Note: Text of basic regulation

ACT

ON NON-GOVERNMENTAL ORGANISATIONS (ZNOrg)

I. GENERAL PROVISIONS

Article 1

(Content and purpose of the Act)

(1) This Act defines non-governmental organisations, lays down the conditions for granting the status of a non-governmental organisation operating in the public interest, the rights and obligations of these non-governmental organisations, and it regulates the register of non-governmental organisations operating in the public interest.

(2) This Act also lays down the support environment and measures for the more effective development of non-governmental organisations, with the purpose of strengthening the contribution of non-governmental organisations to social welfare, cohesion, solidarity, democratic pluralism and sustainable development.

Article 2

(Definition of a non-governmental organisation)

(1) A non-governmental organisation is an organisation meeting the following conditions:

* it is a legal person governed by private law seated in the Republic of Slovenia;
* it was established by domestic or foreign natural or legal persons governed by private law;
* it is a non-commercial organisation;
* it is a non-profit organisation;
* it is independent from other entities;
* it is not organised as a political party, church or any other religious community, a trade union or chamber of commerce.

(2) Notwithstanding indent two of the preceding paragraph, an organisation established by a political party is not a non-governmental organisation.

(3) Notwithstanding indent two of paragraph one of this Article, a non-governmental organisation may be an organisation established by a students’ organisation in compliance with the Students Association Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 38/94).

(4) Notwithstanding indent six of paragraph one of this Article, a non-governmental organisation may also be a legal person which is a part of a registered church or another religious community under the Act governing the freedom of religion if its main activity in the Slovenian Business Register is not defined as an activity of religious organisations.

(5) Notwithstanding paragraph one of this Article, a non-governmental organisation is not the Youth Council of Slovenia as laid down in the Act governing youth councils.

Article 3

(Non-commercial nature of non-governmental organisations)

A non-commercial organisation is an organisation which is not established on the basis of an act in order to conduct commercial activities or to obtain profit or to develop, facilitate or promote gainful activities of its founders or members.

Article 4

(Non-profit nature of non-governmental organisations)

A non-profit organisation is an organisation which, based on an Act or a written document laying down its purpose, activities and the manner of management (hereinafter: instrument of incorporation), uses its profit or surplus of income over expenditure solely for achieving its purpose or objectives; it does not share its assets with its founders, members or other persons, and in the event of winding up and after the settlement of all liabilities, its assets are transferred to another non-governmental organisation with the same or a similar purpose or a non-profit legal person governed by public law.

Article 5

(Independence from other entities)

An organisation is independent from other entities if state representatives, representatives of self-governing local communities, of other persons governed by public law, of the holders of public authority powers, of international intergovernmental organisations, political parties, trade unions, chambers of commerce and companies, and natural persons who conduct independent commercial activities in the market, or representatives of other non-profit persons represent less than a quarter of votes in its management body or authority or supervisory body.

II. STATUS OF A NON-GOVERNMENTAL ORGANISATION IN THE PUBLIC INTEREST

Article 6

(Definition and conditions for granting the status of a non-governmental organisation operating in the public interest)

(1) A non-governmental organisation shall be granted the status of a non-governmental organisation operating in the public interest in a certain field if its operations in this field exceed the interests of its founders or members and if it is of overall benefit.

(2) A non-governmental organisation may be granted the status of a non-governmental organisation operating in the public interest in the fields of culture, education, health care, social security, family policy, the development of democracy, protection against discrimination, human rights protection, disabled persons protection and conduct of humanitarian activities, protection of equal opportunities for women and men, care for the elderly, integrity in the state and civil society, consumer protection, food safety and security, promotion and organisation of voluntarism, the youth sector, promotion of tourism, cultural heritage protection, environmental protection, nature conservation, spatial planning, animal health and welfare protection, agriculture, forestry, rural development, sport, defence, protection against natural and other disasters, road safety, international relations, external affairs, international development cooperation, international humanitarian aid, the development of non-governmental organisations, the development of the information society, science or other areas.

(3) A non-governmental organisation may be granted the status as referred to in paragraph one of this Article in several areas.

(4) A non-governmental organisation shall be granted the status as referred to in paragraph one of this Article if the following conditions are met:

* it consists of members and its members are not legal persons governed by public law;
* it pursues an activity which is in the public interest and which is stipulated in its instrument of incorporation;
* it has operated for at least two years prior to submitting an application for the status to be granted;
* it can demonstrate the achievements of its activities in the field as referred to in paragraph two of this Article in the two years immediately prior to submitting the application;
* if for the two years immediately prior to submitting the application it has used its assets primarily to perform activities in the public interest in the fields as referred to in paragraph two of this Article and it has regularly implemented programmes, projects and other activities to realise a purpose and objectives which are in the public interest;
* it has produced at least a biennial programme of future operations in the field as referred to in paragraph two of this Article, which includes regularly conducting activities in the public interest;
* no final sanction in the form of a fine for a major tax offence or a particularly grave offence has been imposed and it has not been finally convicted of a criminal offence;
* no bankruptcy or wind-up proceedings have been initiated against it; and
* other conditions if laid down by an Act.

(5) Ministers competent for the fields in which non-governmental organisations operate shall determine in more detail the criteria for compliance with the condition referred to in indent four of the preceding paragraph.

(6) Activities in the public interest may be defined in more detail in an Act.

Article 7

(Ministry competent for granting the status of a non-governmental organisation operating in the public interest)

(1) The granting of the status of a non-governmental organisation operating in the public interest in a certain field as referred to in paragraph two of the preceding Article shall be decided by the ministry competent for the relevant field.

(2) If a non-governmental organisation requests the status of a non-governmental organisation operating in the public interest in several fields for which several ministries are competent, the granting of the status shall be decided by the ministry competent for the field in which the non-governmental organisation primarily operates and with the prior agreement of the ministries competent for the other fields. The ministry competent for a field in which a non-governmental organisation does not operate predominantly shall issue an agreement if the non-governmental organisation fulfils the conditions as referred to in indents two, four and six of paragraph four of the preceding Article in the fields for which the ministries are competent.

(3) If a non-governmental organisation which already has the status of a non-governmental organisation operating in the public interest in a certain field requests the status in another field for which another ministry is competent, the granting of the status in the other field shall be decided by the ministry which has already granted the status of a non-governmental organisation operating in the public interest after prior agreement with the ministry competent for this other field. The ministry competent for the other field shall issue the agreement if the non-governmental organisation fulfils the conditions in the relevant field as referred to in indents two, four and six of paragraph four of the preceding Article.

(4) If a non-governmental organisation requests the status of a non-governmental organisation operating in the public interest in a field for which no ministry is competent, the decision on the granting of the status in this field shall fall under the competence of the ministry competent for the operation of non-governmental organisations.

(5) Complaints against the decisions of a competent ministry on the granting of the status of a non-governmental organisation operating in the public interest shall be decided by the Government of the Republic of Slovenia.

Article 8

(Application)

(1) The application for the status of a non-governmental organisation operating in the public interest shall be submitted at the ministry competent for the granting of the relevant status.

(2) An organisation that is applying shall attach the following to its application:

* an activity report showing the programmes, projects or other activities and indicating major achievements that the organisation implemented in the public interest in the fields as referred to in paragraph two of Article 6 of this Act in the two years prior to the application;
* evidence on the activities and major achievements as referred to in the preceding indent;
* a report on the use of assets to perform the activities as referred to in indent one of this paragraph;
* a programme of future activities adopted for at least two years of operations in the fields as referred to in paragraph two of Article 6 of this Act, which includes the regular implementation of activities in the public interest.

(3) In the process of granting the status of a non-governmental organisation operating in the public interest, the competent ministry shall obtain the following from official records:

* information about the organisation’s registration date;
* information about the founders of the organisation;
* a copy of a valid instrument of incorporation;
* information from annual reports of the organisation for the preceding two years, and for an organisation which is legally bound to audit financial statements, also an auditor’s assessment;
* information on whether a final sanction in the form of a fine for a major tax offence or a particularly grave offence has been imposed on the organisation, and if it has been finally convicted of a criminal offence; and
* information on whether bankruptcy or wind-up proceedings have been initiated against the organisation.

(4) The ministry competent for granting the status of a non-governmental organisation operating in the public interest shall invite the organisation which submitted the application for the relevant status to submit within 15 days the information referred to in the preceding paragraph if the same information cannot be obtained from official records.

Article 9

(Opinion on whether an organisation is a non-governmental organisation)

(1) During the procedure for granting the status of a non-governmental organisation operating in the public interest, the ministry competent for granting the status of a non-governmental organisation operating in the public interest may request the ministry competent for the operation of non-governmental organisations for an opinion on whether an organisation is a non-governmental organisation.

(2) The ministry competent for the operation of non-governmental organisations shall publish the opinion referred to in the preceding paragraph on its website.

Article 10

(Organisations recognised as operating in the public interest based on another Act)

(1) An organisation shall also be granted the status of a non-governmental organisation operating in the public interest under this Act when the conditions under Article 6 of this Act are not fulfilled if:

* it is a non-governmental organisation;
* based on another act, it has been granted the status of operating in the public interest for at least two years, or if for at least the preceding two years it has been carrying out an activity for which another act lays down that it is in the public interest;
* it consists of members and its members are not legal persons governed by public law;
* no final sanction in the form of a fine for a major tax offence or a particularly grave offence has been imposed and it has not been finally convicted of a criminal offence; and
* no bankruptcy or wind-up proceedings have been initiated against it.

(2) The condition from indent two of the preceding paragraph is not fulfilled if another act lays down that an organisation or its activity is charitable, of general interest or humanitarian in nature.

(3) An organisation as per paragraph one of this Article shall enclose with the application for the status of a non-governmental organisation operating in the public interest a decision by means of which it has been granted the status of an organisation operating in the public interest based on another act, or it shall indicate the legal basis which lays down that its operation is in the public interest.

(4) The ministry competent for granting the status of a non-governmental organisation operating in the public interest shall obtain the following in the procedure for granting the relevant status under this Article from the relevant official records:

* information about the organisation’s registration date;
* information about the founders of the organisation;
* a copy of a valid instrument of incorporation;
* information on whether the decision referred to in the preceding paragraph still applies;
* information on whether a final sanction in the form of a fine for a major tax offence or a particularly grave tax offence has been imposed on the organisation and it has not been finally convicted of a criminal offence; and
* information on whether bankruptcy or wind-up proceedings have been initiated against the organisation.

(5) The ministry competent for granting the status of a non-governmental organisation operating in the public interest shall invite the organisation which submitted the application for the relevant status to submit within 15 days the information referred to in the preceding paragraph if the same information cannot be obtained from official records.

(6) An organisation shall be granted the status of a non-governmental organisation operating in the public interest under this Article for the field for which it has already been granted the status of an organisation operating in the public interest or for the field in which another act lays down that its operation is in the public interest.

(7) If at the same time the organisation requests the status of a non-governmental organisation operating in the public interest under this Act and the status of operating in the public interest under another Act and the granting of both statuses is under the competence of the same ministry, the relevant ministry shall decide on the granting of both statuses in one procedure by issuing one decision.

Article 11

(Reporting on the operation in the public interest)

(1) No later than on 31 March every other year after receiving the status of a non-governmental organisation operating in the public interest, an organisation with such status (hereinafter: non-governmental organisation operating in the public interest) shall submit the following to the ministry which granted it the status of a non-governmental organisation operating in the public interest:

* a report as per indents one and three of paragraph two of Article 8 of this Act for the preceding two calendar years including the evidence of activities and significant achievements; and
* a programme of future operations for a minimum of two calendar years.

(2) If an organisation has been granted the status of a non-governmental organisation operating in the public interest in several fields which fall under the competence of several ministries, it shall submit a report and the programme referred to in the preceding paragraph to the ministry which granted the non-governmental organisation the status of an organisation in the public interest.

(3) If a non-governmental organisation operating in the public interest does not fulfil its obligations in compliance with paragraphs one or two of this Article, the ministry to which it should submit the report and the programme shall invite it in writing within 15 days to fulfil the obligation within 30 days.

(4) Paragraphs one and two of this Article shall not apply to an organisation to report on the field in which it has obtained the status of a non-governmental organisation operating in the public interest based on the preceding Article and for a non-governmental organisation operating in the public interest which has already sent the evidence and contents from the report and the programme referred to in paragraph one of this Article to the ministry within the framework of another report.

(5) After receiving the report, including the evidence and the programme referred to in paragraph one of this Article, and after receiving these contents and evidence within the framework of another report and based on information from official records and other information at its disposal, the competent ministry shall verify whether the non-governmental organisation operating in the public interest which was granted the relevant status in a certain field on the basis of Article 6 of this Act still fulfils the conditions referred to in paragraphs two and six of this Article. The ministry competent for the field in which an organisation has been granted the status of a non-governmental organisation operating in the public interest based on the preceding Article, shall verify *ex officio* every two years after the granting of the relevant status on the basis of official records and information at its disposal whether the non-governmental organisation operating in the public interest still fulfils the conditions referred in paragraph one of the preceding Article.

(6) The ministry which receives the report and the programme based on paragraph two of this Article shall act in accordance with the preceding paragraph, whereby the field in which the organisation obtained the status of an organisation in the public interest and for which the ministry is not competent shall obtain the opinion of the ministry competent for the relevant field on whether a non-governmental organisation fulfils the conditions referred to in indents two, four and six of paragraph four of Article 6 of this Act and/or the condition referred to in indent two of paragraph one of the preceding Article in the field for which it is competent.

Article 12

(Notification of changes and verification of compliance with the conditions)

(1) Within 30 days, a non-governmental organisation operating in the public interest shall inform the ministry which granted it the status of an organisation operating in the public interest of changes which could influence the fulfilment of conditions for granting the status of a non-governmental organisation operating in the public interest, namely:

* a change with regard to the founder, after which the founder's position is taken by a legal person;
* a change in the instrument of incorporation relating to the purpose of the organisation, its activities, the use of the surplus of income over expenditure or the transfer of its assets in the event of winding up;
* a change in the management body or authority or supervisory body after which the total number of votes of the state representatives increases, self-governing local communities, other persons governed by public law, a holder of public authority powers, international intergovernmental organisation, a political party, a trade union, a chamber of commerce, a company, a natural person who conducts independent business activities on the market or another person not engaged in business.

(2) If there are reasons to suspect that a non-governmental organisation operating in the public interest does not fulfil several conditions from Article 2, Article 6 or Article 10 of this Act, the ministry which granted the organisation the status of an organisation in the public interest shall verify this *ex officio* by obtaining information and documents from official records or by requesting evidence on the fulfilment of these conditions from the non-governmental organisation operating in the public interest within a minimum of 30 days and a maximum of 60 days.

(3) If at the request of the ministry competent for granting the status of a non-governmental organisation operating in the public interest, the same non-governmental organisation fails to send the relevant evidence within the given time limit, the ministry which granted the status of a non-governmental organisation operating in the public interest shall withdraw this status if the conditions as laid down in this Act are met.

(4) If an organisation holds the status of a non-governmental organisation operating in the public interest in several fields for which several ministries are competent, the ministry as referred to in paragraph one of this Article shall obtain for the field for which it is not competent the opinion of the ministry competent for the relevant field on whether a non-governmental organisation fulfils the conditions referred to in indents two, four and six of paragraph four of Article 6 of this Act and/or the condition referred to in indent two of paragraph one of Article 10 of this Act in the field for which it is competent.

Article 13

(Withdrawal of the status of a non-governmental organisation operating in the public interest)

(1) The ministry which granted a non-governmental organisation the status of a non-governmental organisation operating in the public interest shall withdraw this status from the organisation by way of a decision if:

* the organisation no longer fulfils the conditions under Article 2, Article 6 and/or Article 10 of this Act and if it no longer conducts activities in public interest;
* despite a warning from the competent ministry, it fails to fulfil the obligations from paragraph one Article 11 of this Act; or
* the non-governmental organisation operating in the public interest waives in writing the status it was granted.

(2) If the non-governmental organisation has the status of a non-governmental organisation operating in the public interest in several fields for which several ministries are competent, the ministry referred to in the preceding paragraph shall withdraw its status due to the non-fulfilment of the conditions from Article 2 and Article 6 of this Act in the field for which another ministry is competent after receiving a prior agreement from the ministries competent for the relevant fields. The ministries competent for those fields shall issue the agreements if the organisation no longer fulfils the conditions in the relevant fields as referred to in indents two, four or six of paragraph four of Article 6 of this Act.

Article 14

(Obligation of mutual notification between public authorities)

If it is suspected that there are grounds to withdraw the status of a non-governmental organisation operating in the public interest, public authorities, authorities of self-governing local communities, other persons governed by public law and holders of public authority powers shall immediately inform the ministry competent for the withdrawal of the status of a non-governmental organisation operating in the public interest thereof and send all the relevant documents to the ministry.

III. RIGHTS OF NON-GOVERNMENTAL ORGANISATIONS IN THE PUBLIC INTEREST

Article 15

(Application of the designation of a non-governmental organisation operating in the public interest)

Only a non-governmental organisation operating in the public interest may use the phrase or the combination of the words “non-governmental organisation operating in the public interest” in its name or corporate name.

Article 16

(Preference in calls for proposals)

(1) In calls for proposals for obtaining funds from the state budget allocated for non-governmental organisations, the criteria for selecting recipients of funds include the status of a non-governmental organisation operating in the public interest in the field for which the call for tender is intended, whereby such status may be considered from a minimum of 5% to a maximum of 20% of the total value of the criteria.

(2) When applying to calls for proposals for obtaining funds from the budgets of local communities, self-governing local communities may take into account the status of non-governmental organisations operating in the public interest as laid down in the preceding paragraph.

Article 17

(Other incentives and rights)

(1) Other legislation may specify other privileges, exemptions, incentives, benefits and other rights for non-governmental organisations operating in the public interest.

(2) Laws may also specify the rights of non-governmental organisations operating in the public interest to represent certain interests in administrative and judicial proceedings, to have the right to participate in these proceedings or to be authorised for representation.

Article 18

(Bankruptcy of a non-governmental organisation operating in the public interest)

(1) Bankruptcy proceedings may be conducted against a non-governmental organisation operating in the public interest only subject to the prior agreement of the ministry competent for the field in which the organisation holds this status.

(2) If an organisation holds the status of a non-governmental organisation operating in the public interest in several fields for which several ministries are competent, the prior agreement shall be issued by the ministry that granted the status of a non-governmental organisation operating in the public interest after obtaining agreements from all the ministries competent for other fields for which the organisation was granted such status.

(3) The ministry as per paragraphs one and two of this Article shall grant an agreement to the bankruptcy of a non-governmental organisation operating in the public interest if it establishes that the public interest in the continuation of the activities of the relevant non-governmental organisation operating in the public interest does not exceed the interest of the creditors of the non-governmental organisation operating in the public interest.

IV. REGISTER OF NON-GOVERNMENTAL ORGANISATIONS IN THE PUBLIC INTEREST

Article 19

(Register of non-governmental organisations operating in the public interest)

(1) A register of non-governmental organisations operating in the public interest (hereinafter: the register) in electronic form shall be established and kept by the organisation competent for public legal records and related services based on information from ministries competent to grant and withdraw the status of a non-governmental organisation operating in the public interest; the register is intended for entering, and for the public announcement of, important information on non-governmental organisations operating in the public interest.

(2) The register shall hold the following information on non-governmental organisations operating in the public interest:

* registration number;
* tax number;
* name or corporate name;
* business address;
* legal form of organisation;
* date of entry in the register;
* number and date of the decision granting the status of a non-governmental organisation operating in the public interest;
* number and date of the decision withdrawing the status of a non-governmental organisation operating in the public interest;
* date of the granting of the status in individual fields;
* date of the withdrawal of the status in individual fields;
* date of removal from the register;
* field or fields in which the organisation holds the status of a non-governmental organisation operating in the public interest;
* the number of the decision and the name of the authority issuing the decision in the case of an organisation holding the status of an organisation operating in the public interest, or the title of the Act which lays down that it is an activity of a non-governmental organisation operating in the public interest if the organisation obtained the status of a non-governmental organisation operating in the public interest based on Article 10 of this Act; and
* the name of the competent ministry which ensures the accuracy of the information in the register and which is the ministry that, based on Article 20 of this Act, enters the information and the changes thereof in the register.

(3) For the purpose of ensuring the accuracy and promptness of the relevant information, the organisation competent for public legal records and related services shall transfer the information on the registration number, tax number, name or corporate name, business address, legal form of organisation and any changes thereto from the Business Register of Slovenia.

Article 20

(Entry in the register and changes of entries)

(1) A ministry which grants the status of a non-governmental organisation operating in the public interest shall enter its information as referred to in paragraph two of the preceding Article in the register on the day of the finality of the decision on the granting of such status.

(2) The ministry which grants or withdraws the status of an organisation in the public interest in another field to an organisation which already has the status of a non-governmental organisation operating in the public interest shall enter any changes of information on the granted status or information on the withdrawal of the status on the day of the finality of the decision on the granting or withdrawal of such status.

(3) Information shall be entered in the register by an authorised person of a ministry competent to enter information via an application to enter information in the web portal of the organisation competent for public legal records and related services.

(4) The organisation competent for public legal records and related services shall send a notification on the entry of information or changes in the register to the e-mail of the ministry as per indent fourteen of paragraph two of the preceding Article and to the e-mail of the ministry’s authorised person for entering information.

Article 21

(Deletion from the register)

(1) The organisation competent for public legal records and related services shall delete *ex officio* an organisation with the status of a non-governmental organisation operating in the public interest from the register if it is deleted from the Business Register of Slovenia, and shall notify the ministry referred to in indent fourteen of paragraph two of Article 19 of this Act of the said deletion.

(2) The competent ministry keeping the register shall enter the information on the withdrawal of the status of a non-governmental organisation operating in the public interest in the last remaining field, and the non-governmental organisation operating in the public interest shall be deleted from the register.

Article 22

(Access to data)

(1) The register shall be public and freely accessible on the web portal of the organisation competent for public legal records and related services.

(2) The organisation competent for public legal records and related services enables the examination of non-governmental organisations operating in the public interest by fields from the register.

(3) The organisation competent for public legal records and related services shall keep the register in such a way that all the previous entries of information from indents six to thirteen of paragraph two of Article 19 of this Act are kept along with the latest state of information on all the entered non-governmental organisations operating in the public interest, so that the latest state of information on a certain date can be viewed. The organisation competent for public legal records and related services shall also keep the register in such a way as to make visible the information about deleted non-governmental organisations operating in the public interest for six years after the deletion of such organisations from the register, whereupon it shall transfer the information to the archives of the register, where it shall be kept permanently.

(4) Based on proposals from the ministries competent for the fields in which organisations hold the status of non-governmental organisations operating in the public interest, the ministry competent for the operation of non-governmental organisations shall notify the organisation competent for public legal records and related services of the new fields referred to in paragraph two of Article 6 of this Act in which non-governmental organisations may be granted the status of non-governmental organisations operating in the public interest.

(5) The organisation competent for public legal records and related services shall monthly publish on their web portal the information from the register in a machine-readable form as at the last day of the month. It shall be permitted to reuse the published information free of charge and without limitations.

V. SUPPORT ENVIRONMENT FOR NON-GOVERNMENTAL ORGANISATIONS

Article 23

(Tasks of ministries)

(1) The ministry competent for the operation of non-governmental organisations shall monitor the development and operations of non-governmental organisations, and also perform the following tasks:

* prepare, implement and evaluate policies, regulations and measures that influence the development and operation of non-governmental organisations;
* be responsible for coordination in the laying down and implementing of policies among ministries and government services concerning the development and operation of non-governmental organisations;
* be responsible for the development of the support environment for non-governmental organisations and for the enforcement of this Act;
* prepare and implement general measures for the cooperation of the government with non-governmental organisations in the development of policies and regulations;
* collect and process data on the financing of non-governmental organisations;
* write reports on the development of non-governmental organisations;
* provide administrative and technical support for the functioning of the council referred to in Article 27 of this Act;
* through calls for proposals, fund projects and programmes of horizontal networks and regional hubs as subjects of the support environment which are intended to promote the development of non-governmental organisations; and
* through calls for proposals, fund any other projects and programmes of non-governmental organisations and other persons intended to implement measures for the development of individual fields and to promote the development of non-governmental organisations and the development of the support environment for non-governmental organisations.

(2) Ministries shall perform the following tasks in the fields for which they are competent:

* participate in preparing, implementing and evaluating policies, regulations and measures that influence the development and operation of non-governmental organisations;
* prepare and implement policies, regulations and measures that influence the development and operation of non-governmental organisations in their own fields;
* prepare and implement measures for the cooperation of the State with non-governmental organisations in the making of policies and regulations in their own fields;
* through calls for proposals, fund the projects and programmes of thematic networks as subjects of the support environment which are intended to promote the development of non-governmental organisations; and
* through calls for proposals, they fund other projects and programmes of non-governmental organisations and other persons intended to implement measures to develop individual fields, to promote the development of non-governmental organisations and to develop the support environment for non-governmental organisations.

(3) The conditions, criteria and subject of funding to obtain funds from calls for proposals referred to in indents eight and nine of paragraph one of this Article and indents four and five of the preceding paragraph shall be specified in a call for proposals.

Article 24

(Support environment entities)

(1) The horizontal network referred to in indent eight of paragraph one of the preceding Article is a non-governmental organisation which at the national level brings together non-governmental organisations from different thematic areas of operation and performs the activities of informing, consultancy, education, research, advocacy, networking, promotion and support for the benefit of all non-governmental organisations at the national level.

(2) The regional hub referred to in indent eight of paragraph one of the preceding Article is a non-governmental organisation which, at the level of a development region as laid down in the Act governing balanced regional development or at the level of several municipalities representing a complete spatial entity, brings together non-governmental organisations from different thematic areas of operation and performs the activities of informing, consultancy, education, research, advocacy, networking, promotion and support for the benefit of all non-governmental organisations at the level of its operation.

(3) The thematic network referred to in indent four of paragraph two of the preceding Article is a non-governmental organisation which, at the national level, at the level of a development region as laid down in the Act governing balanced regional development, or at the level of several municipalities representing a complete spatial entity, brings together non-governmental organisations from the same thematic area and performs the activities of informing, consultancy, education, research, advocacy, networking, promotion and support for the benefit of all non-governmental organisations from the same thematic area at the level of its operation.

Article 25

(Tasks of self-governing local communities)

(1) Self-governing local communities shall plan, fund and implement policies intended for the development of non-governmental organisations.

(2) Self-governing local communities may interconnect when planning, funding and implementing policies for the development of non-governmental organisations.

Article 26

(Planning the development of non-governmental organisations)

(1) The development of non-governmental organisations in the Republic of Slovenia shall be planned in the strategy adopted by the Government for a period of five years. The strategy shall be prepared by the ministry competent for the operation of non-governmental organisations in cooperation with the ministries competent for the fields in which non-governmental organisations operate and with the council referred to in Article 27 of this Act.

The strategy shall include:

* an analysis of the needs of non-governmental organisations;
* fundamental policies for the development of non-governmental organisations;
* strategic development objectives of non-governmental organisations;
* the role of the state, self-governing local communities and other persons in achieving the development objectives of non-governmental organisations;
* main fields of the development of non-governmental organisations;
* framework assets intended for realising the strategy; and
* action programme for implementing the strategy.

(3) The action programme referred to in indent seven of the preceding paragraph shall include at least:

* measures for the development of the support environment for the operation of non-governmental organisations;
* measures for the cooperation of the State with non-governmental organisations in the development of policies and regulations;
* measures for the promotion of employment in non-governmental organisations;
* measures for the promotion of non-governmental organisations; and
* measures to enable long-term financing of non-governmental organisations.

(4) The action programme shall lay down the following for each measure:

* objectives and content of the measure;
* activities;
* type and amount of eligible costs within the framework of the activity;
* the period of implementation of the relevant activities;
* providers of individual measures;
* sources and amount of funds to finance the measure;
* that the measure takes into account the rules on state aid; and
* criteria for assessing the achievement of the objectives.

Article 27

(Monitoring the strategy, the action programme and the development of non-governmental organisations)

(1) The implementation of the strategy shall be monitored by the Council of the Government of the Republic of Slovenia for the promotion of the development of voluntarism, volunteer and non-governmental organisations (hereinafter: the Council).

(2) Within six months of the expiry of the two-year period of the implementation of the strategy, the ministry competent for the operation of non-governmental organisations shall submit to the Government a report on the implementation of the strategy, including an assessment of the results and the opinion of the Council on the implementation of the strategy.

(3) Within one month after the implementation of the relevant measures, the providers of each measure from the action programme shall submit to the ministry competent for the operation of non-governmental organisations a report on the implementation of this measure, including an assessment of the achievement of the measure's objectives based on the criteria laid down in the measure.

Article 28

(Fund for the development of non-governmental organisations)

(1) A budgetary fund shall be established for the development of non-governmental organisations to fund the projects and programmes referred to in indents eight and nine of paragraph one of Article 23 of this Act.

(2) The sources of financing for the fund for the development of non-governmental organisations include:

* personal income tax assets that were not earmarked by taxable persons for funding purposes of general interest, for funding political parties or representative trade unions, although, in compliance with the Act governing personal income tax, such assets could be earmarked for such purposes; and
* other assets if so provided in an act, international treaty or decided by the donor.

(3) The funds referred to in indent one of the preceding paragraph shall be transferred to the fund for the development of non-governmental organisations at the beginning of the year, taking into account all the decisions on income tax assessments which became final in the preceding year.

(4) The fund for the development of non-governmental organisations shall be established for an indefinite period, and shall be managed by the ministry competent for the operation of non-governmental organisations, which shall also have the assets of this fund at its disposal. At least once a year, the ministry shall select recipients of assets from the fund in a call for proposals.

VI. ENFORCEMENT

Article 29

(Supervision)

Supervision of the enforcement of individual provisions of this Act shall be implemented:

* of the provisions contained in paragraph one of Article 12 of this Act by ministries to which non-governmental organisations operating in the public interest must, in compliance with Article 12 of this Act, provide any changes that may influence the fulfilment of the conditions for obtaining the status of a non-governmental organisation operating in the public interest;
* of the provisions in Article 15 and Article 16 of this Act by the ministry competent for the operation of non-governmental organisations.

VII. PENAL PROVISIONS

Article 30

(Violations)

(1) A fine between €800 and €2,000 shall be imposed for a minor offence on a non-governmental organisation operating in the public interest which does not inform the ministry of a change affecting the compliance with the conditions for the granting of the status of a non-governmental organisation operating in the public interest (paragraph one of Article 12).

(2) A fine of €800 shall also be imposed for a minor offence referred to in the preceding paragraph on the responsible person of the non-governmental organisation operating in the public interest.

(3) A fine between €2,000 and 10,000 shall be imposed on a legal person which is not a non-governmental organisation operating in the public interest and which states that they are a non-governmental organisation operating in the public interest or that they hold a status of a non-governmental organisation operating in the public interest (Article 15).

(4) A fine of €600 shall also be imposed on the responsible person of the legal person for a minor offence as referred to in the preceding paragraph.

VIII. TRANSITIONAL AND FINAL PROVISIONS

Article 31

(Regularisation of the situation of organisations with the status of an association in the public interest or similar status)

(1) Notwithstanding Article 6 and Article 10 of this Act, an association, federation of associations, youth council, institute or foundation which holds, on the day this Act enters into force, and on the basis of this Act, the status of an organisation operating in the public interest shall be deemed a non-governmental organisation operating in the public interest under this Act until the finality of the decision referred to in paragraphs five and six of this Article.

(2) Notwithstanding indent one of paragraph one of Article 2 of this Act, an association without a seat in the Republic of Slovenia but holding the status of an organisation operating in public interest in the fields as referred to in the War Veterans Act (Official Gazette of the Republic of Slovenia, No. and 80/16 [*Uradni list RS*], No. 59/06 – official consolidated version, 61/06 – ZDru-1, 101/06 – Ruling of the Constitutional Court, 40/12 – ZUJF and 32/14; hereinafter: ZVV) on the day of the entry into force of this Act, shall be deemed a non-governmental organisation operating in the public interest under this Act until it is regulated by the War Veterans Act.

(3) The first paragraph of this Article shall not apply to:

* a youth organisation organised as a component of another legal person as laid down in the Public Interest in the Youth Sector Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 42/10);
* the Youth Council of Slovenia as laid down in the Youth Council Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 70/00 and 42/10).

(4) The organisations referred to in paragraph one of this Article shall harmonise their instruments of incorporation and their operations with the conditions applicable to the granting of the status of a non-governmental organisation operating in the public interest in compliance with this Act, and no later than by 31 March 2019, they shall send to the competent ministry a statement that their instrument of incorporation and their operations have been harmonised with the conditions applicable to the granting of the status of a non-governmental organisation operating in the public interest under this Act, and the report and programme referred to in paragraph one of Article 11 of this Act. Article 11 of this Act shall reasonably apply to such reporting if such an organisation obtained the status of an organisation operating in the public interest based on Article 6 of this Act.

(5) Within 60 days of the fulfilment of obligations, the competent ministry shall issue *ex officio* a decision on granting the status of a non-governmental organisation operating in the public interest, along with, *mutatis mutandis* , the application of Article 6 of this Act, to the organisation as referred to in paragraph one of this Article which fulfils the obligations referred to in the preceding paragraph, and if there are no grounds to withdraw the status of a non-governmental organisation operating in the public interest. The decision shall also state that the granting of this status also implies the cessation of the status of acting in the public interest which was the basis for the relevant organisation under paragraph one of this Article to be deemed a non-governmental organisation operating in the public interest under this Act ceases.

(6) The competent ministry shall also issue the decision referred to in the preceding paragraph if an association or foundation declares in the statement referred to in paragraph three of this Article that its instrument of incorporation does not state that, if the association or foundation is wound up, its assets would be transferred to another non-governmental organisation or a non-profit legal person governed by public law with the same or similar purpose if it also states that this harmonisation will be effected with the first change after making the aforesaid statement.

(7) Within 15 days from when the time limit for fulfilling obligations expires, the competent ministry shall request the organisation referred to in paragraph one of this Article which fails to meet the obligations referred to in paragraph four of this Article within the time limit laid down in paragraph four of this Article to fulfil these obligations within 30 days. If even after the request to fulfil the obligations, the organisation fails to do so, it shall be deemed that the conditions for obtaining the status of a non-governmental organisation operating in the public interest are no longer met. In such a case, the competent ministry shall issue *ex officio* and in compliance with this Act a decision to withdraw from the organisation the status of a non-governmental organisation operating in the public interest and the status of acting in the public interest which represented the basis for the relevant organisation under paragraph one of this Article to be deemed a non-governmental organisation operating in the public interest under this Act, and it shall issue the decision within 60 days after the expiry of the additional time limit for the fulfilment of obligations. On the day of the finality of the decision, the competent ministry shall delete the organisation from the register referred to in Article 19 of this Act.

(8) In compliance with this Act, the competent ministry shall withdraw *ex officio*, in a decision, the status of a non-governmental organisation operating in the public interest from an organisation as referred to in paragraph one of this Article as well as the status of acting in the public interest which represented the basis for the relevant organisation under paragraph one of this Article to be deemed a non-governmental organisation operating in the public interest under this Act, even if the organisation waives the status in writing within the time limit for fulfilling the obligations referred to in paragraph four of this Article, or if it has been subject to a final sanction in the form of a fine for a major tax offence or a particularly grave tax offence, or if it has been convicted *res judicata* of a criminal offence, or bankruptcy or wind-up proceedings have been initiated against it.

(9) Notwithstanding Article 6 and Article 10 of this Act, the competent ministry shall reject the application of an organisation which, based on this Act, is deemed a non-governmental organisation operating in the public interest to obtain the status of a non-governmental organisation operating in the public interest under this Act for the field for which such an organisation already holds the status of acting in the public interest based on the Act which represented the basis for the organisation referred to in paragraph one of this Article to be deemed a non-governmental organisation operating in the public interest under this Act.

(10) The ministry competent for the operation of non-governmental organisations shall publish on its website the content of the statement referred to in paragraph four of this Article, which also includes an explanation of the obligations of non-governmental organisation operating in the public interest referred to in Article 12 of this Act.

Article 32

(Regularisation of the situation of disabled persons organisations and humanitarian organisations)

(1) Notwithstanding the preceding Article, Article 6 and Article 10 of this Act, an association or other organisation holding the status of an organisation of persons with disabilities under the Disabled Persons Organizations Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 108/02 and 61/06 – ZDru-1) or the status of a humanitarian organisation under the Humanitarian Agencies Act (Official Gazette of the Republic of Slovenia, No. and 80/16 [*Uradni list RS*] Nos 98/03 and 61/06 – ZDru-1) shall be deemed a non-governmental organisation operating in the public interest under this Act until the finality of the decision referred to in paragraph four and/or five of this Act.

(2) The associations and other organisations referred to in the preceding paragraph shall harmonise their instruments of incorporation and operations with the conditions applicable for granting the status of a non-governmental organisation operating in the public interest under this Act, and no later than on 31 March 2019, they shall send to the competent ministry a statement that their instruments of incorporation and operations are harmonised with the conditions applicable for granting the status of a non-governmental organisation in the public interest under this Act.

(3) Within 60 days of the fulfilment of obligations, the competent ministry shall issue *ex officio* a decision on granting the status of a non-governmental organisation operating in the public interest, along with, *mutatis mutandis*, the application of Article 10 of this Act, to the association or other organisation as referred to in paragraph one of this Article which fulfils the obligations referred to in paragraph two of this Article if there are no grounds to withdraw the status of a non-governmental organisation operating in the public interest.

(4) The competent ministry shall also issue the decision referred to in the preceding paragraph if an association or foundation declares in the statement referred to in paragraph two of this Article that its instrument of incorporation does not state that if it is wound up, that its assets would be transferred to another non-governmental organisation or a non-profit legal person governed by public law with the same or similar purpose and if it also states that this harmonisation will be effected with the first change of the relevant instrument of incorporation after making the statement.

(5) Within 15 days from the expiry of the time limit for the fulfilment of obligations, the competent ministry shall request an association or organisation as referred to in paragraph one of this Article which fails to meet the obligations referred to in paragraph two of this Article within the time limit laid down in paragraph two of this Article to fulfil this obligation within 30 days. If even after the request to fulfil the obligations, the association or other organisation fails to comply, it shall be deemed that the conditions for obtaining the status of a non-governmental organisation operating in the public interest are no longer met. In such a case, the competent ministry shall issue *ex officio* a decision to withdraw the status of a non-governmental organisation operating in the public interest under this Act from such an association or other organisation, and it shall issue the decision within 60 days after the expiry of the additional time limit for the fulfilment of obligations. On the day of the finality of the decision, the competent ministry shall delete the organisation from the register referred to in Article 19 of this Act.

(6) In compliance with this Act, the competent ministry shall withdraw *ex officio*, in a decision, the status of a non-governmental organisation operating in the public interest from an organisation as referred to in paragraph one of this Article even if the organisation waives the status in writing within the period for the fulfilment of obligations referred to in paragraph two of this Article or if it has been subject to a final sanction in the form of a fine for a major tax offence or a particularly grave tax offence, or if it has been convicted *res judicata* of a criminal offence, or bankruptcy or wind-up proceedings have been initiated against it.

(7) Notwithstanding Article 6 and Article 10 of this Act, the competent ministry shall reject the application of an association or another organisation which, on the basis of paragraph one of this Article, are deemed non-governmental organisations operating in the public interest to be granted the status of a non-governmental organisation operating in the public interest under this Act for a field for which such an association or other organisation already holds the status of acting in the public interest based on the Acts referred to in paragraph one of this Article.

(8) The ministry competent for the operation of non-governmental organisations shall publish on their website the content of the statement referred to in paragraph four of this Article, which also includes an explanation of the obligations of the non-governmental organisation operating in the public interest referred to in Article 12 of this Act.

Article 33

(Regularisation of the situation of non-governmental organisations for which another Act lays down that their activities are in the public interest)

(1) Notwithstanding Article 6 and Article 10 of this Act, on the day this Act enters into force, an association for which another Act lays down that the activity it implements falls within the public interest shall be deemed a non-governmental organisation in the public interest in the field of the implementation of this activity under this Act. The condition in this paragraph is not fulfilled if another act lays down that such an organisation or its activity is charitable, of general interest or humanitarian in nature.

(2) The associations referred to in the preceding paragraph shall harmonise their instruments of incorporation and operations with the conditions applicable for granting the status of a non-governmental organisation operating in the public interest under this Act, and no later than on 31 March 2019, they shall send to the competent ministry a statement that their instruments of incorporation and operations are harmonised with the conditions applicable for granting the status of a non-governmental organisation in the public interest under this Act.

(3) If an association declares in the statement referred to in the preceding paragraph that it has not stated in its instrument of incorporation that, if the association is wound up, its assets would be transferred to another non-governmental organisation or a non-profit legal person governed by public law with the same or similar purpose, they must also state that they would implement this harmonisation of the instrument of incorporation on the occasion of the first change after making the statement.

(4) Within 15 days from the expiry of the time limit for the fulfilment of obligations, the competent ministry shall request an association as referred to in paragraph one of this Article which fails to meet the obligations referred to in paragraphs two and/or three of this Article within the time limit laid down in paragraph two of this Article to fulfil this obligation within 30 days. If even after the request to fulfil the obligations, the association fails to comply, it shall be deemed that the conditions for being granted the status of a non-governmental organisation operating in the public interest are no longer met. In such a case, the competent ministry shall issue *ex officio* a decision to withdraw the status of a non-governmental organisation operating in the public interest under this Act from the association, and they shall issue the decision within 60 days after the expiry of the additional time limit for the fulfilment of obligations. On the day of the finality of the decision, the competent ministry shall delete the association from the register referred to in Article 19 of this Act.

(5) In compliance with this Act, the competent ministry shall withdraw *ex officio*, in a decision, the status of a non-governmental organisation operating in the public interest from an organisation as referred to in paragraph one of this Article even if it waives the status in writing within the period for the fulfilment of obligations referred to in paragraph two of this Article, or if it has been subject to a final sanction in the form of a fine for a major tax offence or a particularly grave tax offence, or if it has been convicted *res judicata* of a criminal offence or a bankruptcy, or wind-up proceedings have been initiated against it.

(6) Notwithstanding Article 6 and Article 10 of this Act, the competent ministry shall reject the application of an association which, on the basis of paragraph one of this Article, is deemed a non-governmental organisation operating in the public interest to obtain the status of a non-governmental organisation operating in the public interest under this Act for a field in which the association performs an activity for which another Act lays down that it is in the public interest.

(7) The competent ministry referred to in this Article shall be the ministry competent for the field in which an association as referred to in paragraph one of this Article implements an activity which this Act stipulates is in the public interest.

(8) The ministry competent for the operation of non-governmental organisations shall publish on their website the content of the statement referred to in paragraph four of this Article, which also includes an explanation of the obligations of the non-governmental organisation operating in the public interest referred to in Article 12 of this Act.

Article 34

(Setting-up of the register of non-governmental organisations operating in the public interest)

(1) The organisation competent for public legal records and related services shall establish the register referred to in Article 19 of this Act within six months from the entry into force of this Act.

(2) Within three months of the establishment of the register, the relevant ministries shall, in compliance with Article 20 of this Act, enter the information referred to in paragraph two of Article 19 of this Act on organisations which, on the basis of paragraph one of Article 31, paragraph one of Article 32 and paragraph one of Article 33 of this Act, are deemed non-governmental organisations operating in the public interest, and information on non-governmental organisations which obtained the status of acting in the public interest on the basis of this Act before the register was established.

(3) Before the register is established and on the basis of proposals from the ministry competent for the fields in which organisations holding the status of non-governmental organisations operate in the public interest, the ministry competent for the operation of non-governmental organisations shall communicate to the organisation competent for public legal records and related services the list of fields in which organisations may obtain the status of a non-governmental organisation operating in the public interest referred to in paragraph two of Article 6 of this Act and the list of references to the laws referred to in indent thirteen of paragraph two of Article 19 of this Act.

(4) The organisation competent for public legal records and related services shall enable public access to the information from the register at their web portal within nine months from the entry into force of this Act.

Article 35

(Issue of regulations and adoption of the strategy)

(1) The ministers competent for individual fields in which non-governmental organisations operate shall issue the regulations referred to in Article 6 of this Act within one year of the entry into force of this Act.

(2) The Government shall adopt the strategy referred to in paragraph one of Article 26 of this Act within two years of the entry into force of this Act.

Article 36

(Publication of a call for proposals for the promotion of the development of non-governmental organisations)

The ministry competent for the operation of non-governmental organisations shall publish a call for proposals for the promotion of the development of non-governmental organisations referred to in Article 28 of this Act for 2018 within one month of the entry into force of this Act, for which state budget funds shall be provided.

Article 37

(Coordination of laws regulating conditions for obtaining the status of an association or other organisation operating in the public interest or which otherwise define a non-governmental organisation)

(1) In the Societies Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 64/11 – official consolidated version), the following shall apply:

* title of Chapter V and Articles 30 to 36 shall be deleted;
* paragraphs three and four of Article 40 shall be deleted;
* Article 48 shall be deleted;
* paragraph one of Article 50 shall be amended to read:

“(1) The register of associations and register of foreign associations’ branches shall be intended for the entry and publication of information on legally relevant facts about associations.”;

* in paragraph two of Article 59, the words “and the register of associations in the public interest” shall be deleted;
* in paragraph three of Article 50, indent one shall be amended to read as follows:

“– information on the unique personal identification number of the representative of an association or of a branch of a foreign association which is entered in the Central Register of Associations or the Central Register of Branches of Foreign Associations;”;

* in paragraph three of Article 50, indent two shall be deleted, and the current indent three shall become indent two.

(2) In the Family Code (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 15/17), the following shall apply:

* paragraph one of Article 281 shall be amended to read:

“(1) A non-governmental organisation operating in the field of family policy may be granted the status of a non-governmental organisation operating in the public interest in compliance with the Act governing the status of a non-governmental organisation operating in the public interest.”;

* in paragraph two of Article 281, the words “The status of an association in the public interest shall be granted to an association if its” shall be replaced with “The status of a non-governmental organisation operating in the public interest shall be granted to a non-governmental organisation if its”;
* paragraph three of Article 281 shall be deleted, and the current paragraph four shall become paragraph three.

(3) In the Maritime Code (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 62/16 – official consolidated version and 41/17), the wording of Article 3.a shall be amended to read:

“Non-governmental organisations operating in fields which are important for the safety of marine transport or other fields of shipping policy shall obtain the status of non-governmental organisations operating in the public interest in compliance with the Act governing the status of non-governmental organisations operating in the public interest if they develop and implement programmes in the field of prevention and safety in marine transport (training, additional education, publishing materials, promotion, discussions, presentations in the field of marine transport safety and similar) or if they offer free legal aid in the maritime field.”.

(4) In the Public Interest in the Youth Sector Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*] No. 42/10), the following shall apply:

* in the introductory sentence of paragraph two of Article 11, the words “according to their legal form” shall be deleted;
* in paragraph two of Article 11, indent one of point 1 shall be amended to read:

“– fulfils the general conditions for obtaining the status of acting in the public interest in compliance with the Act governing the status of a non-governmental organisation operating in the public interest;”;

* in paragraph two of Article 11, point 3 shall be amended to read:

“3. legal person which is a non-governmental organisation in compliance with the Act governing non-governmental organisations operating in the public interest:

* fulfils the general conditions for obtaining the status of acting in the public interest in compliance with the Act governing the status of non-governmental organisations operating in the public interest;
* has been uninterruptedly working in the youth sector for at least two years prior to submitting the application to obtain the status; and
* has mainly used its assets during the previous two years for the programmes referred to in indent one of paragraph one of this Article.”;
* paragraph three of Article 11 shall be amended as follows:

“(3) The entities referred to in points 1 and 3 of the preceding paragraph shall obtain the status of non-governmental organisations operating in the public interest in the youth sector and the entities referred to in point 2 of the preceding paragraph shall obtain the status of youth organisations in the public interest in the youth sector.”;

* in paragraph two of Article 13, the words “the Act governing associations shall apply *mutatis mutandis*” shall be replaced with “the Act governing non-governmental organisations operating in the public interest shall apply”.

(5) In the Nature Conservation Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 96/04 – official consolidated version, 61/06 – ZDru-1, 8/10 – ZSKZ-B and 46/14), the following shall apply:

* the title of subsection 7.3 shall be amended to read as follows: “7.3 The operation of non-governmental organisation operating in the public interest”;
* paragraph one of Article 137 shall be amended to read:

“(1) Expert and amateur associations and other non-governmental organisations in the field of nature conservation shall pursue their activities in the public interest in activities whereby their establishment and the very operation of the organisation exceed the realisation of the interests of their members or founders.”;

* in paragraph two of Article 137, the introductory sentence shall be amended to read: “A non-governmental organisation may obtain the status of a non-governmental organisation operating in the public interest if it fulfils the conditions laid down in the Act governing the status of non-governmental organisations operating in the public interest and the following conditions:”;
* in paragraph two of Article 137, the word “association” shall be deleted in point 5”;
* paragraph one of Article 138 shall be amended to read:

“(1) The minister shall grant the status of a non-governmental organisation operating in the public interest to a non-governmental organisation which fulfils the conditions referred to in the preceding Article by means of a decision.”;

* paragraph two of Article 138 shall be amended to read:

“(2) A contract between the State and a non-governmental organisation as referred to in the preceding paragraph with regard to compensation for the costs of activities of a non-governmental organisation holding the status of a non-governmental organisation operating in the public interest shall be concluded by the ministry on behalf of the State.”;

* paragraph four of Article 138 shall be deleted.

(6) In the Research and Development Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 22/06 – official consolidated version, 61/06 – ZDru-1, 112/07, 9/11 and 57/12), the following shall apply:

* the title of Chapter 8 shall be amended to read: “8. Non-governmental organisations operating in the public interest”;
* the title of Article 22 shall be amended to read: ”(conditions for obtaining the status of a non-governmental organisation operating in the public interest)”;
* the words of Article 22 shall be amended to read:

“A non-governmental organisation operating in the field of research and development activities in the public interest whose purpose and operation exceed the realisation of the interests of their members and founders and are generally beneficial may also be granted the status of a non-governmental organisation operating in the public interest in the field of research and development activities (hereinafter: non-governmental organisation operating in the public interest). In compliance with the regulations governing the status of non-governmental organisations operating in the public interest and the regulations governing general administrative procedures, the status of a non-governmental organisation operating in the public interest the field of research shall be granted with a decision issued by the minister competent for science and in the field of development activities, the minister competent for technology.

* the title of Article 23 shall be amended to read: “(Granting of the status of a non-governmental organisation operating in the public interest)”;
* in Article 23, the words “An association which obtains the status of an association operating in the public interest in the field of research and development activities,” shall be replaced with the words “A non-governmental organisation which obtains the status of a non-governmental organisation operating in the public interest”.

(7) In the Social Care Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*] Nos 3/07 – official consolidated version 23/07 – amended, 41/07 – amended, 61/10 – ZSVarPre, 62/10 – ZUPJS, 57/12, 39/16, 52/16 – ZPPreb-1, 15/17 – DZ and 29/17), the following shall apply:

* the title of Chapter V.A shall be amended to read: “V.A STATUS OF NON-GOVERNMENTAL ORGANISATIONS IN THE PUBLIC INTEREST IN THE FIELD OF SOCIAL SECURITY”;
* the introductory sentence 79.a shall be amended to read: “A non-governmental organisation working in the field of social security shall be granted the status of a non-governmental organisation operating in the public interest in the field of social security if, in addition to the general conditions laid down in the Act governing the status of a non-governmental organisation operating in the public interest, it also meets special conditions:”;
* Article 79.b and Article 79.c shall be deleted.

(8) In the Sports Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 29/17), paragraph six of Article 31 shall be amended to read:

“(6) Notwithstanding the provisions of the Act governing non-governmental organisations operating in the public interest, a provider of a sports programme as referred to in point 1 of paragraph two of Article 6 of this Act which has the status of a non-governmental organisation operating in the public interest in compliance with the Act governing the status of non-governmental organisations operating in the public interest and which has been chosen to implement the annual sports programme at the national or local level or the annual sports programme of the Foundation for Sport does not have to report to the ministry on the work done or the programme of future activities.”.

(9) In the Exercising of the Public Interest in Culture Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 77/07 – official consolidated version, 56/08, 4/10, 20/11, 111/13, 68/16 in 61/17), the following shall apply:

* the title of Chapter 3 shall be amended to read: “3. The status of non-governmental organisation operating in the public interest in the field of culture”;
* paragraph two of Article 80 shall be amended to read:

“(1) A cultural association operating the public interest may be granted the status of a non-governmental organisation operating in the public interest in compliance with the Act governing the status of non-governmental organisations operating in the public interest.”;

* the words of Article 81 shall be amended to read:

“The status of a non-governmental organisation operating in the public interest in the field of culture may also be obtained by other non-governmental organisations in compliance with the Act governing non-governmental organisations operating in the public interest.”;

* Article 81.a shall be deleted.

(10) In the Cultural Heritage Protection Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*] Nos 16/08, 123/08, 8/11 – ORZVKD39, 90/12, 111/13 and 32/16), the following shall apply:

* the title of Article 107 shall be amended to read: “(Status of a non-governmental organisation operating in the public interest)”;
* the words of Article 107 shall be amended to read:

“A non-governmental organisation whose operation significantly contributes to protection, fostering awareness of cultural heritage, the spread of knowledge and skills associated with cultural heritage, and training and lifelong learning may obtain the status of a non-governmental organisation operating in the public interest in the field of cultural heritage protection. Such status shall be obtained on the basis of the Act governing the realisation of the public interest in culture and the Act governing the status of non-governmental organisations operating in the public interest.”;

* in paragraph one of Article 108, the introductory sentence shall be amended to read: “A non-governmental organisation holding the status of a non-governmental organisation operating in the public interest in the field of cultural heritage protection shall have the right to:”.

(11) In the Environmental Protection Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 39/06 – official consolidated version, 49/06 – ZMetD, 66/06 – Ruling of the Constitutional Court, 33/07 – ZPNačrt, 57/08 – ZFO-1A, 70/08, 108/09, 108/09 – ZPNačrt-A, 48/12, 57/12, 92/13, 56/15, 102/15, 30/16 and 61/17 – GZ), the following shall apply:

* in paragraph one of Article 152, the introductory sentence shall be amended to read: “The status of a non-governmental organisation operating in the public interest in the field of environmental protection may be obtained by a non-governmental organisation the fulfilling conditions laid down in the Act governing non-governmental organisations operating in the public interest, as well as:”,
* in paragraph one of Article 152, point 1 shall be deleted, and the current point 2 shall become point 1;
* point 3 shall be deleted and the current point 4 shall become point 2;
* paragraph one of Article 153 shall be amended to read:

“(1) The minister shall grant the status referred to in the preceding Article with a decision.”;

* paragraph two of Article 153 shall be deleted, and the current paragraph three shall become paragraph two.
* paragraph four of Article 153 shall be deleted;
* Article 154 shall be deleted.

(12) In the Cave Protection Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 2/04, 61/06 - ZDru-1 and 46/14 – ZON-C), the following shall apply:

* the title of Chapter IV shall be amended to read: “IV. THE OPERATION OF NON-GOVERNMENTAL ORGANISATIONS IN THE PUBLIC INTEREST”;
* in paragraph two of Article 44, the introductory sentence shall be amended to read: “A speleological society or other non-governmental organisation shall demonstrate their significant achievements in the field of cave protection if:”;
* in paragraph two of Article 44, the word “associational” shall be deleted in point 2”;
* in paragraph two of Article 44, point 3 shall be amended to read:

“3. its instrument of incorporation shall ensure that the structure of its bodies enables the body competent for the field of cave protection to have decision-making powers equal to those of bodies dealing with other fields of the organisation's operation,”;

* in paragraph two of Article 44, the word “associational" shall be replaced with “its”.

In the Protection Against Discrimination Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 33/16), the following shall apply:

* in Article 15, the words “associations, foundations and private institutes (hereinafter: non-governmental organisations)” shall be replaced with “non-governmental organisations”;
* paragraph three of Article 41 shall be amended as follows:

“(3) The status of a non-governmental organisation operating in the public interest in the field referred to in the preceding paragraph shall be granted by the competent ministry in compliance with the Act governing non-governmental organisations operating in the public interest.”.

(14) In the Protection Against Natural and Other Disasters Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 51/06 – official consolidated version and 97/10), the words “with, *mutatis mutandis*, the application of regulations on associations” in paragraph five of Article 21 shall be replaced with the words “in compliance with the Act governing the status of a non-governmental organisation operating in the public interest”.

(15) In the War Disability Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 63/95, 2/97 – Ruling of the Constitutional Court, 19/97, 21/97 – amended, 75/97, 11/06 – Ruling of the Constitutional Court, 61/06 – ZDru-1, 114/06 – ZUTPG, 40/12 – ZUJF and 19/14), the following shall apply:

* in paragraph four of Article 1, the second sentence shall be amended to read:

“In compliance with the Act governing the status of a non-governmental organisation operating in the public interest, associations of persons disabled as a result of war, and other non-governmental organisations operating in the field of war disability may be granted the status of a non-governmental organisation operating in the public interest in the field of war disability.”;

* in paragraph four of Article 1, the word "associations" shall be replaced with the word "organisations".

(16) In the War Veterans Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 59/06 – official consolidated version, 61/06 – ZDru-1, 101/06 – Ruling of the Constitutional Court, 40/12 – ZUJF and 32/14), the following shall apply:

* paragraphs two and three of Article 1 shall be amended to read:

“In compliance with the Act governing the status of a non-governmental organisation operating in the public interest, an association or a federation of associations of war veterans or another non-governmental organisation operating in the field of war veterans may be granted the status of a non-governmental organisation operating in the public interest in the field of war veterans by the ministry competent for defence. The ministry shall issue the status of a non-governmental organisation operating in the public interest in the field of war veterans on the basis of the organisation’s instrument of incorporation and its programme for providing an activity in the public interest, particularly in the fields of social welfare and health care for war veterans, the preservation of historical cultural memory, the preservation of mass war graves, international activities, and on the basis of wider social activities and the use of the organisation’s assets within a specific period, from which it is evident that the organisation’s operations exceed the interests of its members and founders. The minister competent for defence shall conclude a contract with a non-governmental organisation operating in the public interest in the field of war veterans on the funding of their activities from state budget resources on the basis of the fulfilment of the criteria for financing activities from state budget resources, taking into account in particular the programme of the non-governmental organisation providing an activity in the public interest, the number of members/war veterans, and the property owned by the non-governmental organisation operating in the field of war veterans.”;

* in paragraph four of Article 1, the words “associations or federations of war veterans’ associations” shall be replaced with “non-governmental organisations operating in the public interest in the field of war veterans”.

(17) In the Drivers Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 85/16, 67/17 and 10/18 – ZCes-1C), the words of Article 7 shall be amended to read:

“Non-governmental organisations operating in fields important for road traffic safety shall obtain the status of non-governmental organisations operating in the public interest in compliance with the Act governing the status of non-governmental organisations operating in the public interest if they develop and implement programmes in the field of prevention and safety in road traffic (training, additional education, publishing materials, promotion, discussions, presentations, displays in the field road traffic safety and similar), with the exception of the activities of driving schools.”.

(18) In the Animal Protection Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 38/13 – official consolidated version), the following shall apply:

* the title of Chapter IV shall be amended to read: “IV. NON-GOVERNMENTAL ORGANISATIONS OPERATING IN THE PUBLIC INTEREST IN THE FIELD OF ANIMAL PROTECTION”;
* in paragraph one of Article 34, the introductory sentence shall be amended to read: “In addition to the general conditions under the Act governing the status of non-governmental organisations operating in the public interest, an association operating in the field of animal protection must fulfil the following special conditions:”;
* in paragraph three of Article 34, the words “the status of an association which operates in the public interest in the field of animal protection” shall be replaced with “the status of a non-governmental organisation operating in the public interest in the field of animal protection”;
* in paragraph one of Article 35, the words “the status of an association operating in the public interest” shall be replaced with “the status of a non-governmental organisation operating in the public interest in the field of animal protection”;
* paragraph three of Article 35 shall be deleted;
* Article 36 shall be deleted;
* the words of Article 36.a shall be amended to read:

“In compliance with the Act governing non-governmental organisations operating in the public interest, the status of a non-governmental organisation operating in the public interest in the field of animal protection may also be obtained by other non-governmental organisations.”.

(19) In the Plant Protection Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 62/07 – official consolidated version, 36/10 and 40/14 – ZIN-B), the following shall apply:

* the title of Chapter X shall be amended to read: “X. NON-GOVERNMENTAL ORGANISATIONS IN THE PUBLIC INTEREST IN THE FIELD OF PLANT HEALTH”;
* paragraph one of Article 69 shall be deleted;
* in the current paragraph two of Article 69, which shall become paragraph one, the introductory sentence shall be amended to read: “An expert or amateur association in the field of plant health or other non-governmental organisation operating in the same field may obtain the status of a non-governmental organisation operating in the public interest in the field of plant health if, in addition to the conditions under the Act governing the status of a non-governmental organisation operating in the public interest, the following conditions are fulfilled:”;
* the current paragraph three of Article 69 shall become paragraph two;
* in Article 70, the word “association” shall be replaced with the words “non-governmental organisation”.

(20) In the Victims of War Aggression Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 18/06 – official consolidated version, 54/04 – ZDoh-1, 68/05 – Ruling of the Constitutional Court, 61/06 – ZDru-1, 114/06 – ZUTPG, 72/09 and 40/12 – ZUJF), the following shall apply:

* paragraph eleven of Article 2 shall be amended to read:

“Associations of victims of war aggression or other non-governmental organisations operating in the field of victims of war aggression may be granted the status of a non-governmental organisation operating in the public interest. The granting of the status shall be decided by the ministry competent for victims of war aggression in compliance with the Act governing the status of non-governmental organisations operating in the public interest on the basis of the basic act and the programme of the association or other organisation which provides an activity in the public interest, particularly in the field of social welfare and health care, as well as historical cultural memory in relation to the circumstances and suffering of victims of war aggression and on the basis of actual activities and the use of the resources of an association or other organisation within a specific period, from which it is evident that the operation of the association, or other organisation if it consists of members, exceeds the interests of its members.

Article 38

(Repeal of regulations)

(1) On the day this Act enters into force, the Rules on the Registry of Associations, Registry of Foreign Affiliate Associations and Registers of Public Interest Associations (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 5/07, 56/08 and 64/11) shall cease to apply in the part related to associations in the public interest.

(2) In the part related to associations in the public interest, the regulation referred to in the preceding paragraph shall apply until the register referred to in Article 19 of this Act is established.

(3) On the day this Act enters into force, the following acts and regulations shall cease to be in force:

* Rules determining the criteria for demonstrating major achievements by an association in order to be granted the status of an association operating in the public interest (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 36/12),
* Rules on the criteria determining an association's significant achievements in order to be granted the status of an association operating in the public interest in the field of the Ministry of Labour, Family, Social Affairs and Equal Opportunities (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 2/17),
* Rules on the criteria determining an association's significant achievements in order to be granted the status of an association operating in the public interest in agriculture, forestry and rural development (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 105/13),
* Rules determining the criteria for demonstrating major achievements by an association in order to be granted the status of an association operating in the public interest in the area of defence (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 97/12),
* Rules on the criteria determining an association's significant achievements in order to be granted the status of an association operating in the public interest in transport and energy (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 4/17),
* Rules on the criteria determining an association's significant achievements in order to be granted the status of an association operating in the public interest in transport, energy and spatial planning (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 35/14 in 4/17),
* Rules on the criteria determining an association's significant achievements in order to be granted the status of an association operating in the public interest in the field of war veterans (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 5/15),
* Rules governing the criteria specifications for associations when demonstrating major achievements in order to be granted the status of an association operating in the public interest in the field of education, science and research, culture and sport (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 102/12) in
* Rules on detailed criteria for obtaining the status of a society or organisation operating in the public interest in the field of animal protection (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 29/14).

(4) The regulations referred to in the preceding paragraph shall apply to all non-governmental organisations until the entry into force of the regulations issued on the basis of paragraph five of Article 6 of this Act.

Article 39

(Entry into force)

(1) This Act shall enter into force on the fifteenth day following its publication in the Official Gazette of the Republic of Slovenia.

(2) The application of the provisions of Article 28 of this Act shall commence on 1 January 2019.

No. 022-01/17-2/22

Ljubljana, 20 March 2018

EPA 2300-VII

National Assembly of
the Republic of Slovenia

**Dr. Milan Brglez**, signed

President