

THE GOVERNMENT OF THE REPUBLIC OF CROATIA

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Pursuant to Article 93, paragraph 3 of the Civil Service Act (Official Gazette 92/2005 and 142/2006), the Government of the Republic of Croatia, at its session on 25 January 2007, adopted the following

DECREE ON FORMS, MODALITIES AND CONDITIONS FOR EDUCATION AND TRAINING OF CIVIL SERVANTS

Part I

GENERAL PROVISIONS

Purpose

Article 1

This Regulation stipulates forms, modalities and conditions for education and training of civil servants for the purpose of generally raising the level of knowledge, skills and the qualifications of civil servants on all levels in order to thus contribute to their independence, professional proficiency, efficiency and effectiveness, both horizontal and vertical mobility and motivation, and thus to an overall increase in the successfulness of the civil service as a whole.

Terms

Article 2

The terms used in this Regulation have the following meanings:

1. *Human resources development* – a structured process involving the study and analysis of the knowledge, skills and capacity necessary to perform, properly and efficiently, both current and future relevant functions and tasks within the competence of specific institutions, that is, sectors, and to develop and apply measures which enable civil servants to maintain the existing capacity and skills and to acquire and develop new knowledge, skills and capacity in line with their personal motivation, interests and the needs of the institution, that is, the civil service.
2. *Civil service human resources development policy* – a document of the Government of the Republic of Croatia which sets out comprehensive goals for the activities relating to the development of human resources in the civil service, and the basic value system and conditions for the implementation of the measures of human resources development, including the institutional, financial and the organisational framework.
3. *Strategy for the education and training of civil servants* – a document of the Government of the Republic of Croatia which sets out mid-term operative priorities for the application of the policy of human resources development through the education and training of civil servants. This strategy consists of priority programmes and activities relating to education and training based on the most demanded knowledge, skills and capacity of the relevant target groups, institutions or sectors.
4. *Planning human resources development* – a process involving both quantitative and qualitative specifications of the current and the estimate of the future needs for specific capacity, and resulting in an operative document with annual and multiannual plans for the development and implementation of the

activities of human resources development necessary to achieve the goals set out in the human resources development policy and the strategy for the education and training of civil servants. The procedure of planning human resources development includes the securing of adequate and sufficient financial resources necessary to ensure timely and efficient application of the human resources development strategy. The plan of human resources development designates bodies competent to implement specific measures and mentions the results foreseen or planned for each sector, institution or the field of education.

5. *Vocational education and training* – activities performed with the aim of preparing civil servants for the performance of new tasks at the same or some other work post.

6. *Professional improvement* – activities performed with the aim of an ongoing improvement of the expertise of civil servants in the course of their work. It can be organised at the work place or through the activities of various associations, societies, organisations or institutions as an addition to the formal education system.

7. *Learning* – a cognitive process of acquiring knowledge and skills through one or several forms of learning (education, training or coaching).

8. *Education* – an organised and regulated way of transferring knowledge and skills and of providing an opportunity to strengthen the capacity necessary to successfully perform activities pertaining to a particular profession or work post.

9. *Training* – activities designed with the aim of enabling final users to efficiently apply or use new processes, procedures, systems and other means in the everyday performance of the activities pertaining to their work post.

10. *Coaching* – a procedure by which an individual is provided with professional assistance, as well as the performance and feedback about his working performance with the aim of enabling full exploitation of his potential.

11. *Plan for the education and training of civil servants* – a document of the Government of the Republic of Croatia setting out the goals of the process of education and training in a particular calendar year, the list of all activities and programmes of education and training, with an estimate of the required resources for their implementation.

12. *Personal education and training plan* – an individual plan adopted by the head of the body and which sets out the order and the duration of all activities of education and training agreed between the internal organisational unit competent for human resources development and management (the "unit for civil servants affairs"), the civil servant in question and his superior.

13. *Knowledge* – the state of knowing about facts and relevant methodologies, the possession of the relevant experience and the analytical understanding necessary to understand all relevant aspects of a particular specific topic.

14. *Skill* – the excellence and the ability to correctly apply certain work methods with the aim of efficient and effective performance of activities, functions or tasks.

15. *Capacity* – the set of knowledge, skills and the conditions necessary to perform a specific function or task.

16. *Capacity strengthening* – an extensive series of activities whose purpose is to enable institutional development, which promote the efficient and successful working performance of the awarded tasks.

17. *Evaluation of the needs for education and training* – a process involving the implementation of all necessary activities with the aim of evaluating the overall needs for the education and training of civil servants, including the general needs for the education and training shared by all civil servants and those specific to the needs for education and training of civil servants in a specific state body or individual administrative department.

18. *Education and training programme* – a document which states the purpose, content, modalities, duration and key target groups for the activities of education and training intended for civil servants.

Plan for the education and training of civil servants

Article 3

The Government of the Republic of Croatia shall set out education and training programmes in the civil service for each calendar year in the plan for the education and training of civil servants.

The plan for the education and training of civil servants shall consist of the following:

- a) the aims of education and training;
- b) the list of all education and training programmes for civil servants, of the state bodies in charge of organising the implementation, the modalities and the time limits for the implementation;
- c) an overview of key target groups;
- d) an estimate of the resources that must be ensured in the State Budget for the implementation of all planned education and training programmes.

Proposals for the making of the plan for education and training of civil servants

Article 4

The proposal of the plan for the education and training of civil servants for the ensuing calendar year shall be prepared for the Government of the Republic of Croatia by the central state administration body competent for civil servants affairs in cooperation with the human resources departments of state administration bodies in accordance with the civil service human resources development policy, the strategy for the education and training of civil servants and the evaluation of the needs for education and training.

The proposal of the plan referred to in paragraph 1 of this Article must be prepared at the time of making the draft state budget for the ensuing calendar year, and must be in line with it.

For the purpose of preparing the proposal of the plan referred to in paragraph 1 of this Article, all state bodies have the duty to forward their proposals of the programme for the education and training of civil servants working for them to the central state administration body competent for civil servants affairs, on the prescribed form, by the end of the month of May of the current year.

Each proposal referred to in paragraph 3 of this Article, before being included in the proposal of the plan for the education and training of civil servants for the ensuing year, shall be subject to the approval of the central state administration body competent for civil servants affairs.

The form and the content of the standard form of the proposed programme for the education and training of civil servants referred to in paragraph 1 of this Article shall be determined by the central state administration body competent for civil servants affairs.

Amendments to the plan for the education and training of civil servants

Article 5

Upon the review of the annual plans for the education and training of civil servants or further to a subsequent request by a state body, the central state administration body competent for civil servants affairs may approve amendments to the adopted plan for the education and training of civil servants. Based on the amendments to the plan for the education and training of civil servants, the general and special implementing plans for education and training shall be adjusted accordingly.

Implementing plans for education and training of civil servants

Article 6

Based on the adopted annual plan for the education and training of civil servants, the central state administration body competent for civil servants affairs shall prepare the general annual education and

training implementing plan for the programmes of education and training which are the same for all civil servants, regardless of in which state body they are employed.

Based on the adopted annual plan for the education and training of civil servants, each state body shall prepare a special annual implementing plan for special specialist education and training programmes, which it is to implement independently.

Annual education and training implementing plans shall include the following:

- a) the schedule of holding education and training programmes;
- b) the list of all subsequently approved education and training programmes;
- c) the dynamics of development of the subsequently approved education and training programmes and the schedule of their implementation;
- d) the specification of special conditions related to specific programmes;
- e) the time limits for submitting applications for attending specific programmes;
- f) a detailed overview of the budgetary funds allocated to state bodies in charge of organising the implementation of the programmes.

The implementing plans must be prepared by the end of the calendar year preceding the year to which they refer.

Each state body shall forward a copy of the special implementing plan to the central state administration body competent for civil servants affairs at the latest within the term of 15 days of the date of adoption. The general implementing plan and the special implementing plans shall be published on the website of the central state administration body competent for civil servants affairs, while the special implementing plans shall also be published on the website of the adopting bodies.

Personal education and training plan

Article 7

Immediately after the publication of the annual education and training implementing plans for civil servants, the units for civil servants affairs with the state bodies shall prepare the personal education and training plan for each civil servant within their competence.

The procedure of making the education and training plan must include the civil servant who is the immediate superior of the civil servant whose personal education and training plan is being made.

The personal education and training plan must state the purpose, the title, the time of holding and the schedule of both compulsory and voluntary activities of education and training and clarify the conditions of education and training.

The personal education and training plan is adopted by the head of the body or the person authorised by the head of the body.

The standard form of the personal education and training plan shall be drawn by the central state administration body competent for civil servants affairs.

Evaluation of needs for education and training

Article 8

The overall evaluation of the needs for education and training with the aim of determining the needs for education and training in the civil service shall be conducted by the central state administration body competent for civil servants affairs in cooperation with the units for civil servants affairs in the state bodies.

In order to evaluate the needs for education and training, the central state administration body competent for civil servants affairs shall conduct an overall research of the needs for vocational education and training of civil servants at least once in four years.

Following the implementation of the overall research of the needs for education and training, the central state administration body competent for civil servants affairs shall draw a report, which shall include an overview of the expected general need for the education and training of civil servants in civil service and

of the special need for education and training in specific state bodies or administrative departments for a period of four years.

The report referred to in paragraph 3 of this Article shall be published on the website of the central state administration body competent for civil servants affairs immediately after having been made.

Annual review of the evaluation of needs for education and training

Article 9

In cooperation with the units for civil servants affairs in state bodies, the central state administration body competent for civil servants affairs shall review the general need for education and training and the special need for education and training in specific state bodies or administrative departments for the purpose of making annual education and training plans and drawing the proposal for the allocation of financial resources needed for their implementation by the end of the month of April of the current year.

Part II

FORMS OF EDUCATION AND TRAINING

Section 1

TYPES OF EDUCATION AND TRAININGS

Types of education and training

Article 10

The education and training of civil servants can be either for the needs of the civil service or for one's personal needs.

Education and training for the needs of civil service

Article 11

The education and training for the needs of civil service can be either compulsory or voluntary.

Compulsory education and training

Article 12

Civil servants have the duty to participate in the programme of education and training to which the competent state body sends them.

The costs of the education and training referred to in paragraph 1 of this Article shall be fully covered from the State Budget.

Voluntary education and training

Article 13

Any civil servant who is not enrolled in one of the education and training programmes foreseen in the civil servant education and training plan by the competent state body, and who wants to attend one of such programmes, shall be granted, upon his request, to attend the selected programme, provided that there are funds available for such education and training or provided that he is willing to bear the cost of such education and training, unless this would have a significantly adverse effect on the due performance of the activities in the state body and provided that there is a vacancy in the selected

education and training programme.

If the funds for education and training are available in the event referred to in paragraph 1 of this Article, the civil servant need not be required to bear the cost of the selected education and training programme.

Education and training for one's own needs

Article 14

If the conditions at the work place allow, the civil servant shall be enabled to attend an education and training programme upon his request, which is not intended for the civil service, provided that its duration would not have a significant impact on the due performance of the activities in the state body in question.

The request referred to in paragraph 1 of this Article must be submitted to the unit for civil servants affairs of the state body in which the civil servant is employed at the latest three months before the planned commencement of the education and training programme.

As a rule, all costs of attending the education and training programme not intended for the civil service shall be borne by the civil servant.

The decision on the request for attending an education and training programme not intended for the civil service shall be made by the head of the state body in which the civil servant who submitted the request is employed.

Section 2

EDUCATION AND TRAINING PROGRAMMES

Categories of education and training programmes

Article 15

Education and training programmes for civil servants can be divided into the following categories:

1. introductory programmes;
2. specialist programmes intended for specific groups of civil servants;
3. personal education and training programmes;
4. education and training programmes intended for civil servants who want to be promoted to a higher-ranking civil servant category;
5. education and training programmes for the managing civil servants;
6. other programmes.

Introductory programmes

Article 16

Introductory programmes are compulsory programmes whose aim is to familiarise new civil servants admitted to civil service based on the regular or extraordinary procedure, and who are on compulsory trial work in the state body, with the basic knowledge and skills needed to successfully perform the activities pertaining to a specific profession or to a specific type of work place.

The types of introductory programmes are the following:

1. Trainee programme
 - 1.1. General part of the programme;
 - 1.2. Particular part of the programme;
2. Adjustment programme
 - 2.1. General part of the programme;
 - 2.2. Particular part of the programme.

Trainee programme

Article 17

During trainee internship, the trainee shall go through both professional and practical education and training within the framework of which, according to a specific education and training programme (henceforth: "trainee programme") and under the supervision of the Commission for Monitoring the Work of Trainees (henceforth: "Commission"), under the auspices of a professional (henceforth: "mentor"), he acquires, through both hands-on training and learning, the professional capacity to independently perform activities pertaining to his specific profession or work place.

The head of the state body to which the trainee was admitted has the duty to ensure conditions that enable the trainee to successfully undergo trainee internship and to prepare for the State Civil Service Examination.

General part of the trainee programme

Article 18

The general part of the trainee programme is the same for all trainees who hold the same education degree, and consists of the following:

1. Introduction to civil service;
2. Preparations for passing the general part of the State Civil Service Examination.

The content and the duration of the general part of the trainee programme are determined by the central state administration body responsible for civil servants affairs.

Introduction to civil service

Article 19

The introduction to civil service covers the basics of the constitutional regulation, the state administration system, the civil servants affairs, the system of local and regional self-government, the administrative procedure and administrative disputes, office work, the European Union and the civil service ethics.

This part of the programme can also include other topics which are, depending on the needs of the civil service, determined by the central state administration body competent for civil servants affairs. Each trainee must be enabled to start attending this part of the programme at the latest within one month of the commencement of his civil service.

Preparations for passing the State Civil Service Examination

Article 20

The preparations for passing the general part of the State Civil Service Examination must include an explanation of the methodology for passing the State Civil Service Examination, as well as the theoretical and practical education in the subjects prescribed in the general part of the programme for the State Civil Service Examination.

Each trainee must be enabled to start attending this part of the programme at the latest two months before the expiration of his trainee internship.

This part of the trainee programme can also be organised for persons other than civil servants who must pass the State Civil Service Examination.

Particular part of the trainee programme

Article 21

The aim of the particular part of the trainee programme is the following:

1. to familiarise the trainee with the scope of work of the state body in which he is employed and with the regulations all civil servants in the state body in question must know, in accordance with the scope of work of the body, as well as the regulations that specific groups of civil servants in the body must know in view of their profession or the type of activities they perform,
2. to undergo hands-on training,
3. to prepare the trainee for passing the particular part of the State Civil Service Examination.

The content and the duration of the particular part of the trainee programme are drawn up by the unit for civil servants affairs of the state body in which the trainee is employed.

Controlling the quality and mutual alignment of the particular parts of the trainee programme

Article 22

State bodies shall forward the particular part of the trainee programme to the central state administration body competent for civil servants affairs within 15 days of its adoption. The central state administration body competent for civil servants affairs is authorised and has the duty to establish whether the particular parts of the trainee programme meet the minimum standards for the education and training of trainees and whether they are mutually aligned.

If the proposal of a particular part of the trainee programme does not meet the minimum standards or if it is not aligned with other particular programmes, the central state administration body competent for civil servants affairs shall issue instructions concerning the manner in which it should be adjusted.

Adjustment programmes

Article 23

Adjustment programmes are intended for civil servants admitted to the service based on an extraordinary procedure and who are on trial work.

Adjustment programmes differ depending on whether the civil servants for whom they are intended have the duty to pass the State Civil Service Examination or not.

Adjustment programme for civil servants having the duty to pass the State Civil Service Examination

Article 24

The adjustment programme for civil servants who have the obligation to pass the State Civil Service Examination consists of the general part, which is the same for all civil servants admitted to the service through an extraordinary procedure and who are on trial work, and the particular part, which includes educational activities necessary to enable efficient and effective performance of the activities pertaining to the work post to which the civil servant was admitted and his preparation for the State Civil Service Examination.

The general part of the adjustment programme and the segment of the particular part relating to preparations for the general part of the State Civil Service Examination are determined and the implementation is organised by the central state administration body competent for civil servants affairs. The particular part of the adjustment programme, in addition to the part relating to the preparations for passing the general part of the State Civil Service Examination, is established and the implementation is organised by the unit for civil servants affairs of the state body to which the civil servant was admitted, based on the results of the assessment of his knowledge, skills and capacity and the requirements of his work post.

The implementing plan for the adjustment programme for each civil servant referred to in this Article shall be prepared by the unit for civil servants affairs.

The plan referred to in paragraph 4 of this Article must be served to the civil servant at the latest at the time of serving him with the decision deploying him to the work post.

Controlling the quality and mutual alignment of the particular parts of adjustment programmes

Article 25

State bodies have the duty to forward the particular part of the adjustment programme referred to in Article 24, paragraph 3 of this Regulation to the central state administration body competent for civil servants affairs within the term of 15 days of the date of adoption, which is then authorised and has the duty to establish whether the particular parts of the adjustment programme meet the minimum standards for the education and training of civil servants and whether they are mutually aligned.

If a particular part of the adjustment programme does not meet the minimum standards or if it is not aligned with other particular programmes, the central state administration body competent for civil servants affairs shall issue instructions concerning the way in which it needs to be changed.

Adjustment programme for civil servants not having the duty to pass the State Civil Service Examination

Article 26

The adjustment programme for civil servants who do not have the duty to pass the State Civil Service Examination includes an overview of the current state of the civil service and the trend of its development.

The content and the duration of the programme referred to in paragraph 1 of this Article shall be established, organised and implemented by the central state administration body competent for civil servants affairs.

Financial resources for the implementation of adjustment programmes

Article 27

Financial resources for the implementation of the education and training programmes referred to in Article 24, paragraph 2, and Article 26, paragraph 1, in addition to the resources for the costs of the

attendants (travel costs, daily allowance, accommodation and the like) shall be planned, ensured and borne by the central state administration body competent for civil servants affairs.

Financial resources for the costs of the attendants of the programme (travel costs, daily allowance, accommodation and the like), in the events referred to in Article 24, paragraph 2, and Article 26, paragraph 1, and the resources for the implementation of the education and training programme referred to in Article 24, paragraph 3, shall be planned, ensured and borne by the state body in which the civil servant is employed.

Specialist programmes intended for specific groups of civil servants

Article 28

Specialist programmes intended for specific groups of civil servants are programmes which enable continuing professional improvement of civil servants, while the civil servants attending them are enabled to acquire new knowledge necessary to successfully perform the entrusted tasks.

The programmes referred to in paragraph 1 of this Article can be implemented on either the basic or the advanced level and they include both general and special topics from the field of public administration, such as strategic planning and project management; the planning, management and development of human resources; administrative law, the administrative procedure and the drawing of legal acts; financial management; topics related to the entry of the Republic of Croatia into the European Union and other fields within the scope of work of particular state bodies.

Personal training programmes

Article 29

Personal training programmes are education and training programmes that provide opportunities for the professional improvement of civil servants, and they also improve the skills which increase the odds of being able to use or apply one's knowledge and perform one's tasks efficiently.

Personal training programmes, *inter alia*, also cover the acquisition of communication skills and those related to effective presentation, the use of information technologies and foreign language learning.

Training programmes intended for civil servants who want to be promoted to a higher-ranking work post category

Article 30

Training programmes intended for civil servants who want to be promoted to a higher-ranking civil servant work post category are programmes intended for the vocational education and training of civil servants, so that they would acquire the knowledge, skills and capacity needed to perform the more complex activities of the higher-ranking category of work post efficiently and effectively.

Training programmes for promotion to a higher civil servant work post category are the following:

1. The training programme intended for civil servants who want to be promoted to the work post category of senior civil servants;
2. The training programme intended for civil servants who want to be promoted to the work post category of managing civil servants.

Training programmes for promotion to the senior work post category are prepared by the central state administration body competent for civil servants affairs.

Article 31

The education and training programme for civil servants in the category of managing work posts is a programme whose aim is to provide professional improvement to civil servants who are already on managing work posts, and civil servants attending them are enabled to acquire new knowledge, skills and capacity necessary to perform the managing duties efficiently and effectively.

The education and training programme for civil servants in the category of managing work posts is prepared by the central state administration body competent for civil servants affairs.

Other programmes

Article 32

Other programmes include a series of programmes and activities for the education and training of civil servants, irrespective of their profession, title or position, who cannot be classified into any of the mentioned programme categories mentioned in this Regulation.

Other programmes means, *inter alia*:

1. preparation programmes for profession-acquiring examinations;
2. formal education of any kind (secondary school, the acquisition of qualifications, the state examination, undergraduate, graduate and postgraduate studies), in the country and/or abroad;
3. specialist studies or special programmes offered by domestic or foreign institutions and organisations;
4. internship or professional practice in the country and/or abroad;
5. study trips.

Part III

MODALITIES OF IMPLEMENTING EDUCATION AND TRAINING

Section 1

GENERAL PROVISIONS

Organisation and implementation of education and training

Article 33

General education and training programmes intended for civil servants employed in more than one state body (henceforth: "general education and training programmes") and specialist education and training programmes intended for civil servants from two or more state bodies (henceforth: "general specialist education and training programmes") are organised by the special organisational unit with the central state administration body competent for civil servants affairs.

Specialist education and training programmes intended for civil servants employed in a single state body (henceforth: "special specialist education and training programmes") are organised by the central bodies of state administration.

The immediate implementation of the education and training programmes for civil servants may also be entrusted to the adequate domestic and foreign state, public and private, educational, scientific or other organisations, institutions or companies dealing with education and training or employing persons with the required special knowledge, skills and capacity for the implementation of specific education and training programmes or a part(s) thereof, under the conditions laid down in this Regulation.

Before entrusting the implementation of special specialist education and training programmes for civil servants to the organisations, institutions or companies referred to in paragraph 2 of this Article, the state

body intending to do it has the duty to verify whether a special organisational unit with the central state administration body competent for civil servants affairs can organise or implement them

Modalities of implementing education and training

Article 34

The education and training of civil servants can be organised and implemented, both in the country or abroad, through:

1. lectures,
2. seminars,
3. courses,
4. workshops,
5. studies,
6. round tables,
7. conferences,
8. exercises,
9. professional practice,

and other appropriate methods which best serve to realise the set goals for a particular type of education and training.

Didactic and pedagogic principles

Article 35

The education and training of civil servants shall be based on the general principles inherent in adult education and the modalities ensuring their active participation in education and training. The contents of education and training and the related materials must be updated and must reflect the latest development trends in both domestic and foreign practice.

All providers of services included in the implementation of education and training shall take into account the possibility of applying various modalities, such as case studies, role play, experience-based learning methods and the use of modern technological equipment – especially information equipment and the Internet.

The implementation of education and training activities must be organised in a way which ensures adequate promotion of the ethical values of the civil service and the promotion of the importance of the culture of learning.

Assessing the successfulness of the implemented education and training programmes

Article 36

The successfulness of the method of implementation of a particular education and training programme is assessed by the state body competent for the organisation of its implementation based on the grades provided by the attendants on the content of the programme; the person conducting the education and training; the method of implementation; the organisation of implementation and other necessary data, and the grade provided by persons who implemented the education and training programme about the content of the programme; the interest of the attendants in the content; the organisation of the implementation of the programme and other necessary data.

The subsequent assessment of the success of a particular education and training programme is conducted by the superior civil servant in cooperation with the internal organisational unit for civil servants affairs, based on the information gathered about the application of the acquired knowledge and skills at the place of work, and the impact of the implemented programme on his work effect.

The state body that has conducted the subsequent assessment of the success of a particular education and

training programme must notify the state body that was competent for the organisation of the education and training programme to which the assessment relates.

All assessments of the success of the conducted education and training programmes are entered in the Register of Education and Training.

Issuing certificates and notifications

Article 37

Upon successful completion of any education and training programme, the attendants must be issued a certificate. The organising body has the duty to forward a copy of the issued certificate to the state body that sent the attendant to the education and training programme.

The organising body must forward a written notification to the state body that sent the attendant to the education and training programme that the attendant has not completed the education and training programme in question.

Certificates and notifications are entered in the Personal Register of Civil Servants and if that is not possible it is necessary to notify the sender and the central state administration body competent for civil servants affairs about the impossibility and the reasons thereof.

Register of Education and Training

Article 38

There shall be an education and training Register maintained on all proposed and approved education and training programmes.

The Register of Education and Training is a component part of the Personal Register of Civil Servants and Employees, that is, the Central List of Civil Servants and Employees.

The Register of Education and Training shall include data on the proposed, approved and implemented education and training programmes; data on the attendants of specific education and training programmes; data on persons who participated in the implementation of a specific education and training programme, data on organisations, institutions or companies that participated in the implementation of the education and training programme and the assessment of the success of the implemented education and training programme.

After the entry in the Register of Education and Training, each education and training programme shall be awarded a programme-specific code to be used for the identification of the programme in all communications relating to the programme.

Section 2

SPECIAL PROVISIONS ON THE IMPLEMENTATION OF THE TRAINEE INTERNSHIP PROGRAMME

Operative plan for the implementation of the trainee internship programme

Article 39

On the basis of the adopted trainee internship programme, the unit for civil servants affairs shall prepare the operative plan for the implementation of the programme for each trainee admitted to civil service, which must be given to the trainee at the latest at the same time as the decision deploying the trainee to his work post.

The operative plan for the implementation of the trainee internship programme must include the following:

- the list of activities the trainee has the duty to perform during his trainee internship;

- the list of the internal organisational units of the same or some other state body in which the trainee has the duty to implement his trainee internship;
- the method of monitoring the work of the trainee during the trainee internship;
- the trainee's education and training programmes for the duration of trainee internship with the schedule of attendance;
- the first and last names and the professions of the members of the Commission for monitoring the trainee and their contact details;
- the first and last name and the profession of the mentor and his contact details;
- the forms of the journal of trainee internship, which the trainee has the obligation to keep during his trainee internship;
- the form for the final grade by the mentor;
- the form for comments on work or actions of the mentor during trainee internship.

Bodies in charge of the implementation of the trainee internship programme

Article 40

The implementation of the general part of the trainee internship programme is organised by the central state administration body for civil servants affairs.

The implementation of specific individual parts of the particular part of the trainee internship programme is organised by the state bodies for the trainees who are implementing their trainee internship in the state bodies in question, each within its own scope of work.

Each state body in charge of the organisation and implementation of a specific segment of the particular part of the trainee internship programme may entrust the organisation and/or the implementation of a part thereof not relating to the immediate performance of the activities pertaining to the work post to which the trainee was deployed to a central state administration body competent for civil servants' affairs or some other state body with the adequate resources.

A special agreement shall be concluded on the entrusting of the organisation and implementation of the special parts of the trainee internship programme, which regulates the scope of implementation of the special part of the trainee internship programme.

Commission for monitoring the work of a trainee

Article 41

The Commission for Monitoring the Work of Trainees that monitors and grades the work of trainees, is appointed by the head of each individual state body in which the trainees are implementing their trainee internship, for the body in question.

The Commission has an odd number of members, at least three. The compulsory member of the Commission is the head of the unit for civil servants affairs.

The president of the Commission is elected by the members of the Commission from amongst their ranks.

The Commission passes its decision by a majority of the votes of its members.

Mentor

Article 42

For each trainee, the Commission appoints as a mentor one of the civil servants in the body in question. Only civil servants with at least the same education degree, five years of civil service, prominent results in the service, no record of punishment for violations of official duty, and with the grade "exceptionally successful" or "excellent" for the preceding two years, may be appointed mentor.

The mentor may be appointed for a maximum number of five trainees with secondary education degree

and two trainees with university or post-secondary education degree, except when because of objective reasons the state body cannot appoint a sufficient number of mentors, but for not more than double the foreseen number of trainees.

At any time, the Commission may relieve a civil servant off his duty as mentor if it is established that he is not performing his obligations in a satisfactory manner or if his employment in the body terminates.

Obligations of a mentor

Article 43

In accordance with the trainee internship programme, the mentor shall give to the trainee all duties and provide the necessary instructions and explanations in connection with the job he has the duty to perform or with the education and training he is bound to attend and help him in the preparations for the State Civil Service Examination, and notify the results to the Commission.

The mentor has the duty to announce to the Commission his absence from the place of work in a duration longer than 30 days. In this case, the Commission shall appoint a new mentor for the trainee until the absent mentor returns to his place of work.

If the mentor is absent from his place of work for more than 30 days, because of circumstances he could not have anticipated, the Commission shall immediately appoint a new mentor for the trainees.

If the mentor fails to announce his absence from the place of work in a duration longer than 30 days to the Commission, and the circumstances could or should have been foreseen, the Commission shall immediately appoint a new mentor. The civil servant who was performing the activities of mentor until such time may not be appointed mentor for a period of one year of the date on which the Commission appointed the new mentor.

Remuneration for the work of a mentor

Article 44

The mentor is entitled to receive special monthly remuneration for his work and the right to an appropriate decrease in the scope of work or to the re-distribution of his working hours, in accordance with the number and the education degree of the trainees to whom he was appointed.

The amount of remuneration shall be set by the head of the central state administration body competent for civil servants affairs in a special decision, taking into account the education degree and the profession necessary to perform the jobs for which the trainee is being trained.

Grading the mentor

Article 45

Each trainee, following the completion of his trainee internship, must give a grade to his mentor by completing the prescribed form, which is then to be filed with the Commission.

The form for the final grade to the mentor shall be determined by the central state administration body competent for civil servants affairs.

If at any time during the trainee internship, the trainee has comments on the work or conduct of the mentor, he may file his comments with the Commission, which shall then take appropriate measures.

Attending part of trainee internship in some other state body

Article 46

The trainee with a state body may attend part of his trainee internship in some other state body.

It is the head of the state body forwarding the trainee to practice and the head of the body to which the

trainee is to be sent for practice that mutually agree on the sending of the trainee for practice to another state body.

In the agreement on the sending of the trainee for practice to another state body, it must be established who is to monitor the work of the trainee in the state body in question, as well as the methods and deadlines for reporting to the mentor about the progress of the trainee internship in the body.

The costs incurred as the result of sending the trainee for practice to some other state body (transport costs, material costs and the like), shall be borne by the state body in which the trainee was admitted to civil service.

Part IV

GENERAL CONDITIONS FOR PARTICIPATING IN EDUCATION AND TRAINING

Section 1

CONDITIONS FOR THE ATTENDANTS OF EDUCATION AND TRAINING PROGRAMMES

Conditions for attendants of education and training programmes

Article 47

Conditions that must be met in order to attend an education and training programme shall be laid down in the education and training programme in question.

The civil servant must be notified of all conditions for the attendance of a particular education and training programme before being sent to attend it.

Regarding the conditions of voluntary education and training, the costs of which are either fully or partially covered from the State Budget and the education and training for one's own needs, the civil servant and the state body sending the civil servant to the education and training programme shall conclude a contract on the conditions for attending the programme and the mutual rights and obligations.

Duties of attendants of education and training programmes

Article 48

Civil servants attending an education and training programme shall have the following obligations:

1. to attend all activities foreseen in the programme, and if they are not able to attend, to notify the head of the programme and the immediate superior in the state body in which they are employed;
2. to actively participate in activities, when such participation is foreseen in the programme they are attending;
3. to perform all obligations that have bearing on the successful completion of the programme instructed by the persons implementing the programme.

The civil servant must be notified of all obligations arising from the attendance of a particular programme before being sent to attend the programme.

Consequences of non-performance

Article 49

The certificate of successful attendance or completion of the programme may not be issued to any civil servant:

1. who has not attended regularly or who has not attended at all the activities foreseen in the programme he should have attended;
2. who fails to perform the obligations that have bearing on the successful completion of the

programme;

3. who fails to actively participate in the activities foreseen in the programme he is attending, when such attendance is a condition for the successful completion of the programme;

4. who fails to pass the examination or examinations foreseen for the successful completion of the programme.

If the civil servant does not receive the certificate of successful attendance or completion of the education and training programme two times in a row, his annual assessment grade of his work and efficiency shall be decreased by at least one degree, and he shall not be eligible for promotion over a period of one year of the date of finalisation of the second programme he failed to complete.

The civil servant who does not receive the certificate of successful attendance or completion of the education and training programme three times in a row shall not receive a passing annual assessment grade of his work and efficiency, he shall be held responsible for a violation of official duty and he shall not be eligible for promotion over a period of three years of the date of finalisation of the third programme he failed to complete.

The civil servant who, even after being sent for additional education and training, because of a failing assessment grade of his work and efficiency, does not receive the certificate of successful attendance or completion of the education and training programme, shall not receive a passing annual assessment grade of his work and efficiency.

Selection procedure

Article 50

If the number of attendants of a particular education and training programme is limited, and the interest in the programme is greater than the number of available seats, the unit for civil servants affairs of the state body competent for organising the implementation of the programme of education and training shall select the attendants by respecting the relevance of the education and training for the performance of the activities at the work place of the candidate and his merits based on work results.

The list of the selected attendants shall be published on the website of the state body competent for organising the implementation of the education and training programme or on the bulletin of the state body if the publication on the website is not possible.

Education and training in the institutions and services of the European Union and other international organisations and institutions

Article 51

Depending on the needs of the civil service or an individual state body, civil servants may be sent for education and training to the relevant institutions and services of the European Union, the bodies of public administration of the Member States of the European Union and candidate countries for the membership of the European Union, and to other international institutions and organisations.

The education and training referred to in paragraph 1 of this Article may not last for a period longer than six months.

For the duration of the education and training referred to in paragraph 1 of this Article, the civil servant shall exercise all rights arising from his employment in the state body, unless foreseen otherwise by the education and training programme.

After returning from education and training, the cost of which was borne from the State Budget, and which lasted up to three months, the civil servant shall remain in the civil service for a period of one year without interruptions as of the date of returning from education and training.

If the civil servant has attended education and training at the cost of the State Budget for a period longer than three months, he has the duty to remain in the civil service for a period of two years without interruptions as of the date of returning from education and training.

Any civil servant who has attended education and training at the cost of the State Budget, and does not

want to remain in the civil service in the duration laid down in paragraphs 4 and 5 of this Article, must repay the entire amount of costs of his education and training.

Contract on education and training in the institutions and services of the European Union and international organisations and institutions

Article 52

The contract stipulating the organisation, the purpose and the conditions of education and training shall be concluded by the head of the state body and the civil servant before the commencement of participation in the programme.

Formal education programmes

Article 53

Civil servants may be sent to attend secondary school education programmes, education programmes for the acquisition of qualifications and professional, undergraduate and graduate studies with the authorised institutions in the Republic of Croatia, and postgraduate studies with the authorised institutions in the Republic of Croatia and abroad, in accordance with the conditions laid down in Articles 55 and 60 of this Regulation.

For the duration of the education referred to in paragraph 1 of this Article, the rights arising from employment shall be stayed, except if study leave is granted to the civil servant.

Special conditions for attending postgraduate studies

Article 54

Civil servants being sent to postgraduate studies, in addition to fulfilling other conditions, must not have been convicted by a legally effective decision, and male civil servants must have fulfilled their military obligation.

Civil servants being sent to postgraduate studies abroad, in addition to the conditions referred to in paragraph 1 of this Article, must have the knowledge of a foreign language that meets the criteria and the requirements of the university to which they are being sent.

Competition for the award of scholarships

Article 55

Whenever foreseen by the plan of education and training of the Government of the Republic of Croatia, the competent state administrative body shall announce a competition for the award of scholarships and must publish it on the website of the central state administration body competent for civil servants affairs.

The competition shall include the time limits and the conditions for its implementation.

Procedure for implementing the competition for the award of scholarships

Article 56

The procedure further to the announced competition shall be conducted by the commission appointed by the head of the state body that announced the competition.

The commission for selecting candidates shall open the applications and determine those candidates who submitted applications with full documentation.

Candidates who fail to enclose full documentation to their application shall be notified of their failure to fulfil the formal conditions and their application shall not be taken into consideration.
The commission may decide to hold interviews with all or with certain candidates.

Certificate of proficiency in a foreign language

Article 57

If the knowledge of one or several foreign languages is one of the conditions for attending a particular programme, to their application the candidates shall enclose a certificate confirming their proficiency in the foreign language.

If the candidate fails to fulfil the said obligation, he shall be deemed ineligible to attend the programme.

List of candidates

Article 58

On the basis of the competition, the commission shall propose the final list of candidates selected in the competition. Based on the list, the head of the state body shall adopt a decision on the candidates with whom the scholarship contract is to be concluded.

If the competition is for postgraduate studies abroad, the commission shall forward the final list of candidates to the foreign university at which the postgraduate studies are to be held.

The head of the state body shall adopt a decision on the candidates with whom the contract is to be concluded after the foreign university confirms the candidates mentioned in the final list of the commission. For this purpose the foreign university may also hold a selection test for the proposed candidates.

Scholarship contract

Article 59

Before the beginning of the programme of formal education, the selected candidate and the head of the state body sending the civil servant to attend a particular programme shall conclude a contract regulating their mutual rights and obligations.

In addition to the usual provisions, this contract must include the following in particular:

- the obligations of the scholarship grantor and the scholarship recipient;
- the amount of the scholarship and payment terms;
- the time period over which the civil servant has the duty to work in civil service after completing his schooling, and which may be at least three years without any interruptions as of the date of return from education and training;
- the provisions on the repayment of the scholarship in the event of non-performance;
- the provisions on the pro rata repayment of the scholarship in the event of termination of civil service before the expiration of the contractual term.

As required, the contract may also include other provisions.

Study leave

Article 60

The civil servant who meets the conditions laid down by law may apply for either paid or unpaid study leave in order to attend an education and training programme.

Submitting the application for the approval of study leave

Article 61

The application for the approval of study leave shall be submitted on the prescribed form to the unit for civil servants affairs with the state body in which the civil servant is employed on prior notification of the immediate superior.

The application for the approval of study leave may be submitted even before the civil servant is selected to attend the specific education and training programme or before he is sent to attend such a programme.

In the application, the civil servant submitting the application for the approval of study leave has the duty to specify precisely and accurately all information necessary to adopt a decision concerning the application, to clearly indicate the total duration of study leave and the time periods for which he is requesting it, to state whether he wants paid or unpaid study leave and to propose a detailed programme of education and training, because of which he is applying for study leave.

If the civil servant has been granted scholarship for an education and training programme, because of which he applied for study leave, the source and the amount of the scholarship must also be mentioned in the application for the approval of study leave.

The central state administration body competent for civil servants affairs shall prepare the standard form of the application for the approval of study leave.

Procedure for approving study leave programmes

Article 62

Upon receiving the application for approving the study leave programme, the unit for civil servants affairs has the duty to verify the accuracy of all data stated in the application and to then forward the application to the head of the body, who has the duty to make a decision about the application within a reasonable term.

The immediate superior, the unit for civil servants affairs and the head of the body may approve the application in its entirety; they may partially agree with the application and propose certain changes in terms of the duration of study leave, the time period in which the study leave is requested, the time of its use, and the coverage of the related costs, or they may propose the rejection of the application.

The proposals referred to in paragraph 2 of this Article must be enclosed to the application for the approval of study leave and they must be notified to the applicant, so that he could issue a statement accordingly. The applicant's written statement shall be enclosed to the application.

After all actions foreseen in the provisions of paragraphs 1 through 3 of this Article are performed, the application for the approval of the programme of study leave shall be forwarded to the central state administration body competent for civil servants affairs, which shall then review each application and adopt a final decision on the study leave programme.

The central state administration body competent for civil servants affairs shall prepare the standard form of the application for the approval of the programme of study leave.

Study leave contract

Article 63

After the central state administration body competent for civil servants affairs approves the study leave programme, the civil servant and the head of the state body in which the civil servant is employed shall conclude a contract regulating their mutual rights and obligations relating to the implementation of the study leave programme.

The study leave contract must include:

- all obligations of the state body towards the civil servant for the duration of the study leave;

- a clear indication of the costs covered from the State Budget and the costs from other sources (scholarships and the like), as well as payment terms;
- a clear indication of the periods during which the civil servant is authorised to use the study leave;
- the time period during which the civil servant has the duty to remain in civil service after the completion of his studies;
- provisions on the compensation of costs covered from the State Budget and other sources in the event that the civil servant has not completed the education and training programme or has not fulfilled some other contractual obligation;
- provisions on the partial compensation of costs covered from the State Budget and other sources in the event that the civil servant is to terminate his civil service before the expiration of the legal, that is, contractual term.

The study leave contract may also include other provisions in accordance with the conditions for the implementation of individual education and training programmes.

The central state administration body competent for civil servants affairs shall prepare the standard form of the contract referred to in paragraph 1 of this Article.

A consolidated contract on scholarship and study leave

Article 64

If the conditions for concluding a scholarship contract and a study leave contract are met simultaneously, a consolidated contract on the mutual rights and obligations of the parties shall be concluded with the civil servant.

Section 2

PERSONS PARTICIPATING IN IMPLEMENTATION OF EDUCATION AND TRAINING

General provisions

Article 65

The implementation of education and training consists of three phases: the development of the education and training programme, the implementation of the education and training programme or a part thereof, and the analysis and assessment of the conducted education and training and the content of the programme.

Article 66

Civil servants with the required knowledge, skills or capacity may be engaged in the implementation of one or several phases of education and training.

Officials of the Republic of Croatia may also be engaged in the implementation of education and training programmes under the same conditions laid down in this Regulation for civil servants.

If it is not possible to engage civil servants for the implementation of the education and training referred to in paragraph 1 of this Article or if this should be necessary because of the nature of the education and training programme, it is possible to engage outside experts and organisations or institutions employing such experts from the country and abroad, in accordance with the provisions of this Regulation.

Categories of persons who are personally implementing education and training programmes

Article 67

Persons engaged in the direct implementation of education and training programmes for civil servants are engaged as either:

1. lecturers;
2. instructors;
3. trainers.

Lecturer

Article 68

The lecturer may be a civil servant or any other person with the appropriate characteristics laid down in the individual education and training programme, necessary to enable the attendants to acquire knowledge necessary to realise the purpose of the education and training programme.

Instructor

Article 69

The instructor may be a civil servant or any other person with the appropriate knowledge, skills or capacity necessary to enable the acquisition or the improvement of the skills of persons attending a specific education and training programme and to develop the capacity necessary to perform specific functions or tasks foreseen in the education and training programme.

Trainer

Article 70

The trainer may be a civil servant or any other person who has underwent the relevant general or special education and training necessary to organise and implement special types of or a particular education and training programme, and who is in the possession of appropriate evidence and a valid permit to conduct the education and training of civil servants (henceforth: "licence").

General conditions for selecting persons engaged in the implementation of education and training of civil servants

Article 71

The qualities of an individual to be engaged in the implementation of an education and training programme of civil servants shall be set out in the education and training programme.

It is the head of the internal organisational unit within the state body in question in charge of the organisation of the implementation of a particular education and training programme who decides about the selection and engagement of persons for the implementation of the education and training programme for civil servants, and who is held responsible for their selection.

***Selecting the candidate for the programme of education
and training for trainers in the civil service***

Article 72

The selection of candidates for the programme of education and training for trainers in the civil service shall be conducted on the basis of an internal announcement procedure which is implemented by the central state administration body competent for civil servants affairs.

The selection of the foreseen number of candidates who shall participate in the education and training for trainers as participants shall be performed on the basis of an assessment of their capacity and qualifications.

***Manner of engaging persons to conduct
education and training programmes for civil servants***

Article 73

Persons participating in the implementation of education and training shall be engaged through the conclusion of a contract for the implementation of one or several phases of one or several programmes of education and training or their individual parts, or for a definite period of time, up to one year.

Permit to conduct education and training in civil service (licence)

Article 74

The trainer's licence shall be issued by the central state administration body competent for civil servants affairs based on the submitted application and the documentation on the completed special professional programme for trainers or the documentation on the possession of some other appropriate qualifications. The trainer's licence is issued for a definite period of time.

Official records shall be maintained on the issued licences and certificates recognising trainer status.

The central state administration body competent for civil servants affairs shall lay down in an ordinance uniform conditions for the issuance of licences, their duration, and the possibility of extension and the procedure of revocation for all persons who conduct the relevant education and training in the state bodies, and the content and the manner of maintaining the records about issued licences.

Revoking the licence

Article 75

The central state administration body competent for civil servants affairs may revoke a licence, as well as prohibit the issuance of a licence for a definite period of time to any trainer who performs poor quality obligations or fails to perform them at all or with respect to whom it is established that as the result of his behaviour he is not worthy to participate in the programmes of education and training of civil servants.

Rights of civil servants engaged in the programmes of education and training of civil servants

Article 76

Civil servants engaged in the implementation of the education and training of civil servants shall have the following rights:

1. the right to be absent from their place of work with compensation of salary for the purposes of implementation of the education and training programme in which they are engaged (or one or several of

its parts);

2. the right to a reduced scope of work pro rata to the time spent in preparations for the education and training programme, its implementation, as well as activities relating to the analysis of a particular existing programme in order to possibly have it supplemented or changed;
3. the right to remuneration for preparing and implementing the education and training programme (or one or several of its parts) and for analysing the approved programme for the purpose of possibly having it supplemented or changed, in accordance with the provisions on the amount of remuneration prescribed by the decision of the Government of the Republic of Croatia.

Duties of persons engaged in the programmes of education and training of civil servants

Article 77

Civil servants engaged in the implementation of the programmes of education and training of civil servants shall have the following obligations concerning the education and training programme or a part thereof in which they are participating:

1. to adhere to the aim and the content of the education and training programme;
2. to prepare for the implementation in a professional manner (to timely prepare the necessary materials for the attendants and the like);
3. to conduct the education and training programme or a part thereof in which he is engaged in a professional manner;
4. to comply with the instructions of the organiser of the education and training programme.

The organiser of the implementation has the duty to notify the civil servant or the person engaged in the implementation of the education and training programme about the failure on his part to comply with the obligations referred to in paragraph 1 of this Article, regardless of the manner in which the failure was established, and to keep a record of this in the education and training register.

Recurring and serious violations of the obligations referred to in paragraph 1 of this Article may result in the revocation of the licence or the prohibition to further engage in the education and training of civil servants.

Remuneration for work on the education and training of civil servants

Article 78

Persons conducting the education and training of civil servants shall be entitled to remuneration for the work performed on the education and training of civil servants.

The amount of remuneration for the work referred to in paragraph 1 of this Article shall be determined by the Government of the Republic of Croatia in the form of a decision.

Extraordinary remuneration for work on the education and training of civil servants

Article 79

In extraordinary cases, when it is not possible to engage a civil servant or a domestic or foreign natural or legal person to implement a particular education and training programme or a part thereof based on the established regular remuneration, the central state administration body competent for civil servants affairs may propose to the Government of the Republic of Croatia, upon the proposal of the state body organising the implementation of the programme, the payment of a higher amount of remuneration.

Part V

TRANSITIONAL AND FINAL PROVISIONS

Time limits for performing specific obligations stipulated in this Regulation

Article 80

The central state administration body competent for civil servants affairs shall make the evaluation of the needs for education and training referred to in Article 8, paragraph 1 of this Regulation at the latest within the term of 3 months of the entry into force of this Regulation.

The head of the central state administration body competent for civil servants affairs shall adopt a decision on the amount of remuneration for the work of the mentor referred to in Article 44, paragraph 2 of this Regulation at the latest within the term of 30 days of the entry into force of this Regulation.

The Government of the Republic of Croatia shall adopt a decision on the amount of remuneration for the work on the implementation of the education and training programmes for civil servants referred to in Article 78, paragraph 2 of this Regulation at the latest within the term of 30 days of the entry into force of this Regulation.

The head of the central state administration body competent for civil servants affairs shall adopt the Ordinance referred to in Article 74, paragraph 4 of this Regulation, which shall stipulate uniform conditions for the issuance of licences, their duration and the possibilities for extension for all persons who conduct the relevant education and training in state bodies, as well as the content and the manner of maintaining the record on issued licenses, at the latest within the term of 3 months of the entry into force of this Regulation.

The central state administration body competent for civil servants affairs shall prepare the standard forms foreseen in Article 7, paragraph 5, Article 45, paragraph 2, Article 61, paragraph 5, Article 62, paragraph 5 and Article 63, paragraph 4 of this Regulation, at the latest within the term of 3 months of the entry into force of this Regulation.

Duty to align the existing subordinate regulations

Article 81

State bodies shall align the regulations regulating the education and training of civil servants with the provisions of this Regulation within 3 months of the entry into force of this Regulation.

The opinion concerning the alignment of the regulations on the education and training of certain state bodies with the provisions of this Regulation shall be issued by the central state administration body competent for civil servants affairs.

Termination of validity of the regulations

Article 82

Upon the entry into force of this Regulation, the provisions of Articles 1 through 14 and 45 through 63 of the Regulation on the vocational education and training and professional training of civil servants (OG 78/2003 and 57/2004) shall cease to be valid.

Entry into force

Article 83

This Regulation shall enter into force on the eighth day after the day of its publication in the Official Gazette.

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Vice-president of the Government
and the Minister for the Family, Veterans' Affairs and
Intergenerational Solidarity
Jadranka Kosor, LLB, m.p.