

# ACT ON STRATEGIC INVESTMENT PROJECTS OF THE REPUBLIC OF CROATIA

(Official Gazette 133/2013)

Guide for Investors

REPUBLIKA HRVATSKA / REPUBLIC OF CROATIA



Ministarstvo regionalnoga razvoja i fondova Europske unije  
Ministry of Regional Development and EU Funds



REPUBLIKA HRVATSKA  
MINISTARSTVO GOSPODARSTVA



AGENCIJA  
ZA INVESTICIJE  
I KONKURENTNOST

Agency for Investments  
and Competitiveness

[strateski.projekti@mingo.hr](mailto:strateski.projekti@mingo.hr)

## SUMMARY

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1. Projects Considered as Strategic Investment Projects	3
2. Criteria for Assessment and Selection of Strategic Investment Projects	4
3. Competent Bodies for Assessing and Implementing Strategic Investment Projects	5
4. Application Procedure	6
5. Public Invitation to Interested Investors	8
6. Contacts	9

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## 1. PROJECTS CONSIDERED AS STRATEGIC INVESTMENT PROJECTS

Strategic investment projects  
are .....

- Private investment projects
- Public investment projects
- Public-private investment projects

Which include construction of  
structures and are in following  
sectors.....

- Economy
- Energy
- Tourism
- Transport, Infrastructure
- Electronic Communications, Postal Services
- Environmental Protection, Public Utilities
- Agriculture, Forestry, Water Management, Fisheries
- Health Care
- Culture, Science, Technology, Education
- Defence, Judiciary

And if Private investment  
projects, those that refer to.....

- Production and Processing Activities
- Development and Innovation Activities
- Business Support Activities
- Activities of High Added Value Services
- Activities in Energy Sector
- Infrastructure
- Activities related to Agriculture and Fisheries

## 2. CRITERIA FOR ASSESSMENT AND SELECTION OF STRATEGIC INVESTMENT PROJECTS

Value of total capital investment cost of the investment project .....

- $\geq$  than 150.000.000,00 HRK, or
- $\geq$  than 75.000.000,00 HRK, if it has the possibility to be co-financed from the funds and programs of the European Union, or
- $\geq$  than 20.000.000,00 HRK, if realized in the assisted areas, or in the units of local (regional) self-government of the 1st group or in the units of local self-government of the 1st and 2nd groups, in accordance with the act governing the regional development of the Republic of Croatia, or
- $\geq$  than 20.000.000,00 HRK, if realized on the islands, or
- $\geq$  than 20.000.000,00 HRK, if it falls within the area of agriculture and fisheries

Which implementation....

- Creates conditions for the employment of the larger number of people, depending on the type and location of the project,
- Significantly contributes to the development or improvement of conditions and standards for the production of goods and provision of services,
- Introduces and develops new technologies that are increasing competitiveness and efficiency in the economy or public sector and/or,  
Rises the overall level of safety and quality of life of citizens and environmental protection,
- Has a positive effect on more economic activities and the implementation of which creates added value,
- Contributes to sustainable development and environment and space protection,
- Largely contributes to competitiveness of the Croatian economy

And is harmonized with.....

- Strategic documents of the EU and Republic of Croatia
- Physical planning documents with the exception of implementing physical planning documents (urban development plan and detailed arrangement plan) if the same are not already adopted
- Commitments under international treaties

### 3. COMPETENT BODIES FOR ASSESSING AND IMPLEMENTING STRATEGIC INVESTMENT PROJECTS

#### Commission for Assessment and Determining Proposals for Strategic Investment Projects

- Established by the Decree of the Croatian Government
- Chairman of the Commission: Deputy Prime Minister of the Croatian Government in charge of the economy and investments
- Deputy Chairman of the Commission: Head of the central government body responsible for the economy
- Four permanent members of the Commission are the heads of the central government bodies responsible for Construction and Physical Planning, Judiciary, Nature and Environmental Protection and State Property Management
- Three variable members are the head of the relevant government body depending on the area in whose jurisdiction a particular strategic project falls and representatives of local and territorial (regional) self-governments in whose territory the project is realized

#### Operational Group

- Representatives of the central government body and other state administration bodies which have jurisdiction over the preparation and the implementation of the project
- Representatives of the competent state agency for investments:
  - AIK—for large enterprises\* investing in activities falling under the Act on Investment Promotion and Enhancement of Investment Environment
  - Hamag Invest—for micro, small and medium enterprises\* investing in activities falling under the Act on Investment Promotion and Enhancement of Investment Environment
  - CEI—for investment projects in energy and public sector as well as for public-private investment projects
- Representatives of the executive body of a unit of local and territorial (regional) self-government on whose territory the project will be realized
- Representatives of the state agency responsible for competition
- Representatives of the central state administration competent for environmental and nature
- The Head of the Operational Group is selected from the representatives of the responsible state body or from the representatives of the state agency responsible for investment

\*Classification of enterprises is done in accordance with the Small Business Development Promotion Act (OG 29/02, 63/07, 53/12,

## 4. APPLICATION PROCEDURE

### Potential investor

(Republic of Croatia, unit of local and territorial (regional) self-government, a natural person, a sole trader and any other domestic or foreign legal person)  
submits [project application](#) to the central state body responsible for economy

### Application Contents:

1. description of the project and detailed explanation on its meeting the criteria necessary for the selection of strategic investment project;
2. documents, data and other proof about the project's compliance to the laid down selection criteria;
3. study containing\*:
  1. conceptual description, status and location of the project
  2. strategic, business and financial plan and an investment plan for a specific investment project for a period of five years
  3. proof of financial capacity/secured resources of project's financing
  4. detailed profile of the company, including subsidiaries and reference list
  5. certificate confirming that all tax, pension and health insurance liabilities are fulfilled, except when the economic entity is approved, in accordance with special regulations, deferred payment of the said liabilities
  6. document issued by a bank or other financial institution proving the solvency of the economic entity not older than 30 days .\*Items 3-6 do not relate to public investment projects
4. In case when the interested investor has established a special purpose company operating on the territory of the Republic of Croatia for less than six months, the founder of the company shall submit data on financial capacity certified by a competent authority in the country where the Investor is seated, and especially a revised financial report for the last two years of business operations, data on solvency verified by responsible banking/financial institutions and basic financial indicators for the last two years of business operations.

Central government body responsible for the economy performs administrative check of the received applications and submits proper and complete application for the consideration to the Commission for Assessment and Determining Proposals for Strategic Investment Projects

If the central government body responsible for the economy receives incomplete application, it will invite the interested investor to supplement the same within eight days. If the interested investor fails to provide proper and complete documentation by the specified deadline, his application will be rejected by a decision

Commission assesses if the applied project meets the laid down criteria and proposes its inclusion on the List of Strategic Investment Projects

## 4. APPLICATION PROCEDURE (continued)

Commission establishes the Operational Group for the Preparation and Implementation of each Individual Project and appoints the Operational Group Head from among the representatives of the state agency responsible for the investment (AIK, Hamag Invest or CEI) or from among the representatives of the responsible state administration body



Following the enforceability of the Decision on the inclusion of the project on the List of Strategic Projects, and the appointment of the Head of the Operational Group, the Head determines relevant central government bodies for the preparation and implementation of projects, the list of administrative and other proceedings and operations necessary to undertake in accordance with the law and coordinates the work of the Operational Group members after their appointment. The list is also delivered to the interested investor.



Operational group determines the elements of the proposal of the Decision on Designation of Strategic Investment Projects by the Government of the Republic of Croatia and submits it to the Commission



Commission gives an opinion to the central government body responsible for the economy about the proposal of the decision on designating particular project a strategic project

Commission proposes to the Government of the Republic of Croatia the adoption of the Decision on Designation of Strategic Investment Projects



The Government of the Republic of Croatia at the proposal of the Commission shall render a Decision on Designation of Strategic Investment Projects of the Republic of Croatia that will be published in the Official Gazette.



Agreement on the Preparation and Implementation of the Project with an interested investor shall be concluded by the head of the central state administration body competent for the economy within 30 days after the publication of the Decision on Designation of Strategic Investment Projects of the Government of the Republic of Croatia in the Official Gazette.

## 5. PUBLIC INVITATION TO INTERESTED INVESTORS

The Croatian Government may publicly invite the interested investors to invest and implement an individual strategic project, when it evaluates it is of national interest to the Republic of Croatia, for the purpose of attracting investment and achieving decision that the investors realize their investments on the territory of the Republic of Croatia. Public invitation shall be announced through the central government body responsible for the economy. This does not apply in the event when the implementation of strategic investment projects implies the conclusion of public procurement contracts, public works concession contracts, contracts on concessions for public services or contracts on public private partnership in terms of regulations in the field of public procurement, public private-partnerships or concession.

### Application content (public invitation):

1. bid to public invitation,
2. study containing:
  1. strategic, business and financial plan and an investment plan for a specific investment project for a period of five years
  2. proof of financial capacity/secured resources of project's financing
  3. a detailed profile of the company including subsidiaries and reference list
  4. confirmation that the obligations to pay outstanding tax liabilities and liabilities for pension and health insurance have been fulfilled, unless the economic entity is approved, in accordance with special regulations, deferred payment of the said liabilities
  5. document issued by a bank or other financial institution proving the solvency of the economic entity not older than 30 days
3. statement on applicable regulation in the area of public procurement

Central government body responsible for the economy performs administrative check of the received applications and submits proper and complete application for the consideration to the Commission for Assessment and Determining Proposals for Strategic Investment Projects

If the central government body responsible for the economy receives incomplete application, it will invite the interested investor to supplement the same within eight days. If the interested investor fails to provide proper and complete documentation by the specified deadline, his application will be rejected by a decision

Procedure will continue as in the case when the interested investor applies for the for the registration of the investment project as strategic



## 6. CONTACT



REPUBLIKA HRVATSKA  
MINISTARSTVO GOSPODARSTVA

Ulica grada Vukovara 78, 10 000 Zagreb

Phone: 01/ 6106 111

E-mail: [strateski.projekti@mingo.hr](mailto:strateski.projekti@mingo.hr)

### RELEVANT DOCUMENTS:

Act on Strategic Investment Projects of the Republic of Croatia ([Official Gazette 133/13](#))

Ordinance on the Format and Content of the Control List ([Official Gazette 151/13](#))

Decree establishing the Commission for Assessment and Determining Proposals for Strategic Investment Projects ([Official Gazette 1/14](#))

[Application](#) Form