

Electronic money issuers

The Electronic Money Act (Official Gazette 64/2018), which entered into force on 26 July 2018 governs electronic money and electronic money issuers, the issuance and redemption of electronic money, the conditions for the establishment, operation and dissolution of electronic money institutions established in the Republic of Croatia, including small electronic money institutions and the prudential supervision of their operation and the conditions under which electronic money institutions established outside the Republic of Croatia may operate in the Republic of Croatia.

Electronic money means electronically, including magnetically, stored monetary value representing a claim on the issuer, which is issued upon receipt of funds for the purpose of making payment transactions in terms of the law governing payment transactions, and which is accepted by a natural or legal person other than the electronic money issuer and which represents a claim on the issuer.

Electronic money issuers are:

- credit institutions,
- electronic money institutions, and
- small electronic money institutions.

The Electronic Money Act enables electronic money holders to submit complaints to electronic money issuers and the Croatian National Bank as the competent authority, and alternative dispute resolution. Out-of-court complaint procedures and alternative dispute resolution are governed by Title III, Article 9 and Article 10 of the Electronic Money Act, which govern complaints to electronic money issuers and the competent authority, respectively. Complaints may be submitted by all electronic money holders (consumers and business entities). Article 11 relates only to consumers and governs alternative consumer dispute resolution.

Complaints to the electronic money issuer

In accordance with Article 9, paragraph (1) of the Electronic Money Act, an electronic money holder may submit a complaint to the electronic money issuer if the electronic money holder deems that the electronic money issuer does not comply with the provisions of Title II of the Electronic Money Act. Title II of the Act governs the conditions under which electronic money issuers may issue electronic money and the conditions under which they are obligated to redeem electronic money from electronic money holders.

In accordance with Article 9, paragraphs (2) and (3) of the Electronic Money Act, an electronic money issuer is obligated to provide a final reply to the electronic money holder within maximum ten days of the day of receipt of the complaint. Exceptionally, where an electronic money issuer is unable to provide a reply within the time limit of ten days of the day of receipt of the complaint for reasons beyond the control of the electronic money issuer, the electronic money issuer is obligated to send a holding reply to the electronic money holder within that time limit, indicating the reasons for the delay in providing a

reply to the complaint and specifying the time limit by which the electronic money holder will receive the final reply and which may not exceed 35 days.