

CROATIAN PARLIAMENT

2727

On the basis of Article 88 of the Constitution of the Republic of Croatia, I adopt

THE DECISION

ON THE PROCLAMATION OF THE LAW ON MATERNITY AND PARENTAL BENEFITS

I am promulgating the Law on Maternity and Parental Support, which was adopted by the Croatian Parliament at its session on July 9, 2008.

Class: 011-01/08-01/88

Registration number: 71-05-03/1-08-2

Zagreb, July 15, 2008.

President
of the Republic of Croatia
Stjepan Mesić, vr

LAW

ON MATERNITY AND PARENTAL BENEFITS

I. GENERAL PROVISIONS

Article 1.

In order to protect motherhood, care for a newborn child and its upbringing, and to harmonize family and business life, this Act prescribes the right of parents and a person equal to them who takes care of the child to time and money support, the conditions and method of their realization and financing, and the bodies responsible for implementing this of the Law.

Article 2.

(1) Time allowances according to this Act are leaves, exemptions from work and prescribed time for child care.

(2) Financial support according to this Law is salary compensation, financial compensation, financial assistance and one-time financial support for a newborn child.

(3) Subsidies from paragraphs 1 and 2 of this article are provided by the child's mother and father or another person who takes care of the child according to this Act and the regulations on family relations until the child reaches the age of eight, and exceptionally longer according to the conditions of this Act .

Article 3.

(1) The Ministry responsible for the family supervises the implementation of this Act.

(2) The Croatian Health Insurance Institute (hereinafter: the Institute) is responsible for the implementation of the rights prescribed by this Act, if no other competent authority has been established for certain rights under this

Act.

Article 4.

(1) Financial support realized under this Act cannot be subject to enforcement or insurance (loans, deposits, etc.), except according to a court decision or a decision of the competent center for social welfare for the benefit of the child for whom it was realized.

(2) Monetary grants realized under this Law cannot amount to less than 50% of the budget base determined by the law on execution of the state budget (hereinafter: budget base).

Article 5

The provisions of this Act apply under equal conditions to parents in a married or cohabiting union, as well as to parents or persons equal to them who take care of a child, who are not in a married or cohabiting union.

Article 6

Certain expressions in the sense of this Act have the following meanings:

1. "Employment" is the work of a natural person that he performs for a salary on the basis of an employment contract or other act concluded with the employer that regulates the employment relationship or the work of a natural person who has been elected or appointed to a permanent position in a certain state authority body, or unit local and district (regional) self-governments if for that work he receives a salary or the work of a natural person who is a member of the board of a commercial company, if on that basis he realizes the receipt (salary) or work of a natural person who, according to the labor regulations, has concluded a contract on volunteer work with the employer, without establishing an employment relationship after completing education for the purpose of professional training,
2. "self-employment" is the work of a natural person through which he independently carries out an economic activity, that is, a professional activity as his only or main occupation, with the intention of achieving, on the basis of that activity, income subject to the payment of income tax or income subject to the payment of profit tax, in accordance with tax regulations,
3. "second income" is the receipt of a natural person that is determined in accordance with the regulations on income taxation,
4. "insurance experience" is the experience that a natural person achieved on the basis of his independent or independent work and on the basis of remuneration wages after the termination of that work realized according to the regulations from the mandatory health insurance,
5. "compulsory health insurance period" is the period of time in which a natural person had the established status of a health insured person by the Institute, unless otherwise determined by the interstate contract on social insurance,
6. "month" is a unit time value of 30 calendar days that serves for the calculation of the duration of the rights prescribed by this Act,
7. "household" is the community of living, earning and spending the realized income of all members of the family of the beneficiaries of the rights from this Act,
8. "full time" in the sense of this Act is work of 40 hours per week,
- 9 "half-time work" in the sense of this Act means half-time work from point 8 of this article.

II. BENEFICIARY OF MATERNITY AND PARENTAL BENEFITS

Article 7.

(1) The beneficiary of maternity and parental benefits (hereinafter: beneficiary) according to this Act is the child's parent who:

1. on the basis of employment according to labor regulations, has a recognized status of insured person from compulsory health and pension insurance (hereinafter: employed parent) , which includes:
 - persons employed by a domestic or foreign employer based in the Republic of Croatia,
 - persons with residence or approved permanent residence in the Republic of Croatia employed abroad by a foreign employer who do not have health insurance from a foreign health insurance provider, i.e. who are not mandatory insured according to foreign regulations in the manner determined by the international agreement on social security;
2. on the basis of self-employment, has the recognized status of insured person from compulsory health and pension insurance (hereinafter: self-employed parent), which includes: -
 - persons who, in the territory of the Republic of Croatia, perform the economic activity of trades and trades equivalent to trades,
 - persons who independently in the form of freelance occupations perform professional activities and
 - persons who in the Republic of Croatia perform agriculture and forestry as their only or main occupation, if they are liable for income tax or profit tax and are not insured on the basis of work, - officials of a religious community, which is entered in the

records of religious communities managed by the competent state body, if they are not insured on the basis of work;

3. earns other income on which contributions have been paid according to the regulations on contributions for mandatory insurance and who, on that basis, has acquired the status of insured person from mandatory health insurance (hereinafter: parent who earns other income);

4. is a farmer who in the Republic of Croatia is engaged in agriculture and forestry as the sole or main occupation if he is the owner, landlord or lessee and if on this basis he has acquired the status of insured under the mandatory health insurance, and is not liable for income tax or profit tax and is not health insured on the basis of work;

5. according to the regulations on employment, he has the recognized status of an unemployed person, unless otherwise prescribed by this Act (hereinafter: unemployed parent);

6. is a beneficiary of a pension, a beneficiary of the right to professional rehabilitation or a beneficiary of the right to a disability pension due to professional incapacity for work according to the pension insurance regulations of the Republic of Croatia, or a person who according to social welfare regulations is not considered fit for work or is considered a dependent according to other regulations person or is a student of regular education or university or professional studies or a user who does not have the conditions for achieving the status of user from points 1 to 5 of this paragraph, and has the recognized status of a health insured person from the mandatory health insurance (hereinafter: parent outside the labor system).

(2) As an exception to paragraph 1, point 1 of this article, the following are also considered employed parents:

- persons who have been elected or appointed to permanent positions in certain bodies of state government, i.e.

local and regional self-government units, if they receive a salary for that work and if, on that basis, they have recognized insured status from compulsory health and pension insurance, - members of the

board of companies if on that basis they have a recognized status of insured from compulsory health and pension insurance,

- persons who, according to labor regulations, have concluded a contract on volunteer work, who without establishing an employment relationship after completing their education receive professional training without establishing an employment relationship if on that basis they have a recognized status of insured from the mandatory health and pension insurance.

(3) Beneficiary of maternity and parental benefits from this Act is also a person who, according to the regulations on family relations, has acquired the status of an adoptive parent who has the established status of an insured person in compulsory health insurance, unless otherwise prescribed by this Act.

(4) Beneficiary according to the provisions of this Act and under the conditions of this Act is also a person to whom, based on the decision of the competent body, the child is entrusted with custody and education (guardian).

(5) Beneficiary of maternity and parental benefits according to the provisions of this Act is also a foreigner with an approved permanent residence in the Republic of Croatia who has the recognized status of an insured person in compulsory health insurance.

Article 8.

Citizens of member states of the European Economic Area are equal to Croatian citizens in the rights and duties prescribed by this Law.

III. RIGHTS OF BENEFICIARIES TO MATERNITY AND PARENTAL BENEFITS

Article 9

(1) Beneficiaries from Article 7, paragraph 1, points 1 and 2 and paragraph 2 of this Act have the right to:

1. maternity leave,

2. parental leave,

3. work with half of full-time work,

4. work in reduced working hours due to increased care of the child,

5. break for breastfeeding the child,

6. leave of a pregnant or nursing mother,

7. leave or work in reduced working hours for the care and care of a child with severe developmental disabilities,

8. suspension of employment until the third year of the child's life.

(2) The beneficiary from Article 7, paragraph 1, points 3, 4 and 5 of this Act has the right to:

1. maternity leave from work,

2. parental leave from work.

(3) Beneficiaries from Article 7, paragraph 1, points 1, 2, 3, 4 and 5 and paragraph 2 of this Act, during the period of use of the prescribed rights, depending on their labor law status, are entitled to salary compensation or monetary compensation according to the provisions of this Act.

(4) The beneficiary referred to in Article 7, paragraph 1, point 6 of this Act, upon the birth of a child, has the right to financial assistance for maternity or parental care of the child according to the provisions of this Act.

(5) The beneficiary referred to in Article 7, paragraph 3 of this Act, on the basis of a valid decision on adoption according to the regulations on family relations, has the right, depending on his labor law status, to adoptive leave or adoptive leave from work or adoptive care of a child and, during the period of use of one of these rights, the right to salary compensation or financial compensation or financial assistance according to the provisions of this Act.

(6) Beneficiaries from Article 7 of this Act, in addition to financial support from paragraphs 3, 4 and 5 of this Article, under the conditions of this Law, are also entitled to a one-time financial support for a newborn child. Article 10.

(1) Users shall exercise their rights from Article 9 of this Act in the manner, to the extent and under the conditions prescribed by this Act and the regulations adopted on the basis of this Act, unless otherwise prescribed by this Act.

(2) A user who has not used the rights according to this Law cannot claim monetary compensation for the unused right.

Article 11

The rights from Article 9 of this Act cannot be used by both parents at the same time, unless this Act stipulates otherwise.

IV. RIGHTS OF EMPLOYED PARENTS AND SELF-EMPLOYED PARENTS TO MATERNITY AND PARENTAL BENEFITS

1. Maternity leave

Article 12.

(1) An employed mother or a self-employed mother during pregnancy, delivery and care of a newborn child has the right to maternity leave until the child reaches 6 months of age, unless otherwise prescribed by this Act.

(2) An employed mother or a self-employed mother must use maternity leave 28 days before the day of the expected birth and use it continuously until the 42nd day after the birth (hereinafter: mandatory maternity leave).

(3) The day of the expected birth is determined by the selected doctor of general/family medicine on the proposal of the selected gynecologist from the mandatory health insurance.

(4) An employed mother or a self-employed mother can start using maternity leave from paragraph 1 of this article 45 days before the day of the expected birth, according to the findings and assessment of the selected gynecologist from paragraph 3 of this article.

(5) After the expiration of the mandatory maternity leave referred to in paragraph 2 of this article, if the parents so agree, the right to maternity leave may be exercised by the child's father until the completion of 6 months of the child's life.

(6) If the child was born prematurely, the maternity leave referred to in paragraph 1 of this article shall be extended by the amount of time for which the child was born prematurely.

2. Parental leave

Article 13

(1) An employed parent or a self-employed parent, after the expiration of the maternity leave referred to in Article 12 of this Act, has the right to parental leave.

(2) An employed parent or a self-employed parent may use parental leave until the child is eight years old in the manner and for the duration prescribed by Article 14 of this Act.

(3) The right to parental leave is a personal right of both employed parents or self-employed parents and they use it, as a rule, in equal parts, unless otherwise prescribed by this Act.

(4) As an exception to paragraph 3 of this article, the right to parental leave can only be used by one of the parents, if both parents declare this in writing.

Article 14

(1) An employed parent or a self-employed parent upon expiration of maternity leave from Article 12 of this Act has the right to parental leave for a duration of 6 or 30 months, depending on the number of children born and the manner of its use.

(2) An employed parent or a self-employed parent has the right to parental leave for the duration of:

- 6 months, for the first and second born child,
- 30 months, for twins born, the third and each subsequent child.

(3) As a rule, the right to parental leave from paragraph 2 of this article is used by both parents from paragraph 1 of this article, for an equal duration of 3 or 15 months, and they can use it individually, mutually simultaneously or alternately, in accordance with a personal agreement and under provided that the right to parental leave

according to Article 13, Paragraph 4 of this Act is not used by only one of the parents.

(4) If the child's father uses the right to parental leave for at least three months, the parental leave referred to in paragraph 2 of this article shall be extended by two months.

(5) An employed parent or a self-employed parent may use the parental leave referred to in paragraph 2 of this Article in its entirety or in parts.

(6) In the event that an employed or self-employed parent uses the parental leave referred to in paragraph 2 of this article in parts, he may use it at most twice a year, each time for at least 30 days.

(7) In the number of children born from paragraph 2 of this article, stillborn children and children of deceased mothers and adopted children are included.

3. Half-time work

Article 15.

(1) An employed parent or a self-employed parent may use the right to maternity leave from Article 12, paragraph 1 of this Act and parental leave from Article 14, paragraph 2 of this Act as the right to work half-time, according to the provisions of this of the Law.

(2) An employed parent or a self-employed parent, after the expiration of the mandatory maternity leave referred to in Article 12, paragraph 2 of this Act, has the right to use the remaining part of the maternity leave referred to in Article 12, paragraph 1 of this Act as the right to work half-time .

(3) An employed parent or a self-employed parent has the right, after the completion of 6 months of the child's life, to use half-time work from paragraph 2 of this article for as long as he used that right until the 6th month of the child's life, and up to the 9th month at the latest of the child's life.

(4) An employed parent or a self-employed parent, upon exercising the right to maternity leave from Article 12 of this Act or the right to work half-time from paragraphs 2 and 3 of this Article, may claim the right to parental leave from Article 14 2. of this Act can also be used as a right to work with half of the full working time in double the duration of unused parental leave.

4. The right to work in reduced working hours for increased care of the child

Article 16.

(1) After using the parental leave from Article 14, paragraph 2 of this Act or the right to work in reduced working hours from Article 15, paragraph 4 of this Act, one of the employed parents or self-employed parents has the right to work in reduced working hours until the In the 3rd year of the child's life, if the child, according to the findings and assessment of the selected primary health care doctor and the competent medical committee of the Institute, needs increased care and care due to his health and development.

(2) The minister responsible for health, with the consent of the minister responsible for the family, will prescribe the conditions and procedure for acquiring the right to work in reduced working hours, in order to provide the necessary increased care and care of the child until he reaches the age of 3.

5. Leave in case of death of a child

Article 17.

If an employed mother or a self-employed mother gives birth to a stillborn child or if the child dies before the maternity or parental leave has expired, the beneficiary of that leave has the right to continue using it for another 3 months after the month in which the stillborn child was born or the child died.

6. Use of the right to parental leave by one parent

Article 18

(1) If during the use of one of the rights prescribed by this Act one of the employed parents or self-employed parents dies or if for any other justified reason it is impossible to use the corresponding right, the right to use the corresponding right is transferred in its entirety to the other parent.

(2) The justified reasons according to paragraph 1 of this article are:

- when one of the parents is deprived of parental care, completely deprived of business capacity, partially deprived of business capacity in relation to parental care, missing, unknown, of unknown residence or residence, - if in order to protect the well-being of the child, meetings and socializing of the child with one of the parents are prohibited or limited, or one of the parents, according to the regulations on protection against domestic violence, has been issued a protective measure prohibiting the child from approaching or removing him from the apartment, house or other residential space where the child lives, - if one of the parents is seriously ill or is addicted about the help of another person, due to which he is prevented from performing parental care according to the assessment of the competent medical committee of the Institute,
- when one of the parents, as an active military person, is on a military mission outside the Republic of Croatia or is serving a prison sentence for a period of more than one year continuously, all on the condition that the parent referred to in this subparagraph waived the right to use parental leave in a written statement the benefit of the

other parent.

7. Breastfeeding break and the right to leave for pregnant and breastfeeding mothers

7.1. Breastfeeding break

Article 19.

(1) An employed mother and a self-employed mother who, after using maternity leave or working part-time, continues to breastfeed her child, while working full-time, has the right to a break for breastfeeding the child for a duration of two hours a day, regardless of whether she uses working father at the same time and for the same child is one of the rights prescribed by this Act.

(2) The right from paragraph 1 of this article can be used once or twice during the day for an hour.

(3) The right from paragraph 1 of this article can be used by an employed mother or a self-employed mother until the child is 1 year old.

(4) The break time referred to in paragraph 1 of this article is included in working time.

(5) An employed mother and a self-employed mother, during the exercise of the rights referred to in paragraph 1 of this article, have the right to a salary compensation amounting to 100% of the budget basis, converted to an hourly basis for the month for which the salary compensation is calculated.

7.2. Leave for an employed pregnant woman and a nursing mother

Article 20

(1) If an employed pregnant woman or a nursing mother works in jobs that are harmful to her health and the health of the nursing child, and the employer has not ensured the assignment of the employed pregnant woman or mother to other suitable jobs, an employed pregnant woman or mother who is breastfeeding a child has the right to maternity or infant leave, with a salary compensation equal to her corresponding salary, at the expense of the employer.

(2) An employed pregnant woman or mother who is breastfeeding a child shall use the right to leave from paragraph 1 of this article from the first day following the day when, according to the regulations on labor and occupational safety, it was determined that the employer did not ensure the deployment of the employed pregnant woman or mother who is breastfeeding other suitable jobs until the day of acquiring the right to maternity leave or until the child reaches one year of age.

Article 21

The minister responsible for the family, with the consent of the minister responsible for work, will prescribe the conditions and procedure for exercising the rights of employed pregnant women and employed mothers who are breastfeeding from articles 19 and 20 of this Act.

8. Suspension of employment until the third year of the child's life

Article 22.

(1) After the right to maternity and parental leave or the right to work half-time according to this Act has been exercised, one of the working parents has the right not to work until the child reaches the age of 3.

(2) During the exercise of the rights referred to in paragraph 1 of this article, the rights and obligations of the employed parent from the employment relationship are suspended, and the right to compulsory health insurance and the right to pension insurance are exercised according to the regulations that regulate that right.

(3) The employer must submit one copy of the decision on the suspension of employment of the employed parent until the child's third year of age to the Institute for records.

9. Rights of an employed parent or a self-employed parent of a child with severe developmental disabilities

Article 23.

(1) An employed parent or a self-employed parent of a child with severe developmental disabilities (a child with a severe physical or mental impairment or a severe mental illness), after exercising the right to parental leave under this Act, has the right to leave to care for the child or the right to work in reduced working hours until the child reaches the age of 8, based on the findings and opinion of the competent medical committee of the Institute.

(2) After the termination of the right from paragraph 1 of this article, one of the employed parents or self-employed parents of a child with severe developmental disabilities has the right to work in reduced working hours.

(3) Under the condition from paragraph 1 of this article, one of the employed parents or self-employed parents of an adult child with severe developmental disabilities has the right to work part-time until the end of regular schooling or as long as this need lasts.

(4) The right from paragraphs 1, 2 and 3 of this article cannot be exercised by an employed parent or a self-employed parent who, according to social welfare regulations, has the recognized status of a caring parent.

(5) A parent who exercises the rights from paragraphs 1 to 3 of this article has the right to salary compensation according to this Act.

(6) The minister responsible for the family, with the consent of the minister responsible for health, will prescribe the conditions and procedure for acquiring the rights referred to in paragraphs 1, 2 and 3 of this article.

10. Salary compensation of an employed parent or self-employed parent

Article 24

(1) During the exercise of the right to maternity leave from Article 12 of this Act or the right to work half-time from Article 15, paragraph 2 of this Act, an employed parent or self-employed the parent has the right to salary compensation in the amount of 100% of the salary compensation base determined according to the regulations on mandatory health insurance, which is paid at the expense of the Institute's funds.

(2) An employed parent or a self-employed parent, while using the right to parental leave from Article 13 of this Act, the right to work half-time from Article 15, Paragraph 3 of this Act, has the right to compensation, which for full-time work time is 100% of the base for salary compensation determined in accordance with paragraph 1 of this article and which cannot, for full-time work, amount to more than 80% of the budget base per month, for a period of 6 months, starting from the first day of exercise of the right.

(3) An employed parent or a self-employed parent during the exercise of the right from paragraph 2 of this article for the remaining duration (after the expiration of 6 months of its use) is entitled to salary compensation in the amount of 50% of the budget base per month.

(4) During the exercise of the right from Article 16 of this Act, an employed parent or a self-employed parent has the right to salary compensation in the amount of 50% of the budget base per month.

(5) An employed parent or a self-employed parent, while using leave in the event of the death of a child referred to in Article 17 of this Act, has the right to the salary compensation determined in accordance with this Law, which for full-time work amounts to 100% of the salary compensation base determined in accordance with paragraph 1. of this article and which cannot amount to more than 80% of the budget base per month for a full-time employee.

(6) As an exception to paragraph 5 of this article, in the case of a stillborn child or if the child dies while using the right to maternity leave, an employed parent or a self-employed parent during the use of leave for the death of a child from Article 17 of this Act has the right to compensation , which for full-time work amounts to 100% of the salary compensation base determined in accordance with paragraph 1 of this article, which is paid at the expense of the Institute's funds.

(7) An employed parent or self-employed parent of a child with severe developmental disabilities during the period of use of the right to leave for child care until the child reaches the age of 8 referred to in Article 23, paragraph 1 of this Act, has the right to full-time salary compensation in the amount of 65% of the budget base per month.

(8) An employed parent or self-employed parent of a child with severe developmental disabilities during the exercise of the right to work in reduced working hours from Article 23, paragraphs 2 and 3 of this Act has the right to salary compensation for the remaining time up to full-time work in the amount the difference between the salary he earns working half-time and the salary he would earn if he worked full-time.

(9) An employed parent or a self-employed parent, who does not meet the requirement of an insurance period of at least 12 continuous months, during the exercise of the rights established by this Act, is entitled to a salary compensation amounting to 50% of the budget base.

(10) For an employed parent or a self-employed parent, the salary compensation determined by this article cannot amount to less than 50% of the budget base, regardless of whether he works or volunteers full-time or part-time.

(11) Salary compensation referred to in paragraphs 2, 3, 4, 5, 7 and 8 of this article shall be paid at the expense of the state budget.

Article 25

During the exercise of the rights from Articles 12, 14, 15, 16, 17, 19, 20 and 23 of this Act, an employed parent or a self-employed parent has rights from mandatory pension insurance and the right to paid contributions according to special regulations.

11. Exercise of rights on a larger scale

Article 26.

The rights of an employed parent prescribed by this Act can be regulated to a greater extent by a collective agreement, an agreement of the works council with the employer, a work rulebook and a work contract at the expense of the employer's funds under the conditions and in the manner determined by the employer's general act.

V. RIGHTS OF PARENTS EARNING ANOTHER INCOME, FARMER PARENTS AND UNEMPLOYED PARENTS

Article 27

(1) A parent who earns another income from Article 7, paragraph 1, point 3 of this Act, a farmer parent from

Article 7, paragraph 1, point 4. of this Act and the unemployed parent referred to in Article 7, paragraph 1, point 5 of this Act, in the manner and under the conditions of this Act, starting from the day of the child's birth, has the right to maternity and parental leave from work and the right to monetary compensation for the time of use those rights.

(2) An unemployed parent from paragraph 1 of this article may exercise the right to maternity and parental leave from work, provided that he meets the following conditions on the day of the child's birth: 1. that he is a Croatian citizen or a foreigner with approved permanent residence in the Republic of Croatia, 2. that he has a permanent residence or permanent residence in the Republic of Croatia for at least 3 years, 3. that he is health insured according to the regulations on mandatory health insurance, 4. that he is kept in the register of unemployed persons of the Croatian Employment Service for at least 9 months continuously or 12 months with interruptions in the last two years before the birth of the child or that he registered in the register of unemployed persons:

- within 90 days from the day of completion of regular education or studies or 30 days from the day of the final exam,
 - within 30 days from the day of interruption of regular education or studies or
 - within 30 days from the day of termination of employment, service or performance self-employment or receiving cash compensation due to sick leave, if at the time of termination of these circumstances, he has at least 6 months of continuous work experience.
- (3) It is considered that an unemployed parent fulfills the condition from paragraph 3, point 4 of this article, if the termination of his registration in the register of unemployed persons of the Croatian Employment Service occurred:

contributions for compulsory insurance according to special regulations,

- in order to use the rights from this Act.

(4) Beneficiaries from paragraph 1 of this article who lose their status in compulsory health insurance, and have not acquired a new status of insured person with the Institute within 30 days, lose the right to exercise their rights under this Act.

1. Maternity and parental leave from work

Article 28

(1) Maternity leave from work from Article 27, paragraph 1 of this Act must be used by the child's mother from the birth of the child until the 42nd day after the birth of the child.

(2) The mother of the child referred to in paragraph 1 of this article has the right to use maternity leave from work until the 6th month of the child's life, for an uninterrupted period.

(3) The mother of the child, the beneficiary of the right to maternity leave from work, after the expiration of 42 days from paragraph 1 of this article, may terminate the use of the right to maternity leave from work for the sake of employment or self-employment, while the child's father, who is in the same labor law status as and the mother of the child, has the right to use the remaining part of the unused right to maternity leave from work, with the mother's written consent.

Article 29

(1) Upon expiry of the right to maternity leave from work, the beneficiary from Article 28 of this Act has the right to parental leave from work for the duration of: – 6 months,

for the first and second born child,

– 30 months, for twins, the third and every subsequent child.

(2) The beneficiary of the right from paragraph 1 of this article may terminate the use of that right for the purpose of employment or self-employment and transfer that right to another parent, who is in the same labor law status as the beneficiary, to use the remaining part of the unused right to parental leave from work, with user's consent.

(3) The beneficiary of the right from paragraph 1 of this article may, for the sake of employment or self-employment, interrupt the use of the right to parental leave from work and continue using it, if he has spent at least 9 continuous months at work before the month in which he intends to start using the remaining part of the right, as an employed parent or a self-employed parent under the conditions of this Act.

(4) A beneficiary from paragraph 3 of this article who has not spent at least 9 months at work before the month in which he intends to start using the remaining part of the unused parental leave from work due to the fact that his employment has ended or he has stopped performing the activity referred to in point 6 of article 2 of this Act, and has spent at least 3 continuous months at work, has the right to continue using the remaining part of the right to parental leave from work, as an unemployed parent if he meets the requirements for an unemployed parent from Article 27 of this Act.

(5) The beneficiary from paragraphs 3 and 4 of this article has the right to use the remaining part of unused parental leave from work, provided that he has not transferred the right to parental leave from work to another

parent in the sense of paragraph 2 of this article.

2. Exercising the right to monetary compensation during the exercise of the right to maternity and parental leave from work

Article 30

(1) The beneficiary of the right from Article 27, paragraph 1 of this Act, during the exercise of the right to maternity and parental leave from work, has the right to monetary compensation in the amount of 50% of the budget base per month.

(2) The beneficiary of the rights referred to in Article 27, paragraph 1 of this Act, in the event of the death of a child, has the right to the payment of monetary compensation from paragraph 1 of this Article for another 3 months after the month in which the child's death occurred.

(3) The beneficiary of the right from Article 27, paragraph 1 of this Act, during the exercise of the right to maternity and parental leave from work, has rights from mandatory pension insurance and the right to paid contributions according to special regulations.

YOU. RIGHTS OF PARENTS OUTSIDE THE LABOR SYSTEM

Article 31.

(1) A mother outside the labor system referred to in Article 7, paragraph 1, point 6 of this Act has the right to financial assistance during maternity and parental care of a newborn child.

(2) Under maternity care of a child referred to in paragraph 1 of this article is meant the period from the birth of the child to the completion of the 6th month of the child's life, and under parental care the period from the 6th month to the completion of the 1st year of the child's life, for the first and second born child or until the child reaches the age of 3 at the birth of twins, the third and each subsequent child.

(3) The mother referred to in paragraph 1 of this article, after the 42nd day from the day of the child's birth, for the sake of employment or self-employment, may terminate the use of the right to maternity or parental care of the child, while the child's father, who is in the same labor law status as the mother of the child, has the right to use the remaining part of the unused right to maternity care for the child, with the mother's written consent.

(4) The mother referred to in paragraph 1 of this article, after the 42nd day from the day of the child's birth, may, for the sake of employment or self-employment, terminate the use of the right to maternity or parental care for the child and begin or continue using the remaining part of parental care for the child until the child reaches the age of 1. that is, in the 3rd year of the child's life, if she has spent at least 9 continuous months at work before the month in which she intends to start using the remaining part of the right, as an employed parent or a self-employed parent under the conditions of this Act.

(5) A mother from paragraph 4 of this article who has not spent at least 9 months at work before the month in which she intends to start using the remaining part of unused parental care for the child for the reason that her employment has ended or she has stopped performing the activity referred to in point 6 of article 2 of this Act, and has spent at least 3 months at work continuously, has the right to continue using the remaining part of the right to parental care of the child, as a parent outside the labor system if he still meets the conditions from Article 32 of this Act.

(6) The mother referred to in paragraphs 4 and 5 of this article has the right to use the remaining part of the unused parental care of the child, provided that she has not transferred the right to parental care of the child to another parent in the sense of paragraph 3 of this article.

Article 32.

(1) A mother outside the labor system can exercise the right on the basis of maternity and parental care of the child from Article 31, paragraphs 1 and 2 of this Act, provided that she meets the following conditions on the day of the child's birth: - that she is a Croatian citizen or a foreigner with an approved permanent residence in the Republic of Croatia,

- that he has a continuous residence or permanent residence in the Republic of Croatia for at least 5 years,
- that he is health insured according to the regulations on mandatory health insurance.

(2) Exceptionally, a mother outside the labor system, who, in the course of using the right to financial assistance during maternity and parental care of a newborn child, completes regular education or attends university or professional studies, or her obligations to attend regular education or attend university and professional studies are suspended or she interrupts regular education education, attending a university or professional study, reserves the right to use the recognized right until the deadline prescribed for its use, if within 30 days from the day of interruption or completion of regular schooling or attending a university study, it is registered in the register of unemployed persons at the Croatian Employment Service.

(3) A mother referred to in paragraph 1 of this article who loses her status in compulsory health insurance and has not acquired a new status of insured person with the Institute within 30 days, loses the right to use the rights

referred to in paragraph 1 of this article.

Article 33

(1) Financial aid from Article 31, paragraph 1 of this Act amounts to 50% of the budget base per month.

(2) A mother outside the labor system can exercise the right to financial assistance from paragraph 1 of this article starting from the day of the child's birth.

(3) A mother outside the labor system, in the event of the death of a child, exercises the right to financial assistance from paragraph 1 of this article for another three months from the month in which the child's death occurred.

VII. RIGHTS OF ADOPTIVE CHILDREN

Article 34.

(1) The adopter, provided that he is health insured according to the regulations on mandatory health insurance, has the right to the corresponding time off or time off from work and the right to salary compensation or another form of financial compensation according to the provisions of this chapter, unless otherwise prescribed by this Act .

(2) The scope of the adopter's rights from paragraph 1 of this article depends on the legal status of the beneficiary of the rights and the age of the adoptee.

(3) Rights based on adoption are exercised by only one of the adopters of the child, regardless of the number of adopted children.

(4) Beneficiaries from paragraph 1 of this article, while exercising their rights under this Act, have rights from mandatory pension insurance and the right to paid contributions according to special regulations.

1. Rights of an employed or self-employed adopter

1.1. Adoption leave

Article 35

(1) An employed adopter and a self-employed adopter, provided that the spouse of the child's adopter is not the child's parent, has the right to adoption leave for the duration prescribed by this Act.

(2) An employed adopter or a self-employed adopter acquires the right to adoption leave from the day the adoption decision becomes final.

Article 36.

(1) An employed adoptive parent or a self-employed adoptive parent receives adoption leave for the duration of:

a) 6 months, for an adopted child under the age of 3,

b) 5 months, for an adopted child between the ages of 3 and 5 of a child,

c) 4 months, for an adopted child between the ages of 5 and 18.

(2) In the case of the adoption of twins or a child whose adoption becomes the third or every subsequent child in the family of an employed adopter or self-employed adopter, or a child with developmental disabilities, the adoption leave referred to in paragraph 1 of this article is extended by 60 days.

(3) After using the adoption leave referred to in paragraphs 1 and 2 of this article, the employed adopter or self-employed adopter has the right to parental leave and all other rights of an employed parent and a self-employed parent under the conditions and for the duration prescribed by this Law for the adopted child up to the age of 3. .

(4) In the case of the adoption of a child over the age of 3, the corresponding right to parental leave until the adopted child reaches the age of 8 is reduced by 30 days for each year of the adopted child's life over that age.

(5) Adoption leave referred to in paragraph 1 of this article can be used by the beneficiary for an uninterrupted period or in the manner prescribed for the use of maternity leave, i.e. parental leave referred to in articles 12, 14 and 15 of this Act.

1.2. Salary compensation during the use of the right to adoptive leave

Article 37.

During the use of adoption leave from Article 36 of this Act, the beneficiary from Article 35 of this Act has the right to salary compensation under the conditions and in the amount prescribed for employed parents and self-employed parents, beneficiaries of maternity or parental leave, or other rights prescribed for employees or self-employed parents in accordance with Article 24 of this Act.

2. Rights of other adoptive parents

Article 38.

(1) Beneficiary from Article 7, Paragraph 3 of this Act who, according to this Act, is a parent who earns other income or is a farmer or an unemployed person or a person outside the labor system, who has become an adoptive child according to the regulations on family relations, under the conditions of this of the Act has the right to be spared from work as an adoptive parent or the right to adoptive care of a child for the duration prescribed by this Act.

(2) During the exercise of the rights referred to in paragraph 1 of this article, the user has the right to financial compensation or financial assistance in the amount of 50% of the budget base per month.

2.1. Adoptive parents' exemption from work and adoptive care of the child

Article 39.

(1) Beneficiary from Article 38, paragraph 1 of this Act, who according to this Act earns another income or is a farmer or an unemployed person and who has become an adoptive parent (hereinafter: adoptive parent) by a valid decision on adoption, provided that the spouse of the adoptive parent is not the parent of the adopted child and if he meets the conditions for acquiring the right to maternity and parental leave from work from Article 27 of this Act, he has the right to adoptive parents' leave from work.

(2) Beneficiary from Article 38, Paragraph 1 of this Act, who according to this Act is a person outside the labor system and who has become an adoptive parent by a valid decision on adoption (hereinafter: adopter outside the labor system), provided that the adopter's spouse is not a parent adopted child and if he meets the conditions for acquiring the right to maternity and parental care of the child from Article 32 of this Act, he has the right to adoptive care of the child.

(3) An adoptive parent referred to in paragraph 1 of this Article or an adoptive parent outside the labor system referred to in paragraph 2 of this Article has the right to adoptive leave from work or adoptive care of a child for the duration of: – 12 months,

for an adopted child under the age of 3,

– 9 months, for an adopted child between the ages of 3 and 5,

- 6 months, for an adopted child between the ages of 5 and 8,

- 4 months, for an adopted child between the ages of 8 and 18.

(4) In the case of the adoption of twins or a child whose adoption becomes the third or every subsequent child in the family of the adopter or the adopter outside the work system, or a child with developmental disabilities, the adopter's exemption from work or the adopter's care of the child referred to in paragraph 3 of this article shall be extended in 60 days.

(5) An adoptive parent or an adoptive parent outside the labor system may, for the sake of employment or self-employment, terminate the use of the right from paragraphs 3 and 4 of this article or transfer this right to a spouse who became the adopted child's parent through adoption, with his or her written consent and under the condition that he has the same labor law status as the person referred to in paragraph 1 or paragraph 2 of this article who transfers the right.

(6) A beneficiary from paragraph 1 or paragraph 2 of this article, who, for the sake of employment or self-employment, has interrupted the use of the right to adoptive exemption from work or adoptive care of a child, may continue using it as an employed or self-employed adoptive parent if he has spent at least 9 months continuously before the month in which he intends to start using the remaining part of the unused right and on the condition that he has not transferred the right to use the adoptive leave from work or adoptive care of the child to another parent according to paragraph 5 of this article.

(7) Beneficiary from paragraph 1 of this article or paragraph 2 of this article, who has not spent at least 9 months at work before the month in which he intends to start using the remaining part of the unused adoptive allowance from work or adoptive child care for the reason that he has stopped employment relationship or has stopped performing the activity referred to in Article 6, point 2 of this Act, and has spent at least 3 continuous months at work, has the right to continue using the remaining part of the right to adoptive care for the child, as an unemployed parent, if he fulfills conditions for an unemployed parent from Article 27 of this Act.

2.2. Right to monetary compensation

Article 40.

(1) The beneficiary referred to in Article 38, paragraph 1 of this Act, during the exercise of the right to adoptive parents' exemption from work or the right to adoptive child care, has the right to monetary compensation in the amount of 50% of the budget base per month.

(2) The user from Article 39, paragraph 6 of this Act, during the use of the remaining part of the unused right from Article 39, paragraphs 3 and 4 of this Act, realizes the right to compensation in the amount of 50% of the budget base per month.

VIII. ONE-TIME FINANCIAL SUPPORT FOR A NEWBORN CHILD

Article 41

The beneficiary from Article 7 of this Act has the right to a one-time financial support for a newborn child under the conditions and in the amount prescribed by this Law.

Article 42.

(1) The beneficiary from Article 7, paragraph 1, points 1 to 5 and paragraph 2 of this Act may exercise the right to

a one-time financial support from Article 41 of this Act, provided that he meets the following conditions at the time of the child's birth: -

that a Croatian citizen with a residence or a foreigner with a permanent residence in the Republic of Croatia for a continuous period of at least 12 months,

- that he is health insured according to the regulations on mandatory health insurance.

(2) The beneficiary referred to in Article 7, paragraph 1, point 6 of this Act may exercise the right to financial support from Article 41 of this Act, provided that he meets the following conditions at the time of the child's birth: - that he is a Croatian citizen with permanent residence

or a foreigner with permanent residence by staying in the Republic of Croatia for a continuous duration of at least 5 years,

- that he is health insured according to the regulations on mandatory health insurance.

(3) Beneficiaries from paragraphs 1 and 2 of this article may submit a request and exercise the right to one-time financial support from article 41 of this Act, provided that the child is: - registered in the birth register - registered as a member of their household,

-

health

insured according to the regulations on mandatory health insurance.

Article 43

(1) The one-time financial support from Article 41 of this Act amounts to 70% of the budget base.

(2) Beneficiary for an adopted child up to the age of 3 has the right to financial support from paragraph 1 of this Article, under the conditions from Article 42 of this Act, if the financial support from Article 41 of this Act for that child not previously paid to another user.

IX. PROCEDURE FOR EXERCISE OF RIGHTS

Article 44

(1) Rights from this Act are exercised on the basis of the decision of the Institute made on the basis of the written request of the user from Article 7 of this Act, unless otherwise prescribed by this Act.

(2) As an exception to paragraph 1 of this article, the right to maternity leave from the 45th day before the expected date of birth and the right to compulsory maternity leave is exercised on the basis of a sick leave report issued by the selected doctor of primary health care, and on the proposal of the selected doctor of gynecologist from of compulsory health insurance on the day of the expected birth, on which the chosen primary health care doctor must indicate only the initial date of use of the right.

(3) The provisions of the Act on General Administrative Procedure shall be applied in the process of resolving the request from paragraph 1 of this Article, unless otherwise prescribed by this Act or a regulation adopted on the basis of this Act.

(4) The request for the exercise of rights under this Act shall be submitted no later than 30 days before the indicated deadline for the start of its use, unless otherwise prescribed by this Act.

Article 45.

(1) The rights from this Act are decided in the first instance by the competent organizational unit of the Institute in whose territory the residence or permanent residence of the applicant is located.

(2) The Directorate of the Institute decides on the appeal against the first-instance decision of the Institute.

(3) The appeal does not delay the execution of the decision.

(4) The decision on the appeal made in the second instance is final in the administrative procedure and an administrative dispute can be initiated against it.

(5) The decision on the right from this Act must be submitted to the employer if the beneficiary of the right is an employed parent, employed adoptive parent or employed guardian.

(6) The decision on the right of an unemployed parent from this Act must be submitted to the competent organizational unit of the Croatian Employment Service, in whose register of unemployed persons the beneficiary of the right is kept.

Article 46.

(1) A user who claims rights from this Act shall, upon request of the competent organizational unit of the Institute, submit evidence that is a condition for realizing the requested right, if the Institute does not have them or cannot obtain them ex officio.

(2) In gathering evidence to establish the justification of the user's request, the Institute has the right to use all available data on the user as an insured person according to the regulations on compulsory health insurance and to use official data of competent central bodies of state administration and public institutions, as well as other competent bodies from which can determine the validity of the acquisition of the requested right.

(3) Competent central bodies of state administration and public institutions, as well as other competent bodies from paragraph 2 of this article, are obliged to deliver or make available to the Institute the requested data within 15 days from the date of receipt of the request.

1.1. Announcement and exercise of the rights of an employed parent

Article 47.

(1) An employed parent who, in the course of using the right from this Act, intends to change the way of using that right, is obliged to notify his employer in writing of this intention at least 30 days before the change or before the re-establishment of the unused corresponding right.

(2) Upon the written notice from paragraph 1 of this article, the employer is obliged to issue a written statement of his consent to the stated intention of the employed parent, with the possibility of not accepting that intention for a period of no more than 30 days under the conditions established by labor regulations.

Article 48

An employed parent, whose right from this Act is being decided for the reasons prescribed in Article 47, paragraph 1 of this Act, is obliged to submit to the competent organizational unit of the Institute, along with the request for a decision on the related right, a written statement from the employer from Article 47, paragraph 2 of this Act .

1.2. Announcement and use of the rights of other users from the Act

Article 49

A self-employed parent who, in the course of using the rights from this Act, intends to change the way of using that right, is obliged to submit a written request to the Institute at least 30 days before the change occurs or before the re-establishment of the unused right.

Article 50.

(1) A parent who earns another income, a farmer parent, an unemployed parent and a parent outside the labor system, exercises the corresponding right in the manner and in the procedure prescribed by this Act and the implementing regulations adopted on the basis of this Act.

(2) The beneficiary referred to in paragraph 1 of this article who submits a request for the use of the right from this Act to the Institute within 30 days from the day of the child's birth, has the right to use the respective right from the day of the child's birth.

(3) A user who does not submit a request for the use of the right within the period prescribed in paragraph 2 of this article, and submits the request within 120 days from the birth of the child, has the right to use the respective right from the date of submission of the request.

(4) In the request for the use of the right to maternity or parental leave from work or on the basis of maternity or parental care of the child, the user must indicate the way of using the respective right.

(5) The request for termination of use or transfer of use of the right to another parent, under the conditions of this Act, shall be submitted by the second user no later than 30 days before the indicated deadline for termination or transfer of the used right to the other parent.

(6) Exceptionally, the request for termination or transfer of the used right to another parent may be submitted within a shorter period than that established in paragraph 5 of this article, which cannot be shorter than 8 days, if it is conditioned by unforeseen social circumstances, such as death in the family, serious illness of one of the family members or another parent or employment or self-employment, which is decided by the Institute.

1.3. Exercising the right to one-time financial support for a newborn child

Article 51.

(1) The beneficiary from Article 7 of this Act may exercise the right to one-time financial support for a newborn child from Article 41 of this Act, provided that he has submitted a written request for recognition of the right to the competent organizational unit of the Institute within 6 months from the day of the child's birth. that is, within 30 days from the day of adoption of the child referred to in Article 43, paragraph 2 of this Act.

(2) The right to a one-time financial support for a newborn child is realized on the basis of the request from paragraph 1 of this article, the child's birth certificate, and documentation proving the fulfillment of the conditions from article 42 of this Act.

(3) The right to financial support from paragraph 2 of this article is exercised, as a rule, without the adoption of a written decision.

1.4. Notification of circumstances affecting the exercise of rights and damages

Article 52.

(1) The beneficiary from this Act is obliged to report any change to the Institute, within 8 days from the date of occurrence of the circumstances that affect the use of the recognized right under this Act.

(2) The user who does not act in accordance with paragraph 1 of this article is obliged to compensate the Institute

for the resulting damage and the non-due receipt, with the corresponding interest, and to pay it into the state budget account, all within 8 days from the date of receipt of the Institute's written notification of the determined circumstances.

X. COMMISSION FOR MONITORING THE IMPLEMENTATION OF THE LAW

Article 53.

(1) For the purpose of implementing this Act, the minister responsible for the family establishes a Commission for monitoring the implementation of this Act, which consists of 7 members.

(2) The members of the Commission referred to in paragraph 1 of this article are appointed by the minister responsible for the family, namely two representatives of the ministry responsible for the family, one of whom is the chairman of the Commission and one representative each of the ministry responsible for work, the Institute, the Croatian Chamber of Crafts, the Croatian Association of Employers and Coordination of trade union headquarters.

(3) The commission monitors the implementation of this Act, provides opinions and proposals for the implementation of this Act to the competent Ministry of Family Affairs and the Institute, makes proposals for improving the system of family support from this Act, and adopts rules of procedure for its work.

(4) The professional and administrative tasks of the Commission referred to in paragraph 1 of this article are performed by the ministry responsible for the family.

XI. FINANCING

Article 54.

Funds for financing the rights and support established by this Act are provided in the state budget, with the exception of the funds for rights from Articles 20 and 26 of this Act.

XII. SUPERVISION AND SUBMISSION OF REPORTS

Article 55.

(1) Supervision over the legality of the Institute's work in the implementation of this Act is performed by the ministry responsible for the family.

(2) The institute is obliged to submit an annual report on the implementation of this Act and the expenditure of funds in the past year to the ministry responsible for the family no later than March 31 of the current year.

(3) By the twentieth day of the month for the previous month, the institute is obliged to submit monthly reports to the ministry responsible for the family on the number of beneficiaries of individual rights and the amount of funds spent according to their purpose.

(4) The content of the report from paragraphs 2 and 3 of this article will be prescribed by the minister responsible for the family, with the previously obtained opinion of the Director of the Institute.

Article 56.

(1) The Institute is obliged to keep an electronic register of the beneficiaries of the rights from this Act.

(2) The Institute is obliged, respecting the regulations on the protection of personal data, to central state administration bodies and public institutions that, on the basis of the law, decide on the financial rights of citizens, which are ensured in the state budget or according to the regulations on mandatory health insurance or according to the regulations on mandatory pension insurance or employment, submit or make available data from the electronic register.

(3) The content and method of keeping the register from paragraph 1 of this article shall be prescribed by the minister responsible for the family, with the prior opinion of the Director of the Institute.

XIII. COMPENSATION OF DAMAGE

Article 57.

(1) The beneficiary from this Act is obliged to compensate the state budget and the Institute for damage, together with the associated interest, that occurs due to improper and improper payment of financial support from this Act if: 1. on the basis of untrue and inaccurate data,

for which he knew or had to know were untrue and incorrect, exercises any right that does not belong to him, 2. does not report changes within a certain period that affect the further use or loss of rights, and he knew or had to know about these changes,

3. he was paid compensation to which he was not entitled according to the decision, or the compensation was paid in a larger amount than the amount specified in the decision that established the right and the amount of compensation for the period of use of the respective right.

(2) The procedure for compensation from paragraph 1 of this article shall be initiated and managed by the Institute, unless otherwise prescribed by another regulation.

XIV. PENAL PROVISIONS

Article 58.

- (1) The beneficiary from this Act shall be fined for an offense in the amount of HRK 3,000.00 to HRK 10,000.00 if:
1. on the basis of untrue and incorrect data, submitted to the competent department of the Institute, he achieves any of the following the rights from this Act with the associated financial support,
 2. fails to report within the prescribed period any change that affects the loss or change of the basis for exercising any right from this Act.
- (2) An employer who does not ensure or in any other way prevents an employed pregnant woman or mother who is breastfeeding a child from using the right to maternity and infant leave, with the corresponding salary from Article 20 of this Act, or prevents or in any other way prevents an employed parent from using rights to maternity or parental leave, half-time work, part-time work or any other right under this Act, will be punished by a fine in the amount of HRK 10,000.00 to HRK 50,000.00.
- (3) The responsible person of the employer, in the case referred to in paragraph 2 of this article, shall be fined for the offense in the amount of HRK 3,000.00 to HRK 10,000.00.

(4) The responsible person of the competent central body of the state administration or public institution, that is, of another competent body, who refuses to deliver or make available data to the Institute as per the request from Article 46, paragraph 3 of this Act, shall be punished for the misdemeanor by a fine in the amount of 1,500.00 to 5,000.00 HRK. The responsible person of the Institute will be punished with the same punishment for a misdemeanor if he acts contrary to Article 56, Paragraph 2 of this Act.

XV. CASH AND OTHER SUPPORTS TO LOCAL AND REGIONAL SELF-GOVERNMENT UNITS, LEGAL AND NATURAL PERSONS

Article 59.

- (1) The municipality, city, county and the City of Zagreb, for the purpose prescribed in Article 1 of this Act, may, in their general acts, prescribe the manner and conditions for exercising the right of parents to financial assistance to a greater extent than prescribed by this Act or the provision of assistance in kind.
- (2) A religious community, a trading company, an association and other domestic and foreign legal and physical persons, for the purpose prescribed in Article 1 of this Act, may provide monetary or in-kind assistance to parents, if this does not contradict this Act.
- (3) Foundations and foundations may be established for the purpose prescribed in Article 1 of this Act.

XVI TRANSITIONAL AND FINAL PROVISIONS

Article 60

- (1) Requests for the exercise of the right to maternity leave and maternity benefits, as well as other requests for the exercise of rights under special regulations relating to maternity protection, which have not been legally finalized by the date of entry into force of this Act, will be dealt with according to the regulations were in force until the date of entry into force of this Act.
- (2) Persons who, on the date of entry into force of this Act, found themselves exercising the rights referred to in paragraph 1 of this Article may, by written request from the locally competent organizational unit of the Institute, request the exercise of that right according to the provisions of this Act, if it is more favorable for them.

Article 61

- (1) Beneficiary of the right to leave until the child is seven years old or to work in reduced working hours for the care of a child with severe developmental difficulties with the right to financial compensation according to the regulations in the field of social welfare, who exercised this right until the date of entry into force of this of the Act, retains the acquired right.
- (2) The beneficiary referred to in paragraph 1 of this article may, by written request from the locally competent organizational unit of the Institute, request the determination of the rights established by this Act, if that is more favorable for him, in which case he shall exercise his rights under this Act from the date of entry into force of that decision.
- (3) Within 90 days from the date of entry into force of this Act, the institute is obliged to take over, and the competent center for social welfare is obliged to hand over the belongings of the beneficiaries of the rights referred to in paragraph 1 of this article.
- (4) The content of the documentation referred to in paragraph 3 of this Article shall be determined by agreement between the Institute and the competent center for social welfare.
- (5) Monetary benefits from paragraph 1 of this article within the period from paragraph 3 of this article are provided in the state budget at the division of the competent ministry for social welfare.
- (6) At the end of the period referred to in paragraph 3 of this article, funds for the payment of financial benefits to the beneficiaries referred to in paragraph 1 of this article shall be secured in the state budget at the division of the ministry responsible for family matters.

Article 62

(1) The competent minister shall issue a regulation from Article 16, paragraph 2, Article 21, and Article 23, paragraph 6 of this Act within 30 days from the date of entry into force of this Act.

(2) The minister responsible for the family shall issue a regulation from Article 55, paragraph 4 of this Act within 60 days, and a regulation from Article 56, paragraph 3 of this Act within 120 days from the date of its entry into force.

Article 63.

Until the entry into force of the regulations from Article 62 of this Act, the following shall remain in force:

1. Ordinance on the method of exercising the right to cash compensation for maternity leave of an unemployed mother who has acquired the right to compensation at the Croatian Employment Service, of an unemployed mother who exercises the right to a disability pension due to professional incapacity for work and a mother who is a pension beneficiary ("Narodne novine", no. 105/01),
2. Ordinance on the conditions and procedure for acquiring the right to leave for a pregnant or breastfeeding woman ("Narodne novine", No. 103/06.),
3. Ordinance on the conditions and procedure for exercising the right to a break for breastfeeding a child ("Narodne novine", No. 103/06),
4. Ordinance on the rights of parents of children with severe developmental disabilities to leave or to work half-time for child care ("Narodne novine", no. 92/03);
5. Ordinance on the conditions and method of using the right to assistance for the equipment of a newborn child ("Narodne novine", No. 58/94.).

Article 64.

On the date of entry into force of this Act, the Act on Maternity Leave for Self-Employed Mothers and Unemployed Mothers (Official Gazette No. 24/96, 109/97, 82/01 and 30/04) ceases to be valid, and the provisions of the Law on Compulsory Health Insurance ("Official Gazette", no. 85/06, 105/06, 118/06, 77/07, 111/07 and 35/08) in the part in which contravention of the provisions of this Act.

Article 65.

This Act will be published in the "Narodne novine" and will enter into force on January 1, 2009, except for Article 9, which will enter into force on the date of the accession of the Republic of Croatia to the European Union.

Class: 113-04/08-01/01

Zagreb, July 9, 2008.

CROATIAN PARLIAMENT

President

of the Croatian Parliament

Luka Bebić, vr