Disclaimer: The unofficial consolidated text of this regulation is intended to serve as merely a working aid for informative purposes, in respect of which the relevant body accepts no liability for damages or any other liability.

The unofficial consolidated version of the Volunteering Act comprises:

* Volunteering Act – ZProst (Official Gazette of the Republic of Slovenia [Uradni list RS], No 10/11 of 18 February 2011),
* Corrigendum to the Volunteering Act – ZProst (Official Gazette of the Republic of Slovenia, No 16/11 of 7 March 2011),
* Act Amending the Volunteering Act – ZProst-A (Official Gazette of the Republic of Slovenia, No. 82/15 of 3 November 2015).

VOLUNTEERING ACT (ZProst)

(Unofficial consolidated version No. 1)

I. GENERAL PROVISIONS

Article 1

(Purpose of the act)

The Act determines volunteering and its meaning, the fundamental principles of volunteering, conditions for the provision of organised volunteering, the rights and duties of volunteers and volunteer organisations, and the role of the state, self-governing local communities, volunteer and non-profit organisations active in volunteering in monitoring, encouraging and developing organised volunteering.

Article 2

(Definition and meaning of volunteering)

(1) Volunteering is a socially beneficial free-of-charge activity of individuals whose work, knowledge and experience contribute to the improvement of the quality of living of individuals and social groups and to the development of a society based on solidarity, human wellbeing and equal opportunities.

(2) Volunteering strengthens solidarity, promotes the development of human abilities and lifelong learning, and ensures social cohesion and cooperation in resolving the problems of individuals and society.

Article 3

(Promotion of organised volunteering)

This Act creates the conditions for ensuring equality, safety and transparency in the operations of all individuals and organisations included in organised volunteering and lays down measures for the promotion and development of organised volunteering as an important social value.

Article 4

(Subsidiary application of the act)

This Act shall not apply to individual rights and obligations of volunteer organisations and volunteers that are regulated differently by a special act.

II. DEFINITIONS

Article 5

(Volunteer work)

(1) Volunteer work is work performed by individuals for the benefit of others or for the general benefit of their own free will and without expecting payment or other direct or indirect material benefits for themselves.

(2) Volunteer work shall not include work performed free of charge:

* that is conditioned by or subject to payment, other proceeds, exemption from material obligation, or award,
* whose nature requires a conclusion of an employment contract,
* if the obligation to perform work is based on a legal transaction not defined by this act or if one person is obliged to perform the work for another natural or legal person on the basis of an act or other regulation or on the basis of a court decision,
* that is usual among relatives and friends,
* with the aim of professional qualification without concluding an employment contract (voluntary internship) in accordance with the act governing employment relationships or another act.

Article 6

(Volunteer)

(1) An individual doing volunteer work is a volunteer.

(2) Any person may be a volunteer, except in cases stipulated by this Act.

Article 7

(Organised volunteering)

(1) Organised volunteering is volunteer work done in compliance with the provisions of this Act in the framework of volunteer organisations as defined by paragraph one of Article 9 of this Act by an individual on a regular basis for at least 24 hours per year.

(2) Notwithstanding the provision referred to in the preceding paragraph, organised volunteering may also be performed in public or private law persons that have been granted a concession for providing services and whose operations are defined as non-profit by another act on the basis of special volunteering programmes supplementing the regular programme of a public service. Special volunteering programmes may constitute only a supplement to the regular activity of a public service provider and may not interfere with the service and provider’s obligations determined by another regulation or concession contract. Special volunteer programmes shall be determined by an internal act of a public service provider.

Article 8

(Volunteer service)

Volunteer service is organised volunteering performed by a volunteer for at least 20 hours a week and in an uninterrupted period of at least six months.

Article 9

(Volunteer organisations and organisations with volunteer programme)

(1) Volunteer organisations under this Act are legal persons of private law entered in the register of volunteer organisations and organisations with volunteer programmes referred to in Article 38 of this Act whose activities are defined by law as non-profit and whose basic activity is not contrary to the definition of volunteering specified in Article 2 of this Act and which provide and train volunteers for volunteering, or where volunteering is performed for the benefit of others or for the general benefit.

(2) Organisations with volunteer programmes under this Act shall be persons governed by public law or private law that have obtained a concession for the provision of public services and whose activities are defined by another law as non-profit; in such organisations, volunteering is carried out pursuant to Article 7 of this Act, while the organisations are entered in the register of volunteer organisations and organisations with volunteer programmes referred to in Article 38 of this Act.

(3) Volunteer organisations or organisations with volunteer programmes may not be political parties, trade union organisations, employer associations, professional associations, or registered churches or other religious communities.

(4) Notwithstanding the provision of the preceding paragraph, volunteer organisations may also be professional associations and integral parts of registered churches and other religious communities that have legal personality on the basis of the law governing religious freedom or the law governing associations and that, according to the law governing humanitarian organisations, have the status of a humanitarian organisation and meet the conditions referred to in paragraph one of this Article.

III. PRINCIPLES

Article 10

(Prohibition of discrimination)

(1) In the process of admission and in the course of performing volunteer work, a volunteer organisation or organisation with a volunteer programme must not place an individual who wants to perform volunteer work in an unequal position in respect of personal circumstances such as sex, nationality, race or ethnic origin, religion or other conviction, disability, age, sexual orientation, or other personal circumstance.

(2) A volunteer organisation or organisation with a volunteer programme and a volunteer must, when dealing with individuals targeted by volunteer work, observe the principle of equal opportunities for all, irrespective of personal circumstances such as sex, nationality, race or ethnic origin, religion or other conviction, disability, age, sexual orientation, or other personal circumstance.

(3) A volunteer organisation or an organisation with a volunteer programme shall guide volunteers to volunteer work in accordance with its objectives and activities, the needs of users of volunteer work, the wishes of volunteers, and the nature and level of demand of the volunteer work.

(4) Different treatment based on any personal circumstance referred to in paragraphs one and two of this Article shall not constitute discrimination if it is carried out with the aim of ensuring the equal treatment principle.

Article 11

(Principle of protection of users of volunteer work)

(1) When selecting, training and guiding volunteers to work with people with special needs and other vulnerable groups, such as disabled people, people with development disorders, elderly and helpless people, people under the age of 15, and persons who have been declared partially or completely legally incompetent, volunteer organisations or organisations with a volunteer programme need to ensure that volunteers have acquired specific knowledge, experience and skills required for volunteer work with these groups of people and other persons who, in accordance with regulations, are considered persons with special needs or vulnerable population groups.

(2) Volunteer work referred to in the preceding paragraph may not be performed by persons:

* on whom a security measure of compulsory psychiatric treatment or prohibition of pursuit of a profession, activity or duty related to the field of volunteer work has been imposed or
* against whom criminal proceedings have been instituted or who have been convicted by a final judgment of a criminal offence against life and limb, sexual integrity, or property.

Article 12

(Principle of prohibition of exploitation of volunteers)

(1) Any exploitation or abuse of volunteers shall be prohibited.

(2) Abuse or exploitation of a volunteer shall be any use of volunteer work with an intention to gain or increase proceeds.

Article 13

(Principle of protection of children, minors, and persons declared fully or partly legally incompetent)

(1) Children up to 15 years of age may only perform volunteer work that contributes to their education and personal development and does not endanger their health and development or impede the fulfilment of school obligations, and only under the guidance of a mentor.

(2) Minors and persons declared fully or partly legally incompetent may perform only such volunteer work that is suitable to their age and physical and mental abilities, and only under the supervision of a mentor.

Article 14

(Principle of incompatibility and unpaid nature of volunteering)

Volunteer work may not be performed as a part of jobs and duties for which an individual has concluded an employment contract with the same organisation.

Article 15

(Principle of transnationality of volunteer work)

(1) Volunteers who are seconded to perform volunteer work abroad shall have all rights and obligations laid down by this Act and international obligations assumed.

(2) A volunteer organisation or organisation with a volunteer programme organising the performance of volunteer work abroad shall be obliged to ensure volunteers referred to in the preceding paragraph the rights and obligations laid down by this Act.

(3) Foreigners and persons granted the right to international protection under a special law may perform volunteer work in the Republic of Slovenia in accordance with laws and other regulations governing the status of foreigners in the Republic of Slovenia and with the assumed international obligations.

IV. CONDITIONS OF PERFORMING ORGANISED VOLUNTEER WORK

Article 16

(Agreement on organised volunteer work)

(1) Organised volunteer work (hereinafter: volunteer work) shall be carried out on the basis of a concluded agreement by which a volunteer and a volunteer organisation or organisation with a volunteer programme agree on mutual rights and obligations and any other specificities that need to be agreed upon for specific volunteer work.

(2) An agreement referred to in the preceding paragraph may also be acceded to by other contracting parties that have an interest in a specific form of volunteer work for the protection of their rights or obligations.

Article 17

(Formality of an agreement on volunteer work)

(1) An agreement on volunteer work may be concluded in writing or orally.

(2) The conclusion of an agreement in a written form shall be compulsory:

* if so required by a volunteer, his or her legal representative or guardian, or a volunteer organisation or organisation with a volunteer programme,
* if a volunteer is seconded to perform volunteer work abroad,
* in the provision of volunteer service,
* in cases of volunteer work by persons referred to in Article 13 of this Act.

Article 18

(Contents of an agreement on volunteer work)

(1) The essential contents of an agreement on volunteer work are the following:

* determination of the place and duration of volunteer work and, in the case of volunteer work abroad, information about accommodation and the manner of providing other conditions for performing volunteer work,
* description of the volunteer work,
* determination of training for volunteer work and mentorship,
* determination of provisions for the safety of a volunteer if the work is performed in circumstances that could pose a risk to his or her safety, life or health,
* determination of eligible costs related to the performance of volunteer work and their refund to a volunteer, and
* determination of the manner of termination of the agreement.

(2) A second essential element of a volunteer work arrangement is the statement of a volunteer that there are no health or other circumstances that would prevent or significantly impede the fulfilment of his or her obligations or could pose a risk to his or her health or the life and health of persons with whom he or she comes into contact during the volunteer work.

(3) A compulsory element of an agreement with a volunteer performing volunteer work with persons with special needs and other vulnerable groups is the volunteer’s statement that the circumstances referred to in paragraph two of Article 11 of this Act do not exist. A volunteer organisation may also require a volunteer to produce a certificate from criminal or other appropriate official records that proves this.

(4) If an agreement on volunteer work is concluded with a person who has been declared completely legally incompetent or a with child up to the age of 15, an agreement on his or her behalf shall be concluded by a guardian or legal representative.

(5) If an agreement on volunteer work is concluded with a minor or a person who has been declared partially or fully legally incompetent, the agreement shall be valid when consent is given by a legal representative or guardian in accordance with the regulations governing the legal competence of those persons.

Article 19

(Application of the act governing contractual obligations)

The relations from the agreement on volunteer work and the relationships that arise from the agreement and which are not regulated by this law shall be regulated by the act governing contractual obligations.

Article 20

(Limitation of contractual freedom of an agreement on volunteer work)

(1) Volunteer organisations or organisations with volunteer programmes must, when concluding an agreement on volunteer work, take into account the limits on the maximum weekly workload and daily and weekly rest periods and the protection of the resting of children under the age of 15, as required by the act governing employment relations.

(2) The limitations referred to in the preceding paragraph shall not apply if volunteer work has a form of coexistence with persons targeted by volunteer work and a volunteer has a right and possibility to co-decide on the division of work.

(3) An agreement concluded in contravention to the provisions of the preceding paragraphs shall be null and void.

Article 21

(Termination of validity of an agreement on volunteer work)

An agreement on volunteer work shall be terminated:

* upon the expiry of the period for which it was concluded,
* by common agreement or through notice of termination by one of the parties,
* on the day of the finality of a decision declaring a volunteer partially or fully legally incompetent if the agreed volunteer work exceeds the volunteer’s legal competence or if a legal representative or competent social work centre fails to provide a written consent for the continuation of their volunteer work,
* on the day of the occurrence of circumstances referred to in paragraph two of Article 11 of this Act,
* on the day of termination of operation of a volunteer organisation or organisation with a volunteer programme without a legal successor, or
* on the day of the occurrence of a circumstance agreed for the termination of the agreement in the agreement on volunteer work.

Article 22

(Deleted)

Article 23

(Register of volunteers and volunteer work)

(1) For the purpose of monitoring the situation and promoting volunteering in the organisation, the organisation and implementation of volunteering, and the exercising of the rights and obligations of volunteers, volunteer organisations and organisations with a volunteer programme, a volunteer organisation or organisation with a volunteer programme shall keep the records of volunteers and volunteer work performed so that a record of volunteers and volunteer work performed is established and kept for each volunteer.

(2) The register of volunteers and volunteer work performed shall include the following data:

* name and registered office of the volunteer organisation or organisation with a volunteer programme, full name of the volunteer, date of birth, date or period of time in which the volunteer performed his or her work,
* information about the type of volunteer work performed,
* area of volunteer work according to the list determined by a regulation on the basis of paragraph two of Article 23a of this Act,
* number of volunteer hours performed by location of volunteer work,
* number of volunteer work hours performed by type and area of volunteer work, and
* full name and function of the competent person.

(3) A volunteer organisation or organisation with a volunteer programme shall keep the records in electronic or physical form in a manner enabling protection of personal data. The data in the records shall be kept for ten years from the last entry in the records of volunteers and volunteer work performed. Documents on the basis of which the data were entered in the records shall be kept for ten years from the creation of such documents.

Article 23a

(Types of volunteer work)

(1) The types of volunteer work referred to in the second indent of paragraph two of Article 23 are the following:

* organisational work, which is volunteer work of managing projects and programmes, their organisation or organisation of a part of project or programme, or mentorship to volunteers;
* substantive work, which is volunteer work that requires special knowledge and skills, or basic volunteer work in the context of an individual programme or project. Special knowledge and skills are knowledge and skills acquired by a volunteer in the education system or in the training carried out by a volunteer organisation;
* other work, which is volunteer work as auxiliary work, work to support a volunteer programme or project, or work that does not require any special training.

(2) The list of areas of volunteer work and detailed regulation of records or volunteer work performed by volunteers referred to in paragraph one of the preceding Article shall be prescribed by the minister competent for public administration (hereinafter: the Minister).

Article 24

(Certificate)

(1) Notwithstanding the form of agreement, a volunteer organisation or organisation with a volunteer programme shall be obliged to issue a certificate on volunteer work performed to a volunteer upon the volunteer’s request.

(2) The certificate referred to in the preceding paragraph shall contain the name and registered office of the volunteer organisation, the full name, date and place of birth, and permanent or temporary address of the volunteer, information about the duration and quantity of the volunteer work performed, and a short description of the volunteer work. If the volunteer so desires, the certificate shall also contain a list of any knowledge and skills acquired by the volunteer in training for volunteer work, mentorship or volunteer work.

(3) The certificate referred to in paragraph one of this Article must include the signature of the authorised person of the volunteer organisation or organisation with a volunteer programme.

(4) The conclusion of an oral agreement on volunteer work may be also demonstrated by the certificate referred to in paragraph one of this Article.

(5) A volunteer organisation or organisation with a volunteer programme established in the Republic of Slovenia that organised or co-organised volunteer work abroad shall issue a certificate of volunteer work to citizens of the Republic of Slovenia who perform volunteer work abroad.

V. RIGHTS AND OBLIGATIONS OF VOLUNTEERS AND VOLUNTEER ORGANISATIONS IN THE CONTEXT OF ORGANISED VOLUNTEERING

Article 25

(Rights of the volunteer)

A volunteer shall have the right to:

* a prior familiarisation with the organisation, contents and conditions of the volunteer work and the rights and obligations to which they are entitled under the law or on the basis of general acts of a volunteer organisation,
* a certificate on volunteer work performed,
* familiarisation with the ethical rules of an organisation and other ethical rules important for individual forms of volunteer work,
* appropriate training for volunteer work and other training related to volunteer work,
* a mentor providing professional help and support for the duration of the volunteer work,
* safety for the duration of the training for volunteer work and performing volunteer work if the training or work is performed in circumstances that could pose a risk to a volunteer’s safety, life or health,
* participate in decisions in matters influencing the volunteer work,
* decline work that they consider morally unacceptable or that is in contravention with the provision of this Act or other acts,
* the reimbursement of agreed costs related to the performance of volunteer work,
* file a request for the fulfilment of obligations or stopping of violation of rights with a management authority of a volunteer organisation or organisation with a volunteer programme, and
* the protection of personal data in accordance with the law governing personal data protection.

Article 26

(Processing of a volunteer’s request)

(1) A volunteer may file the request referred to in the tenth indent of paragraph one of the preceding Article within 30 days of the date of the violation of rights or failure to fulfil obligations.

(2) Competent authorities of a volunteer organisation or organisation with a volunteer programme must decide on the request of a volunteer within 30 days of the receipt of the request, and then remedy the violation or fulfil the obligation.

(3) A volunteer shall have the right to describe the circumstances that, in his or her opinion, led to the violation of his or her rights personally to the authority referred to in the preceding paragraph.

(4) In the event that the obligation referred to in paragraph two of this Article is not fulfilled or the violation is not remedied, a volunteer may exercise judicial protection before a competent court of general jurisdiction.

Article 27

(Insurance against unemployment)

(1) A volunteer with the status of an unemployed person performing volunteer work shall not lose the right from unemployment insurance granted in accordance with the law regulating the labour market on the grounds of performing such work.

(2) A volunteer referred to in the preceding paragraph must submit a written notification about performing volunteer work to the competent Employment Service of Slovenia (ESS) in accordance with this Act; the ESS shall consider this circumstance in the fulfilment of the volunteer’s obligations under the law governing the labour market.

Article 28

(Obligations of a volunteer)

(1) A volunteer shall have the following obligations:

* fulfilment of the obligations adopted by way of a concluded agreement on volunteer work,
* training for volunteer work or other training related thereto if such an obligation is agreed by way of a concluded agreement on volunteer work,
* careful performance of the volunteer work in accordance with professional standards and ethical rules and instructions received from a volunteer organisation or organisation with a volunteer programme that organises volunteer work,
* respect for the rules of operation of a volunteer organisation or organisation with a volunteer programme,
* protection of the personal data of a volunteer organisation or organisation with a volunteer programme and of personal data disclosed to the volunteer in performing volunteer work, and
* reporting on the volunteer work performed.

(2) Notwithstanding the provision of the third indent of the preceding paragraph, a volunteer shall have the right to refuse instructions for the work issued by a volunteer organisation or organisation with a volunteer programme if the performance of such volunteer work would pose a risk to the life or health of the volunteer or other persons or if such work would be inconsistent with applicable regulations. He or she may also decline work if he or she considers it morally or ethically unacceptable or in contravention of the concluded agreement on volunteer work.

(3) If compliance with the instructions for the work of a volunteer organisation or organisation with a volunteer programme that organises volunteer work could cause damage to the volunteer, users of volunteer work or third parties, a volunteer’s obligation is to alert the volunteer organisation or organisation with a volunteer programme in writing accordingly. In urgent cases, an alert may also be oral.

Article 29

(Obligations of a volunteer organisation)

(1) The obligations of a volunteer organisation or organisation with a volunteer programme are the following:

* to respect and provision of rights of the volunteer as referred to in Article 25 of this Act,
* the fulfilment of obligations towards the volunteer adopted in a concluded agreement on volunteer work,
* providing conditions for the respect of the volunteer’s rights,
* issuing written certificates on volunteer work with content as provided in Article 24 of this Act,
* the provision of material conditions and resources for the performance of volunteer work,
* the provision of reimbursement of agreed costs to a volunteer,
* respect for the protection of personal data and the volunteer’s right to privacy,
* the provision of other conditions and rights determined by this Act, and
* keeping records of volunteers and volunteer work performed, as referred to in Article 23 of this Act.

(2) A volunteer organisation or organisation with a volunteer programme must arrange accident insurance for a volunteer for the duration of the volunteer work if such work is carried out in conditions that pose a risk to the health or life of the volunteer or if so agreed by the agreement on volunteer work.

Article 30

(Liability for damage incurred)

(1) The liability for the damage caused by a volunteer to a volunteer work user or third party in performing volunteer work or in relation to such work shall be borne by the volunteer organisation or organisation with a volunteer programme or other non-profit organisation in the interest of which the volunteer worked on the basis of a concluded agreement as referred to in Article 16 of this Act at the moment when the damage occurred, unless the latter can show that the volunteer acted correctly in the circumstances.

(2) If it is shown that the damage was caused intentionally or because of a gross negligence on the part of a volunteer, a volunteer organisation or organisation with a volunteer programme that paid damages in accordance with the preceding paragraph shall have a right to a recourse claim for the repayment of the total compensation paid.

(3) An injured party shall have the right to demand the reimbursement of damages directly from a volunteer if such damage is inflicted intentionally.

(4) A volunteer organisation or organisation with a volunteer programme may take out liability insurance for volunteers’ treatment of third parties.

Article 31

(Reimbursement of expenses)

(1) A volunteer organisation or organisation with a volunteer programme must reimburse a volunteer the costs arising from or in relation to volunteer work if so agreed by an agreement on volunteer work.

(2) The costs referred to in the preceding paragraph are the following:

* travel costs and costs of food and accommodation,
* travel costs and other costs related to travel and staying abroad in the case of volunteer work abroad,
* compensation for the use of own funds in the case of funds that are typical, necessary and normal for performing particular volunteer work and are as such set out in the regulations governing employment relations or in special regulations and internal acts of a volunteer organisation or organisation with a volunteer programme.

(3) Travel costs, food and accommodation costs, transport costs and other travel-related costs, and costs related to staying abroad shall be reimbursed by the organisation to a volunteer in accordance with the regulations governing the reimbursement of such costs in labour law relationships.

(4) Compensation for the use of own funds shall be calculated on the basis of actual costs if these are supported by evidence or as a lump sum. A lump sum of compensation shall be determined on the basis of calculation of real costs, but may not, at the annual level, exceed 20% of the amount of the average salary of employees in Slovenia for January of the past calendar year.

(5) A foreigner seconded to perform organised volunteer work in Slovenia shall be refunded the costs of travel, accommodation, meals and any other costs by a volunteer organisation or organisation with a volunteer programme if so agreed with a foreign seconding volunteer organisation and provided that the latter has ensured the funding for such payment or if such compensation is envisaged by an European or international programme implemented on the basis of an international treaty concluded by or accessed to by the Republic of Slovenia. The amount of such compensation may not exceed the amount determined by such an agreement or programme for weekly or monthly payment. Compensation for personal costs may be paid weekly, monthly or as a lump sum.

Article 32

(Training of volunteer)

(1) A volunteer organisation or organisation with a volunteer programme shall provide the training of a volunteer for volunteer work if this is necessary due to the nature of the volunteer work or if a volunteer expresses the need for training.

(2) Volunteer training shall encompass the following:

* theoretical and practical familiarisation of a volunteer with the contents and manner of performing volunteer work,
* familiarisation of a volunteer with a volunteer organisation or organisation with a volunteer programme, its operations, general acts and code of ethics, and
* familiarisation of a volunteer with his or her rights and obligations related to the performance of volunteer work.

Article 33

(Mentorship)

(1) A volunteer organisation or organisation with a volunteer programme shall provide mentorship if this is necessary due to the nature of the volunteer work or if a volunteer expresses the need for mentorship and oversee the training of volunteer work mentors.

(2) Mentorship shall encompass the organisation of volunteer work and support to volunteers in performing volunteer work with the aim of ensuring the quality of volunteer work. Mentorship may be also performed as a form of volunteer work.

(3) A mentor may be any adult with legal capacity whose volunteer or work experience exceeds that of the persons that wish to participate in the volunteer work.

Article 34

(Prize for outstanding achievements)

A volunteer organisation or organisation with a volunteer programme may award a volunteer an annual prize for outstanding achievements if its general act contains predetermined criteria defining outstanding achievements and the procedure and selection criteria.

VI. PROMOTING DEVELOPMENT AND MONITORING OF ORGANISED VOLUNTEERING

Article 35

(Sustainable development)

Volunteering shall be included in the education system as a social value on the basis of standards and criteria determined by provisions in education.

Article 36

(Volunteering development strategy)

(1) To promote the development of volunteering, the Government of the Republic of Slovenia shall adopt an ordinance determining the strategy of development of volunteer work (hereinafter: the strategy).

(2) The strategy shall lay down the basic policies and measures for the promotion of volunteer work.

(3) The strategy shall be determined for a period of five years.

(4) The strategy shall be drafted by the ministry competent for public administration (hereinafter: the Ministry) in cooperation with the working body referred to in paragraph five of this Article.

(5) In order to monitor the implementation of the strategy and the development of volunteering, the Government of the Republic of Slovenia shall appoint a permanent working body composed of representatives of ministries and proposed representatives of volunteer organisations.

Article 37

(Promotion of volunteering)

(1) On the basis of the strategy, ministries and other state administration bodies shall plan and implement measures to promote and develop volunteering. These shall cooperate with volunteer organisations in planning measures.

(2) In the allocation of funds from the national budget in the areas of work in which volunteer organisations are engaged, at least 10% of the funds tendered in the public call shall be earmarked for the implementation of projects and programmes of volunteer organisations that include volunteer work or are intended for the development of volunteer work.

(3) Notwithstanding the provision of the preceding paragraph, the funds may be awarded to entities other than volunteer organisations if the number of applications from volunteer organisations submitted to the public tender has not been sufficient and the funds would otherwise remain unused.

(4) Self-governing local communities may, in the manner and within the scope of the purpose as defined in paragraphs one and two of this Article, determine projects and programmes and provide funds for their implementation.

(5) If the acquisition of funds in public tenders requires the provision of own co-financing share, bodies that allocate funds from the state budget or budgets of self-governing local communities, unless otherwise stipulated by the law, shall consider volunteer work as own material input by volunteer organisations. The amount of own material input shall be determined on the basis of the recorded work and estimated value of an hour of volunteer work as determined by the regulation referred to in paragraph seven of Article 41 of this Act.

(6) In the allocation of funds from the national budget, the costs of management, harmonisation and mentorship of volunteers shall be recognised as eligible costs of co-financing of projects and programmes in the implementation of projects and programmes of volunteer organisations that include volunteer work.

Article 38

(Register of volunteer organisations and organisations with volunteer programmes)

(1) For the purpose of monitoring volunteering and exercising the rights and obligations of volunteers of volunteer organisations and organisations with volunteer programmes, the competent organisation for public legal records and services (hereinafter: the competent organisation) shall, on the basis of a written notification from legal persons as referred to in paragraphs one and two of Article 9 of this Act, make an entry and establish an electronic register of volunteer organisations and organisations with volunteer programmes (hereinafter: the register). The Ministry and the competent organisation shall publish the list of volunteer organisations and organisations with volunteer programmes on their respective websites.

(2) The register of volunteer organisations and organisations with volunteer programmes shall contain the following information:

* registration number of the legal person,
* name and registered office of the legal person,
* corporate form of the legal person,
* personal information of legal representative: full name, permanent or temporary residence, personal registration number,
* the activity of the legal person,
* date of entry in the register,
* date of entry of changes in the register,
* date of removal from the register,
* grounds for removal, and
* comments.

(3) For the purpose of accuracy and currency of data, the competent organisation shall transfer the information on the full name, permanent and temporary address, personal registration number of a legal representative, and activity of the legal person from the Business Register of Slovenia. If the data referred to in the first to fifth indents of the preceding paragraph are changed in the Business Register of Slovenia, these changes shall be automatically entered in the register by using the registration number of the legal entity on the basis of the connection of the register with the Business Register of Slovenia.

(4) Rejection of registration referred to in paragraph one of this Article and removal of a volunteer organisation from the register of volunteer organisations on the grounds provided in paragraph one of Article 40 of this Act shall be decided on by the Ministry.

(5) Legal persons in which volunteer work is performed in accordance with paragraph two of Article 7 of this Act must submit a written notification for entry in the register within 30 days of the adoption of a special volunteer programme.

Article 39

(Notification to the register)

(1) A written notification shall contain the following information:

* registration number of the legal person,
* name and registered office of the legal person,
* corporate form of the legal person,
* personal information of the legal representative (full name, permanent or temporary residence, personal registration number),
* the activity of the legal person,
* a statement that its activities are defined by law as non-profit and that its basic activity is not contrary to the definition of volunteering specified in Article 2 of this Act and that it provides and trains volunteers for volunteering, that volunteering is performed as a part of its activities for the general benefit, or that it meets the conditions referred to in paragraph four of Article 9 of this Act,
* a statement that the legal person in which volunteer work is performed on the basis of paragraph two of Article 7 of this Act has adopted a special volunteer programme,
* a statement that it is not an organisation referred to in paragraph three of Article 9 of this Act, and
* date, stamp and signature of the legal representative.

(2) The Minister shall prescribe a notification form referred to in the preceding paragraph and publish it on the Ministry’s website.

Article 40

(Removal from and re-notification to the register)

(1) A volunteer organisation shall be removed from the register if:

* the volunteer organisation so requests in writing,
* the legal person ceases to exist,
* the volunteer organisation fails to submit a report on volunteering as referred to in paragraph one of Article 41 of this Act, or
* the volunteer organisation no longer meets the criteria for entry in the register.

(2) Legal persons who were removed on the grounds referred to in the third indent of the preceding paragraph shall not be allowed re-entry in the register before the lapse of two years from the date of removal.

(3) An organisation with a volunteer programme shall be removed from the register if:

* the legal person ceases to exist or
* a volunteer programme is concluded.

Article 41

(Reports on volunteering)

(1) Volunteer organisations and organisations with a volunteer programme entered in the register referred to in Article 38 of this Act shall annually prepare, on a prescribed form, a report on volunteering that contains the following information for the previous calendar year:

* number of volunteers by sex and age groups,
* total number of volunteer hours performed by location of volunteer work,
* total number of volunteer hours performed by and number of volunteer works performed by type of volunteer work as determined by paragraph one of Article 23a of this Act.

(2) The information referred to in the third indent of the preceding paragraph shall be displayed by the area of volunteer work according to the list determined by a regulation drawn up on the basis of paragraph two of Article 23a of this Act.

(3) A report on volunteering shall be submitted to the competent organisation on an online portal together with the data from the annual report for the purpose of national statistics submitted by these organisations in accordance with provisions governing keeping business books and preparation of annual reports.

(4) On the basis of reports on volunteering, the competent organisation shall compile and process the data received. It shall submit the aggregate data on volunteer work in the Republic of Slovenia for the previous calendar year, together with the list of volunteer organisations and organisations with volunteer programme, to the Ministry. The competent organisation shall also submit to the Ministry all data from the reports on volunteering for each volunteer organisation and organisation with a volunteer programme.

(5) The competent organisations shall make public on its website reports on volunteering of individual volunteer organisations and organisations with volunteer programmes.

(6) On the basis of the aggregate data referred to in paragraph four of this Article, the Ministry shall draft a joint report on volunteering in the Republic of Slovenia for the previous calendar year and submit it to the Government of the Republic of Slovenia for information.

(7) The report referred to in the preceding paragraph shall contain the list of volunteer organisations and organisations with volunteer programmes, the data on volunteer work performed and the estimated value of the contribution of volunteering to social welfare. The joint report on volunteering shall be published on the website of the Ministry.

(8) The form referred to in paragraph one of this Article and the manner of displaying and communicating the data referred to in paragraphs one, two, three and four of this Article, the estimated value of the volunteer work performed by type of volunteer work referred to in paragraph one of Article 23a of this Act, the contents and deadlines for submitting the aggregate data referred to in paragraph four of this Article, and the deadline for submitting the joint report on volunteering in the Republic of Slovenia shall be prescribed by the Minister.

Article 42

(National awards)

(1) Volunteers and volunteer organisations shall be awarded the Award of the Republic of Slovenia for Volunteering (hereinafter: the Award) or the Certificate of Recognition of the Republic of Slovenia for Volunteering (hereinafter: the Certificate of Recognition) as the highest state awards for outstanding achievements in volunteering and its promotion and development.

(2) An Award to a distinguished volunteer shall be given for lifelong achievements where a volunteer has made great efforts towards the development of volunteering in and the social welfare of the Republic of Slovenia through his or her volunteer work or for a single outstanding achievement if this has had a marked influence in the field of volunteering.

(2) An Award to a distinguished volunteer organisation shall be given to an organisation that has made outstanding and lasting achievements in volunteering in the Republic of Slovenia in a period longer than 20 years.

(4) A Certificate of Recognition shall be awarded for significant achievements of volunteers and volunteer organisations in the last five years.

(5) An Award or Certificate of Recognition shall be awarded on the basis of the following criteria:

* recorded years of volunteer work or work in the field of volunteering,
* number of volunteer hours performed,
* importance of the actual change resulting from volunteering or work in the field of volunteering,
* number of stakeholders involved,
* scope of impact of the volunteer work performed by a volunteer or the work performed in volunteering on the inclusion of other individuals in volunteering, and dissemination of the idea and principles of volunteering,
* demonstrated impact on the dissemination of volunteer work by establishing new volunteer work programmes.

(6) Candidates for Awards and Certificates of Recognition may be nominated by individuals and legal persons.

Article 43

(Presentation of Awards and Certificates of Recognition)

(1) Distinguished volunteers may be annually presented with no more than one Award and six Certificates of Recognition. Awards and Certificates of Recognition shall be presented for all areas of volunteering.

(2) The recipients shall be decided by the Committee of the Republic of Slovenia for Presenting State Awards in the Field of Volunteering referred to in Article 44 of this Act (hereinafter: the Committee) by a two-thirds majority of all its members.

(3) For the purpose of deciding on the recipients on Awards and Certificates of Recognition referred to in the preceding paragraph, the Committee shall process the following personal data of candidates: full name, academic title, if any, date and place of birth, permanent address, and information on volunteer work performed and results achieved.

(4) A volunteer may receive an Award only once.

(5) A volunteer may receive a Certificate of Recognition only once.

(6) The Award and Certificate of Recognition shall be presented in the form of a financial award and a special certificate.

(7) The Award and Certificate of Recognition shall be decided on by the Committee and presented by the President of the Republic of Slovenia.

(8) The Award and Certificate of Recognition may not be granted posthumously or to an organisation that, for whatever reason, has ceased to exist or that is in a dissolution procedure during the evaluation or award procedure.

(9) The financial value of the Award and Certificate of Recognition shall be decided by the Government of the Republic of Slovenia following the Committee’s proposal; the ratio between the two shall be 3:1.

(10) A detailed arrangement of the Award and Certificate of Recognition, a detailed manner of proposing candidates, the form and content of the public invitation referred to in paragraph two of Article 45 of this Act, detailed criteria for the presentation of Awards and Certificates of Recognition, the manner of presenting Awards and Certificates of Recognition, the manner of formation of professional commissions referred to in paragraph five of this Act and their tasks and areas of work, and the contents and deadlines for publishing the work report referred to in paragraph two of Article 45 of this Act shall be prescribed by the Government of the Republic of Slovenia.

Article 44

(The Committee)

(1) The Committee referred to in the preceding Article shall consist of nine members and shall be appointed by the Government of the Republic of Slovenia following the Minister’s proposal. The structure of the Committee shall be such that all areas of volunteer work are represented.

(3) Four candidates for Committee members shall be nominated by volunteer organisations, one by the Office of the President of the Republic of Slovenia, one by the Ministry, and three by ministries so that their appointment will ensure the representation of deficient volunteer work areas.

(2) Members of the Committee shall be appointed for a period of four years; on the first appointment, four members shall be appointed for two years, while other members shall be appointed for four years. Committee members may serve no more than two consecutive terms.

(4) The chair of the committee and his or her alternate shall be elected by and from the members of the committee.

(5) To assist in the selection of candidates for Awards and Certificates of Recognition, the Committee shall propose to the Government of the Republic of Slovenia an appointment of special expert commissions for individual fields of volunteer work to prepare expert assessments of individual proposals.

Article 45

(Work of the Committee and expert commissions)

(1) The work of the Committee and commissions shall be honorary and unpaid.

(2) The Committee shall ensure the transparency of its operations by annually publishing the public call for the proposal of candidates for Awards and Certificates of Recognition, the composition of appointed expert commissions, and a report on its work.

(3) The Committee shall adopt rules of procedure that detail the manner of work of the Committee and expert commissions.

(4) These rules of procedure shall enter into force after they have been approved by the Government of the Republic of Slovenia and published in the Official Gazette of the Republic of Slovenia.

(5) The technical and administrative work for the Committee shall be performed by the Ministry. The annual data on the recipients of state awards referred to in paragraph one of Article 42 of this Act, which consist of name and surname, academic title, if any, date of birth and place of permanent residence, or name, registration number and address of the recipient’s head office, the date and number of the state award and the justification for its award, shall be published on the Ministry’s website.

Article 46

(Funds)

Funds for the activities of the Committee and expert commission and funds for awards shall be earmarked in the budget of the Republic of Slovenia in the financial plan of the Ministry.

Article 47

(Awards of a self-governing local community)

A self-governing local community council may, within its competences, regulate Awards and Certificates of Recognition of a self-governing local community for outstanding achievements in volunteering.

VII. COMPETENCE FOR THE IMPLEMENTATION AND SUPERVISION OF THIS ACT

Article 48

(Competence for implementation)

The Ministry shall monitor the situation of volunteering in the Republic of Slovenia and participate in preparing, implementing and evaluating policies, regulations and measures that influence the activities of volunteers and volunteer organisations and oversee the implementation of this Act.

Article 49

(Supervision)

(1) The implementation of the provisions of this Act, save for the provisions from paragraphs two and three of this Article, shall be supervised by inspectors of the Ministry of Public Administration, Public Administration Inspectorate of the Republic of Slovenia.

(2) The implementation of the provisions of Article 11, Article 13 and paragraph one of Article 20 of this Act shall be supervised by inspectors of the Minister of Labour, Family and Social Affairs, Labour Inspectorate of the Republic of Slovenia.

(3) The protection of personal data shall be supervised by the Information Commissioner of the Republic of Slovenia.

(4) The Public Administration Inspectorate of the Republic of Slovenia, Labour Inspectorate of the Republic of Slovenia and Information Commissioner of the Republic of Slovenia shall exercise their competences referred to in the preceding paragraphs as minor offence authorities.

VIII. PENALTY PROVISIONS

Article 50

(1) A fine of EUR 200 to 500 shall be imposed on a volunteer organisation or organisation with a volunteer programme that fails to issue a certificate of volunteer work performed (paragraphs one and five of Article 24 of this Act) or concludes it without compulsory elements (paragraph three of Article 18 of this Act).

(2) A fine of EUR 300 to EUR 600 shall be imposed on a volunteer organisation or organisation with a volunteer programme for committing an offence referred to in the preceding paragraph against a minor or a person who has been declared fully or partially legally incompetent.

(3) A fine of EUR 1,000 to 2,000 shall be imposed on a volunteer organisation that, when selecting, training and guiding volunteers to work with people with special needs and other vulnerable groups, fails to ensure that volunteers have acquired specific knowledge, experience and skills for volunteer work with these groups of people and other persons who, in accordance with regulations, are considered persons with special needs or vulnerable population groups (paragraph one of Article 11 of this Act), or allows the performance of volunteer work by a person not allowed to work with these population groups (paragraph two of Article 11 of this Act).

(4) A fine of EUR 1,000 to EUR 2,000 shall be imposed on a legal person referred to in paragraph two of Article 7 of this Act that fails to be entered in the register in accordance with paragraph five of Article 38 of this Act.

(5) A fine of EUR 400 to EUR 800 shall be imposed on a volunteer organisation or organisation with a volunteer programme for not enabling the performance of volunteer work by a child up to the age of 15 years or a minor or a person who has been declared fully or partly legally incompetent under the guidance of a mentor or the performance of volunteer work suitable for his or her age or physical and mental abilities (paragraphs one and two of Article 13 of this Act).

(6) A responsible person of a volunteer organisation or organisation with a volunteer programme shall be imposed:

* a fine of EUR 100 to 250 for offences referred to in paragraphs one and two of this Article,
* a fine of EUR 500 to EUR 1,000 for an offence referred to in paragraphs three and five of this Article,
* a fine of EUR 200 to 400 for offences referred to in paragraph four of this Article.

The Volunteering Act – ZProst (Official Gazette of the Republic of Slovenia, No [**10/11**](http://www.uradni-list.si/1/objava.jsp?urlurid=2011374)) contains the following transitional and final provisions:

"IX. TRANSITIONAL AND FINAL PROVISIONS

Article 51

(1) The Government of the Republic of Slovenia shall issue the regulations referred to in paragraphs nine and ten of Article 43 of this Act within four months of its entry into force.

(2) The Minister shall issue the regulation referred to in paragraph seven of Article 23, paragraph two of Article 39 and paragraph seven of Article 41 of this Act within four months of its entry into force.

Article 52

The Government shall adopt the ordinance referred to in Article 36 of this Act within three years of its entry into force.

Article 53

(1) The Government of the Republic of Slovenia shall appoint the members of the Committee referred to in paragraph one of Article 44 of this Act within four months of its entry into force.

(2) The Ministry shall convene the first meeting of the Committee within 30 days of the appointment of its members.

(3) At the first meeting, the Committee shall elect its chairperson and his or her alternate and adopt the rules of procedure referred to in paragraph three of Article 45 of this Act.

Article 54

The organisation competent for the gathering, processing and transmission of data referred to in paragraph one of Article 38 and paragraphs three and four of Article 41 of this Act shall be the Agency of the Republic of Slovenia for Public Legal Records and Related Services.

Article 55

(1) In accordance with the provision of paragraphs one, two, three and five of Article 41 of this Act, the first reports on volunteering and the first joint report on volunteering in the Republic of Slovenia shall be prepared by volunteer organisations and the Ministry within the time limits laid down by this Act and the regulation referred to in paragraph seven of Article 41 of this Act in the calendar year following the year of entry into force of this Act.

(2) Notwithstanding the provision of Article 41 of this Act, after the entry into force of this Act, the reporting period for the preparation of the first report of volunteer organisations on volunteering and the first joint report on volunteering in the Republic of Slovenia shall be considered the period from the date of entry into force of this Act until the end of the calendar year in which the Act entered into force.

Article 56

(Entry into force of the Act)

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

The Act Amending the Volunteering Act – ZProst-A (Official Gazette of the Republic of Slovenia, No [**82/15**](http://www.uradni-list.si/1/objava.jsp?urlurid=20153259)) contains the following transitional and final provisions:

"TRANSITIONAL AND FINAL PROVISIONS

Article 24

(1) The Government of the Republic of Slovenia shall harmonise the Regulation on Detailed Arrangements to Grant Awards and Recognitions of the Republic of Slovenia for Volunteering (Official Gazette of the Republic of Slovenia, No 62/11) with this Act within four months of the entry into force of this Act.

(2) The ministry competent for volunteering shall harmonise the Rules on Voluntary Work Areas and Register (Official Gazette of the Republic of Slovenia, Nos 48/11 and 60/11 – corrigendum) with this Act within four months of the entry into force of this Act.

Article 25

(1) The competent organisation shall begin to make entries in the electronic register referred to in paragraph one of Article 38 of this Act for legal persons in which volunteer work is performed in accordance with paragraph two of Article 7 of this Act within one year of the harmonisation of the regulation referred to in paragraph two of the preceding Article.

(2) A volunteer organisation shall adapt IT solutions for reporting on volunteer work by 31 December 2016.

(3) Notwithstanding paragraph five of Article 38 of this Act, legal persons in which volunteer work is performed in accordance with paragraph two of Article 7 of this Act shall be entered in the register in the calendar year following the year of the harmonisation of the regulation referred to in paragraph two of the preceding Article.

Article 26

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