

THE GOVERNMENT OF THE REPUBLIC OF CROATIA

3303

Pursuant to Article 117, paragraph 5 of the Environmental Protection Act (Official Gazette 110/2007), the Government of the Republic of Croatia, at its session on 30 September 2008, adopted the following

REGULATION

ON THE INCLUSION OF ORGANISATIONS IN THE ECO- MANAGEMENT AND AUDIT SCHEME

Article 1

This Regulation prescribes the manner of admission of organisations into the EMAS scheme, requirements which must be fulfilled by an organisation in order to be included in the EMAS scheme, manner of collecting data on included organisations, as well as the content and maintenance of the EMAS scheme register.

Article 2

This Regulation enables the implementation of Regulation (EC) No 761/2001 of the European Parliament and of the Council as amended by Commission Regulation (EC) No 196/2006 and Council Regulation (EC) No 1791/2006 allowing voluntary participation by organisations in a Community eco-management and audit scheme EMAS (hereinafter referred to as: the EMAS Regulation).

Article 3

The terms used in this Regulation shall have the same meaning as the terms used in the EMAS Regulation, other acts of the European Union pertaining to the EMAS scheme and the Environmental Protection Act.

Article 4

An organisation may be included in the EMAS scheme if it fulfils the requirements prescribed by the EMAS Regulation and other legal acts of the European Union related to the implementation of environmental review of its activities, products and services, establishment of an environmental management system, review of the compliance with relevant environmental legislation, implementation of an independent audit, preparation of an environmental statement verified by an EMAS assessor, open dialogue with the public and other interested parties, involvement of employees in the initiated process of improving environmental performance as well as by carrying out other particular actions.

Article 5

Organisations participating in the EMAS scheme shall establish an environmental management system in accordance with provisions of the European standard EN ISO 14001:2004 which is adopted as the Croatian standard HRN EN ISO 14001:2008 and available at the Croatian Standards Institute.

Article 6

(1) The application on the basis of which the Croatian Environment Agency (hereinafter: the Agency) enters an organisation into the EMAS scheme register shall contain:

- name of the organisation,
- address of the organisation,
- name of the organisation's site for which the registration is requested,
- brief description of the organisation's activities,
- name and contact details of the responsible person in the organisation,
- activity registered according to the National Classification of Economic Activities (NKD) codes,
- number of employees,
- name and accreditation number of the EMAS assessor,
- field covered by the EMAS assessor's accreditation,
- date of the next environmental statement.

(2) The application is accompanied by:

- environmental statement verified by the EMAS assessor,
- proof of payment of the register entry costs.

Article 7

If the Agency, based on the submitted information and evidence referred to in Article 6 of this Regulation and opinions of the central bodies competent for environmental protection and individual environmental components, pursuant to the Environmental Protection Act and special laws and regulations adopted on the basis thereof, establishes that an organisation complies with the requirements prescribed for admission into the EMAS scheme, it shall enter the organisation into the EMAS scheme register.

Article 8

(1) The Agency shall issue a certificate on the entry into the EMAS scheme register.

(2) Upon entry into the EMAS scheme register, the organisation shall be given a register number.

(3) The certificate referred to in paragraph 1 of this Article shall constitute a basis for including an organisation into the EU EMAS register.

Article 9

An organisation registered in the EMAS scheme may use the EMAS logo in the manner and under the conditions prescribed by the EMAS Regulation.

Article 10

(1) The EMAS scheme register must contain the information referred to in Article 6 paragraph 1 of this Regulation.

(2) The registry shall be kept as an information database with associated applications for the entry, searching and reporting on the data on organisations certified in accordance with the EMAS standard and with data storage in a relational base (MS SQL server) on the Agency's server.

Article 11

Upon entry into the EMAS scheme register, the organisation shall commit itself to the continual improvement of its environmental performance in accordance with the requirements of the EMAS Regulation.

Article 12

(1) The applicant shall cover any administrative costs related to the entry into the EMAS scheme registry and issuing of a certificate on the entry into the EMAS scheme registry.

(2) The Agency shall determine the amount of the costs referred to in paragraph 1 of this Article by a decision, subject to prior approval of the central body competent for environmental protection (hereinafter: the Ministry).

Article 13

(1) The Agency shall keep and update the list of organisations entered into the EMAS scheme register.

(2) The list of organisations must include the name and address of the organisation, date of entry, register number and NKD code as well as any changes thereof.

Article 14

(1) The Croatian Accreditation Agency shall keep and update the list of EMAS assessors and scope of their competence.

(2) The list referred to in paragraph 1 of this Article shall be submitted to the Agency by the Croatian Accreditation Agency in the manner and within the period prescribed by the EMAS Regulation.

Article 15

Data on the organisations entered into the EMAS scheme register and the list of EMAS assessors shall be submitted to the European Commission by the Agency.

Article 16

The costs of accreditation shall be borne by the EMAS assessor in the amount and manner prescribed by the accreditation rules of the Croatian Accreditation Agency.

Article 17

(1) The programme of promoting organisations' participation, in particular of small and medium-sized enterprises, in the EMAS scheme in accordance with the requirements of the EMAS Regulation shall be adopted by the Ministry in cooperation with central state administration bodies competent for: the economy, sea, transport, development, tourism,

water management, nature, agriculture and health.

(2) Public information on the requirements and principal components of the EMAS scheme shall be ensured by the Ministry.

Article 18

This Regulation shall be published in the Official Gazette and shall enter into force on the date of accession of the Republic of Croatia to the European Union.

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Zagreb, 30 September 2008

Prime Minister
Ivo Sanader, m.p.

PROVISIONAL TRANSLATION