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The unofficial consolidated text of Instructions for Honorary Consular Officers of the Republic of Slovenia No. 501-67/2017/7 of 21 November 2017 comprises:

- Instructions for Honorary Consular Officers of the Republic of Slovenia No. ZKD-1154/07 of 21 March 2007;
- Instructions amending Instructions for Honorary Consular Officers of the Republic of Slovenia No. 0070-7/2012/1 of 2 October 2012;
- Corrigendum to Instructions for Honorary Consular Officers of the Republic of Slovenia No. 0070-7/2012/3 of 27 February 2013;
- Instructions amending Instructions for Honorary Consular Officers of the Republic of Slovenia No. 501-67/2017/4 of 23 October 2017.

## **INSTRUCTIONS FOR HONORARY CONSULAR OFFICERS OF THE REPUBLIC OF SLOVENIA**

### **I General provisions**

#### Article 1

The purpose of these Instructions is to define in detail the operation of consular posts of the Republic of Slovenia headed by honorary consular officers in accordance with the Vienna Convention on Consular Relations done at Vienna on 24 April 1963 (hereinafter: the Vienna Convention on Consular Relations).

#### Article 2

For the purposes of these Instructions, “consular post” means any consulate-general, consulate, vice-consulate or consular agency headed by an honorary consular officer.

#### Article 3

A consulate-general may be established in the capital of a receiving State in which the Republic of Slovenia has no embassy, in other important political and economic centres of the receiving State, and in cities with a considerable number of Slovenian nationals and/or people of Slovenian descent. If necessary, consulates, vice-consulates or consular agencies may be established in other cities.

#### Article 4

The consular post operates under supervision, according to the instructions and with the assistance of the diplomatic mission covering the consular district of the consular post concerned (hereinafter: the supervising mission). If no Slovenian diplomatic mission covers the consular district of the consular post concerned, the role of the supervising mission is assumed by the Ministry of Foreign Affairs of the Republic of Slovenia (hereinafter: the Ministry). For practical reasons and with due regard to the consular district, the Ministry may assign certain functions of the supervising mission to a consular post headed by a career consular officer.

#### Article 5

Each consular post has its seat and its consular district. Both are determined by the Ministry on the proposal of the supervising mission and with the receiving State's consent and with due regard to the fact that only one consular post may be opened in one consular district; the Ministry's proposal is submitted to the Government of the Republic of Slovenia for approval.

#### Article 6

For the implementation of specific tasks, the Ministry may assign a career consular officer or any other of its employees to a consular post, subject to the approval of the receiving State. In such case the career consular officer or the employee is directly accountable to the supervising mission or the Ministry. They report to the head of consular post.

### **II Functions**

#### Article 7

The consular post provides assistance to Slovenian nationals and legal entities in its consular district by advising them on the protection of their rights in the receiving State.

#### Article 8

The consular post provides information about Slovenia, its economy and its culture; in cooperation with the supervising mission, it facilitates the establishment of economic contacts and contacts in the fields of culture, science, education and sport.

#### Article 9

The consular post immediately notifies the supervising mission of any death of or serious accident involving Slovenian nationals and provides all necessary assistance.

#### Article 10

The consular post immediately notifies the supervising mission of Slovenian nationals

arrested or committed to prison or to custody pending trial, involved in a criminal offence or subject to any coercive measures.

#### Article 11

On the request of the supervising mission, the consular post helps search for Slovenian nationals within its consular district.

#### Article 12

The consular post carries out other functions as authorised by the Ministry or the supervising mission.

#### Article 13

The consular post refers all clients bringing up matters beyond its competence to the supervising mission. In the absence of a supervising mission, it requests instructions from the Ministry.

#### Article 14

The consular post is not authorised to issue visas.

#### Article 15

The consular post is not authorised to collect consular fees.

### **III Contacts**

#### Article 16

In the discharge of its functions, the consular post communicates with the competent local authorities within its consular district. In the absence of a Slovenian embassy in the receiving State, the consular post communicates with the central authorities in accordance with the practices of the receiving State and the instructions of the supervising mission.

#### Article 17

Honorary consular officers foster positive relations with the authorities of the receiving State. Upon the assumption of duties and on other appropriate occasions, they pay courtesy calls on these authorities. If possible and if invited, they attend receptions held on various official occasions.

#### Article 18

Honorary consular officers foster close relations with associations and their representatives, companies, organisations and media in the receiving State that are

in contact with Slovenia and those that demonstrate or might demonstrate special interest in Slovenia.

#### Article 19

Honorary consular officers strive for positive relations and cooperation with other consular officers and representatives of other states and international organisations that have the seat in their consular districts and whose activities are related to their capacity. Newly appointed honorary consular officers pay courtesy calls on the head of the consular corps and on the chair or secretary-general of the consular association – if the latter exists within their consular districts – and on consular officers if so instructed by the supervising mission.

#### Article 20

Honorary consular officers maintain contacts with Slovenian nationals and people of Slovenian descent that reside within their consular districts and with their associations and organisations.

### **IV Head of consular post**

#### Article 21

Consular posts are headed by honorary consular officers, notably an honorary consul-general, an honorary consul, an honorary vice-consul or an honorary consular agent.

#### Article 22

If two honorary consular officers have been appointed to one consular district, one of them has a lower rank than the other. The one with the higher rank is appointed head of consular post, while the other is appointed member of the consular staff.

#### Article 23

When the post of head of consular post becomes vacant, the Ministry, on the proposal of the supervising mission, decides on further operation of the consular post as soon as possible, taking into account the relevant provisions of the Vienna Convention on Consular Relations.

#### Article 24

Upon the assumption of duties, the head of consular post examines the archives and equipment of the consular post and objects deposited with the consular post for safekeeping, and drafts a handover report in three copies, of which one remains in the archives of the consular post, one is handed to the former head of consular post, and one is submitted to the supervising mission.

## Article 25

Unless otherwise decided by the Ministry, the head of consular post is responsible for the management of the property of the consular post. Property related to the exercise of consular functions must be kept separately from the personal belongings of the honorary consular officer and property intended for other activities.

## **V Consular premises and equipment**

### Article 26

The honorary consular officer procures consular premises in a suitable, easily accessible location. The area used for archives and storage of reports and other property belonging to the consular post must be separated from the reception area. The suitability of consular premises is assessed by the supervising mission.

### Article 27

Honorary consular officers must ensure that the address and telephone number of the consular post are listed in the local directory under "consulates". They also ensure that the address is listed in other relevant directories and publications. They regularly report changes to the supervising mission, which further notifies the receiving State.

### Article 28

If possible and as appropriate, the national flag of the Republic of Slovenia is always flown on the building of the consular post. The national flag of the Republic of Slovenia is flown on the building of the consular post every time flags are flown on public buildings in the receiving State. As far as flying the flag at half-mast is concerned, local customs are observed. If consular premises are not located in a building owned by the honorary consular officer, the latter arranges for the use of a flagpole with the building's owner.

On official occasions, honorary consular officers may fly the national flag of the Republic of Slovenia on their residence.

The Ministry's department of diplomatic protocol provides three national flags for use at the consular post and one flag for lending purposes in the receiving State.

### Article 29

The Ministry's department of diplomatic protocol provides each consular post with a signboard carrying the Slovenian coat-of-arms. The signboard is mounted at a suitable place on or in the building of the consular post. If consular premises are not located in a building owned by the honorary consular officer, the latter arranges for the placement of the signboard with the building's owner.

## Article 30

The Ministry's public relations service provides each consular post with promotional materials about Slovenia and its economy and tourism in English or other relevant language.

## **VI Consular post administration**

### **Correspondence**

#### Article 31

Official consular correspondence comprises correspondence with local authorities, with missions of other states and international organisations, with the supervising mission, and with others.

#### Article 32

Correspondence with local authorities is conducted according to local customs and in the usual local language.

#### Article 33

Written communication with other missions and the ministry responsible for foreign affairs in the receiving State, if conducted in accordance with Article 16 hereof, takes the form of consular correspondence.

#### Article 34

As far as letters and reports of the consular post to the supervising mission are concerned, the following applies:

- a) The languages used are either Slovenian or the official language of the receiving State, if so agreed with the supervising mission, or one of the diplomatic languages;
- b) Letters are addressed to the supervising mission or to the Ministry, but not to individuals.

#### Article 35

Letters to Slovenian authorities, institutions or individuals are usually sent via the supervising mission.

#### Article 36

Upon the assumption of duties, honorary consular officers are provided with a collection of official printed matter by the Ministry's department of diplomatic protocol. They have the official printed matter reproduced at their own expense according to the sample official printed matter received upon the assumption of duties and/or according to samples provided by the Ministry's department of diplomatic protocol.

#### Article 37

Honorary consular officers use official stationery, seals and stamps only for official correspondence of the consular post.

#### **Archives**

#### Article 38

The consular post holds archives containing documents in connection with its activities. The archives include a work log. They must be kept separately from the rest of the honorary consular officer's documents.

#### Article 39

The head of consular post must ensure that the documents concerning the activities of the consular post and honorary consular officers are entered into the work log and that the archival materials are stored appropriately.

#### Article 40

The supervising mission must ensure that the consular archives are in conformity with Articles 38 and 39 of these Instructions.

#### Article 41

In the event of closure of the consular post, the archives concerned are taken care of by the supervising mission.

#### **Operating expenses**

#### Article 42

Honorary consular officers cover all expenses incurred by the operation of the consular post. However, they may be exceptionally reimbursed for the following expenses:

- a) Purchase of printed matter, samples and other materials sent to Slovenian authorities on their request;
- b) The cost of urgent notifications of death, serious accident or deprivation of liberty of Slovenian nationals;
- c) The cost of assistance to persons in distress, legal assistance in criminal matters, actions concerning death abroad, and natural disasters and other accidents involving Slovenian nationals; no reimbursement may exceed the expenses incurred in accordance with a prior instruction or with a prior approval of the supervising mission;
- d) Other expenses incurred in accordance with a prior instruction or with a prior approval of the supervising mission.

#### Article 43

When requesting reimbursement of the expenses listed in Article 42 hereof, the honorary consular officer submits an invoice via the supervising mission to the Ministry's secretary-general, who decides on the reimbursement.

### **Reporting**

#### Article 44

Consular posts prepare annual reports on their activities. The report for the preceding year is sent to the supervising mission by 31 January of the current year.

### **VII Obligations and rights of honorary consular officers**

#### Article 45

In their political and other public activities, honorary consular officers must not harm the interests of the Republic of Slovenia.

#### Article 46

Before accepting a nomination or assuming duties entrusted to them by the government of the receiving State, or before standing for election in the receiving State, honorary consular officers must allow the supervising mission to express its opinion concerning the compatibility of any such activity with the functions that they perform for the Republic of Slovenia. The same applies to honorary consular officers wishing to take on duties for a third State or an international organisation.

#### Article 47

Honorary consular officers may not disclose any personal or confidential information obtained during the exercise of their official duties. They must exercise full discretion in all matters concerning the Ministry.

#### Article 48

Honorary consular officers enjoy all privileges and immunities guaranteed by the receiving State in compliance with international law.

### **VIII Appointment and relief of duties of honorary consular officers**

#### Article 49

To be appointed honorary consular officer, a candidate must be a trustworthy person of high repute residing in the receiving State. The candidate's age may not exceed

seventy years. Exceptionally, a person exceeding seventy years of age, but not older than seventy-five, may be appointed honorary consular officer.

To ascertain the candidate's eligibility, the supervising mission requests the candidate to provide evidence of formal qualifications, a certificate of no criminal record and a certificate attesting that no criminal proceedings have been instituted against them, and verifies data on their personal assets and all other circumstances, on the basis of which the Ministry establishes whether the candidate's professional and other activities are compatible with the function of honorary consular officer. The certificate of no criminal record and certificate attesting that no criminal proceedings have been instituted against the candidate may not be more than three months old.

Before the appointment as honorary consular officer, each candidate generally makes a courtesy call on the Ministry.

On the basis of the written consent provided in Annex II to these Instructions, each candidate undergoes security vetting. The procedure is aimed at verifying the authenticity of the certificates listed in paragraph 2 hereof and other information concerning the compatibility of the candidate's activities with the function of honorary consular officer. Security vetting is based on the data provided in the candidate's curriculum vitae, which must contain the candidate's full name, including previous surnames if applicable, date and place of birth, nationality, permanent or non-permanent address and data on their activities. The Ministry issues an opinion on the candidate's eligibility on the basis of the opinion of the competent authorities of the Republic of Slovenia. A candidate who does not agree to security vetting may not be appointed honorary consular officer of the Republic of Slovenia; the same applies if security vetting findings cast doubt about the candidate's credibility, reliability or loyalty.

#### Article 50

Heads of consular posts are appointed and relieved of duties in accordance with Article 23 of the Foreign Affairs Act. Other honorary consular officers are appointed and relieved of duties by the minister responsible for foreign affairs with the prior opinion of the supervising mission.

#### Article 51

If during the supervision referred to in Article 4 of these Instructions the supervising mission establishes the grounds for relieving an honorary consular officer of his or her duties as stipulated in Article 53, the supervising mission immediately notifies the Ministry thereof. If the Ministry is the supervising mission, in the case referred to in the preceding sentence, the competent internal organisational unit reports to the Secretary General.

The honorary consular officer's performance is assessed every five years (the term of office), whereby the provisions of Article 49, paragraphs 1 and 2, of these Instructions apply *mutatis mutandis*. The assessment is carried out by the supervising mission, which submits its findings to the Ministry at least sixty days before the expiry of the

honorary consular officer's term of office. The findings are submitted together with an opinion of the supervising mission on the honorary consular officer's performance.

The performance assessment criterion is the discharge of duties and obligations of the honorary consular officer under these Instructions and the Foreign Affairs Act.

The assessment is concluded with a declaratory order of the minister responsible for foreign affairs granting another five-year term of office to the honorary consular officer concerned or with a proposal for their relief of duties submitted to the Government of the Republic of Slovenia.

#### Article 52

After the appointment and before the issuance of a consular commission, the honorary consular officer signs the declaration provided in Annex I.

#### Article 53

1. Heads of consular post may be relieved of duties if:
  - Any of the five-year periods under Article 51 hereof has expired and the minister responsible for foreign affairs has submitted to the Government a proposal for their relief of duties;
  - They have reached the age of seventy-five;
  - The Republic of Slovenia is not interested in maintaining the post of honorary consular officer;
  - Their actions harm the repute or interests of the Republic of Slovenia;
  - They themselves request so;
  - Other extenuating circumstances arise.
2. Other honorary consular officers may be relieved of duties if:
  - Any of the five-year periods under Article 51 hereof has expired and the minister responsible for foreign affairs has not issued a decision extending their term of office;
  - They have reached the age of seventy-five;
  - The Republic of Slovenia is not interested in maintaining the post of honorary consular officer;
  - Their actions harm the repute or interests of the Republic of Slovenia;
  - They themselves request so;
  - Other extenuating circumstances arise.

#### Article 54

An honorary consular officer relieved of duties is not entitled to compensation from the Ministry.

### **IX Transitional and final provisions**

#### Article 55

The Ministry's secretary-general coordinates the Ministry's activities concerning consular posts and honorary consular officers.

#### Article 56

If needed, the Ministry organises consultations for honorary consular officers in Slovenia. The related travel and accommodation expenses are covered by the honorary consular officers themselves.

#### Article 57

If needed, the supervising missions hold consultations with honorary consular officers. The related travel and accommodation expenses are covered by the honorary consular officers themselves.

#### Article 58

The relief of duties of honorary consular officers which has been proposed for reasons under Article 53 hereof is carried out within three months following the date of entry into force of these Instructions.

#### Article 59

On the date of entry into force of these Instructions, Instructions for Honorary Consular Officers of the Republic of Slovenia No. ZDP-802/2003 of 7 July 2003, with all subsequent amendments, cease to apply.

#### Article 60

These Instructions enter into force on the fifteenth day following their signing.

The Instructions amending Instructions for Honorary Consular Officers of the Republic of Slovenia No. 0070-7/2012/1 of 2 October 2012 contain the following transitional and final provision:

#### “Article 3

These Instructions enter into force on the day following its publication within the Ministry of Foreign Affairs.”

The Instructions amending Instructions for Honorary Consular Officers of the Republic of Slovenia No. 501-67/2017/4 of 23 October 2017 contain the following transitional and final provision:

#### “Article 2

These Instructions enter into force on the day following its publication in the Ministry of Foreign Affairs.”

## SOLEMN DECLARATION

I, \_\_\_\_\_, born \_\_\_\_\_  
/full name / /date and place of birth/

### **Hereby solemnly declare as follows**

As an honorary \_\_\_\_\_ of the Republic of Slovenia in \_\_\_\_\_, I will conscientiously and responsibly fulfil the duties conferred on me by the decision on appointment of the Government of the Republic of Slovenia.

I solemnly undertake to exercise my duties to the best of my ability, in good conscience and within the scope of my competence in the consular district of \_\_\_\_\_ of the Republic of Slovenia in \_\_\_\_\_. Within the scope of my powers, I will protect the interests of the nationals of the Republic of Slovenia and provide them with all assistance available.

I undertake to follow the Instructions for Honorary Consular Officers of the Republic of Slovenia of \_\_\_\_\_ (date) and to consult with the supervising mission and/or the Ministry of Foreign Affairs of the Republic of Slovenia.

\_\_\_\_\_  
/place and date/

\_\_\_\_\_  
/signature/

**CONSENT TO SECURITY VETTING**

I, THE UNDERSIGNED,

\_\_\_\_\_

BORN ON \_\_\_\_\_, WITH PERMANENT RESIDENCE

AT \_\_\_\_\_

**DECLARE HEREWITH:**

1. That I am aware that I am a candidate for the function of an honorary consular officer of the Republic of Slovenia and that I agree with this candidature;
2. That I am aware that information provided in my CV will be verified in the course of security vetting;
3. That I am aware that all information provided in my CV will be processed in accordance with relevant regulations;
4. That I understand that withholding relevant circumstances or stating false information in the CV may represent a security impediment, on the basis of which the appointment procedure may be terminated;
5. That I am aware that I, the undersigned, hereby authorise the Ministry of Foreign Affairs of the Republic of Slovenia to obtain the opinion of the competent authorities before the appointment.

THEREFORE, **I CONSENT** to security vetting (if you consent to security vetting, circle the words "I CONSENT").

THEREFORE, **I DO NOT CONSENT** to security vetting (if you do not consent to security vetting, circle the words "I DO NOT CONSENT").

In: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_