

Police Act
of the Republic of Slovenia

No. 210-01/94-5/4, June 17, 1998

I. General Provisions

Article 1

The police force is a constituent body of the Ministry of the Interior (in this text referred to as the Ministry) which performs the duties set forth in this Act, other acts, and executive regulations.

Article 2

The Ministry of the Interior has the following responsibilities towards the police:

- it sets developmental, organisational, personnel, and other fundamental guidelines for the operation of the police force;
- it prepares annual budgetary and purchasing plans, supervises their execution, and carries out financial operations of the police force;
- it implements investments and investment maintenance of real estate used by the police force, and executes purchasing plans for the police force;
- it coordinates and arranges the planning, construction, and maintenance of police force information and telecommunications systems and ensures that the systems are compatible with those of other government bodies;
- it coordinates and supervises the implementation of police force duties, and
- attends to other duties in accordance with the law.

The Minister of the Interior (in this text referred to as the Minister) regulates the methods and form in which the Ministry manages the police force, and defines the extent of authority held by those Ministry personnel in charge of supervising and implementing police force duties. The Minister may also authorise some police officers to exercise certain supervisory tasks.

II. Police Force Organisation and its Responsibilities

Article 3

The responsibilities of the police force include:

- the protection of people's lives, personal safety and property;
- the prevention, disclosure and investigation of criminal offences and misdemeanours, the disclosure and arrest of perpetrators of criminal offences and misdemeanours, the implementation of searches for wanted persons and their hand-over to the proper authorities;
- the maintenance of public order;
- the supervision and direction of traffic on public roads and unclassified roads currently in use for traffic;
- the protection of state borders and the implementation of border control;
- the implementation of duties set forth in the Aliens Act;
- the protection of certain individuals, agencies, buildings and districts;
- the protecting of certain places of employment and classified state information unless otherwise prescribed by law;
- the implementation of the tasks set forth in this Act, other acts and executive regulations.

Article 4

The police force consists of the general police directorate, other police directorates and police stations. The police headquarters are in Ljubljana.

Article 5

The police force is run by the director general of the police who is also in charge of the general police directorate.

When the director general of the police is unable to perform his/her duties, the deputy director general will act on his/her behalf.

The director general of the police and his/her deputies are appointed and released from duty by the Government of the Republic of Slovenia (hereinafter referred to as the Government) when so advised by the Minister.

The director general of the police is answerable to the Minister for his/her actions and the actions of the police force.

Article 6

The responsibilities of the general police directorate are as follows:

- the keeping track of, analysis and evaluation of safety conditions, estimation of the implementation status of police responsibilities, the running, direction and co-ordination of the work of the police directorates, the assurance of professional and technical support and their supervision, the assurance of continual improvements of the system and its performance, the taking on of responsibility for the performance of the police in times of war or crisis, the assurance that the police force carries out their responsibilities in a law-abiding manner and the taking of necessary measures to ensure police efficiency;
- taking action in the fields of crime prevention, traffic safety, border issues and aliens, and public safety over a large territory, as well as serving as a second level of authority in matters concerning movements across state borders;
- the organisation and implementation of the protection of certain individuals, agencies, objects, districts, places of employment, and classified information;
- the implementation of technical and laboratory research relevant to the study of crime and the provision of professional expertise in such areas;
- assurance of the observance of international police agreements;
- cooperation with police authorities of foreign countries and international police organisations;
- the gathering, study, forwarding and saving data of police operations and the management of the police information and telecommunication system;
- guaranteeing that making sure competent authorities and the public are informed about police work, relevant security matters and security conditions;
- the employment, supervision and the organisation of professional training for police officers and other police personnel;
- the proposal and implementation of budgets and contribution to the development of purchasing plans, the management and responsibility for the maintenance of buildings, gear and equipment, providing supplies for police units, determining housing solutions for police personnel, and carrying out the office tasks;
- making decisions as to the classification, standardisation and codification of technical police material and equipment, including professional and other premises and the equipment contained within;
- within the resources available, planning and making provisions for rational and purposeful spending;

- the implementation of other police tasks prescribed by law or other legal regulations.

The tasks of the general police directorate are to be carried out by internal organisational units. The chief administrators of internal organisational units are appointed by the Minister upon the recommendation of the director general of police. The chief administrators of internal organisational units are responsible to the director general of police for their work, the environment in their unit and the performance of the internal organisational unit.

If the general police directorate learns that a police directorate failed to carry out its tasks, was slow to carry them out or carry them out properly, it must notify the head of such directorate and order him or her to carry out those tasks and/or rectify what was determined as the cause of the problem by a given deadline.

The general police directorate may take over a task or a series of tasks under the jurisdiction of a police directorate when it finds such action necessary.

Article 7

A police directorate is the regional police organisational unit.

The locations and headquarters of all police directorates are established by the Government.

Article 8

A police directorate is headed by a director. This director is appointed and released from duty by the Minister upon the recommendation of the director general of police.

The director of a police directorate is answerable to the police director general for his/her performance and the performance of his/her police directorate.

Article 9

A police directorate is responsible for the following tasks:

- the co-ordination and direction of tasks, provision of professional instruction and assistance, and supervision of police stations;
- detection and investigation of criminal activity, disclosure and arrest of criminals and their hand-over to the proper authorities;
- the guarantee that measures, when needed, that require organised cooperation within the directorate territory, or when severe violations of public order occur, are taken to protect public order;

- the guarantee that measures, when needed, that require organised cooperation within the wider territory of the directorate are taken to maintain traffic supervision and control;
- the implementation of certain tasks in order to protect certain persons and objects;
- the guarantee and provision of measures to control and protect the state border;
- the initiation of proceedings against aliens;
- cooperation with police border authorities of neighbouring states;
- the issuance of primary-level orders in matters concerning movement across state borders;
- the implementation of police tasks in times of war and crisis;
- the implementation of certain maintenance tasks for the police informational and telecommunication system;
- the fulfilment of certain professional matters, professional training and improvement, financial and material matters, and the continuous maintenance of buildings and technical equipment;
- the implementation of other police tasks prescribed by law and/or legal regulations.

The police directorate is divided into internal organisational units. The heads of internal organisational units are appointed by the director general of police upon the recommendation of the director of the police directorate. The heads of internal organisational units are responsible to directors of police directorates for their work, the state of affairs in their units and the performance of the internal organisational units.

If a police directorate determines that a police station failed to carry out its tasks, was slow to carry them out or failed to carry them out properly, it must notify the police station commander and instruct him/her to carry out those tasks and/or rectify what was determined to be the cause of a problem by a given deadline.

A police directorate may take over a task or a series of tasks under the jurisdiction of a police station when it finds such action necessary.

Article 10

A police station is a regional organisational police unit, established in order to directly carry out police tasks within a certain territory or some tasks within the range of responsibilities of a police directorate.

The location and headquarters of a police station are designated by the Minister.

Article 11

A police station is headed by a commander. The police station commander is appointed and dismissed by the director general of police upon the recommendation of the director of the competent police directorate.

A police station commander is responsible to the director of the competent police directorate for his/her performance, the state of affairs at the police station and the performance of the police station.

Article 12

The internal organisation and systematisation of positions of employment in the police force is directed by the Minister upon the recommendation of the director general of the police upon the approval of the Government.

The relationship between police units and their modes of operation is regulated by the director general.

Article 13

The director general of the police may establish a temporary special police unit and define its mode of operation and duties in order to carry out certain police assignments or duties.

Article 14

The police force may use vehicles, ships, weapons and special equipment in order to enforce the law.

The colour, special equipment and insignia on vehicles, ships and weapons is to be assigned by the Government.

Article 15

The Minister, upon the recommendation of the director general of the police, is to make a list of all the buildings, premises and their immediate surroundings which are to be used for police purposes and are of special interest to the police. The Minister also assigns the measures to be taken in order to protect these facilities.

The term surroundings from the paragraph above refers to police territory surrounding police buildings or premises which may or may not be surrounded by a fence. Such territory is of special importance to law enforcement and is needed so that buildings can be made use of.

Article 16

The police may implement special measures in order to ensure police officer safety and protect technical instruments and equipment.

The type and the means by which the measures from the previous paragraph will be taken are to be defined by the Minister upon the recommendation of the director general of police.

Article 17

The police is also prepared to act in a state of emergency or war within the range of its legally defined activities.

In a state of emergency or war, the police is to operate in such a manner as to apply its organisation and mode of operation to the conditions which have arisen.

The range and mode of police operation in the state of emergency or war is determined by the National Assembly upon the recommendation of the Government. If the National Assembly cannot convene due to a state of emergency or war, the range and mode of police operation, upon the recommendation of the Government, is established by the President of the Republic.

The use of technical materials, infrastructure, land and police premises in a state of emergency or war is to be planned by the police.

Article 18

If the Government establishes that public order cannot be protected in any other way, it may appoint the Minister to order:

- restrictions or bans on entry to certain regions, territories or public premises;
- a ban on entering or leaving a particular region.

The measures defined in the previous paragraph may only last as long as the reasons for which they were ordered still exist.

Article 19

The police may, upon the petition of international organisations or based on international agreements that the Republic of Slovenia uses, participate in police operations or other non-military tasks abroad.

The use of the police force for the operations mentioned in the previous paragraph is to be decided on by the Government upon the recommendation of the Minister.

Article 20

The police must legally, even in the absence of the specific authorisation defined in this Act or other acts, do everything necessary to protect an individual or group from danger, and prevent actions which threaten safety, order and peace.

The use of the police as defined in the previous paragraph, is to be decided upon by the Minister.

State authorities, corporations and sole proprietors must provide the police with the technical resources and trained employees so that the tasks defined in the first paragraph of this Article can be carried out.

The cost of employing technical resources and equipment mentioned in the previous paragraph shall be reimbursed by the state budget.

Legal persons or sole proprietors who fail to follow the third paragraph of this Article are to be charged with an offence and fined a minimum of 1,000,000.00 tolar. The person responsible for actions of a legal person is to be fined a minimum of 200,000.00 tolar.

Article 21

Police stations and police directorates will cooperate, within the scope of their authority, with local community agencies in order to improve safety in such areas.

Police stations and police units will also cooperate with other parties, organisations and institutions whose goal is to provide greater safety and encourage citizens to organise for their own protection. They will also, within the scope of their authority, provide them with assistance in such matters.

For this purpose, police stations and police units, along with other parties, organisations and institutions from the previous paragraph, can agree to create councils, advisory committees, and other forms of partnership cooperation.

Article 22

The police will inform the public of police matters unless doing so would do harm to either police performance or the legitimate good of others.

The information defined in the previous paragraph is released by the director general of police or an authorised officer.

Article 23

The police will provide aid to state authorities, autonomous local associations, institutions, organisations, corporations and sole proprietors who have the legal authority to perform some duties of the directorate (in the following text they will be referred to as the Rightful Claimants), if these institutions encounter opposition and intimidation, or have sufficient reason to expect it while performing their duties.

Article 24

The police will guarantee the assistance defined in Article 23 of this Act upon receiving a written request submitted by a Rightful Claimant when circumstances allow for the time necessary to write such a request.

A Rightful Claimant must send the request defined in the previous paragraph to the police station with the appropriate jurisdiction three days before the services requested are to be provided. The request must state the reasons for which police assistance is necessary, and provide the legal basis for such a request.

Article 25

Before providing the services requested by the Rightful Claimant, the police must notify the persons in question that action will be taken against them if they continue to obstruct the pursuits of the Rightful Claimant.

Police officers themselves must not provide services for which a Rightful Claimant has been authorised.

Article 26

When police officers offer the assistance defined in Article 25 of this Act and anticipate opposition and intimidation from a larger number of persons, they may, until the Rightful Claimant's task has been completed, put a ban on trespass or residence in a specific territory or premises.

The police may initiate legal procedures against or remove persons who obstruct them in the implementation of or attempts to carry out police assignments, and/or threaten the lives of other persons.

Article 27

It is an individual's right to help the police carry out duties prescribed by law.

An individual who, in assisting the police, becomes injured or ill and is unable to continue working, is eligible for all the rights and benefits which derive from health, retirement and disability insurance intended for police officers who become injured while on duty.

The basis for estimating the amount of benefit is the individual's approximate salary in the year prior to the injury, or a police officer salary if such a method is more advantageous to the individual or if the individual is not employed.

If an individual loses his/her life, his/her family members are entitled to a family pension.

The family members from the previous paragraph are also entitled to a lump sum equal to the deceased individual's six approximate monthly salaries or a police officer's approximate annual salary, if such a method is more advantageous to the family members.

An individual who assists the police is entitled to reimbursement for any damage caused to his/her property while assisting the police.

If legal proceedings are initiated against the individual as a result of his/her assistance to the police, the police will guarantee professional legal assistance to this individual in such proceedings.

The funding required to implement the rights defined in the previous paragraphs of this Act are to be provided by the State.

Article 28

If an individual believes the actions of a police officer to have violated his/her rights or freedoms, such individual may use all legal and other means available for the protection of his/her rights and freedoms to file a complaint with the police no later than 30 days after the incident.

Union members and members of the public can take part in the resolution of such a complaint.

The police must process and respond to the complaint within 30 days after it has been filed.

The method and procedure for the processing of a complaint is to be defined by the Minister.

III. Police Authority

Article 29

In police operations, police officers are granted the authority established in this Act or other acts (in this text referred to as Police Authority).

The method of exercising Police Authority is to be defined by the Minister upon the recommendation of the director general of police.

Article 30

Police officers are required to act in accordance with the constitution and the law, and to respect and protect human rights and basic freedoms.

Police officers may limit human rights and basic freedoms only in instances specified by the constitution and the law.

The police will follow their code of ethics.

Police officers are required to prevent crime at all times and take measures within their competence if such crime or the possibility thereof directly threatens human life and personal safety or people's property.

Article 31

Uniformed police officers have the right and duty to wear their uniform in accordance regulations defined by the Minister.

The uniform, symbols of rank and other police symbols are to be established by the Government.

When police officers work on an assignment in plain clothes, they are required to identify themselves with a police identification card. If circumstances do not allow for such identification, they must orally identify themselves as police officers and show identification as soon as possible.

Article 32

It is the right and duty of a police officer to carry a weapon with ammunition in accordance with regulations to be specified by the Minister.

Article 33

While on duty, police officers may warn, give orders, determine a person's identity and initiate identification procedures, make a security check on a person, issue summons, perform a safety check, deny entry to a certain territory, perform an anti-terrorist search of premises, buildings, instruments and territories, arrest and bring in a person, detain a person, order strict police surveillance, confiscate items, enter a private residence and private premises, make use of transportation and communication means, apply undercover police coercive and any other measures authorised by law.

Article 34

Police officers may warn individuals, state authorities, corporations, sole proprietors, authorities, organisations and autonomous local associations of any circumstances or activities that pose a threat to human life, personal safety or people's property, or of general dangers.

Police officers may give individuals, state authorities, corporations, sole proprietors, authorities, organisations and autonomous local associations directions and orders to act in a manner necessary to protect human life and property against damage, destruction, robbery and other forms of destructive behaviour, to guarantee a safe flow of traffic, prevent public unrest and other forms of disruption to the public order, and to avert damage caused by natural and other disasters based on decisions made by authorities competent to offer protection from natural and other disasters.

Orders may only be given in order to carry out activities which are directly dependent upon the successful carrying out of police duties, and for the maximum length of time required for such work.

Article 35

Police officers may investigate the identity of a person who, by his/her behaviour, actions, appearance or loitering at a particular location at a particular time evokes suspicion that he or she will commit, is committing or has committed a crime or offence. Police may also investigate the identity of a person subject to the provisions of Article 41 of this Act.

Police may investigate the identity of a person and forward the obtained information, upon reasonable request, to state authorities and subjects with public authorisation.

Police may also investigate the identity of a person upon the reasonable request of another person.

Police officers may fingerprint a person whose identity cannot be established by any other means.

Police may photograph a person defined in the previous paragraph, make a record of his/her personal description and publish the photographs of such a person or of a missing person.

The provisions from Article 4 and 5 also apply to the identification of a dead body.

Article 36

Police officers may, for security purposes, investigate individuals in order to protect certain persons, authorities, buildings, neighbourhoods, professional premises and classified information. They may also do so for other reasons regulated by law.

An investigation of a person for security purposes means the investigation of possible obstacles to that person's employment by a protected person, agency that requires protection, in a certain structure or neighbourhood, on certain professional premises, or the person's access to classified information, or in other situations regulated by law.

An investigation of a person for security purposes is only conducted with his/her signed consent.

The Government will regulate the protection of certain persons, authorities, objects, neighbourhoods, professional premises and classified information of state authorities, and the criteria and methods to be utilised while investigating persons for security purposes.

Article 37

Police may request a person to make an appearance at official police premises in order to obtain the information necessary to carry out certain operations required by law.

A written request to appear must include the first and last name of the person requested to appear, the time, location and reason for which the person is requested to appear, and a warning that the person will be forced to appear if he or she does not respond appropriately to the request.

The police may notify a person of a request for appearance orally, but they must state the reason for which he or she is being requested to appear, and warn him/her of the possibility of force being applied to ensure the person's appearance.

Article 38

In enforcing the law, the police may investigate a person for security purposes if there is reason to believe that the person in question may harm himself/herself or someone else.

A security investigation will be conducted by a search of the person, his/her belongings and/or vehicle, and the establishment of whether the person is armed or carries other dangerous objects.

The security investigation will be conducted with or without technical instruments.

Article 39

If there is reason to believe that a certain territory or building might become at risk of the endangerment of people's lives, personal safety, valuables or property, or if such an event has already happened, or if certain persons or buildings need protection, the police may empty such a territory or building, deny people entry, search it and restrict activities in its proximity.

Article 40

The police may conduct anti-terrorist searches of premises, buildings, sites and territories in order to ensure the general safety of persons and property on certain premises and buildings and sites. They may also do so on certain territories and by topping traffic in order to ensure the safety of certain persons, buildings and classified information or in order to ensure safety at public gatherings and events.

An anti-terrorist search is comprised of anti-bomb and anti-bug searches, or chemical, bacterial and radiological searches.

If there is reason to expect that an area, building, plant, territory or traffic might become subject to the endangerment of the general safety of the public or property by extremely dangerous instruments and devices, or if such an event has already happened, the police may empty a certain area, building, territory or vehicle, search it with technical instruments and forbid anybody to approach it. In these instances, the police may also conduct an investigation for security purposes.

In implementing the authorisations from this Article, the police may also ask the competent inspection authorities to conduct a supervised inspection.

Article 41

By arresting a person, police officers temporarily restrict the free movement of such a person in order to bring him/her in, detain him/her or conduct some other activity in accordance with the law.

If a military person is arrested, the military police must be notified immediately.

An arrest also includes a security investigation.

Article 42

When bringing a person in, the police may either bring a person onto their official premises, the official premises of another authority, or to a specific area.

A competent authority may order a person to be brought in. Without such an order, a person may only be brought in under the provisions of Article 37, or if this person has already been arrested, or in other instances defined by the law.

Before bringing a person in, police officers must inform the person of the reasons for doing so and warn him/her of the consequences of resistance or an attempt to escape.

If a person resists being brought in, the police shall apply force to bring him/her in.

Article 43

Police may detain a person who disrupts or threatens public order if order cannot be restored otherwise and/or if the disruption cannot be prevented otherwise. A person may only be detained for 24 hours.

A person handed over to the police by foreign law enforcement authorities who needs to be handed over to a competent authority may only be detained for 48 hours.

Detainment must be ordered in writing and this document must be issued and given to the detained person 6 hours following the arrest. During detainment the detained person has the right to file a complaint. The complaint must be processed by a competent local court within 48 hours.

A complaint may not delay the implementation of detainment.

Detainment must be terminated as soon as the justification for it no longer exists.

If a military person is detained, the military police must be notified immediately.

Article 44

In carrying out an arrest, the person being arrested must be informed in his/her native language, or a language he or she understands, of the fact that his/her freedom is being restricted and the reasons for the arrest. The person must be immediately informed that he or she does not have to make any statements, that he or she has the right to an attorney of his/her choice and that the police officer is required to notify the arrested person's relatives of the arrest if that person so requests.

A police officer must postpone all further steps until an attorney has arrived, but no more than 2 hours after the arrested person has been given a chance to contact an attorney.

A police officer may immediately bring in or detain a person and/or take other legal actions if a delay would prevent or hinder the completion of his/her duty.

Article 45

An alien who is not allowed entry into the country, or for whom deportation and/or removal has been ordered, but who cannot be removed from the country immediately, may legally be ordered to stay, under strict police supervision, in a building designated for this purpose for as much time as it is necessary to remove the alien from the country.

Article 46

Police may confiscate items on the basis of a written order issued by a competent authority or legal reasons.

Police officers may enforce the law by confiscating items intended for attack or to inflict injury upon oneself, as well as items intended to severely endanger public order or the general safety of the public and property, or items which were used in, acquired by and/or came into existence through a petty offence or criminal act.

The items defined in this Article must be handed over to the competent authorities. In the event that no proceedings were initiated by a competent authority against the person whose items have been confiscated, these items must be returned to the person unless they pose a threat.

Article 47

Police officers do not need a court order to enter a residence or other premises if such an entry is necessary to prevent a suicide, if there is an ongoing investigation of circumstances pointing to the death of a person in such a place, or if entry is necessary to protect individuals and/or property from direct danger.

Article 48

If a criminal needs to be arrested, if a person in need of immediate medical attention must be taken to a medical institution, or if the police need to handle another type of emergency, police

officers have the right to use the closest available vehicle or means of communication, except those owned by the Slovene Military.

The owner of the means defined in the previous paragraph has the right to be reimbursed for this use and for any possible damage caused by this use.

In enforcing the law, police officers have the right to free public transportation and mandatory insurance for public transportation passengers.

Article 49

If there is reason to believe that a person has committed a crime which must be prosecuted officially, or if such a person is committing the crime, or organising or planning to commit it, and the police cannot find any other way to reveal, prevent or prove this, or it would be extremely difficult to do so, they may apply the following measures:

- surveillance and tailing with the use of technical equipment for the purposes of documentation;
- undercover work;
- undercover cooperation;
- altered documentation and identification insignia.

Permission for the measures described in the previous paragraph to be implemented can be granted by the director general of police or his/her deputy, except in cases when police officers and/or other persons working or cooperating undercover use altered documentation and identification insignia, and permission is issued by a competent district attorney. Such permission must be in writing and must include personal data about the person against whom the procedure is being undertaken and a description of the action, method, extent, length and justification of such measures.

The implementation of the measures described in the previous paragraph may only last three months, although a three month extension may be allowed if just cause is given. Approval and justification for each extension must be issued in writing.

Such measures must cease to be implemented as soon as their justification ceases to exist.

If the measures from the first paragraph were not taken in accordance with the provisions of the second and third paragraph of this Article, the court must not base its decisions on any of the information, messages, recordings or evidence acquired through the use of such measures.

If a criminal complaint has not been filed within six months after the implementation of the measures from this Article, all evidence gathered on the basis of this Article must be destroyed,

regardless of the provisions in articles 62, 63 and 64, and the person about whom such evidence was gathered must be notified.

In exceptional cases, the term from the previous paragraph may be extended for as long as the reasons defined in Article 159 of the Criminal Proceedings Act (Official Gazette of the Republic of Slovenia, no. 63/94), still exist.

Article 50

Police officers have the right, while implementing their tasks, to use the following restraints:

- instruments of constraint such as handcuffs;
- aerosol tear-gas spray;
- physical force;
- riot stick;
- gas and other instruments for pacification;
- water jets;
- cavalry;
- special motor vehicles;
- service dogs;
- tools for forcefully halting vehicles;
- firearms.

Restraints are used when police officers, while carrying out police duties, employ any of the restraints defined in the previous paragraph to directly control individuals.

Article 51

Police officers may use restraints if there is no other way to control the resistance of a person who disobeys legal orders or disrupts public order, a person who needs to be arrested, brought in or restrained, if public order is being severely or massively violated and needs to be restored, or if they must fight off an attack on themselves or on persons and buildings under their protection.

The police may only use those instruments of restraint to effect the least amount of harm to the person against whom they apply such measures. While using such instruments of restraint, police officers must respect an individual's personality and dignity.

Police officers must stop using instruments of restraint as soon as the justification for their use ceases to exist.

Article 52

While carrying out their tasks, police officers may use firearms only if there is no other way to:

- protect human life;
- prevent a person who has been caught committing a crime for which the law prescribes a sentence of 8 or more years of imprisonment from escaping;
- prevent a person whose freedom has been restricted, or for whom an arrest warrant has been issued because he or she has committed a crime defined above from escaping, if a warrant to arrest, bring in and/or escort a person permits the use of firearms by a police officer in the event that a person attempts to escape;
- respond to an attack on the person or object under protection;
- respond to a direct, disproportionate attack on himself/herself which puts his/her life at jeopardy.

Before a police officer uses his/her firearm, he or she must, whenever the circumstances allow, warn the person against whom the weapon is to be used by calling out, "Police, freeze or I will shoot!" and fire a warning shot.

Article 53

In direct police work on water, the police have the right to:

- verify the flag of a vessel;
- stop a vessel, examine and search it;
- check the documentation, crew members and passengers at a vessel;
- or apply other authorised actions if necessary.

Police officers may pursue, capture and take a vessel with its crew members to a competent authority if there is reason to suspect that the laws of the Republic of Slovenia, international treaties or international laws have been violated.

IV. Gathering, Custody and Protection of Information

Article 54

Police gather personal and other information in order to implement operations prescribed by law.

Police officers are to gather personal and other information directly from the person to whom the information is linked and from others who may have such information, or from collections of already documented information.

While gathering personal and other information from a suspect, police officers may, with the suspect's written consent, give a polygraph test.

In gathering personal and other information intended to prove that an offence or crime has been committed, or to identify violators and/or perpetrators, the police may use still photographs and/or video and audio taping.

In gathering personal and other information from other persons or collections of documented information in the way defined in the previous paragraph, police officers are not required to make their activities known to the person included in this information if such an action would frustrate or hinder the implementation of a particular task.

Article 55

If, as part of their assignment, police officers collect personal and other information about individuals from collections of already documented data, the authorities, organisations and other groups who manage collections of data on a legal basis and as part of their profession or in connection to it, are required to release personal and other information to police officers when so requested.

The Minister may decide that, in cases mentioned in the preceding paragraph, the authorities, organisations and other groups may notify the individuals included in the information but only after a certain period of time but no longer than five years.

The provision from the preceding paragraph also applies to the presentation to a person of a list of individuals who, in a certain period of time, received personal and other information.

Article 56

An officer must keep state, official or other secrets he or she encounters while working on an assignment confidential. The obligation to keep state, official and other secrets confidential may remain in effect even after the police officer is no longer employed as such.

An officer is required to protect the anonymity of a source who filed a report, provided information or filed a complaint.

The Minister may, with well-founded reasons and/or upon the request of competent authorities relieve an officer of the obligation to keep a state, official or other secret confidential.

Article 57

The Minister will determine the organisational, logistical and technical procedures and measures to be taken in order to protect personal and classified police information, as well as the criteria for procedures defining the confidentiality of information handled by the police.

Article 58

Unless otherwise specified by law, provisions of the law protecting personal information apply to the collection, management, filing, forwarding and usage of information from police records.

Article 59

The police keep compiled collections of documented data (hereinafter referred to as the records). Records are handled, filed, forwarded and used by police officers as part of their assignments.

When implementing authorised police actions, the police maintain and keep the following records:

- indicted persons and criminal offences;
- offenders and offences;
- missing persons;
- identification;
- detected criminal acts;
- operative information;
- persons against whom measures from Article 49 of this Act have been taken;
- fingerprinted and photographed persons;
- DNA tests;
- events;
- detained persons;
- persons investigated for security reasons;
- complaints and
- the use of instruments of restraint.

Article 60

Records from the preceding paragraph contain the following personal information

- name and surname
- day, month, year and place of birth
- permanent and/or temporary residence address
- citizenship.

Article 61

Aside from the common personal information, individual records contain the following additional information:

- indicted persons and criminal offences: nickname or alias name, gender, personal description, nationality, the person's family, socio-economic and educational background, profession and employment, victims' personal information and information on the criminal act itself (type, place, time, method, motive, description of items used, damages and other circumstances of the criminal act);
- offenders and offences: profession and employment of the offender, professional position of the person legally responsible for a legal person, victims' personal information and information on the criminal act itself (type, place, time, method, motive, participants and damages);
- missing persons: nickname or alias of the person sought, the person's family, socio-economic and educational background, profession and employment;
- identifications: reason, place, time and means of transportation of the person whose identity was investigated, and other circumstances of the identity investigation;
- detected criminal acts: nickname or alias, gender, nationality of the suspect, municipality of birth, victims' personal information and information on the criminal act itself (type, place, time, method, motive, description of items used, damages and other circumstances of the criminal act);
- operative information: type, place, time, method, means, motive, participants, damages and circumstances of the criminal act;
- persons against whom measures from Article 49 of this Act have been taken: nickname or false name of the person, his/her family, socio-economic and educational background, profession and employment, serial number of the written permission signed by the director general of police or a person authorised by the latter, and information on the method, extent and duration of measures taken;

- fingerprinted and photographed persons: nickname or alias of the person sought, his/her family, socio-economic and educational background, profession and employment, finger and palm prints, photograph of three poses (front and both profiles), and the time, place and reason for fingerprinting and photographs;
- DNA tests: genotype;
- events: information about the event (type, place, time, participants, damages and other circumstances);
- detained persons: information about detainment (place, time and reason for detainment);
- persons investigated for security reasons: educational background, profession, employment, previous offences and reasons for launching an investigation and findings;
- complaints: information about the police officer against whom a complaint was filed, information about complainant, information as to the measures, approach and procedure taken by the police officers against whom the complaint was filed;
- use of restraints: information about the police officer who used restraints, identification data about the person against whom restraints were used, information about the event during which restraints were used, an evaluation of the use of restraints and any revisions to that evaluation.

Article 62

An individual has the right to obtain the following information about himself or herself from the records:

- from the third, fourth, eighth, ninth, tenth, eleventh, thirteenth and fourteenth lines of Article 59 of this Act, immediately after the creation of the record;
- from the first and second lines of Article 59 of this Act after the final and conclusive court ruling to initiate proceedings for a criminal or petty offence, or, if proceedings are not initiated, after the statute of limitations has been exceeded;
- from the first and seventh lines of Article 59 of this Act after the termination of the police investigation or after the final and conclusive ruling to initiate proceedings for a criminal offence, or, if the latter is not initiated, after the statute of limitations has been exceeded;
- from the twelfth line of Article 59 of this Act after the conclusion of hiring procedure, and/or after the end of the assignment of tasks to protect certain persons and premises, districts, places of employment of state authorities, or classified information of the state administration;

- from the sixth line of Article 59 of this Act after the data has been filed.

An individual whose background information has been collected and not deleted without his/her knowledge, must be notified whenever the nature of a particular police operation allows for this.

Article 63

Information is kept:

- in the records from the first, second, eighth and ninth lines of Article 59 of this Act until the repeal of the sentence or punishment, or, in the absence thereof, until the statute of limitations has been exceeded;
- in the records from the third line of Article 59 of this Act as long as the reasons for which an investigation, or another legal measure was launched still exist, but only until the statute of limitations has been exceeded;
- in the record from the first line of Article 59 of this Act until one year after the data has been filed;
- in the records from the fifth and seventh lines of Article 59 of this Act until the close of the police investigation, the final and conclusive ruling to initiate proceedings for a criminal offence, or in the absence thereof, until the statute of limitations has been exceeded;
- in the record from the sixth line of Article 59 until the conclusion of a protection assignment, closure of a police investigation, final and conclusive ruling to initiate criminal or petty offence proceedings, or if no proceedings are initiated, until the statute of limitations has been exceeded;
- in the records from the tenth and twelfth lines of Article 59 of this Act until three years after the data has been filed;
- in the records from the eleventh, thirteenth and fourteenth lines of Article 59 of this Act until two years after the data has been filed.

Article 64

After the limitation specified in the preceding paragraph have passed, documentary material is filed into the archives.

Archive material may only be used in accordance with the provisions of the act on archive material and archives.

V. Employment and Special Arrangements in the Areas of Health, Retirement and Disability Insurance

Article 65

Police personnel is subject to general and special provisions of employee, health, retirement and disability insurance, unless otherwise specified by law.

Police personnel are defined as police officers and other workers employed by the police force.

Article 66

Police officers are uniformed or non-uniformed police employees who carry out police tasks and have the right and duty to enforce police authority.

A police officer is required to have a minimum of a secondary professional diploma.

The police profession is defined by profession nomenclature as one of the professions for which educational programs can be created.

Police officers carry a police identification card which is evidence of their authorisation to enforce the law.

The police identification card is issued by the director general of police.

The form required for obtaining a police identification card and the procedure for the issuance of such cards are defined by the Minister.

Article 67

Employment in the police force may be given to a person who, in addition to the requirements set forth in the regulations on government employment, fulfils the following additional requirements:

- he or she has the appropriate psychological and physical ability;
- he or she has not been finally and conclusively convicted of a premeditated criminal offence under official prosecution, and he or she has never been sentenced to an unconditional imprisonment for more than three months;
- he or she is not undergoing proceedings for a criminal offence defined in the preceding line;
- he has completed his mandatory service in the military;
- he or she is, as a rule, not older than 30 years of age;
- he or she is a citizen of the Republic of Slovenia and permanently resides in the Republic of Slovenia;

Conditions from the first, fourth and fifth lines are applied only when a police officer is employed.

Women are not required to serve in the military before being employed as police officers.

The psychological and physical abilities from the first line of the first paragraph of this Article are defined by the Planning and Classification of Positions of Employment Act.

The police may, upon the written consent signed by the person applying for employment with the police, collect background information in order to determine whether there are any obstacles to the applicant's employment with the police.

Article 68

If an employee of the police is convicted of a crime defined in the second line of the first paragraph of the preceding Article, the court must send its final and conclusive ruling to the general police directorate.

A police employee's position is officially terminated when the general police directorate issues a decision to terminate employment based on a final and conclusive court ruling.

Article 69

A person who has accepted employment as a police officer must, in the time period prescribed by the Planning and Classification of Positions of Employment Act, pass an examination to implement his/her police authorisation.

The contents and method of testing defined in the preceding paragraph are prescribed by the Minister upon the recommendation of the director general of police.

A person who does not pass the examination mentioned in the preceding paragraph will be terminated from his/her position of employment.

Article 70

Upon passing the examination mentioned in the preceding paragraph, the police officer must take an oath.

The oath is worded as follows:

“I solemnly swear to carry out my police duties in a conscious, responsible and humane manner, in accordance with the law, and with respect to human rights and basic liberties.”

The oath from the preceding paragraph is also taken by reserve police officers.

Article 71

At least every three years, a police officer must take a professional and psycho-physical competency test (in the following text referred to as the Test).

A police officer takes the Test in front of a committee named by the director general of police.

A police officer may retake the Test a maximum of two consecutive times.

If a police officer fails the Test at his/her first attempt, he or she has the right to take the test a second time within a period of three months after the first failed attempt. He or she has the right to take the test for the third time within a period of three months after the second failed attempt.

The details and criteria needed to test the professional competency and physical and psychological ability of a police officer, and the details and procedures for administering the test, are prescribed by the Minister upon the recommendation of the director general of police.

Article 72

The director general of police may order that a police officer's right to exercise police authority be taken away:

- if the latter exercises police authority counter to the law;
- if the latter fails to act in accordance with the provision from the fourth paragraph of Article 30 of this Act;
- if the latter fails the Test mentioned in the preceding Article at his/her third attempt;
- if the latter conducts the activity defined in Article 83 of this Act;

The director general of police may order that a police officer's right to exercise police authority be waived if he or she discovers that such a police officer holds membership in a political party.

The provisions from the first and second paragraph of this Article may be appealed. An appeal will be evaluated by the Minister.

An employee affected by the first and second paragraph of this Article will be assigned to another position appropriate to his/her professional training by the director general of police.

The ruling on the new assignment is final.

An employee affected by the first and second paragraph of this Article must turn in his/her police identification card, weapons and uniform.

Article 73

The police will offer legal aid to a police officer against whom criminal proceedings have been initiated or from whom damages have been claimed for actions taken while on official assignment, if the police determines that the actions of the police officer followed regulations.

This evaluation is conducted by a committee named by the director general of police for the general police directorate or by the director of a police directorate for a police directorate.

Article 74

A person over the age of 18 who meets the requirements set in Article 67 of this Act, other than the military service requirement, may be employed to conduct temporary or periodical traffic regulation on public roads and non-classified roads used in road traffic, and to handle border control issues.

Article 75

Persons from Article 67 of this Act may be employed without a public announcement.

Article 76

If a candidate's application for employment is denied, the police is not required to inform him/her of the reasons for its decision.

Article 77

For the purposes of uninterrupted police operation, the director general of police may temporarily transfer or direct a police officer to a certain region or professional area but for no longer than six months.

For the purposes of uninterrupted police operation, the director general of police may transfer a police officer from one organisational unit to another, within the territory of a police directorate, for a period of no longer than six months.

The order to temporarily transfer or direct an officer must be given to the police officer at least seven days prior to the assumption of duties. The order is final.

Article 78

In the event of the demotion of a police officer to a lower position for professional reasons, he or she will remain at the same level at wages as at the previous position.

Article 79

A police officer who is officially transferred or directed has the right to reimbursement for travel expenses, or for separated living and moving expenses if he or she relocates.

The police will be responsible for proper living arrangements for a police officer who is officially transferred or directed and has to relocate.

Article 80

A police officer may, in order to protect certain persons or premises, be temporarily transferred to work at another government agency.

A police officer who is, during a certain period, working for another government agency is answerable to the supervisor of the agency in question. During his/her temporary transfer, he or she has the rights and duties prescribed by this Act within the limits of the agreement between the agency in question and the police.

At the end of the transfer assignment, the officer has the right to return to his/her duties in the police force and to the position appropriate to his/her professional training.

Article 81

Police employees are required to work under special conditions when such conditions are necessary for the completion of assignments as defined by the law.

Special conditions are considered to be:

- working on an irregular work schedule;
- working in shifts;
- working on Saturdays, Sundays, holidays and other work-free days;
- working overtime;
- working in the afternoon and at night;
- working in official premises, at particular locations or away from home;
- working on a split schedule.

Working on an irregular schedule or in shifts includes working on Saturdays, Sundays, national and other holidays, as well as working in the afternoon and at night, according to a prearranged work schedule within the framework of an established monthly or annual work requirement.

Employment positions which require work as stated in the preceding paragraph are defined in the Planning and Classification of Positions of Employment Act.

Other forms of work under special conditions can be ordered if security circumstances call for them or if they are the only way to complete certain assignments which may not be postponed or must be completed by an established deadline.

The director general of police may define the reasons for which the forms of work from the preceding paragraph may be ordered and the persons who may order them.

Article 82

Readiness to work is a special professional requirement meaning that police employee must be on call to perform his/her duties in the work place, at a certain location or from home.

Time on call is not included in the number of hours that must be put in as part of the regular employment commitment.

If a police employee works while on call, the number of hours worked is included in the number of hours that must be put in as part of the regular employment commitment of a police employee.

In the event that the number of working hours completed by a police employee exceeds the number of hours of his/her monthly or yearly commitment, the difference in hours is considered overtime.

Article 83

A police officer may not take on any task that would interfere with his/her police assignments.

The tasks to be avoided by police officers are to be defined by the Minister.

In order to compensate for the special restrictions and limitations of this Article, the Government will provide a benefit to the basic salaries of police officers.

Article 84

During a strike, police officers are under the obligation to continue to:

- protect people's lives, personal safety and property;
- prevent, uncover and investigate criminal activity;
- identify and arrest criminals and other wanted persons, and hand them over to competent authorities;
- protect certain persons, agencies, buildings, neighbourhoods, professional premises and classified information of state agencies;
- maintain public order;

- monitor and direct traffic on public roads;
- protect the state border and conduct border checks;
- implement the tasks set in the regulations on aliens;

Police officers are required to implement the tasks from the preceding paragraph in a timely and efficient manner according to the instructions given by their superior officers.

During a strike, police employees are required to ensure the undisturbed implementation of tasks defined in the first paragraph of this Article.

In order to compensate for the special restrictions and limitations of this Article, the Government will provide a benefit to basic salaries of police officers.

Article 85

Work on official premises, except on premises where weaponry and other technical equipment is either stored or used is to be done in accordance with the general fire safety and workplace health and safety regulations.

The director general of police will establish the fire safety regulations and procedures to be applied, and the workplace health and safety regulations in locations where general regulations are not applied.

The director general of police will also establish the organisation and implementation of safety measures in the workplace, and will name individuals responsible for ensuring workplace health and safety.

Article 86

For every year of service in the police force beyond the first five years, a police officer is entitled to a 0.5 % of basic salary bonus for security of tenure.

The years of service performed with the status of an authorised officer will be included in the number of years of service, according to the Internal Affairs Act (Official Gazette of the Socialist Republic of Slovenia, no. 28/80, 38/88, 27/89, and Official Gazette of the Republic of Slovenia, no. 19/91, 4/92, 58/93).

The provisions of this Article are effective as of January 1, 1999.

Article 87

A police employee with a minimum of 30 (male) or 25 (female) years of service for pension purposes, including at least 15 years of service with the status of an authorised officer, according

to the Internal Affairs Act, or with the status of a police officer, who is a minimum of 45 (male) or 40 (female) years of age, has the right to retire six months after submitting a request to retire.

The retirement pension is estimated to be 65% of the basic pension. Every year worked beyond the pension minimum of 30 years (males) or 25 years (females) increases the basic pension by 2% to a maximum of 85% of the basic pension.

Article 88

The police has a medical committee which evaluates a police officer's ability to work.

The medical committee is named by the director general of police and has five members, at least three of whom are physicians.

When the committee mentioned in the first paragraph of this Article considers a police officer unable to perform work, but capable of serving in another position, the officer will be transferred to a professional position based on his/her level of education and health condition.

If the decrease in ability to perform work is a result of working on assignments prescribed by law, the police officer will keep the salary from his/her previous position if that is his/her best option.

After the transfer mentioned in the third paragraph has been completed, the matter will be released for further processing to the competent unit of the Institute for Retirement and Disability Pensions so that the right to disability insurance can be applied.

If the committee from the first paragraph of this Article determines a police officer unable to perform work at his/her current or any other position in the police, the matter is released to the competent unit of the Institute for Retirement and Disability Pensions so that the right to disability insurance can be applied.

Article 89

The police will insure a police officer against an on-duty injury which results in death or a terminal loss of ability to perform work, if the police officer works on assignments with a high degree of risk to his/her life or health.

The positions which require insurance for police officers are listed in the Planning and Classification of Positions of Employment Act.

Article 90

A police officer who is not insured under the provisions of the preceding Article has the right to special compensation, in addition to the right to a disability pension in case of an injury while on duty the result of which results in death or a terminal loss of ability to work.

Special compensation amounts to a maximum of 100% of the insurance amount set in the previous Article. In the case of death, special compensation amounts to 100% of the insurance amount from the preceding Article. In the case of a permanent loss of ability to perform work, the amount of special compensation depends on the degree of the loss of ability to work. If a police officer dies, special compensation goes to his/her family or spouse.

The amount and method of special compensation payment mentioned in the preceding paragraph is determined by the director general of police.

Article 91

The police covers the expenses arising from the funeral, at a location chosen by the family, of a police officer who died on duty.

In all instances from the preceding paragraph, the family or spouse of the deceased police officer has the right to lump sum financial assistance, the minimum of which is the sum of all wages received by the police officer within the last six months prior to death, and the maximum of which may be the sum of all wages received by the police officer in the last ten months. The amount of the lump sum financial assistance is set by the director general of police.

Financial assistance is paid in addition to compensation.

Article 92

During temporary leave due to a disease, on-duty injury and other reasons defined by health care regulations, except in the case of temporary leave due to an injury not acquired while on active duty or the care for a family member, during which compensation is provided according to general regulations, a police officer receives compensation equivalent to full-time employment, excluding bonuses for work performed under special circumstances.

Article 93

Police officers with special knowledge and skills who are undergoing additional training and are needed on special police assignments, and police officers working on assignments with a high degree of risk involved, are entitled to a bonus for special knowledge and skills and/or danger.

The type of special knowledge and skills, and the assignments mentioned in the preceding paragraph, are defined by the Minister.

Raises to a basic salary for certain positions are set by the Minister based on the Planning and Classification of Positions of Employment Act.

Article 94

Certain positions of employment which require specific professional knowledge or special training and are of special importance in terms of police efficiency, may be categorised by the Government in a higher salary bracket than prescribed by general regulations as an exception.

VI. Discipline and Damages Accountability

Article 95

A police employee may temporarily be suspended from work or his/her position of employment if he or she is caught in severe violation of his/her professional duties and responsibilities, or if criminal proceedings have been initiated against him/her for criminal offences listed in Article 67 of this Act, or if proceedings against him/her are ordered due to his/her severe violations of professional duties and responsibilities, a result of which may be final termination of employment.

Temporary suspension from work or position of employment is decided upon by the director general of police or by an employee authorised by the director general of police.

A police officer who is temporarily suspended from work or his/her position of employment must, for the duration of the temporary suspension, turn in his/her service identification card and weapon.

Article 96

The disciplinary procedure is public.

The agency conducting the procedure may decide that the disciplinary procedure be carried out without the participation of the public when matters classified as state, official and other secret are being dealt with.

Article 97

Accountability for police officer discipline is decided upon at the highest level by:

- director general of police or an employee authorised by the former to oversee the employees of the general police directorate;
- director of a police directorate or an employee authorised by the former to oversee the employees of the police directorate and its police stations;

The discipline committee is named by the Minister and consists of ten members.

The committee rules as a senate of three members; one is an external member.

Article 98

Minor violations of professional duties and responsibilities committed by police employees in addition to the violations listed in the general provisions affecting all government employees are classified as follows:

- improper and rude attitude towards other police employees;
- untimely, unconscionable or sloppy work performance that does not result in serious consequences;
- improper or sloppy wearing of the uniform and other official insignia, or any other type of behaviour which is harmful to the reputation of the police;
- hindering or disturbance of the work performance of other employees.

The violations from the preceding paragraph may result in a fine or a public reprimand.

Article 99

Severe violations of professional duties and responsibilities committed by police employees in addition to the violations listed in the general provisions affecting all government employees are classified as follows:

- unauthorised absence from work, if such an occurrence causes great disruption to police activity;
- illegal acquisition of property or other benefits for himself/herself or someone else, or accepting presents or other benefits directly associated to work;
- coming to work under the influence of alcohol, or drinking alcohol at work or using any other narcotic substance which decreases one's ability to work;
- failing to take action or taking action under the influence of alcohol or any other narcotic substance which decreases one's ability to work and harms the reputation of the police;
- refusing to take an alcohol test or undergo a professional examination to evaluate the level of alcohol and/or another narcotic substance which decreases one's ability to work;
- any action bearing the characteristics of any of the criminal offences defined in the second line of the first paragraph of Article 67 of this Act, or of any severe violations of public order regulations;
- any action or behaviour which harms the reputation of the police;
- causing a riot or fight while on duty or in the work environment;

Violations from the preceding paragraph may be grounds for termination of employment.

Levels of alcohol and/or another narcotic substance which decreases one's ability to work are to be determined by an alcohol test or a professional examination.

Article 100

A police employee is liable for any damage he or she causes to the police or to someone else, either intentionally or as a result of severe negligence, while on duty or in direct relation to his/her work.

A police employee's liability for damages is established by a special committee, named by the director general of police or an employee authorised by the director general of police.

The final ruling on a police employee's liability for damages and his/her obligation in terms of compensation is an executive regulation.

VII. Education, Training and Development

Article 101

The general police directorate regulates the planning and implementation of education, training and improvement for police purposes.

Article 102

Education is regulated by the educational legislation provisions, unless this Act or a particular school's founding act states otherwise.

Article 103

Education is carried out through existing secondary or upper professional educational programs and through vocational training, development, retraining and specialisation programs.

The dormitories of the secondary vocational school will have counsellor/mentor program.

Article 104

Education from the first paragraph of the preceding Article is carried out by:

- a secondary vocational school;
- an upper vocational school.

Article 105

The two schools from the preceding Article are to be established by a founding act set up by the Government upon the recommendation of the Minister.

Both schools are considered to be organisational units of the general police directorate.

Article 106

The schools' authority are in accordance with the Organisation and Funding of Education Act.

The authorities' competency is prescribed by the founding act.

Article 107

The schools' curricula will be adopted by the Minister, as soon as the Vocational Council of the Republic of Slovenia establishes a compatible educational standard for vocational education.

The curricula will become public effective the day they are published in a special publication.

Article 108

Applicants who wish to attend a certain school must, in addition to the requirements set by education provisions, also meet the requirements set by the director general of police upon the approval with the Minister.

Article 109

Training and development of police officers may be performed by other police organisational units which follow the curricula set by the director general of police.

Police employees may enrol into other accredited types of education carried out by external institutions.

Article 110

The general police directorate signs a contract with all candidates for educational programs that defines the rights and duties of both parties.

Rights and duties pertaining to the participants of training and development programs are specified by a referral notice.

Article 111

The implementation of education is supervised by a school supervision board.

Article 112

An upper educational institution will be created in order to implement a publicly valid curriculum which leads to a degree in upper vocational education.

The act required to create such an institution will be adopted by the National Assembly of the Republic of Slovenia.

VIII. Organisation of the Police in Reserve

Article 113

The reserve force of the police is composed, based on professional duties, of citizens who have been trained to carry out police duties.

Assistant police officers are persons in basic training and persons placed into the police reserve.

In order to carry out certain police tasks, means and equipment may be given out on the basis of material resources.

The terms “professional duty” and “material resources” have the same meaning as in the Defence Act (Official Gazette of the Republic of Slovenia, no. 82/94, 44/97 and 87/97).

Article 114

Citizens who meet all the requirements from Article 67 of this Act and have the minimum of 4-year secondary school diploma may be assigned to the police reserves.

Article 115

Training for work in the police reserves is basic, advanced and improvement-oriented.

The choice of candidates for basic training is to be made during recruitment based on legal regulations.

The duration of basic training may not be shorter than the duration of universal military training based on legal regulations.

Police officers in the reserves who have successfully completed basic training are, as a rule, assigned to the reserve police force.

During basic training, police officers in the reserves may not independently exercise police authority.

Advanced and improvement training is provided for assistant police officers who have been assigned to the reserve police forces.

The implementation of training is supervised by the police.

The Minister, upon the recommendation of the director general of police, defines the training curricula as defined in the first paragraph of this Article and sets other requirements for the implementation of training.

Article 116

During basic training, police officers in the reserves have the same rights and duties as military conscripts during mandatory military service. During advanced and improvement training, police officers in the reserves have the same rights as citizens carrying out their defence duties.

Article 117

An assistant police officer is expelled from basic training:

- if he or she no longer meets the requirements of Article 114 of this Act;
- if he or she fails the proficiency and qualification examination as prescribed by the basic training curriculum;
- if he or she is dismissed from training due to a severe violation of discipline and duty during training;
- for medical reasons.

Based on justifications from the first paragraph of this Article, an assistant police officer is dismissed from basic training, sent to complete his/her term in the Slovene Military, and, based on the regulations, reassigned to other defence duties.

The advanced dismissal or suspension from basic training is decided upon by the director general of police or an employee authorised by the former.

Article 118

Assistant police officers are assigned to police units based on the wartime organisation and systematisation of the police force as established by the Minister upon the recommendation of the director general of police.

Assistant police officers who are assigned to duties from the sixth paragraph of Article 115 of this Act and Article 119 of this Act, wear a uniform and bear the same rights and duties and the same authorisations as police officers.

Article 119

The Minister may, upon the recommendation of the director general of police, decide that assistant police officers may be mobilised to carry out police duties, in addition to the instances listed in Articles 17 and 115 of this Act, in the following instances:

- natural or other disasters;
- protection of the state border;
- whenever internal security is severely threatened.

In the instances from the previous paragraph, the Minister may order the consignment of vehicles, machinery, buildings and other resources on the basis of material resources.

Article 120

During the implementation of duties from the preceding Article, an assistant police officer is entitled to the same reimbursement and compensation as military conscripts.

Article 121

An assistant police officer who, while implementing the duties from Article 119 of this Act, is injured and becomes seriously ill or disabled as a result of such an injury, holds the same rights as police officers in the same situation as prescribed by this Act.

If an assistant police officer who faces the circumstances defined in the preceding paragraph loses his/her life, his/her family have the same rights as those in the same situation as prescribed by Article 91 of this Act.

Article 122

If an assistant police officer violates prescribed discipline and fails to carry out his/her duties during the course of his/her training, the following measures may be taken against him/her:

- reprimand;
- public reprimand;
- permission denied to leave unit premises during free time;
- transfer to another police unit;
- dismissal from training and expulsion from the reserve.

Minor violations are penalised with a reprimand or permission denied to leave unit premises during free time. Major violations are penalised with a public reprimand, transfer into another police unit, and dismissal or suspension from training.

Article 123

Violations of prescribed discipline and duties during training are either minor or severe:

Minor violations include:

- repeated late arrival to training and early departure from training;
- unauthorised departure or late arrival to the training site;
- wearing the uniform in an inappropriate or sloppy manner, or poor personal tidiness;
- carrying out tasks and duties in a sloppy manner.

Severe violations include:

- a repetition of minor violations of duties and responsibilities during training;
- arriving at work under the influence of alcohol or consuming alcohol and/or narcotic substances during training;
- simulating illness in order to be excused from training;
- unauthorised absence from training for more than two days;
- causing major material damage, either intentionally or due to severe negligence;
- improper, insulting, violent or behaviour in any other way inappropriate toward other trainees or citizens in general;
- refusing to work on assignments prescribed by the curriculum or the discipline rules in the unit in which an assistant police officer undergoes training;
- refusing to carry out, incompletely carrying out or failing to carry out a given order;
- violating the rules concerning the protection of confidential or personal information, or ignoring security and other measures.

Article 124

The police keep a record on assistant police officers and a record of persons obligated to provide material resources.

The records from the preceding paragraph include information from military records: name and surname, matriculation number, date and place of birth, permanent and temporary residence, medical condition, educational background, employment and profession, extent of professional training and knowledge required to work as a reserve police officer and to be assigned to posts in accordance with wartime police organisation and systemisation, promotions, certificates of merit, disciplinary violations and measures taken against them, as well as any stays abroad exceeding a period of three months.

The record of persons obligated to provide material resources is kept according to the regulations concerning the provision of material resources.

The authority competent for defence matters, which keeps personal records on military conscripts, is required to provide the police with personal information on military conscripts who are being trained to work in the police reserves or have been assigned to the police reserves.

IX. Certificates of Merit

Article 125

Certificates of merit are issued to police officers, other police employees, organisational units of the police, police officers in the reserves and students who have expanded a secure environment, contributed to the maintenance and reinforcement of safety, helped the police, or cooperated and assisted in certain security operations.

Certificates of merit from the preceding paragraph are also issued to state authorities, local associations, companies, independent contractors and other legal persons, associations and individuals.

The type of certificates and the manner in which they are presented are decided upon by the Minister upon the recommendation of the director general of police.

X. Protection of the Uniform, Rank Designations and Symbols

Article 126

State authorities, companies, independent contractors, associations and other legal or natural persons may not reproduce or utilise uniforms and insignia which, in colour, shape, title or special labels, bear a resemblance or look identical to the uniform, rank designations and symbols used by the police, or reproduce or drive vehicles that bear the same or similar graphic images as police vehicles.

A legal person or independent contractor who disregards the preceding paragraph will be fined 500,000 tolar for this petty offence.

A person responsible for a legal person or state authority and/or an individual who commits the offence from the first paragraph of this Article will be fined at least 100,000 tolar.

Items made or used that violate the first paragraph of this Article will be confiscated.

XI. Transitional and Final Provisions

Article 127

The Ministry must conform its organisation and operation to the provisions of this Act no later than in a period of one year after the Act has been put into effect.

Article 128

Until the provisions regulating the estimate of tenured credit are adopted, police officers, as defined in the Planning and Classification of Positions of Employment Act, will be employed in accordance with Article 99 of the Internal Affairs Act and the Retirement and Disability Insurance Act (Official Gazette of the Republic of Slovenia, no. 12/92, 5/94 and 7/96).

Article 129

An employee of the Ministry who, on the day this Act is put into force, meets the requirements from Article 87 of this Act, bears the right to retire six months after this Act has been put into force, according to Article 87 of this Act.

Employees of the Ministry are police officers, police employees and other persons employed by the Ministry.

Article 130

Until the provisions regulating the position of government employees is adopted, police employees will be employed in accordance with the provisions of Article 136 of the Internal Affairs Act.

Article 131

The act required to create an institution specified in Article 112 of this Act will be adopted by the National Assembly of the Republic of Slovenia two years after this Act has been put into force.

Until the act specified in the preceding paragraph has been adopted, the College for Police and Security Studies will offer an educational program leading to an upper vocational education degree in the field of security and internal affairs.

Article 132

Contracts signed with students who attend the Police High School in accordance with the Internal Affairs Act, will remain in effect even after this Act has been put into force.

Article 133

The police unit in charge of providing security for the National Assembly of the Republic of Slovenia must carry out its duties in accordance with internal acts of the National Assembly and with the police code until a special agency intended for the protection of the National Assembly has been created.

Article 134

Police employees who, on the day this Act has been put into force, do not have the educational background required for their current position must acquire the desired education in a period of five years after this Act has been put into force. Otherwise, they will be transferred to a position appropriate to their educational background.

The provision specified in the preceding paragraph does not apply to an employee with 20 or more years of service on the day this Act has been put into force.

Article 135

The Republic of Slovenia shall lay down a national program for the prevention and suppression of crime in the Republic of Slovenia.

Article 136

The day this Act is put into force, the Public Safety Records Act (Official Gazette of the Republic of Slovenia, no. 8/93) shall no longer be in force.

Article 137

Until the adoption of new regulations, the following regulations, passed on the basis of the Internal Affairs Act, shall remain in effect unless they contradict the provisions of this Act:

- the regulation on titles, rank designations, colours and emblems on militia vehicles, and on armament and special equipment designated for militia employees (Official Gazette of the Socialist Republic of Slovenia, no. 9/87, 29/88 and Official Gazette of the Republic of Slovenia, no. 8/90, 27/91 and 36/92);
- the regulation on the recognition of authorities of the interior (Official Gazette of the Republic of Slovenia, no. 11/91);
- the regulation on the list of persons and buildings to be protected by the authorities of the interior, and on the method of protection (Official Gazette of the Republic of Slovenia, no. 38/92, 48/93 and 68/96);
- the decree on the creation of public safety administrations in the Republic of Slovenia (Official Gazette of the Republic of Slovenia, no. 3/91);
- Instructions on the application of instruments of restraint (Official Gazette of the Socialist Republic of Slovenia, no. 25/81 and Official Gazette of the Republic of Slovenia, no. 79/94, 3/95 and 22/98);

- the set of rules pertaining to the official identification card carried by authorised officers working for the authorities of the interior (Official Gazette of the Republic of Slovenia, no. 36/92 and 47/97);
- the order pertaining to activities which are not compatible with the mission statement of the authorities of the interior (Official Gazette of the Republic of Slovenia, no. 35/95);
- the resolution setting the date for Slovenian Police Day (Official Gazette of the Republic of Slovenia, no. 28/92);
- the set of rules regarding the definition of classified information and the protection of classified and personal information (Official Gazette of the Republic of Slovenia, no. 8/93).

Employees of the Ministry who carry out the duties listed in Article 3, 6 and 9 of this Act shall become the employees of the police on the day the Planning and Classification of Positions of Employment Act is put into effect.

Provisions of Article 95, 96, 97, 98, 99 and 100 of this Act shall be effective the day the Planning and Classification of Positions of Employment Act is put into effect. Disciplinary proceedings which were initiated before the Planning and Classification of Positions of Employment Act has entered into effect shall be completed in accordance with the procedure effective before the Police Act entered into effect.

The day this Act enters into effect, the second item from the first paragraph of article 150 of the Criminal Procedure Act is no longer in force.

Article 138

The day this Act is put into effect, the Internal Affairs Act is no longer in force, except for Articles 99 and 136, both of which shall no longer be in force when the provisions regulating the estimate of tenure credit and provisions regulating the position of government employees are put into effect.

Article 139

The Slovenian Intelligence Agency and the Intelligence Service of the Ministry of Defence shall be under the jurisdiction of the provisions of the Internal Affairs Act until an appropriate law has been passed, unless such provisions are in disagreement with this Act.

Article 140

This Act shall enter into force 15 days after it has been published in the Official Gazette of the Republic of Slovenia.

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