



## NEWSLETTER - LIMITATION OF WORK ON SUNDAYS AND WORKING HOURS FROM JULY 1, 2023

01/06/2023

The Trade Act (Official Gazette No. 87/08 – 33/23) regulates, among other things, the conditions for performing trade activities, working hours in trade activities, measures to prohibit unfair trading, as well as supervision and administrative measures.

At the end of the first quarter of this year, the last amendments to the Trade Act, i.e. **the Act on Amendments to the Trade Act** (hereinafter: ZiDZT), were adopted, which will **enter into force on July 1, 2023**.

ZiDZT regulates three important issues:

- working hours in trade activities, with the introduction of a general rule on non-working Sundays and non-working holidays and defining exceptions
- extension of the application of the institute of the continuation of trade activities in a sales facility without the obligation to obtain a new decision on meeting the prescribed conditions if it has already been passed
- determination of fines for violations in euros (€).

ZiDZT stipulates that **working hours of retail outlets** are determined by the retailer in the periods **Monday to Saturday** for a total duration of **up to 90 hours per week**, which the retailer allocates independently, and that **retail outlets are closed on Sundays and holidays**.

The retailer can independently designate **16 Sundays** of the year as working Sundays, with the fact that **15 hours are added to the duration of working hours of retail outlets**, which they distribute **from Monday to Sunday**. This means that from **July 1, 2023**, all retail outlets in the Republic of Croatia will be able to work for a maximum of **(up to) 105 hours per week**, from Monday to Sunday, which is an average of **15 hours per day**, but not during the entire calendar year, but only **16 weeks a year**, and in those weeks in which the retailer designates Sunday as a working day.

Retailers who will work on Sundays after July 1, 2023, will be obliged **to keep records of working hours for each working Sunday** during the current year, in the form of **a written document or an electronic record**.

There are certain **exceptions** to the mentioned general rule according to which retail outlets are closed on Sundays and holidays.

Exceptions refer to retail outlets that are located within or are an integral part of the whole of:

- nature areas declared protected in accordance with special regulations
- railway and bus stations, airports, ports open to public transport, ports of inland navigation of ships, airplanes and ferries for the transport of people and vehicles
- hospitals

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- hotels, areas of cultural and religious institutions and other cultural facilities, museums, visitor centres or interpretation centres, nautical marinas, camps, family farms
- gas stations.

Moreover, the provisions about retail outlets being closed on Sundays and public holidays do **not apply** to:

- purchase of primary agricultural products
- sale of own agricultural products on stands and benches at retail markets
- sale of own agricultural products on stands and benches at wholesale markets
- occasional sales at fairs and public events
- vending machines
- distance selling.

A special rule applies to the distribution of press through kiosks as a special form of sale outside of stores, according to which such outlets **can be open on Sundays and holidays** from **7:00 a.m. to 1:00 p.m.**

For work on Sundays, holidays and other days and/or circumstances determined by the Labour Act (ZR), **the employee is entitled to a salary supplement**. The Act on the Amendments to the Labour Act (ZiDZR) specifies that the employee has the right to **an increase on salary**, whereby the increase **for each hour of work on Sunday cannot be less than 50%** for: **difficult working conditions, overtime work, night work, work on Sundays, work on holidays and non-working day**.

**The retailer**, that is, **the employer**, as a **legal person** can be fined for a violation with a fine in the amount between €660.00 and €39,810.00, while as a responsible **natural person** they can be fined in the amount of €530.00 to €9,290.00.

The fine applies to the following violations:

- does not comply with the prescribed working hours of retail outlets in the periods from Monday to Saturday in a total duration of up to 90 hours per week
- does not comply with the non-working Sunday provision
- does not comply with the provision on non-working holidays
- does not comply with the prescribed number of added 15 hours, which in total the retailer distributes independently from Monday to Sunday in the 16 weeks for which the retailer has determined a working Sunday
- does not comply with the prescribed working hours for the distribution of press via kiosks
- does not keep records of working hours for each working Sunday during the current year in the form of a written document or an electronic record
- fails to provide the competent inspector with records of working hours during supervision.



Please keep in mind the fact that legislation tends to change frequently. This newsletter is therefore necessarily based on our understanding and correct interpretation of the law and practice at the time of issuing this newsletter. This newsletter will not be updated due to changes in legislation that occur after this letter is issued.