucial for the making of the ruling. A ruling not being made within this period does not exclude the obligation for it to be made.
- (4) An inspector will not make a ruling as defined by Paragraphs 1 and 2 of this Article if the irregularities ascertained are removed during the inspectorial supervision or by the time the ruling is made in line with Paragraph 3 of this Article, which the inspector will ascertain and mention in his minute.

Article 47

- (1) An appeal can be made to the State Inspectorate against a ruling that has been made on the basis of this Law or some other regulation by an inspector in a branch unit or in the local office of a branch unit within a period of eight days of the delivery of the ruling.
- (2) If an inspector in a branch unit or in a local office of a branch unit of the State Inspectorate finds the appeal allowable, made in due time and made by an authorised person, and he does not make a new ruling replacing the ruling the appeal is rebutting, he is bound, without delay, and at the latest within eight days of receiving the appeal, to deliver the appeal with the documents relating to the case, to the State Inspectorate for action.
- (3) An appeal against rulings made pursuant to this Law will postpone the execution of the ruling unless otherwise provided for by this Law.

Article 48

- (1) After the ruling has become executive, the inspector will ascertain whether the ruling has been executed and, if it has not, will set in motion the procedure for its execution.
- (2) A conclusion about the permission for the execution of the ruling will be made by the inspector without delay, at the latest in a period of eight days of the ruling become executive, and yet not having been executed. A conclusion not being made within this period does not obviate the obligation for it to be made.
- (3) The costs of executing a ruling are borne by the party who was duty bound to execute the administrative measure that was ordered.

Article 49

- (1) An inspector's executive ruling the subject of which is a non-monetary obligation and that according to the nature of the obligation can be executed by direct compulsion will be done with this compulsion without the prior employment of sanctions as defined by Article 286 of the General Administrative Procedure Law.
- (2) If a ruling cannot be executed according to Paragraph 1 of this Article, the inspector will compel the person against whom the execution is ordered to fulfil his obligations by a fine.
- (3) The fine that pursuant to Paragraph 2 of this Article can be imposed for the first time is imposed in the amount of 10,000 kuna on the supervised legal or natural person. Every later fine will be imposed in the same amount.

Article 50

- (1) An inspector will make a ruling and at once order execution in cases in which he ascertains that the legal or natural person is carrying on some work against the executive and legally valid safety precaution forbidding the carrying on of this work, made by some competent judicial body, unless ordered differently by a special regulation.
- (2) An appeal made against a ruling as defined by Paragraph 1 of this Article does not postpone its execution.
- (3) In the implementation of a ruling as defined by Paragraph 1 of this Article an inspector will, by putting on a seal or some other suitable manner, close the premises (facility) in which the work is done and can, until a final decision by the competent body, confiscate the equipment, machinery, means for work and means of transport with which the work is done.

Article 51

- (1) If an inspector ascertains that an offence or an economic offence or a felony has been committed by the breach of a regulation, alongside the ruling he is authorised to make, or alongside the minute if there is no authorisation for the making of a ruling, he is bound without delay, and at the latest within a period of 15 days of the end of the supervision, to make an application for the initiation of legal proceedings with respect to the offence, or lay charges with respect to the economic offence or felony.
- (2) The judicial body to which the application or charges are made according to Paragraph 1 of this Law is bound to inform the person who has made the application or laid the charges.

Article 52

- (1) If for a given breach of regulations by some special regulation the measure of confiscation of material benefit is foreseen, the inspector is bound to enter into his minute the amount of the material benefit obtained.
- (2) In an application for the initiation of a legal proceedings with respect to an offence (misdemeanour) or in the charges laid with respect to an economic offence or a

felony, an inspector is bound to propose the confiscation of the ascertained amount of material benefit as defined by Paragraph 1 of this Article.

Article 53

The provisions of the General Administrative Procedure Law apply to the procedure of an inspector, unless individual procedures are ordered differently in this Law.

Article 54

(1) In carrying out inspectorial supervision an inspector is independent and handles the procedure, makes the ruling and takes measures within the framework of the rights, duties and authorities stipulated by this Law and other regulations.

(2) In the annual programme of work, the Chief Inspector establishes the minimum number of supervisions and the structure and the manner of carrying out supervision of the implementation of regulations from the sphere of competence of the work of the State Inspectorate.

Article 55

Senior Inspectors carry out the most complex jobs from the sphere of competence of the work of the State Inspectorate as laid down in the Regulations about internal order.

Article 56

(1) An inspector keeps a record about inspectorial supervisions made and measures taken, the content, form and manner of keeping of which are prescribed by the Chief Inspector.

(2) The Chief Inspector prescribes the manner of sealing, when rulings made pursuant to this Law are executed by sealing.

Article 57

(1) An Inspector has an official identity card and a badge with which he proves his official character, his identity and authority, and during his work he is bound to wear the official uniform.

(2) The form and contents of the form of the official identity card, the appearance, colour, cut and wearing of the official uniform, the appearance of the badge and the manner of issuing and running a register about the official identity cards and badges issued are prescribed in the regulations by the Chief Inspector.

2. Special Provisions

An Economic Inspector

Article 58

(1) In the implementation of inspectorial supervision and control in the circulation of goods, an economic inspector is authorised, in order to ascertain the facts of the case and to obtain proof, by an oral ruling (mentioned in) the documentation to forbid the further disposal of goods:

- if there are reasonable grounds for thinking that the goods are the subject of work being done illegally,
- if in commerce there are goods the origin of which cannot be ascertained or which is not recorded in the regulation business, commercial or other books or records,
- if because of an ascertained breach of the regulations it is necessary to impose a measure forbidding trade in certain products and yet there is a danger of sale, concealment, replacement or destruction of products before

the measure for the removal of the ascertained irregularities can become executive.

(2) A temporary measure forbidding the disposal of goods lasts as long as the reasons for which it was made last. The cessation of a measure that has been imposed will be noted by the inspector in his minute.

(3) An oral ruling as defined by Paragraph 1 of this Article must be delivered by the Inspector in written form within a period of eight days of the imposition of the ban in the oral ruling, unless in this period the inspector stipulates the ending of the imposed measure.

(4) If not otherwise determined by any other Law or regulation, the authorised economic inspector shall issue a Decision to the legal or physical person that shall:

- the person supervised (natural or legal) will be forbidden to undertake an activity, if it or he undertakes an activity it or he is not registered for or which it has no ruling about (a permission, license, tradesman's certificate or similar) issued by a competent body;
- the person will be forbidden to sell a product, or provide services when by the law or other regulation the sale of such products or the provision of such services is forbidden;
- the person will be forbidden to sell products or provide services if such sale or provision of services is not covered by the registration or ruling (permission, licence, tradesman's certificate and the like) of the competent body or for which the regulation technical and other conditions concerning premises, machinery, tools and equipment that economic inspection supervises have not been ascertained;
- forbid the distribution to the market of the products without certificate on quality and order that those products are returned to the consignor.
- order the destroying or recycling of the products that do not meet quality requirements, against the prior opinion of the authorised expert institution on the quality of those products.
- goods that are being concealed, restricted or held back from sale against the regulations will be ordered to be put on sale;
- the vendor of goods, or the provider of a service, will be ordered to return the overcharged amount to the injured consumer or the user of the service.

(5) In the event of a measure as defined by Paragraph 4 Item 5 of this Article being imposed, the measure of returning the product to the sender no longer holds.

(6) In the event of a measure as defined by Paragraph 4 subparagraph 1 of this Article or similar measures stipulated by a special law or some other regulation being imposed, the Inspector can in the same ruling, temporarily, until the irregularities are removed, by sealing or some other suitable manner close the premises, except for residential premises, and prevent the use of machines, plant and other means for work in which or by which the activity is carried out.

(7) In the implementation of inspectorial supervision in the area of the catering and tourist industry, an economic inspector is authorised to make a ruling forbidding a legal or natural person to carry on the catering or tourist activity, or providing such services:

- if they are being carried out without any entry into the regulation register
- if they are being done without a ruling from the competent state administrative body in which it is ascertained that the premises, machinery and equipment meet the regulation conditions
- and order the vendor of catering or tourist services to return the overcharged amount to the damaged purchaser of the services.

(8) An economic inspector, in the event of making a ruling as defined in Paragraph 7, subparagraphs 1 and 2 of this Article, may in the same ruling, temporarily, until the removal of the irregularities ascertained, by sealing or some other suitable manner,

close the premises in which the catering or tourist activity is carried out, with the exception of residential premises or rooms in households, or residential buildings.

(9) In carrying out inspectorial supervision in the area of livestock rearing, winemaking, fresh or salt water fisheries, forestry and hunting, an economic inspector is authorised in a ruling to a legal or natural person:

- to order the extraction of breeding animals meant for natural mating or artificial insemination according to the recommendation of the Commission for licensing or evaluating breeding animals;
- to forbid certain quantities of wine or other grape products to be offered for sale if he ascertains that the quality or the labelling of the product is not in line with the law or other regulation or if the product is offered for sale against the law or other regulation;
- to forbid the use of premises, vessels, technical devices and machinery until shortcomings ascertained have been remedied;
- to forbid the processing of grapes and the production of wine and other grape and wine products if the conditions stipulated by the law or some other regulation have not been met;
- to order the remedying of technical, storage, hygienic and other shortcomings that can be remedied;
- to order that wine and other grape and wine products be rendered impossible for direct human consumption if they do not meet the conditions stipulated by the law or other regulations, if the product cannot by further or additional treatment or processing be brought into line with the regulation conditions or if the producer has not actually executed this processing or additional treatment in the given period;
- temporarily, until a final decision by the competent judicial body, to rescind the privilege to carry out economic fishing, the fishing right, the permission to do small scale fishing, the license to do recreational and sporting fishing and the privilege to breed in the sea and in fresh waters;
- to forbid the carrying out of economic fishing and the use of fishing tools, equipment and vessels in which economic fishing is done, if the economic fishing is done without a privilege or against a privilege;
- to halt the clearance of a forest, the felling of a forest and other actions that are not in line with the law and other regulations;
- temporarily to confiscate illegally felled trunks and other parts of the trees as well as other illegally appropriated or produced forest products;
- temporarily to confiscate forestry products of conifers that have not been barked or sprayed if barking or spraying are stipulated for them;
- to order the implementation of works determined by the forest management base of the area, the management base of the economic unit or the forest management programme the non-implementation of which would have harmful consequences;
- to order temporary measures for the prevention of damage in an emergency case in which the interests of the Republic of Croatia would be damaged;
- to order the removal of quality shortcomings and other conditions that forestry seeds and forestry plants must satisfy;
- to order the replacement of declarations and labels with inscriptions if he ascertains that forestry seeds and forestry plants are not manifested or if they are not of the regulation quality;
- forbid the use or sale of forestry seed and plants if he ascertains they do not meet the quality and other conditions prescribed by the law and regulations passed pursuant to the law;
- to order the destruction of, and defined the procedure for the destruction of, forestry seeds and plants the production, sale and use of which are not allowed;

- to order a temporary ban on the hunting of game and other actions if they are not in line with the law or some other regulation;
- to order temporary measures to prevent harm being done to game and in the hunting ground.

(10) An appeal against rulings as defined in Paragraph 3, Paragraph 4, subparagraphs 1 to 4, Paragraph 7 subparagraphs 1 and 2 and Paragraph 9 subparagraphs 2, 3, 4, 8 and 9 of this Article do not postpone the execution of the rulings.

A labour inspector

Article 59

(1) In carrying out inspectorial supervision in the area of protection at work, a Labour Inspector is bound by a ruling in the supervision book:

- to order an employer to remove from the workplace workers who are working against the rules of protection at work, or who are not using the proper protective devices or who may reasonably be supposed to be under the influence of alcohol or intoxicating drugs,
- to order an employer to remove workers from jobs for the undertaking of which the conditions stipulated by the protection at work regulations are not met, if for this reason the life or health of the workers is under direct threat,
- forbid the use of means of work (facilities meant for work, machines and devices, scaffolding and work surfaces and so on) until the shortcomings are removed or as long as the circumstances because of which the life or health of the workers are under direct threat obtain,
- forbid the employer a certain behaviour or procedure that is against the law or some other regulation and/or order him to remove the irregularity ascertained.

(2) The measure of Paragraph 1 Subparagraph 3 of this Article will also be undertaken when machines and devices with a high degree of risk or the work environment have not been tested in the regulation time limits, and it can reasonably be assumed that there is a direct risk to the life or health of the workers.

(3) At the request of an employer a Labour Inspector is bound to issue a separate written ruling in relation to Paragraph 1 of this Article with an explanation, if such a request is made in a period of eight days of the measures ordered having been written in the supervision book.

(4) So as to ensure the implementation of the ban as defined in Paragraph 1 Subparagraph 3 and Paragraph 2 of this Article a Labour Inspector may seal work premises or rooms, machines or devices.

(5) Unless ordered differently by a law or other regulation, a Labour Inspector will make a ruling through which the supervised legal or natural person will be forbidden to carry on work if it or he is carrying on work it or he is not registered for or if it or he has no ruling (permission, licence, tradesman's certificate and so on) issued by the competent body.

Article 60

(1) A Labour Inspector is bound to carry out his supervision on the site where an event has occurred that has brought about a fatality, or a group or serious injury of (an) employee(s) or that has caused a disturbance in the process of the work that could have caused harmful consequences to the safety and health of the work force, immediately after receiving information about such an event having happened from the employer, the employee(s), the police or a doctor who gave the employee first aid.

(2) A Labour Inspector is bound to carry out supervision at an employer's in which a case of occupational disease has been ascertained.

(3) A Labour Inspector is bound to report to the Chief Inspector at once about an event that has caused death or injury to a number of employees.

(4) The Chief Inspector, having obtained the opinion of the competent ministry, will determine in instructions what information has to be contained in a report as mentioned in Paragraph 3 of this Article.

Article 61

A Labour Inspector has the right and the duty to order an employer in a ruling to remedy breaches of regulations about employment ascertained, unless this is a matter of a right that an employee can make good in a court.

Article 62

(1) An employer may not entrust the undertaking of jobs from his subject of operations to employees of another employer who are working with him on the basis of a cooperation contract or some other legal basis if they are not registered with the bodies of retirement or health insurance or if these employees are foreigners without a work permit.

(2) If during his supervision a Labour Inspector ascertains:

- that a foreigner is working for an employer without a work permit,
- that an employer has contracted a piece work contract with an employee, or any other kind of contract apart from an employment contract, and yet according to the law he should have made an employment contract,
- that an employer has not reported an employee with whom he has made an employment contract to the bodies of retirement and disability or health insurance,
- that an employer has not carried out the ruling of a Labour Inspector,
- that an employer is entrusting jobs to the employees of another employer against the provisions of Paragraph 1 of this Article,

he can with a ruling temporarily, until the shortcomings or irregularities have been remedied or made good, forbid the employer to engage in his work.

(3) A ruling as defined by Paragraph 2 of this Article is executed via sealing the entrance into the work premises or by sealing other means of work or some other suitable manner.

Article 63

An appeal against a ruling made pursuant to the provisions of Article 59 Paragraph 1 Subparagraphs 2 to 4, Paragraphs 2 and 5 and Article 62 Paragraph 2 Subparagraph 1 of this Law does not postpone the execution of a ruling.

An Electric Power Inspector, a Mining Inspector, a Pressurised Vessels Inspector

Article 64

(1) In carrying out inspectorial supervision, in the area of electric power, an Electric Power Inspector is authorised by a ruling:

- to forbid the production, sale or use of an electrical engineering (in translation subsequently: electrical) product, or the further carrying out of an electrical process or the performance of electrical services if he ascertains that the electrical product, process or service does not correspond to the provisions of the law or other regulations the application of which he supervises and that for this reason there is a danger to human life or health or to the environment, a threat to the production, transmission and management of the electrical power system, the distribution or consumption of electric power or the possibility that considerable damage will arise;
- halt the further construction or use of the electric power part of a building, plant, process, or equipment or installation for the production, transmission,

management of the electric power system, the distribution or consumption of electrical power if it is ascertained that the electrical power part of the building, plant, equipment or installation is being constructed or used against the provisions of the law or other regulations the implementation of which he supervises and for that reason there is danger to human life or health or the environment, a threat to the production, transmission and management of the electric power system, the distribution or consumption of electric energy or the possibility that considerable damage will arise;

- forbid the undertaking of the work of the production, transmission, management of the electrical power system or the distribution of electric power and halt the delivery or consumption of electric power if he ascertains that the undertaking of the work of the production, transmission and management of the electric power system or the distribution of electric power or the delivery or consumption of electric power does not correspond to the provisions of the laws or other regulations the implementation of which he supervises and that for this reason there is danger to human life or health or the environment, a threat to the production, transmission and management of the electric power system, the distribution or consumption of electric energy or the possibility that considerable damage will arise.

(2) In carrying out inspectorial supervision in the area of mining, a Mining Inspector is authorised by a ruling:

- to forbid mining works to be carried out if irregularities and shortcomings are of such a nature that in consequence of them there might be direct danger to the life and health of the employees or other citizens or considerable material damage;
- to forbid mining works to be carried out if he ascertains that they are being done without a ruling, or against a ruling for the exploitation field and without permission, or against permission, for the carrying out of mining works;
- to forbid an employee to manage mining works if he does not meet certain prescribed conditions about qualifications in the mining industry;
- to order work to be halted if he ascertains that exploratory work is being done without a licence, or against a license, for exploration;
- to order a halt to construction, or a ban on use, if mining facilities, plant or devices are being constructed without permission or against permission for construction or are being used without a use license.

(3) In carrying out inspectorial supervision in the area of pressurised vessels, a Pressurised Vessels Inspector is authorised by a ruling:

- to forbid the construction or reconstruction of boiler plant (a boiler house, steam and hot water) that is being carried out against the regulations;
- forbid the production or use of a steam or hot water boiler or pressurised vessel if he ascertains the fact that the plant is a threat to the safety of people, equipment and/or the environment.

(4) Unless otherwise ordered by a law or other regulation, an Electrical Power Inspector, a Mining Inspector or a Pressurised Vessels Inspector will make a ruling forbidding the supervised legal or natural person to carry out its work or his work if it or he is doing work that it or he is not registered for or if it has no ruling (permission, license, tradesman's certificate and the like) issued by the competent body.

(5) An appeal made against rulings as defined by paragraphs 1, 2, 3 and 4 of this Article does not postpone the execution of the ruling.

IV PENAL PROVISIONS

Article 65

(1) A legal or natural person will be fined between 30,000 and 120,000 kuna for a misdemeanour if it or he does not allow an inspector to carry out supervision

according to the provisions of this Law or if in any other way it or he makes an inspection impossible or does not provide conditions for unhindered work or does not supply or prepare data, reports and materials in a given time or supplies or prepares inaccurate and incomplete data, reports and materials (Article 31 Paragraph 1, Article 32, Article 34, Article 35).

(2) The responsible person in a legal person will be fined between 3,000 and 20,000 kuna for a misdemeanour as defined in Paragraph 1 of this Article.

Article 66

A person who is subject to supervision will be fined between 3,000 and 12,000 kuna for a misdemeanour if at the request of an inspector he does not make available the public document from which his (its, her) identity can be ascertained (Article 31 Paragraph 3).

Article 67

(1) A legal or natural person will be fined between 15,000 and 50,000 kuna for a misdemeanour if:

- it (he, she) offers for sale products without certification (Article 17 Paragraph 3),
- it does not allow an inspector temporary confiscation of documentation or other objects that might be evidence in a court procedure (Article 38 Paragraph 1),
- it does not allow an inspector to confiscate objects with which a misdemeanour, an economic offence or a felony has been committed (Article 39, Paragraphs 1 and 2),
- it refuses to allow the taking of samples for product quality testing (Article 40).

(2) For a misdemeanour of Paragraph 1 Subparagraph 1 of this Article, as well as a fine, the precautionary measure of a ban on doing the work of importing for a period of one to three years and the confiscation of any material benefit obtained by the commission of the misdemeanour (offence) will be imposed.

(3) For a misdemeanour as defined by Paragraph 1 of this Article the responsible person in a legal person will be fined between 3,000 and 10,000 kuna.

Article 68

(1) A legal or natural person will be fined between 50,000 and 120,000 kuna for a misdemeanour (offence) for not executing the ruling of an inspector (Article 46 Paragraphs 1 and 2, Article 50 Paragraph 1, Article 58, Article 59 Paragraphs 1, 2 and 5, Article 61, Article 62 Paragraphs 2 and 3 and Article 64).

(2) With respect to a misdemeanour defined by Paragraph 1 of this Article arising from Article 58 Paragraph 4 Subparagraph 7 and Article 7 Subparagraph 3 of this Law along with a fine the precautionary measure of taking away the amount overcharged for the benefit of the purchaser or the user of the service if known will be imposed.

(3) If the purchaser or user of the services is not known, the amount overcharged will be confiscated as illegally obtained material benefit. Illegally obtained material benefit is revenue of the national budget.

(4) For an offence defined by Paragraph 1 of this Article the responsible person in a legal person will also be fined, between 6,000 and 20,000 kuna.

Article 69

(1) A legal or a natural person will be fined between 50,000 and 160,000 kuna for an offence if they remove the seal from business or other premises, plant, devices and other means for work or if they damage, take away or do any other kind of action in connection with the official seal of the inspector (Article 58 Paragraph 6 and Paragraph 8 and Article 62 Paragraph 3).

(2) For an offence as defined by Paragraph 1 of this Article the responsible person in a legal persons will be fined as well, between 6,000 and 20,000 kuna.

Article 70

(1) A legal or natural person will be fined between 25,000 and 75,000 kuna for an offence if they do not act according to the ruling from the minute of an inspector (Article 58 Paragraph 1).

(2) For an offence as defined by Paragraph 1 of this Article the responsible person in a legal person will be fined as well, between 5,000 and 20,000 kuna.

Article 71

(1) An employer will be fined from 30,000 to 120,000 kuna per employee for an offence if he does not register employees in the regulation time with the bodies of retirement and health insurance or if he entrusts the employees of another employer with jobs against the law or some other regulation (Article 4 Subparagraph 1 and Article 62 Paragraph 1).

(2) For an offence as defined by Paragraph 1 of this Article the responsible person in a legal person will be fined as well, between 10,000 and 30,000 kuna.

(3) For an offence as defined by Paragraph 1 of this Article a fine may be imposed on an employer on the spot where the offence was committed in the amount of 10,000 kuna, and on the responsible person in a legal person in the amount of 3,000 kuna.

Article 72

(1) A legal or natural person will be fined between 3,000 and 15,000 kuna for an offence if they do not submit a written request for the issuing of a quality certificate (Article 17 Paragraph 1).

(2) For an offence as defined by Paragraph 1 of this Article the responsible person in a legal person will be fined as well, between 1,000 and 3,000 kuna.

Article 73

(1) For an offence as defined by Article 68 referring to Article 59 Paragraphs 1 and 2, Article 61, Article 62 Paragraphs 2 and 3 and Article 72 of this Law committed for a second time, as well as a fine, the precautionary measure of being forbidden to undertake this work for a period of from one to three months will be imposed, and for a third offence of the same nature as well as a fine, the precautionary measure of being forbidden to carry out the work for a period of from three to six months will be imposed.

(2) It is considered that the offence defined in Paragraph 1 of this Article is committed for a second or third time if it is done within a period of three years from the time the last ruling about an offence became legally valid.

Article 74

(1) Misdemeanour proceedings for actions that according to regulations that were in force until this Law came into force were held to be misdemeanours and yet according to this Law are not so held will be adjourned.

(2) Proceedings that are not adjourned according to Paragraph 1 of this Article will be completed according to the regulations that were valid until the day this Law came into force.

V. TRANSITIONAL AND CONCLUDING PROVISIONS

Article 75

(1) State officials and civil servants found being employed in work and in connection with work defined by Article 12 of this Law in the county offices and the offices of the City of Zagreb will be, on the day this Law comes into force, taken over into the State

Inspectorate and continue to carry out their work according to the provisions of this Law and other regulations.

(2) The government of the Republic of Croatia will make a Decree about the international organisation of the State Inspectorate within 30 days of this Law coming into force.

(3) The Chief Inspector will make Regulations about the Internal Order of the State Inspectorate within 30 days of the Decree defined in Paragraph 2 of this Article coming into force.

(4) Rulings about being appointed to ranks and positions of state officials taken over and rulings about the assignment to jobs of civil servants as defined by Paragraph 1 of this Article will be made by the Chief Inspector within 30 days of the Regulations defined in Paragraph 3 of this Article being made.

(5) Until the rulings defined in Paragraph 4 of this Article are made the state officials taken over will retain their ranks and positions, and the civil servants taken over will retain the jobs that they were carrying out on the day this Law came into force.

(6) Inspectors who were carrying out the jobs of market, tourist, stockrearing, winemaking, fishing, forestry or hunting inspection will be appointed to the rank of economic or senior economic inspector or economic inspector Grade III, depending on how they fulfil the conditions prescribed in the provisions of Article 12 of this Law.

(7) A state officer who has a degree and who in accord with the regulations about state officers and special regulations about a given administrative area or a given inspection has obtained the rank of inspector (Grade I) cannot be appointed to the rank of senior economic inspector.

(8) The regulations that relate to state officials and civil servants in the event of some body of the state administration being abolished will be applied to the labour law position of state officers and civil servants taken over who after the Regulations defined in Paragraph 3 of this Article are not appointed to a rank or assigned to a job.

Article 76

(1) Inspectors appointed to a rank as defined by Paragraph 75 Paragraph 6 of this Law who have not passed the state expert examination for the rank of inspector in carrying out the work of one of the inspections taken over into the State Inspectorate have to pass it within a year of being appointed.

(2) Civil servants taken over in line with the provision of Article 75 Paragraph 1 of this Law are assigned to the civil servants' jobs.

Article 77

(1) The State Inspectorate, on the day this Law comes into force, takes over the use of the business premises and equipment that until the law came into force were used by the competent county offices and the office of the City of Zagreb for the performance of the work that according to this Law will be done by the State Inspectorate, and will take over the financial resources from the Budget of these bodies of the state administration for 1999 that were meant for the work of the state officials and civil servants who are taken over into the State Inspectorate in accord with the provisions of this Law.

(2) Within 90 day of this Law coming into force the State Inspectorate will take over from the county offices and the office of the City of Zagreb the records and other documentation relating to matters that until the day this Law comes into force were attended to by these bodies.

Article 78

(1) The government of the Republic of Croatia will make the regulation defined by Article 15 Paragraph 1 and from Article 18 Paragraph 1 of this Law within 60 days of this Law coming into force.

(2) The Chief Inspector will make the regulations defined by Articles 18 Paragraph 3, 56, and 57 Paragraph 2 of this Law within six months of this Law coming into force.

(3) The Chief Inspector and the Minister of Defence or the Chief Inspector and the Minister of Internal Affairs will make the regulation defined by Article 2 Paragraph 3 within six months of this Law coming into force.

(4) Until the regulations defined by Paragraph 2 of this Law come into force, the provisions of regulations made for the implementation of other Laws remain in force: to wit, of the Market Inspection Law (*Official Gazette*, no. 21/95), the Tourist Inspection Law (*Official Gazette*, no. 48/95), the Mining Inspection Law (*Official Gazette*, no. 6/87, 47/89, and 26/93), the Electric Power Inspection Law (*Official Gazette*, no. 32/85, 38/85, 27/87, 47/89 and 26/93), the Steam Boilers Inspection Law (*Official Gazette*, no. 20/72, 47/89 and 26/93), the Supervision of the Quality of Certain Products during Import and Export Law (*Official Gazette*, no. 21/95), the provisions of Article 37 Paragraph 2 of the Wine Law (*Official Gazette*, no. 34/95), Article 51 Paragraph 2 of the Livestock Rearing Law (*Official Gazette*, no. 70/97 and 36/98), of Article 68 paragraph 3 and Article 69 Paragraph 2 of the Sea Fishery Law (*Official Gazette*, no. 74/94, 59/96 and 46/97 – revised text), of Article 89 Paragraph 2 and Article 90 Paragraph 2 of the Hunting Law (*Official Gazette*, no. 10/94, 22/94, 44/98, and 29/99) and Article 81 Paragraph 2 of the Forests Law (*Official Gazette*, no. 52/90, 5/91, 9/91, 61/91, 26/93 and 76/93), if they are not in opposition to this Law.

Article 79

(1) In all these laws and other regulations in which the following words are mentioned:
 market inspection, tourist inspection, livestock rearing inspection, forest inspection, hunting inspection, winemaking inspection, fishery inspection, electric power inspection, mining inspection, steam boiler inspection, they are replaced by the words State Inspectorate in the appropriate grammatical form;
 market inspector, tourist inspector, livestock inspector, forestry inspector, hunting inspector, winemaking inspector, fishery inspector, they are replaced by the words economic inspector in the appropriate grammatical form;
 steam boiler inspector, they are replaced by the words pressurised vessels inspector in the appropriate grammatical form.

(2) In the Special Conditions for Carrying Out Matters of International Forwarding in Connection with Customs Clearing (*Official Gazette*, no. 106/93) in the provision of Article 12 the words “Ministry of the Economy” are replaced by the words State Inspectorate.

(3) In the Livestock Rearing Law (*Official Gazette*, no. 70/97 and 36/98) in the provision of Article 49 Paragraph 2 the words “in the first instance are carried out by the county offices competent for livestock rearing inspection matters (the county livestock inspection) and in the second instance by the livestock inspection in the Ministry” are replaced by the words: are carried out by the State Inspectorate.

(4) In the Sea Fisheries Law (*Official Gazette*, no. 74/94, 59/96 and 46/97 – revised text) in the provision of Article 61 Paragraph 1 the words “carried out by the fishery inspectors of the Ministry and other state officers authorised by the minister (inspectors)” are replaced by the words “carried out by the State Inspectorate”.

(5) In the Fresh Water Fisheries Law (*Official Gazette*, no. 18/86, 43/86, 34/89, 19/90, 26/93) Article 52 is changed and runs: “Inspectorial supervision of the implementation of the provisions of this Law and regulations passed pursuant to it is done by the State Inspectorate.”

(6) In the Forests Law (*Official Gazette*, no. 52/90, 5/91, 9/91, 61/91, 26/93 and 76/93) in the provision of Article 75 Paragraph 1 the words “carried out by the county office and the city office of the city of Zagreb competent for forestry inspection

matters and the Ministry of Agriculture and Forestry” are replaced by the words “carried out by the State Inspectorate”.

(7) In the Hunting Law (*Official Gazette*, no. 10/94, 22/94, 44/98 and 29/99) in the provision of Article 82 Paragraph 2 the words “in the first instance... carried out by county offices and the city office of the city of Zagreb competent for forestry inspection affairs (county forestry inspections) and in the second instance by the State Inspectorate” are replaced by the words: “carried out by the State Inspectorate”.

(8) In the Forestry Seeds and Forestry Plants Law (*Official Gazette*, no. 68/98) in the provision of Article 66 Paragraph 1 the words “in the first instance... carried out by the county offices and the city office of the city of Zagreb competent for forestry inspection matters (county forestry inspection) and in the second instance by the State Inspectorate” are replaced by the words: “carried out by the State Inspectorate”.

(9) In the Wine Law (*Official Gazette*, no. 34/95), in the provision of Article 35 Paragraph 2 the words “in the first instance ... carried out by the county offices and the city office of the city of Zagreb competent for winemaking inspection matters (county winemaking inspection) and in the second instance by the Ministry (the winemaking inspection in the Ministry) are replaced by the words: “carried out by the State Inspectorate”.

Article 80

(1) The day this Law comes into force the following cease to be valid:

1. the Market Inspection Law (*Official Gazette*, no. 21/95)
2. the Tourist Inspection Law (*Official Gazette*, no. 48/95)
3. the Labour Inspection Law (*Official Gazette*, no. 59/96 and 94/96)
4. the Electric Power Inspection (*Official Gazette*, no. 32/85, 38/85, 27/87, 47/89, 26/93)
5. the Mining Inspection Law (*Official Gazette*, no. 6/87, 47/89, 26/93),
6. the Steam Boilers Inspection Law (*Official Gazette*, no. 20/72, 47/89 and 26/93),
7. the provisions of Article 46 Paragraph 2 and Article 47 of the Catering Industry Law (*Official Gazette*, no. 46/97 – revised text and 68/98),
8. the provision of Article 66 paragraph 2 of the Tourist Industry Law (*Official Gazette* no. 8/96 and 76/98),
9. the provisions of Article 49 Paragraphs 3 and 4, Articles 50 through 55 and Article 62 Paragraph 1 Point 11 of the Livestock Rearing Law (*Official Gazette*, no. 70/97 and 36/98),
10. the provisions of Articles 62 through 70 and of Article 77 Paragraph 1 Point 7 of the Sea Fisheries Law (*Official Gazette*, p. 74/94, 59/96 and 46/97 – revised text)
11. the provisions of Articles 53 through 56 and Article 58 Paragraph 1 Point 19 of the Fresh Water Fisheries Act (*Official Gazette*, no. 18/86, 43/86, 34/89, 19/90 and 26/93)
12. the provisions of Articles 77 through 81, Article 85 Paragraph 1 points 4 and 5 and Article 87 Paragraph 1 points 7 and 8 of the Forests Law (*Official Gazette*, no. 52/90, 5/91, 9/91, 61/91, 26/93, 76/93)
13. the provisions of Articles 88 through 94 and Article 97 Paragraph 1 Points 10 and 11 of the Hunting Law (*Official Gazette*, no. 10/94, 22/94, 44/98 and 19/99),
14. the provisions of Article 66 Paragraph 3 and Articles 67 through 77 of the Forest Seed and Forest Plants Law (*Official Gazette*, no. 68/98) and

15. the provisions of Article 35 Paragraphs 3 and 4, Articles 36 through 41, Article 50 Paragraph 1 Point 6 and Article 51 Paragraph 1 Point 4 of the Wine Law (*Official Gazette*, no. 34/95).

(2) On the day of the application of the provisions of Articles 14 through 18 of this Law, the Supervision of the Quality of Certain Products during Import and Export Law (*Official Gazette* no. 21/95) ceases to be valid.

Article 81

This Law enters into force on the eighth day following its publication in the *Official Gazette*, while the provisions of Articles 14 through 18 will be implemented 90 days from the day of its entry into force.