



# CONSUMER PROTECTION IN THE REPUBLIC OF CROATIA

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Seventh (Closeout) Partnership Activity:  
“Working together to improve Croatia’s regulatory capacities”

Zagreb, June 2-5, 2008



# 1. CONSUMER PROTECTION HOLDERS

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- Consumer protection is realized through the National Consumer Protection Program
  - The National Consumer Protection Program is approved by the Croatian Parliament upon the proposal of the Government of the Republic of Croatia for the period of four years
  - Consumer protection holders are:
    - Croatian Parliament,
    - Government of the Republic of Croatia,
    - Ministry with authority over consumer protection issues,
    - Local and regional councils,
    - Croatian Chamber of Economy, Croatian Chamber of Crafts,
    - Croatian Employers' Association and other bodies of public authority, each with its separate jurisdiction over consumer protection issues, and
    - Consumer protection associations
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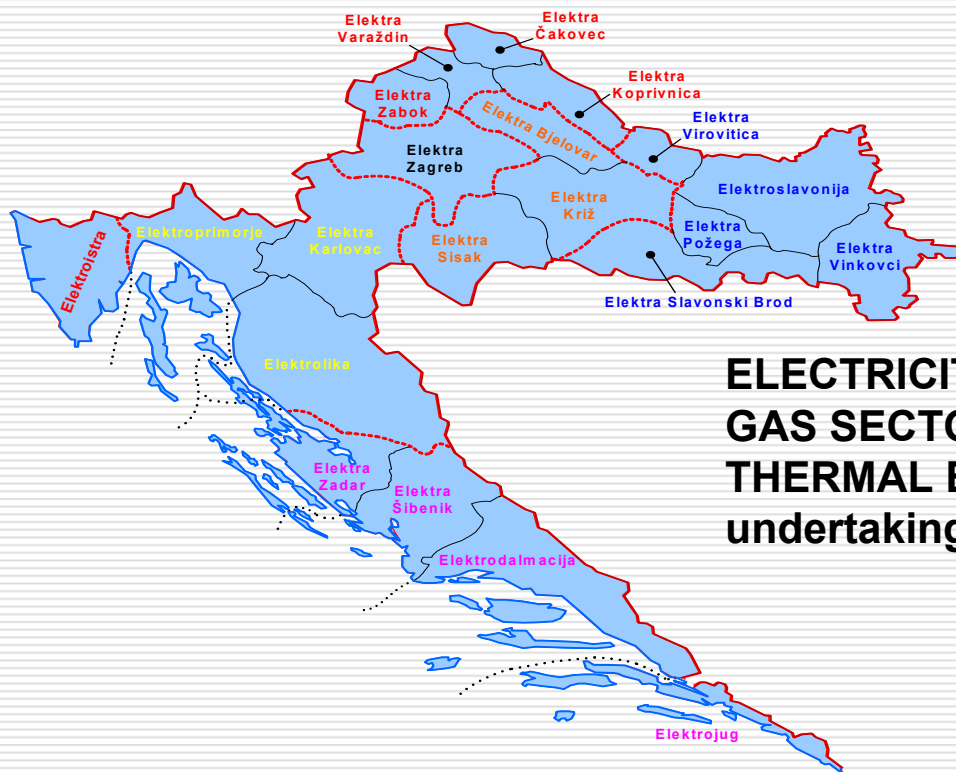
## 2. ENERGY – LEGAL FRAMEWORK

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- Consumer Protection Act
  - Act on the Regulation of Energy Activities
  - Energy Act
  - Act on the Electricity Market
  - Act on the Gas Market
  - Act on the Generation, Distribution and Supply of Thermal Energy
  - Act on the General Administrative Procedure
  - General Conditions of Electricity Supply
  - Ordinance on the Fee for Connection to the Network and Increase in Connected Load
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## 2.1. NUMBER OF ENERGY UNDERTAKINGS (ES)



**ELECTRICITY SECTOR – 37 energy undertakings**  
**GAS SECTOR – 76 energy undertakings**  
**THERMAL ENERGY SECTOR – 47 energy undertakings**



## 2.2. NUMBER OF CONSUMERS PER ENERGY SECTOR

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| <input type="checkbox"/> ELECTRICITY    | 2,240,200 - captive customers<br>42,500 - industrial customers |
| <input type="checkbox"/> GAS            | 550,000 - captive customers<br>35,000 - industrial customers   |
| <input type="checkbox"/> THERMAL ENERGY | 147,000 - captive customers<br>6,800 - industrial customers    |
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## 2.3. CONSUMER PROTECTION IN GENERAL

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- The piece of legislation regulating the status and protection of consumers being natural persons in the Republic of Croatia is the new “Act on Consumer Protection” from 2007.
  - Consumers can protect their rights via
    - Courts
    - Out-of-court settlements of consumer disputes – mediation at mediation centers and courts of honor
    - Filing a suit before the State Inspectorate
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## 2.3.1. PUBLIC SERVICES AND CONSUMER PROTECTION

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Pursuant to the Law, the following energy activities are considered public services:

- Electricity distribution,
  - Electricity supply,
  - Gas distribution,
  - Gas supply,
  - Distribution of thermal energy,
  - Supply of thermal energy.
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## 2.3.2. PUBLIC SERVICES AND CONSUMER PROTECTION

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- The energy undertaking providing public service is obliged to set up a commission for consumers' complaints with representatives of consumer groups
    - The Commission has the obligation to provide written answers to consumers being natural persons within 30 days from the day the complaint was received
  
  - Consumers being legal persons protect their rights directly before court or via out-of-court settlement
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## **2.3.3. OBLIGATIONS OF ENERGY UNDERTAKING WITH REGARDS TO CONSUMER PROTECTION - PROVIDING INFORMATION, PUBLIC EDUCATION**

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- ❑ Publication on their web page of annual reports on the network/system condition, the statistical report with regards to operations, quality of supply indicators and analysis of the quality of service
  - ❑ Timely dissemination of information to all consumers through public media on events related to quality and reliability of energy supply
  - ❑ Obligation to publish data on the valid tariff system and amounts of tariff items, as well as the possible ways and conditions of payment of bills on the web and in the promotion brochures
  - ❑ Passing of first-instance decisions on consumers' complaints
  - ❑ Setting up the Consumer Complaints Commission
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### 3. ROLE OF THE CROATIAN ENERGY REGULATORY AGENCY (HERA) IN CONSUMER PROTECTION

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- Supervision of energy undertakings,
  - Collaboration with ministries, the Croatian Competition Agency and relevant inspections,
  - Settling of disputes with regard to regulated energy activities, especially with regard to the rejection of connection to the network/system and the determination of the fee for connection and network usage
  - Passing of decisions with regard to complaints filed about the work of energy undertakings
  - Providing legal counseling service and opinions on consumer and energy utilities queries in the implementation of consumer protection
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## 3.1. HERA'S ROLE IN CONSUMER PROTECTION

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- HERA sets up a Consumer Protection Council – a special body on consumer protection
  - Council members are experts from the energy sector and consumer groups representatives,
  - The Council discusses all important issues that are of interest to consumers (especially secondary legislation passed by HERA)
  - The Council passes recommendations and opinions on measures for consumer protection in the implementation of the system of regulation of energy activities and initiates change of consumer protection related regulations
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## 3.2. HERA'S ROLE IN CONSUMER PROTECTION

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- ❑ Reporting to the Croatian Parliament and the Government of the Republic of Croatia on the situation in the energy sector (consumer protection related activities)
  - ❑ Publishing of single decisions passed by the Managing Council in the exercise of public authority in HERA's newsletter or on the Internet
  - ❑ Providing opinion on consumer protection related regulations
  - ❑ Providing links from HERA's website to the web pages of energy undertakings, state institutions and associations relevant for consumer protection
  - ❑ Timely dissemination of information through the public media on all issues relevant for consumer rights (for example, the price, the legal framework for exercising an energy activity, etc.)
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Thank you for your attention!

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