

Pursuant to Article 62 paragraph 4 and Article 39 paragraph 2 item i) of the Croatian National Bank Act (Official Gazette 36/2001), as well as Article 49 of the Foreign Exchange Act (Official Gazette 96/2003), the Governor of the Croatian National Bank hereby enacts the following

DECISION  
ON COLLECTING DATA ON INTERNATIONAL TRANSACTIONS  
RELATED TO COMMUNICATION SERVICES

I GENERAL PROVISIONS

Article 1

This Decision regulates the list of reports to be submitted to the Croatian National Bank, persons obliged to submit the reports, report submission deadlines, form of submitting the reports and rules on the confidentiality of data to be submitted to the Croatian National Bank for the purpose of monitoring the outturns for the Republic of Croatia balance of payments.

Article 2

(1) For the purposes of this Decision, the term 'residents' means:

- legal persons with head offices in the Republic of Croatia, with the exception of their foreign branches;
- branches of foreign companies and sole traders enrolled in a register kept by a competent government authority or administration in the Republic of Croatia;
- sole traders, craftsmen, or other natural persons with head offices or places of residence in the Republic of Croatia, who are self-employed in an economic activity of their registration;
- natural persons with places of residence in the Republic of Croatia;
- natural persons staying in the Republic of Croatia on the basis of valid residence permits for a minimum period of 12 months;
- diplomatic, consular and other representative offices of the Republic of Croatia abroad financed from the budget, and Croatians citizens employed with these representative offices, including their family members.

(2) All other persons not listed in paragraph 1 of this Article shall be considered as non-residents.

II INTERNATIONAL TRANSACTIONS RELATED TO COMMUNICATION  
SERVICES

Article 3

International transactions related to communication services shall comprise telecommunication services, postal services and express delivery services.

#### Article 4

The Croatian National Bank shall, through a statistical survey on international transactions related to communication services, collect data on:

- 1) the revenues of residents from the provision of communication services to non-residents;
- 2) the revenues of non-residents from the provision of communication services to residents.

#### Article 5

Persons obliged to submit the reports on transactions having the character of the transactions referred to in Article 4 of this Decision shall be the residents providing communication services, selected for the annual survey sample by the Statistics Department of the Croatian National Bank.

All the selected residents shall be notified in writing of their selection for the sample, and shall receive the reporting forms for the entire year.

#### Article 6

The data referred to in Article 5 of this Decision shall be collected quarterly, for each separate month, on the form KOM-US (Transactions of Croatian Enterprises with Non-residents Related to Communication Services) laid down by the Statistics Department of the Croatian National Bank.

The Statistics Department of the Croatian National Bank shall be authorised, should it consider it necessary, to change the shape and content of the form KOM-US during the survey.

#### Article 7

All the residents referred to in Article 5 of this Decision shall be obliged to complete the received forms for each quarter, in accordance with the attached Instructions for Completion, and to submit them to the Statistics Department of the Croatian National Bank not later than one month following the expiry of each quarter.

### III OTHER PROVISIONS

#### III. 1 Data Confidentiality

#### Article 8

(1) The Croatian National Bank shall use the received reports laid down by this Decision for monitoring the outturns for the Republic of Croatia balance of payments.

(2) The Croatian National Bank shall be obliged to keep as business secret the individual data received. The individual data received may not be disclosed to third parties, unless otherwise provided by legal regulations.

(3) The Croatian National Bank may make the received data available to the public in aggregate form only.

### III.2 The Form of Submitting the Reports

#### Article 9

(1) The reporting form and instructions for its completion, as laid down by this Decision, shall be constituent parts thereof.

(2) Persons obliged to submit the reports shall be allowed to create the forms independently, subject to the observance of all the elements provided for by this Decision.

## IV TRANSITIONAL AND FINAL PROVISIONS

#### Article 10

As of the date of its entry into force, this Decision shall supersede the Decision on Collecting Data on International Transactions Related to Communication Services (Official Gazette 62/2001).

#### Article 11

This Decision shall enter into force on the eighth day following its publication in the Official Gazette.

Dec. No. 267-020/09-03/ŽR  
Zagreb, 16 September 2003

CROATIAN NATIONAL BANK  
GOVERNOR

Dr Željko Rohatinski