

**REPUBLIC OF CROATIA
MINISTRY OF JUSTICE**

ACT ON ADMINISTRATIVE DISPUTES

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ACT ON ADMINISTRATIVE DISPUTES

Part One

GENERAL PROVISIONS

Title I

BASIC PROVISIONS

Scope of the Act

Article 1

This Act regulates the competence, composition of the court and procedural rules under which administrative courts issue decisions on the lawfulness of decisions and actions of public authorities and on the rights, obligations and legal interests of natural and legal persons and other parties (hereinafter the "administrative dispute").

Objective of the Act

Article 2

(1) The objective of this Act is to ensure court protection of the rights and legal interests of natural and legal persons and other parties, breached by a decision or by an action of the body of public law.

(2) Within the meaning of this Act, a body of public law means the body of state administration and other state bodies, bodies of local and regional self-government and legal persons vested with public powers (provider of public services).

Scope of administrative disputes

Article 3

(1) The scope of administrative dispute is the following:

1. assessment of the lawfulness of a decision by which the body of public law adjudicated on a right and obligation in an administrative matter (administrative act) against which it is not permissible to file a regular legal remedy and the adjudication on the rights, obligations and legal interests of the party;

2. assessment of the lawfulness of an act of the body of public law by which a right, obligation and legal interest of the party was breached against which it is not possible to file a regular legal remedy;

3. assessment of the lawfulness of a failure of the body of public law to adjudicate on a request or a regular legal remedy of the party or to act in accordance with subordinate legislation within the time limit fixed by law as well as the adjudication on the rights, obligations and legal interests of the party;

4. assessment of the lawfulness of the conclusion, termination and enforcement of administrative contracts.

(2) The subject-matter of an administrative dispute is assessment of the lawfulness of a general act of the local and regional self-government legal persons vested with public powers and legal persons performing public services (hereinafter the "general act").

Exceptions to conducting of administrative disputes

Article 4

(1) Administrative disputes may not be conducted in matters in which court protection outside the administrative dispute is ensured.

(2) Administrative dispute may not be conducted concerning the correctness of an individual decision issued through the application of discretionary judgment of the body of public law. Administrative disputes may be conducted concerning the lawfulness of such a decision, the boundaries of authority and the purposes because of which the authority was granted.

(3) Administrative disputes may not be conducted against a procedural decision of the body of public law, as such a decision may be disputed through a complaint against the decision on the main subject-matter, unless provided otherwise by law.

Principle of legality

Article 5

In administrative disputes, the court shall adjudicate pursuant to the law.

Principle of the party's right to be heard

Article 6

(1) Before rendering a judgment, the court shall provide all parties with an opportunity to declare themselves regarding the claims and allegations of other parties and all facts and legal issues which are the subject-matter of the administrative dispute.

(2) The court may adjudicate concerning a claim to which the counter party was not provided with an opportunity to respond only in cases laid down by this Act.

Principle of the oral hearing

Article 7

(1) In an administrative dispute, the court shall adjudicate on the statement of claim in an oral, direct and public hearing.

(2) The court may adjudicate in an administrative dispute without holding an oral hearing only in the cases laid down by this Act.

Principle of efficiency

Article 8

The court shall conduct the procedure speedily and without stalling, by avoiding unnecessary actions and costs, prevent the abuse of the rights of the parties and participants in the administrative dispute and render a decision within a reasonable time.

Principle of assistance to an ignorant party

Article 9

The court shall take care that the lack of knowledge and ignorance of the party and other participants in the administrative dispute is not at the detriment of the rights to which they are entitled pursuant to law.

Binding nature of court decisions

Article 10

- (1) Final judgment shall be binding upon parties to the procedure and their legal successors.
- (2) Final judgement of the court concerning the lawfulness of a general act shall be binding upon all.

Official use of language and Alphabet

Article 11

- (1) Administrative disputes shall be held in the Croatian language and the Latin alphabet shall be used.
- (2) Parties and other participants in administrative disputes are entitled to use their own language in court, provided that a certified translator is present. Such parties may waive their right to translation if they state for the record that they know the Croatian language. Translation costs shall be borne by the party concerned, unless provided otherwise by law.

Title II

JURISDICTION AND COMPOSITION OF THE COURT

Jurisdiction

Article 12

- (1) Administrative disputes (hereinafter: dispute) shall be settled by administrative courts and the High Administrative Court of the Republic of Croatia (hereinafter the "High Administrative Court").
- (2) Administrative courts shall decide on the following:
 1. complaints against individual decisions of the public authorities;
 2. complaints against an act of the public authorities;

3. complaints against a failure to issue a decision or to act on the part of the body of public law within the time limit fixed by law;

4. complaints against administrative contracts and the enforcement of administrative contracts; and

5. in other cases laid down by law.

(3) The High Administrative Court shall decide on the following:

1. appeals against the judgments of administrative courts and decisions against which an appeal is permissible;

2. lawfulness of general acts;

3. conflict of jurisdiction between administrative courts; ~~and~~

4. in other cases laid down by law.

Territorial jurisdiction

Article 13

(1) The administrative court having territorial jurisdiction for adjudication in an administrative dispute shall be the administrative court within the area of which the complainant has permanent residence or seat, unless provided otherwise by law. If the complainant does not have permanent residence in the Republic of Croatia, the court having territorial jurisdiction shall be the court in the area of which the respondent has temporary residence.

(2) If the complainant does not have permanent residence, temporary residence or seat in the Republic of Croatia, the administrative court having territorial jurisdiction shall be the court in the area of which the body of public law which issued the decision or carried out an action in the first instance has its seat or regional unit.

(3) In disputes relating to real-property or a legal issue connected with a particular location, the administrative court having territorial jurisdiction shall be the court in the area of which the real-property or the location with which the legal issue is connected is located.

(4) In disputes relating to administrative contracts, the administrative court having territorial jurisdiction shall be the court in the area of which the seat of the body of public law which is a party to the contract is located.

(5) In disputes relating to ships and aircraft with Croatian state affiliation or in matters in which the immediate cause for the procedure occurred on the ship or aircraft with Croatian state affiliation, the administrative court having territorial jurisdiction shall be the court based on the home port of the ship or aircraft.

(6) The High Administrative Court shall decide without any delay on conflicts of jurisdiction between administrative courts upon the proposal of the party or court.

(7) Where the administrative court having territorial jurisdiction is prevented from resolution of a particular administrative dispute, upon the proposal of the party or court the High Administrative Court shall designate the court to take over the resolution of the administrative dispute.

Composition of the court

Article 14

(1) The Administrative court shall adjudicate in the form of a three-judge council, except for the cases prescribed in paragraph 2 of this article.

(2) In an administrative dispute, the sole judge shall decide on the following:

1. complaints against individual decisions of the body of public law issued by direct resolution in the administrative procedure, unless the administrative matter is directly resolved on the grounds of public interest, because that would be necessary for the taking of urgent measures to protect life and health of people or valuable property;
2. complaints in matters being resolved pursuant to a final judgement issued in a model procedure;
3. complaints against proceedings or failure to act on behalf of the public authority;

(3) The High Administrative Court shall adjudicate in a three-judge council, other than concerning the lawfulness of general acts when it shall adjudicate in a five-judge council.

Exemption

Article 15

(1) A judge may not decide and take part in the dispute:

1. if he is a party, legal representative or power-of-attorney holder of the party or if he is in the relationship of co-authorized person or co-obligor with the party;
2. if the party or the legal representative or power-of-attorney holder of the party is related to him by consanguinity in the direct line up to any degree, and collaterally up to the fourth degree or if they are spouses, life partners or related by kin up to the second degree, regardless whether the marriage was dissolved or not;
3. if he is the caretaker, adopted parent or adopted child of the party, his legal representative or power-of-attorney holder;
4. if in the same matter he participated in the taking the decision in the administrative procedure or in the first-instance administrative dispute;
5. if there are other circumstances which bring into question his impartiality.

(2) A judge, as soon as he learns of a reason for disqualification, shall terminate any work on the matter and notify the president of court accordingly, who shall then issue a decision on disqualification of the judge and assign another judge to the matter.

(3) Disqualification of a judge may also be requested by the party.

Title III

PARTIES TO THE ADMINISTRATIVE DISPUTE AND REPRESENTATION

Parties to the administrative dispute

Article 16

Parties to the administrative dispute are the complainant, respondent and any interested party.

Complainant

Article 17

(1) The complainant is a natural or legal person who believes that his rights and legal interests were violated by a decision, by an act of the body of public law, or by the failure to adopt a decision or to act on the part of the body of public law within the time limit fixed by law, or by the conclusion, termination or enforcement of an administrative contract.

(2) The complainant may be a person without legal capacity or a group of persons if their rights and legal interests were violated by a decision or an act of a body of public law.

(3) The complainant may be a body of public law that participated or should have participated in taking of a decision, performance of an act or conclusion of an administrative contract.

(4) The complainant in an administrative dispute may also be a state body authorized by law.

Respondent

Article 18

The respondent is a body of public law that took or failed to take a decision, acted or failed to act or is a party in an administrative contract.

Interested party

Article 19

(1) An interested party in a dispute is any person to whom the nullification, change or taking of a decision, an act or failure to act by the body of public law, or the conclusion, termination or enforcement of an administrative contract would mean a violation of his right or legal interest.

(2) An interested party is also a body of public law that holds that a court decision may have an impact on the rights and legal interests that it protects under law.

(3) The court shall ask the interested party to participate in the dispute in the line of duty or upon the proposal of one of the parties.

(4) The interested party may become involved in the dispute at any time.

(5) The court shall notify the parties of the involvement of the interested party in the administrative dispute without any delay.

Taking procedural actions in an administrative dispute

Article 20

- (1) Actions in a dispute may be taken by the complainant and by the interested person if he has full legal capacity or within the limits of his legal capacity.
- (2) Actions in a dispute for the complainant or interested parties may be taken by persons authorised to represent them, the joint representatives and joint power-of-attorney holders of a group of persons.
- (3) Actions in a dispute for the respondent may be taken by official persons of the body of public law who took or failed to take a decision, acted or failed to act, or by other persons laid down in the subordinate legislation on the internal structure of the body of public law. The head of the respondent may authorize another official person of the body of public law to take actions in a dispute. The bodies of state administration and other state bodies, with previous authorization of the head, may be represented by the State Attorney's Office.
- (4) Actions in a dispute taken by persons authorised for representation shall have the same legal effect as if taken by the parties themselves.
- (5) The court may ask the complainant or the interested party represented by an authorised person to respond and declare himself regarding certain facts where deemed useful for the resolution of the dispute.
- (6) Legal capacity of a natural person shall be governed by the provisions which regulate the legal capacity of a natural person in the civil procedure.

Representation of the complainant and interested party

Article 21

- (1) The person authorized for representation of the complainant and interested party in a dispute is a legal representative, temporary representative, joint representative and power-of-attorney holder. The person authorised for representation, at the time of the initial action in a dispute, shall submit a proof of its authorisation to represent the party.

Part Two

FIRST-INSTANCE ADMINISTRATIVE DISPUTE

Title I

SUBMITTING A COMPLAINT

Initiation of an administrative dispute

Article 22

- (1) The administrative dispute is initiated by a complaint.
- (2) The complaint may demand the following:
 1. nullification or declaring of an individual decision null and void;
 2. taking of a decision which was not taken within the prescribed time limit;

3. performance of an action which the respondent was obligated to perform in accordance with rules and regulations or a decision;

4. declaring of an administrative contract null and void or performance of an obligation stipulated in an administrative contract.

(3) In the case referred to in paragraph 2, items 1 and 2 of this Article, the court may be requested in a complaint to adjudicate on the rights, obligations and legal interests of the party.

(4) Along with the main claim, a complaint may demand return of an item and compensation of damages caused by the respondent.

(5) An administrative dispute may be initiated after all other legal protection laid down by law is exhausted.

(6) A dispute is considered to be initiated when a complaint is submitted to the court .

Content of a complaint

Article 23

(1) Complaints shall be understandable and include:

1. name of the court to which it is submitted,

2. personal name or name and address of the complainant,

3. name of the respondent,

4. reference to the disputed decision or administrative contract or description of the act or obligation of the performance of which is demanded,

5. statement of claim,

6. the scope of disputing the decision, action or administrative contract,

7. reasons for the initiation of a dispute in respect of the main matter and subsidiary claims,

8. facts and proofs on the basis of which the complainant bases his statement of claim,

9. signature of the complainant.

(2) If the return of an item or compensation of damages is demanded in the administrative dispute, the claim regarding items and the amount of damages shall be included in the complaint.

(3) If the complainant does not have permanent residence or temporary residence or registered office in the Republic of Croatia, he shall designate his power-of-attorney holder or service agent in the complaint.

(4) The original or copy of the disputed decision, administrative contract or proof of an act shall be enclosed to the complaint. Where an administrative dispute is initiated by reason of failure to take a decision or act within the fixed time limit, proof of the time of initiation of the administrative procedure or submission of the request to act shall be enclosed to the complaint.

(5) Transcript of the complaint and enclosures for the respondent and, if any, for any and all interested parties shall be submitted along with the complaint.

Time limit for submitting a complaint

Article 24

(1) The complaint shall be submitted to the court within 30 days of the service of the disputed individual decision or the decision on the objection against the disputed act.

(2) Where an administrative dispute is initiated by reason of a failure to take a decision or act within the fixed time limit, the complaint may be submitted to the court eight days after the expiration of the prescribed time limit at the earliest.

(3) Where a decision was not delivered to the party in accordance according to the prescribed service rules, a complaint may be submitted within 90 days of the moment the party learned or could have learned about the decision.

(4) If a decision includes a longer time limit than the one prescribed by law in the instructions on the legal remedy, the complaint may be submitted within such term.

(5) If a decision includes instructions on the legal remedy which states erroneously that a complaint is not permissible, a complaint may be submitted within 90 days of the moment the party learned or could have learned about the possibility of submitting a complaint.

Submitting a complaint

Article 25

(1) A complaint shall be submitted directly to the court having jurisdiction in writing, orally for the record or by post or electronic means.

(2) Where a complaint is sent as a registered parcel by post or handed over to an authorized provider of postal services, the date of handover at the post office or to the authorized provider of postal services shall be the date of submission to the court.

(3) A complaint submitted by electronic means shall be considered handed over at the moment when it is recorded on the server for the sending of electronic messages. Such complaint shall be certified by electronic signature in accordance with law. The court shall, by electronic means, confirm the receipt of the complaint without any delay.

(4) A complaint shall be regarded as submitted within term also when it was submitted within term to a non-competent court or respondent.

Delayed effect of a complaint

Article 26

(1) No complaint shall have delaying effect, unless provided otherwise by law.

(2) The court may decide that a complaint should have delaying effect if the enforcement of a decision or administrative contract would result in damages on the part of the complainant which would be difficult to remedy, unless provided by law that a complaint shall not delay the enforcement of a decision, and that such a delay is not contrary to public interest.

Title II
COURT ACTIONS UPON A COMPLAINT

Court actions upon receiving a complaint

Article 27

After receiving a complaint, the court shall examine its jurisdiction to act further to the complaint, whether the complaint is duly submitted and the existence of conditions precedent for a dispute.

Assessment of jurisdiction

Article 28

(1) The court shall assess its jurisdiction on the basis of the information included in the complaint and facts thereof.

(2) If the court establishes that another court has got jurisdiction, it shall issue a decision declaring itself non-competent, assign the complaint to a court having jurisdiction and notify the claimant accordingly.

(3) If during a dispute, circumstances on which the jurisdiction of the court is based should change, the court having jurisdiction at the time of submission of the complaint shall retain jurisdiction for conducting the dispute.

Assessment of whether a complaint is duly submitted

Article 29

(1) If a complaint does not include the prescribed parts or if it is not understandable, the complainant shall be asked to remedy such defects within a fixed period of time and warned about the consequences of his failure to comply with the instructions of the court.

(2) If the complainant fails to remedy the defects in the complaint within the set time limit, and the nature of the defects prevents the court from carrying out its work, the court shall dismiss the complaint in a decision as incomplete, unless it finds that the disputed decision is null and void or the administrative contract invalid. An appeal against this decision is permissible.

Assessment of the conditions for conducting an administrative dispute

Article 30

The court shall establish that there are no conditions or conducting a dispute and dismiss the complaint in a decision if it establishes the following:

1. the complaint was submitted untimely or early;
2. a decision, action or administrative contract does not affect the right or legal interest of the complainant;
3. a regular legal remedy was not filed against a decision, action or administrative contract;

4. court protection is ensured outside the administrative dispute;
5. a legally effective decision issued in an administrative dispute in the same matter already exists; or
6. the complaint was filed against a procedural decision, unless provided otherwise by law.

Deciding on the claim

Article 31

- (1) The court shall decide within the boundaries of the claim, but is not bound by the grounds of the complaint.
- (2) The court shall take care of the grounds for nullity of a decision and the invalidity of an administrative contract in the line of duty.

Service of a complaint

Article 32

- (1) The court shall forward the complaint and all attachments thereto to the respondent and to any interested parties for their response to a claim.
- (2) The court shall set a term for the response to a complaint based on the circumstances of the case, but it may not be less than eight or more than 30 days.
- (3) In the response to a complaint, the respondent should declare his/her position about the claims and allegations in the complaint and propose evidence to substantiate the allegations. To the response to a complaint, the respondent shall also enclose all evidence at his disposal.
- (4) The response to a complaint shall be submitted in accordance with the rules on the filing of submissions. Along with the response to a claim, the respondent shall submit all documents relating to the subject-matter of the dispute. If the respondent fails to submit all files concerning the matter or states that he cannot submit them, the court may resolve the dispute without the files concerning the matter.

Determining the state of facts and evidence

Article 33

- (1) The court shall freely assess the evidence and determine facts.
- (2) The court shall take into account all facts established in the procedure of adopting the disputed decision, by which he is not bound, and facts that the court established itself.
- (3) Parties may propose facts which should be established and evidence which can be used to establish the facts, but the court is not bound by such proposals.
- (4) Evidence includes documents, hearing of the parties, witness testimonies, expert opinions and analyses, on-site investigations and other evidentiary means.
- (5) The court shall present the evidence in accordance with the rules governing the evidentiary process in the civil procedure.

Rights and obligations of the parties in the administrative dispute

Article 34

- (1) In the complaint and in the response to complaint, parties shall present all facts on which they establish their claims, propose evidence for establishing such facts and declare themselves about the factual allegations and evidentiary proposals of other parties.
- (2) The court may request a party to provide statements regarding certain issues relating to the facts of the case and to propose evidence supporting its claims. For that purpose, the court may set a reasonable time limit.
- (3) The court may request the party to supplement and explain its submissions within a reasonable time limit, and to submit documents and other evidence which might be used in the dispute. If the party fails to submit the requested evidentiary means within the set time limit, the court may obtain them according to the provisions which regulate the acquisition of evidences in civil proceedings.

Obligation to submit documents in the possession of the public authorities

Article 35

- (1) The public authorities shall submit documents in their possession upon the request of the court.
- (2) The public authorities shall designate which documents or parts of documents are considered to be a secret under the laws on the protection and confidentiality of data, and parties may not have access to such data.

Resolving an administrative dispute without holding a hearing

Article 36

The court may resolve a dispute by a decision without holding a hearing:

1. if the respondent acknowledged the statement of claim in full;
2. in a case where the adjudication is based on a final judgement rendered in a model dispute;
3. if the court establishes that a particular decision, action or administrative contract is defective in a way which prevents an assessment of its lawfulness;
4. if the complainant disputes only the application of substantive law, the facts of the case are indisputable, and the parties in the complaint or in the response to a claim are expressly not asking for the holding of a hearing.

Title III

THE HEARING

Scheduling a hearing

Article 37

- (1) The president of the court or the sole judge shall schedule the term for a hearing.

(2) The president of the court or the sole judge shall summon the parties, witnesses and experts to the hearing.

(3) In the summons, it shall be indicated that a judgement may be adopted without the presence of a party at the hearing. Summons must be served to the parties at the latest eight days before the holding of the hearing in question.

Openness of the hearing to the public

Article 38

(1) Hearings shall be public.

(2) The court may prohibit the public from attending an entire hearing or a part thereof if that is necessary in view of the protection of privacy, protection of data and other reasons prescribed by law.

(3) Such closing of a hearing to the public shall be issued through a decision.

Course of the hearing

Article 39

(1) The president of the council or the sole judge shall open a hearing and announce the merits of the discussion.

(2) The president of the council or the sole judge shall establish whether all persons who were summoned are present, and if not he shall verify whether they were duly summoned and whether they provided an excuse for non-attendance.

(3) Where a party or any other person participating in a dispute fails to appear at a hearing without having provided an excuse, the hearing may be held without their attendance. .

(4) The president of the council or the sole judge shall chair the hearing.

(5) Where the court establishes that the merit has been discussed in sufficient detail to enable the issuing of a judgement, the hearing shall be closed and the council shall withdraw to deliberate and vote. If it is necessary to clarify certain important issues the hearing may be re-opened .

(6) Minutes shall be kept about the hearing.

Title IV

ACTIONS IN THE ADMINISTRATIVE DISPUTE

Extending of the claim

Article 40

(1) The complainant may extend the claim only before the hearing is closed or, if there is no hearing in the dispute, before the decision of the court is issued.

(2) Extension of claim must be within the same merit of the dispute.

(3) When the extension of the claim is permitted, the court shall set a time period that the respondent and interested parties need for preparation for the hearing.

Withdrawing the complaint

Article 41

(1) The complainant may withdraw the complaint only before the conclusion of the hearing or, if there is no hearing in the dispute, before the decision is issued. Withdrawal of the complaint may not be revoked.

(2) If the complainant fails to comply with the order of the court within the set term, provided that s/he was informed of the legal consequences of such failure, the complaint shall be considered withdrawn.

(3) Where a complaint is withdrawn, the court shall issue a decision discontinuing the dispute.

Recognising the claim

Article 42

(1) If the respondent recognises the statement of claim in full in his response to a claim or during the dispute, the court shall issue a judgement resolving the dispute.

(2) If the respondent recognises the statement of claim in part in his response to a claim or during the dispute, the court shall continue to conduct the dispute concerning the disputed parts of the statement of claim.

Acting upon the claim during the administrative dispute

Article 43

(1) If during a dispute the respondent complies with the claim from the complaint in full, the court shall discontinue the dispute.

(2) If during a dispute the respondent complies with the claim from the complaint in part, the court shall continue to conduct the dispute concerning the remaining part of the statement of claim.

Preliminary issue

Article 44

(1) When a court decision in a dispute depends on a legal issue which makes autonomous legal entirety, and no decision on this issue has yet been made by other court or competent body of public law (preliminary issue), the court may settle this issue on its own, unless otherwise provided for by law, or it may discontinue the dispute till a decision is rendered on the preliminary issue.

(2) A court decision on a preliminary issue shall have legal effect only in the administrative dispute in which this issue was settled.

Suspending the administrative dispute

Article 45

(1) The court shall issue a decision suspending a dispute:

1. until the judgement issued in the model dispute becomes final;
2. when it is prescribed by law

(2) The court may issue a decision suspending a dispute:

1. until the preliminary issue is resolved, if a proceeding concerning the preliminary issue was initiated at a court or a competent body of public law;
2. until the High Administrative Court decides about the lawfulness of a general act to be applied in the case concerned;
3. when it is prescribed by law

(3) An appeal may be filed against the decision suspending the dispute.

(4) For the duration of the suspension, all time limits set for the performance of specific actions in the dispute shall cease to run, and the court may not take any actions.

(5) The court shall issue a decision on the continuation of the dispute upon the proposal of the party or in the line of duty as soon as the reasons for suspension cease. The time limits which ceased to run because of the suspension of the dispute shall begin to run as of the service of the decision on the continuation of the dispute.

Discontinuation of an administrative dispute

Article 46

(1) The court shall issue a decision discontinuing a dispute and decide on the costs of the dispute:

1. where the complainant dies or ceases to exist in disputes over rights which are not inherited by his/her heirs, or legal successors;
2. in the case of occurrence of the grounds stipulated in Article 41, paragraphs 1 and 2, Article 43, paragraph 1, Article 68, paragraph 2, or Article 88 of this Act.

(2) The court shall forward the decision discontinuing the dispute to all parties to the dispute and to the heirs or legal successors of the complainant who died or ceased to exist, after they are identified.

(3) The court shall appoint a temporary representative of the heirs of a deceased complainant, upon the proposal of the party or in the line of duty, to whom it shall submit a decision discontinuing the dispute, if it evaluates that probate proceedings might last long.

(4) Where the legal person ceases to exist, the court shall forward the decision discontinuing the dispute to other parties and to the legal successor of the complainant after he is identified.

(5) Parties may file an appeal against the decision discontinuing the dispute. Until the procedure further to an appeal about the discontinuation of the dispute is finished, the time limits for taking actions and the rights of the parties shall be governed *mutatis mutandis* by the rules on the suspension of disputes.

Interim measures

Article 47

- (1) The court may issue an interim measure upon the proposal of a party if that is necessary to avoid serious and irreparable damages.
- (2) The court shall decide on an interim measure in a decision.
- (3) An appeal may be filed against the decision on the interim measure.

Model dispute

Article 48

- (1) Where in ten or more first-instance disputes at the same court the merit of the complaint is of the same legal and factual nature, the court may decide in a decision which case will be resolved in a model dispute. In other matters, the court shall issue a decision suspending the dispute.
- (2) After the judgement issued in the model dispute becomes final, the court shall continue to conduct the suspended disputes, and apply the evidence presented in the model dispute.
- (3) Pursuant to a final judgment adopted in the model dispute, the court may also resolve a dispute initiated after the judgement became final without holding a hearing, and after the parties are provided with an opportunity to provide statements regarding the matter.

Submissions

Article 49

- (1) Submissions are submitted in written or electronic form.
- (2) Submissions must be understandable and contain everything that is necessary to enable the taking of actions in connection with such submissions, especially an indication of the court, the name or title and address of the party and persons authorised to represent the party, the subject-matter of the dispute, the content of the statement and the signature. Submissions which are submitted electronically should be certified by electronic signature in accordance with law.
- (3) Where a submission is not understandable or does not include everything that is necessary to enable the taking of actions further to the submission, the court shall instruct the applicant to correct or supplement the submission within a reasonable time limit. If the defects are not remedied with the set time limit, and it is not possible to act further to the submission, it shall be deemed that the submission was not submitted in the first place.
- (4) Any submission filed electronically shall be deemed submitted to the court at the moment when it is recorded on the server for the sending of such messages. Without any delay, the court shall confirm to the sender electronically that it received the submission.
- (5) If the court cannot read a submission in electronic form, because of technical reasons, it shall notify the sender accordingly. The sender shall then send the submission again in proper electronic form or submit it in some other way within the set time limit. If the sender fails to do so within the set time limit, it shall be deemed that the submission was not submitted in the

first place.

(6) Any statement given in a submission may be also provided orally at the court for the record.

Service

Article 50

(1) Service is carried out in accordance with the rules governing service in the general administrative procedure.

(2) Service by electronic means shall be carried out only upon request or subject to an express consent of the party or another participant in the dispute. Service by electronic means shall be considered performed at the moment when the decision or another act of the court is recorded on the server for receiving such messages.

(3) Service to a person authorised for representation or representative for receiving court writs shall be deemed service to the party.

Time limits

Article 51

(1) If time limits are not laid down in this Act, the court sets time limits on the basis of the circumstances of the case. The court sets time limits by days or specific dates.

(2) Where a time limit is set by days, the day on which the act as of which the time limit begins to run or the day on which the event as of which the duration of the time limit begins shall not be counted as part of the time limit, but the time limit shall begin to count as of the following day.

(3) Sundays, holidays and non-working days shall not affect the commencement and flow of the time limit. Where the last day of the time limit is on a Sunday, holiday or some other day on which the court is not open, the time limit shall expire on the first following working day.

Restoration of the prior status

Article 52

(1) If a party fails to appear at the hearing or to meet a deadline for taking an action in the dispute and therefore loses the right to undertake the action in question, the court shall permit such party, upon his or her motion, to take that action later on if it deems that there were legitimate reasons for the omission.

(2) A proposal for the restoration of a prior status shall be submitted to the court at which the action which was omitted should have been performed within 15 days of the day on which the reason for the omission ceased to exist, and if the party learned about the omission only later as of the day on which the party learnt about it. Restoration of a prior status may not be requested after the expiration of 90 days after the omission.

(3) If the restoration of a prior status is requested, because the time limit for taking a specific action was missed, the proponent shall perform the action which he failed to perform at the same time as filing the proposal.

(4) The court shall issue a decision about the proposal for the restoration of a prior status, and if the proposal is adopted, the dispute shall be restored to the state which existed before the omission, and all decisions issued by the court as the result of the omission shall be nullified.

(5) Restoration of a prior status shall not be permitted if the time limit which was missed was for the submission of a proposal for the restoration of a prior status or if the hearing which was missed was set regarding the proposal for the restoration of a prior status.

Access to the case file

Article 53

(1) Parties are entitled to inform themselves of the course of the dispute, to examine the file and to make a duplicate of any acts in the file at their cost, other than the minutes from deliberation and voting and other acts marked by a degree of confidentiality. Drafts of court decisions and preparatory texts drawn up during work on the case do not form part of the file.

(2) Access to parts of the case file may be denied if that is essential to protect public interests, the interests of one of the parties or third parties.

(3) Examining the case file must be approved by the president of the council or the sole judge.

(4) Access to the electronic file may be approved electronically.

Maintaining order

Article 54

(1) The president of the council or the sole judge shall take care of maintaining the order during the dispute.

(2) The court may issue a reprimand, a fine or a removal from hearing against any person who participates in a dispute and who insults the court, the party or other participants in a submission or at a hearing, or disturbs the work of the court or fails to comply with the instructions of the court for maintaining order, according to the regulations for the protection of the court, parties or other participants from offensive submissions and maintenance of order on the main hearing or civil proceeding.

Title V

COURT DECISIONS

Judgement

Article 55

(1) The court shall decide about the claim relating to the merits and the incidental claims in a judgement.

(2) The judgement shall be adopted and published in the name of the Republic of Croatia.

(3) The court shall adopt the judgement according to its discretion and on the basis of an evaluation of all legal and factual issues.

(4) The judgement may be based only on facts and evidence regarding which the parties were provided with an opportunity to declare themselves.

Rendering a judgement

Article 56

(1) The council shall render the judgement by a majority vote.

(2) Deliberation and voting shall be recorded in special minutes which must be signed by all members of the council and the court minute-taker.

Rejecting the claim

Article 57

(1) The court shall reject a claim if it establishes that it is unfounded.

(2) The court shall also reject a statement of claim as unfounded where it establishes that there were shortcomings in the procedure which preceded the issuing of the decision, but which did not affect the resolution of the subject-matter, and where it establishes that the decision was based on law, but for reasons other than those stated in the decision.

Accepting of the claim

Article 58

(1) If the court establishes that a particular decision of the body of public law is unlawful, the court shall accept the claim, nullify the dispute decision and resolve the matter itself, except where it may not do that in view of the nature of things or where the respondent acted according to its discretion.

(2) Where the court establishes that a decision of the body of public law is null and void, the court shall adopt the statement of claim and declare the decision null and void.

(3) Where the court establishes that the body of public law did not adopt a decision within the prescribed time limit within which it should have issued it, it shall adopt the statement of claim in a judgment and resolve the matter itself, except where it may not do that in view of the nature of things or where the respondent acted according to its discretion. In such a case, the court shall order the respondent to adopt the decision and set a reasonable time limit within which to do so.

(4) Where the court establishes that the respondent did not act in accordance with the regulations, a decision or administrative contract, the court shall adopt the statement of claim in a judgment and order action within a reasonable time limit.

(5) Where the court establishes that an administrative contract is null and void, it shall adopt the statement of claim in a judgement and declare the contract null and void.

(6) Where the court establishes that the body of public law unjustifiably terminated administrative contract, it shall adopt the statement of claim in a judgement and declare the decision on termination of the administrative contract null and void.

Compensation of damages and the return of an item

Article 59

- (1) As part of the statement of claim, the court shall also make a decision concerning the compensation of damages and the return of an item.
- (2) Where the court issues a judgment terminating or declaring an administrative contract null and void, it shall also make a decision on the compensation of damages.
- (3) The court shall reject a statement of claim with respect to the compensation of damages or the return of an item if it establishes that the complainant caused or contributed to the appearance of such damages by his actions.

Contents of the judgment

Article 60

- (1) Judgments must include an introduction, dispositive part, reasoned explanation and instructions as to the legal remedy.
- (2) The introduction shall include:
 1. an indication that the decision is pronounced in the name of the Republic of Croatia,
 2. name of the court,
 3. first and last name of the president and members of the court council, or the sole judge and the court minute-taker,
 4. first and last name or title and address of the parties and persons authorized for representation,
 5. brief indication of the subject-matter of the dispute,
 6. date of the decision.
- (3) The dispositive part shall include the decision of the court.
- (4) In the reasoned explanation, the court shall present claims of the parties, facts they presented and evidence they proposed, facts established by the court, why and when they were established, and if they were established through the evidentiary procedure, the evidence presented and assessed. The court shall in particular state the provisions of substantive law applied in deciding about the dispute and declare itself regarding proposals and objections of the parties about which it did not present any reasons during the dispute.
- (5) Through the instructions as to the legal remedy, the party is informed whether it may file an appeal against the judgement, the court to which it should be submitted, the time limit within which it may do so, and the manner.
- (6) The original judgement shall be signed by the president of the council or the sole judge.

Announcement of the judgment

Article 61

- (1) Judgements shall be announced at the hearing at which the discussion is concluded.
- (2) Judgements shall be announced by the president of the council or the sole judge.

(3) The president of the council or the sole judge shall publicly read the dispositive part and provide a reasoned explanation of the judgment in short.

(4) In making the announcement, the court may notify the parties that the costs will be decided subsequently.

(5) If in view of the complexity of the subject-matter of the dispute, the court can not issue a decision immediately after the conclusion of the hearing, the announcement of the judgment may be postponed by at most eight days of the date of concluding the discussion. The date of publication of the judgment shall be set immediately.

Service of the judgment

Article 62

The judgment shall be serviced to all parties in the dispute.

If a hearing is held in the dispute, the judgment shall be dispatched to the parties within 15 days of the date of announcement.

Legal validity of the judgment

Article 63

(1) The first-instance judgment shall have legal effect after the time limit for an appeal has expired, if the appeal has not been submitted..

(2) The second-instance judgment shall have legal validity as of the date it is duly served.

Correcting mistakes in the judgment

Article 64

(1) The court may correct mistakes in names and numbers, obvious mistakes in writing and calculation, and other obvious mistakes at any time by issuing a decision. The court may make a decision to correct a judgment without the parties having to declare themselves about it.

(2) The decision on a correction shall be enclosed to the original and to the certified transcripts of the judgment.

(3) If the judgment is deposited in electronic form, the decision on a correction shall be deposited as a separate electronic document.

(4) An appeal may be filed against the decision on a correction.

Decision

Article 65

(1) On procedural issues the court shall decide in a decision.

(2) Decisions issued at the hearing shall be announced by the president of the council or the sole judge.

(3) Decisions announced at a discussion shall have legal effect towards the parties as of the moment they are announced. Decisions issued outside the hearing shall be dispatched to the parties by the court either in writing or by electronic means. Decisions in written or electronic form shall have legal effect towards the parties as of the moment they are duly served.

(4) Written certified copies of the decision shall include an introduction and a dispositive part. The decision must be reasoned if it serves to reject a proposal of the party or to resolve opposing proposals of the parties, and may be reasoned where the court deems that is necessary. If an appeal against the decision is permissible, any written certified copy of the decision must include instructions as to the legal remedy.

Part Three

LEGAL REMEDIES

Title I

APPEALS

Appeal against the judgment

Article 66

(1) Parties may file an appeal against a particular judgment of the administrative court on the following grounds:

1. a substantial violation of court procedure rules,
2. erroneously or incompletely established state of facts in the dispute, or
3. erroneous application of the substantive law.

(2) An appeal may be filed only when the administrative court decided itself in a judgement over the rights, obligations or legal interests of the party

(3) A substantial violation of court procedure rules exists when the administrative court did not apply or incorrectly applied the provisions of this Act during a particular dispute, which had an effect on the adoption of a lawful and correct judgment.

(4) An erroneously or incompletely established state of facts exists when the administrative court established erroneously or did not establish a decisive fact or has drawn false conclusion about the state of facts.

(5) Erroneous application of the substantive law exists when the administrative court failed to apply a substantive law provision it was supposed to apply or if the court erroneously applied such provision.

(6) An appeal shall not delay the enforcement of the appealed judgment. Upon the proposal of the appellant, the High Administrative Court may delay enforcement of the disputed judgment.

Appeal against the decision

Article 67

- (1) An appeal against a decision of the administrative court may be filed only where stipulated in this Act. An appeal against a decision of the High Administrative Court is not permissible.
- (2) An appeal against a decision shall not delay the enforcement of the decision.
- (3) In deciding about an appeal against a decision, the High Administrative Court shall nullify the unlawful decision. Submission and other issues related to deciding about an appeal against a decision shall be governed *mutatis mutandis* by the provisions on the submission and deciding about appeals against judgments.

Waiving and withdrawal of the complaint

Article 68

- (1) Any party may waive its right to appeal as from the announcement of the judgment, and if the judgment is not announced as from the delivery of a transcript of the judgment, to the expiration of the time limit for filing an appeal.
- (2) Any party may abandon its appeal until the adoption of the second-instance judgment. In such a case, the court shall discontinue the dispute in a decision.
- (3) Waiving or withdrawing of the appeal shall be expressly stated and may not be revoked.

Contents of the appeal

Article 69

- (1) The appeal shall comprise:
 1. an indication of the judgment against which it is submitted,
 2. the extent to which the judgement is disputed,
 3. grounds under which the appeal is submitted, and
 4. other information laid down in Article 49, paragraph 2 of this Act.
- (2) A reasoned explanation of the grounds under which an appeal is submitted must be provided in detail.
- (3) New facts may not be presented in an appeal.

Submitting of the appeal

Article 70

- (1) An appeal shall be submitted to the administrative court which issued the judgment within 15 days of the day of delivery of the judgment.
- (2) An appeal shall be submitted in a sufficient number of copies for the court and all parties to the dispute.

(3) The provisions of Article 25, paragraphs 1 through 3 of this Act, shall apply *mutatis mutandis* to the submission of an appeal.

Actions of the administrative court upon appeal

Article 71

(1) The administrative court shall dismiss an untimely appeal or an appeal submitted by an unauthorised person in a decision within 15 days of its receipt.

(2) If an appeal is unduly submitted, the administrative court shall ask the appellant within 15 days as of the receipt of the appeal to supplement or correct the appeal and set a reasonable time limit for him to do so. If the appellant fails to comply with the order of the court within the time limit, the court shall dismiss the appeal in a decision as unduly submitted.

(3) Within eight days, the administrative court shall send a copy of a duly submitted appeal with all related documents to the High Administrative Court for decision-making.

Actions of the High Administrative Court upon appeal

Article 72

(1) The High Administrative Court shall issue a decision dismissing an untimely appeal, an appeal filed by an unauthorised person, or an unduly submitted appeal if the administrative court failed to do so.

(2) The High Administrative Court shall issue a decision dismissing an appeal as impermissible if there are no grounds for filing an appeal under Article 66, paragraphs 1 and 2, of this Act.

(3) The High Administrative Court shall deliver an appeal to all parties to the dispute and request them to declare themselves about the appeal within eight days.

(4) The response to an appeal shall be submitted in accordance with the rules on the filing of submissions.

(5) The High Administrative Court shall deliver the response to the appeal to the appellant without any delay.

Deliberating the appeal

Article 73

(1) The High Administrative Court shall examine the first-instance judgment in the part in which it is disputed in the appeal, within the boundaries of the grounds stated in the appeal. The High Administrative Court shall take care of the grounds for nullity of a decision and the invalidity of an administrative contract in the line of duty.

(2) The High Administrative Court decides about the appeals at council sessions, without holding a discussion.

(3) If the High Administrative Court holds that it is necessary, it may hold a hearing. The scheduling and progress of the hearing before the High Administrative Court shall be governed *mutatis mutandis* by the provisions on the hearing before the administrative court. Decisions in the dispute may be adopted even if one or both of the duly summoned parties do not appear at the discussion without having provided a justified excuse.

Powers of the High Administrative Court in deciding upon the appeal

Article 74

- (1) The High Administrative Court shall issue a judgment rejecting an appeal as unfounded and confirm the first-instance judgment as soon as it establishes that the grounds under which the judgment is disputed do not exist or that they are not relevant for adopting a different decision.
- (2) The High Administrative Court shall nullify a first-instance judgment and remedy defects itself, resolving the matter in a judgement, if it establishes that the administrative court committed a substantial violation of court procedure rule, that it established the state of facts incompletely or erroneously, or that it applied the substantive law erroneously.

The second-instance judgment

Article 75

- (1) The provisions of this Act on the content of the judgment shall apply *mutatis mutandis* to the contents of the judgment of the High Administrative Court.
- (2) In the reasoned explanation of a judgment, the High Administrative Court shall assess the statements of appeal which have decisive character and state the reasons taken into consideration in adopting the decision.
- (3) The High Administrative Court shall deliver the judgment to the parties.

Title II

RENEWAL OF THE DISPUTE

Grounds for the renewal

Article 76

- (1) A dispute finalised by a judgment shall be renewed upon the proposal of one of the parties:
 1. if in a final judgment of the European Court of Human Rights it was decided on a violation of fundamental human right or freedom in a way different from the judgment of the court;
 2. if the judgement is based on a preliminary issue whereas afterwards a competent court or other body of public law settled that issue in essential points differently;
 3. if the court decision is the result of a criminal offence of the judge or a court clerk;
 4. if the court decision is based on a document which is forged or in which untrue content was certified, or if the court decision is based on a false testimony provided by a witness, expert or party;
 5. if a judge who should have been disqualified under Article 15 of this Act participated in the adoption of the decision.
- (2) A proposal for the renewal of a dispute shall be submitted to the court that issued the judgment at the latest within 30 days of the day on which the party learned about the grounds

for the renewal. After the expiration of the time limit of one year of the day on which the judgment became final, renewal may not be proposed under the grounds laid down in item 5 of paragraph 1 of this Article.

(3) In the proposal, the following shall be stated:

1. an indication of the judgment issued in the dispute which is sought to be renewed,
2. legal grounds for the renewal and evidence making it probable, and
3. evidence showing that the proposal was submitted within the term prescribed by law,
4. other information laid down in Article 49, paragraph 2 of this Act.

Renewal procedure

Article 77

- (1) The court shall dismiss the proposal in a decision if it establishes that the proposal was submitted by an unauthorised person or that the proposal is not timely or that the party did not make probable the existence of the legal grounds for the renewal.
- (2) If the court does not dismiss the proposal, it shall deliver it to the other parties and ask them to provide their response to the proposal within the time limit of 15 days.
- (3) If the renewal is permitted, the former decision shall be declared not in force either in full or in part. Previous procedural actions which are not affected by the grounds for the renewal shall not be renewed. The judgment permitting the renewal shall serve to decide about the subject-matter of the dispute.

Title III

REQUEST FOR EXTRAORDINARY EXAMINATION OF LEGALITY OF FINAL JUDGMENTS

Filing a request and decision-making

Article 78

- (1) Parties in an administrative dispute may, due to violation of the law, propose to the State Attorney's Office of the Republic of Croatia to file a request for extraordinary examination of legality of final decisions of the administrative court or the High Administrative Court.
- (2) A request for extraordinary examination of legality of final decisions may be filed by the State Attorney's Office of the Republic of Croatia within six months from the day the final judgment is serviced to the party. The State Attorney's Office of the Republic of Croatia may also file the request in the line of duty.
- (3) The Supreme Court of the Republic of Croatia, in a council composed of five judges, shall decide on the request.
- (4) If the Supreme Court of the Republic of Croatia adopts the request, it may annul the judgment and remand the case for a new decision or reverse the judgment.

Part Four
COSTS OF THE ADMINISTRATIVE DISPUTE

Costs of the administrative dispute

Article 79

- (1) Costs of the dispute shall include expenses incurred in the course or with respect to a dispute. Costs of the dispute shall include legal fees and the fees of other persons entitled to remuneration under law.
- (2) Any party shall advance the costs arising from its actions unless otherwise prescribed by the law. Costs arising from the taking of actions in the line of duty shall be advanced from the funds of the court.
- (3) The party which loses in a dispute shall bear the costs of the dispute in full unless otherwise prescribed by the law. If a party wins in the dispute in part, the court may order, in view of the success achieved, that each of the parties should bear its costs or that the costs should be distributed *pro rata* to the success of the parties in the dispute.
- (4) Any party that withdraws its complaint, appeal or any other proposal as the result of which the other party incurs costs shall bear the costs of those parties.
- (5) In deciding about the costs to be reimbursed to the party, the court shall take into account only the costs which were necessary to conduct the dispute.

Part Five
ENFORCEMENT OF COURT DECISIONS

Enforceability of court decisions

Article 80

- (1) Judgment may be enforced after its delivery to the party, if a different time limit is not determined in the judgment.
- (2) Decisions may be enforced immediately after announcement or delivery to the party, unless provided otherwise by this Act.

Enforcement of judgments

Article 81

- (1) Enforcement of a judgment by which the court settles a particular matter shall be provided by the respondent.
- (2) Where a judgment nullifies a decision of the respondent, and the matter is not resolved, the respondent shall comply with the dispositive part of the judgment, at the latest within the time limit of 30 days of the delivery of the judgment. The respondent is bound by the legal standpoint and comments of the court.
- (3) If the respondent fails to ensure enforcement of a judgment within the fixed time limit, in a motion for enforcement the complainant may request the court to enforce the judgment.

(4) Enforcement is conducted in accordance with the rules on enforcement laid down in the legislation which governs the general administrative procedure.

Enforcement of decisions

Article 82

(1) Decisions shall be enforced by the court which issued them.

(2) Enforcement of payment obligations stipulated in a decision shall be carried out in accordance with the regulations governing court enforcement.

Part Six

ASSESSMENT OF LEGALITY OF GENERAL ACTS

Initiation of the procedure

Article 83

(1) The High Administrative Court shall initiate the procedure of assessment of the legality of general acts upon the motion of a natural or legal person or a group of persons joined by common interests, if a particular decision of the body of public law which is based on a general act resulted in a violation of their right or legal interest. The request shall be submitted within 30 days of the delivery of the decision.

(2) The High Administrative Court may initiate the procedure of assessment of the legality of general acts in the line of duty or upon the request of the court.

The contents and submission of the request

Article 84

(1) The request for the assessment of the legality of a general act shall include the following:

1. personal name or title and address of the person filing the motion,
2. title of the disputed general act and the name of the body which adopted it,
3. reference to the provisions the lawfulness of which is disputed,
4. grounds for the unlawfulness of the general act, and
5. signature of the person filing the motion.

(2) The person filing the motion, as referred to in Article 83, paragraph 1 of this Act, shall make probable in the request that the application of the general act violated his rights or legal interests.

(3) The submission of the motion to the High Administrative Court, shall be governed *mutatis mutandis* by the provisions of Article 25, paragraphs 1 to 3 of this Act.

Court actions upon the request

Article 85

(1) The High Administrative Court shall dismiss a motion for the assessment of legality and notify the person who submitted it, if it establishes any of the following:

1. the act being disputed in the motion is not a general act;
2. assessment of the legality of the general act is within the competence of the Constitutional Court of the Republic of Croatia;
3. a different protection from unlawfulness of the general act is ensured by law;
4. it was filed by an unauthorised person; or
5. it is untimely.

(2) The court may discontinue the implementation of the disputed general act until a judgment is issued. The decision on the discontinuation of the implementation shall be published in the Official Gazette.

Deciding on the legality of a general act

Article 86

(1) The High Administrative Court shall make decisions about the legality of general acts in public sessions.

(2) The High Administrative Court may hold an advisory discussion if it evaluates that before deciding about the merit it is necessary to hold a discussion with those participating in the procedure, scientists and other experts.

(3) The court shall repeal a general act or some of its provisions with a judgement if it establishes that it is not in conformity with law or the statute of the body of public law.

(4) Any general act which is repealed or the provisions which are repealed shall cease to be valid as of the date of publication of the judgment of the High Administrative Court in the Official Gazette.

Request for amending a particular act in view of the suspension of a general act

Article 87

The person who files a request, as referred to in Article 83, paragraph 1 of this Act, is entitled to file a request to the competent public authorities for amending the decision, by which his/her rights or legal interests have been violated, through the application of the provisions on the renewal of the procedure *mutatis mutandis* within three months of the date of publication of the judgment in the Official Gazette.

Discontinuation of the procedure

Article 88

(1) The court may discontinue the procedure if the person filing the motion abandons it.

(2) The court shall issue a decision discontinuing the procedure as soon as the presumptions for conducting the procedure cease to exist.

Part Seven

SPECIAL WAYS OF RESOLVING ADMINISTRATIVE DISPUTES

Court settlement

Article 89

- (1) During the dispute the parties may reach a settlement before the court about the merits of the dispute.
- (2) Settlement may not be reached on claims that the parties may not dispose of.
- (3) In the course of the dispute, the court shall advise the parties about the possibility of reaching a settlement and assist them in reaching it. Court settlement shall be recorded in the minutes that shall also be signed by parties.
- (4) If the settlement relates to the statement of claim in full, the court shall discontinue the dispute in a decision, and if it relates to the statement of claim in part the court shall include the content of the settlement in the dispositive part of the judgment.

Part Eight

TRANSITIONAL AND FINAL PROVISIONS

Article 90

Court cases received by the Administrative Court of the Republic of Croatia, and which will not be concluded till 31 December 2011, shall be concluded according to the provisions of the Act on Administrative Disputes (Official Gazette 53/91, 9/92 and 77/92).

Article 91

On the date of the entry into force of this Act, the Act on Administrative Disputes (Official Gazette 53/91, 9/92 and 77/92) shall cease to have effect.

Article 92

This Act shall enter into force on 1 January 2012, and it shall be published in the Official Gazette.