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## **ORGANISATION AND WORK OF THE POLICE**

### **ACT (ZODPol)**

#### **I. GENERAL PROVISIONS**

##### **Article 1 (Contents of the Act)**

This Act regulates the organisation, functioning and management of the police, and lays down specific features of labour relations of police employees and their rights and obligations. The Act also defines the relationship between the ministry responsible for internal affairs (hereinafter: the Ministry) and the police, and regulates the operation of the auxiliary police force.

##### **Article 2 (The police)**

(1) A body within the Ministry, the police shall perform tasks defined by laws and implementing regulations adopted on the basis thereof.

(2) As one of the entities of the domestic security system, the police shall contribute to the internal stability and security in the Republic of Slovenia by implementing their tasks. In order to successfully ensure domestic security, the police shall cooperate with other entities who contribute to the provision of the national security of the Republic of Slovenia.

#### **II. RELATIONSHIP BETWEEN THE MINISTRY AND THE POLICE**

##### **Article 3 (Relationship between the Ministry and the police)**

- (1) In relation to the police, the Ministry shall:
- define developmental, organizational, personnel and other basic policies relating to the work of the police;
  - carry out technical tasks in the area of managing human, financial and accounting and logistics-related support resources for the police;

- carry out technical tasks of managing the assets of the police and keeping documentary records of the police, and perform particular technical tasks in the area of other general affairs of the police;
- direct and supervise the performance of tasks and the exercise of powers of the police;
- carry out tasks as stipulated by the law regulating tasks and powers of the police while examining complaints about the work of police officers submitted by individual people;
- propose, direct and coordinate specific tasks relating to the international cooperation of the police;
- carry out other tasks pursuant to the law.

(2) The minister responsible for internal affairs (hereinafter: the Minister) shall prescribe in detail the method of performing tasks of the Ministry referred to in the preceding paragraph.

#### Article 4 (Directing the police)

(1) Directing the police shall be a systematic and methodical provision of mandatory instructions and guidelines relating to the work of the police.

(2) Directing the police shall be carried out by way of written guidelines and instructions (hereinafter: the guidelines) issued by the Minister.

(3) The core guidelines for drafting a medium-term plan of the development and work of the police that shall be prepared for a five-year period shall serve to define the basic development objectives in particular areas of the work of the police and guidelines for the performance of tasks of the police and the implementation of measures necessary for their realization.

(4) Annual guidelines shall relate to the preparation of an annual plan of the work of the police during the following calendar year.

(5) Particular guidelines shall relate to the implementation of individual tasks and measures of the police when immediate action to remedy any deficiency is required.

(6) These guidelines may define deadlines for accomplishing a particular task and reporting requirements relating to the accomplishment of a task.

(7) The medium-term plan of the development and work of the police shall be adopted by the Minister on a proposal of the Director General of the Police, while the annual plan of the work of the police shall be adopted by the Director General of the Police following a prior consent given by the Minister.

(8) The powers of the Minister referred to in the fifth paragraph of this Article shall not apply to police procedures, the directing of which has been taken over by the responsible state prosecutor pursuant to the law governing the criminal procedure.

Notwithstanding the law governing the criminal procedure, it shall be deemed that the state prosecutor has assumed the direction of the work of the police in a pre-trial criminal procedure as of the moment of his being informed about a criminal offence.

Article 5  
(Supervision of the work of the police)

(1) The Ministry shall carry out a comprehensive, systematic and methodical supervision of the implementation of tasks and the exercise of powers of the police.

(2) The supervision shall serve to assess the legality, professional competence and the respect of human rights and fundamental freedoms in exercising police powers, performing police tasks and implementing the Minister's guidelines.

(3) The supervision may be carried out directly by inspecting documentary or other material within police units, interviewing police officers and other police employees or individuals, or by directly monitoring the implementation of tasks at a particular location.

(4) Following the supervision procedure, an assessment report shall be drafted that may also include proposals for the elimination of the deficiencies established.

(5) For the purpose of this Act, the term 'police unit' shall refer to the general police directorate, a police directorate, internal organizational units of the general police directorate and a police directorate, and to police stations

Article 6  
(Ordering supervision)

The supervision of the work of the police shall be ordered by the Minister. In so doing, the Minister shall appoint the head of supervision and other officials participating in the supervision.

Article 7  
(Carrying out supervision)

(1) The supervision of the work of the police shall be carried out by officials employed within the Ministry's internal organizational unit responsible for directing and supervising (hereinafter: Direction and Supervision Unit). The officials of this unit shall be official persons with special powers.

(2) In performing their tasks, the officials referred to in the preceding paragraph shall prove their identity by producing their service ID card issued by the Minister. The form of the service ID card and the procedure for its issuing shall be prescribed by the Minister.

(3) The Minister may oblige individual police officers employed with the police or other public employees of the Ministry to carry out certain tasks relating to a particular incidence of supervision of the work of the police.

#### Article 8

##### (Powers of the officials of the Direction and Supervision Unit)

(1) For the purpose of the smooth and efficient performance of a particular incidence of supervision, the officials referred to in the first paragraph of the preceding Article shall have the following powers:

- to request information contained in the records that are kept and maintained by the police;
- to request to examine records, documents, papers, orders, minutes, decisions and resolutions obtained, prepared or issued by the police in accordance with their competences, and to request, if necessary, that they be submitted to them in the original or as copies;
- to invite police officers, other police employees or individuals to interviews;
- to hold interviews with police officers, other police employees or individuals;
- to enter any premises used by the police in the course of their work;
- to request official certificates and technical and other information on technical means used by the police and to request proof of the qualification of police officers to use technical and other means they use in the course of their work;
- to be present when the police are carrying out their tasks;
- to request from the police that they communicate other data and information within their competence that are relevant to direction and supervision.

(2) For the purpose of drafting guidelines and instructions referred to in Article 4 of this Act, the officials of the Direction and Supervision Unit may hold operational discussions within police units. They shall inform the Director General of the Police about the discussions scheduled in advance.

(3) For the purpose of the preparation of guidelines for or the supervision of the work of the police, the latter must, at the request of the Direction and Supervision Unit, communicate to this unit reports, data, analyses or other documentation relating to the performance of police tasks.

#### Article 9

##### (Assistance in supervision)

(1) Public employees of the police (hereinafter: police employees) shall enable the officials of the Direction and Supervision Unit to carry out supervision and to ensure them the necessary assistance.

(2) Where the supervision is carried out by directly monitoring the implementation of tasks at a particular location, the officials referred to in the previous paragraph shall ensure that there is no unnecessarily hindrance of the work of the police.

Article 10  
(Measures to remedy irregularities)

(1) Where it has, during the supervision, been established that in performing their tasks, police officers are unlawfully encroaching upon human rights and fundamental freedoms, the head of the supervision shall demand of the head of the unit supervised to forthwith implement measures to eliminate unlawful actions.

(2) Other measures that need to be implemented in order to remedy irregularities shall be laid down in the report on the supervision performed.

Article 11  
(Supervision limitations)

(1) If there is a reasonable risk that the exercise of powers, referred to in Article 8 of this Act, in the course of the supervision of the implementation of covert investigative measures might prevent the implementation of these measures or make it considerably more difficult or endanger the life and health of people carrying them out, the police may temporarily deny access to documents, inspection of premises and communication of certain data or information. In this case, the continuation of supervision shall be decided on by the Minister.

(2) Documents relating to the implementation of measures referred to in the preceding paragraph and marked confidential may be only inspected by the officials of the Direction and Supervision Unit in the presence of the responsible person who has determined the level of confidentiality of a particular document or by a person authorised by that responsible person.

(3) Notwithstanding the provisions of this Article, the officials of the Direction and Supervision Unit may not inspect the documents disclosing the identity of undercover operatives and individuals who voluntarily and secretly provide the police with operational information about criminal offences, their perpetrators and other activities aimed at committing criminal offences, the perpetrators of which are prosecuted *ex officio*.

Article 12  
(Notifying the Minister)

The Director General of the Police or a person duly authorized by him shall immediately notify the Minister of the events that are relevant to the national security or the security of protected persons and facilities, events during which several people lost their lives or resulted in a major damage to property, events during which one or more people lost their lives due to the performance of duties by the police, and other events falling within the scope of work of the police that have or are likely to have a wider response from the public.

Article 13  
(Reporting by the police)

The Minister may require reports, data and other documents relating to work carried out by the police. The Director General of the Police shall regularly and upon his request report to the Minister on the work of the police and any important issues falling within the scope of police work.

III. ORGANIZATION AND MANAGEMENT OF THE POLICE

Article 14  
(Carrying out police tasks)

(1) The tasks of the police shall be carried out by the uniformed and criminal police and by specialized police units organised within the General Police Directorate, police directorates and police stations.

(2) The tasks of the police relating to the management and decision-making within misdemeanour proceedings shall be stipulated by the law governing misdemeanours and carried out by police stations and those internal police organisational units of the General Police Directorate and police directorates that employ authorised officers who conduct and make decisions in summary procedures before the misdemeanour authority.

(3) The internal organisation of the police shall be laid down by an act on the organisation and classification of posts in the police (hereinafter: organisation and classification of posts act).

(4) When, in carrying out police tasks, a police unit establishes facts and circumstances that fall within the competence of another body, it shall accordingly notify the competent body in writing.

Article 15  
(Development Programmes and reporting)

(1) Upon the proposal of the Government of the Republic of Slovenia (hereinafter: the Government), the National Assembly of the Republic of Slovenia shall adopt a resolution on the long-term development programme of the police defining long-term development objectives and priorities of the development of the police.

(2) The police shall communicate an annual report on the work of the police for the previous year to the Minister no later than by 31 March, and the Minister shall communicate this report to the Government for their information. The Government shall communicate the annual report on the work of the police to the National Assembly of the Republic of Slovenia by 1 June at the latest.

Article 16  
(Organisation of the police)

(1) The police is composed of the General Police Directorate, police directorates and local police stations.

(2) The police have their headquarters in Ljubljana.

Article 17  
(Managing the police)

(1) The police shall be managed by a Director General of the Police who also manages the work of the General Police Directorate.

(2) In order to ensure a uniform application of regulations, procedures and the method of implementing individual tasks or professional jobs in connection with the work of the police, the Director General of the Police shall issue instructions, rules and other internal acts.

(3) The Director General of the Police may authorize the director of a police directorate to perform certain human resource management tasks within the relevant police directorate.

(4) Mutual relations, relationships and the method of work of police units shall be determined by the Director General of the Police.

Article 18  
(Tasks of the General Police Directorate)

(1) The tasks of the General Police Directorate shall be as follows:

1. to monitor, analyse and evaluate the national security situation, prepare strategic plans on the organisation and work of the police, assess the situation regarding the implementation of police tasks, provide professional and technical assistance to police units, supervise the work of police units, ensure continual improvements of the system organisation and work methods, introduce new work methods and provide for the quality of police services, ensure a lawful implementation of regulations covering the area of police work and implement measures to ensure the effective operation of the police;
2. to direct and coordinate the work of police directorates in the areas of combating crime, ensuring traffic safety, state border control and countervailing measures, tasks laid down in the regulations on aliens, public order and peace when coordinated action is required in a larger area or when tasks surpass human, professional, material and organisational resources of police directorates, and adopts decisions at the first instance in matters concerning control of the state border and aliens;

3. to perform certain tasks in the areas of combating crime, traffic safety, state border control and countervailing measures and prevention, and tasks laid down in the regulations on aliens and public order and peace;
4. to manage and perform certain tasks of protecting persons, facilities, premises, districts, workplaces and classified information, and carry out tasks in the area securing and protecting strategic infrastructure;
5. to perform forensic and laboratory research and carry out forensic investigations, as well as to submit reports on a particular investigation and expert findings and opinions;
6. to ensure the implementation of international agreements in the area of police tasks;
7. to cooperate with police forces of other countries, international and other organisations, as well as with bureaus, agencies, institutions and working bodies of the European Union in the area of police work, and to perform tasks, in cooperation with the aforementioned entities, pursuant to the international commitments assumed in the area of police work;
8. to perform police tasks in the event of natural and other disasters and crises, and in wartime and states of emergency;
9. to collect, process, communicate and store data in respect of police work, and to plan, manage and develop the police information and telecommunication system;
10. to cooperate in the preparation of the personnel plan of the police and to propose modifications and amendments thereto;
11. to ensure that the competent state bodies and the public are kept informed of police work, and of the relevant security matters and security situation;
12. to organise education, training and advanced training courses and research activities pursuant to this Act, and to cooperate in planning and organising other forms of education, training and advanced training programmes;
13. to cooperate in the preparation, planning and modification of financial plans, plans for the acquisition and disposition of tangible property, purchasing plans and plans for investments and investment and regular maintenance of the real property of the police;
14. to cooperate in the preparation of the classification, standardisation and typification of material and technical means and equipment of the police, including business and other premises and their equipment;
15. to carry out, direct and plan internal security procedures and to perform other measures necessary for the internal security of the police;
16. to perform accredited and non-accredited controls of measuring instruments and provide professional explanations in this area, and to perform tasks that are necessary to ensure technical performance of indicator meters;
17. to perform other tasks in the area of police work defined by the law or other regulations adopted under this Act.

(2) The tasks of the General Police Directorate shall be carried out by internal organisational units. The heads of internal organisation units shall be accountable to the Director General of the Police for their performance, the situation in the unit and the performance of the internal organisational unit.

(3) If the General Police Directorate establishes that a police directorate has not carried out their tasks or carried them out in an unprofessional manner and/or not in time, they shall accordingly notify the director of the police directorate in question and

instruct him to ensure the implementation of their tasks and/or to remedy the established irregularities by a given deadline.

(4) If the director of the relevant police directorate fails to act in accordance with the warning of the General Police Directorate, the latter may directly carry out a particular task otherwise falling within the competence of the police directorate in question.

(5) The General Police Directorate shall directly carry out a particular task falling within the competence of a police directorate where, due to an unprofessional or late implementation of a task, consequences detrimental to the life or health of people, to nature and/or living environment or property of substantial value could develop. Property of substantial value shall mean an amount exceeding EUR 50 000.

#### Article 19 (National Forensic Laboratory)

(1) The National Forensic Laboratory shall be a specialised internal organisational unit of the General Police Directorate ensuring a professional and independent provision of reports on investigations, and expert findings and opinions in the area of forensic sciences.

(2) The National Forensic Laboratory shall perform forensic and laboratory research and carry out forensic investigations, and submit reports on a particular investigation and expert findings and opinions for the needs of the police, the State Prosecutor's Office, courts and other state authorities.

(3) The National Forensic Laboratory shall carry out its tasks autonomously and in accordance with professional standards and guidelines.

(4) Forensic experts employed by the laboratory shall be fully independent in preparing expert findings and opinions.

#### Article 20 (National Europol unit)

The General Police Directorate shall incorporate an organisational unit performing tasks of the national unit of the European Police Office (Europol). In so doing, it shall cooperate with the authorities of the Republic of Slovenia responsible for customs duties and the prevention of money laundering.

#### Article 21 (National Bureau of Investigation)

(1) The National Bureau of Investigation shall be a specialised investigating unit established for special cases of the detection and investigation of complex criminal

offences, particularly in the area of white-collar crime, corruption and organised crime, which requires specific qualifications, organisation and equipment of criminal police investigators or specifically targeted activities carried out by state authorities and institutions in the areas of taxes, customs duties, financial operations, securities, the protection of competition, the prevention of money laundering, the prevention of corruption, illicit drugs and inspection supervision.

(2) The National Bureau of Investigation shall be organised within the internal organisational unit of the General Police Directorate responsible for combating crime. In performing their tasks, they shall be fully autonomous.

(3) The National Bureau of Investigation shall be headed by a director (hereinafter: Director of the National Bureau of Investigation).

#### Article 22

(Taking over an investigation)

(1) An internal act adopted by the Director General of the Police upon the proposal of the Director of the National Bureau of Investigation shall determine investigations of suspicions of criminal offences to be taken over by the National Bureau of Investigation.

(2) Notwithstanding the preceding paragraph, the National Bureau of Investigation may institute or take over an investigation of the suspicion of a particular criminal offence in cases when it receives a written initiative to take over the investigation by the head of the Specialised State Prosecutor's Office of the Republic of Slovenia, the head of a district state prosecutor's office or the heads of any state authorities or institutions in the areas of taxes, customs duties, financial operations, securities, the protection of competition, the prevention of money laundering, the prevention of corruption, illicit drugs and inspection supervision. In the event of their refusal to take over the investigation, the police shall accordingly notify the initiator thereof.

#### Article 23

(Police directorate)

(1) A police directorate shall be an organisational unit of the police established in a designated area of the country.

(2) Police directorates, their area and head office shall be defined by the Government upon a proposal of the Minister.

#### Article 24

(Director of police directorate)

(1) A police directorate shall be headed by a director (hereinafter: Director of a police directorate).

(3) The Director of a police directorate shall be accountable for his work and the work of the relevant police directorate to the Director General of the Police.

Article 25  
(Tasks of a police directorate)

(1) The tasks of a police directorate shall be as follows:

1. to coordinate and direct the work of local police stations, provide them with expert interpretations, carry out supervision of their work and ensure technical assistance for them;
2. to detect and investigate particular criminal offences, detect and apprehend perpetrators of such criminal offences and hand them over to competent authorities;
3. to ensure the performance of public order tasks, when coordinated action in the territory of a particular directorate is required or in cases of severe public order violations;
4. to ensure the performance of certain traffic safety tasks, when coordinated action in the broader territory of a particular directorate is required;
5. to perform specific tasks to protect particular persons, premises and facilities;
6. to carry out state border control and countervailing measures;
7. to perform procedures relating to aliens;
8. to perform specific tasks in the areas of traffic safety, public order and preventive measures;
9. to cooperate with security authorities in the border areas of the neighbouring countries;
10. to issue decisions at the first instance on matters concerning the movement of persons across the state border and permissions to stay granted to aliens;
11. to perform specific police tasks in the event of natural and other disasters and crisis, and in a state of emergency and war;
12. to perform specific tasks to maintain the information and telecommunication system of the police;
13. to perform specific tasks in the field of human resource management, including particular tasks of professional education, training and advanced training;
14. to perform specific tasks in the areas of financial and material matters, regular and, in cases of intervention, investment maintenance of facilities and material and technical means;
15. to carry out, direct, plan and cooperate in internal security procedures and to implement other measures necessary for the internal security of the police directorate units;
16. to take measures to upgrade the system and methods of work, introduce new work methods and innovative solutions in performing police tasks, and to communicate the selected solutions to the General Police Directorate;
17. to perform other tasks in the area of police work defined by the law or other regulations adopted under the law.

(2) A police directorate may also perform tasks to ensure technical performance of indicator meters.

(3) The tasks of a police directorate shall be performed by internal organisational units.

(4) Local police stations shall be internal organisational units of a police directorate established in order to perform tasks within a particular area of police work.

(5) An act on the organisation and classification may also stipulate that a particular police directorate also perform the tasks of a local police station.

(6) The heads of internal organisation units of a police directorate shall be accountable to the Director General of the Police for their performance, the situation in and the performance of the unit.

(7) If a police directorate establishes that a local police station falling within the area of this directorate does not carry out its tasks and/or carries them out incorrectly or not in due time, they shall accordingly notify the police station commander thereof and instruct him to ensure the implementation of its tasks and/or to remedy the established irregularities by a given deadline.

(8) A police directorate may take over the performance of a particular task or a series of tasks falling within the competence of a local police station when it deems such action necessary.

#### Article 26

##### (Performing tasks for other police directorates)

An act on the organisation and classification may stipulate that a particular police directorate or its internal organisational unit also perform tasks for any other police directorate.

#### Article 27

##### (Local police station)

(1) A local police station shall be an organisational unit of the police that has been established in order to directly carry out police tasks within a designated area of a police directorate.

(2) Local police stations, their area and head offices shall be determined by the Minister upon a proposal of the Director General of the Police.

(3) The areas covered by police stations shall be coordinated with municipality boundaries so that one police station carries out police tasks in the entire area of one or several municipalities, or so that in the area of one municipality, police tasks are carried out by several police stations.

(4) A local police station shall carry out its tasks in accordance with the annual operation plan adopted by the commander of the local police station. The annual operation plan shall be drafted pursuant to the objectives of the General Police Directorate and a police directorate, in the area of which a local police station operates.

(5) Before it prepares an annual plan, the local police station shall invite the municipalities, in the area of which it carries out its tasks, to submit proposals of priority tasks in ensuring security. The local police station shall examine these proposals and following their assessment, include them into the annual plan.

(6) The commander of a local police station shall, if necessary, keep the municipal council informed of the security situation in the area of the municipality in question. The commander of a local police station may not report on specific cases involving pre-trial criminal or minor offence proceedings still pending.

#### Article 28 (Commander of a local police station)

(1) A local police station shall be headed by a commander.

(2) The commander of a local police station shall be accountable for his performance, the situation in and the performance of the police station to the director of the relevant police directorate.

#### Article 29 (Special police unit)

(1) The Director General of the Police may establish a special police unit for the occasional performance of certain tasks, define its organisation, mode of operation, mode of the selection of its members, and tasks and deployment of the special police unit, as well as its material and technical equipment.

(2) The rights and obligations of the members of the special police unit while performing high-risk tasks shall also apply to other police officers (not members of the special police unit) while performing high-risk tasks together with the special police unit.

#### Article 30 (Equipment)

(1) For the purpose of performing tasks defined by the law, the police shall use vehicles, vessels, weapons and special equipment.

(1) The colour of and the markings on police vehicles and vessels, as well as special equipment and weapons shall be determined by the Government.

Article 31  
(Integrity and internal security within the police)

(1) The police shall ensure internal security by applying internal security procedures so as to prevent, detect, evaluate and analyse potential risks threatening the internal security of the police, and implement measures to reduce the risks of degrading the integrity of police employees and police units.

(2) The police shall make provisions to ensure the organisational and personal integrity of employees. The police shall have their own code of ethics.

(3) The internal security within the police is a condition facilitating a lawful, professional and smooth performance of police tasks, and ensuring the security of police employees and safe use of technical means and equipment, facilities, premises and the environs.

(4) The types and methods of implementing the procedures and measures referred in the first paragraph of this Article shall be prescribed by the Minister upon a proposal of the Director General of the Police.

Article 32  
(Buildings and the environs of buildings of special importance)

(1) Upon a proposal of the Director General of the Police, the Minister shall determine buildings, their environs and the infrastructure that are used by the police and are of special importance for the performance of police tasks, and prescribe measures for their protection.

(2) The environs referred to in the preceding paragraph shall be a functional piece of land, either enclosed or not, on which a police building of special importance for the performance of police tasks is located and is required for the use of such building.

(3) The buildings of police stations shall be marked with a blue board bearing a colour coat-of-arms of the Republic of Slovenia and a white inscription POLICIJA (POLICE).

IV. COOPERATION OF PRIVATE PERSONS IN PERFORMING POLICE TASKS  
AND THEIR RIGHTS

Article 33  
(Assistance by private persons)

(1) Any person who voluntarily and with the consent of a police officer assists him in performing police tasks laid down by the law and in so doing, suffers an injury or loses the ability to work, shall be entitled to all rights and benefits arising from the health,

pension and disability insurance, to which a police officer is entitled in the event of a work-related injury.

(2) The basis for the assessment of rights referred to in the preceding paragraph shall be the basic salary of a police officer falling within the lowest salary grade or the salary of the person, whichever is more favourable to the last mentioned.

(3) If the person loses his life in assisting the police, his family members shall be entitled to a survivor's pension pursuant to the law governing the pension and disability insurance.

(4) Immediate family members (spouse, cohabitant, partner from the registered same-sex partnership, children and adopted children) of the person referred to in the preceding paragraph shall together also be entitled to one-time financial assistance in the amount of the last six monthly salaries of the aforementioned person or six basic salaries of a police officer falling within the lowest salary grade, whichever is more favourable to the above family members.

(5) Any person who has assisted the police shall have the right to be compensated for the damage incurred by the assistance provided.

(6) In the event of a risk to the person who has assisted or is assisting the police, and to his relatives and those close to the person, the police may implement the measures laid down in Article 66 of this Act. The implementation of these measures shall require the written consent of the person at risk.

(7) For the purpose of this Act, relatives and those close to the person shall be immediate family members and other persons who maintain an intimate relationship with the person and can demonstrate this circumstance beyond a reasonable doubt.

(8) If in relation to the assistance provided pre-trial criminal proceedings, criminal or civil proceedings are instituted against the person who has provided assistance to the police, the latter shall ensure that the relevant person is provided with free legal assistance according to the rule under Article 64 of this Act.

## V. COOPERATION OF THE POLICE WITH SELF-GOVERNING LOCAL COMMUNITIES AND CIVIL SOCIETY, AND INTER-INSTITUTIONAL COOPERATION

### Article 34 (Informing the public)

(1) The police shall inform the public about matters falling within their scope of work, unless doing so would be detrimental to the performance of police tasks or legitimate interests of other people.

(2) The police may invite the public to communicate useful data in relation to the performance of police tasks and in so doing, offer a reward.

(3) The data on and information about the performance of tasks under the first paragraph of this Article shall be provided by the Minister, the Director General of the Police, director of a police directorate, commander of a local police station and other employees of the Ministry and/or the police who are duly empowered to do so by the aforementioned authorities.

(4) Police directorate directors and local police station commanders may only inform the public about security issues in the area of the police unit they are in charge of.

#### Article 35

(Partnership cooperation to ensure greater security)

(1) Police directorates and local police stations shall, within their sphere of competence, cooperate with bodies of self-governing local communities in the fields relating to the improvement of security in self-governing local communities.

(2) Police directorates and local police stations shall also cooperate with other bodies, organisations, institutions, civil society and private persons whose activities aim at ensuring greater security and/or promoting security self-organization of the population, and offer them assistance within their sphere of competence and possibilities.

(3) Police directorates and local police stations, and the bodies, organizations and institutions referred to in the first and second paragraphs of this Article shall, by common consent, establish councils, advisory committees, commissions or any other forms of partnership cooperation mutually agreed upon to ensure greater security. The act on establishment shall lay down the field, area and method of their operation.

#### Article 36

(Other forms of cooperation)

(1) For the purpose of ensuring greater security, the police shall cooperate with public authorities, self-governing local communities, legal entities, sole proprietors, foreign security authorities, self-employed persons and other bodies and organisations.

(2) The police may enter into cooperation agreements in order to achieve the objectives referred to in the preceding paragraph.

#### Article 37

(Cooperation with veterinary and other professional associations)

(1) The police shall cooperate with the veterinary and other professional associations whose activity is, among other things, relevant to the training and advanced training of police officers and to the promotion of the profession of a police officer.

(2) The modalities of such cooperation that does not involve the financing of a particular association shall be defined by an agreement.

## VI. INTERNATIONAL COOPERATION AND PARTICIPATION IN INTERNATIONAL CIVIL MISSIONS

### Article 38 (Cooperation with competent security authorities)

The police shall cooperate with competent foreign security authorities and other international organisations pursuing police tasks on the basis of the international obligations assumed by and binding upon the Republic of Slovenia.

### Article 39 (Secondment)

The police shall second police employees to international civil missions and international organisations pursuant to the provisions of the Act on the Secondment of Persons to International Civil Missions and International Organisations. The secondment of police employees to other organisations shall take place on the basis of a decision adopted by the Minister.

## VII. (UNIFORM, RANK INSIGNIA AND SYMBOLS)

### Article 40 (Police uniform, rank insignia and symbols)

(1) Police officers who perform their tasks while wearing a uniform shall have the right and obligation to wear a uniform pursuant to the regulation issued by the Minister.

(2) Retired police officers and non-uniformed police officers may wear a ceremonial uniform at state events, meetings of professional, expert and veteran associations, and at the funerals of serving and retired police officers pursuant to the regulation issued by the Minister.

(3) Other police employees may, owing to the nature of their work, wear a uniform pursuant to the regulation issued by the Minister. The posts of other police employees who wear a uniform while performing their tasks shall be defined by an act on organisation and classification.

(4) The use of a uniform in film, television and theatrical performances, as well as at other public appearances and for advertising and other commercial purposes shall be subject to permission issued by the Director General of the Police.

(5) The police uniform, rank insignia and symbols shall be prescribed by the Government.

(6) The manner of maintaining the uniform and the use of personal clothing for official purposes shall be prescribed by the Minister. The procedure of replacing particular parts of a uniform in the event of damage to the uniform shall be laid down by the Minister.

#### Article 41

(Prohibition relating to reproduction and use of uniforms, markings and symbols)

(1) It shall be forbidden to manufacture or use uniforms and markings that are, according to their colour, shape, rank insignia, symbols and other markings, identical with or similar to uniforms, rank insignia, symbols and other markings typical of a police uniform, and to reproduce and use for transport purposes vehicles, which, according to their visual appearance, are identical with or similar to the vehicles and other means of transport of the police.

(2) Objects manufactured or used in contravention of the preceding paragraph shall be seized by a police officer at the scene of the minor offence.

### VIII. STATUS OF POLICE OFFICERS AND SPECIAL ARRANGEMENTS CONCERNING EMPLOYMENT RELATIONSHIPS AND ARRANGEMENTS CONCERNING HEALTH, PENSION AND DISABILITY INSURANCE

#### 1. STATUS OF POLICE OFFICERS

##### Article 42

(Police employee)

Police employees shall be police officers and other staff employed by the police.

##### Article 43

(Police officer)

(1) Police officers shall be uniformed and non-uniformed police employees who perform police tasks and have the right and obligation to exercise police powers.

(2) The post of a police officer shall require secondary education at a minimum.

(3) The profession of a police officer shall be defined by an occupational standard as the basis for the preparation of education programmes.

(4) Police officers shall have a service ID card demonstrating their authority to exercise police powers.

(5) The service ID card shall be issued by the Director General of the Police.

(6) The form of the service ID card and the procedure for its issuing and return shall be prescribed by the Minister.

## 2. REQUIREMENTS FOR ENTERING INTO EMPLOYMENT RELATIONSHIP, AND APPOINTMENT AND DISMISSAL PROCEDURE

### Article 44

(Requirements for entering into an employment relationship)

(1) An employment relationship for carrying out tasks within the police may be entered into by any person who, in addition to the requirements stipulated by the law governing the system of public employees, meets the following requirements:

1. has appropriate physical and mental fitness;
2. has not been convicted of a premeditated criminal offence, for which a perpetrator is prosecuted *ex officio*, and/or has not been finally convicted of any other criminal offence subject to unconditional imprisonment exceeding 3 months;
3. is not under indictment for a premeditated criminal offence, for which a perpetrator is prosecuted *ex officio*;
4. is a citizen of the Republic of Slovenia with permanent residence in the European Union;
5. has undergone a security clearance within the scope and in a manner defined by this Act, and there are no security reservation in relation to him;
6. does not have dual citizenship, and
7. is not a member of any political party and has made a written statement to this effect.

(2) The requirements referred to in points 1, 6 and 7 of the preceding paragraph shall only apply to the conclusion of an employment contract relating to a police officer.

(3) Physical and mental fitness under point 1 of the first paragraph of this Article shall be defined in an act on the organisation and classification.

(4) Any candidate for the post of a police officer shall have at least secondary professional or secondary general education.

(5) The police are not obliged to communicate the reasons for their decision to a person with whom no employment contract for the post of a police officer has been concluded.

### Article 45

(Entering into an employment relationship)

(1) Police officers shall enter into an employment relationship pursuant to the law governing the system of public employees, unless otherwise provided by this Act.

(2) Police officer candidates shall enter into an employment relationship pursuant to a public notice.

(3) The law governing the system of public employees shall not apply to the entering into a police officer employment relationship for the posts that require specific knowledge and skills, and no public notice shall be required. The posts shall be defined by an act on the organisation and classification.

#### Article 46 (Revocation of selection)

The police may revoke their selection of a person to enter into an employment relationship if, by the time of entering into an employment relationship, facts demonstrating that the person in question does not meet the requirements under Article 44 of this Act have been established. The revocation shall require no statement of reasons.

#### Article 47 (Appointment and dismissal of the Director General of the Police)

(1) The Director General of the Police shall be appointed and dismissed by the Government upon a proposal of the Minister. The procedure shall be subject to the provisions of the law governing the system of public employees.

(4) The Director General of the Police shall be accountable for his performance and the performance of the police to the Minister.

(3) In addition to the requirements laid down by the law regulating the system of public employees, the candidate for the post of the Director General of the Police shall meet the following requirements:

1. the requirements for entering into an employment relationship of a police officer laid down by this Act;
2. at least 15 years of work experience within the police;
3. at least eight years of work experience in senior management posts in the public sector.

#### Article 48 (Deputy Director General of the Police)

(1) The Director General of the Police may have two deputies who shall assist him in managing the police within the authorizations laid down by the Director General of the Police by way of a written authorization.

(2) In the event of his absence or if he is otherwise precluded from attending to his duties, the Director General of the Police may authorize a deputy to represent him.

(3) In addition to the requirements laid down by the law regulating the system of public employees, the candidate for the post of the Deputy Director General of the Police shall meet the following requirements:

1. the requirements for entering into an employment relationship of a police officer laid down by this Act;
2. at least 12 years' work experience within the police;
3. at least five years' work experience in senior management posts in the public sector.

#### Article 49

(Appointment and dismissal of Director of the National Bureau of Investigation)

The Director of the National Bureau of Investigation shall be appointed and dismissed by the Director General of the Police. The procedure shall be subject to the provisions of the law governing the system of public employees, and the appointment and dismissal of the director of a body within a ministry.

### 3. SPECIAL ARRANGEMENTS CONCERNING EMPLOYMENT RELATIONSHIPS AND ARRANGEMENTS CONCERNING HEALTH, PENSION AND DISABILITY INSURANCE

#### Article 50

(Employment relationships and salaries)

Police employees shall be subject to regulations governing employment relationships and salaries of public employees, regulations governing health, pension and disability insurance, and to collective agreements applying to police employees, unless otherwise provided by this Act.

#### Article 51

(Security clearance)

(1) The police shall carry out a security clearance of a person prior to his entering into an employment relationship for performing tasks within the police and prior to the conclusion of a contract on a voluntary service within the auxiliary police force, while any police employee shall be subject to a security clearance prior to his transfer or secondment to specific posts within the police and prior to the secondment to international civil missions and international organisations.

(2) The police shall also carry out security clearances in respect of persons who are to take part in education, training and advanced training according to the police programmes.

(3) A security clearance shall be an enquiry carried out by the police for the purpose of collecting information about potential security reservations referred to in Article 52 of this Act.

(4) The security clearance of a person shall be carried out with his consent. A person who does not consent to a security clearance shall be considered not to have met the requirements for entering into an employment relationship for performing tasks within the police, for transfer or secondment to an international civil mission or international organisation or to a specific post, and/or for concluding a contract on voluntary service within the auxiliary police force or for taking part in the education, training and advanced training according to the police programmes.

(5) In carrying out security clearances, the police shall directly obtain information from the person, to whom this information relates, or from other persons, bodies and organisations, and from existing databases. If the police, while carrying out the security clearance, collects personal and other information about a person undergoing a security clearance from the existing databases, any body, organisation and other entity managing databases pursuant to the relevant law shall be obliged to communicate the required personal and other information to the police free of charge and on the basis of a request in a written form or a form having the same validity.

(6) Specific posts under the first paragraph of this Article shall be posts referred to in the third paragraph of Article 45 of this Act and other posts exposed to additional risks and defined in an act on organisation and classification.

#### Article 52 (Security reservations)

(1) Security reservations shall imply:

1. indication of false data in a questionnaire or during a security clearance interview by the person undergoing a security clearance;
2. final judgment for a premeditated criminal offence with elements of violence, for which a perpetrator is prosecuted *ex officio*;
3. final decision on a minor offence against public order and peace with elements of violence and minor offences in the field of the production of and trade in illicit drugs and weapons;
4. final disciplinary measure for a serious disciplinary offence in processing and/or dealing with classified information, personal data and protected police data;
5. addiction to alcohol and illicit drugs or other forms of addiction;
6. illness or mental disorder that could threaten the safe performance of police tasks;
7. membership of or participation in organisations or groups threatening vital interests of the Republic of Slovenia or member states of political, defence or security alliances, of which the Republic of Slovenia is a member;
8. establishing contacts with or attempting to recruit organisations and groups attempting to subvert the legal order of the Republic of Slovenia;
9. reasonable doubt as to the reliability or credibility of a person regarding his entry into an employment relationship to perform police tasks, and regarding his transfer or secondment to an international civil mission or international organisation or to a

specific post, and/or regarding the conclusion of a contract on a voluntary service within the auxiliary police force.

(2) Where a suspicion of addiction to alcohol and illicit drugs or any other form of addiction under point 5 of the preceding paragraph, and/or a suspicion of an illness or mental disorders under point 6 of the preceding paragraph have been established during a security clearance, the police shall examine this suspicion so as to refer the person undergoing a security clearance for medical examination to a health institution determined by the police. The examination shall be carried out on the basis of a decision on referral. If the person undergoing a security clearance fails to attend the medical examination within the time limit set by the health institution for unjustified reasons, he shall be considered not to have met the requirements for entering into an employment relationship for performing tasks within the police, for transfer or secondment to an international civil mission or international organisation or to a specific post, and/or for concluding a contract on voluntary service within the auxiliary police force.

(3) Reasonable doubt as to the reliability or credibility of a person under point 9 of the first paragraph of this Article shall exist when the facts deduced from minor offence or criminal procedures or living conditions allow a reasonable conclusion that the person in question will perform his tasks within the police and/or in an international civil mission or international organisation in an unlawful and unprofessional manner. The assessment shall take into account the circumstances and the severity of individual acts or offences, the type and length of the sanction imposed, the period of time elapsed since the acts or offences have been committed, the impact on the safety of people and property, the age of the person while committing or infringing, and the connection between the act and tasks that the person in question has performed or was supposed to perform within the police and/or in an international civil mission or international organisation.

#### Article 53

##### (Contents of security clearance of persons)

(2) Data that may be obtained during the security clearance procedure shall be as follows:

1. name and surname, including the previous ones;
2. tax identification number;
3. identification mark of the person kept in police records;
4. data from police records referred to in points, 1, 2, 3, 4, 5, 6, 10, 11 and 12 of the second paragraph of Article 123 of the Police Tasks and Powers Act;
5. date and place of birth;
6. citizenships and/or citizenships, including the previous ones;
7. residence address (permanent and temporary);
8. stays abroad, including official secondments to perform work abroad (place, period of time and reason);
9. marital status or non-marital union equal to it, and number of children;
10. profession and work currently or previously performed;
11. weapon skill;
12. current and previous employers and their addresses;

13. final judgments for criminal offences, for which a perpetrator is prosecuted *ex officio*, judgments and decisions on minor offences;
14. criminal procedures for criminal offences, for which perpetrators are prosecuted *ex officio*, and minor offence procedures;
15. addiction to alcohol and illicit drugs, or other forms of addiction;
16. illness or mental disorders that could threaten safe performance of police tasks;
17. contacts with foreign security authorities and/or intelligence or counterintelligence services;
18. membership of or participation in organisations or groups threatening vital interests of the Republic of Slovenia or member states of political, defence or security alliances of which the Republic of Slovenia is a member;
19. disciplinary sanctions;
20. previous security clearance procedures under this Act;
21. service in foreign armed forces or other armed formations;
22. characteristics and circumstances pertaining to the life of the person undergoing a security clearance, particularly financial circumstances due to which he could be exposed to blackmail or other forms of pressure.

(2) During a security clearance, only those data under the preceding paragraph may be collected that are relevant to the decision on security reservation.

(3) Sole proprietors, self-employed persons, legal entities and public authorities from whom the police collect data referred to in the first paragraph of this Article shall communicate the relevant data to the police free of charge and no later than within 15 days of the receipt of the request.

(4) The entities referred to in the preceding paragraph shall process data pursuant to the law governing personal data protection or pursuant to other rules regulating data confidentiality or secrecy, while not being under an obligation to inform the person undergoing a security clearance or to confirm to that person that the data were communicated to the police. The person undergoing a security clearance may accordingly be informed five years following the security clearance procedure or two years following the termination of his employment.

(5) The Slovene Intelligence and Security Agency and the Intelligence and Security Service of the Ministry of Defence shall not be obliged to communicate the data under points 17 and 18 of the first paragraph of this Article to the police, when such communication could threaten the sources of establishing and/or examining the data communicated.

#### Article 54 (Fixed-term employment contract)

(1) For the purpose of performing tasks relating to the protection of the external border of the European Union and buildings protected by the police pursuant to the relevant regulations, a person who meets the requirements referred to in Article 44 of this Act may sign a fixed-term employment contract for a maximum period of five years that may be extended once for another period of up to five years.

(2) The conclusion of a fixed-term employment contract with the person referred to in the preceding paragraph shall not require a public notice or an open competition.

(3) Notwithstanding the provisions of the law governing pension and disability insurance, a police officer who has concluded a fixed-term employment contract under the first paragraph of this Article shall, after six months of the date of the termination of his employment contract, have the right to request that funds deposited on his account at the Compulsory Supplementary Pension Insurance Fund be paid to him as a lump sum. The police officer in question shall have this right provided that within six months following the termination of his employment contract he does not conclude a new contract on employment in a workplace requiring a compulsory inclusion in an occupation specific insurance scheme. A police officer who has exercised this right may no longer exercise the rights arising from occupation specific insurance and compulsory insurance rights acquired on the basis of the inclusion in the compulsory supplementary pension insurance scheme and laid down by the law governing the pension and disability insurance.

#### Article 55

(Public notice for police officer candidates)

Upon a proposal of the Director General of the Police, the Ministry shall by way of a public notice publish vacant posts for police officer candidates pursuant to the needs and personnel plan.

#### Article 56

(Criminal conviction by a final judgment)

(1) If a police employee has, under a final judgment, been sentenced to unconditional imprisonment for a premeditated criminal offence for a period of more than three months, his employment contract shall be terminated, while his employment relationship shall be terminated by way of a decision issued by his senior officer no later than on the 15<sup>th</sup> day following the serving of a final judgment on the police.

(2) In the cases referred to in the preceding paragraph, the court shall send the final judgment to the police.

#### Article 57

(Training in professional and psychophysical competence)

(1) Police officers shall be professionally and psychophysically competent in order to be able to perform police tasks and the police shall provide appropriate training conditions. If during a current year a police officer fails to successfully pass individual training tests as laid down in respect of training programmes by Article 97 of this Act, he shall take a test in professional and psychophysical competence before a commission appointed by the Director General of the Police.

(2) A police officer may again take the test referred to in the preceding paragraph for two consecutive times at the most.

(3) The method of testing and assessing performance during the training courses referred to in the first paragraph of this Article shall be laid down under the training programmes referred to in Article 97 of this Act, while the contents and the course of testing professional and psychophysical competence and the method of grading before the commission shall be determined by the Minister upon a proposal by the Director General of the Police.

#### Article 58

##### (Examination in the exercise of police powers)

(1) Any person who has entered into a police officer employment relationship shall, within one year following the conclusion of an employment contract, take an examination in the exercise of police powers.

(2) The contents and the method of taking the examination referred to in the first paragraph of this Article shall be prescribed by the Minister upon a proposal of the Director General of the Police.

(3) The employment relationship of a person who has failed to pass the examination in the exercise of police powers within the period referred to in the first paragraph of this Article shall be terminated.

(4) Any person who has successfully completed a police officer's or a criminal police officer's training programme shall not be required to take the aforementioned examination.

#### Article 59

##### (Oath)

(1) After having passed the examination referred to in Article 58 of this Act, a police officer shall take an oath before the Director General of the Police.

(2) The oath shall read as follows: 'I solemnly swear that I will perform police tasks in a conscientious, responsible, humane and legal manner, and will respect human rights and fundamental freedoms.'

(3) The oath referred to in the preceding paragraph shall also be taken by auxiliary police officers.

#### Article 60

##### (Grading job performance within the National Bureau of Investigation)

(1) Notwithstanding the law governing the system of public employees, the Assistant Director of the National Bureau of Investigation and head of investigations, whose job performance has been graded 'less than very good', and/or an investigator whose job performance has been graded 'less than good' can be transferred to another adequate post, the requirements of which are met by the aforementioned persons.

(2) The grading and transfer shall be carried out pursuant to the law governing the system of public employees.

#### Article 61 (Withdrawal of police powers)

(1) The Director General of the Police may issue a decision on the withdrawal of a police officer's right to exercise police powers

- if the latter exercises police powers in contravention to the rules;
- if the latter fails to act in accordance with the law that defines the tasks and powers of the police and stipulates that police officers shall also prevent unlawful acts and perform police tasks outside the official working hours, where the life, health, personal safety or property could directly be threatened due to an illegal act or public danger;
- if the latter fails to pass the test referred to in Article 57 of this Act for the third time;
- if it has been established that the latter has a dual citizenship;
- if the latter no longer meets the conditions to access classified information of the required level; or
- if the latter carries out any activity referred to in Article 75 of this Act.

(2) The Director General of the Police shall issue a decision to withdraw a police officer's right to exercise police powers on the basis of the assessment of a medical committee indicating that he is not capable of performing his work or if he discovers that the police officer in question is holding membership in a political party.

(3) An appeal against the decision referred to in the first and second paragraphs of this Article shall be allowed. The appeal shall be decided on by the Minister.

(4) The Director General of the Police shall transfer the police officer referred to in the first and second paragraphs of this Article to another post that corresponds to his professional qualifications. If the police officer declines the post that has been offered to him and that corresponds to his professional qualifications, or if such a post cannot be provided within the police or any other state authority, his employment relationship shall be terminated following the expiry of the notice period.

(5) The service ID card, weapons and uniform of the police officer referred to in the first and second paragraphs of this Article shall be confiscated and he shall be prevented from accessing official records.

#### Article 62

(Temporary withdrawal of police powers)

(1) The Director General of the Police may by virtue of an assessment of the police medical committee issue a decision on a temporary withdrawal of the right to perform police tasks of a police officer who is not capable of performing police tasks due to mental health problems. The period of the applicability of this measure shall be 30 days and may, pursuant to the assessment of the medical committee, be prolonged until the conclusion of a medical treatment, each time for a maximum of 60 days.

(2) The police officer's immediate superior who takes the view that circumstances referred to in the preceding paragraph have occurred in respect of the police officer in question, shall within 24 hours or on the first following working day at the latest submit a proposal for the assessment of the police officer's ability to perform police tasks to the police medical committee and immediately confiscate the police officer's service weapon and ID card, and prevent him from accessing official records. The medical committee shall consider the proposal and within two days of the receipt of the proposal notify the Director General of the Police of the assessment of the police officer's ability to perform police tasks or inform the proposer that the requirements under the first paragraph of this Article have not been met.

(3) After the cessation of the reasons for a temporary measure under the first paragraph of this Article, the medical committee shall submit a proposal to the Director General of the Police to cancel this measure.

(4) An appeal against the decision referred to in the first paragraph of this Article shall be allowed within eight days. An appeal shall not stay the execution of the decision. An appeal shall be decided on by the Minister within eight working days.

Article 63

(Prohibition of work and temporary removal from service)

A police officer who is prohibited from working in an official capacity or temporarily removed from service shall be subject to the confiscation of the service ID card and service weapon, and prevented from accessing official records.

Article 64

(Legal aid)

(1) The police shall ensure free legal aid for a police officer, auxiliary police officer or former police officer against whom pre-trial criminal proceedings are pending, or against whom criminal or civil proceedings have been instituted for conducting police tasks that, in the opinion of the police, were carried out in accordance with regulations.

(2) The application for legal aid relating to the General Police Directorate employees, police directorate directors and former police officers shall be decided on by the Director General of the Police, whereas in respect of employees of a police

directorate and local police station, this decision shall be adopted by the director of a police directorate.

(3) The method of providing free legal aid shall be prescribed by the Minister upon a proposal of the Director General of the Police.

Article 65  
(Psychological assistance and support)

(1) The police shall ensure expert psychological assistance and support for police employees in the event of a severe psychological stress in performing police tasks and during other events having an impact on the performance of police tasks, and participation in programmes aiming at coping with psychological stress.

(2) The police may also ensure psychological assistance and support referred to in the preceding paragraph for the immediate family members of a police employee.

(3) The types and the method of ensuring expert psychological assistance and support and training of police employees in coping with psychological stress shall be prescribed by the Minister upon a proposal of the Director General of the Police.

Article 66  
(Protecting police employees at risk)

(1) In order to ensure safety of police employees and their close relatives, the police shall implement measures to obviate all types of risks at work or in connection with work, and measures to secure technical means and equipment of the police.

(2) The implementation of measures to ensure safety of police employees and their close relatives shall require the written consent of the person at risk.

(3) The types and methods of implementing measures referred in the first paragraph of this Article, the method of assessing risk levels and the conditions of disposing of technical means and devices shall be prescribed by the Minister upon a proposal of the Director General of the Police.

Article 67  
(Temporary transfer and secondment)

(1) For the purpose of the smooth performance of police tasks or police support activities, the Director General of the Police may temporarily transfer a police employee to another post or second him to work in a certain region or professional area, however for no longer than six months, with the option of a one-time extension of six months maximum.

(2) For the purpose of the smooth performance of police tasks or police support activities, the director of a police directorate may temporarily second a police employee from one to another local police station or internal organisational unit within the territory of a police directorate, however for no longer than six months, with the option of a single extension of a maximum of six months.

(3) The decision on a temporary transfer or secondment shall be served on the police employee at least seven days prior to the assumption of duties. The decision shall be final.

(4) The police employee who has been transferred or seconded pursuant to the first or second paragraphs of this Article shall have the right to reimbursement of costs of travel to and from work pursuant to the regulations governing reimbursement of work-related travel expenses of public employees, or to living away from home allowance and reimbursement of costs of moving if he moves to a different place.

(5) A police employee who has been transferred or seconded pursuant to the first or second paragraphs of this Article and has moved shall be provided with adequate accommodation by the police.

(6) The restrictions of the law governing the system of public employees shall not apply to a temporary transfer or secondment as regards the distance between the current and the previous workplace location.

(7) Immediately after the conclusion of a temporary transfer or secondment under the first and second paragraphs of this Article, a police employee may, subject to his consent, again be temporarily transferred or seconded.

#### Article 68 (Transfer to specific posts)

(1) For the purpose of the smooth performance of police tasks, the Director General of the Police may temporarily transfer a police officer to a post that requires specific knowledge and skills defined by the act on organisation and classification.

(2) The transfer referred to in the preceding paragraph may only be implemented subject to the consent of the police officer in question and may last no longer than three years, with the option of an extension by common agreement. The transfer may not exceed nine years in duration.

#### Article 69 (Temporary transfer to another state body)

(1) In order to protect certain persons and facilities, and to supervise the work of the police or examine complaints in respect of the work of the police, a police officer may be transferred to work with the Ministry or any other state body.

(2) The transfer referred to in the preceding paragraph may only be implemented subject to a written consent of the police officer in question and may last no longer than two years, with the option of a maximum two-year extension by common agreement.

(3) A police officer who has been transferred pursuant to the first paragraph of this Article shall, for his performance, be accountable to the head of the body of his transfer. During his temporary transfer, he shall have the rights and obligations arising from this Act within the scope defined by the agreement between the state body of the police officer's temporary transfer and the police.

(4) After the expiry of the temporary transfer period, the police officer shall have the right to return to work within the police in a post that corresponds to his title and for which he meets the requirements.

#### Article 70

##### (Work performed during less favourable working hours)

(1) Police employees shall perform work during less favourable working hours when this is necessary for the performance of tasks defined by law.

(2) Work performed during less favourable working hours shall be:

1. working on an irregular work schedule;
2. working in shifts;
3. working on Saturdays, Sundays, holidays and other work-free days;
4. working overtime;
5. working in the afternoon and at night, and
6. working on a split schedule.

(3) Working on an irregular work schedule or in shifts shall include the fulfilment of work obligations on Saturdays, Sundays, holidays and on other work-free days, as well as working in the afternoon and at night according to a re-arranged work schedule within the framework of specific regular monthly or annual working obligations.

(4) Posts where work is performed according to the preceding paragraph shall be defined in the act on organisation and classification.

(5) When so required by the security situation or if specific tasks that cannot be postponed or must be carried out within a certain period can only be performed in this way, other forms of work as defined in the second paragraph of this Article may be imposed.

(6) The Director General of the Police shall define cases in which it is permitted to impose work under the preceding paragraph, and persons who may impose it.

#### Article 71

##### (Work on stand-by)

(1) Work on stand-by is a special working condition, in which a police employee who has been ordered to be on stand-by shall be on stand-by at home or at a certain location. 'Stand-by' shall mean that a police employee is reachable by telephone or other means of communication for the purpose of his arrival to the workplace or a location where an urgent task needs to be accomplished.

(2) A police employee on stand-by who has been summoned to perform work shall, within the shortest time possible, appear in his workplace or at a location where an urgent task needs to be accomplished.

(3) Work on stand-by shall not be included in regular working hours.

If a police employee starts to work while on stand-by, the time of actual work shall be included in regular working hours.

(4) Work on stand-by shall be ordered by the Director General of the Police and the director of a police directorate or persons duly authorised by the aforementioned authorities.

#### Article 72 (Working overtime)

(1) A superior may impose overtime on a police officer, whereby the time limit of daily, weekly and monthly overtime shall be considered as an average limitation in a certain time period, not to exceed four months. In calculating the average, annual leave and sick leave shall not be taken into account.

(2) With the agreement of a police officer, the daily, weekly and monthly time limitation may be regarded as an average limitation over a period that may not exceed six months.

#### Article 73 (Working overtime in exceptional and emergency cases)

(1) Notwithstanding the provisions of the law governing employment relationships, time limits of a daily work obligation, daily and weekly rest periods and overtime, a superior may, after the expiry of regular working hours in exceptional, emergency or unforeseen cases in which police tasks cannot be accomplished in any other way, order a police officer to complete the task already commenced.

(2) The order referred to in the preceding paragraph shall only be admissible for the shortest possible time, whereby a police officer shall be ensured an appropriate rest period immediately after the cessation of the relevant reasons. The consent of the police officer in question shall not be required.

(3) Overtime under the first paragraph of this Article shall be ordered by a superior in writing and, as a rule, before the expiry of regular working hours. Where, owing to the nature of work or the emergency of the work to be performed, this is not possible, overtime may in exceptional and emergency cases be ordered verbally. In such a case, the written order shall be handed over to the police officer subsequently, but no later than within eight days after the completion of the overtime work.

(4) Overtime ordered pursuant to the first paragraph of this Article may not exceed 20 hours per week or 80 hours per month.

(5) The overall overtime work of a police officer may not exceed the annual time limit laid down by the law governing employment relationships.

#### Article 74

##### (Increased workload in the event of special work burden)

(1) Members of the Special Unit, the Special Police Unit and police officers who perform particularly dangerous tasks involving the highest level of risk to life in direct cooperation with the Special Unit and the Special Police Unit shall for the time of performing tasks under dangerous conditions and special burdens be entitled to a salary increase of 30 per cent of the basic salary maximum for the increased workload and special work burden.

(2) Members of the Special Unit shall also be entitled to a salary increase referred to in the preceding paragraph for the time of attending training courses relating to the performance of tasks under the preceding paragraph.

(3) The percentage of the salary increase referred to in the first paragraph shall be determined by the Government upon a proposal of the Minister.

(4) The salary increase referred to in the first paragraph of this Article and the risk and special burden allowance to which members of the Special Police unit and/or other police officers are entitled shall be mutually exclusive. A police employee shall be paid a salary increase or an allowance, whichever is more favourable to him.

#### Article 75

##### (Prohibition of activities)

(1) A police officer shall be prohibited from engaging in activities that could hinder him in carrying out police tasks.

(2) A police officer who voluntarily and non-professionally carries out the tasks of protection, rescue and relief shall carry out these tasks in a manner that does not hinder him in performing police tasks.

(3) The activities referred to in the first paragraph of this Article shall be prescribed by the Minister.

Article 76  
(Tasks during strikes)

- (1) During a strike, police officers shall perform the following police tasks:
- protect people's lives, personal safety and property;
  - prevent, detect and investigate criminal offences;
  - detect and apprehend criminal offenders and other wanted persons, and hand them over to the competent authorities;
  - protect particular individuals, bodies, buildings, premises and the environs of state bodies;
  - maintain public order;
  - control and direct traffic on public roads;
  - conduct state border control;
  - perform tasks defined by the regulations on aliens.

(2) Police officers shall perform the tasks referred to in the preceding paragraph in a timely and efficient manner, and according to the instructions given by their superiors.

Article 77  
(Safety and health at work and fire safety)

(1) In operational and auxiliary premises of the police and while using means of work, the regulations on ensuring safety and health at work and fire safety shall apply.

(2) Particular measures and procedures to ensure safety and health at work and fire safety in the premises where weaponry and technical equipment are used or stored shall be prescribed by the Minister by way of an internal act.

Article 78  
(Temporary prohibition of performing work)

(1) If a police employee is under the influence of alcohol, illicit drugs or other substances that reduce his ability to perform work, or if the head of a unit or an employee who stands in for him assesses that the police officer in question is in a psychophysical condition that poses a direct threat to his own safety or safety of others, he shall be prevented from commencing work or prohibited from continuing it. The prohibition of commencing work and/or the prohibition of continuing work shall be verbally ordered by the head of a unit or an employee who stands in for him, and an official note shall be taken down in the work schedule. If a work schedule is not kept at the unit, an official note thereon shall be drawn up.

(2) The head of a unit or an employee who stands in for him or a police employee duly authorised by the aforementioned persons may order a police employee who shows signs of behavioural disturbance that may result in a reduced work ability to

undergo an alcohol test or an expert examination, by way of which the presence of alcohol or other illicit substances that reduce the ability to perform work is established.

(3) In the case referred to in the first paragraph of this Article, the police officer's service ID card and weapon shall temporarily be confiscated. The confiscation may not exceed 24 hours.

(4) The measures referred to in the first and third paragraphs of this Article shall also be implemented in the event a police employee refuses to undergo a test by means of equipment or devices for detecting the presence of alcohol or an expert examination by way of which the presence of alcohol or other illicit substances that reduce the ability to perform work are established.

#### Article 79

(Longevity bonus in the event of transfer and re-employment)

(1) The determination of a longevity bonus in respect of a public employee who has been transferred to work within the police shall also consider the length of service within a body from which he has been transferred, provided that he was entitled to a longevity bonus under the regulations and conditions applicable to the body from which he has been transferred.

(2) The assessment of a longevity bonus in respect of a police officer who re-enters into an employment relationship with the police shall not consider the length of service within the police before re-employment, unless he has performed work in other state bodies and/or the institutions and bodies of the European Union prior to re-entering into an employment relationship with the police.

#### Article 80

(Bilingual operation of the police in municipalities where autochthonous national communities reside)

(1) In the territory of municipalities where members of the Italian or Hungarian national community reside, the operations of the police shall be bilingual. Posts that (according to the Civil Servants Act) require the knowledge of a national community language and the level of the national community language proficiency shall, with the prior consent of the national communities, be determined by the Minister.

(2) For the posts referred to in the preceding paragraph, the police shall provide training for acquiring the knowledge of a national community language.

#### Article 81

(Supplementary pension insurance)

(1) The police shall provide police officers who perform tasks involving an increased risk to their safety, health or life and that cannot be performed beyond a

certain age due to specific work burdens with compulsory supplementary pension insurance according to regulations governing the pension and disability insurance.

(2) Notwithstanding the provisions of the law governing the pension and disability insurance, the Minister shall by way of an act on the organisation and classification determine the posts that require a compulsory inclusion in an occupation specific insurance scheme.

#### Article 82 (Medical committee)

(1) A medical committee assessing the ability of a police officer to perform work shall be set up for the needs of the police.

(2) The medical committee shall be appointed by the Director General of the Police.

(3) Where the committee referred to in the first paragraph of this Article considers that a police officer is not capable of performing his tasks, while being capable of performing other work within the police, the police officer in question may, according to the law governing the system of public employees, temporarily be transferred to a post that corresponds to his health condition or be assigned tasks that he is capable of performing in view of his health condition.

(4) Following the transfer referred to in the preceding paragraph, the medical committee shall propose that the competent unit of the Pension and Disability Insurance Institute initiate the procedure for exercising the disability insurance rights.

(5) Where the committee referred to in the first paragraph of this Article considers that a police officer is not capable of performing his or any other work within the police, they shall propose that the competent unit of the Pension and Disability Insurance Institute initiates the procedure for exercising the disability insurance rights.

#### Article 83 (Accident insurance)

(1) While performing their work, police employees shall be insured by the police against accidents at work resulting in death, permanent loss of the general capacity to work or temporary loss of capacity to work, where they perform operational work or other dangerous work.

(2) The posts requiring such insurance for police employees shall be defined by an act on organisation and classification.

#### Article 84 (Injury at work and the associated benefit and special compensation)

(1) Any injury suffered by a police officer on his regular way from his dwelling to the workplace or back or while travelling on mission shall be considered as injury at work.

(2) The employee referred to in the preceding paragraph who is absent from work shall receive 100% salary compensation for the period of absence. During a lengthy absence from work, the employer shall pay salary compensation covered by the health insurance, whereas the difference to 100% salary compensation not covered by the health insurance shall be paid from the employer's own funds.

(3) A police employee who is not insured according to the provisions of the preceding Article shall, in the event of an injury at work or accident at work resulting in a permanent loss of the general capacity to work, be entitled to a special compensation not exceeding 100% of the insurance sum determined in accordance with the preceding Article. The amount of special compensation shall depend on the percentage of the permanent loss of the general capacity to work.

(4) In the event of the death of the police employee referred to in the preceding paragraph, the special compensation in the amount of 100% of the insurance sum under the preceding Article shall be received by his immediate family members in total.

(5) The amount and the method of the special compensation payment shall be determined by the Director General of the Police in each individual case.

#### Article 85

##### (Funeral expenses and one-time financial assistance)

(1) In respect of a police officer who lost his life while on duty, the police shall, in agreement with his relatives, organise a funeral ceremony and cover the expenses of the funeral at a location determined by his relatives.

(2) In the case referred to in the preceding paragraph, the immediate family members of the police officer shall in total receive a one-time financial assistance in the amount of the sum of gross salaries received by the deceased police officer during the last twelve months. The amount of a one-time financial assistance shall be determined by the Director General of the Police by way of a decision.

(3) The Director General of the Police may by way of an internal act determine the funeral ceremony protocol.

#### Article 86

##### (Rights of family members after death of a police officer)

Immediate family members of a police officer who lost his life while on duty shall be entitled to:

- psychological assistance and support on the police officer's death;
- scholarships for children and adopted children attending compulsory education, but not beyond their completing 27 years of age;
- free provision of advice and information in managing matters connected with the police officer's death;
- priority in recruiting an unemployed spouse, cohabitant, partner from registered same-sex civil partnership, child or an adopted child to work within the police, provided that he meets the requirements to fill a vacant post that are laid down by Article 44 of this Act;
- free use of holiday facilities of the Ministry seven days in a year during a period of ten years following the police officer's death.

Article 87  
(Rights in the event of disability)

The provisions of the preceding Article shall *mutatis mutandis* also apply to a police officer who has, owing to an injury suffered while on duty, been recognised category I disability, and to his immediate family members.

Article 88  
(Service housing units and holiday facilities)

(1) Police employees shall be allocated service housing units.

(2) By way of an internal act, the Minister shall define criteria and procedures for allocating service housing units, single rooms and single room beds. The Minister shall also define the manner of using single rooms and single room beds.

(3) Retired police employees shall have the possibility of using holiday facilities of the Ministry under the conditions applicable to the Ministry's employees.

Article 89  
(Trade union activities)

(1) If a law and/or a contract concluded between the police and a representative trade union within the police stipulates that the Director General of the Police must obtain an opinion of the representative trade union before adopting a decision, he shall send a proposal for a decision or act to the relevant trade union to procure their opinion and set a reasonable deadline for drafting an opinion, that (as a rule) shall not be shorter than eight days. If the Director General of the Police fails to coordinate the decision proposal with the representative trade union's opinion, he may adopt an uncoordinated decision, which, however, shall require his written explanation of the reasons for not taking into account the opinion of representative trade union and a notification of the latter thereof. The same procedure shall also apply when the Director General of the Police submits an act to the Minister for adoption.

(2) Conditions for the activities of the representative trade union and trade union representatives within the police shall be regulated by a contract concluded between the police and the representative trade union.

(3) While performing a professional function within the representative trade union, a police officer shall have no rights or obligations ensuing from the status of a police officer. During that time, he shall receive 100% salary compensation. The basis for calculating compensation shall be his basic salary that he had been receiving before he took up his professional position within the trade union and a bonus earned for the length of service.

## IX. AWARDS

### Article 90 (Awards)

(1) Awards shall be conferred for disseminating security culture, and merits for and contribution to the development and enhancement of the security of the Republic of Slovenia, the assistance to the police or cooperation and assistance in particular security operations.

(2) The awards referred to in the preceding paragraph shall be conferred on police employees and the Ministry's public employees, police units, internal organisational units of the Ministry, auxiliary police officers, private persons, state bodies, self-governing local communities and legal entities governed by public and private law.

(3) In recognition of an extraordinary personal contribution to the strengthening of the security of the Republic of Slovenia and the development and consolidation of the police, police employees and the Ministry's public employees may be presented with firearms. The firearms presented shall be category B short-barrel weapons under the law governing firearms.

(4) For an act of bravery and self-sacrifice, a police officer shall in addition to the presentation of an award, be paid a bonus.

(5) The Director General of the Police may issue a decision that a police officer, the winner of the award, be granted 15 days of paid absence from work.

(6) The types of awards, detailed conditions for conferring awards, and the amount of bonus referred to in the fourth paragraph of this Article and the procedure for conferring awards shall be prescribed by the Minister.

## X. EDUCATION, TRAINING, ADVANCED TRAINING AND RESEARCH ACTIVITIES

Article 91  
(Planning and implementation)

The General Police Directorate shall plan and implement education, training and advanced training programmes and research activities within the police and cooperate with other educational and research institutions. For the purpose of implementing education programmes, the provisions of laws governing the organisation and financing of education and training, vocational and professional education, post-secondary professional education and higher education shall apply *mutatis mutandis*, unless otherwise provided by this Act.

Article 92  
(Education programmes)

(1) Education referred to in the preceding Article shall be carried out pursuant to the publicly accredited adult education programmes and publicly accredited study programmes for obtaining a higher level of professional education, as well as pursuant to vocational training and advanced training programmes.

(2) The programmes referred to in the preceding paragraph shall be determined by the Minister upon a proposal of the competent expert council.

(3) The level of education of professional staff carrying out programmes under the first paragraph of this Article shall be prescribed by the Minister. The Minister may also prescribe other requirements to be met by professional staff.

Article 93  
(Carrying out education under first- and second-level study programmes)

For the purpose of carrying out education according to the applicable first- or second level study programme relating to the operation of the police, an agreement with other higher education institutions shall be concluded.

Article 94  
(Participation in other forms of education)

Police officers may participate in further education programmes at other education institutions of the Republic of Slovenia and accredited education programmes in other countries.

Article 95  
(Contract on education)

(1) The police shall conclude a contract specifying mutual rights and obligations with the participants of education programmes.

(2) Education participants who fail to complete education within the period specified in the contract on education or stop participating in education shall repay the costs of education to the police.

(3) Education participants shall be exempt from repaying the costs of education, when they failed to complete education within the period specified or stopped participating in education on justifiable grounds not resulting from their free will or fault.

#### Article 96

(Special conditions in carrying out education programmes)

(1) For the purpose of carrying out education, training and advanced training programmes for police employees, the police may lay down special conditions relating to the presence of participants at a specific location and during a specific period of time. The participation in these programmes shall be considered a regular working obligation.

(2) Special conditions in carrying out the programmes referred to in the preceding paragraph shall be defined by an employment contract or a contract on education or by an act on referral of a participant to training or advanced training courses.

#### Article 97

(Training and advanced training)

(1) Training and advanced training of police officers shall be carried out according to the programmes defined by the Director General of the Police.

(2) Training and advanced training of police employees shall be carried out by police units.

(3) Training and advanced training of police employees may also be carried out by the Ministry, other ministries and external institutions, where the relevant knowledge and skills required for carrying out training and advanced training cannot be ensured within the police.

(4) Mutual rights and obligations of the police and the participants of training and advanced training courses shall be laid down in an act on the referral of participants to training and advanced training courses.

#### Article 98

(Other forms)

(1) The police shall also carry out other forms of training and advanced training provided by the law or a regulation adopted on the basis thereof and earmarked for the Ministry, other ministries and external contracting entities.

(2) Mutual rights and obligations of the police and contracting entities referred to in the preceding paragraph shall be regulated by a contract.

Article 99  
(External providers and participants)

(1) External providers and participants may also take part in education, training and advanced training programmes within the police.

(2) The participation of external providers and participants in education, training and advanced training programmes shall be regulated by a contract.

Article 100  
(Research activities)

(1) The police shall perform research activities relating to their area of work.

(2) The police shall cooperate with other educational and research institutions pursuant to educational needs and the needs for research activities.

(3) The scope, types and the method of cooperation referred to in the preceding paragraph and mutual relationships shall be regulated by a contract.

XI. AUXILIARY POLICE FORCE

Article 101  
(Performing tasks of auxiliary police force)

(1) Auxiliary police officers shall be citizens of the Republic of Slovenia who have concluded a contract on a voluntary service within the auxiliary police force and have been trained to perform police tasks. As a rule, auxiliary police officers shall conclude a contract on voluntary service within the police force for a minimum period of five years.

(2) Candidates for auxiliary police officers shall be persons who take part in the basic training for auxiliary police officers or persons who have already successfully completed basic training, but have not yet concluded a contract on a voluntary service within the auxiliary police force.

(3) Members of the auxiliary police force may be female and male persons from the age of 18 until the end of the calendar year in which women reach 40 and men 50 years of age, and who meet the requirements under Article 44 of this Act and have at least secondary professional or secondary general education.

(4) While performing service within the police, auxiliary police officers shall have all police powers.

(5) The home unit of an auxiliary police officer shall be the police directorate to which he has been assigned under the contract.

#### Article 102

(Rights and obligations of auxiliary police officers  
and candidates for auxiliary police officers)

(1) Auxiliary police officers and candidates for auxiliary police officers shall attend training courses, while auxiliary police officers are also obliged to respond to the call to undertake police tasks.

(2) For the duration of their contract on a voluntary service within the auxiliary police force, auxiliary police officers shall receive a stand-by bonus, while during training and the performance of service within the police they shall be entitled to salary compensation and other receipts and reimbursement of expenses. During training, candidates for auxiliary police officers shall be entitled to salary compensation and other receipts and the reimbursement of training-related expenses.

#### Article 103

(Obligations of candidates for auxiliary police officers,  
auxiliary police officers and their employers)

(1) After the completion of training or police tasks, a candidate for an auxiliary police officer and an auxiliary police officer shall, no later than within two working days, return to the post of their employment contract and the employers shall be obliged to accept them.

(2) While undergoing training or performing police tasks, the employment contract of a candidate for an auxiliary police officer or an auxiliary police officer may not be terminated, and the employer may not cancel or amend the contract so as to put the employee into less favourable position.

(3) The employers may not put the candidates for auxiliary officers and auxiliary officers into less favourable positions on account of training and/or performance of police tasks.

#### Article 104

(Calling in auxiliary police force)

(1) Auxiliary police officers shall be called in for the purpose of performing police tasks in the following cases:

- when it is necessary to cover for a large number of regularly serving police officers in order to ensure a smooth performance of police tasks;

- in the event of natural and other disasters;
- in the event of a serious threat to public security;
- in order to protect state border;
- in the event of crisis and/or a state of emergency or war.

(2) The deployment of the auxiliary police force in the cases referred to in the preceding paragraph shall be decided on by the Minister upon a proposal of the Director General of the Police.

(3) Notwithstanding the preceding paragraph, the deployment of the auxiliary police force may, for reasons under the first and second indents of the first paragraph of this Article, be decided on by the Director General of the Police upon a proposal of the director of a police directorate, where the performance of police tasks relates to a single police directorate. The Director General of the Police shall notify the Minister of his decision to call in the auxiliary police force.

(4) An auxiliary officer may be called to appear for training or the performance of police tasks for a period of up to 30 days in the same calendar year, except in cases referred to in the fifth indent of the first paragraph of this Article.

#### Article 105 (Records)

(1) For the purpose of the call to participate in training or perform police tasks and the implementation of contractual obligations, the police shall keep records of candidates for auxiliary police officers and auxiliary police officers.

(2) The records referred to in the preceding paragraph shall include the following data: name and surname, date and place of birth, permanent and temporary residence, health condition, educational background, employment, profession, tax identification number, business partner code, transaction account, employer, professional qualifications to perform tasks within the auxiliary police force, additional knowledge and skills, allocation to a post according to the organisation and classification of posts of the police, date of the conclusion and termination of the contract on a voluntary service within the auxiliary police force, awards presented with and any residence abroad for a period exceeding three months.

(3) A candidate for an auxiliary police officer or an auxiliary police officer shall, no later than within 15 days, inform the police of any change to the data referred to in the preceding paragraph.

(4) The administrative body responsible for defence matters that keeps collections of personal information about persons liable for military service shall be obliged to provide the police, at the latter's request, with the personal information referred to in the second paragraph of this Article that relate to persons liable for military service who are candidates for the conclusion of a contract on a voluntary service within the auxiliary police force.

Article 106  
(Implementing regulations)

The method of filling the vacancies in the auxiliary police force and performing tasks, the criteria for selecting the candidates, training types and methods, the amount of bonus for stand-by and the performance of police tasks, compensations, reimbursements and other receipts, absence, rights and obligations of auxiliary police officers and candidates for auxiliary police officers and the reasons for terminating and cancelling a contract shall be prescribed by the Government.

XII. OPERATION OF THE POLICE IN THE EVENT OF NATURAL AND OTHER  
DISASTERS,  
CRISIS, STATE OF EMERGENCY OR WAR

Article 107  
(Operation of the police in the event of natural and other disasters,  
crisis, state of emergency or war)

(1) Within the scope of its legally defined activities, the police shall also ensure that they are properly prepared, equipped and trained to act in the event of natural and other disasters, crisis and a state of emergency or war.

(2) In the event of natural and other large-scale disasters and other exceptional circumstances, as well as in a state of emergency or war, the police shall perform their tasks within their respective field of work in such a manner as to adapt their organisation and types and methods of work to the conditions or circumstances that have arisen.

(3) The measures of crisis response under the responsibilities of the police, and their scope and duration shall be determined by the Government upon a proposal of the Minister.

(4) In the event of a declaration of war or a state of emergency, the National Assembly of the Republic of Slovenia may, upon a proposal of the Government, adopt a decision on the inclusion of the police in activities ensuring the security of the Republic of Slovenia. If the National Assembly of the Republic of Slovenia cannot convene due to the state of emergency or war, this decision shall be adopted by the President of the Republic.

(5) The police shall plan the use of material and technical means, infrastructure, land and police facilities in the event of a state of emergency or war.

(6) For the purpose of performing certain police tasks in a state of emergency or war, resources and equipment may be allocated on the basis of material duty.

(7) For the purpose of this Act, 'crisis' shall mean the occurrence of emergency or exceptional security events, developments, conditions, circumstances and situations that threaten the internal, national and international security or that may result in a state

of war or emergency, while in order to manage them and owing to the urgency and for the purpose of ensuring security, the protection of vital interests and significant assets of the society according to the relevant regulations and plans and the principles and rules of the international law, the police shall introduce and implement crisis response measures.

**Article 108**  
(Duties and status of persons liable for service)

(1) For the purpose of police operations in the event of natural and other disasters, crisis and a state of war or emergency, police employees, auxiliary police officers and the Ministry's public employees (hereinafter: persons liable for service) who perform tasks important to the police and/or tasks to ensure internal security shall be assigned a working duty to perform or a duty to participate in the civil protection service within the Ministry and the police.

(2) Persons liable for service who perform tasks important to the police and/or tasks to ensure internal security and who voluntarily or non-professionally carry out the tasks of protection, rescue and relief shall carry out these tasks in a manner that does not hinder the police in performing their tasks.

(3) For the purpose of implementing preparations and police operations in the event of natural and other disasters, crisis or a state of war or emergency, the Ministry shall keep records of persons liable for service who are assigned to perform a working duty within the Ministry and the police, and persons liable for civil protection service within the Ministry and the police.

(4) The records of persons liable for service who are assigned to perform a working duty and persons liable for civil protection service within the Ministry and the police shall include the following data:

- name and surname, date of birth, tax identification number, permanent and temporary residence;
- employment relationship and post;
- professional education, functional and special skills and other data on professional competence and experience;
- termination of the employment relationship;
- performance of a duty arising from work obligation and a duty to participate in the civil protection within the Ministry and the police (assignment date, number of assignment document);
- administrative body in charge of assignment, date of assignment cancellation, type of duty;
- performance of civil protection tasks within the Ministry and the police.

(5) Administrative bodies responsible for defence matters and protection against natural and other disasters that keep collections of personal and other information about persons liable for military service and persons liable for the civil protection service, and about resources from the inventory, shall be required to provide the Ministry with the personal and other information that is necessary for the

implementation of preparations and operation of the police in the event of natural and other disasters, crisis and a state of war or emergency.

### XIII. PENAL PROVISIONS AND SUPERVISION

#### Article 109

(1) For committing a minor offence, a fine of EUR 2000 to 4000 shall be imposed on a legal entity, sole trader and self-employed person who act in contravention of the fourth paragraph of Article 40 or the first paragraph of Article 41 of this Act.

(2) For committing a minor offence, a fine of EUR 400 to 800 shall be imposed on the responsible persons of a legal entity, state body, self-governing local community, sole trader, self-employed person and natural person who act in contravention of the fourth paragraph of Article 40 or the first paragraph of Article 41 of this Act.

(3) The police shall be responsible for the supervision of and decision-making on minor offences under this Article.

### XIV. TRANSITIONAL AND FINAL PROVISIONS

#### Article 110

(Carrying out a police officer's tasks)

(1) The police shall initiate the implementation of the study programme for obtaining a higher level of professional education under Article 92 of this Act no later than within two years of the entry into force of this Act.

(2) Within five years of the entry into force of this Act, the Ministry shall classify posts at which police officers perform tasks requiring a higher level of professional education, and transfer police officers who have obtained a higher level of professional education to these posts.

(3) Police officers who will not obtain a higher level of professional education shall, upon the implementation of the classification referred to in the preceding paragraph, be transferred to posts in respect of which they meet the requirements. If such a post is not vacant, their employment relationship shall be terminated.

(4) The tasks relating to posts that require a higher level of professional education may also be performed by police officers with secondary professional education, who have completed at least 17 years of service in performing police tasks on the date of the entry into force of this Act, and who have at least five years performed police tasks in respect of which a higher level of professional education will be required pursuant to the second paragraph of this Article.

(5) The training referred to in the second paragraph of Article 80 of this Act shall be initiated within one year of the entry into force of this Act. A police employee

who is occupying a post that requires the knowledge of a national community language, and who does not meet the requirements under the first paragraph of Article 80 of this Act at the time of the entry into force of this Act, shall (no later than within two years of the implementation of this Act) meet the requirement relating to the knowledge of a national community language.

Article 111  
(Examination in police powers exercise)

(1) Police officers who have not passed the examination in the exercise of police powers by the date of the entry into force of this Act and who do not meet the requirements referred to in the fourth paragraph of Article 58 of this Act shall no later than within one year of the entry into force of this Act pass the examination under Article 58 of this Act.

(2) The employment relationship of a person who has failed to pass the examination in the exercise of police powers within the period referred to in the preceding paragraph of this Article shall be terminated.

Article 112  
(Work experience under Internal Affairs Act)

Work experience gained in posts involving the status of an authorised official according to the Internal Affairs Act shall also be regarded as work experience under the third paragraph of Article 47 of this Act and the third paragraph of Article 48 of this Act (Uradni list SRS, nos 28/80, 38/88 and 27/89, and Uradni list RS, nos 19/91, 4/92, 58/93 and 87/97).

Article 113  
(Rights of Director General of the Police)

The Director General of the Police who has been appointed to this post under the Police Act (Uradni list RS, nos 66/09 – official consolidated text, 22/10, 26/11 – Constitutional Court decision and 58/11–ZDT-1 and 40/12–ZUJF) and occupies this position on the date of the entry into force of this Act shall, in the event of dismissal under the fifth paragraph of Article 83 of the Civil Servants Act, be entitled to:

- in the event of termination of the employment relationship, severance pay in the amount of two fifths of the average gross wage as received prior to his dismissal for each full month remaining until the expiry of the period for which he was appointed to the position;
- in the event of transfer, 50 % of the difference between the average monthly gross wage as received prior to his dismissal and the actual monthly gross wage until the expiry of the period for which he was appointed to the position.

Article 114

(Transfer based on appraisal)

The transfer under Article 60 of this Act may for the first time be implemented pursuant to the appraisal obtained in 2014.

Article 115  
(Use of term 'auxiliary police force')

The term 'reserve police units' used in other regulations and instruments shall pursuant to this Act mean the same as 'auxiliary police force'.

Article 116  
(Applicability of training programmes for auxiliary police officers)

Police officers who have been trained according to the training programmes for auxiliary police officers that were in force prior to the entry into force of this Act shall be deemed to meet the requirements for concluding a contract on the performance of tasks of the auxiliary police force under Article 101 of this Act.

Article 117  
(Providing security for the National Assembly of the Republic of Slovenia)

The police unit in charge of providing security for the National Assembly of the Republic of Slovenia shall perform their tasks in accordance with internal acts of the National Assembly and pursuant to the police code until a special service intended for the internal protection of the National Assembly has been set up.

Article 118  
(Repeal and application of implementing regulations)

As of the date of the entry into force of this Act, the following implementing regulations shall cease to apply; however, they shall continue to apply until the entry into force of the relevant implementing regulations adopted pursuant to this Act, insofar as they are not in conflict with this Act:

- Decree on voluntary service in the auxiliary police force by contract (Uradni list RS, no. 119/07);
- Decree on police uniform, rank insignia and symbols (Uradni list RS, no. 104/10);
- Decree on police vehicles, vessels, armament and special equipment (Uradni list RS, nos 45/06 and 32/07),
- Ordinance on the establishment, areas and headquarters of police directorates in the Republic of Slovenia (Uradni list RS, no. 28/11),
- Order determining the facilities and environs of the Gotenica Supply Centre, and security measures for their protection (Uradni list RS, no. 3/10),

- Order on education requirements for lecturers and other professional staff at the Police College (Uradni list RS, no. 13/01),
- Order determining the facility and environs of the Aliens Centre at Veliki Otok near Postojna, and security measures for their protection (Uradni list RS, no. 11/01),
- Order on the activities in which police officers are not permitted to engage (Uradni list RS, no. 79/00),
- Rules on testing the professional and psychophysical competence of police officers (Uradni list RS, no. 3/11),
- Rules on the provision of legal aid to police officers (Uradni list RS, no. 72/09);
- Rules on the protection of police officers at risk (Uradni list RS, no. 114/09);
- Rules on the areas and head offices of police stations (Uradni list RS, no. 32/11),
- Rules on the examination in the exercise of police powers (Uradni list RS, no. 67/08),
- Rules determining the Police facility and environs at Gmajnice, and security measures for their protection (Uradni list RS, no. 56/08),
- Rules determining the facilities and environs of the Police Academy, and security measures for their protection (Uradni list RS, no. 68/07),
- Rules determining the facility and environs of the Mountain Telecommunication Facility of the Ministry of the Interior on Šmarna Gora, and security measures for their protection (Uradni list RS, no. 118/06),
- Rules on the wearing of police uniform and weapon (Uradni list RS, no. 106/06),
- Rules on police awards (Uradni list RS, no. 106/05, 107/05 – corr., 61/06, 31/10 and 94/10),
- Rules on directing and supervising the police (Uradni list RS, no. 97/04),
- Rules on service ID card of police officers (Uradni list RS, nos 6/01 and 100/08).

#### Article 119

(Time limit for issuing implementing regulations)

(1) The Government and the Minister shall issue the implementing regulations stipulated by this Act within one year of the entry into force of this Act.

(2) The act on organisation and classification shall be harmonised with the provision of the second paragraph of Article 81 of this Act within three months of the entry into force of this Act, while the harmonisation with other provisions of this Act shall take place within five years of the entry into force of this Act.

#### Article 120

(Date of application of individual provisions)

The provision of Article 74 of this Act shall be applicable as of 1 January 2014.

#### Article 121

(Repeal)

(1) As of the date of the entry into force of this Act, the following shall cease to apply:

- the following provisions of the Police Act (Uradni list RS, nos 66/09 – official consolidated text, 22/10, 26/11 – Constitutional Court decision, and 58/11 – ZDT-1 and 40/12–ZUJF): Articles 1, 2, 2.a, 2.b, 2.c, 2.č, 4, 5, 5.a, 5.b, 5.c, 5.č, 5.d, 5.e, 6, 6.a, 6.b, 6.c, 6.č, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 21, 21.a, 22, 27, 31, 31.a, 65, 66, 67, 67.a, 67.b, 67.c, 67.č, 68, 69, 69.a, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85., 85.a, 86.a, 88, 89, 90, 91, 93, 94, 94.a, 95, 101, 102, 103, 104, 105, 107, 109, 110, 111, 112, 113, 115, 116, 118, 119, 124, 125, 126 and 133, which shall continue to apply until the entry into force of this Act;
- second indent of the second paragraph of Article 199 of the State Prosecutor Act (Uradni list RS, nos 58/11 and 47/12) which shall continue to apply until the entry into force of this Act.

(2) Criminal offences committed by officials referred to in the second indent of the second paragraph of Article 199 of the State Prosecutor Act (Uradni list RS, nos 58/11 and 47/12) shall be considered pursuant to Article 199 of the State Prosecutor Act (Uradni list RS, nos 58/11 and 47/12) until the entry into force of this Act.

Article 122  
(Entry into force)

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia and shall begin to apply on the sixtieth day after its entry into force.