

THE CROATIAN PARLIAMENT

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Pursuant to Article 88 of the Constitution of the Republic of Croatia, I hereby issue the

DECISION

PROMULGATING THE ADULT EDUCATION ACT

I hereby promulgate the Adult Education Act, passed by the Croatian Parliament at its session on 2 February 2007.

Class: 011-01/07-01/06
No.: 71-05-03/1-07-2
Zagreb, 7 February 2007

President
of the Republic of Croatia
Stjepan Mesić, m. p.

ADULT EDUCATION ACT (Official Gazette, 17/07)*

I GENERAL PROVISIONS

Article 1

- (1) Adult education comprises the entire process of adult learning with the purpose of:
- exercising the right to an unrestrained development of personality,
 - training for employability: earning qualifications for a first-time career, professional retraining, acquiring and expanding vocational knowledge, skills and abilities,
 - enabling one for civic participation.
- (2) Adult education is part of the unique education system of the Republic of Croatia.

Article 2

- (1) Adult education is based on the principles of:
- lifelong learning,

* The Adult Education Act was passed on 2 February 2007 and published in the Official Gazette No. 17/2007.

The Act entered into force on the eighth day of the date of its publication in the Official Gazette.

- rational use of educational opportunities, proximity and accessibility of education to all on equal conditions, in accordance with different individuals' abilities,
 - liberty and autonomy in the choice of style, content, form, resource and method,
 - respect for diversity and inclusion,
 - professional and moral responsibility of employees working in the field of andragogy,
 - guarantee of the quality of educational choices,
 - respect for the personality and dignity of each participant. (2)
- Adult education shall be conducted as a public service, as stipulated by this Act.

Article 3

- (1) Adult education shall be conducted as formal, non-formal, informal and/or self-guided learning.
- (2) Formal adult education shall mean such operations as take place within institutional and publicly verified forms of education, with the purpose of acquiring vocational knowledge, skills and abilities.
- (3) Formal adult education includes the following: -
 primary school education of adults,
 - secondary school education of adults; earning a secondary school degree or qualification, a lower qualification, receiving professional retraining, training and supplemental training, - higher education.
- (4) Formal adult education shall be governed by special provisions which regulate the said operations, except regarding the matters regulated by this Act.
- (5) Non-formal adult education includes organised learning processes. Its purpose is to enable adults to meet the needs of the labour market, to participate in a variety of social activities, and to reach a higher degree of personal development. (6)
- Informal adult education includes activities in which adults accept such views, values, skills and knowledge as are gained through everyday experiences, as well as a range of other influences and sources from their environment.
- (7) Self-guided adult learning includes activities in which an adult independently establishes control over the learning process, as well as a responsibility for the results of the said process.

Article 4

As stipulated by this Act, adult education may be conducted by adult learning centres [*pučka otvorena učilišta*], primary schools, secondary schools, higher education institutions, foreign language schools, institutions which accommodate and look after the welfare of persons with special needs, correctional and other institutions (hereinafter: adult education institutions), as long as they fulfil the requirements as stipulated by this Act.

II ADULT EDUCATION PROGRAMMES

Article 5

- (1) Adult education encompasses such educational programmes as enable adults to enhance their knowledge of, and skills in:
- reading, writing and mathematical operation,
 - mastery of their mother tongue and foreign languages,
 - mastery of information/communication technologies,
 - working within their given profession,
 - entrepreneurship and management,
 - creative expression and participation in arts and cultural events,
 - responsible practice of basic civic rights and duties and awareness of active civic participation,
 - protection/preservation of the environment, special social skills and abilities, as well as other types of knowledge, skills and abilities.
- (2) Adult education programmes (hereinafter: programmes) are adapted to the age, previous education, knowledge, skills and abilities of adults.
- (3) Programmes from Paragraph 1 of this Article are issued by an adult education institution, unless differently stipulated by a special ordinance.

Article 6

The programme shall identify:

- a) the title of a programme,
- b) the competencies to be acquired through a programme,
- c) enrolment requirements, progress made in and completion of a programme,
- d) the duration of the programme and the ways in which a programme can be conducted,
- e) the staff, as well as the didactic approach, facilities and other requirements for conducting a programme,
- f) the description of the system of evaluation of participants' performance.

Article 7

- (1) A programme may be conducted through: regular lessons, consultation-instruction, consultation-correspondence, open lessons, distance learning, multimedia approach and by other suitable means.
- (2) Programmes may have a modular structure.

Article 8

- (1) A programme may be conducted by: teachers, instructors, professors, professionals, lecturers, coaches, counsellors and others (hereinafter: adult educators).
- (2) Adult educators shall fulfil the requirements stipulated by the given programme.

Article 9

- (1) Adult educators may become employees of adult education institutions pursuant to the provisions as stipulated by the Law on Labour.

(2) If an adult educator does not clock in more than one-half of the full-time working hours in a school year, the adult education institution may enter into a temporary contract with such an employee.

Article 10

Adult educators shall have the right and an obligation to participate in professional andragogic supplemental training.

Article 11

(1) Adults shall have the opportunity to demonstrate their knowledge, skills and abilities, regardless of the means by which these were acquired, by taking an examination. (2) Examinations from Paragraph 1 of this Article shall be organised and conducted by such institutions of adult education, as also execute programmes for the acquisition of such types of knowledge, skills and abilities, except for the graduation examination [*state matura*], which is conducted by the National Centre for External Evaluation of Education.

Article 12

(1) Knowledge, skills and abilities acquired by adult education under the terms and provisions of this Act shall be certificated by a public document.
(2) The title, content and form of the document from Paragraph 1 of this Article shall be prescribed by the minister in charge of education (hereinafter: the minister).

Article 13

Taking apprenticeship, master's and professional qualification examinations for the purpose of working in affiliated fields shall be performed pursuant to Trades Act regulations, and with regard to the following: the title, content and form of the certificate being attained as a result of passing an examination, as well as the monitoring of the legal compliance of the organisation and conducting of examinations.

III ADULT EDUCATION INSTITUTIONS

Article 14

(1) An adult education institution may be established by the following:
- the Republic of Croatia,
- units of local and regional self-government,
- other legal or natural persons.
(2) The Institutions Act applies to adult education institutions.

Article 15

Adult education institutions shall fulfil their duties independently, through mutual cooperation, cooperation with other educational institutions and through other legal persons.

Article 16

(1) An adult education institution may conduct a programme if it is registered as a provider of adult education services and if it fulfils staff, facility and material requirements as specified by the programme, which must be in accordance with the standards and norms required in order for the programme to be conducted.

(2) Standards and norms from Paragraph 1 of this Article and the methods and accreditation procedures are prescribed by the minister.

IV STUDENTS

Article 17

(1) An adult education student may be a person who is at least 15 years of age and fulfils other requirements prescribed by the programme.

(2) The status of student is acquired by enrolment in a programme.

(3) The status of student shall be terminated at the end of a programme, by dropping out of a programme or by other means which the educational contract sanctions and through which the student and the adult education institution regulate their respective rights and obligations.

Article 18

(1) In order to participate in programmes that are conducted in accordance with this Act, employees may exercise their right to educational leave for the duration of at least 7 days per annum.

(2) Realisation of educational leave rights shall be determined by an agreement between the employee and employer.

(3) For the purpose of exercising his rights to educational leave, the employee shall be obliged to provide the employer with the programme application form, as well as certificates of participation and completion of the programme. The adult education institution shall issue certificates and proof of participation in the programme without charging any fee.

Article 19

(1) The right to educational leave may be realised with or without compensation.

(2) In the educational leave period for which the employee is receiving compensation, the employee shall receive compensation in the amount equal to the sum that would be received for regular labour.

V MONITORING AND DEVELOPMENT OF ADULT EDUCATION

Article 20

The following shall participate in the monitoring and development of the adult education system: the Adult Education Council (hereinafter: Council) and the Agency for Adult Education (hereinafter: Agency).

Article 21

The Council is an expert advisory body of the Government of the Republic of Croatia, and it shall have the following tasks:

- monitoring conditions and proposing measures for the development of adult education,
- proposing and providing opinions about proposals in regard to legal provisions and regulations for implementation,
- suggesting ways of financing adult education programmes, for which funds are secured in the state budget.

Article 22

(1) The Council shall be comprised of a president and 12 members, appointed by the Government of the Republic of Croatia, and proposed by the minister, for a period of four years, ensuring all the while that ministries, adult education institutions, employers and unions are well-represented.

(2) The minister shall name Council member and presidential candidates on the basis of a public proposal submitted by heads of central state administration bodies, adult education institutions, business and professional organisations, trade unions and employer associations that have a social partner status.

(3) The work of the Council shall be conducted in accordance with the relevant rules of conduct.

(4) The Agency shall perform administrative duties for the Council.

Article 23

(1) The Agency is an institution whose task shall be the monitoring, developing and evaluation of the adult education system in the Republic of Croatia.

(2) In performing the tasks from Paragraph 1 of this Article, the Agency shall engage in the following activities:

1. Perform analytical and developmental tasks in the field of adult education,
2. Harmonise proposals of professional bodies,
3. Monitor operations of adult education institutions,
4. Provide professional advice,
5. Perform professional and supplemental training of employees in the field of adult education,
6. Provide innovative solutions, monitoring and evaluation of the implementation of adult education programmes,

7. Stimulate cooperation and participation in the implementation of adult education programmes and projects,
 8. Maintain a database and provide information and records to bodies of state administration and the relevant ministry, as well as other key data, regarding the monitoring of conditions and the development of adult education,
 9. Prepare analyses of functional operations in adult education,
 10. Name criteria for the establishment, implementation and monitoring of systematic financing of adult education with regard to programme, investment and material operations,
 11. Performing other tasks as prescribed by the statute on the establishment of the Agency.
- (3) The Agency shall perform tasks and duties of the national agency for the implementation of the Integrated LifeLong Learning Programme and the Youth in Action Programme of the European Commission.

VI FINANCING ADULT EDUCATION

Article 24

Funds for financing and stimulating adult education shall be provided from the state budget, from budgets of local and regional self-governing units (hereinafter: public funds), or shall be received directly from students, employers and other sources, in accordance with the Law.

Article 25

Funds from the state budget shall be provided for:

- costs of conducting primary school education programmes for adults,
- costs of conducting secondary school education programmes for adults who have only completed primary school, as well as for other educational programmes,
- costs of monitoring, improving and developing adult education.

Article 26

From budgets of local and regional self-governing units, funds may be provided for:

- investments and maintenance of investments in adult education institutions founded by local or regional self-governing units,
- material business costs with the purpose of performing adult education activities in adult education institutions founded by local or regional self-governing units,
- costs of conducting programmes.

Article 27

Financial incentives may be granted to adult education institutions from the state budget and budgets of local and regional self-governing units for the following:

1. Provision of instructional material and other equipment,
2. Development and implementation of innovative programmes.

Article 28

Funds from the state budget and local and regional self-governing units from Article 25, Subparagraph 2 hereof, Article 26, Subparagraph 3 hereof and Article 27 hereof shall be allocated to adult education institutions by way of public tender.

VII SUPERVISION

Article 29

- (1) Administrative supervision and inspections of adult education institutions shall be performed by the ministry which claims jurisdiction over education.
- (2) Supervision of professional work of adult education institutions shall be performed by the Agency.

VIII DOCUMENTATION AND ADULT EDUCATION RECORDS

Article 30

- (1) Adult education institutions shall keep relevant records,
- (2) The content, form and method of storing and protecting data shall be prescribed by the minister.

Article 31

- (1) Records shall be kept on adult education institutions, programmes, students, employees and other data instrumental for the monitoring of operations and development in the field of adult education.
- (2) The content and method of record keeping from Paragraph 1 of this Article shall be prescribed by the minister.

IX PENAL PROVISIONS

Article 32

- (1) An adult education institution shall be penalised for offences by a fine in the amount of 5,000 to 20,000 kuna, if:
 1. The institution acts in violation of regulations from Article 12, Paragraph 2 hereof; Article 16, Paragraph 1 hereof; Article 17 hereof; Article 30, Paragraph 1 hereof; Article 31, Paragraph 1 hereof.
 2. The institution spends public funds for unspecified purposes,
 3. The institution charges students for expenses which are financed by public funds.
- (2) Responsible persons at an adult education institution shall be penalised for acting in violation of Paragraph 1 of this Article by a fine in the amount of 1,000 to 10,000 kuna.
- (3) As a protective measure, an adult education institution may be prohibited from conducting a programme for one to three years, if in violation of Paragraph 1 of this

Article.

(4) The minister and director of the Agency, or individuals authorised by them, shall have the authority to file a suit for any violations of Paragraph 1 of this Article.

X TRANSITIONAL AND FINAL PROVISIONS

Article 33

(1) The minister shall issue regulations from Article 12, Paragraph 2 hereof; Article 16, Paragraph 2 hereof; Article 30, Paragraph 2 hereof; and Article 31, Paragraph 2 hereof within three months of the date of this Act entering into force.

(2) Ordinances on Secondary Adult Education (Official Gazette, Nos. 112/00, 89/03, 194/03) and Ordinances on the Completion of Primary Adult Education by Taking Examinations (Official Gazette, No. 70/91) shall remain in force until the entry into force of regulations issued pursuant to the provisions of this Act, with the exception of such provisions as are in conflict with the provisions of this Act.

Article 34

Adult education institutions shall be obliged to harmonise their programmes pursuant to the provisions of this Act within one year of the date of this Act entering into force.

Article 35

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

Class: 602-01/06-01/01
Zagreb, 2 February 2007

CROATIAN PARLIAMENT
The President
of the Croatian Parliament
Vladimir Šeks, m. p.