

# Electronic Office Management of Public Administration in Croatia

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**Abstract** - In July 2021, a new Decree on Office Management was adopted in the Republic of Croatia, which regulates the rules and measures of office management in the performance of state administration, other state bodies, local and regional self-government units and legal entities with public authority. The Regulation represents one of the most significant state and public administration reforms so far. All public bodies are obliged to establish an information system of office management. Furthermore, public law bodies conduct official correspondence with each other and with natural and legal persons primarily electronically. According to the new Regulation, records of cases of administrative proceedings of both first instance and second instance and records of cases of non-administrative proceedings are kept in the information system, also letters received in physical form are being converted into electronic form. This significantly changes state and public administration work in Croatia, but the new Regulation also introduces new technological and legal challenges.

**Keywords** – office management; public administration; paperless; work process; Croatia

## I. INTRODUCTION

On July 1 2021, the Government of the Republic of Croatia adopted a new Decree on Office Management (Croatian: *Uredba o uredskom poslovanju*), a basic document regulating the management of state and public administration in the Republic of Croatia (further: Decree). [1] It is stated at the beginning of the Decree (Article 1, paragraph 1) if this Decree regulates the rules and measures of office management in the performance of state administration tasks. Also, it is stated (Article 1, paragraph 2) The provisions of this Decree shall apply to the office management of state administration bodies, other state bodies, local and regional self-government units and legal persons with public authority.

The significance of the Regulation in practice is significantly greater than its scope formally states. According to the Croatian Public Administration System Act (Croatian: *Zakon o sustavu državne uprave*), the tasks of the state administration are the implementation of state policy, direct implementation of the law, inspection supervision, administrative supervision and other administrative and professional tasks. Also, the affairs of state administration include any work entrusted to a certain legal entity by the law governing a particular administrative

area and determined as work performed as a public authority. [2]

Considering that state bodies and all persons with public authority are obliged to apply the Decree when performing state administration tasks, the Decree regulates the creation, movement, and storage of all information assets of these bodies. According to the glossary of the Decree itself, documentary material is all documents created, received or collected while performing the activities of a public body. Let us also mention how a document is defined as any electronic, written, reproduced, drawn, pictorial, printed, recorded, magnetic, optical, or any other record of data that forms a connected whole by content and structure.

Article 3. of the Decree explicitly prescribe: “Public law bodies conduct official correspondence with each other and with natural and legal persons primarily electronically.” This is undoubtedly the most crucial change in modern Croatian office management. Namely, the meaning of this provision is much broader than the correspondence itself - as information documentary material of public bodies is primarily in the system of office management. Thus all information assets are primarily transferred to electronic form.

Above mentioned Article 3 of the Decree is elaborated under Article 7 of the Decree, stating that documents received through the office management information system or other information system are electronically processed, recorded in the office management information system, and, as a rule, are not printed. Furthermore, Article 15 paragraph 3 states that letters and contributions received in physical form are converted into electronic form. Add to this Article 15 paragraph 4, which prescribes that for documents and contributions in electronic form that are not searchable, the procedure of optical text recognition (OCR) is carried out whenever possible and by the needs of the body.

Paper record-keeping is prescribed as an exception. This can be seen from the provision Article 15, paragraph 6, according to which an official note in the information system of office management is compiled on letters and contributions received in physical form that cannot be converted into electronic form for technical reasons, along with a written indication of the contents of that letter and attachment, and the cover of the file is opened.

This provision requires an explanation - in the case of paper management, each file has its cover (shirt, usually

yellow, slightly larger than A4). All written, incoming and outgoing, related to that file are agreed upon. As in many other countries - the file with the papers was practically a symbol of state administration. Now it is listed as an exception, and moreover, to keep a file in paper form, it is necessary to write an official note explaining why the file is kept on paper and not in electronic form.

Therefore, to open the cover of a paper file, it is necessary to have an explanation - it becomes an exception with the new Regulation. This represents an extremely significant, revolutionary change in office management in the Republic of Croatia. We consider this the most significant change since modern office management in Croatia were introduced.

## II. OFFICE MANAGEMENT INFORMATION SYSTEM

In order to informatize, the Decree introduced several other important applications, in addition to prescribing that official correspondence and cases are kept in electronic form. In the Republic of Croatia, documents have been numbered for decades. The numerical designation of an act is a designation that unambiguously determines the act and contains the classification designation and the registration number.

The definitions, form and role of the classification mark and registration number remained like the previous regulations. The classification mark identifies an item according to the administrative area or activity, form, year of origin, and an ordinal number of the item. The registration number is the code that determines the creator of the act and contains the numerical code of the body and the ordinal number of the letter within the case and, if necessary, the public body may contain the code of the organizational unit, the code of the official who drafted the act and the year of the act.

However, the Regulation also introduces a new element, a unique identifier. A unique identifier is a letter identifier that enables the verification of authenticity, completeness and traceability in the exchange of data between office management information systems and is created within the office management information system by machine, by random selection. This description of the unique identifier opens the possibility of introducing blockchain technology, but the Regulation does not say anything about it.

The provision according to which the possibility of keeping the register in paper form is abolished is essential. Namely, the usual records have been kept so far: records of cases of administrative proceedings of the first instance, records of cases of administrative proceedings of the second instance and records of cases of non-administrative proceedings. The manner of keeping all three records is prescribed in detail by a special instruction, Instructions on the numerical codes of the letter and the content of the records of office management, (Croatian: *Naputak o brojčanim oznakama pismena te sadržaju evidencija uredskog poslovanja*). [3] But now, it is explicitly prescribed in Article 18, paragraph 2 how the records of administrative proceedings and the records of non-administrative proceedings are kept in the information system of office management. A unique friendly deadline

has been set for the establishment of the office management information system, according to Article 67 of the Regulations Public law bodies that do not have an established information system for office management by the provisions of the Regulation are obliged to establish it by January 1 2023 at the latest.

The obligation to conduct electronic management is additionally explained in the Proposal of the Decree on Office Management (Croatian: *Prijedlog Uredbe o uredskom poslovanju*). [4] The above-mentioned Proposal for a Decree states that the obligation to keep records of office management in electronic form is based on the provision of Article 16, paragraph 1 of the Act on the State Administration System (Croatian: *Zakon o sustavu državne uprave*) [2] and the provisions of Article 22, paragraph 2 of the Act on State Information Infrastructure (Croatian: *Zakon o državnoj informacijskoj infrastrukturi*) [5] which stipulates that public sector bodies, which do not keep official records in electronic form, are obliged to transfer them to electronic form and harmonize them with the provisions of the State Information Infrastructure Act within two years from the day this Act enters into force. It is noted that the Law on State Information Infrastructure entered into force on August 6, 2014.

## III. ANTI-CORRUPTION EFFECT OF THE NEW REGULATION

We believe that the adoption of the Decree in this form is broader than the “switch to electronic form” but represents a significant anti-corruption measure. However, such a goal is not explicitly stated anywhere (in Croatian practice, the adoption of bylaws does not specify general objectives).

We find arguments for this claim in several provisions of the Decree that significantly aggravate possible abuses or even corrupt actions that the previous paper mode of operation has enabled. According to the old Decree on office management from 2009 [6] (it was similar in the previous regulations), the registers of administrative procedure and the registration record were kept on special forms (individual sheets), and only at the end of the year they were bound in books. Binding was such binding that it is impossible to separate the sheets without damage, insert a new sheet, or subsequently change the register. [7] However, such a solution also had one serious drawback - it could be retroactively, by rewriting the entire page, inserting “forgotten” writing, for example, by entering under the number of less critical notice. This could be done until the permanent binding at the beginning of the following calendar year.

In addition, a unique identifier allows for the traceability of each document, making it more difficult for illegal and potentially punishable substitution of items in the file. The introduction of mandatory office management in electronic form enables easier supervision by the central state administration body, which is prescribed not only by the Decree but also by the recent amendment to the most important Regulation for state and public administration - the General Administrative Procedure Act (Croatian: *Zakon o općem upravnom postupku*). [8] This amendment came into force in early 2022.

The same amendment to the General Administrative Procedure Act stipulated that the submission (i.e., in writing by which the party addresses the body) should also contain the personal identification number (OIB) of the party, of course, if the party has one. Also, the OIB of the party contains the decision of the administrative body. This obligatory statement of the OIB, in addition to helping to automate administrative decisions, can also be seen as an anti-corruption measure. It allows easier tax control over various administrative decisions by which individuals acquire certain rights.

Croatia has many small public bodies in terms of staff and does not issue many administrative decisions. Croatia has many small local governments and institutions with only a few employees, which are obliged to apply the Regulation. Although the obligation to introduce office management in the information system may seem excessive at first glance for a small organization of only a few employees - from the point of view of a potential anti-corruption measure, such an obligation makes complete sense and is to be welcomed. Namely, even the tiny obligors of the Decree can have significant funds at their disposal, and Croatian practice (and some ongoing court proceedings) unfortunately provide examples of where retroactive changes in documentation were intended to cover up illegal actions.

We, therefore, believe that the new Regulation, although not explicitly stated, has a potentially anti-corruption substantial effect in practice.

#### IV. PROBLEMS IN IMPLEMENTING THE REGULATION IN PRACTICE

The new Regulation was adopted on July 1 2021, with effect from July 10 2021 and a transitional provision requiring an office management information system by January 1 2023. The Instruction on numerical codes and the content of office records is crucial for practical application. It was adopted on November 25 2021 and published on December 4 2021. Also published on October 13, 2021 and entered into force on January 1, 2022.

The Republic of Croatia has not adequately promoted these significant changes in its office management. Although there is a fiction that everyone knows everything published in the state official gazette, the Official Gazette, we cannot expect everyone to understand the importance of such significant changes, especially when they are hidden in bylaws.

A consultation with the interested public on the Proposal for the Regulation on Office Management [9] was held in 2019. There was a two-year standstill, and the Regulation was adopted without any special announcement at the beginning of the holidays.

The fundamental Instruction on numerical codes and the content of office records, based on which annual plans for classification codes are adopted (now according to a new model, different from the previous one!), It was published only on December 4, so that public bodies arrived as it should be adjusted - that plan is adopted at the end of the year for next year.

It should be emphasized that this Instruction has replaced the Ordinance on unique classification codes and numerical codes of creators and recipients of acts (Croatian: *Pravilnik o jedinstvenim klasifikacijskim oznakama i brojčanim oznakama stvaralaca i primalaca akata*) [10] from back in 1988, adapted to the state structure of the former Socialist Republic of Croatia, and which was applied until the end of 2021. Given that the new Decree partially changed the written mark (registration number), it was illusory to expect that the annual plans for classification marks would be appropriately changed in a few weeks until the Christmas holidays. In practice, some public bodies have continued to use the old model of numerals in 2022.

Commercial professional journals recognized the importance of the new Regulation, and at the end of the summer of 2021, they published a series of professional articles on the topic of new office management. [11] [12] Reliance primarily on professional journals in a country with tens of thousands of decree payers (not only state and public administration and local self-government, but also all schools, kindergartens, museums and other institutions and numerous utility companies), where many taxpayers do not have lawyers employed at all or they do not have approved funds for professional journals - it is not enough.

We believe that the Government and the particular ministry in charge of general administration (specifically the Ministry of Justice and Administration) should have made a broader educational action to introduce many segments of state and public administration to the new Regulation and electronic office management in general.

It is positive that various commercial entities engaged in education commercially have recognized the business opportunity. From the fall of 2021, a series of commercial seminars for those obliged to apply public procurement. In conversations with the participants of these courses, several general behaviours of those obliged to apply the Regulation could be crystallized.

First, the governing structure of state and public bodies, as a rule, did not understand that the Regulation regulates (and in a new way!) The very essence of their work. The application of the new Regulation is too often considered "something for the office" without trying to adapt the whole organization, its business processes, and how it works in general. Second, the transition to e-business, where the mere existence of paper cases is an exception, has often not even begun, and officials are unaware of it. Third, the organizations did not initiate any steps for technical preparation, from appropriate computers and monitors (full work in electronic form requires, for example, a suitably large monitor) to the purchase of scanners and programs for recognizing scanned text. Scanning and optical recognition of text is, as we have stated, an explicit requirement of the Regulation.

As the state and public administration depend on the annual budget financing and public procurement procedures, if the necessary equipment is not planned for 2022, it will usually not happen.

Some, especially smaller organizations obliged to apply the Regulation use outdated programs for office

management that are minimally maintained with the help of external associates - such programs cannot keep up with the changes required by the Regulation and the new prescribed Technical Specifications of Electronic Office Information System (Croatian: *Tehničke specifikacija informacijskog elektroničkog sustava uredskog poslovanja*) [13] published on the website of the competent ministry. Such taxpayers were not aware that the obligations of the Regulation would not be solved by minimal changes in the existing programs they have.

Participants were not familiar with establishing an electronic archive, which is an essential element of the computerization of office management. Participants were often unaware of the needs and possibilities of storing documents in electronic form.

In conclusion, the Decree significantly changed the work of state and public administration - not only the keeping of administrative books but also the work on files and their storage. All this will be applied in practice that has not been properly communicated to stakeholders.

## V. WHAT DID THE REGULATION FAIL TO REGULATE?

### A. Reference to relevant ISO standards

In the Republic of Croatia, the application of the *ISO 15489 standard - File Management* was discussed back in 2002, when the draft of the never adopted Regulation on Public Service Record-Keeping was presented (Croatian: *Uredba o spisovodstvu u javnim službama*). The discussion on the draft Regulation on Public Service Accounting stated that it is in line with the ISO 15489 standard. [14]

The Croatian Standards Institute adopted the standard HRN ISO 15489-1: 2002 in 2002 (the mark HRN ISO means accepting a foreign standard in the original). The current version is *HRN ISO 15489-1: 2016 Information and documentation -- Records management -- Part 1: Concepts and principles (ISO 15489-1:2016)*. [15] It is stated on the ISO website: "This part of ISO 15489 establishes the core concepts and principles for the creation, capture and management of records. It sits at the heart of several International Standards and Technical Reports that provide further guidance and instruction on the concepts, techniques and practices for creating, capturing and managing records." [16]

It is interesting that ISO 15489, although Croatia has had this standard for 20 years, is not listed in Croatian regulations on office management, except once mentioned in the chapter "Related documents and strategic frameworks" of the already mentioned document Technical Specification of electronic office information system. It is on the list of 9 "related documents and strategic frameworks" without any explanation. In some other areas of Croatian legal practice, such as information security, ISO standards are often referred to directly in regulations.

Standard that should be mentioned here, by all means, is *ISO 16175 (all parts), Information and documentation — Principles and functional requirements for records in electronic office environments*. This standard is accepted in Croatia as *HRN ISO 16175-1:2021*. Another accepted related document is *HRS ISO/TS 16175-2:2021*

*Information and documentation -- Processes and functional requirements for software for managing records -- Part 2: Guidance for selecting, designing, implementing and maintaining software for managing records (ISO/TS 16175-2:2020)*. [17] This standard is not mentioned at all, therefore not in any list, in the Technical Specification of the Electronic Office Management Information System. We believe that it should be not only listed, but also applied.

### B. Long-term data storage in electronic form

The Regulation says very little about keeping records, which are now in electronic form. It is stated in Art. 55, paragraph 1, how the completed case is delivered by the official in charge of resolving the case through the information system of office management in the archives. Also, Art. 61 of the Regulation states that in case of the need to store data outside the information system, public law bodies are obliged to protect authenticity, integrity, authenticity of origin, readability and confidentiality of the material.

Croatia has had the accepted standard *HRN ISO 19005-1: 2008 / Ispr.1: 2017 for many years - Document management -- Electronic document file format for long-term preservation -- Part 1: Use of PDF 1.4 (PDF/A-1) (ISO 19005-1:2005/Cor 2:2011)*. [18] We believe that this norm should have been explicitly stated. It is not mentioned in the mentioned Technical Specification of the information system of electronic office management. As a result, we have ignorance about keeping documentation, so the participants in the courses on the new Regulation also asked whether electronically kept office books should be printed at the end of the year.

There is also the issue of technical storage of data in electronic form. Do you store them physically, recorded on one of the storage devices, or on a state or commercial cloud? As in practice, we have a vast number of tiny bodies obliged to the Regulation, which have very limited or no IT support, without this issue being regulated, all kinds of omissions are possible. It is possible not to create an archive at all (only burning to a computer disk) or to burn an archive copy to very unreliable CDs. Although this is not strictly an office management problem, it is necessary to consider the real situation and the fact that most taxpayers do not have experts in archiving data in electronic form, nor will they hire them in practice.

## VI. CONCLUSION

The Decree from 2021 represents a significant step forward in reforming the Croatian state and public administration. For the first time, it sets the electronic, paperless mode and electronic communication as the primary mode of operation. Doing business on paper is still possible, but it is mentioned as an exception.

This kind of reform creates huge potential for better, faster, and better administration work. Of course, it cannot be expected that one normative act alone will solve many existing problems. We generally consider the Regulation to be a good framework for further development. Some existing shortcomings and doubts can be resolved until the full implementation of the provisions of the Regulation,

i.e., the mandatory establishment of the office business information system on January 1 2023.

Additional catalysts for informatization and electronic management of office management are changes in other regulations, such as the amendment of the General Administrative Procedure Act and new identity cards containing advanced electronic signatures. [19]

What we consider harmful is that the adoption of the new Regulation is not well communicated with the stakeholders, the obligors of the Regulation, of which there are thousands. The management of many taxpayers understood the new Regulation as “something for the office” and not as a significantly different way of working of the entire organization that necessarily changes the existing business processes in the organization. Therefore, the implementation of the Regulation in practice is still slow and even incomplete.

The Regulation only in principle addresses some essential issues of office management, such as storing data in electronic form. Also, it is not directly related to the existing ISO standards, namely the accepted standards in Croatia. Such a connection would be positive from the point of view of applying existing world knowledge and practices. After all, why the adoption of technical standards, which are then upgraded specifications, dictionaries and good practices - when the state and public administration do not use them?

It was not considered that a huge number of those obliged to apply the Regulation have a small staff and modest financial resources and do not have adequate IT services, nor quality contracts for the maintenance of software and technical equipment.

It is undoubtedly necessary to work on further acquainting all stakeholders with the importance and application of the Regulation in the coming period. This is extremely important to ensure further computerization of state and public administration work. It should also rely on existing world experience and apply existing and accepted ISO standards. It is also necessary to start changing business processes themselves to better adapt to computerized, paperless work.

## REFERENCES

- [1] *Uredba o uredskom poslovanju*, Narodne novine,\* 75/21
- [2] *Zakon o sustavu državne uprave*, Narodne novine, 66/19
- [3] *Naputak o brojčanim oznakama pismena te sadržaju evidencija uredskog poslovanja*, Narodne novine, 132/21
- [4] Ministarstvo pravosuđa i uprave, *Prijedlog Uredbe o uredskom poslovanju*, 1 July 2021, Available: <https://vlada.gov.hr/UserDocsImages/2016/Sjednice/2021/srpanj/65%20sjednica%20VRH/65%20-%202019.docx>. [Accessed 7 March 2022]
- [5] *Zakon o državnoj informacijskoj infrastrukturi*, Narodne novine, 92/14
- [6] *Uredba o uredskom poslovanju (izvan snage)*, Narodne novine, 7/09
- [7] G. Vojković, *Uredsko poslovanje, spisovodstvo i upravljanje pismohranom*, Zagreb: Narodne Novine, 2018
- [8] *Zakon o općem upravnom postupku*, Narodne novine, 47/09, 110/21
- [9] Savjetovanje sa zainteresiranom javnošću o prijedlogu Uredbe o uredskom poslovanju, 2019. Available: <https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=11138>. [Accessed 7 March 2022]
- [10] *Pravilnik o jedinstvenim klasifikacijskim oznakama i brojčanim oznakama stvaralaca i primalaca akata (izvan snage)*, Narodne novine, 38/88
- [11] G. Vojković, *Nova Uredba o uredskom poslovanju*, *Informator*, pp. 1-5, 30 August 2021
- [12] T. Marić, *Nova Uredba o uredskom poslovanju*, *Pravo i porezi*, pp. 10-14, September 2021
- [13] Vlada Republike Hrvatske, Tehnička specifikacija informacijskog sustava elektroničkog uredskog poslovanja, Available: <https://rdd.gov.hr/tehnicka-specifikacija-informacijskog-sustava-elektronickog-uredskog-poslovanja/1841>. [Accessed 9 3 2022]
- [14] R. Bućin, 38. savjetovanje Hrvatskog arhivističkog društva, *Arhivski vjesnik*, vol. 45, pp. 291-301, 2002
- [15] HRN ISO 15489-1:2016 Information and documentation -- Records management -- Part 1: Concepts and principles (ISO 15489-1:2016), Hrvatski zavod za norme, Zagreb, 2016
- [16] ISO 15489-1:2016(en), ISO, Available: <https://www.iso.org/obp/ui/#iso:std:iso:15489:-1:ed-2:v1:en>. [Accessed 7 March 2022]
- [17] *Oglasnik za normativne dokumente*, Hrvatski zavod za norme 6/2021, Zagreb
- [18] HRN ISO 19005-1:2008/Ispr.1:2017, Available: <https://repozitorij.hzn.hr/norm/HRN+ISO+19005-1%3A2008%2FIspr.1%3A2017>. [Accessed 16 3 2022]
- [19] *Osobna iskaznica (eOI)*, Available: <https://mup.gov.hr/osobna-iskaznica-eoi/328>. [Accessed 9 3 2022]

\* Narodne novine is the official gazette of Republic of Croatia.