

ANNEX 5

LETTER OF GUARANTEE

Article 1

- (1) This Annex sets out the form of the letter of guarantee for third-country nationals - legal or natural persons.
- (2) The guarantor may provide for the applicant:
 - accommodation, or
 - means of subsistence during his/her stay in the Republic of Croatia and for return to the home country or for travel to another country, or
 - accommodation and means of subsistence during his/her stay in the Republic of Croatia and for return to the home country or for travel to another country.

Guarantor-natural person

Article 2

- (1) The guarantor-natural person may be a Croatian national, or a national of an EEA Member State and Swiss Confederation or a third-country national with approved temporary or permanent stay in the Republic of Croatia, generating income in or having financial means in the Republic of Croatia. The period of validity of temporary stay of the national of an EEA Member State and Swiss Confederation or the third-country national must cover the period to which the applicant refers.
- (2) The guarantor-natural person shall have his/her signature on the letter of guarantee certified by a notary public.
- (3) Where the guarantor is present at the time of submission of the visa application, the signature on the letter of guarantee may also be certified in:
 - DM/CP, if he/she is a Croatian national, or
 - with the competent authority of the receiving state, if he/she is a national of an EEA Member State and Swiss Confederation or a third-country national.
- (4) Along with the letter of guarantee, the guarantor-natural person shall enclose proof of a permanent source of income in the Republic of Croatia (certificate of salary, certificate of pension) in the preceding three months or the relevant proof of possession of funds in the bank.
- (5) The DM/CP in which the third-country national submitted the visa application shall retain the original letter of guarantee in the application file, so that if needed or at the request of the creditor of the Ministry of the Interior it might be forwarded to the creditor without delay.
- (6) The applicant shall receive a copy of the letter of guarantee, so that at the request of the competent body for state border control they can present proof of purpose of their stay in the Republic of Croatia.
- (7) The stamp of receipt by the DM/CP, including the date, the class of the case, and the initials of the authorised person of the DM/CP certified by a small stamp of the DM/CP, shall be affixed to the copy of the letter of guarantee.
- (8) The form of the letter of guarantee for third-country nationals - natural persons: [link to form].

- (9) The guarantor-natural person shall have the right to receive a notification on the pertaining data that has been entered in the Croatian Visa Information System (CVIS).
- (10) The guarantor-natural person may request that the pertaining data entered in the CVIS System be corrected if incorrect, and if they have been unlawfully processed, he/she may request their deletion.
- (11) The authority acting upon the visa application shall, at the request of the guarantor-natural person, inform him/her of the manner in which he/she may, in accordance with regulations in force, realise his/her right to check, correct and delete incorrect and unlawfully processed personal data of the guarantor-natural person which have been stored in the CVIS System and on the legal redress envisaged in that case.

Guarantor-legal person

Article 3

- (1) The guarantor-legal person may be a legal person registered in the Republic of Croatia.
- (2) The letter of guarantee of the legal person shall be certified by the signature of the person authorised to represent the legal person.
- (3) If the person authorised to represent the legal person is a national of an EEA Member State and Swiss Confederation or a third-country national, he/she must have approved temporary or permanent stay in the Republic of Croatia. The period of validity of temporary stay of the national of an EEA Member State and Swiss Confederation or the third-country national must cover the period to which the applicant refers.
- (4) Along with the letter of guarantee, the guarantor-legal person shall enclose proof of solvency (sol 1 or sol 2 (in Croatian, "bon 1" or "bon 2") or a certificate issued by the commercial court that no liquidation proceedings are pending, and the like).
- (5) The DM/CP may exempt a legal person of indisputable reliability of the obligation to enclose proof of solvency.
- (6) The DM/CP in which the third-country national submitted the visa application shall retain the original letter of guarantee in the application file.
- (7) The applicant shall receive a copy of the letter of guarantee, so that at the request of the competent body for state border control they might present proof of the purpose of their stay in the Republic of Croatia.
- (8) The stamp of receipt by the DM/CP, including the date, the class of the case, and the initials of the authorised person of the DM/CP certified by a small stamp of the DM/CP, shall be affixed to the copy of the letter of guarantee.
- (9) The form of the letter of guarantee for third-country national - legal persons: [link to form].
- (10) The person authorised for representing the legal person shall have the right to receive a notification on the data entered in the CVIS System pertaining to him/her and the legal person-company which he/she represents and request that the data entered in the CVIS System pertaining to him/her and the legal person-company which he/she represents be corrected if incorrect, and if they have been unlawfully processed, he/she may request their deletion.
- (11) The authority acting upon the visa application shall, at the request of the person authorised for representing the legal person, inform the guarantor-legal person of the manner in which he/she may, in accordance with regulations in force, realise his/her right to check, correct and delete incorrect and unlawfully processed personal data of the person authorised for representing the legal person and the guarantor-legal person

which have been stored in the CVIS System and on the legal redress envisaged in that case.

Storage of Letter of Guarantee

Article 4

The guarantor-natural person and guarantor-legal person may store the original Letter of Guarantee in the ministry competent for foreign affairs, in which case they shall pay the prescribed administrative charge in accordance with regulations governing administrative charges.

Jamstveno pismo fizičke osobe/ Natural person's Letter of Guarantee

JAMSTVENO PISMO / LETTER OF GUARANTEE

Ja, dolje potpisani(a) / I, the undersigned _____,
(ime i prezime / name and surname)
 rođen(a) / born on _____, u / in _____,
(datum / date) (mjesto i država rođenja / place and country of birth)
 državljanin(ka) / nationality _____, OIB _____,
(država / country) (osobni identifikacijski broj / National identity number)
 nastanjen(a) / residing in _____,
(adresa i broj telefona / address and telephone number)
 zanimanje/ occupation _____, uposlen(a) u / employed by _____,
(naziv i adresa poslodavca / employer's name and address)

ovime pozivam / I hereby invite:

1. _____, rođen(a) / born on _____,
(ime i prezime / name and surname) (datum i mjesto rođenja / date and place of birth)
 državljanin(ka) / nationality _____, nositelj(ica) putne isprave br. / holder of passport number _____,
 izdane u / issued by _____, dana / date of issue _____,
 koja vrijedi do / valid until _____ s prebivalištem/boravištem /currently residing at _____,

zanimanje / occupation _____, uposlen/a u/ employed by _____,
(naziv i adresa poslodavca / employer's name and address)

(navesti u kakvom je odnosu spram pozivatelja: dijete, bračni drug, brat/sestra, zaručnik/ica, prijatelj/ica, poslovni partner/ica, i dr. / specify the relationship with the inviting person: child, spouse, brother/sister, fiancé, friend, business partner, etc.)

2. _____, rođen(a) / born on _____,
(ime i prezime / name and surname) (datum i mjesto rođenja / date and place of birth)
 državljanin(ka) / nationality _____, nositelj(ica) putne isprave br. / holder of passport number _____,
 izdane u / issued by _____, dana / date of issue _____,
 koja vrijedi do / valid until _____ s prebivalištem/boravištem /currently residing at _____,

zanimanje / occupation _____, uposlen(a) u / employed by _____,
(naziv i adresa poslodavca / employer's name and address)

(navesti u kakvom je odnosu spram pozivatelja: dijete, bračni drug, brat/sestra, zaručnik/ica, prijatelj/ica, poslovni partner/ica, i dr. / specify the relationship with the inviting person: child, spouse, brother/sister, fiancé, friend, business partner, etc.)

da me posjeti / to visit me _____ u razdoblju od / starting from _____ do / until _____
(navesti broj posjeta: 1, 2 ili više puta / indicate number of visits: 1, 2 or more)

s tim što će ukupno trajanje boravka imenovanog/e/ih u Republici Hrvatskoj biti / total duration of stay of the invited person(s) in the Republic of Croatia will be _____ dana / days
(navesti broj dana boravka: 1 - 90 / indicate the number of days: from 1 - 90)

Imenovani(e) će boraviti na adresi/ Invited person(s) will be staying at the following address:

Troškove koji proizlaze iz boravka posjetitelja snosi (molimo označiti)/ The costs arising from the stay of the visitor are covered by (please tick):

a) posjetitelj(i) osobno / invited person(s) himself/herself (themselves):

- ☐ smještaj / accomodation
- ☐ uzdržavanje / means of subsistence
- ☐ putni troškovi / travel expenses

b) jamac / guarantor :

- ☐ smještaj / accomodation
- ☐ uzdržavanje / means of subsistence
- ☐ putni troškovi / travel expenses

c) treća osoba koja snosi troškove / a third party to bear the costs:

- ☐ smještaj / accomodation
- ☐ uzdržavanje / means of subsistence
- ☐ putni troškovi / travel expenses

(navesti ime fizičke osobe/naziv pravne osobe / indicate the name of natural person/legal person)

Izjavljujem i pristajem na sljedeće / I am aware of and consent to the following:

Svi podaci koje sam naveo(la) u ovome obrascu su istiniti i točni.

Navedeni podaci bit će uneseni i pohranjeni u Hrvatskome viznom informacijskom sustavu (HVIS) najviše pet godina. U istom će razdoblju biti dostupni nadležnim viznim tijelima, tijelima nadležnim za provjeru viza na graničnim prijelazima i unutar Republike Hrvatske, u svrhu provjere jesu li ispunjeni uvjeti zakonitog ulaska, boravka i prebivanja na području Republike Hrvatske, identificiranja osoba koje te uvjete ne ispunjavaju ili ih više ne ispunjavaju, te u svrhu utvrđivanja nadležnosti i razmatranja zahtjeva za azil, bit će dostupni i tijelima nadležnim za migracije i azil. Pod određenim uvjetima podaci će također biti dostupni nadležnim tijelima Republike Hrvatske i Europolu u svrhu sprječavanja, otkrivanja i istrage kaznenih djela terorizma i drugih teških kaznenih djela. Tijelo nadležno za obradu podataka je Ministarstvo vanjskih i europskih poslova Republike Hrvatske.

All particulars supplied by me in this form are correct and complete.

Such data will be entered into, and stored in the Croatian Visa Information System (HVIS) for a maximum period of five years. During that time all data will be accessible to the visa authorities and the authorities competent for carrying out checks on visas at external borders and within the Republic of Croatia, immigration and asylum authorities in the Republic of Croatia for the purposes of verifying whether the conditions for the legal entry into, stay, and residence on the territory of the Republic of Croatia are fulfilled, of identifying persons who do not or who no longer fulfil these conditions, of examining an asylum application and of determining responsibility for such examination. Under certain conditions, the data will also be available to designated authorities of the Republic of Croatia and to Europol for the purpose of prevention, detection and investigation of terrorist offences and other serious criminal offences. The authority responsible for processing the data is the Ministry for Foreign and European Affairs of the Republic of Croatia.

Suglasan(na) sam da nadležno vizno tijelo Republike Hrvatske, pri obradi zahtjeva za vizu osobe/a koje pozivam, sukladno Zakonu o provedbi Opće uredbe o zaštiti podataka (»Narodne novine«, br. 42/18), pohranjuje i obrađuje moje osobne podatke koji su navedeni u ovome jamstvenom pismu.

I agree that the competent visa authority of the Republic of Croatia, when processing the visa application of the invited person(s), in accordance with the Act on the implementation of General Data Protection Regulation (Croatian Official Gazette No. 42/18), stores and processes my personal data, which appear in this letter of guarantee.

Ovime se obvezujem, ako bi bilo potrebno, snositi sve troškove boravka imenovanog(ne/ih) u Republici Hrvatskoj, uključujući i troškove smještaja i uzdržavanja te troškove napuštanja Republike Hrvatske.

I hereby undertake, if necessary, to bear all costs of the stay of the invited person(s) in the Republic of Croatia, including the costs of accommodation and means of subsistence and the costs of the removal procedures from the Republic of Croatia.

Ovime preuzimam punu odgovornost pred nadležnim tijelima Republike Hrvatske za pozvanu/ne osobu/e te se u skladu s člankom 18. stavkom 5. i člankom 223. stavcima 1. i 2. Zakona o strancima (»Narodne novine« br.133/20) obvezujem da ću kao jamac ispuniti sve pravovaljane i dospjele obveze imenovanog/ne/ih koje nastanu prema vjerovniku Ministarstvu unutarnjih poslova Republike Hrvatske eventualnim smještajem imenovanog/ne/ih u Prihvatni centar za strance i troškove prisilnog udaljenja iz Republike Hrvatske.

I hereby assume full responsibility in front of the relevant authorities of the Republic of Croatia for the invited person(s) and in accordance with Article 18, paragraph 5 and Article 223, paragraphs 1 and 2 of the Aliens Act (Croatian Official Gazette No. 133/20) commit that as a guarantor I will fulfil all valid and due obligations of the invited person(s) arising towards the creditor to the Ministry of the Interior of the Republic of Croatia by potential / possible placement of the invited person(s) in the Reception Center for Foreigners and costs of forced return from the Republic of Croatia

Upoznat(a) sam s činjenicom da imam pravo dobiti obavijest o podacima koji se odnose na mene a uneseni su u HVIS, i zatražiti da se podaci koji se odnose na mene isprave ako su netočni, a ako su nezakonito obrađeni zatražiti njihovo brisanje. Tijelo koje postupa po zahtjevu za vizu poučit će me, na moj izričiti zahtjev, na koji način, sukladno vrijedećim propisima, mogu ostvariti svoje pravo na provjeru, ispravljanje i brisanje mojih netočnih i nezakonito obrađenih osobnih podataka pohranjenih u HVIS-u te o pravnim lijekovima koji su za to predviđeni. Pritužbe vezane uz zaštitu osobnih podataka rješava Agencija za zaštitu osobnih podataka Republike Hrvatske (Selska cesta 136, 10 000 Zagreb, Hrvatska, tel: 00385 1 4609-000, telefaks; 00385 1 4609-099, email: azpo@azpo.hr).

I am aware that I have the right to obtain notification of the data relating to me recorded in the HVIS and to request that data relating to me which are inaccurate be corrected and that data relating to me processed unlawfully be deleted. At my express request, the authority examining the visa application will inform me of the manner in which I may exercise my right to check, correct or delete if inaccurate or illegally processed, any personal data concerning me in HVIS, as well as of the legal remedies according to the law. Claims concerning personal data protection are dealt by the Croatian Personal Data Protection Agency. (Selska cesta 136, 10 000 Zagreb, Croatia, tel: 00385 1 4609-000, fax; 00385 1 4609-099, email: azpo@azpo.hr).

U / At _____
(mjesto i datum / place and date)

(potpis / signature)

Jamstveno pismo pravne osobe / Legal person's Letter of Guarantee

JAMSTVENO PISMO / LETTER OF GUARANTEE

(naziv i adresa sjedišta pravne osobe - društva) / title and address of the headquarters of legal person)

OIB _____ koju zastupa _____
 (osobni identifikacijski broj pravne osobe / (ime i prezime osobe ovlaštene za zastupanje /
 Legal person's national identity number) name and surname of the person authorised to represent the guarantor)

OIB _____ ovime poziva / hereby invites:
 (osobni identifikacijski broj osobe ovlaštene za zastupanje /
 national identity number of the person authorised to represent the guarantor)

1. _____, rođen(a) born on _____
 (ime i prezime / name and surname) (datum i mjesto rođenja / date and place of birth)
 državljanin(ka) / nationality _____, nositelj(ica) putne isprave br. / holder of passport number _____
 _____, izdane u / issued by _____, dana / date of issue _____
 koja vrijedi do / valid until _____ s prebivalištem/boravištem /currently residing at _____

Zanimanje / occupation _____, uposlen(a) u / employed by _____
 (naziv i adresa poslodavca / employer's name and address)

2. _____, rođen(a) / born on _____
 (ime i prezime / name and surname) (datum i mjesto rođenja / date and place of birth)
 državljanin(ka) / nationality _____, nositelj(ica) putne isprave br. / holder of passport number _____
 _____, izdane u / issued by _____, dana / date of issue _____
 koja vrijedi do / valid until _____ s prebivalištem/boravištem /currently residing at _____

Zanimanje / occupation _____, uposlen(a) u / employed by _____
 (naziv i adresa poslodavca / employer's name and address)

u posjet / to visit _____ u razdoblju od / starting from _____ do / until _____
 (navesti broj posjeta: 1, 2 ili više puta / indicate number of visits: 1, 2 or more)

s tim što će ukupno trajanje boravka imenovanog(e/ih) u Republici Hrvatskoj biti / total duration of stay of the invited person(s) in the Republic of Croatia will be _____ dana / days, u svrhu / for the purpose _____
 (navesti broj dana boravka: 1 - 90 / indicate the number of days: from 1 - 90)

Imenovani/e će boraviti na adresi/ Invited person(s) will be staying at the following address:

Podaci za kontakt za sve dodatne obavijesti / Contact details for any additional information:

(adresa, brojevi telefona i faksa, e-mail adresa)

Troškove koji proizlaze iz boravka posjetitelja snosi (molimo označiti)/ The costs arising from the stay of the visitor are covered by (please tick):

a) posjetitelj(i) osobno / invited person(s) himself/herself (themselves):

- ☐ smještaj / accomodation
- ☐ uzdržavanje / means of subsistence
- ☐ putni troškovi / travel expenses

b) jamac / guarantor :

- ☐ smještaj / accomodation
- ☐ uzdržavanje / means of subsistence
- ☐ putni troškovi/ travel expenses

c) treća osoba koja snosi troškove / a third party to bear the costs:

- ☐ smještaj / accomodation
- ☐ uzdržavanje / means of subsistence
- ☐ putni troškovi / travel expenses

(navesti ime fizičke osobe/naziv pravne osobe / indicate the name of natural person/legal person)

Ovime se obvezujemo da ćemo prema potrebi snositi sve troškove proizašle iz boravka imenovanog(ne/ih) u Republici Hrvatskoj, uključujući i troškove smještaja i uzdržavanja te troškove napuštanja Republike Hrvatske. U skladu s člankom 18. stavkom 5. i člankom 223. stavcima 1. i 2. Zakona o strancima (»Narodne novine« br. 133/20) obvezujemo se da će pravna osoba kao jamac ispuniti sve pravovaljane i dospjele obveze imenovanog(ne/ih) koje nastanu prema vjerovniku Ministarstvu unutarnjih poslova eventualnim smještajem u Prihvatni centar za strance, kao i troškove prisilnog udaljenja iz Republike Hrvatske.

We hereby undertake, if necessary, to bear all costs of the stay of the invited person(s) in the Republic of Croatia, including the costs of accommodation and means of subsistence and the costs of the removal procedures from the Republic of Croatia. In accordance with Article 18, paragraph 5 and Article 223, paragraphs 1 and 2 of the Aliens Act (Croatian Official Gazette No. 133/20) we commit that the legal person as a guarantor will fulfil all valid and due obligations of the invited person(s) arising towards the creditor to the Ministry of the Interior of the Republic of Croatia by potential / possible placement of the invited person(s) in the Reception Center for Foreigners and costs of forced return from the Republic of Croatia.

Kao osoba ovlaštena za zastupanje pravne osobe, izjavljujem i pristajem na sljedeće / As a person authorised to represent a legal person, I am aware of and consent to the following:

Svi podaci navedeni u ovom obrascu su istiniti i točni.

Navedeni podaci bit će uneseni i pohranjeni u Hrvatskome viznom informacijskom sustavu (HVIS) najviše pet godina. U istom će razdoblju biti dostupni nadležnim viznim tijelima, tijelima nadležnim za provjeru viza na graničnim prijelazima i unutar Republike Hrvatske, u svrhu provjere jesu li ispunjeni uvjeti zakonitog ulaska, boravka i prebivanja na području Republike Hrvatske, identificiranja osoba koje te uvjete ne ispunjavaju ili ih više ne ispunjavaju, te u svrhu utvrđivanja nadležnosti i razmatranja zahtjeva za azil, bit će dostupni i tijelima nadležnim za migracije i azil. Pod određenim uvjetima podaci će također biti dostupni nadležnim tijelima Republike Hrvatske i Europolu u svrhu sprječavanja, otkrivanja i istrage kaznenih djela terorizma i drugih teških kaznenih djela. Tijelo nadležno za obradu podataka je Ministarstvo vanjskih i europskih poslova Republike Hrvatske.

All particulars supplied in this form are correct and complete.

Such data will be entered into, and stored in the Croatian Visa Information System (HVIS) for a maximum period of five years. During that time all data will be accessible to the visa authorities and the authorities competent for carrying out checks on visas at external borders and within the Republic of Croatia, immigration and asylum authorities in the Republic of Croatia for the purposes of verifying whether the conditions for the legal entry into, stay, and residence on the territory of the Republic of Croatia are fulfilled, of identifying persons who do not or who no longer fulfil these conditions, of examining an asylum application and of determining responsibility for such examination. Under certain conditions, the data will also be available to designated authorities of the Republic of Croatia and to Europol for the purpose of prevention, detection and investigation of terrorist offences and other serious criminal offences. The authority responsible for processing the data is the Ministry for Foreign and European Affairs of the Republic of Croatia.

Suglasan/na sam da nadležno vizno tijelo Republike Hrvatske, pri obradi zahtjeva za vizu osobe(a) koje pozivam, sukladno Zakonu o provedbi Opće uredbe o zaštiti podataka (»Narodne novine«, br. 42/18), pohranjuje i obrađuje moje osobne podatke koji su navedeni u ovome jamstvenom pismu.

I agree that the competent visa authority of the Republic of Croatia, when processing the visa application of the invited person(s), in accordance with the Act on the implementation of General Data Protection Regulation (Croatian Official Gazette No. 42/18), stores and processes my personal data, which appear in this letter of guarantee.

Upoznat(a) sam s činjenicom da imam pravo dobiti obavijest o podacima koji se odnose na mene i pravnu osobu - društvo koju zastupam a uneseni su u HVIS, i zatražiti da se podaci koji se odnose na mene i pravnu osobu – društvo koje zastupam isprave ako su netočni, a ako su nezakonito obrađeni zatražiti njihovo brisanje. Tijelo koje postupi po zahtjevu za vizu poučit će me, na moj izričiti zahtjev, na koji način, sukladno vrijedećim propisima, mogu ostvariti svoje pravo na provjeru, ispravljanje i brisanje mojih netočnih i nezakonito obrađenih osobnih podataka pohranjenih u HVIS-u te o pravnim lijekovima koji su za to predviđeni. Pritužbe vezane uz zaštitu osobnih podataka rješava Agencija za zaštitu osobnih podataka Republike Hrvatske (Selska cesta 136, 10 000 Zagreb, Hrvatska, tel: 00385 1 4609-000, telefaks; 00385 1 4609-099, email: azop@azop.hr).

I am aware that I have the right to obtain notification of the data relating to me and the legal person I represent recorded in the HVIS and to request that data relating to me and the legal person I represent which are inaccurate be corrected and that data relating to me processed unlawfully be deleted. At my express request, the authority examining the visa application will inform me of the manner in which I may exercise my right to check, correct or delete if inaccurate or illegally processed, any personal data concerning me in HVIS, as well as of the legal remedies according to the law. Claims concerning personal data protection are dealt by the Croatian Personal Data Protection Agency. (Selska cesta 136, 10 000 Zagreb, Croatia, tel: 00385 1 4609-000, fax; 00385 1 4609-099, email: azpo@azpo.hr).

U / At _____
(mjesto i datum / place and date)

(potpis / signature)