

Activity report of the Republic of Croatia

Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport Years 2021 and 2022

I- Information on the national system

In the Republic of Croatia there is one National Enforcement Body (NEB) for the Regulation (EU) N° 181/2011- which is Ministry of the Sea, Transport and Infrastructure, and it is in operational jurisdiction of Road Transport, Road Infrastructure and Inspection Directorate.

Ministry of the Sea, Transport and Infrastructure is a ministry in the Government of Croatia and it is only NEB in the Republic of Croatia. Since it is the part of the Croatian Government, the resources are secured through state budget.

In the Republic of Croatia, besides Regulation (EU) N° 181/2011 there is a Law for the implementation of Regulation 181/2011, but implementation of the Regulation in the national law did not create case law. There has not been significant national legislation review.

II- Road transport (bus and coach) market

List of main carriers currently operating long-distance regular services (i.e. services where the scheduled distance is 250 km or more)	
1. FLIXBUS CEE SOUTH d.o.o. Radnička cesta 37b, Zagreb	4. CROATIA BUS d.o.o. AVENIJA MARINA DRŽIĆA 4, ZAGREB
2. ČAZMATRANS PROMET d.o.o. Milana Novačića 10,	5. PRESEČKI GRUPA d.o.o. FRANA GALOVIĆA 15, KRAPINA
3. AUTOTRANS d.d. Šetalište 20.travnja 18, Cres	6. VINCEK d.o.o. VARAŽDINSKA ULICA, ODVOJAK II BR. 2, JALKOVEC, VARAŽDIN

III- Complaint handling process

NEB handle individual complaints, but passengers are obliged to submit their complaints to the carrier/terminal managing body at first, and they can only submit a complaint to the NEB if they are not satisfied with the solution offered by the carrier/terminal managing body. According to the Law for the implementation of Regulation 181/2011, Article 5, in the case that the carrier has not resolved the complaint of passengers within and in accordance with Article 27 of Regulation (EU) No. 181/2011, the passenger has the right to file a complaint to the Ministry of Sea, Transport and Infrastructure. The Ministry shall, without delay and no later than 30 days from the date the complaint was filed, inform the passenger in writing about the established facts and the measures it has taken. Most complaints regarding the violation of the provisions of the Regulation (EU) No 181/2011 are settled by the carrier who received the complaint. Any passenger who is not satisfied with the measures that have been taken (or were not taken within the prescribed time) may initiate an administrative dispute at the competent administrative court. We don't have a complaint form at national level, but the complaints can be filed in paper format (*By post: Ministry of the Sea, Transport and Infrastructure, Prisavlje 14, 10000 Zagreb; By fax: +385 1 6195 941*), electronically (*By e-mail: PravaPutnika.cestovni@mmpi.hr*) and by phone (*Tel.: +385 1 6169 050*).

Compared to the previous Reports on activities of the Republic of Croatia the number of passenger complaints has increased, and that shows that information about passenger rights are transparent and easily accessible and that they have reached addressed group. Following said passengers are more and more prone to exercising their rights that are given to them through Regulation (EU) No 181/2011 and Law on the implementation of the Regulation (EU) No 181/2011. Also, due to the fact that in the Republic of Croatia the passengers' complaints regarding the violation of the provisions of the Regulation (EU) No 181/2011 are settled out by the carrier who received the complaint, we do believe that a large number of complaints were resolved in the direct communication between passengers and carriers.

Carrier on its website publishes the content related to the exercise of the rights of passengers. Also, on the bus stations posters are set up containing information on the enjoyment of these rights. According to the information provided by carriers, there are buses equipped to transportation of disabled persons or persons with reduced mobility. Also, disabled persons or persons with reduced mobility can travel with assistance of carriers educated with the personnel, according to the Regulation. It is continuously worked on familiarizing the public with the rights they have according to the Regulation 181/2011.

IV- Complaint statistics

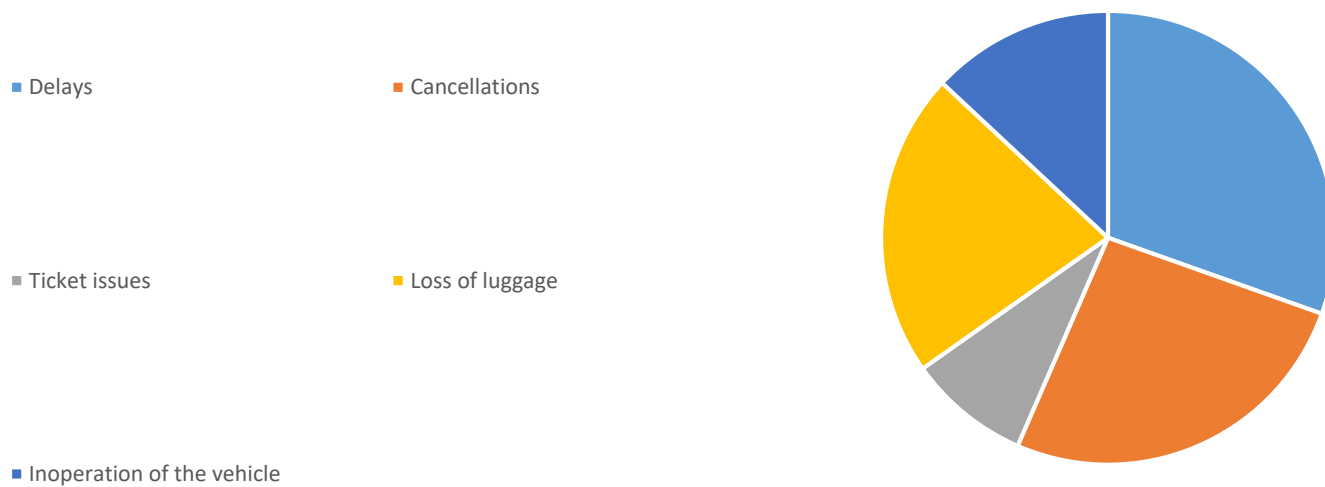
Mostly, complaints are filed in regard of delays (7 cases), loss of luggage (5 cases), ticket issues (2 cases), inoperation of the vehicle (4 cases) and cancellation (6 cases). The increased number of the cancellation from carrier's side was caused with the COVID-19 pandemic.

Table IV.1 - Statistical data of complaints submitted to the National Enforcement Body									
Year	Number of complaints	Reason for complaint							Comments
		Travel information (Article 24)	Right to assistance at designated terminals and on board buses and coaches (Article 13)	Compensation in respect of wheelchairs and other mobility equipment (Article 17)	Assistance in the event of cancelled or delayed departures (Article 21)	Continuation, re-routing and reimbursement in the event of cancelled or delayed departures (Article 19)	Compensation in the event of accidents (Article 7)	Others	
From 1 January to 31 December 2021	12	x	x	6	4	x	1	1	
From 1 January to 31 December 2022	11	2	x	1	3	x	1	4	

Table IV.2 – If available, statistical data of complaints submitted to carriers or terminal managing bodies									
Year	Number of complaints	Reason for complaint							Comments
		Travel information (Article 24)	Right to assistance at designated terminals and on board buses and coaches (Article 13)	Compensation in respect of wheelchairs and other mobility equipment (Article 17)	Assistance in the event of cancelled or delayed departures (Article 21)	Continuation, re-routing and reimbursement in the event of cancelled or delayed departures (Article 19)	Compensation in the event of accidents (Article 7)	Others	
From 1 January to 31 December 20XX									
From 1 January to 31 December 20XX									

Given the fact that most of the services are provided commercially by private-sector operators, it was not possible to gather the data for this question.

Shares of types of complaints



V- Sanctions and penalties

Information on the procedure to impose the sanction and penalty

In the Republic of Croatia there is Law for the implementation of Regulation 181/2011 which contains national rules on penalties and sanctions. The prescribed penalties are classified for carriers, for ticket sellers, managers of bus stations and for travel organizers.

- Information and statistics on sanctions and penalties

Sanctions in terms of Regulation (EU) N° 181/2011 are based on passenger complaints. Considering that Ministry of the Sea, Transport and Infrastructure is NEB for the Regulation (EU) N° 181/2011- sanctions can be imposed only by the NEB. Since all complaints were resolved through settlement, during 2021. and 2022. there were no sanctions imposed on Croatian carriers or terminal management bodies.

Table 6 – Statistics on national sanctions and penalties imposed

Year	Number of sanctions imposed):	Type of sanction imposed (in case of fines, what was the sum imposed):	Penalty or fine amount
From 1 January to 31 December 2021			
From 1 January to 31 December 2022			

VI- Actions taken to implement and monitor the Regulation

Implementation and monitoring of Article 11 related to accessibility and information as well as Articles 13 and 14 related to the right to assistance and the conditions of assistance

In The Republic of Croatia NEB is Ministry of the Sea, Transport and Infrastructure and is part of Government of the Republic of Croatia so there is option to do inspection supervision. Apart from that, the best insight about situation is through complaints of the citizens and passengers that are filed considering Regulation 181, but also that are not in relation to Regulation. Because this NEB is in operational jurisdiction of Road Transport, Road Infrastructure and Inspection Directorate we get a lot of complaints as a crown body for transport in Republic of Croatia, and through that we often receive information about “situation on the ground” and praxis.

Implementation and monitoring of Article 16 on disability-related training

In the Republic of Croatia there is bylaw- rule book on the initial qualification and periodic training of drivers that prescribes obligation for drivers to get initial qualification and periodic training. Training in sense of the Regulation 181 is provided as a part of the initial qualification and periodic training which is proven by certificate of professional competence.

Implementation and monitoring of Articles 20 and 21 on information and assistance in the event of a cancelled or delayed departures

As stated before, passenger first submit their complaint to the carrier and then to the NEB if they are not satisfied with the response. That is the way the NEB monitor if passenger rights are exercised. NEB usually warns carrier if the situation is not handled properly. As for the monitoring whether passengers receive the the information required in Article 20 and 21 NEB regularly check carriers' websites and also information about passengers rights are available on official website of NEB.

Implementation and monitoring of Article 25 on information on passenger rights

NEB monitors websites of the carriers and also we provide on our website information of the passenger rights. Also since NEB is Ministry and a part of Government of the Republic of Croatia we also have option to do inspection supervision.

Implementation and monitoring of Article 26 on complaints

Neb is monitoring that the carriers have set up a complaint-handling mechanism through desk research, by monitoring carriers' websites and by inspection supervision.

VII- Conclusion and evolutions observed since the previous reporting

In comparison with the previous bi-annual report provided by our NEB, we can notice that number of complaints because of the COVID-19 pandemic, number of trips has drastically decreased on the global scale and with it the number of complaints. As for reasons of complaints they are nearly the same as previous years.