**ACT**

**ON STRATEGIC INVESTMENT PROJECTS OF THE REPUBLIC OF CROATIA**

**I GENERAL PROVISIONS**

**Article 1**

This Act lays down the criteria and procedure for the notification of strategic investment projects (hereinafter: strategic projects), the process for evaluating, selecting, preparing and implementing strategic projects, making available real estate property owned by the Republic of Croatia for the implementation of strategic projects, granting concessions in relation to the implementation of strategic projects and issuing administrative acts relating to the implementation of strategic projects.

**Article 2**

This Act ensures the implementation of Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 (Text with EEA relevance) as last amended by Commission Delegated Regulation (EU) 2016/89 of 18 November 2015 amending Regulation (EU) No 347/2013 of the European Parliament and of the Council as regards the Union list of projects of common interest (hereinafter: Regulation (EU) No 347/2013).

**Article 3**

The terms used in this Act shall be taken to mean as follows:

(1) a *strategic investment project*is any private investment project, public investment project or public-private investment project in the fields of economy, mining, energy, tourism, transport, infrastructure, electronic communications, postal services, environmental protection, municipal economy, agriculture, forestry, water management, fisheries, health, culture, audiovisual, science, defence, justice, technology and education involving the construction of buildings and declared by the Government of the Republic of Croatia on the basis of this Act;

(2 *) a private investment project*is considered to be a project financed by the investments of natural persons, domestic or foreign legal persons registered in the Republic of Croatia;

(3) *a public investment project*is considered to be a project of which the Republic of Croatia is a legal person, founded by the Republic of Croatia or a local and regional self-government unit.

(4) *a public-private investment project*(PPP) is a project owned by a public and private legal person.

(5) *PPP under a public-private partnership model*is considered a project run in accordance with the regulations governing the public-private partnership;

(6), the *investor*can be a family farm (OPG), a domestic or foreign legal person registered in the territory of the Republic of Croatia, a legal person established by the Republic of Croatia or a local and regional self-government unit;

(7) a *potential strategic project*is considered to be a project which is fully or partly realised in a real estate over which the Republic of Croatia and local and regional self-government units have a more than half majority co-ownership, as recorded in the land registry, or the maritime domain if it constitutes a functional and commercial entity with real estate referred to in Article 5(1), and Articles 1 and 2 of this Act, for which the Republic of Croatia or local and regional self-government units wish to find the investor

(8) *a regular application* shall be considered to be an application containing a description of the project subject to compliance with the conditions set out in Article 9 of this Act, as well as documents and other necessary information and evidence of the project from which compliance with the prescribed conditions can be assessed;

(9) *an application* containing all the information and supporting documents provided for in the special regulations shall be considered as *duly applied*

(10) *construction*is the design and construction of buildings and specialist supervision of the construction process;

(11) *the concept solution*is a type of professional background providing basic design and operating solutions in space, in accordance with the rules of architectural and/or engineering profession.

**Article 4**

(1) Strategic projects are of interest to the Republic of Croatia.

(2) The construction of strategic structures is of interest to the Republic of Croatia.

(3) The proclamation of a project as strategic does not presuppose an obligation on the part of the Republic of Croatia or a local and regional self-government unit in terms of the financial contribution or the provision of public funding for the implementation of the strategic project referred to in this Act.

(4) The strategic projects shall be subject to the rules on State aid.

**II POTENTIAL STRATEGIC PROJECTS**

**Article 5**

(1) A potential strategic project for the purposes of this Act is a project that can be implemented at:

1. a property over which the Republic of Croatia has a more than half majority co-ownership, as recorded in the land registry, and which is planned for the development of investment projects by the spatial plan; or

2. a property over which the Republic of Croatia and local and regional self-government units have a more than half majority co-ownership, as recorded in the land registry, and which is planned for the development of investment projects by the spatial plan; or

3. the maritime domain, if it constitutes a functional and commercial assembly with immovable property referred to in points 1 and 2 of this paragraph.

(2)The project application referred to in paragraph (1) of this Article shall include, in addition to the criteria referred to in Article 7 of this Act, supplementary criteria and shall include additional documents, data and evidence of the project, in addition to the content of the application referred to in Article 9 of this Act, relevant to the selection of the developer for the implementation of the potential strategic project.

(3) The selection of the investor for the implementation of an individual strategic project shall be made on the basis of a public call, which may be carried out in two rounds, in which case the investor’s interest in the implementation of an individual project shall be identified in the first round, and in the second round shall be invited to submit a binding bid, in accordance with the specific regulations.

(4) The central state administration body in possession of the building and general good referred to in paragraph 1 of this Article shall, by decision, identify a potential strategic project, on the proposal and in cooperation with the central government authority in whose jurisdiction the potential strategic project falls within the remit of each potential strategic project.

(5) The content of the public call, the disposition of property, the level of the fee for the use of the property and the content of the application for a project referred to in paragraph 2 of this Article shall be governed by the Government of the Republic of Croatia by a decision taken in respect of each individual project, on a proposal from the central state administration body responsible for state assets, in cooperation with the central state administration body in whose jurisdiction the potential strategic project falls.

(6) In the case of immovable property referred to in paragraph 1 (2) of this Article, the decision referred to in paragraph 5 shall be taken with the agreement of the local and regional self-government unit.

(7) In the cases referred to in paragraph 6 of this Article, the Republic of Croatia and local and regional self-government units shall, by virtue of the decision referred to in paragraph 5 of this Article, conclude an agreement on the conditions and arrangements for disposing of the property and the obligations of the parties to the project.

(8) Upon selection of a potential strategic project under paragraph 3 of this Article, if there is an interest from the investor to declare the project as a strategic project of the Republic of Croatia, the same project shall be declared by the investor in accordance with Article 8 of this Act.

(9) The manner in which the public call is published shall be prescribed by decision of the Government of the Republic of Croatia referred to in paragraph 5 of this Article.

**III PUBLIC CALL**

**Article 6**

(1) The Government of the Republic of Croatia or a body authorized by it may announce a public call on a website for investors to submit and implement an individual strategic project when assessing whether this is of interest to the Republic of Croatia, in order to attract investments and resolve investors’ investments on the territory of the Republic of Croatia.

(2) Upon a selection of investors pursuant to paragraph 1 of this Article, if the investor has an interest in declaring the project as a strategic project of the Republic of Croatia, the same project shall be declared by the investor pursuant to Article 8 of this Act.

**IV CRITERIA, PROCEDURE AND CONTENT OF THE APPLICATION FOR STRATEGIC PROJECTS**

**Article 7**

(1) The strategic project will be considered as the project, whose implementation creates conditions for the employment of more people depending on the type and location of the project, which significantly contributes to the development or improvement of conditions and standards for product production and provision of services, which introduces and develops new technologies that increase competitiveness and cost-effectiveness in the economy or the public sector and/or increase the overall level of safety and quality of life of citizens and protection of the environment, which has a positive impact on several economic activities and whose implementation generates added value, in the areas referred to in Article 3 (1) of this Act and which contributes significantly to the sustainable development and protection of the space, the environment and culture, and which makes a significant contribution to the competitiveness of the Croatian economy and meets the following criteria:

1. it is in line with the current spatial plans; and

2. it has a total investment cost value equal to or greater than HRK 75.000.000,00 excluding Value Added Tax (hereinafter: VAT)

3. it may be co-financed by the European Union funds and programs and the total value of the project’s capital costs is equal to or greater than HRK 75.000.000,00 excluding VAT; or

4. shall be exercised in *assisted areas*, in accordance with the rules governing assisted areas and *areas with specific development issues* of the Republic of Croatia, and the total value of the capital costs of the investment in the assisted area shall be equal to or greater than 10.000.000,00 HRK, excluding VAT, or

5. it is generated on the islands and the overall value of the investment’s capital costs on the islands is equal to or greater than HRK 10.000.000,00 excluding VAT; or

6. for projects falling within the field of agricultural production, fisheries and forestry, the total value of the investment’s capital costs is equal to or greater than HRK 10.000.000,00 excluding VAT.

(2) In addition to meeting the criteria referred to in paragraph 1, a private project may be declared strategic if it concerns:

1. production and processing activities; or

2. development and innovation activities; or

3. business support activities; or

4. high-value added value services activities; or

5. activity in the energy sector; or

6. infrastructure activities; or

7. activities in the agriculture, forestry and fisheries sectors; or

8. health activities; or

9. activities related to science and education.

(3) The activities referred to in point 1 of paragraph 2 to 4 defines the rules governing the promotion of investment.

(4)The Committee explained in Article 10 of this Act shall decide on the compatibility of the notified proposal for a strategic project with the prescribed criteria.

**Article 8**

(1) The projects shall be submitted by the investor in Croatian language and in Latin alphabet.

(2) Investors shall submit the project, depending on the type of project, to the central state administration body responsible for the economy or the investment and competitiveness agency depending on the project type.

(3) A public investment project shall be submitted by the investor to the central state administration body responsible for the economy.

(4) Private, public-private investment project and public-private investment project carried out in compliance with regulations governing public-private partnerships shall submit to the Investment and Competitiveness Agency by an investor.

**Article 9**

(1)The investor shall submit a regular application of the project as strategic, depending on the type of project referred to in Article 8 of this Act, to the central government authority responsible for the economy or to the investment and competitiveness agency.

(2)The investor’s submission shall be accompanied by a detailed report containing:

1. a description of the project and conceptual solution made by a licensed architect or certified construction engineer, if these are infrastructure buildings and which contains a description of the project in space within the scope of the project with clearly defined buildings outside the scope of the project (transport and other infrastructure) and a declaration on compliance of the project with the spatial plan and a list of the land registry parcels on which the project is to be carried out; and

2. for all land registry parcels on which the project is planned to be carried out, it should be accompanied by locational information in accordance with the special regulation, not older than six months from the date of submission of the application, a confirmation of whether an application by the former holders of recovery has been made, pursuant to the law governing the conditions and the procedure for compensation for assets taken by the former Yugoslav Communist authorities from the former owners and the observations of the company Hrvatske šume Ltd. whether is the parcel within the Forest Management Plan, not older than six months from the date of submission; and

3. an investment plan covering a minimum of five years, including information on the sources and funding arrangements of the strategic project, which must contain the balance sheet, the profit and loss statement, the cash flow statement, the statistical and dynamic assessment of the investment project and the risk analysis; and

4. evidence of financial capacity that is required to include a revised annual financial report for the year preceding the reporting year, if the investor is subject to the audit obligation, i.e. an annual report on the stipulated forms for investors which are not subject to audit, the business reports for the quarter preceding the submission of the project application referred to in paragraph 1 of this Article, BON 1 forms and BON 2, of no more than 30 days old; and

5. in case where an investor has, for project purposes, established a special purpose company operating on the territory of the Republic of Croatia, and is not in a position to demonstrate its financial capacity for the project, a founder of a company which is a legal person shall provide information on its financial capacity, certified by the competent authority of the country in which the investor is located, and in particular: audited financial report for the last two years of operation, the solvency data certified by the competent banking/financial institution and the underlying financial indicators for the last two years, and the binding letter of intent of the founder of the company; and

6. a detailed profile of the company, including related companies and reference LV; and

7. a confirmation that it complied with the obligation to pay the tax due, pension and health insurance and other public charges and the obligation to pay wages and other substantive rights of the workers contracted by collective agreement, labor contract or employment rules, not older than 30 days.

(3) Points 4 to 7 referred to in paragraph 2 of this Article shall not apply to public investment projects.

(4) The rules governing the submission of a project application are set out in the Rules of Procedure of the Minister for the Economy.

**V THE EVALUATION, SELECTION, PREPARATION AND IMPLEMENTATION OF STRATEGIC PROJECTS.**

**Article 10**

(1) The Government of the Republic of Croatia shall set up a Committee for assessing and identifying proposals for strategic projects (hereinafter: Committee).

(2) The Committee shall have a Chairperson, a Deputy Chairperson, five permanent members and five variable members.

(3) The Chairperson, Deputy Chairperson and members of the Commission shall be appointed by the Government of the Republic of Croatia, where the chair of the Commission, per position, shall be Deputy Prime Minister of the Republic of Croatia and the Deputy Chairperson shall be the head of the central state administration body responsible for the economy.

(4) In cases where the Deputy Prime Minister of the Republic of Croatia is also the head of the central state administration body responsible for the economy, the Deputy President of the Committee is the Secretary of State of the central state administration body responsible for the economy.

(5) Five permanent members of the Committee shall be the head of the central state administration body responsible for construction and zoning, the head of the central state administration body responsible for the judiciary, the head of the central state administration body responsible for environmental protection, the head of the central state administration body and the head of the central government authority responsible for finance.

(6) Three variable members of the Committee shall be the head of the competent central authority of the State, within the area of jurisdiction for the strategic project, the head of the central national authority responsible for regional development and European Union funds when the project is co-financed by the funds and programs of the European Union and by the head of the central state administration body responsible for Foreign and European affairs, when the founder of the company is a project investor, a foreign legal person registered in the territory of the Republic of Croatia.

(7) The two changing members of the Committee shall be representatives of the local and regional self-government units in whose territory the project is generated. A changing member of the Committee is appointed from the order of the mayor or a municipal head and the other is appointed from the ranks of the county on whose territory the project is being pursued.

(8) The duties of the Committee shall be as follows:

1. the assessment of a proposal for a strategic project and to propose to the central government authority responsible for the economy the decision to include or refuse the inclusion of a project in the Strategic Projects List,

2. make the decision to set up the Operational Group for the preparation and implementation of each individual project referred to in Article 12 of this Act and appointing the Head of the Operational Group,

3. propose to the Government of the Republic of Croatia adopting a decision declaring a strategic project,

4. monitoring the implementation of strategic projects,

5. propose to the Government of the Republic of Croatia whether to annul the decision declaring the strategic project,

6. propose to the central government authority responsible for the economy the decision to erase a project from the Strategic Projects List.

(9) Administrative work for the Commission referred to in paragraph 1 of this Article shall be carried out, in accordance with the areas laid down by this Act, by the central state administration body responsible for the economy or by the investment and competitiveness agency and in cooperation with the central state administration bodies, which have been identified as being partly or fully responsible for the preparation and implementation of the project.

(10) The proceedings and other issues of relevance to the tasks within the remit of the Committee referred to in paragraph 1 of this Article shall be governed by the Rules of Procedure of the Committee, which shall be adopted by the Committee with the prior consent of the head of the central state authority responsible for the economy.

**Article 11**

(1) The central government authority responsible for the economy shall carry out the administrative check of the applications received referred to in Article 8(3) of this Act, in accordance with Article 9 of this Act, and shall refer the duly completed application for consideration to the Commission referred to in Article 10 of this Act.

(2) The Investment and Competitiveness Agency shall carry out an administrative check of the applications received referred to in Article 8(4) of this Act, in accordance with Article 9 of this Act, and shall address an regular application to the central government authority responsible for the economy which refers it for consideration to the Committee referred to in Article 10 of this Act.

(3) The central government entities referred to in Article 10(9) of this Act shall, within their scope and at the request of the central state administration body responsible for the economy or the investment and competitiveness Agency, provide an expert opinion on the declaration received and the documentation concerned, and a positive or negative assessment on the acceptability of the strategic project proposal, within ten days of the date of receipt, with a view to assessing the acceptability of the strategic project, and submitting a referral for consideration to the Committee.

(4) In case of receiving incomplete documentation, the central state administration body responsible for the economy or the investment and competitiveness Agency shall, after receiving the incomplete documentation, invite investors to supplement it within 15 days.

(5) If the investor does not submit the completion of the dossier within the time limit referred to in paragraph 4, the application cannot be followed and the investor shall be informed of the failure to follow up the application.

(6) The central state administration body responsible for the economy shall, on a proposal from the Committee, take a decision to include or remove the project on the Strategic Projects List.

(7) The Strategic Projects List is public and is kept up to date with the central state administration body responsible for the economy.

(8)The central state administration body responsible for the economy shall, on a proposal from the Committee, decide to remove a project from the Strategic Projects List in cases:

1. when the project is no longer fulfilling the criteria referred to in Article 7 of this Act;

2. if it is established, during the preparation of the project, that the implementation of the project cannot be carried out in accordance with the regulations;

3. if an investor abandons the implementation of the strategic project

4. if the investor does not take action for the implementation of the strategic project

5. if the deadline of one year after the decision of the central government authority responsible for the economy to include the project on the Strategic Projects List, the preparation process has not been concluded by the fault of the investor

6. if the Agreement referred to in Article 13 of this Act is not concluded

7. if the Government of the Republic of Croatia decides to annul the decision declaring the strategic project of the Republic of Croatia

8. if the investment project referred to in paragraph 11 of this Article is deleted from the European List of Projects of Common Interest.

9. where recovery of funds is requested for the investment project referred to in paragraph 12 or recovery procedure has been initiated from the European Structural and Investment Funds;

10. if for the supporting infrastructure, the sub-project referred to in paragraph 13 of this Article, the Committee decided to be removed from the Strategic Projects List.

(9)The central state administration body responsible for the economy shall, on a proposal from the Committee, decide to remove a project from the Strategic Projects List for a project for which the Government of the Republic of Croatia has decided to annul its decision declaring it the strategic project of the Republic of Croatia.

(10) If, due to the complexity of the implementation process, the preparation process has not been concluded within one year from the date on which the decision to include the project on the Strategic Projects List was taken and not by the fault of the investor, the central government authority responsible for the economy will decide, on a proposal from the Committee, on an appropriate extension of the deadline and in accordance with the proposal from the Head of the Operational Group.

(11) Where an investment project has been endorsed by the Republic of Croatia and the European Union declares it of common interest and includes it in the European List of Projects of Common Interest in accordance with Regulation (EU) No 347/2013, it shall, on a proposal of the Committee, include the project on the Strategic Projects List, the content and the manner of which the application for a project is submitted shall be set out in the Rules referred to in Article 9(4) of this Act.

(12) If there is a decision that the investment project will be financed by the European Structural and Investment Funds which will be carried out in the course of the programming period 2014 to 2020, as in the future financial perspective of the Republic of Croatia, it is placed automatically on the Strategic Projects List by the proposal of the Committee and the content and method of submitting a project application shall be set out in the Rules referred to in Article 9(4) of this Act.

(13) Where there is an infrastructure which accompanies and is necessary for the realization of a project on the Strategic Projects List, pursuant to Article 10(8) of this Act, it shall be included on the Strategic Projects List, on the proposal of the Committee with a prior reasoned proposal of the Head of the Operational Group as a sub-project of the listed strategic project.

**Article 12**

(1) The Operational Group for the preparation and implementation of strategic projects (hereinafter: the Operational Group) shall be responsible for identifying any necessary procedures and information on all competent authorities involved in the preparation and implementation of the project, coordinating the preparation and drafting of all necessary acts and documentation for the implementation of the project.

(2) The mode of operation of the Operational Group referred to in paragraph 1 of this Article can be determined in the Rules of Procedures by the Head of the Operational Group for the project in question.

(3)The tasks of the Operational Group shall be:

1. setting out the procedures required for the preparation and implementation of each individual project and informing the investor of them;

2. the implementation of the project, the drawing up of a complete overview of the administrative and other procedures and actions to be taken for the implementation of the project, and establishing the list of acts necessary for its implementation, and within one year from the date of its inclusion on the Strategic projects List

3. inter-institutional service coordination and coordination of activities in the preparation and drafting of acts for the implementation of the project and the deadlines for their implementation

4. to establish a proposal for a decision of the Government of the Republic of Croatia requesting a project to be declared as strategic which shall be appointed to the Committee referred to in Article 10 of this Act.

(4) Following the decision to include the project on Strategic projects List and the appointment of the Head of the Operational Group, the Head shall identify the competent central state administration bodies responsible for the preparation and implementation of the project, the list of the administrative and other procedures and actions to be taken for the realization of the strategic project in accordance with the law, the work of the members of the Operational Group on their appointment and monitoring the procedures for the overall preparation and execution of the project and the dynamics of the tasks of all participants in the implementation of the projects.

(5) The list of administrative and other procedures and operations referred to in paragraph 4 of this Article shall be communicated to the central state administration body responsible for the economy and to the investor for the purpose of follow-up.

(6) The Head of the Operational Group shall request the competent state administration and other state bodies, for which it has been established that the preparation and implementation of the project have been partly or fully in their respective areas of competence, to appoint persons to the Operational Group and, if necessary, may request the investor to appoint a person to participate in the work of the Operational Group, where this is necessary to establish the dynamics of the project.

(7) The time limit for the appointments referred to in paragraph 6 shall be 15 days from the date of receipt of the requested appointment of persons to the Operational Group.

(8)The Operational Group referred to in paragraph 1 of this Article shall be assembled from:

1. the representatives of central government and other national authorities and representatives of local and regional authorities who have been identified as being partly or fully responsible for the preparation and implementation of the project

2. representatives of the Agency for Investment and Competitiveness

3. representatives of the executive and local and regional self-government units on whose territory the project is to be realized;

4. representatives from the central government authority responsible for finance

5. representatives from the central state administration responsible for environmental protection

6. representatives from the central state administration body responsible for the economy

7. representatives of the central state administration body responsible for construction and spatial planning and

8. other professionals depending on the need to contribute to the quality of project preparation and implementation.

(9) The Head of an Operational Group for private, public and public-private projects shall be nominated and chosen among the public officials of central government entities which are partly or fully responsible for the preparation and implementation of the project, or from the ranks of the head offices and other management officials of the Investment and Competitiveness Agency.

(10) The Head of the Operational Group is required to report on a quarterly basis to the central state administration body responsible for the economy and to the Chair of the Committee, more often, on the implementation of the operations and the rhythm of execution of the tasks of all participants in the implementation of the projects.

(11) The Operational Group shall monitor the declared strategic project referred to in Article 14 of this Act until its final completion.

**Article 13**

(1) Agreement on the Preparation and Implementation of a Strategic Project (hereinafter: the Agreement) will be concluded between a private, public or private investor and the head of the central government authority responsible for the economy, prior to the decision of the Government of the Republic of Croatia declaring a strategic project of the Republic of Croatia, with a prior approval of the State Attorney’s Office of the Republic of Croatia and, when the founder of a company is a foreign legal person registered in the territory of the Republic of Croatia, with the prior approval of the central state administration body responsible for Foreign and European affairs.

(2) The essential components of the Agreement arise from the proposal of the Operational Group for the preparation and implementation of the strategic project and the list of administrative and other procedures and actions to be taken to implement the strategic project referred to in Article 12(4) of this Act, adopted by the Committee referred to in Article 10 of this Act.

(3) The Agreement shall determine the technical preparation and implementation of the strategic project, the time for investing, the final date for the implementation of a strategic project, the contractual penalty equal to 0.1 % of the overall value of the strategic project in case of exceeding the strategic project through the investor’s fault or in case of the investor’s withdrawal from the implementation of the strategic project.

(4) Where the deadline for the implementation of the strategic project referred to in paragraph 3 of this Article is exceeded and not by the fault of the investor, the investor shall submit, within three months before the expiry of the completion date, a request for an appropriate extension of the period of implementation of the strategic project, with a detailed statement of the reasons which led to the deadline being exceeded.

(5) The request referred to in paragraph 4 of this Article shall be submitted to the central state administration body responsible for the economy, which shall decide, on a proposal from the Committee, on an appropriate extension of the deadline for the implementation of the strategic project.

(6)The investor shall submit to the central state administration body responsible for the economy, within seven days before concluding the Agreement, a blank debenture bond of the company that has proven the financial capacity to implement a strategic project pursuant to Article 9(2) of this Act confirmed (soldered) by a notary, in order to ensure the recovery of the contractual penalty referred to in paragraph 3 of this Article.

(7) The Blank debenture bond provided by the investor before concluding the Agreement can be activated by the central state administration body responsible for the economy in favor of the funds of the Croatian state budget, on the basis of the Committee’s decision.

(8) Private or public investors shall be required to submit to the Investment and Competitiveness Agency, within seven days prior to concluding the Agreement, proof of their intention to execute the notified project as well as the following:

1. a certificate from a domestic bank used by the investor to prove that the financial resources corresponding to at least 5 % of the total value of the project applied for are provided in a specific account for the implementation of the project; and/or

2. where an investor has, for project purposes, established a special purpose company operating in the territory of the Republic of Croatia, a national bank certificate proving that the specific account of the company intended for carrying out the project is provided with funding equal to at least 5 % of the total value of the project notified; and/or

3. proof of the amount of resources previously invested in the implementation of the project, equal to at least 5 % of the total value of the project notified, based on the certified auditor’s certificate of the amount of the investment made; and/or

4. a binding letter of intent from a domestic bank that demonstrates the willingness of financing a project.

(9) The public investor shall provide proof, within seven days before concluding the Agreement, to the central state administration body responsible for the economy, of its intention to execute the notified project, including a decision by the company’s supervisory board or a decision of the general assembly of the company.

(10) The investor shall submit, at the end of the strategic project, a final investment report, accompanied by an approved auditor’s confirmation of the amount of the investment made, as well as evidence of the investment elements referred to in Article 7(1) of this Act to the head of the central state administration body responsible for the economy and the Operational Group that monitors the implementation of this strategic project.

(11) In case of its non-activation, the blank debenture bond referred to in paragraph 6 of this Article, shall be returned to the investor after the completion of the strategic project and within seven days from the date of receipt of the final report on the investment made as referred to in paragraph 10 of this Article.

(12) The Agreement referred to in paragraph 1 of this Article shall take effect from the date of the adoption of the decision declaring a strategic project of the Republic of Croatia referred to in Article 14 of this Act.

**Article 14**

(1) The Government of the Republic of Croatia shall decide, on the proposal of the Committee, to declare a strategic project of the Republic of Croatia which shall be published in the Official Gazette.

(2) The decision referred to in paragraph 1 of this Article shall contain:

1. project name

2. amount of total project costs estimated in tangible and intangible assets

3. name of the investor

4. type of project (private, public, public-private)

5. location of the project (local and regional self-government unit)

6. project description (objectives, impacts, impact on the development of the economy)

7. explanation for the justification of declaring a project of strategic interest for the Republic of Croatia with the impact assessment and whether the proposed project meets the conditions laid down in this Act.

8. the list of procedures and actions referred to in Article 12(4) of this Act to be taken to implement a strategic project (roadmap of activities).

(3) If, during the implementation of the Strategic Project, the Committee has acquired new knowledge of a strategic project and it is established that the submitted information on the project on the basis of which the decision to declare the project as strategic has been false, that decision shall be annulled.

(4) On a proposal by the Committee referred to in Article 10 of this Act, the Government of the Republic of Croatia shall decide to annul the decision declaring it the strategic project of the Republic of Croatia published in the Official Gazette.

**Article 15**

(1) All procedures related to the preparation and implementation of the declared strategic project and the processing of office applications are urgent.

(2) As from the date of the inclusion of the project to the Strategic Projects List, all procedures concerning the processing of duly submitted applications are urgent.

(3) All opinions and administrative acts, other than those issued in accordance with Article 23 and Article 27(2) of this Act, shall be central government bodies, legal persons or administrative authorities responsible for issuing them, within 15 days of receipt of a duly submitted application by the investor.

(4) Within five days of the receipt of the request, the central government, legal person or administrative body of a local and regional self-government unit shall be required to ask, within five days of receipt of the request, a request to supplement the application and/or supporting documentation in such a manner as to count and clarify deficiencies in the application and/or supporting documents.

(5) Submission of an addition to a request and/or an accompanying document in accordance with the written request of the competent central authority, legal person or administrative authority within 15 days shall be deemed to be the duly submitted application.

(6) If, for reasons of complexity or other reasonable grounds, the central government authority, a legal person or the competent administrative authority of a local and regional self-government unit is of the opinion that, due to its complexity or other reasonable grounds, it is not in a position to issue the requested opinion within 15 days of receipt of a duly submitted application, it shall inform the Committee and the Head of the Operational Group as well as the investor in writing within 15 days of the need to extend the deadline by a further 15 days.

(7) Appeals conducted in accordance with the rules governing public procurement and concessions relating to the implementation of strategic projects shall be urgent.

**Article 16**

In case the implementation of the strategic projects referred to in this Act entails the conclusion of public works concessions, public works concessions contracts, public service concession contracts, public service concession contracts or PPP contracts within the meaning of public procurement, public-private partnership or concession areas, Article 6 of this Act shall not apply.

**VI DISPOSAL OF IMMOVABLE PROPERTY OWNED BY THE REPUBLIC OF CROATIA**

**Article 17**

Property owned by the Republic of Croatia in connection with the implementation of strategic projects shall be governed by the regulations governing state property, rights in rem, mandatory rights and other rules governing the management, use and disposal of assets owned by the Republic of Croatia.

**Article 18**

(1) A property owned by the Republic of Croatia, including forests, forest land, agricultural land and public roads required for the implementation of the strategic project, is in the possession of the Government of the Republic of Croatia according to the location permit or other act.

(2) The real estate owned by the Republic of Croatia which is necessary for the implementation of the public strategic project is at the disposal of the Government of the Republic of Croatia at market value estimated by an authorized and independent estimator, in accordance with the specific regulations governing the evaluation of the property, without a public call for tenders or without public bid.

(3) The real estate owned by the Republic of Croatia which is necessary for the implementation of the private strategic project has the Croatian Government at its disposal at market value at the discretion of both an approved and independent estimator and in accordance with the special regulations governing the evaluation of the property, without a public call for tenders or without public procurement of tenders, if the coverage of the project in the area includes a maximum of 50 % of the property owned by the Republic of Croatia necessary for the implementation of a private strategic project.

(4)The Government of the Republic of Croatia may, subject to the prior opinion of the central government authority responsible for the administrative forestry area, extract from the forestry area of the Republic of Croatia the forestry area and transfer the right of ownership to another legal person or to establish the right of ownership to another legal person or to establish a right of land on the forest and forest land owned by the Republic of Croatia in order to be used for other purposes in accordance with the location permit or other act, on which the Government of the Republic of Croatia adopts decisions.

(5) A proposal for the abolition of the status of public good in the general use of a public road or part thereof shall be submitted by the competent central state administration body and the decision to abolish the status of the public good in the general use of a public road or part thereof shall be adopted by the Government of the Republic of Croatia or by an authority conferred by it.

(6) The decision to abolish the general use status of the public good also contains a provision on the removal of status in the land register.

**Article 19**

The State Attorney’s Office of the Republic of Croatia shall, before concluding a transfer of rights to use agreement, establish the right of construction and constitution of rights of service referred to in Article 18(2 to 6) of this Act gives an opinion on their legal validity, within 30 days of receiving a regular request.

**Article 20**

In an administrative or judicial proceeding necessary for the implementation of the strategic project, particular attention will be paid to the need for urgent resolution in view of the nature of each individual case.

**Article 21**

(1) Professional and administrative work relating to the adoption of decisions on the segregation of forests or forest land from the management base and the decision to abolish the public good status of the general public domain referred to in Article 18 of this Act shall be carried out by the competent central authorities.

(2) Professional and administrative work relating to the disposal of immovable property owned by the Republic of Croatia after the adoption of the decisions referred to in Article 18 of this Act shall be performed by a central state administration body competent for state property or a public authority competent for agricultural land.

**VII GRANTING CONCESSIONS REGARDING THE IMPLEMENTATION OF STRATEGIC PROJECTS**

**Article 22**

All regulations governing the granting of concessions shall apply to the provision of concessions relating to the implementation of strategic projects.

**Article 23**

(1) A concession for the implementation of the strategic project shall be granted by the Government of the Republic of Croatia and, in case of a concession for a period of over 50 years, by the Government of the Republic of Croatia, with the approval of the Croatian Parliament.

(2) If the investor needs to be subject to more than one concession for the purposes of one strategic project, the procedures for the adoption of the decision on the concession award will be combined and the Government of the Republic of Croatia will adopt a single (joint) decision and conclude one concession contract.

**Article 24**

Professional and administrative tasks relating to the granting of concessions shall be carried out by the competent central authority of the State in whose jurisdiction the award of each concession falls, and in cooperation with the competent central body of the State who has the jurisdiction over the strategic project.

**VIII ISSUING OF ADMINISTRATIVE ACTS RELATING TO THE IMPLEMENTATION OF STRATEGIC PROJECTS**

**Article 25**

(1) All the regulations governing the delimitation of the maritime domain, the rules governing construction and zoning, environmental and nature conservation areas and the preservation of cultural goods and other regulations governing these matters apply to the delimitation of the maritime domain and the issuing of acts for the implementation of spatial plans and the construction and operating license relating to the implementation of the strategic projects.

(2) The procedures for the delimitation of the maritime domain and issuing of the acts referred to in paragraph 1 shall be urgent in accordance with Article 15 of this Act.

**Article 26**

(1) The maritime domain limit shall, where necessary for the implementation of the strategic project, be established by the central state administration body responsible for maritime affairs, at the request of the investor.

(2) The costs of establishing the maritime domain of the maritime domain in the case referred to in paragraph 1 shall be borne by the investor concerned.

**Article 27**

(1) The central state administration body responsible for environmental protection and the central government authority responsible for culture shall establish the obligation, if any, to implement one of the procedures provided for in the specific regulations governing environmental and nature protection, namely the protection of cultural goods within 15 days of receiving a regular request from the Head of the Operational Group.

(2) In the case of an obligation to carry out an environmental impact assessment and an assessment of the need for an environmental impact assessment, the obtaining of an environmental permit, the obtaining of an agreement on the safety report and the approval of the remediation program, and/or the assessment of the eligibility for the environmental network, the procedure shall be carried out in accordance with the specific regulations governing environmental and nature protection.

(3) If the competent authorities referred to in paragraph 1 of this Article consider that the complexity or other reasonable grounds are unable to establish the commitment within 15 days, they shall notify the Committee and the investor immediately in writing within 15 days of the commitment to extend the deadline by an additional 15 days.

**Article 28**

The central government authority responsible for construction and zoning issues states location, construction and inspection permits necessary for the implementation of the strategic project in accordance with Article 15 (1) and (2) of this Act.

**Article 29**

The provisions determined by the administrative area of town and country planning relating to the obligation to draw up and adopt implementing documents (urban planning and detailed planning arrangements) shall not apply to the issuing of the permits referred to in Article 28 of this Act.

**Article 30**

Permission to change the intended use of the building, an order laying down a construction parcel and the confirmation of an act relating to a parcel of land used for the implementation of the strategic project shall be issued by the central government authority responsible for construction and zoning, the administrative department, that is to say the town of Zagreb, the City of Zagreb or the county, which is competent to carry out spatial planning activities.

**IX TRANSITIONAL AND FINAL PROVISIONS**

**Article 31**

(1) Within 60 days of the date of adoption of this Act, the minister responsible for the economy shall adopt the rules referred to in Article 9(4) of this Act.

(2) The Government of the Republic of Croatia shall, within 60 days following the date of adoption of this Act, adopt a decision establishing the Committee referred to in Article 10(1) of this Act.

(3) Within 70 days of the date of adoption of this Act, the Committee shall adopt rules of procedure for the work of the Committee referred to in Article 10(10) of this Act.

**Article 32**

(1) An Instruction on how to implement the notification procedure and administrative checks based on the provisions of the Strategic Investment Project Act of the Republic of Croatia (Narodne Novine (NN; official Gazette of the Republic of Croatia) Nos 133/13. and 152/14), published in Narodne Novine (NN; official Gazette of the Republic of Croatia) No 66/15, shall remain in force pending the adoption of the rules referred to in Article 9(4) of this Act.

(2) The decision setting up the Committee for the evaluation and identification of proposals for strategic projects (NN Nos 1/14, 44/16, 110/16, 51/17. and 62/17) shall remain in force until the decision referred to in Article 10(1) of this Act shall be adopted.

(3) The Rules of Procedure of the Committee for the evaluation and identification of proposals for strategic projects adopted on January 13th 2014 on the basis of the Strategic Investment Projects Act of the Republic of Croatia (Narodne Novine (NN; official Gazette of the Republic of Croatia) Nos 133/13, 152/14. and 22/16) remain in force until the adoption of the rules referred to in Article 10(10) of this Act.

**Article 33**

All procedures and actions relating to the activities referred to in Articles 6 to 12 of this Act on Strategic Investment Projects of the Republic of Croatia (Narodne Novine (NN; official Gazette of the Republic of Croatia) Nos 133/13, 152/14. and 22/16) that started before the adoption of this Act, shall be completed in accordance with the provisions of this Act if this is more favorable to the investor.

**Article 34**

(1) On the date of adoption of this Act, the Strategic Investment Project Act of the Republic of Croatia (NN Nos 133/13, 152/14. and 22/16) shall cease to apply.

(2) The Rules on the format and content of the checklist format (Narodne Novine (NN; official Gazette of the Republic of Croatia) Nos 151/13. and 32/14) shall expire on the date of adoption of this Act.

**Article 35**

This Act shall be adopted on the eighth day from the day it is published in the Official Gazette.