

Na temelju odredbe čl. 53. Zakona o leasingu („Narodne novine“ br. 141/13.) u vezi s odredbom čl. 295., st. 4. Zakona o obveznim odnosima Zakona o obveznim odnosima („Narodne novine“ br. 35/05., 41/08., 125/11., 78/15., 29/18., 126/21.) Uprava leasing društva ALD Automotive d.o.o. za operativni i financijski leasing, skraćena tvrtka **ALD Automotive d.o.o.**, registrirano sjedište na adresi u Velikom polju (Grad Zagreb), Betinska 1, MBS 080512512 Trgovačkog suda u Zagrebu, OIB 45116797997, donijela je slijedeću

**Odluka o objavi
Općih uvjeta uz Ugovor o operativnom leasingu
ver. PARTNERSHIP**

1. Usvajaju se opći uvjeti poslovanja naslovljeni kao „Opći uvjeti uz Ugovor o operativnom leasingu u primjeni od 1. travnja 2023.“, ver. PARTNERSHIP, koji su privitak ove Odluke i njen sastavni dio

2. Usvojeni „Opći uvjeti uz Ugovor o operativnom leasingu u primjeni od 1. travnja 2023.“ **počinju se primjenjivati** na sve PARTNERSHIP leasing odnose koji će se zasnovati od **1. travnja 2023.**

3. Početkom primjene ovom Odlukom usvojenih „Općih uvjeta uz Ugovor o operativnom leasingu u primjeni od 1. travnja 2023.“ **prethodno važeći** „Opći uvjeti uz Ugovor o operativnom leasingu u primjeni od **21. listopada 2019.**“ primjenjuju se na dalje samo na leasing odnose zasnovane zaključno s danom 31. ožujka 2023.

4. Opći uvjeti poslovanja usvojeni ovom Odlukom za primjenu od 1. travnja 2023. imaju se temeljem ove Odluke objaviti na oglasnoj ploči leasing društva ALD Automotive d.o.o., na internetskoj stranici www.aldautomotive.hr te u prostoriji za prijem i sastanke s postojećim i potencijalnim klijentima – primateljima leasinga.

5. Ova Odluka stupa na snagu s danom donošenja.

6. Zadužuje se odgovorna osoba Odjela operative izvršiti tehničke radnje provedbe ove Odluke.

Based on the provision of art. 53 of the Leasing Act ("Official Gazette" No. 141/13) in connection with the provision of art. 295, par. 4. of the Civil Obligations Act ("Official Gazette" No. 35/05., 41/08., 125/11., 78/15., 29/18., 126/21.) Management Board of the leasing company ALD Automotive Ltd. for operative and financial leasing, the abbreviated company **ALD Automotive Ltd.**, registered seat at the address Veliko polje (City of Zagreb), Betinska 1, registration number (MBS): 080512512 of the Commercial Court in Zagreb, PIN: 45116797997, issued the following

**Decision on the publication of the
General Terms and Conditions for the Contract on
Operative Leasing ver. PARTNERSHIP**

1. **General terms and conditions** titled as "General terms and conditions for the Contract on operative leasing in application from April 1st, 2023", ver. PARTNERSHIP are adopted, which are an addendum to this Decision and an integral part thereof.

2. The adopted "General Terms and Conditions for the Contract on Operative Leasing valid from January 1st, 2023" **begin to be applied** to all PARTNERSHIP leasing relationships that will be established starting from **April 1st, 2023.**

3. At the beginning of the application of the "General Terms and Conditions for the Contract on Operative Leasing valid from April 1st, 2023" adopted by this Decision, the **previously valid** "General Terms and Conditions for the Contract on Operative Leasing valid from **October 21st, 2019**" are applied from now on only to leasing relationships established prior to and including March 31st, 2023.

4. Based on this Decision, the General terms and conditions of business adopted by this Decision valid from April 1st, 2023 must be published on the notice board of the leasing company ALD Automotive Ltd., on the website www.aldautomotive.hr and in the room for reception and meetings with existing and potential clients - leasees.

5. This Decision enters into force on the date of its adoption.

6. The responsible person of the Operations Department is tasked with carrying out technical actions for the implementation of this Decision.

Obrazloženje

Odredbom čl. 295., st. 4. Zakona o obveznim odnosima Zakona o obveznim odnosima („Narodne novine“ br. 35/05., 41/08., 125/11., 78/15., 29/18., 126/21.), koja se odredba primjenjuje na ugovorne uvjete u poslovima leasinga temeljem odredbe čl. 53. Zakona o leasingu („Narodne novine“ br. 141/13.) koja kazuje „Na prava i obveze subjekata u poslovima leasinga primjenjuje se Zakon o obveznim odnosima, osim ako ovim Zakonom nije drugačije određeno“, egzistentna je obveza za leasing društvu objaviti opće ugovorne uvjete na uobičajeni način.

Predmetnom Odlukom uvedeni su u primjenu novi Opći uvjeti počevši od 1. siječnja 2023. poglavito radi usklađenja sa učincima Zakona o uvođenju eura kao službene valute u Republici Hrvatskoj („Narodne novine“ br. 57/22., 88/22.), pri čemu je učinjeno razlikovanje razdoblja primjene Općih uvjeta do 31. prosinca 2022. te od 1. siječnja 2023.

Dodatna izmjena učinjena je u odnosu na pravila o obradi osobnih podataka, pri čemu je uspostavljen nezavisnih voditelja obrade podataka.

Uvažavajući da je *ratio* odnosne odredbe čl. 295., st. 4. Zakona o obveznim odnosima primjenjive temeljem čl. 53. Zakona o leasingu učiniti dostupnim ugovorne uvjete osobama kojima su isti od interesa, leasing društvo ALD Automotive d.o.o. odlučilo je kao u izreci ove Odluke držeći da se javnom prezentacijom dokumenta općih ugovornih uvjeta na internetskoj stranici Društva te u prostorima namijenjenima za prijem i boravak potencijalnih i postojećih klijenata (prijemni desk, konferencijska sala) ostvaruje svrha obveze na objavu općih uvjeta na uobičajeni način.

ALD Automotive Ltd.

President of the Board
Hrvoje RADOŠ



Exposition

Based on the provision of art. 295, par. 4 of the Civil Obligations Act ("Official Gazette" No. 35/05, 41/08., 125/11., 78/15., 29/18., 126/21.) which is applied to contractual conditions in leasing business based on the provisions of Article 53 of the Leasing Act ("Official Gazette" No. 141/13), which states that "The Civil Obligations Act applies to the rights and obligations of subjects in leasing business, unless otherwise specified by this Act", is an existing obligation for the leasing company to publish the general contractual conditions in the usual way.

The Decision in question introduced new General Terms and Conditions starting on January 1st, 2023, mainly to align with the effects of the Law on the Introduction of Euro as the Official Currency in the Republic of Croatia ("Official Gazette" No. 57/22, 88/22), for which the period of application of the General Terms and Conditions was differentiated until December 31st, 2022, and from January 1st, 2023.

Additional amendment has been made in part of personal data processing, where independent data controller concept has been instituted.

Acknowledging that the *ratio* of the relevant provisions of art. 295, par. 4. of the Civil Obligations Act, applicable pursuant to art. 53 of the Leasing Act to make the contractual conditions available to persons who are interested in them, the leasing company ALD Automotive Ltd. decided as in the wording of this Decision, holding that the public presentation of the document of general contractual conditions on the Company's website and in areas intended for the reception and stay of potential and existing clients (reception desk, conference room) fulfills the purpose of the obligation to publish general conditions in the usual way.

Member of the Board
Marela BARAC