HNB
EUROSUSTAV

GOVERNOR

Pursuant to Article 52, paragraph (3) of the Act Implementing Regulation (EU) 2023/1114 on Markets in Crypto-Assets (Official Gazette 85/2024) and Article 43, paragraph (2), item (10) of the Act on the Croatian National Bank (Official Gazette 75/2008, 54/2013 and 47/2020), the Governor of the Croatian National Bank hereby issues the

Decision on handling of complaints about the work of issuers of asset-referenced tokens and issuers of e-money tokens

Subject matter

Article 1

This Decision governs the procedure for submitting complaints to the Croatian National Bank about the work of supervised entities and actions of the Croatian National Bank in response to received complaints.

Definitions

Article 2

(1) For the purposes of this Decision, the following definitions shall apply:

1) '*supervised entity*' means an entity supervised by the Croatian National Bank referred to in Article 7, paragraph (2) of the Act Implementing Regulation (EU) 2023/1114 on Markets in Crypto-Assets (Official Gazette 85/2024, hereinafter referred to as the Act Implementing Regulation (EU) 2023/1114);

2) '*complaint*' means a statement of dissatisfaction by a natural person or a legal entity, including consumer associations, regarding breaches of Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and Directives

2013/36/EU and (EU) 2019/1937 (Text with EEA relevance) (OJ L 150, 9. 6. 2023, hereinafter referred to as Regulation (EU) 2023/1114) and/or the Act Implementing Regulation (EU) 2023/1114) allegedly committed by the supervised entities.

(2) Other terms used in this Decision shall have the same meaning as the terms defined in the Act Implementing Regulation (EU) 2023/1114 and Regulation (EU) 2023/1114.

(3) The terms used in this Decision that have a gender-specific connotation shall refer to both the male and female genders.

Form, method of delivery and language of the complaint

Article 3

(1) Complaints shall be submitted to the Croatian National Bank in writing by mail, e-mail or in person at the address of the Croatian National Bank.

(2) The postal address and e-mail address of the Croatian National Bank are available on the website of the Croatian National Bank.

(3) Complaints may be submitted in Croatian or English language.

Content of the complaint

Article 4

(1) The complaint to be submitted to the Croatian National Bank shall contain:

- name and surname or firm name, and address or address of the head office of the complainant;
- name and address of the supervised entity concerned by the complaint;
- the subject matter of the complaint, that is, a description of illegalities and/or irregularities or breaches of Regulation (EU) 2023/1114 and/or the Act Implementing Regulation (EU) 2023/1114 referred to in the complaint;
- evidence to substantiate the allegations made in the complaint if possible, and supporting documentation if the complainant possesses it.

(2) The Croatian National Bank shall not take action in response to anonymous complaints.

Handling of complaints by the Croatian National Bank

Article 5

(1) If the received complaint is incomprehensible or does not contain data referred to in Article 4, paragraph (1) of this Decision, the Croatian National Bank shall notify the complainant thereof if it has the complainant's contact details and request for completion of the complaint within a time limit that may not exceed eight days from the receipt of notification from the Croatian National Bank.

(2) If the complainant fails to act on the request by the Croatian National Bank for the completion of the complaint within the time limit referred to in paragraph (1) of this Article, the Croatian National Bank shall not take any action in response to such complaint and shall notify the complainant thereof.

(3) The Croatian National Bank may request the complainant to submit further information and/or documentation necessary to act in response to the complaint.

(4) After receiving the complaint and, if applicable, following the completion of the complaint or the submission of additional information and/or documentation necessary to act in response to the complaint, the Croatian National Bank shall invite the supervised entity concerned by the complaint to submit its comments on the complaint and the relevant evidence, unless it is apparent from the complaint and the information known to the Croatian National Bank that the complaint is unfounded.

(5) The supervised entity shall, within the time limit set by the Croatian National Bank, but no longer than ten days after the date of receiving the invitation, submit its comments on the complaint and the relevant evidence to the Croatian National Bank.

(6) The Croatian National Bank shall notify the complainant of the actions taken, adhering to the obligation of professional secrecy and data confidentiality referred to in Articles 100 and 101 of Regulation (EU) 2023/1114.

(7) The Croatian National Bank shall not deal with individual complaints submitted by complainants arising from their business relationship with the supervised entities, but may perform inspection of the compliance with Regulation (EU) 2023/1114 and Act Implementing Regulation (EU) 2023/1114 on the basis of the complaint and take appropriate supervisory activities in line with its competences under Regulation (EU) 2023/1114 and Act Implementing Regulation (EU) 2023/1114.

(8) If the Croatian National Bank determines that another authority is competent to handle the complaint, it shall notify the complainant thereof within 30 days from the date of receipt of the complaint and refer the complainant to another competent authority.

Entry into force

Article 6

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

No.: 270-091/07-25/BV

Zagreb, 17 July 2025

Boris Vujčić

Governor