

THE PROGRAMME OF THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA TO ENHANCE INTEGRITY AND TRANSPARENCY

2017–2019

INTRODUCTION:

As stated in the Coalition Agreement of the Government of the Republic of Slovenia, anti-corruption activities and activities to increase the integrity of the public sector are crucial to earning and keeping citizens' trust in the state and are one of the priorities of the current Government. Increasing the integrity of employees in public administration is important for ensuring that public employees and high officials work responsibly and in an economical manner; public authorities should operate in an open and transparent manner as this enables the public to monitor their work and influence it by participating in decision-making processes. Measures to increase transparency and integrity are among the most important tools in reducing corruption risks. The objective as we see it is to establish a system in which authorities improve the consistency of their activities on a regular basis, increase the integrity of individuals and, in turn, that of the authority concerned, and act in a transparent and open manner, thereby increasing the quality of services provided to citizens and businesses.

Upon adopting the Final Report of the Government of the Republic of Slovenia on the Implementation of the Programme of Anti-Corruption Measures of the Government of the Republic of Slovenia for the Period 2015–2016 – Zero Tolerance for Corruption (hereinafter: the 2015–2016 Programme) on 2 March 2017, the Government of the Republic of Slovenia (hereinafter: the Government) ordered the authorities responsible for the implementation of measures contained in the 2015–2016 Programme to continue carrying out activities related to measures that are of a permanent nature. Furthermore, the Government ordered the Ministry of Public Administration to obtain from relevant ministries, in its capacity as the coordinator, reports on the implementation of measures included in the Action plan that are aimed at realizing the Resolution on the Prevention of Corruption in the Republic of Slovenia, draw up an overview of the planned activities in cooperation with line ministries, and inform the Government thereof.

Taking the previous programme as the basis, recognising certain measures as permanent measures and building on the positive experience of inter-ministerial cooperation, the Government has drafted a new programme (hereinafter: the 2017–2019 Programme), which focuses on measures to strengthen the integrity of institutions, public employees, high officials and other employees in the public sector, as well as to increase the transparency of operations in the public sector. In drafting the new programme the Government also followed the guidelines and plans outlined in the Public Administration Development Strategy 2015–2020, building on the vision of

organising a modern public administration, one that, among other things, respects the principles and values of transparency, integrity and the prevention of corruption. In the two-year programme the Government provides specific measures to achieve the aforementioned principles and values, specifying the authorities responsible for the implementation of such measures, the manner of their implementation and indicators for monitoring progress in achieving the set objectives.

The reports on the implementation of the 2015–2016 Programme show that a great deal has been done over the past two years. The police have focused, as a matter of priority, on economic crime; considerable progress has been made in terms of the GRECO recommendations on the integrity of judicial officials; several types of public information are proactively published online: public procurement contracts, data on the public sector salary bill, data on public procurement procedures (the STATIST application), etc. The set objectives have largely been met, and the transparency and integrity framework determined by the measures and their positive effects have been broadly recognised among the international community, which is also reflected in the progress made as measured by the Transparency International Corruption Perceptions Index (Slovenia is moving up the scale: in 2014 it ranked 39th, in 2015 35th, in 2016 31st). However, despite all this, we cannot yet be satisfied with the situation. The Commission for the Prevention of Corruption believes that government measures contained in the 2015–2016 Programme are a good first step towards a more integrated approach to the fight against corruption at the executive level. Continuing in this direction, with a slightly greater degree of initiative and creativity on the part of ministries, is certainly a positive step in the fight against corruption, even more so if such a programme becomes the permanent framework for continuous and sustainable anti-corruption activities on the part of the government or ministries. However, Transparency International Slovenia believes that there are still many areas that allow for systemic abuse and undermine trust in institutions, as proved by high-profile scandals relating to the management of state property or the use of public funds. In addition to those already mentioned, there are still some major shortcomings in Slovenia in the public procurement system, in local self-government, and in transparency when adopting key decisions at the state level.

In drawing up the new programme considerable emphasis was placed on inter-ministerial cooperation, with the 2017–2019 Programme being developed as a kind of a horizontal platform where line ministries can exchange opinions, experience and good practices in the broader field of integrity and transparency. Accordingly, the proposals of line ministries that were put forward at meetings or included in annual reports made to the Commission for the Prevention of Corruption on the implementation of the Action plan for the realization of the Resolution on the Prevention of Corruption in the Republic of Slovenia were taken into account to the greatest extent possible in the development of areas of action and of individual measures. In relation to the development of the aforementioned programme's content the Ministry of Public Administration held interviews with the representatives of most line ministries, and the Government Office for Development and European Cohesion Policy and the Office for Legislation also provided their respective opinions and proposals regarding content development. In addition, the Commission for the Prevention of Corruption and two non-governmental organisations – CNVOS and Transparency International Slovenia – were consulted on the issue. The proposals have been examined and included in the programme to the greatest extent possible, taking into account financial and staffing limitations, time limits and the line ministries' existing work programmes.

There is continuity between some of the measures included in the new programme and measures included in the 2015–2016 Programme, particularly measures relating to raising the awareness of public employees and high officials in the public sector and measures aimed at the computerisation of services for users that undoubtedly increase transparency, thereby reducing the risk of integrity violations, improving service quality in the public sector, and, in a broader sense, preventing corruption.

SUMMARY

The new government programme to enhance integrity and transparency for the period 2017–2019 ensures continuity in improving the integrity of institutions, public employees, high officials and other employees in the public sector, as well as in increasing the transparency of operations in the public sector. The set of measures is the result of inter-ministerial cooperation and cooperation with non-governmental organisations (Transparency International Slovenia and CNVOS) and the Commission for the Prevention of Corruption.

In terms of content, the measures are divided into four areas of action:

- **Strengthening and raising the awareness of public employees and high officials about integrity and transparency** (measures such as training, creating online brochures, increasing integrity in science and education);
- **public finance – management and supervisory mechanisms** (measures such as the revision of the system of concession granting, increasing the integrity of the business environment, increasing transparency in the use of public funds under EU projects, and other measures);
- **transparency, economy and efficiency in the use of public funds** (measures relating to public procurement procedures, the management of state-owned real estate, the establishment of a single public procurement portal, and other measures); and
- **increasing transparency and efficiency in drafting regulations and conducting administrative and judicial procedures** (drafting the Act on guaranteeing the right to a public trial, the legislative footprint in drafting local self-government regulations, the possibility of monitoring the conduct of administrative procedures by state authorities, and other measures).

For each measure the authority responsible for the implementation of activities is determined; such authority is also responsible for the implementation of the measure within the set time limits and for successful coordination and cooperation with the participating authorities and institutions stated in the programme. The time limits for the implementation of individual measures vary, but the programme as a whole is planned to be implemented by the end of the two-year period.

I. AREA OF ACTION:

STRENGTHENING AND RAISING THE AWARENESS OF PUBLIC EMPLOYEES AND HIGH OFFICIALS ABOUT INTEGRITY AND TRANSPARENCY

MEASURE I. 1: Training for public employees and high officials in state authorities, local community administrations and other bodies governed by public law

Providers:

the Ministry of Public Administration – the Administration Academy, the Ministry of the Interior – the Police Academy, the Ministry of Foreign Affairs and the Commission for the Prevention of Corruption

Method of implementation:

According to the identified needs of line ministries the programmes of training in the area of integrity and transparency in the public sector will be developed with an emphasis on day-to-day efforts aimed at increasing individuals' personal integrity. The training will be provided to the following target groups: employees who are involved in issuing calls for proposals and conducting public procurement procedures, including in public institutes (in the area of healthcare, education, culture and social affairs) and self-governing local communities, new employees in the public sector, government representatives in public institutes, auditors, judicial officials, police officers and others. The existing programmes of training for public employees will be reviewed with a view to establishing to what extent content related to integrity and transparency has already been included in training, mandatory and alternative examinations (mandatory training for appointment to title, the professional examination for inspectors, and the examination for real estate agents); depending on the findings, the content concerned will then be supplemented or included in training and examinations. Among other things, training will be provided for high officials on the correct response in the event of lobbying and on reporting lobbying contacts. In addition, an online questionnaire on integrity will be designed by the Ministry of Public Administration for training purposes, which will enable participants to verify their knowledge by themselves.

In cooperation with the competent line ministries efforts will be made to include anti-corruption topics and the topics of integrity and transparency in national secondary vocational and professional education and training programmes.

Objectives: To achieve a high level of knowledge about the correct response and conduct in the public sector in situations related to the conflict of interest, gifts, lobbying, the performance of additional activities and incompatibility, and a high level of awareness about integrity and the responsible management of public funds.

Indicators:

- the number of training sessions carried out for individual target groups
- the number of participants in training courses
- the e-questionnaire on integrity in the public sector

Deadline for implementation:

- To provide training for at least 300 participants by the end of 2017; to provide training for at least 80,000 participants in 2018 and the same in 2019.
- the e-questionnaire on integrity in the public sector: June 2018

- reporting on trainings carried out: once at the end of the year

MEASURE I. 2: Raising the awareness of judicial authorities and within judicial professions in a broader sense in relation to ensuring ethics and integrity

Institution responsible: the Ministry of Justice – the Judicial Training Centre

Method of implementation:

In 2016 the Judicial Training Centre extended the training programmes for justice employees on ethics and integrity so as to include educational modules for court staff, staff at the State Prosecutor's Offices and staff at the State Attorney's Offices, as it is important that all participants in court proceedings are aware of and sensitized to these issues, regardless of the level at which they operate. As it is necessary to raise, continuously and at an early stage, the awareness of future judges, state prosecutors, state attorneys, lawyers and other legal professionals, a seminar entitled "Ethics of the Legal Profession" was introduced for the first time in 2017 as a preparation seminar for the state law examination, which is intended for judicial trainees and candidates under Article 19a of the State Law Examination Act (the ZPDI). Following the example of workshops for judges entitled "Ethics and Integrity", at which outstanding issues in ethics and integrity are discussed and which have been very well accepted and well attended, the same type of workshops will be provided for state prosecutors. Educational courses for judicial assistants will also be provided; one of the topics covered on these courses will be 'the ethics of the profession'. It is planned to update the content of the preparation seminar for receivers in insolvency and compulsory settlement proceedings with the aforementioned topics; a similar update is also planned in relation to seminars for enforcement agents. In addition to this lectures to that effect are also held at particular schools (lectures covering broader topics, devoted to one branch of the legal profession), offering a broader reflection on the various branches of the legal profession, their operation and responsibility towards society.

Objectives: raising the awareness of justice employees and all participants in court proceedings in relation to ethics and integrity, regardless of the level at which they operate.

Indicators:

- the number of trainings carried out for individual target groups
- the number of participants in training courses

The time limit for implementation: The existing programmes are scheduled for updating in 2017, and their implementation will be an ongoing task until the end of the programming period.

MEASURE I. 3: The drafting of three online brochures on the topic of day-to-day efforts to increase an individual's personal integrity and ensure responsible conduct in awarding public contracts and responsible actions by external experts who cooperate with the public sector.

Provider: the Ministry of Public Administration

Participating parties: other line ministries and the Commission for the Prevention of Corruption

Method of implementation: Topics will be presented in an understandable, brief and concise manner and will draw public employees' attention to their legal obligations and good practices, stating legal measures to be taken in the event of violations. A general brochure will be created on the topic of personal integrity of employees in the public sector. A special brochure is planned for the members of commissions, working groups and expert councils who are not public employees, but must act in the public interest. The same goes for certain members of management and supervisory boards of public institutes who are not public employees. In addition, online brochures will be created on the topics of issuing calls for proposals, conducting public procurement procedures and granting subsidies and state aid, which will also highlight the issues of corruption risks and integrity violations. Brochures will be widely disseminated and published on the websites of line ministries and individual authorities.

Objectives: To achieve a high level of knowledge about the correct response and conduct in relation to conflicts of interest, gifts, lobbying, the performance of additional activities and incompatibility, and a high level of awareness about integrity in the public sector.

Indicators:

- materials on integrity in the public sector disseminated to all state authorities and self-governing local communities and their employees
- materials on integrity in the public sector published online for free further use and dissemination

Deadline for implementation:

- Brochure on the personal integrity of employees in the public sector: June 2018
- Brochure on the correct conduct of public procurement procedures: June 2018
- Brochure on actions by external experts who cooperate with the public sector: June 2019

MEASURE I. 4: Raising awareness to increase the integrity and the transparency of the actions of representatives of the state in supervisory bodies of business entities that are majority state-owned or in which the state has a controlling influence

Provider: the Ministry of Finance

Participating parties: the Ministry of Public Administration, the Slovenian Sovereign Holding, the Commission for the Prevention of Corruption

Method of implementation: The Ministry of Finance, in cooperation with Slovenian Sovereign Holding, will develop a programme of training for members of supervisory boards in state-owned companies or companies in which the state has a controlling influence, and for members of supervisory bodies of public institutes who are appointed to such bodies by the state. Programmes will be developed in coordination with stakeholders and carried out in a two-year period, taking into account any existing programmes of similar training that cover similar topics. Providing appropriate training on integrity, the transparent use of public funds and the prevention of corruption risks to the aforementioned persons is important, as it facilitates the transfer of knowledge thus obtained to other members of such bodies, promoting the understanding and sharing of good practices in integrity.

Objectives: To raise awareness, promote positive understanding of and share good practices in integrity, prevent corruption risks and be proactive regarding ensuring transparency in the

business environment with a view to reducing integrity violations and corruption in the wider public sector.

Indicators:

- the developed programme of training
- the training carried out

Deadline for implementation:

- programme plan: June 2018
- training to be carried out in June 2019; reporting once a year

MEASURE I. 5: Developing a Code of Ethics for Diplomats

Provider: the Ministry of Foreign Affairs

Method of implementation: The Ministry of Foreign Affairs, in cooperation with the Commission for the Prevention of Corruption, will draft a code regarding specifics relating to public employees.

Objectives:

- raising the awareness of public employees posted to work abroad and that of representatives of the Republic of Slovenia in international organisations

Indicators:

- the code of ethics is adopted and disseminated to all employees at the Ministry of Foreign Affairs

Deadline for implementation:

- May 2018

MEASURE I. 6: Enhancing integrity in science and education

Provider: the Ministry of Education, Science, and Sport

Participating parties: the Slovenian Academy of Sciences and Arts

Method of implementation: Setting up the national commission for integrity in science and defining its operation (with an emphasis on independence); the commission is anticipated to act as a court of honour, and its areas of work will include higher education and research as defined by the Act Amending the Research and Development Act on the basis of positions of the Council for outlining standpoints for setting up the stated commission. A national code of ethics, morals, integrity and good practices in science is to be adopted.

In addition, on the basis of the report by the Commission for the Prevention of Corruption on identifying corruption risks in education, the Ministry of Education, Science, and Sport, in cooperation with the Commission for the Prevention of Corruption, will draft measures and recommendations to eliminate the risks identified. Periodic training for head teachers on topics related to integrity will continue to be carried out.

Objectives: High ethical standards in the public research and development sector in Slovenia and the systemic institutional regulation of ethical issues in science in all important areas, following the example of other EU Member States.

Indicators:

- the setting up of a court of honour for the field of science
- the adoption and implementation of the provisions of the Research and Development Act
- planned measures and recommendations to eliminate the risks identified in education
- the development and adoption of a national code of ethics, morals, integrity and good practices in science

Deadline for implementation:

- the adoption of the provisions of the Research and Development Act – December 2017
- setting up a court of honour – April 2018
- planned measures to eliminate risks in education – June 2018
- the Code of Ethics in Science – December 2018

II. AREA OF ACTION:**PUBLIC FINANCE – MANAGEMENT AND SUPERVISORY MECHANISMS****MEASURE II. 1: Ensuring that companies controlled by the Bank Asset Management Company (BAMC) commit to transparency**

Institution responsible: the Ministry of Finance

Method of implementation:

The adoption of a new Act Regulating Measures of the Republic of Slovenia to Strengthen the Stability of Banks or a new legislative proposal which will regulate the BAMC and by which all measures to strengthen the stability of banks that are no longer complying with the rules on bank recovery applicable at the EU level would be deleted. Transitional arrangements would apply to measures that are already being implemented to ensure their completion. In accordance with this legislative proposal, companies that are majority owned by the BAMC or in which the BAMC has a controlling interest would be liable persons under Article 1a of the Public Information Access Act.

Objectives: To improve legislative bases and enhance transparency in the operation of the BAMC and the companies controlled by it.

Indicators:

- the adoption of a new regulative framework

Deadline for implementation: June 2018

MEASURE II. 2: The jurisdiction of the Court of Audit of the Republic of Slovenia to partially control the operations of the Bank of Slovenia

Institution responsible: the Ministry of Finance in cooperation with the Bank of Slovenia, the Court of Audit and the Commission for the Prevention of Corruption

Method of implementation: By means of the Act Amending the Bank of Slovenia Act, taking into account the constitutional and legal position of the Bank of Slovenia and European rules regarding the functional, institutional, financial and personal independence of central banks, enabling the Court of Audit to audit the Bank of Slovenia.

Objectives: To ensure the effective control of the operations of the Bank of Slovenia, taking into account its position and independence.

Indicators: the adoption, enforcement and implementation of the amending act

Deadline for implementation: December 2017

MEASURE II. 3: The revision of the concession-granting system

Institution responsible: the Ministry of Finance

Method of implementation: Revising the concession-granting process by way of a new Act on Granting Concessions. In accordance with the aforementioned legal basis, concession-granting will be distinguished from public-private partnerships; however, control over concessionaires will have to be introduced in practice. As this programme was being drafted, the draft law was submitted for public consideration.

Objectives: The proposed national rules will ensure transparency in concession-granting procedures and a flexible and balanced legal framework for granting concessions that will provide legal certainty, enable the free provision of services and prevent the distortion of the internal market.

Indicators:

– the adoption and enforcement of amendments to the act and its implementation

Deadline for implementation: December 2017

MEASURE II. 4: Establishing a register of beneficial owners of companies pursuant to the Prevention of Money Laundering and Terrorist Financing Act

Institutions responsible: the Ministry of Finance - the Office for Money Laundering Prevention

Participating parties: AJPES

Method of implementation: The register of beneficial owners will be a database of beneficial owners of companies (with the exception of single-person limited liability companies), cooperatives, societies, institutes, political parties, trade unions, religious communities or other legal persons and foreign funds, foreign institutions or similar legal entities governed by foreign law. The register's establishment will enable competent authorities to access relevant data for the purpose of reviewing customers and for the purpose of exercising powers and tasks relating to the prevention and detection of money laundering and terrorist financing. The register of beneficial owners will be established and kept by AJPES; the register will be part public. Data will be primarily accessible to supervisors and law enforcement authorities. The data in the register will be integrated with data in other such registers of European countries.

Objectives: To ensure the transparency of ownership structures of business entities, thereby preventing the abuse of business entities for money laundering and terrorist financing.

Indicators:

- the adoption of the Rules on establishing, maintaining and keeping the register of beneficial owners
- the establishment of and the start of operation of the register of beneficial owners

Deadline for implementation:

- the adoption of the rules – August 2017
- the establishment of the register – November 2017

MEASURE II. 5: The adoption, enforcement and implementation of the Act Amending the Integrity and Prevention of Corruption Act

Institution responsible:

the Ministry of Justice

Participating parties: The Commission for the Prevention of Corruption; in the part relating to the implementation of legislative provisions, other public sector entities and their official persons.

Objectives and the method of implementation:

The objective of the measure, which is a continuation of the measure introduced in the previous programme of anti-corruption measures of the Government of the Republic of Slovenia, is to adopt, enforce and implement the proposed amendment (the ZIntPK-C) and monitor its implementation in practice. The purpose of the proposed legislative solutions is to improve the anti-corruption legal framework, create conditions and circumstances that enable the Commission for the Prevention of Corruption to work more effectively, or create a legal framework within which the values and principles of integrity, accountability, transparency, the rule of law and public interest are additionally strengthened; in practice these solutions will contribute to the more effective prevention and curbing of corruption in the public and private sectors, as well as to increasing transparency in the functioning of public administration. Changes are planned in the following areas: limitations on and prohibitions concerning the acceptance of gifts, restrictions on operations, conflicts of interest, the supervision of financial standing, including the public disclosure of data on the financial status of high officials who occupy the most responsible positions in the state, lobbying, and the transparent use of public funds.

Deadline for implementation:

- the adoption of the amendments to the act – December 2017
- the implementation of the amendments after their enforcement and the monitoring of its implementation as a permanent task until the end of the programming period

MEASURE II. 6: Increasing the transparency of the business environment and enhancing its integrity

Institution responsible: the Ministry of Justice

Participating parties: AJPES

Objectives and the method of implementation:

The adoption of the Act Amending the Court Register of Legal Entities Act (hereinafter: the ZSReg-G), which is in the process of being considered at a session of the Government. The draft law upgrades the solution that was enforced by the ZSReg-F and transposes the provisions of EU directives on the interconnection of central, commercial and companies registers into the Slovenian legal order. In accordance with Directive 2012/17/EU, a portal that will serve as the European electronic access point will be set up within the system of interconnection of companies registers. The portal will operate within the European e-Justice portal. Individual users will be able to use the portal to make enquiries about companies and their branches in other Member States. Data and documents will be provided by business registers of EU Member States and the EEA. Establishing a search service on companies and their branches will increase the accessibility of data on the most common forms of legal persons in the internal market of the EU and the EEA at the European level, thereby contributing to the greater availability of data on companies and their branches and increasing the transparency of their operations.

Deadline for implementation:

- the act – September 2017
- setting up the portal – December 2017

MEASURE II. 7: Cohesion funds – reducing corruption risks in the use of EU funds

Institution responsible: the Government Office for Development and European Cohesion Policy

Method of implementation: Arachne is a risk scoring tool that helps EU Member States identify, prevent and detect risky operations, projects, beneficiaries and contracts/contractors. The Government Office for Development and European Cohesion Policy will begin to use this tool in implementing the European cohesion policy at the level of the Republic of Slovenia. Arachne is a specific data mining tool used to identify projects that might be susceptible to risks of fraud, conflict of interest and irregularities. It also serves as a useful preventive instrument within the implementation of the European cohesion policy, highlighting risk indicators.

Objectives: The reduction of corruption risks within the implementation of the European cohesion policy.

Indicators:

- the introduction of the use of tool

Deadline for implementation:

- the introduction of the tool – December 2018

III. AREA OF ACTION:

TRANSPARENCY, ECONOMY AND EFFICIENCY IN THE USE OF PUBLIC FUNDS

MEASURE III. 1: Enhancing integrity and transparency in public procurement procedures

Provider: the Ministry of Public Administration

Method of implementation: Increasing transparency in legal protection procedures in public procurement by drafting and enforcing the Act Amending the Legal Protection in Public Procurement Procedures Act. On this basis, computerising legal protection procedures in public procurement by setting up the e-Audit portal. Upgrading the Public Procurement Portal with new functionalities for additional transparency in public procurement. The implementation of guidelines in public procurement, particularly through education and training (guidelines for public procurement of IT, works). The consistent enforcement of government resolution No. 43000-5/2017/3 of 23 March 2017 on using e-auction procedures as broadly as possible. The measure complements the measure relating to the training of public employees in charge of public procurement.

Objective: To increase the transparency and effectiveness of public procurement procedures and audits and ensure the effective and efficient use of public funds, particularly through joint public procurement and open public data.

Indicators:

- the percentage increase in joint public procurement compared to the previous year
- the percentage increase in e-auction procedures
- the amount of public funds saved annually

Deadline for implementation:

- the adoption of the act – by the end of June 2018
- other measures are permanent; reporting once a year

MEASURE III. 2: Healthcare – the elimination of integrity violation risks and corruptions risks through joint public procurement

Providers: the Ministry of Health, the Ministry of Public Administration

Participating parties: the Association of Health Institutions of Slovenia

Method of implementation: Continuing and upgrading measures introduced in the 2015–2016 Programme, i.e. the joint procurement of medicinal products and medical devices, where it has been established that the purchase of such products and devices is professionally justified and economical. In addition, it is necessary to ensure the effective operation and use of "Intravizor", an online database of the prices of medicinal products and medical devices, as one of the bases for consulting the market in public procurement procedures. Data on the prices of material are primarily useful to directors of health institutions and other persons responsible for purchasing in making responsible and rational decisions regarding the purchase of material and in estimating the value of individual public contracts; such data also provide a good negotiation platform for contracting authorities in conducting new public procurement procedures. The online application currently includes the data from all hospitals and three community health centres; data from other community health centres will gradually be included in the application.

Objectives: The optimal use of public funds, i.e. ensuring that appropriate or the best quality is achieved with the available money; the standardisation of medical devices and the development

of common technical specifications; transparent operation at all stages of public procurement and purchase.

Indicators:

- the number and subject of new joint public procurement procedures in healthcare
- the amount of public funds saved

Deadline for implementation: the implementation is continuous; reporting on the joint public procurement procedures carried out – once a year

MEASURE III. 3: Ensuring the effective management of state-owned real estate

Provider: the Ministry of Public Administration

Method of implementation: The adoption of the Physical Assets of the State Act, which pursues the principles of economy, compensation, equal treatment, transparency and publicity, and on the basis thereof, the establishment of a tool – the application "Gospodar" – through which the recording of state-owned real estate will be provided in one application ("URBAR", set up by the Farmland and Forest Fund of the Republic of Slovenia, will not be included, but the two applications will be interconnected). Such a method of data recording will ensure transparency and facilitate real estate management. This will serve to establish an internal market (the list of unoccupied real estate and the list of redundant real estate). The application will enable the monitoring of expenses (data on contracts for leased premises) and facilitate the moving of authorities. The application will provide the public (natural and legal persons) with access to certain data.

Objectives: the transparent and effective management of state-owned real estate

Indicators:

- the adoption and enforcement of the act
- the Gospodar application has been set up and is operating

Deadline for implementation:

- the adoption of the act – by December 2017
- the application - by June 2018

MEASURE III. 4: Enhancing the integrity of and responsible conduct by court experts, appraisers and interpreters

Institution responsible:

the Ministry of Justice

Objectives and the method of implementation:

The findings highlight the need to increase the accountability of court experts, appraisers and interpreters. The aim of the new law is to increase transparency in their work and strengthen the role of the profession in considering issues pertaining to the work of court-appointed experts. In turn, the quality of expert opinions, valuations and interpretation is expected to increase, and the

possibility of abuse in providing expert opinions, valuations and interpretation is expected to be reduced.

In view of the above the new regulation provides that all candidates for court experts, appraisers or interpreters should take the mandatory proficiency test and that they should be appointed for a limited time (after the expiry of their appointment, they will have to again take the proficiency test). An important new solution will be the introduction of disciplinary proceedings against court experts, appraisers and interpreters and the strengthening of the role of the profession (i.e. relevant ministries) in resolving professional issues and dilemmas. The new law will also provide for the possibility of publishing guidelines for providing expert opinions and valuations, which will contribute towards a uniform approach.

Deadline for implementation:

- The starting points and the draft law proposal have been prepared and are in the process of being coordinated until 15 May 2017.
- the adoption of the law – June 2018

MEASURE III. 5: Calls for proposals – optimising NGO funding

Provider: the Ministry of Public Administration

Method of implementation: In optimising the cooperation between the state and non-governmental organisations, a particular attention will have to be devoted to public funding, which must consistently comply with the principles of transparency, effective use, pursuing the public interest, quality and economy. All calls for proposals and calls for non-governmental organisations must be target-oriented, and their objectives must be based on the objectives of public policies in individual fields and the identified needs of the state. The Ministry of Public Administration will prepare reports to that effect.

Objectives: To ensure transparency and reduce risks of ineffective and inefficient use of public funds in NGO funding

Indicators:

– the preparation of recommendations for the transparent funding of NGOs

Deadline for implementation:

- recommendations – December 2018
- the single portal – December 2019

MEASURE III. 6: The systemic regulation of or amendments to the regulation of the operation and funding of disability, humanitarian and sports organisations with a view to eliminating corruption risks and risks of uneconomic use of funds.

Provider: the Ministry of Labour, Family, Social Affairs and Equal Opportunities, the Ministry of Education, Science and Sport

Participating parties: the Court of Audit and the Commission for the Prevention of Corruption

Method of implementation: Analysis of the current legal regulation with a view to identifying any shortcomings and ambiguities due to the lack of mechanisms for the prevention of corruption risks and risks of integrity and ethics violations; drafting the appropriate legal basis and specifying criteria for earmarking funds for disability, humanitarian and sports organisations; establishing a mechanism, procedure and authority for carrying out the external and independent supervision of the work of such organisations. The Foundation for Financing Sports Organisations in the Republic of Slovenia and Foundation for Financing Disability and Humanitarian Organisations in the Republic of Slovenia Act is in preparation.

Objectives: To draw up and implement regulatory acts so as to ensure, in terms of regulation and implementation, transparency in procedures and the use of funds within humanitarian, disability and sports organisations.

Indicators:

- making the analysis, showing the shortcomings of the current regulation
- making appropriate, content-relevant proposals for the regulatory framework that will include regulation in the terms of integrity and transparency of operations (the Act regulating the founding of the Sport, Disability and Humanitarian Organisations in the Republic of Slovenia)

Deadline for implementation:

- December 2018

IV. AREA OF ACTION:

INCREASING TRANSPARENCY AND EFFICIENCY IN DRAFTING REGULATIONS AND CONDUCTING PROCEDURES

MEASURE IV. 1: Strengthening the right to a public trial – drafting the law

Institution responsible:

the Ministry of Justice

Method of implementation:

The objective of the planned measure is to enhance or increase transparency in the operation of the Slovenian judiciary, increase trust in the rule of law, and promote the participation of the public in the exercise of judicial power. An important objective in this regard is to limit or reduce the possibility of abuse and distortion of citizens' perceptions of the work of the Slovenian judiciary. The foregoing will also strengthen the principle of a public trial and the principle of the people's sovereignty.

The planned regulation will also contribute to a change in the social or existing initial paradigm of (non-)publication of judicial documents. The solutions will be designed to eliminate administrative barriers for individuals, helping them in becoming acquainted with judicial documents, and barriers that might hinder the publication of judicial documents by courts. The planned regulation will enable courts to have appropriate autonomy and ensure that individual judges have discretion in deciding when and in what manner the court will publish judicial documents or that the court has broad discretion as to the application of the provisions of the new law.

Objectives: To strengthen and promote transparency and accountability in court proceedings.

Deadline for implementation: December 2017

MEASURE IV. 2: A new tool for IT support in drafting regulations – MOPED application

Institution responsible: the Government Office for Legislation

Participating parties: the Ministry of Public Administration

Method of implementation: The MOPED application will replace the current system of IT support in drafting regulations (IPP). This is a uniform tool for drafting regulations, the main aim of which is to improve the quality of the process of drafting regulations, particularly in terms of transparency, clarity and predictability. In addition to facilitating its drafting, the tool will include temporal factors in planning the drafting of a regulation, taking into account the principles of the Resolution on Legislative Regulation, provide traceability between different versions of a particular regulation, and ensure the consistent publication of all draft regulations.

Objectives: Greater transparency in adopting regulations.

Indicators:

- the implementation of the MOPED application
- the percentage increase in draft regulations published online compared to the previous year

Deadline: December 2017

MEASURE IV.3: SME test – a tool for assessing the impacts of regulations on the economy, available to the public through e-Democracy

Institution responsible: the Ministry of Public Administration

Participating parties: the Ministry of Economic Development and Technology

Method of implementation: An SME test, a tool for assessing the impacts of regulations on the economy, will be available to the professional and interested public through the e-Democracy portal. Anyone will be able to use the tool to examine, in a simple and transparent manner, the SME test performed by the authority that has drafted a particular law and, via the application, submit proposals or comments directly to the drafter of the law. Training will be provided, along with substantive support, for developers of SME tests; training will also be provided for the professional public from the economic sector (the Chamber of Commerce and Industry of Slovenia, the Chamber of Craft and Small Business of Slovenia, the Slovenian Chamber of Commerce).

Objectives: To provide assistance to the drafters of regulations in assessing the impact of regulations and contribute to increasing the transparency of positions that served as the basis for a particular regulation. This enables external stakeholders to increase the quality of their positions on a draft regulation and helps the drafters of regulations to obtain as much information from the public as possible on possible impacts and alternatives, which in turn results in a better regulation.

Indicators: the SME module through the e-Democracy portal is open to the public

Deadline: December 2017

MEASURE IV. 4: The legislative footprint in drafting municipal regulations

Institution responsible: the Ministry of Public Administration

Participating parties: associations of municipalities

Method of implementation: With a view to facilitating planning and consultation with the public in the process of drafting regulations at the local level, recommendations and a model form for carrying out such processes will be prepared, providing municipalities with practical instructions on increasing transparency in adopting municipal regulations. This will enable the public to gain an insight into the entire legislative footprint process, which is related to the process of drafting a particular regulation and to lobbying contacts reported at the time of the adoption of a particular regulation.

Objectives: To ensure transparency in adopting municipal regulations.

Indicators: Adopted recommendations and forms for municipalities.

Deadline for implementation: October 2017

MEASURE IV.5: Enabling the public to monitor the running of procedures by state authorities

Provider: the Ministry of Public Administration

Method of implementation: As a rule, different IT solutions are used to monitor the processing of cases by authorities, with the rare exception of authorities of the same nature (e.g. administrative units). This affects the reliability, availability, completeness and quality of data. The regular online publication of data will provide transparency, enabling the interested public to monitor and supervise the work of a particular authority, and ensure the competitiveness and comparability of work between authorities; on the basis of the published deadline for resolving a particular case (perhaps backlogs) users will be able to decide against which authority to exercise their rights, in so far as they are not limited in doing so by the rules on territorial jurisdiction.

Objectives: To modernise the system of monitoring the processing of cases by state authorities in order to increase transparency for customers and facilitate operations and supervision by heads and supervisory institutions.

Indicators: the share of public administration bodies that have in place the system of monitoring the processing of cases

Deadline for implementation: June 2018

MEASURE IV.6: Greater transparency and optimisation of work in relation to procedures for obtaining building permits

Provider: the Ministry of the Environment and Spatial Planning

Method of implementation: The introduction of an application for building permits to ensure transparency in relation to the issue, content and scope of individual building permits, taking into account the provisions of the Construction Act.

Objectives: To increase effectiveness and transparency in the issue of building permits.

Indicators: the introduction of the application for the issue of building permits with additional functionalities

Deadline for implementation:

- December 2018 (public access)