

PSYCHOTHERAPY ACT

I. GENERAL PROVISIONS

Article 1

This Act regulates the scope, the conditions and the way of performing psychotherapeutic activities, the educational standards, the establishment of the Croatian Psychotherapists Chamber (hereinafter referred to as „Chamber“), the duties and the professional supervision over psychotherapists' work and psychotherapeutic activities.

Article 2

This Act transposes into the Croatian jurisdiction the Directive 2006/123/EC of the European Parliament and of the Council dated 12th December 2006 on services in the internal market (Official Journal L 376 of 27th December 2006.), in the part of psychotherapeutic services being rendered as economic activities outside the healthcare system.

Article 3

Gender-specific wording in this Act refers equally to female and male form.

Article 4

Specific terms when used in this Act shall have the following meaning:

1. *psychotherapy* is the treatment of problems of emotional character by psychological means in which a trained person intentionally establishes a professional therapeutic relationship and applies professional processes with the aim to eliminate, to modify or to mitigate the intensity of existing psychological symptoms/difficulties, in order to change the disturbed behaviour patterns and to encourage a positive development of personality in children, adolescents and adults, comprising the following:

– psychotherapy – establishing of a therapeutic relationship for the purpose of achieving positive changes with respect to changed behaviour and reaction patterns, putting them in relation with the subconscious motives, thoughts and feelings

– counselling – establishing of a therapeutic relationship for the purpose of elaborating actual difficulties with the aim to find the best solution applicable for the person in counselling, without elaborating the subconscious motivations of actual emotional difficulties

2. *psychotherapeutic activity* is the system of either individually or jointly targeted professional procedures, measures and means based on the principles and knowledge of psychotherapeutic science and practice. The psychotherapeutic activity may be performed by a psychotherapist or a counselling therapist.

3. *psychotherapist* is an expert performing the psychotherapy who meets the requirements set forth in Article 5, par. 2 of this Act.

4. *counselling therapist* is an expert performing the counselling, supportive therapy and counselling individual or group work based on the principles of psychotherapy, who meets the requirements set forth in Article 5, par. 3 of this Act.

5. *trainee psychotherapist* is a person undergoing training for psychotherapist or counselling therapist who meets the requirements set forth set forth in Article 5, par. 4 of this Act.

II. PERFORMING THE PSYCHOTHERAPEUTIC ACTIVITY

Article 5

(1) The psychotherapeutic activity shall be performed by a psychotherapist or a trainee psychotherapist.

(2) A psychotherapist can be a person who:

– possesses an undergraduate and a graduate university degree or an integrated undergraduate and graduate university degree in the fields of medicine, psychology, social work and educational rehabilitation, social pedagogy, pedagogy and logopaedics in the Republic of Croatia or some other EU member state, or in some third country if such foreign academic qualification has been recognized in the Republic of Croatia.

– has completed a professional education course in psychotherapy in duration of at least four years in some of the psychotherapeutic orientations recognized by the European Association for Psychotherapy, which are also approved by an international umbrella association for a particular psychotherapeutic orientation

– has Croatian citizenship, or the citizenship of a signatory state to the Agreement on the European Economic Area and of the Swiss Confederation or the citizenship of some third country

- possesses knowledge of the Croatian language, both written and spoken
- is registered in the Chamber Directory
- possesses a permit for independent work (licence).

(3) A counselling therapist can be a person who:

- possesses an undergraduate professional or a graduate university degree in the fields of medicine, psychology, social work educational rehabilitation, social pedagogy, pedagogy, logopaedics, education and nursing in the Republic of Croatia or some other EU member state, or in some third country if such foreign academic qualification has been recognized in the Republic of Croatia.

- has completed a professional education course in psychotherapy in duration of at least three years in some of the psychotherapeutic orientations recognized by the European Association for Psychotherapy, which are also approved by an international umbrella association for a particular psychotherapeutic orientation

- does not meet the requirements from sub-paragraph 1 of this paragraph, but possesses an undergraduate and a graduate university degree or an integrated undergraduate and graduate university degree in some other field and has completed a course of studies in propaedeutics of psychotherapy

- has Croatian citizenship, or the citizenship of a signatory state to the Agreement on the European Economic Area and of the Swiss Confederation or the citizenship of some third country

- possesses knowledge of the Croatian language, both written and spoken

- is registered in the Chamber Directory

- possesses a permit for independent work (licence).

(4) A psychotherapist or a counselling therapist working with children and adolescents must possess a special additional education on the application of appropriate therapeutic techniques, depending on the child's development phase and problems, as well as the child's relationships with parents and the environment.

(5) A psychotherapist or a counselling therapist working with children and adolescents may perform his activity only based on the previously gathered medical diagnostic documentation and the indication established for the performance of such treatment.

(6) The psychotherapeutic activity cannot be performed by a person with previous convictions for criminal offences against sexual freedom and for criminal offences of sexual abuse and victimization of children.

(7) A trainee psychotherapist can be a person who meets the requirements from paragraph 2, subparagraph 1 or paragraph 3, subparagraph 1 of this Article and who is being trained to be a psychotherapist or a counselling therapist. The programme of the traineeship is defined by the Chamber's by-laws. The traineeship lasts for one year.

(8) By way of derogation from paragraph 2, subparagraph 4 and paragraph 3, subparagraph 3 of this Article, the citizens of third countries can perform the psychotherapeutic activity in the Republic of Croatia in compliance with the regulations governing the work of foreigners in the Republic of Croatia.

(9) The fulfilment of prerequisites from paragraphs 1, 2, 3 and 4 of this Article shall be established by the Chamber in the procedure of granting the licence for independent work in accordance with Article 14 of this Act.

(10) The citizens of the European Union member states and of the Swiss Confederation, as well as the citizens of third countries, must possess the knowledge of the Croatian language at least at the level required for a smooth and necessary communication with the users of psychotherapy service, i.e. level C1 according to the Common European Framework of Reference for Languages

(11) The type of special additional training for work with children and adolescents from paragraph 4 of this Article shall be defined in the regulations passed by the Minister in charge of social welfare.

Article 6

(1) Psychotherapists and counselling therapists can perform their activity in private practice or on a contractual basis with other legal or physical persons licenced to perform the psychotherapeutic activity.

(2) The psychotherapeutic activity in private practice can be performed jointly by several psychotherapists or counselling therapists (group private psychotherapy practice).

Article 7

(1) A psychotherapist referred to in Article 2 of this Act, with residence in another signatory state to the Agreement on the European Economic Area can perform the psychotherapeutic activity on a permanent basis in the Republic of Croatia if he is entered into the relevant register in the Republic of Croatia.

(2) A psychotherapist referred to in Article 2 of this Act, with residence in another signatory state to the Agreement on the European Economic Area can perform the psychotherapeutic activity also on a temporary or

occasional basis in the Republic of Croatia, with no obligation to register the official seat and the psychotherapeutic activity into the relevant register in the Republic of Croatia, pursuant to the Services Act.

(3) A psychotherapist referred to in paragraph 2 of this Article is obliged to inform via e-mail the Point of Single Contact or the Ministry in charge of psychotherapeutic activity about his intention to render his services on a temporary or occasional basis.

Article 8

(1) Psychotherapists and counselling therapists can run their private psychotherapy practice if they:

- possess a required licence
- dispose of adequate space and equipment
- possess business capacity.

(2) The application to run a private psychotherapy practice has to be submitted to the Chamber and the Chamber issues a permit to start the private practice if the prerequisites from paragraph 1 of this Article have been met.

(3) The registered address of the practice has to be obligatorily communicated via e-mail to the Chamber for the purpose of being registered into the Directory of psychotherapists, counselling therapists and trainee psychotherapists. The psychotherapists and the counselling therapists are obliged to inform the Chamber of any change of their registered seat within eight days.

(4) A psychotherapist has to put clear signage on the premises of his psychotherapeutic practice and a counselling therapist has to clearly indicate that he is providing the service of counselling.

(5) If due to physical and/or psychological difficulties the client is not able to come to the premises of the practice and if the psychotherapist or the counselling therapist has a contract on co-operation with an individual or with another legal entity, then the psychotherapist or the counselling therapist may render their services outside their business premises or by home visits to the person receiving psychotherapeutic help. The decision on the performance of activity outside their business premises has to be passed by the psychotherapist's and the counselling therapist's expert evaluation, in compliance with professional and ethical standards.

(6) The way of advertising and the way of putting signage of private practice, as well as the prerequisites regarding the space and equipment required for work are provided for in the by-laws passed by the Minister in charge of social welfare.

Article 9

(1) Several psychotherapists or counselling therapists running a group private practice shall define their mutual rights and obligations in writing.

(2) The psychotherapists or the counselling therapists running a group private practice have to meet the requirements set forth in Article 5, paragraph 2 or 3 of this Act.

(3) The application to perform a group psychotherapy practice has to be submitted to the Chamber and the Chamber decides to issue a permit to commence private practice if the prerequisites from paragraphs 1 and 2 of this Article have been met.

(4) The application from paragraph 3 of this Article is free of charge.

Article 10

(1) A business entity in form of a company or a craft may be established for the purpose of performing the psychotherapeutic activity.

(2) The psychotherapeutic activity in a company or a craft shall be performed by a psychotherapist or a counselling therapist who meet the requirements stipulated in Article 5 of this Act.

(3) The application to perform the psychotherapeutic activity in a company or a craft has to be submitted to the Chamber and the Chamber decides to issue a permit for work if the prerequisites from Article 5 of this Act have been met.

Article 11

A company or a craft performing the psychotherapeutic activity shall be registered in the register of companies or crafts.

Article 12

(1) The applications mentioned in Article 8, paragraph 2, Article 9, paragraph 3 and Article 10, paragraph 3 of this Act may be submitted in electronic form through the Point of Single Contact for services, in compliance with the law governing the rendering of services.

(2) Upon approval of the application for the psychotherapeutic practice from Article 8, paragraph 2, Article 9, paragraph 3 or Article 10, paragraph 3 of this Act, the Chamber shall make appropriate registration into the relevant Register.

(3) No complaint may be lodged against the decision from Article 8, paragraph 2, Article 9, paragraph 3 or Article 10, paragraph 3 of this Act. A dissatisfied party may contest the decision by bringing the case before the Administrative Court.

Article 13

(1) A person who meets the requirements for the performance of psychotherapeutic activity is authorised to indicate, after his name and title of his basic profession, also the title “Psychotherapist” or “Counselling Therapist” along with the designation of the psychotherapeutic orientation.

(2) The psychotherapeutic orientations that are not based on the programmes of recognized psychotherapeutic orientations in the Republic of Croatia, of other European Union member states or third countries, are subject to the approval of the Executive Committee of the Chamber, in compliance with the special conditions defined by decision of the Chamber Assembly.

III. LICENCE ISSUANCE

Article 14

(1) Licence is a public document proving the professional competence for independent performance of the psychotherapeutic activity.

(2) The licence shall be issued by the Chamber within 30 days after the application has been filed.

(3) The decision on the issuance or withdrawal of the licence shall be passed by the Chamber.

(4) The issuance of the licence is free of charge.

(5) No complaint may be lodged against the decision from paragraph 1 of this Article. A dissatisfied party may contest the decision by bringing the case before the Administrative Court

Article 15

(1) The licence can be acquired based on professional training completed in an organisation providing education in psychotherapy, in accordance with the Chamber’s approval.

(2) The licence is issued for an indefinite period of time, with the obligation to undergo continuing professional development.

(3) The system of awarding points for the continuing professional development of psychotherapists and counselling therapists shall be established by the Chamber’s decision.

Article 16

The Chamber may withdraw a psychotherapists's or a counselling therapist's licence if he:

- breaches the provision of this Act and the provisions of the Psychotherapeutic Code of Ethics
- performs the psychotherapeutic activity in an unprofessional manner, either due to lack of knowledge or by negligence
- committed a criminal offence while performing the psychotherapeutic activity for which he was sentenced to prison by a res judicata court decision
- does not undergo continuing professional development in accordance with Article 15, paragraphs 2 and 3 of this Act.

Article 17

(1) Psychotherapists, counselling therapists and trainee psychotherapists have to keep record of their psychotherapeutic activity.

(2) The way of maintaining and storing the records of their psychotherapeutic activity shall be defined in the by-law of the Minister in charge of social welfare.

Article 18

Psychotherapists, counselling therapists and trainee psychotherapists are entered into the Directory of psychotherapists, counselling therapists and trainee psychotherapists.

IV. TERMINATION OF RIGHTS REQUIRED TO PERFORM THE PSYCHOTHERAPEUTIC ACTIVITY

Article 19

(1) The right of a psychotherapist and a counselling therapist to perform the psychotherapeutic activity shall terminate if a psychotherapist and a counselling therapist:

- dies
- loses his business capacity
- becomes permanently incapable to perform the psychotherapeutic activity for health reasons
- if a security measure of prohibition to engage in an activity or duty has been imposed on him
- if by decision of a competent Chamber's body a disciplinary measure of temporary or permanent withdrawal of licence has been imposed on him
- renounces the right to perform the psychotherapeutic activity
- if by decision of the disciplinary Chamber's body is found unworthy to perform the psychotherapeutic activity
- in other cases as foreseen in the Chamber's by-laws.

(2) A psychotherapist and a counselling therapist may not perform the psychotherapeutic activity as of the day of delivery of the enforceable Chamber's decision on termination of the right to perform the psychotherapeutic activity for the reasons stated in paragraph 1 of this Article.

(3) The Chamber shall issue a decision of termination of the activity.

(4) No complaint may be lodged against the decision from paragraph 3 of this Article. A dissatisfied party may contest the decision by bringing the case before the Administrative Court.

V. CHAMBER

Article 20

(1) The psychotherapists and the counselling therapists, citizens of the republic of Croatia, of other states within the European Economic Area and of third countries, who want to perform the psychotherapeutic activity on the territory of the Republic of Croatia, may join the Chamber. The membership in the Chamber is voluntary.

(2) The trainee psychotherapists are issued a decision that allows their traineeship work. The trainee psychotherapists may join the Chamber.

(3) No complaint may be lodged against the decision from paragraph 2 of this Article. A dissatisfied party may contest the decision by bringing the case before the Administrative Court.

Article 21

(1) The Chamber is an independent professional organization with a legal person status, possessing public authority powers.

(2) The Chamber preserves the reputation and the rights of psychotherapists and counselling therapists, conducts professional supervision over their work, promotes, represents and aligns joint interests of psychotherapists and counselling therapists before state bodies and other bodies in the Republic of Croatia and abroad and provides professional assistance and protection to its members.

(3) The registered office of the Chamber is in Zagreb.

(4) The Chamber shall be entered into the Court Register.

Article 22

The founders of the Chamber are the Republic of Croatia and the Croatian League of Psychotherapy Associations (Savez psihoterapijskih udruuga Hrvatske - SPUH). The rights and duties of the founders on behalf of the Republic of Croatia are exercised by the Ministry in charge of social welfare.

Article 23

The Chamber shall exercise the following public authority powers:

- maintain the directory of psychotherapists, counselling therapists and trainee psychotherapists
- maintain the register of psychotherapists and counselling therapists who run group psychotherapeutic practice
- maintain the register of companies and crafts performing psychotherapeutic activity
- issue the permits for independent work (licence)
- issue the permits for commencement of private practice
- issue the permits for traineeship work

– perform professional supervision over the work of psychotherapists, counselling therapists and trainee psychotherapists.

Article 24

Besides the public authority powers described in Article 23 of this Act, the Chamber also performs the following activities:

- maintains the Directory of psychotherapist and counselling therapists supervisors and the Directory of mentors/ supervisors for trainee psychotherapists, based on the submitted certificates of completed training programme in a particular psychotherapy orientation
- passes the psychotherapy code of ethics
- organizes, supervises and evaluates the professional development of psychotherapists and counselling therapists
- draws up the plan of professional development for the current year
- keeps record of submitted certificates of completed training programmes
- maintains a list of psychotherapeutic orientations and training programmes
- makes proposals and provides expert opinions in the drafting phase of regulations that have impact on the development of the psychotherapeutic activity
- monitors, studies and provides professional supervision of the psychotherapeutic activity
- collaborates with other professional organisations, professional and scientific institutions in the Republic of Croatia and abroad
- defines disciplinary measures for minor and more severe violations of work obligations
- carries out disciplinary proceedings and decides on the measures for disciplinary offences
- represents Chamber members in defending their professional interests
- cooperates with competent inspections
- performs other activities as set forth in this Act, in the Articles and in other general by-laws of the Chamber.

Article 25

(1) The funding for the realization of the Chamber's objectives and tasks shall be obtained from registration fees, membership fees and from other sources obtained through the Chamber's activities. The payment of fees to the Chamber is voluntary with respect to membership.

(2) The psychotherapists who decide on a voluntary basis to become members of the Chamber shall regularly pay the membership fee and settle any other obligations towards the Chamber. The amount of registration fee, membership fee and professional examination fee shall be determined by decision of the Chamber's Assembly, with prior approval of the Ministry in charge of social welfare.

(3) The funding required for the establishment of the Chamber in accordance with Article 22 of this Act shall be obtained from the state budget of the Republic of Croatia.

Article 26

(1) The Chamber shall have the following bodies: the Assembly, the Management Board, the Executive Board, the President and other bodies provided for in the Articles of Association of the Chamber.

(2) The organization, competence, composition, election procedure and the rights and duties of the bodies of the Chamber shall be determined in detail by the Articles of Association and other general by-laws of the Chamber.

Article 27

(1) The Assembly of the Chamber shall be the Chamber's highest body that makes decisions in accordance with the powers conferred on it by this Act and the Articles of Association of the Chamber.

(2) The Assembly of the Chamber shall be composed of all members of the Chamber, chaired by the President of the Chamber.

Article 28

(1) Meetings of the Assembly may be regular or special.

(2) A regular meeting of the Assembly of the Chamber shall be convened by the President of the Chamber at least once a year.

(3) The President of the Chamber may convene a special meeting of the Chamber's Assembly at any time to address specific issues, if requested in writing by the Management Board of the Chamber or by at least one third of the members of the Chamber, stating the issues to be discussed.

(4) In the case referred to in paragraph 2 of this Article, the President of the Chamber shall, not later than 21 days after receiving the request to convene a meeting of the Assembly of the Chamber, convene a special meeting of the Assembly of the Chamber and propose the agenda that must be sent together with the invitation.

Article 29

(1) The Assembly of the Chamber shall adopt:

- the Articles of Association of the Chamber and other general by-laws determined by this Act and the Articles of Association of the Chamber
- the work programme of the Chamber, and shall approve a report on the execution of such programme
- the annual income and expenses budget of the Chamber and shall approve a report on the implementation of such budget
- rules of procedure of the Assembly and of other bodies of the Chamber
- strategic decisions important for the work of the Chamber
- other by-laws provided for in this Act or in the Articles of Association of the Chamber.

(2) The Assembly of the Chamber shall decide on:

- the amount of the registration and membership fees and of the fees for services provided by the Chamber
- calls for elections and shall make appointments and dismissals in accordance with this Act, the Articles of Association and other general by-laws of the Chamber
- relations and cooperation with other chambers and associations for the purpose of implementing programmes of common interest, and
- other matters provided for in this Act or in the Articles of Association of the Chamber.

(3) The Assembly of the Chamber shall also carry out other tasks provided for in this Act and in the Articles of Association of the Chamber.

Article 30

The Assembly of the Chamber shall adopt its decisions by majority of the total number of members present in the Assembly's meeting and the members of the Assembly who cast their votes electronically.

Article 31

(1) The Management Board of the Chamber shall be the executive body responsible for managing the operations of the Chamber and for the execution of the Chamber's work programme and of the decisions taken by the Chamber.

(2) The Management Board of the Chamber shall have 11 members elected by the Assembly in such a way that the President and the Vice-President of the Croatian Psychotherapists Chamber and the representatives of the founders shall become members of the Management Board by position and the other seven members shall be elected by the Assembly from among the rest of the members of the Assembly. The President of the Croatian Psychotherapists Chamber (hereinafter referred to as: Chamber President) shall assume the position of the President of the Management Board.

(3) The President of the Chamber shall chair the meetings and manage the work of the Management Board.

(4) The Management Board of the Chamber shall have the following duties:

- to implement the decisions and conclusions of the Assembly of the Chamber
- to prepare proposals for the Articles of Association of the Chamber and for general by-laws to be adopted by the Assembly of the Chamber
- to propose decisions, conclusions and positions and provide opinions on matters discussed by the Assembly of the Chamber
- to determine and coordinate the interests of the Chamber members when designing economic policy measures and drafting laws and subordinate legislation
- to assess the impact of the applicable legislation and to propose to state administration bodies new measures for strengthening the psychotherapeutic activity

– to establish, and appoint members of, working groups, commissions, expert councils, expert working groups for specific areas providing binding expert opinions

– to resolve all matters which are not within the scope of work of any other body of the Chamber.

(5) The Management Board shall also carry out other tasks provided for in this Act and in the Articles of Association of the Chamber.

Article 32

(1) The Executive Board of the Chamber consists of the President of the Chamber, Vice-President, Secretary, Treasurer, official in charge of keeping directories and registers of the Chamber and one more member.

(2) The Executive Board is chaired by the President of the Chamber.

Article 33

The Executive Board of the Chamber shall:

1. maintain the Directory of psychotherapists, counselling therapists and trainee therapists

2. maintain the Register of psychotherapists and counselling therapists having group private practice

3. maintain the Register of companies and crafts performing the psychotherapeutic activity

4. issue permits for independent work (licence) and permits for trainee work

5. issue decisions granting approval to commence practice

6. decide on temporary suspension of a psychotherapist or a counselling therapist

7. maintain the Directory of supervisors for psychotherapists and counselling therapists, and the Directory of mentors/ supervisors for trainee psychotherapists, based on presented certificates of completed training programme in particular psychotherapeutic orientations

8. maintain a list of psychotherapeutic orientations and training programmes

9. carry out other tasks provided for in this Act, in the Articles of Association and other general by-laws of the Chamber.

Article 34

(1) The meetings of the Executive Board shall be convened by the President of the Chamber.

(2) The presence of the majority of members of the Executive Board is required to pass valid conclusions. Conclusions are adopted by the majority of votes of all members.

(3) The Executive Board informs the Management Board of its conclusions and its work in its first regular meeting.

(4) The Executive Board of the Chamber shall be accountable for its work to the Management Board of the Chamber.

Article 35

(1) The Assembly of the Chamber shall elect the President of the Chamber from among its members.

(2) The Assembly of the Chamber shall also elect the Vice-President of the Chamber from among its members, who shall replace the President in the case of absence.

(3) The President and the Vice-President of the Chamber shall be elected for a term of office of four years and may be re-elected for one further term of office.

(4) The President of the Chamber shall represent the Chamber and shall be responsible for the legality of its work and shall carry out other tasks as provided for in this Act and in the Articles of Association of the Chamber.

(5) The President of the Chamber may independently decide on the conclusion of legal transactions the value of which does not exceed the amount determined by the Articles of Association of the Chamber.

(6) The President of the Chamber shall decide on the conclusion of employment contracts and on the rights and obligations ensuing from employment, unless otherwise provided for in the Articles of Association of the Chamber.

(7) The President of the Chamber shall perform his function on the basis of an employment contract or without taking up employment with the Chamber.

(8) The President of the Chamber shall be accountable to the Assembly of the Chamber for his work.

VI. PROFESSIONAL SUPERVISION

Article 36

(1) Professional supervision over psychotherapists' and counselling therapists' work shall be carried out by the Chamber.

(2) Professional supervision encompasses the evaluation of professionalism and ethics in the performance of the psychotherapeutic activity, and the quality and scope of rendered services.

(3) The Chamber shall perform a professional supervision ex officio, and also upon request of a physical or legal person, if there is a justified cause.

(4) The manner, conditions and the procedure for the performance of a professional supervision shall be laid down in the by-law passed by the Minister in charge of social welfare.

Article 37

(1) Based on the report on performed supervision over a psychotherapist's or a counselling therapist's work, the Chamber may decide, in accordance with its regulations:

– to prohibit the performance of activities in which certain shortcomings are detected, until such shortcomings are eliminated,

– to temporarily or permanently withdraw the licence for psychotherapeutic activity

– to impose the obligation of further professional development for the psychotherapist or counselling therapist for whom it has been established to possess insufficient professional training.

(2) No complaint may be lodged against the decision based on this Article. A dissatisfied party may contest the decision by bringing the case before the Administrative Court.

VII. SUPERVISION OVER LEGALITY OF WORK

Article 38

(1) Administrative supervision over the legality of work undertaken by the Chamber in exercising the public powers conferred on it shall be conducted by the Ministry in charge of social welfare.

(2) When conducting supervision from paragraph 1 of this Article, the Ministry in charge of social welfare may request the Chamber to provide relevant reports and data.

(3) The Chamber is obliged to deliver the reports and data referred to in paragraph 2 of this Article to the Ministry within 30 days or within that period inform about the reasons for which it is not able to deliver what is required.

VIII. PENALIZATION

Article 39

(1) A legal person that, for the purpose of performance of psychotherapeutic activities, hires or enters into a service contract with the persons who do not meet the requirements defined in Article 5 of this Act shall be punished by a fine in the amount of 10,000.00 to 50,000.00 HRK.

(2) A physical person who performs the psychotherapeutic activity and does not meet the requirements defined in Article 5 of this Act shall be punished by a fine in the amount of 5,000.00 to 10,000.00 HRK.

Article 40

A psychotherapist or a counselling therapist who does not meet the requirements defined in the Code of Psychotherapeutic Ethics defined in Article 24, paragraph 1, subparagraph 2 of this Act, shall be punished by a fine in the amount of 5,000.00 to 10,000.00 HRK.

IX. TRANSITIONAL AND FINAL PROVISIONS

Article 41

(1) The Ministry in charge of social policies and the Croatian League of Psychotherapy Associations shall establish the Chamber within a period of one year after this Act comes into force.

(2) The Chamber shall adopt the Articles of Association of the Chamber and general by-laws from Article 29, paragraph 1, subparagraph 1, within six months after the date of its establishment.

(3) The regulations from Article 5, paragraph 11, Article 8, paragraph 6, Article 17, paragraph 2 and Article 36, paragraph 4 of this Act, to be adopted by the Minister in charge of welfare, shall be passed within two years after this Act comes into force.

Article 42

(1) The persons who at the moment this Act comes into force perform the psychotherapeutic activity in the Republic of Croatia are obliged to file, within one year, an application for the issuance of licence to perform the psychotherapeutic activity.

(2) A licence shall be issued to the persons from paragraph 1 of this Article, in compliance with the provisions of Article 5 of this Act.

(3) The persons from paragraph 1 of this Article who do not file an application for the issuance of licence within the period stipulated in paragraph 1 of this Article, i.e. to whom the issuance of licence is denied by appropriate decision, may not perform the psychotherapeutic activity as of the date of enforceability of such decision, in accordance with the provisions of this Act.

Article 43

This Act shall come into force on the eight day after it has been published in the „Official Gazette“.

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Zagreb, 6th July 2018

CROATIAN PARLIAMENT

President of the
Croatian Parliament
Gordan Jandroković, signed