

Croatia introduces new rules regarding work on Sundays

June 2023

As of 1 July 2023, Croatian retailers must comply with the new statutory provisions regarding retail stores' working hours, which are primarily aimed at limiting work on Sundays.

Amendments to the Trade Act regarding the Sunday working regime were introduced to ensure a better work-life balance for employees and enable those who work in the trade sector to exercise their right to weekly rest periods on Sundays.

The main provisions are summarised below, with the aim of assisting companies in streamlining and planning their implementation processes and adapting their existing practices.

New rules for merchants

As of 1 July 2023, merchants must comply with the following rules:

- Retail stores may be open for up to 90 hours per week, from Monday until Saturday, while work on Sundays and public holidays is generally prohibited.
- In exceptional cases, merchants may decide that retail stores should be open up to 16 Sundays per calendar year, meaning weekly opening hours are extended to 105 hours per week.
- For 2023, Sundays on which retail stores were open until the entry into force of the Trade Act amendments will not be taken into account, giving merchants the possibility to use a total of 16 working Sundays from 1 July 2023 until 1 January 2024.

The abovementioned rules do not apply to retail stores operating within certain specific premises (e.g. railway and bus stations, airports, gas stations, hospitals, hotels etc.) nor to online stores. Certain additional statutory exceptions apply.

It is important to highlight the fact that under the general employment rules, employees should be paid 50% more for their work on those Sundays when stores are allowed to open.

Monetary fines

In case of non-compliance with the new statutory provisions, monetary fines ranging from approx. EUR 600 to EUR 40,000 for companies, and from approx. EUR 500 to EUR 9,300 for the responsible person within the company, may be triggered.

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Practical issues

With the Trade Act introducing significant changes to the trade sector, some practical issues have already arisen. For example, some employers were uncertain as to whether they can keep retail stores closed to the public on Sundays, but have their employees work in the store on ancillary tasks (e.g. stock inventory, supervising renovations etc.).

Such a practical circumvention of the rules would not be permitted, as the aim of the Trade Act is not only for the stores designated as non-working to be closed on Sundays / public holidays, but also to ensure that store employees do not perform any work on non-working Sundays / public holidays.

Furthermore, merchants whose retail stores operate within shopping malls will have to adjust the schedule for working Sundays to fit with the shopping mall's schedule, in accordance with the obligations assumed under the respective lease agreements.

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