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Integrity and Prevention of Corruption Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. **69/11** – official consolidated version and **158/20**)

The unofficial consolidated version of the Integrity and Prevention of Corruption Act comprises:

- Integrity and Prevention of Corruption Act – ZIntPK (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 45/10 of 4 June 2010),
- Act Amending the Integrity and Prevention of Corruption Act – ZIntPK-A (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 26/11 of 8 April 2011),
- Act Amending the Integrity and Prevention of Corruption Act – ZIntPK-B (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 43/11 of 3 June 2011),
- Integrity and Prevention of Corruption Act – official consolidated text – ZIntPK-UPB2 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 69/11 of 2 September 2011),
- Act Amending the Integrity and Prevention of Corruption Act – ZIntPK-C (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 158/20 of 2 November 2020),

INTEGRITY AND PREVENTION OF CORRUPTION ACT (ZIntPK)

(Unofficial consolidated version No. 4)

I. INTRODUCTORY PROVISIONS

Article 1 (Subject of the Act)

For the purpose of enhancing the rule of law, this Act lays down measures and methods to strengthen integrity and transparency, to prevent corruption and to avoid and eliminate conflicts of interest.

Article 2 (Purpose of the Act)

The purpose of this Act shall be achieved by carrying out the following:

1. Ensuring the independent fulfilment of the functions set out by the Constitution and the law by reducing and preventing corruption and by supervising the incompatibility of an office with other offices and activities;
2. Promoting and strengthening the capacity of individuals and institutions to assume responsibility for the development of integrity and, in so doing, prevent and detect corruption by implementing the resolution governing the prevention of corruption, preparing expert opinions and standards of good practice, offering training assistance, raising awareness, and planning for and assessing integrity at all levels;
3. Promoting and strengthening transparency within the processes and procedures of exercising public authority in the performance of public functions and the management of public affairs by supervising the possession of and acceptance of gifts by officials, by preventing and eliminating conflicts of interest and corrupt practices, and by supervising lobbying activities;
4. Ensuring the transparency of lobbying so as to promote good practices and restrict and sanction unethical lobbying practices by defining the conditions for the carrying out of lobbying activities within public sector operations;
5. Promoting and strengthening the detection, prevention and elimination of corrupt practices by protecting the persons reporting them;
6. Promoting, supporting and strengthening cooperation and professional assistance in preventing and combating corruption at the international level by meeting the international obligations of the Republic of Slovenia;
7. Promoting and enhancing cooperation between state bodies and self-governing local community bodies (hereinafter: local community bodies), public sector organisations, persons vested with public authority, civil society institutions, the media, and legal and natural persons in raising the level of integrity in the Republic of Slovenia and preventing corruption and assisting the state in dealing effectively with all types of corrupt practices by establishing the Commission for the Prevention of Corruption and providing the conditions necessary for its operation as an autonomous and independent state body in order to strengthen integrity and suppress corruption and by determining its tasks and competences.

Article 3 (Applicability)

(1) This Act shall apply to the public sector, unless issues governed by this Act are regulated otherwise by another Act.

(2) Where this Act so provides, it shall also apply to the private sector.

Article 4 (Definition of terms)

For the purposes of this Act, the following definitions shall apply:

1. "Corruption" means any violation of due conduct by officials and responsible persons in the public or private sector, as well as the conduct of persons initiating such violations or of persons benefiting from it, for the purpose of undue benefit promised, offered or given, directly or indirectly, or for the purpose of undue benefit demanded, accepted or expected for one's own advantage or to the advantage of any other person;
2. "International corruption" means corruption involving at least one natural or legal person from abroad;
3. "Integrity" means the conduct and responsibility expected of individuals and organisations in the prevention and elimination of risks related to the use of any

- authority, office, mandate or any other decision-making power contrary to an Act, legally admissible objective or code of ethics;
4. "Public sector" means state bodies and self-governing local communities (hereinafter: local communities), public agencies, public funds, public institutions, public commercial institutions, the Bank of Slovenia, other entities governed by public law that are indirect users of the state budget or the budgets of local communities, legal persons founded by the state or a local community, public enterprises, commercial companies and other legal persons in which the state or local communities are the controlling shareholders or have a prevailing influence;
 5. "Holder of public office" means deputies of the National Assembly, members of the National Council, the President of the Republic, the Prime Minister, ministers, state secretaries, Constitutional Court judges, other judges, state attorneys, the Secretary-General of the Government, the Secretary-General of the President of the Republic, the Head of the Office of the President of the Republic, the Deputy Secretary-General of the President of the Republic, the adviser to the President of the Republic, the Secretary-General of the National Assembly, the Secretary of the National Council, officials in other state bodies and local communities, members of the European Parliament from the Republic of Slovenia, unless their rights and obligations are stipulated otherwise by the regulations of the European Parliament, and other holders of public office from the Republic of Slovenia working in European and other international institutions appointed to their posts by the Republic of Slovenia, and members of the Governing Board of the Bank of Slovenia, unless their rights and obligations are stipulated otherwise by the act governing the Bank of Slovenia and other regulations binding on the Bank of Slovenia;
 6. "Family members" means spouses, children, adopted children, parents, adoptive parents, brothers, sisters, or any other persons living with an individual in a joint household or in a consensual union;
 7. "Officials in a managerial position" means directors-general, secretaries-general of ministries, heads of ministerial bodies, heads of government offices, persons with special powers in the Bank of Slovenia, heads of administrative units, and the directors or secretaries of municipal administrative bodies;
 8. "Managers" means the directors and members of the collective management bodies of the following: public agencies, public funds, public institutes, public utility institutes and other entities governed by public law which are indirect users of the government budget or the local community budget, legal persons founded by the state or a local community, public enterprises, commercial companies and other legal persons in which the state or local communities are the controlling shareholders or have a prevailing influence;
 9. "Official persons" means holders of public office, officials in managerial positions and other public employees, employees of the Bank of Slovenia, managers, and members of the management and supervisory boards of public sector entities;
 10. "Persons responsible for public procurement" means persons who are appointed by the contracting authorities to an expert commission responsible for the awarding of public contracts and persons who decide upon, adopt and propose the contents of tender documentation, evaluate bids, or submit proposals to the contracting authorities on the selection of bidders for public contracts which, pursuant to the act governing public procurement, require the completion of a public procurement procedure and under the condition that the estimated value of a contract is equal to or exceeds EUR 100,000 excluding VAT, regardless of whether or not these contracts or parts of public contract documentation are marked with a security classification marking pursuant to the act governing classified information. Persons responsible for public procurement shall also include those persons who, under this definition, participate in public procurement but do not have an employment relationship with the contracting authority;
 11. "Conflict of interest" means circumstances in which the private interest of an official person or a person appointed as an external member of a commission, council, working group or another similar body by a public sector entity, influences or appears to influence the impartial and objective performance of their public duties;

12. "Private interest of the person" referred to in the previous point means a pecuniary or non-pecuniary benefit, which is either to their advantage or to the advantage of their family members or other natural or legal persons with whom they or their family member maintains or has maintained personal, business or political relations;
13. "Interest groups" means legal persons governed by private law, and other legally regulated forms of association of natural or legal persons, on behalf and for the account of which a lobbyist performs a lobbying activity;
14. "Lobbying" means the activities carried out by lobbyists who, on behalf of interest groups, exercise non-public influence on decisions made by state, the Bank of Slovenia and local community bodies and holders of public authority in discussing and adopting regulations and other general documents and on decisions made by state bodies, the Bank of Slovenia, the bodies and administrations of local communities, and holders of public authority on matters other than those which are subject to judicial and administrative proceedings, other proceedings carried out according to the regulations governing public procurement, and proceedings in which the rights and obligations of individuals are decided upon. Lobbying means any non-public contact made between a lobbyist and a lobbied party for the purpose of influencing the content or the procedure for adopting the aforementioned decisions;
15. "Lobbyist" means any person who is engaged in lobbying and who is entered in the register of lobbyists or a person who is engaged in lobbying and is an employee of an interest group and lobbies on its behalf or a person who is an elected or otherwise legitimate representative of such an interest group;
16. "Lobbied persons" means holders of public office and public employees in state bodies, the Bank of Slovenia, local community bodies and administrations and holders of public authority who are responsible for decision-making, or who participate in the discussion and adoption of regulations, other general documents and decisions pursuant to point 14 of this Article and with whom lobbyists communicate for lobbying purposes;
17. "Authorities responsible for measures" means bodies or organisations which, under the action plan for the implementation of the resolution, have been appointed as being responsible for the implementation of measures to meet the objectives of the resolution.

II. COMMISSION FOR THE PREVENTION OF CORRUPTION

1. Definition, composition and supervision of the Commission for the Prevention of Corruption Commission's work

Article 5 (Legal Status)

The Commission for the Prevention of Corruption (hereinafter: the Commission) is an autonomous and independent state body which, for the purposes of strengthening the effective functioning of the rule of law and safeguarding it from being threatened by corrupt practices, autonomously implements its powers and carries out the tasks set out herein and in other acts within the framework and on the basis of the relevant legislation.

Article 6 (Funding)

The funds for the work of the Commission shall be provided by the budget of the Republic of Slovenia upon a proposal made by the Commission. The Commission shall decide autonomously on the use of the budget funds.

Article 7
(The Commission)

(1) The Commission shall have a Chief Commissioner and two Deputy Commissioners. The Chief Commissioner and Deputy Commissioners are holders of public office.

(2) The office of Chief Commissioner or Deputy Commissioner must not be carried out in addition to the performance of a function or work in any other entity governed by public or private law that operates in areas where the Commission exercises its powers pursuant to this Act.

(3) The Chief Commissioner and the Deputy Commissioners shall cease to perform any work or function referred to in the preceding paragraph no later than one month after assuming office.

(4) The Chief Commissioner shall be appointed for a period of six years and a Deputy Commissioner for a period of five years; they may be appointed to their respective offices twice in a row.

(5) An official of the Commission whose term of office has expired or who has resigned shall perform their office with full powers until a new official has come into office, unless they were dismissed from office for reasons referred to in indents two through five of paragraph one of Article 22 of this Act.

Article 7a
(Exclusion of a Commission official or a Commission employee)

(1) A Commission official or a Commission employee may not participate in procedures under this Act when the consideration of or decision on the matter involves themselves or a person, or that person's legal representative or holder of power of attorney in the matter in question, who is:

1. directly related or indirectly related to them up to and including the third degree,
2. married or related to them through marriage up to and including the second degree or if they live or have lived with them in cohabitation or civil union or non-formal civil union, or
3. their guardian, ward, foster parent or foster child.

(2) A Commission official or a Commission employee may not participate in the consideration of or decision on the matter if there are other circumstances in which their private interests influence or appear to influence or could influence the impartial and objective performance of their public duties and the conduct of official procedures relating to the matter in question.

(3) The decision to exclude a Commission official shall be issued by the other two Commission officials; the decision to exclude a Commission employee shall be issued by the Chief Commissioner or a person authorised by the Chief Commissioner. A request for exclusion can be made by a Commission official or a Commission employee, the reporting person, the person in question or the person subject to supervision under this Act for reasons referred to in paragraph one or two of this Article.

(4) The provisions of this Article shall also apply to procedures conducted by the Commission in accordance with the act governing the general administrative procedure, while procedures conducted by the Commission in accordance with the act governing minor offences shall be subject to provisions on exclusion from the act governing minor offences.

Article 8
(Conditions for the operation of the Commission)

(1) The Chief Commissioner and Deputy Commissioners shall perform their respective functions on a full-time basis.

(2) The Commission shall employ the necessary number of public employees. The categories and number of public employee posts shall be defined by the document on job classification.

2. Selection procedure, appointment, operation, tasks and powers of the Commission

Article 9
(Conditions for the appointment of Commission officials)

- (1) A person may be appointed to serve as a Commission official if they:
- are a citizen of the Republic of Slovenia and have a command of the Slovene language;
 - have at least a second cycle study programme level of education an education acquired in a second cycle study programme or a level of education that corresponds to second cycle education in accordance with the act governing higher education;
 - have at least ten years of work experience in performing tasks requiring the education referred to in the previous indent, at least three of which in the field of the position they are applying for or a similar field in the public or private sector; the fulfilment of this condition shall be considered pursuant to the act governing public employees;
 - have not been finally charged with or the subject of a main hearing based on an indictment proposal for a premeditated criminal offence that is prosecuted *ex officio*;
 - have not been convicted by a final judgement for a premeditated criminal offence;
 - are not a member of any political party body and have not, in the last two years prior to their application, held any office in the executive, judicial or legislative branch of government at state or local level;
 - show a high level of knowledge of English or French according to the Common European Framework of Reference for Languages;
 - demonstrate in the application and candidacy procedures that they have suitable personal qualities and professional qualifications for the job.

(2) The candidate must inform the candidacy committee of any past or present personal circumstances that could influence or appear to influence the impartial and objective performance of their duties or could hurt the Commission's reputation.

(3) A person does not have suitable personal qualities if their previous work, actions and conduct could reasonably lead to the conclusion that they will not perform their duties in a professional, honest or conscientious manner or that they will fail to safeguard the reputation, impartiality and independence of the Commission.

(4) The candidate must provide and give a personal presentation before the candidacy committee of a professionally reasoned strategy for the Commission's development and work, and its applicability and feasibility during their term of office.

(5) The candidacy committee shall lay down its method of work in the Rules of Procedure. Professional qualifications shall be subject to the *mutatis mutandis* application of standards, criteria and methods of the Council of Officials.

Article 9a

(Candidacy procedure and appointment procedure)

(1) Commission officials are appointed by the President of the Republic.

(2) At least six months before the expiry of the terms of office of the Chief Commissioner or Deputy Commissioners, the Chief Commissioner shall notify the President of the Republic accordingly; the latter shall in turn invite proposers for members of the candidacy committee to appoint the members in question within 15 days of receipt of the notice from the President of the Republic. Along with the invitation to appoint members of the candidacy committee, the President of the Republic shall carry out public calls for the collection of candidacies for the Chief Commissioner and Deputy Commissioners. The period for collecting candidacies to be stipulated by the President of the Republic shall not be shorter than 14 days. Timely candidacies shall be forwarded by the Secretary-General of the Office of the President of the Republic of Slovenia (hereinafter: the Office of the President of the Republic) to the candidacy committee.

(3) The candidacy procedure for the selection of appropriate candidates for the posts of Chief Commissioner and Deputy Commissioners shall be carried out by the candidacy committee, which shall comprise five members. The candidacy committee shall consist of:

- one member appointed by the ministry responsible for public administration from among officials working in the fields of strengthening integrity and reducing corruption risks in the public sector;
- one member appointed by a private-sector non-profit organisation working in the fields of human rights protection, integrity, ethics, lobbying or corruption prevention;
- one member appointed by the National Assembly of the Republic of Slovenia;
- one member appointed by the Judicial Council and one member appointed by the State Prosecutorial Council from among the members composing the Ethics and Integrity Commission,

who shall then notify the appointments to the Office of the President of the Republic.

(4) A person cannot be appointed member of the candidacy committee if they are a member of any political party body or have, in the last two years, held any office in the executive or legislative branch of government at state or local level, or have a relationship with the candidate referred to in paragraph one of Article 7a of this Act. The limitation of holding office in the executive branch of government shall not apply to members of the candidacy committee referred to in indent four of the previous paragraph.

(5) Candidacy committee members are independent and autonomous in their work, are not tied to any guidelines or instructions, act according to their conscience, responsibly, in compliance with the Constitution and the relevant acts, ethically and transparently. In establishing the conditions and verifying the required personal qualities and professional qualifications, the candidacy committee shall apply the provisions of this Act and professional qualification standards, the selection criteria and the methods of qualification verification laid down in the Rules of Procedure referred to in paragraph five of Article 9 of this Act.

(6) The first session of the candidacy committee shall be convened by the Secretary-General of the Office of the President of the Republic within seven days following the expiry of the period referred to in the third sentence of paragraph two of this Article.

(7) The candidacy committee shall maintain, store and archive a traceable record for each candidate in the procedure. Interviews with candidates before the candidacy committee shall be recorded.

(8) Within 30 days after the expiry of the time limit referred to in the third sentence of paragraph two of this Article, the candidacy committee shall submit to the President of the Republic an alphabetical list of candidates for the office of the Chief Commissioner or candidates for the two offices of Deputy Commissioner meeting the conditions referred to in indents one through seven of paragraph one of Article 9 of this Act, together with a short reasoned opinion on the required personal qualities and professional qualifications for the job of each candidate, as well as an alphabetical list of candidates not meeting the conditions referred to in indents one through seven of paragraph one of Article 9 of this Act.

(9) Before the appointment of a Chief or Deputy Commissioner, the Office of the President of the Republic shall invite the candidate or candidates to present their professionally reasoned strategy for the development and work of the Commission and provide any additional clarifications with regard to their candidacies. The presentation shall be open to the public.

(10) The President of the Republic shall appoint a Chief Commissioner or Deputy Commissioner within 15 working days of receiving the list of candidates referred to in paragraph eight of this Article.

(11) In the event that the President of the Republic does not appoint any candidate to the posts of Chief Commissioner and Deputy Commissioners, they shall repeat the public call procedure for the collection of candidacies without delay.

(12) The tasks referred to in this Article that are required to carry out the collection of candidacies, the selection of suitable candidates as well as the administrative and technical work of the candidacy committee shall be performed by the Office of the President of the Republic.

(13) Documentation on the candidacy procedure and the appointment procedure shall be stored according to the rules governing the storage of documents in public administration.

Article 10 (Powers of the Chief Commissioner)

(1) The Chief Commissioner shall represent the Commission and manage and organise its work.

(2) The Chief Commissioner shall nominate the first and second deputies from among the appointed Deputy Commissioners.

(3) The Chief Commissioner may authorise a deputy to organise and manage certain areas of work.

(4) In the event that the Chief Commissioner is absent or otherwise precluded from attending to their duties, they shall be substituted by the first deputy; in the event that the Chief Commissioner and the first Deputy Commissioner are absent or otherwise precluded from attending to their duties, they will be substituted by the second deputy. If the Chief Commissioner is dismissed from office for reasons referred to in Article 22 of this Act, except for the reason referred to in indent one of paragraph one of Article 22 thereof, the first deputy shall perform the tasks of Chief Commissioner with full powers.

Article 11 (Method of operation of the Commission)

(1) The Commission shall operate and decide as a collective body comprised of the officials referred to in paragraph one of Article 7 of this Act.

- (2) The Commission as a collegial body:
- decides on the institution and conduct of procedures under paragraph one of Article 13 of this Act and reaches decisions in these procedures,
 - decides on requests for the implementation of measures under Articles 13a, 13b and 13c of this Act,
 - adopts measures to protect reporting persons pursuant to Articles 23 and 25 of this Act,
 - decides on the existence of conflict of interests in the official conduct of official persons referred to in paragraph five of Article 38 of this Act,
 - orders the drawing up, implementation and amendment of integrity plans referred to in paragraph two of Article 47 of this Act,
 - determines the priorities and guidelines of the Commission's operation, its policies in specific fields, its work programmes and financial and HR plans, and oversees their implementation,
 - adopts the Commission's annual reports, Rules of Procedure and Act on Internal Organisation and Job Classification, and
 - decides on other matters within the Commission's remit if so requested by a Commission official because they believe the matter to be of such importance that it requires collegial decision-making.

(3) The matters referred to in the preceding paragraph shall be discussed at the Commission's sessions. The session shall be deemed to have a quorum if at least two Commission members are present. When the Commission is in full composition, decisions shall be reached by a majority vote of its members; when the Commission sits in a composition of two members, decisions shall be reached unanimously. A Commission member may not abstain from voting. The voting information is an integral part of the decision.

(4) In reaching their decisions, the Commission members shall not be bound by any guidelines or instructions and shall decide in accordance with the Constitution and the relevant Acts.

(5) With their consent, the Commission may invite representatives of private sector non-profit organisations active in the Commission's areas of work, representative public sector unions (hereinafter: unions) and other organisations and individuals whose expertise and experience the Chief believes could contribute to a successful discussion of specific agenda items.

(6) The Commission may present its findings and other decisions with regard to the procedures conducted under this Act pertaining to holders of public office, officials in a managerial position, managers or members of the management and supervisory boards of public sector entities or pertaining to legal persons to the public by publishing such information on its website or in another appropriate manner. The Commission shall publish its findings or other decisions after the expiry of the time limit for bringing an action in an administrative dispute if no such action is brought or after the court reaches a decision in an administrative dispute.

(7) Notwithstanding the preceding paragraph, the Commission may issue a press release on the conclusion of a procedure before the Commission indicating the entity referred to in paragraph six of this Article, the type of procedure conducted and the decision challenged in an administrative dispute. The press release may not reveal the facts of the case.

(8) The documents referred to in paragraph six of this Article shall be published so that the personal data of other persons is pseudonymised and that the data protected with the provisions of other Acts cannot be discerned.

(9) If the publication of the Commission's decision should jeopardise any further Commission procedures, it shall be postponed for the appropriate time. If the publication of the Commission's decision should jeopardise the interests of the pre-trial, criminal, or any other judicial, supervisory or audit proceedings according to the opinion of the competent authority, the Commission shall hold prior consultations with the latter regarding the date and contents of the publication.

(10) The Commission shall regulate its operation pursuant to the Rules of Procedure and other general documents. The Rules of Procedure shall be published in the Official Gazette of the Republic of Slovenia.

Article 12

(Tasks and powers of the Commission)

- (1) The Commission:
- exercises supervision over the provisions of this Act regarding the incompatibility of offices, prohibitions regarding memberships and activities, limitations and prohibitions regarding the acceptance of gifts, restrictions on operations, the duty to avoid any conflicts of interest, the duty to declare assets, the duties regarding integrity plans, lobbying and the anti-corruption clause;
 - implements measures to protect the reporting persons;
 - prepares expert groundwork for strengthening integrity and training programmes, provides training for persons responsible for integrity plans and other persons with obligations under this Act, and prepares, together with the representatives of equivalent public law entities or their associations, examples of good practice to identify and manage integrity violations and curb and prevent corruption and conflicts of interest;
 - gives advice on how to strengthen integrity and prevent and eliminate corruption risks in the public and private sectors and, in this context, establishes or gives advice on systems, applications and other mechanisms to increase the transparency of public sector operations, including through the use of modern technology;
 - conducts analyses on public sector operations and publishes results, including personal data, in accordance with the act governing access to public information;
 - to ensure the transparency of public sector operations, obtains, uses, processes and publishes data on the cash flows of public sector entities;
 - monitors and analyses data on the development and realisation of tasks aimed at corruption prevention in the Republic of Slovenia and data on the number of criminal offences involving corruption in the Republic of Slovenia, and monitors and analyses international corruption matters;
 - adopts recommendations and explanations in respect of issues connected with the contents of this Act;
 - oversees the implementation of the resolution regulating the prevention of corruption in the Republic of Slovenia, drafts the resolution and its amendments and proposes that they be discussed by the Government, which in turn submits them to the National Assembly for adoption;
 - gives recommendations on the activities of the individual authorities defined in the resolution, these activities relating to the implementation of the resolution regulating the prevention of corruption in the Republic of Slovenia;
 - gives recommendations to the competent authorities in the Republic of Slovenia regarding the fulfilment of obligations arising from international instruments relating to the prevention of corruption;

- cooperates with the competent state bodies in drafting regulations on corruption prevention, monitors the implementation of such regulations and proposes initiatives for amendments thereto, and provides its opinion on the appropriateness of the provisions of proposals for Acts and implementing regulations pursuant to regulations governing integrity and the prevention of corruption;
- submits initiatives to the National Assembly and the Government to regulate a particular area in accordance with its tasks and powers;
- cooperates with the corresponding authorities of other countries and international organisations and with international non-profit private sector organisations engaged in the Commission's areas of work;
- cooperates with scientific, professional, media and non-profit private sector organisations active in the Commission's field of work;
- prepares starting points for codes of conduct;
- keeps records pursuant to this Act;
- performs other tasks set out by this and other acts.

(2) With regard to the implementation of the task referred to in indent seven of the preceding paragraph, the Police, the State Prosecutor's Office and the competent court shall notify the Commission of completed proceedings related to criminal offences of corruption in respect of which Slovenian and foreign citizens or legal entities established in the Republic of Slovenia and abroad have been simultaneously suspected, accused, charged or convicted, this within 30 days following the conclusion of the relevant case. The police shall do this by way of a notification on the manner in which the case was completed, the State Prosecutor's Office by way of a document on the rejection of the accusation or the abandonment of the prosecution and the court by way of a judgment or decision. The duty to notify shall also apply where, within the framework of international cooperation, the aforementioned bodies are informed by foreign police or judicial authorities on a concluded case in a foreign country in which a citizen of the Republic of Slovenia has been accused, charged or convicted.

(3) With regard to the implementation of the task referred to in indent twelve of paragraph one of this Article, the bodies preparing Acts and other regulations shall submit to the Commission the proposals for Acts and other regulations at the latest in the course of inter-ministerial coordination.

(4) No later than by the end of March of the current year for the past year, the Police, the State Prosecutor's Offices and the courts shall provide the Commission with statistics on proceedings pertaining to corruption offences, namely:

- the Police shall provide data on the number of corruption offences dealt with, the number of suspects and the number of criminal complaints filed or notifications sent to the State Prosecutor's Office;
- The Supreme State Prosecutor's Office of the Republic of Slovenia shall provide data on the number of indictments filed, the number of criminal complaints rejected following settlement or suspended prosecution proceedings, data on the legal designation of criminal offences and the number of accused persons;
- the courts shall provide data on the number of first-instance decisions issued (convictions, acquittals and other decisions), the number of persons charged with or convicted of criminal offences by case, the number of cases resolved with a final judgment (convictions, acquittals and other decisions) and the number of persons charged with or convicted of criminal offences by case and in relation to cases resolved with a final judgment: the number of prison sentences and the number of suspended prison sentences.

(5) If the criminal offence is of an international character, the authorities referred to in the preceding paragraph shall specify this as well. A criminal offence is of an international character if the conditions referred to in paragraph two of this Article have been met.

(6) At the beginning of the year, for the purposes of submitting statistics in the following calendar year, the Commission shall send a list of the corruption offences that require the reporting of data.

(7) At the Commission's request, the Police, the State Prosecutor's Office and the court shall submit other statistics required for the Commission to perform the tasks referred to in indent seven of paragraph one of this Article, if such statistics is available.

Article 13 **(Powers of the Commission on suspicion of corruption or other offences)**

(1) The Commission may, on its own motion or following a report submitted by a legal or natural person, initiate proceedings relating to the following:

1. suspected corruption, not encompassing the violations referred to in points 2 to 13 of this paragraph;
2. a suspected breach of integrity by an official person;
3. a suspected breach of the obligation to include an anti-corruption clause in a contract;
4. a suspected breach of the duty to obtain a statement or information on the participation of natural and legal persons in the ownership of the bidder and economic operators, which are considered to be affiliated with the bidder according to the provisions of the act governing companies;
5. a suspected violation of provisions on the protection of reporting persons;
6. a suspected incompatibility of office, activity or membership;
7. a suspected violation related to the acceptance of gifts;
8. a suspected violation of provisions on prohibitions or restrictions on business activities;
9. a suspected violation of provisions on the conflict of interest;
10. a suspected breach of the duty to declare assets;
11. a suspected disproportionate increase in assets;
12. a suspected violation of provisions on lobbying;
13. a suspected breach of duties related to the preparation of integrity plans.

(2) The Commission's Rules of Procedure shall specify the rules for dealing with reports, including the criteria for taking the report into consideration or for the rejection, dismissal or referral of the report to another body (a pre-test of the report). The Rules of Procedure shall also set out the criteria for determining the priority list for considering reports or for initiating proceedings at the Commission's own motion, the method of deciding on priority consideration and specific rules on conducting the procedures under this Article.

(3) If, in the procedure related to a suspected corruption from point 1 of paragraph one of this Article, the Commission detects indications of a criminal offence, it shall immediately file a complaint. The Commission may conclude the procedure relating to suspected corruption by filing a complaint or issue and publish a principled opinion, stating its position, as a matter of principle, on the established conduct and any systemic shortcomings or inconsistencies that enable such conduct, and propose measures to improve the situation. The Commission may also issue a principled opinion if no indications of a criminal offence have been detected. A principled opinion of the Commission shall not mean any decision-making on the criminal, minor offence, compensation or disciplinary accountability of a legal or natural person and shall not take the form of an administrative decision. The Commission's published principled opinions may not include the personal data of natural or legal persons from the matters in question or data that could reveal their identities. Notwithstanding the preceding sentence, when so required to describe and state its position to the established conduct, the Commission may publish only the pseudonymised personal data which, however, do not allow the identification of the natural or legal person in question.

(4) In case of a suspected breach of integrity by an official person referred to in point 2 of paragraph one of this Article, the Commission shall issue its findings on a specific case containing a statement of facts, an assessment of the breach committed by an official person from the point of view of strengthening integrity, as well as an explanation on the expected conduct where irregularities have been established. The draft findings on a specific case shall be sent to the relevant official person who can submit their observation on the statement of facts in a time limit set by the Commission based on the circumstances of the breach under consideration, which shall not be shorter than three days. When the draft is sent to the person in question, the latter shall be notified that their response shall be published together with the findings on the relevant case.

(5) In case of a suspected violation referred to in points 3 through 13 of paragraph one of this Article designated in this Act as minor offences, the authorised official of the Commission as the minor offence body shall initiate minor offence proceedings and reach a decision on the minor offence.

(6) The Commission may, in order to prevent and deter the conduct representing a violation of this Act, present its decision to the public by publishing it on its website or in another appropriate manner after its decision on the minor offence pertaining to a public office holder becomes final. The publication shall contain the details of the person concerned (the personal name and title of the natural person or the place of establishment of the legal person), the violation (a description of the circumstances that constitute an offence) and the sanction imposed. The publication on the website shall be available to the public for five years.

(7) In case of a suspected violation referred to in points 3 through 13 of paragraph one of this Article not designated in this Act as minor offences, the Commission shall initiate fact-finding proceedings and adopt measures or take other action provided by law. Before reaching its final decision, the Commission shall, within the time limit set based on the circumstances of the violation under consideration, which shall not be shorter than three days, obtain a statement from the person in question on the allegations and findings regarding the violations. The person shall also be notified that, if the Commission's findings are published, their response shall be published as well.

(8) After receiving a response from the person in question referred to in paragraphs four and seven of this Article, the Commission may:

- adopt the findings or decisions contained in the draft findings or decisions, stating its position to the claims from the response of the person in question, conclude the proceedings in the matter in question and notify the person in question thereof;
- adopt other findings or decisions than the ones contained in the draft findings or decisions and repeat the proceedings under this Article if the facts or legal circumstances differ considerably;
- invite the relevant person who responded to attend a Commission session in order to clarify additional circumstances and carry out any further activities required to clarify the case.

(9) Where the person in question fails to take a position on the statements in the draft, this shall not prevent the Commission from publishing its findings. If the Commission publishes the findings in a specific case in accordance with paragraph six of Article 11 of this Act, it shall also publish the response of the person in question.

(10) If the Commission detects systemic corruption risks in a particular area, it shall issue a recommendation for the proper conduct of entities active in this area.

(11) At the request of state bodies, organisations and other natural or legal persons, the Commission shall also formulate answers, opinions and explanations relating to issues which form part of its remit.

(12) The Commission shall not consider the matter if the event to which the matter pertains occurred more than five years ago.

Article 13a (Power to request supervision)

(1) On the basis of irregularities or violations established in the implementation of the procedure referred to in the preceding Article, the Commission may submit a reasoned initiative to the following:

- the State Prosecutor General in order to carry out a supervisory inspection of the functioning of a particular organisational unit of the Office of the State Prosecutor General and the District State Prosecutor's Office or to carry out a partial supervisory inspection of the work of an individual state prosecutor or of the work performed in a particular case;
- the Judicial Council or the Minister of Justice in order to carry out official supervision of the work of a particular court or of the work of a particular judge;
- the president of a higher court in order to review the operation of the court pursuant to the act governing courts;
- the competent inspection authority or any other state body in order to carry out administrative or expert supervision of the work of a certain body or organisational unit or of the work performed in a particular case;
- the presidents or bodies of a professional organisation vested with public authority in order to carry out expert supervision within the scope of their powers;
- other authorities or their representatives in order to carry out supervision of the work of a person or a body or of the work performed in a particular case;
- the person in charge or the competent authority in order to initiate a disciplinary procedure against a public employee or a holder of public office.

(2) In the event that the initiative referred to in the preceding paragraph is refused, the responsible person or authority shall, no later than 15 days following receipt of the initiative related to the implementation of the supervision or initiation of a disciplinary procedure, send to the Commission a written explanation for its refusal.

(3) In the event that the supervision is carried out in accordance with the initiative referred to in paragraph one of this Article, the responsible person or authority shall send to the Commission the final report on the implementation of the supervision and its findings and on the measures carried out no later than eight days following its adoption. In the event that a disciplinary procedure has been initiated, its conclusions and results shall also be reported to the Commission within eight days following the conclusion of this procedure.

Article 13b (Proposal for dismissal and motion for the person in charge to take action)

(1) In the event of an established violation referred to in points 2 through 13 of paragraph one of Article 13 of this Act committed by a holder of public office, an official in a managerial position or a manager, the Commission may, based on the gravity or repeated nature of the violation, send a motion to the competent authority to initiate a procedure for the dismissal of the person in question, which shall be conducted in accordance with the act

governing dismissal. The competent authority shall reach a decision on the Commission's proposal for dismissal within 30 days.

(2) During or after the violation procedure referred to in paragraph one of Article 13 of this Act pertaining to an official person, the Commission shall submit its findings or other decisions to the head or the responsible person of the authority for which the official person works and, in order to ensure the legality of the authority's work, eliminate corruption risks, maintain the integrity of the authority and the public sector and protect the reporting persons, propose that appropriate action be taken.

(3) The Commission shall submit the proposal referred to in the preceding paragraph if it considers that the matter in question or the relevant person poses corruption risks, the risk of the illegal use of public funds or that the integrity of the authority or the public sector or the protection of the reporting persons are at risk.

(4) In applying this article, the Commission shall be obliged to ensure that its activities do not jeopardise the interests of ongoing proceedings before the Commission or the interests of pre-trial, criminal, or any other judicial, supervisory or audit proceedings before another competent authority.

Article 13c (Competence to propose an audit)

If the facts and circumstances of the case give rise to a suspicion of corruption or a conflict of interest by public office holders, officials in managerial positions, managers or members of the management and supervisory boards of public sector entities and if the Commission considers that, in order to protect the use of public funds, the operations of public funds users must be audited, the Commission may issue a reasoned decision, either during or after the procedure, proposing that the Court of Audit audit a specific transaction or transactions made by a public sector entity.

Article 14 (Anti-corruption clause)

(1) Any contract in which a person promises, offers or gives any undue advantage to the representative or agent of a public sector body or organisation on behalf or for the account of another contracting party for the purpose of:

- obtaining business;
- concluding business under more favourable terms and conditions;
- omitting due supervision over the implementation of contractual obligations; or
- any other act or omission which causes a public sector body or organisation damage or by which the representative or the agent of the public sector body or organisation or the other contracting party or its representative, agent or intermediary are put in a position to obtain an undue advantage;

shall be deemed null and void.

(2) Public sector bodies and organisations entering into contracts that exceed EUR 10,000 (excluding VAT) with bidders, suppliers of goods and services or contractors shall, by taking into consideration the specific case, include in these contracts the content referred to in the preceding paragraph as a compulsory element of any contract; they may also include additional provisions for the purpose of preventing corruption or other transactions which are contrary to morality or public order. This provision shall also apply to entering into contracts

with bidders, suppliers of goods and services or contractors outside the territory of the Republic of Slovenia.

(3) A public sector body or organisation which has concluded a contract shall, on the basis of its own findings on the alleged existence of facts referred to in paragraph one of this Article or on the basis of a notification from the Commission or any other authority in respect of the alleged occurrence of these facts, commence with the identification of the criteria for nullifying the contract referred to in the preceding paragraph or by way of any other measure in compliance with the regulations of the Republic of Slovenia.

(4) In the event that there is suspicion of irregularities in the implementation of paragraph two of this Article, the Commission shall request the public sector bodies or organisations to submit to it all contracts concluded in a specific period of time or with a specific person. If the Commission establishes a violation of the provisions of paragraph two of this Article or the alleged existence of the facts referred to in paragraph one of this Article, it shall notify the body or organisation that concluded the contract and other competent authorities accordingly thereof.

(5) In the event that a public sector body or organisation takes the view that due to the nature of a contract the inclusion of the anti-corruption clause is not possible or appropriate, or in cases where the other contracting party is established outside the territory of the Republic of Slovenia and opposes the inclusion of such, the relevant body or organisation may, by way of a reasoned proposal, request that the Commission grant an exemption from the obligation laid down in paragraph two of this Article in respect of the contract in question. When taking a decision thereon, the Commission shall particularly take into account the public interest in the conclusion of the contract, any objective circumstances which prevent business from being concluded owing to the inclusion of the anti-corruption clause, and the level of the general corruption risk in equivalent business transactions. The Commission's permission regarding the conclusion of a contract without an anti-corruption clause shall be published on its website or, in accordance with an agreement with the relevant body or organisation, when it can no longer have any impact on the conclusion of the contract.

(6) In order to ensure the transparency of the transaction and to mitigate corruption risks, any public sector body or organisation which is subject to the obligation to carry out public procurement procedures in compliance with the relevant public procurement regulations shall, prior to the conclusion of a contract exceeding the value of EUR 10,000 (excluding VAT), obtain a statement or information on the participation of natural and legal persons in the ownership of the bidder, including the participation of silent partners, as well as on economic operators which are considered to be affiliated companies to the bidder under the provisions of the Companies Act. The public sector body or organisation in question shall submit this statement or information to the Commission at the latter's request. In respect of natural persons, this statement shall include their personal name, residential address and interest in the assets. In the event that the bidder submits a false statement or provides false information on the facts stated, the contract shall be rendered null and void.

Article 15 **(Procedure types and rules)**

(1) With regard to the exercise of its powers, the Commission shall conduct administrative procedures, expedited minor offence proceedings and other public law proceedings according to the provisions of this Act.

(2) The administrative procedures in which the Commission reaches decisions in accordance with the act governing the general administrative procedure are the following:

- the procedure to issue a permission to conclude a contract without an anti-corruption clause (paragraph five of Article 14 of this Act),
- the procedure to issue a permission to a holder of public office to perform a professional or other activity aimed at generating income (paragraph three of Article 26 of this Act),
- the procedure to issue a decision prohibiting the holder of public office from performing an additional activity or imposing conditions or restrictions on the holder of public office that must be complied with when performing the activity (paragraph four of Article 26 of this Act),
- the procedure to issue a decision revoking the permission referred to in the preceding two indents (paragraph five of Article 26 of this Act),
- the procedure to issue a decision on the existence of a conflict of interest after informing the official person in writing when the person in charge or the superior or a collective body fails to reach a decision on the dismissal within the statutory time limit of if the official person has no person in charge or superior (paragraph five of Article 38),
- the procedure to issue a decision on reducing the salary or compensation of a person with obligations for their failure to communicate data on their offices, activities, assets and income in accordance with the Act (paragraph two of Article 44),
- the procedure to issue a decision and order to draw up, implement or amend the integrity plan (paragraph two of Article 47 of this Act),
- the procedure to issue a decision on entering a lobbyist in the register of lobbyists (lobbyist registration) and entering a change in the lobbyist's data (Article 58 of this Act),
- the procedure to remove a lobbyist from the register of lobbyists (Article 62 of this Act),
- the imposition of sanctions pursuant to Articles 73 and 74 of this Act.

(3) Expedited minor offence proceedings are proceedings in which the Commission, based on the act governing minor offences, imposes sanctions pursuant to Articles 77, 78 and 79 of this Act.

(4) Other public law proceedings are proceedings conducted for the exercise of powers under paragraph one of Article 13 of this Act. The provisions of the act governing the administrative procedure shall apply *mutatis mutandis* to issues with regard to other public law proceedings not regulated by this Act.

(5) The person in question shall have the right to bring an action in an administrative dispute against the findings or other decisions relating to proceedings from the preceding paragraph. The administrative court shall reach a decision on the action within three months of filing. An administrative dispute shall be admissible against the principled opinion referred to in paragraph three of Article 13 of this Act if the latter does not meet the requirements set out in paragraph three of Article 13 of this Act or in other cases involving an individual's rights, obligations or legal entitlements.

Article 15a **(Interview at a Commission session)**

(1) In order to clarify any facts or circumstances with regard to a particular matter under consideration, the Commission may invite someone to attend its session for an interview.

- (2) The Commission may request an interview with:
- official persons,
 - heads of or responsible persons in organisations vested with public authority,
 - other persons working in public sector entities,

- the persons referred to in paragraph two of Article 40 of this Act.

(3) The persons referred to in the preceding paragraph must respond to the Commission's invitation at their request and attend the interview to respond to questions within the Commission's remit in person and truthfully. The person who no longer has the status referred to in the preceding paragraph at the time of invitation must respond to the invitation even after the termination of their status at the time of the event or the conduct being considered by the Commission.

(4) In addition to the persons referred to in paragraph two of this Article, the Commission may also interview other persons if the latter agree to it.

(5) An invitation to an interview shall contain, as a minimum, the following information:

- the name and surname of the invited person,
- the date, time and place of the interview,
- the indication of the event, their conduct or the conduct of other persons, information or documents that shall be the subject of the interview,
- the explanation that the invited person may bring additional documents with them,
- the time limit for informing the Commission of any justified absence,
- the explanation that the invited person shall have the right to be legally represented by an authorised person of their own choosing and that they shall bear the costs of representation themselves, and
- a caution about the legal implications of their failure to attend.

(6) A person who has been duly summoned to an interview but fails to attend without providing a justifiable reason cannot be brought by force but a sanction can be imposed in accordance with this Act.

(7) As a rule, the Commission shall serve the invitation on the invited person in person at their employer's address. The invitation shall be sent by post, through its official person, or through a legal or natural person who performs the serving of documents by letter or e-mail, enabling the recipient to be actually informed of the invitation in question. Where the Commission considers it to be more appropriate, the invitation may be served at the address of the permanent or temporary residence of the invited person pursuant to the provision of the act governing the general administrative procedure.

(8) If the invited person provides justifiable reasons for their absence, they shall receive another invitation for a different date or time.

(9) The invitation shall be served on the invited person at least three working days before the session of the Commission. For justifiable reasons, this time limit may be shorter but, in that case, the invited person may not suffer any legal consequences for their absence from the session.

(10) On its own initiative or at the proposal of the invited person, the Commission may decide to conduct the interview with the invited person using modern technical means for image or audio transmission (a tele- or video-conference).

(11) The Commission's sessions at which the interviews are conducted shall be audio recorded. The invited person shall have the right to an electronic copy of the audio recording, which shall become a part of the minutes and the file.

(12) The minutes of the interview must specify that the interview was recorded using the appropriate technical means for audio recording, the person who did the recording

and that the invited person was informed of the recording in advance and that the recording was reproduced.

(13) As a rule, an interview with the invited person shall be conducted on an individual basis and without other invited persons present, unless the Commission has justifiable reasons to decide otherwise. If the testimonies of individual invited persons in the same matter on the same circumstance differ or in case of other justifiable reasons, the Commission may invite several persons to attend the session and confront them.

(14) When, during an interview with an invited person based on the conduct of other persons, the Commission establishes that the person must be invited for an interview based on their conduct, the Commission shall suspend the interview and inform the person that they shall receive another invitation in accordance with paragraph five of this Article. In the case referred to in the preceding paragraph, the minutes, the audio recording and the documents provided by the person shall be removed from the file and may not be examined or used in the continuation of these proceedings.

Article 15b (Conduct of the interview)

(1) The interview with the invited person shall be conducted by the Chief who shall invite the participants to speak and ensure that the session of the Commission runs smoothly. The Chief shall ensure an efficient, smooth and legal conduct of the session, maintain order at the session and protect the dignity of the Commission and the invited person.

(2) Before the interview, the Chief shall inform the invited person that interviews before the Commission are audio-recorded and that they have the right to an electronic copy of the recording.

(3) Before the interview, the Chief shall caution the invited person that:

- the Commission may submit the whole or part of the interview transcript to the competent authorities if the procedure establishes any violations within its remit,
- they must speak truthfully and not withhold anything, that, in responding to the Commission's questions, they must provide all the explanations and answers relevant to the performance of its tasks in the case in question, and
- they have the right not to respond to any question if by so doing they could render themselves or a person close to them liable to criminal prosecution, or bring disgrace to or inflict substantial pecuniary damage on themselves or a person close to them.

(4) The Chief shall then inform the invited person of the reasons for the invitation.

(5) The questions shall be posed to the invited person by the Chief and members of the Commission and, with the Chief's permission, the Commission employees present at the session.

(6) During the interview, the invited person may, if they so choose or are called upon to do so by the Chief, file additional documents or written explanations on the matter that was the subject of the invitation.

(7) The persons present at a Commission session shall be obliged to protect the data and information acquired during the interview. At the end of the session, the Chief shall caution that they cannot disclose the non-public information and data acquired at the session to the public or unauthorised third parties, and specify the legal consequences thereof.

Article 15c
(Access to the file)

(1) In case of other public law proceedings, the person in question or the reported person shall have the right to access the file after the report is pre-tested.

(2) Other persons shall have the right to access the file if they demonstrate their legal interest after the proceedings before the Commission are concluded.

(3) When granting access to the file, the Commission may not reveal the identity of the reporting person or the data enabling their identification.

(4) The right to access the file or copy of any or all of the documents shall be duly restricted or denied if the Commission takes the view, based on the opinion of the competent authority, that it is likely to jeopardise the interests of the pre-trial, criminal or any other judicial or supervisory proceedings, or harm the interests of a procedure under this Act or to protect personal data.

(5) The Commission shall decide on the right to access the file within no later than 15 days of the filing of the request. The Commission shall issue a decision restricting or denying the right to access. An administrative dispute may be initiated against the decision of the Commission.

(6) The file access procedure shall be laid down in the Commission's Rules of Procedure.

Article 16
(Acquisition of data and documents by the Commission)

(1) State bodies, bodies of local communities, holders of public authority, legal persons governed by public or private law and persons with the status of sole trader or self-employed persons shall, within the time limit set out by the Commission and notwithstanding the provisions of other Acts and irrespective of the form of the data, forward free of charge to the Commission at its reasoned request any data, including personal data, and documents which are required by the Commission to perform its statutory tasks. If the addressee of the Commission's request is the Bank of Slovenia, the exchange of data shall take place pursuant to the law of the European Union (hereinafter: the EU) governing the exchange of supervisory and statistical information and the protection of professional secrecy and pursuant to the provisions of the regulations which are binding on the Bank of Slovenia in respect of the contents referred to herein.

(2) The reasoned request referred to in the preceding paragraph shall contain a statement regarding the legal basis for the acquisition of data, the reasons for and the purpose of the request for the data concerned.

(3) With regard to a public sector entity, the Commission shall, in exercising its powers and notwithstanding the provisions of other Acts and irrespective of the form of the data or the type or level of classification, have the right to access the data and documents at the disposal of this entity and the right to demand an extract or a copy thereof.

(4) Paragraphs one and three of this Article shall not apply to data obtained by an attorney, a physician, a social worker, a psychologist or a priest during the course of their work within a confidential relationship or by any other person obliged by law to protect data resulting from a confidential relationship. In the event that the Commission requests data

obtained by the competent authorities through special methods of obtaining data under the act governing intelligence and security activities, or where there is a reasonable risk that the implementation of the Commission's powers with regard to the access to or the communication of these data is likely to jeopardise or substantially impair the implementation of pre-trial or criminal proceedings or endanger the lives of people or the security of the state, the Police, the State Prosecutor's Office or the Intelligence and Security Service may deny access to the entirety or part of the data required or restrict access to certain premises. The notification of the denial or restriction shall include a statement of reasons. A final decision on a repeat request made by the Commission to access or communicate data shall be taken by the Director-General of the Police, the State Prosecutor-General or the Government for the areas of the Police, state prosecution, and intelligence and security respectively.

(5) In the event that there are grounds for suspicion of corruption and, for the purpose of establishing factual indications of corruption under this Act, a procedure has been initiated in respect of which the Commission requires data falling within the competence of the office responsible for the prevention of money laundering and the financing of terrorism, the Commission shall send to the office responsible a reasoned written initiative to collect and analyse data, information and documents pursuant to the act governing the prevention of money laundering and terrorist financing. The office shall notify the Commission of its findings at the earliest opportunity.

(6) With regard to the matter before the Commission, the Commission and its employees may also conduct interviews or collect information from persons who could offer useful information to clarify the circumstances of the matter outside the session or outside the Commission premises if the relevant person agrees to this. Interviews under this paragraph may be audio-recorded only with the prior consent of the interviewed person. If the person interviewed by the authorised person agrees, the statement can also be made for the record signed by the authorised person of the Commission and the person who gave the statement. An electronic copy of the audio recording shall become part of the record or file.

Article 16a (Use of external experts)

(1) In carrying out its tasks and implementing its powers, the Commission may obtain an external expert opinion.

(2) A person who provides an expert opinion referred to in the preceding paragraph to the Commission shall not disclose, publish or communicate to unauthorised third parties any data or information obtained during the course of or in connection with the performance of his work for the Commission. The person in question may publish the expert opinion or communicate it to the public in any other manner, but only pursuant to the prior written permission of the Commission.

Article 16b (Temporary performance of tasks with the Commission)

(1) On the basis of a written agreement between the Commission and the heads of state bodies, public employees from other state bodies may also perform tasks with the Commission for a period not exceeding two years. During their secondment to perform public employee tasks with the Commission, their labour law-related status and title shall not change. Other matters associated with the performance of tasks with the Commission shall be regulated by way of a written agreement between the Commission and the head of the

state body with which the public employee temporarily seconded to the Commission has a valid employment contract.

(2) While performing tasks with the Commission, these employees shall, in respect of their rights and obligations, enjoy equal treatment as public employees employed by the Commission and shall act according to the instructions of the Chief Commissioner and their deputies.

3. Cooperation with non-profit private sector organisations in the field of corruption prevention

Article 17 (Non-profit private sector organisations)

(1) For the purpose of implementing the objectives of this Act and strengthening integrity, the Commission shall cooperate with non-profit private sector organisations in the Commission's areas of work and with trade unions.

(2) Once a year, the Commission shall publish a call for applications for the financing of projects run by non-profit private sector organisations in the Commission's areas of work in relation to training, informing, and raising the awareness of the public and public sector bodies and disseminating good practice in implementing the objectives of this Act.

(3) Funds for the financing of projects referred to in the preceding paragraph shall be allocated in the budget of the Republic of Slovenia as part of the Commission's funds.

4. Supervision of the work and operation of the Commission

Article 18 (Informing the public)

(1) The Commission shall devote particular attention to regularly, comprehensively and objectively informing the general public and the expert community about its work, taking into consideration the public interest as well as the protection of the body's integrity, the interests of proceedings before the Commission and other competent authorities, the protection of reporting persons and the dignity and rights of persons involved in proceedings before the Commission.

(2) in addition to the documents referred to in paragraph six of Article 11 of this Act, the Commission shall publish on its website the information referred to in paragraph eight of Article 11 of this Act, its annual reports and other documents of general nature regarding integrity and transparency, the prevention and restriction of corruption and conflicts of interest. The Commission shall also publish on its website the convocations and minutes of its sessions so that personal data and data protected with the provisions of other Acts cannot be discerned.

(3) The publication of data that could reveal the identity or jeopardise the safety of a person who has made a report in good faith or is otherwise involved in the exposure of corruption, or data obtained due to a Commission procedure whose disclosure would harm the conduct of such a procedure is not permitted. Data on a person who has made a report in good faith or is involved in exposure of corruption or other illegal or unethical conduct shall not be disclosed or confirmed by the Commission without their personal consent.

(4) After the procedure referred to in paragraph one of Article 13 of this Act is completed, the Commission shall inform the public even when no violations of this Act were established if the public had already been made aware of the initiation of proceedings.

(5) The manner of informing the public shall be laid down in the Rules of Procedure.

Article 19 **(The Commission's obligation to report on its work)**

The Commission shall report once a year to the National Assembly on its work. It shall submit the annual report for the preceding year by no later than 31 May of the current year.

Article 20 **(Supervision over the Commission)**

(1) The supervision of the Commission's performance of its tasks shall be exercised by the National Assembly. The Chief Commissioner shall report once a year to the National Assembly on the content and scope of the Commission's work and on the decisions, findings and opinions related to the Commission's powers, this without giving information that might result in the identification of the natural and legal persons concerned, and shall provide an assessment of the current situation with regard to the prevention of corruption and prevention and elimination of conflicts of interest.

(2) At least every three years, the Commission shall conduct an internal audit of its operations regarding the use of material and financial resources and personnel matters, which shall be carried out by an external auditing authority. The Commission shall send the audit report to the President of the Republic and the National Assembly for their information.

Article 21 **(Powers of the National Assembly in exercising supervision)**

(1) By applying, *mutatis mutandis*, the provisions of this Act, the National Assembly shall supervise the Chief Commissioner for the Prevention of Corruption and both Deputy Commissioners in terms of their assets, the acceptance of gifts, restrictions on operations, conflicts of interest and the incompatibility of holding office with the pursuit of gainful activity.

(2) The Chief Commissioner and both Deputy Commissioners shall enter the data on their obligations with regard to the office of the public office holder under this Act into the Commission's official records on assets, restrictions on operations, the acceptance of gifts, conflicts of interest and the incompatibility of holding office with the pursuit of gainful activity. The Chief Commissioner and both Deputy Commissioners shall submit the data to the National Assembly on the forms prescribed by this Act. The Commission officials shall inform the National Assembly of the fulfilment of these obligations within three days. The notification referred to in the preceding paragraph shall be published on the Commission's website.

(3) Other data that the National Assembly needs to conduct supervision and whose management does not fall within the Commission's remit shall be acquired by the National Assembly itself.

Article 22
(Dissolution of the Commission)

(1) The President of the Republic shall relieve the Chief Commissioner or a Deputy Commissioner of his or her duties in the following circumstances:

- if the Chief Commissioner or a Deputy Commissioners resigns,
- if they fail to perform the duties of their office in accordance with the Constitution or the law,
- if they have been convicted of a premeditated criminal offence by way of a final judgment,
- if they have permanently lost the capacity to perform the duties of their office,
- if they have failed to act in accordance with paragraph three of Article 7 of this Act.

(2) The Chief Commissioner or a Deputy Commissioner shall notify the President of the Republic of the facts referred to in indents three and four of the preceding paragraph within three days of their occurrence.

(3) The President of the Republic may also relieve the Chief Commissioner or a Deputy Commissioner of their duties upon the proposal of the National Assembly if the Chief Commissioner or a Deputy Commissioner fails to perform the duties of their office in accordance with the Constitution or an Act.

(4) If it has been established that the Chief Commissioner or a Deputy Commissioner has failed to act in accordance with paragraph three of Article 7 of this Act, the President of the Republic shall relieve the Chief Commissioner or Deputy Commissioner of their duties upon the proposal of the National Assembly after the decision on incompatibility becomes final. In establishing the incompatibility of offices of the Chief Commissioner and both Deputy Commissioners with other offices or work (paragraph two of Article 7 of this Act), the National Assembly shall apply *mutatis mutandis* the provisions of this Act which govern the procedure and the measures of the Commission with regard to incompatibility.

(5) If the Chief Commissioner or a Deputy Commissioner is prematurely relieved of his or her office, a new official shall be appointed for the term of office in accordance with the procedure referred to in Article 9a of this Act.

III. PROTECTION OF WHISTLEBLOWERS

Article 23
(Reporting of corruption and protection of reporting persons)

(1) Any person may report instances of corruption in a state body or local community or an organisation vested with public authority or by other legal persons governed by public or private law or any practice by a natural person which they believe contains factual indications of corruption to the Commission or any other competent body. At the reporting person's request, the Commission and other competent authorities shall notify the reporting person of the measures or the course of action taken in this respect. This provision shall not encroach on the reporting person's right to inform the public of the corrupt practice in question.

(2) The provisions of the act governing access to public information shall not apply to documents, files, records or other documentary material relating to a procedure conducted by the Commission with regard to the reported suspicion of corruption until the procedure

before the Commission has been concluded. Neither shall information on the protected reporting person be made public after the procedure has been concluded. This provision shall also apply in the event that the material referred to in this paragraph has been referred to another body for consideration. The reporting person may send a report that contains information that is defined by the law as classified information only to criminal law enforcement authorities or to the Commission.

(3) If the Commission finds that the report referred to in the preceding paragraphs contains factual indications of a criminal offence for which the offender is to be prosecuted *ex officio*, it shall inform the law enforcement authorities of this in accordance with the act governing criminal procedure and request that they keep it informed of any further course of action.

(4) The identity of the reporting person referred to in paragraph one of this Article who has made a report in good faith and has reasonably believed that the information he or she has provided with regard to the report is true, which shall be assessed by the Commission, shall not be established or disclosed. The filing of a malicious report shall be a minor offence punishable under this Act if no elements of a criminal offence have been established.

(5) In assessing whether the report has been made in good faith, or whether the reporting person has reasonably believed that the information he or she provided is true, the Commission shall take into account, in particular, the nature and gravity of the practice reported, the threat of damage posed by the practice or the actual damage caused as a result thereof, any possible breach of the reporting person's duty to protect specific information, and the status of the body or person to which the report has been made.

(6) If, in connection with the report of corruption, the conditions for the protection of the reporting person or their family members are fulfilled under the act governing witness protection, the Commission may submit a proposal to the Commission for the Protection of Witnesses at Risk to include them in the protection programme or may propose that the State Prosecutor-General take urgent safeguarding measures.

(7) When the Commission for the Protection of Witnesses at Risk considers the Commission's proposal, its session may also be attended by the Chief Commissioner.

(8) Only the court may rule that any information on and the identity of the persons referred to in paragraph four of this Article be disclosed if this is strictly necessary in order to safeguard the public interest or the rights of others.

Article 24 **(Reporting unethical or illegal conduct)**

(1) An official person who has reasonable grounds to believe that he or she has been requested to engage in illegal or unethical conduct, or has been subject to psychological or physical violence to that end, may report such practice to his or her superior or to a person authorised by the superior (hereinafter: the responsible person).

(2) If there is no responsible person or if the responsible person fails to respond to the report in writing within five working days or if it is the responsible person himself or herself who has requested that the official should engage in illegal or unethical conduct, the report referred to in the preceding paragraph and the procedure pertaining to it shall fall within the competence of the Commission.

(3) The responsible person or the Commission shall assess the actual situation on the basis of the report, issue appropriate instructions on further action to be taken if necessary, and take all necessary steps to prevent any illegal or unethical requests and adverse consequences that may ensue.

Article 25
(Measures to protect the reporting person)

(1) If reporting persons have been subject to retaliatory measures as a consequence of filing a report as referred to in Articles 23 and 24 of this Act, and this has had an adverse impact on them, they have the right to claim compensation from their employer for the unlawfully caused damage.

(2) The Commission may offer reporting persons assistance in establishing a causal link between the adverse consequences and retaliatory measures referred to in the preceding paragraph.

(3) If, during the course of the procedure referred to in the preceding paragraph, the Commission establishes a causal link between the report and the retaliatory measures taken against the reporting person, it shall demand that the employer ensure that such conduct is discontinued immediately.

(4) If the reporting persons referred to in paragraph one of this Article are public employees, and if they continue to be the focus of retaliation despite the Commission's demand referred to in the preceding paragraph, making it impossible for them to continue work in their current work post, they may request that their employer transfer them to another equivalent post and inform the Commission thereof.

(5) If a reporting person cites facts in a dispute that give grounds for the assumption that they have been subject to retaliation by the employer due to having filed a report, the burden of proof shall rest with the employer.

(6) The public employee's employer shall ensure that the demand referred to in paragraph four of this Article is met within 90 days at the latest and shall inform the Commission thereof.

IV. CONFLICTS OF INTEREST AND SUPERVISION OF THE ACCEPTANCE OF GIFTS

1. Incompatibility of office

Article 26
(Incompatibility of office and exceptions)

(1) A professional holder of public office may not be engaged in any professional or other activity aimed at generating income or proceeds while holding a public office.

(2) Notwithstanding the provision of the preceding paragraph, professional holders of public office may engage in pedagogical, scientific, research, artistic, cultural, sports and publishing activities, manage a farm, and manage their own assets, unless otherwise stipulated by another act. A holder of public office who obtains permission from their employer or enters into a contract to engage in one of the aforementioned activities, except in the cases of sports and publishing activities and of managing a farm or one's own assets,

shall notify the Commission of this in writing within eight working days of the commencement of the activity and enclose with the notification the employer's permission and the contract under which they may perform the activity or profession.

(3) The Commission may, within 15 working days of receipt of the notification referred to in the preceding paragraph, initiate a procedure for assessing the incompatibility of office if it considers that the performance of the activity, given the actual scope and nature of the activity in question and the office held by the professional holder of public office, is likely to present a disproportionate risk to the objective and impartial discharge of the duties of the office or jeopardise its integrity. In this case, the Commission may issue a decision prohibiting the holder of public office from performing an additional activity or imposing conditions or restrictions on the official that must be complied with when performing the activity.

(4) Unless otherwise stipulated by another Act, the Commission may allow a professional holder of public office to perform a professional or other activity aimed at generating income, taking into account the public interest and the level of risk the performance of the activity poses to the objective and impartial discharge of the duties of the office or to its integrity. If a professional holder of public office wishes to obtain income from the body in which they hold office, the Commission shall not issue a permission. If the Commission issues a permission, it may impose conditions and limitations on the holder of public office that must be complied with when performing another activity.

(5) If the Commission finds that the holder of public office has not complied with the conditions and restrictions imposed by the decision referred to in paragraph three or the permission referred to in the preceding paragraph, or that the holder of public office performs a professional or other activity in a manner that interferes with the objective and impartial discharge of the duties of their office, it shall issue a decision revoking the permission. The holder of public office shall immediately, or no later than after the decision on revocation of the permission has become final, cease to perform the professional or other activity in question.

(6) In an administrative dispute against the Commission's decision on the revocation of the permission, the Administrative Court shall give priority to the matter.

(7) If the holder of public office does not cease performing the professional or other activity after the decision on the revocation of the permission has become final, the Commission shall inform the body responsible for the appointment and dismissal of the holder of public office. The body shall take appropriate measures against the holder of public office within 30 days in accordance with an Act and its integrity plan and shall inform the Commission of this.

Article 27 **(Prohibition of membership and activities)**

(1) A professional holder of public office may not be a member of or engaged in the management, supervision or representation activities in a company, economic interest grouping, cooperative, public institute, public fund, public agency or other entity governed by public or private law, the exceptions being societies, foundations and political parties.

(2) A non-professional holder of public office may not be a member of any entity governed by public or private law referred to in the preceding paragraph nor engaged in management, supervision or representation activities in these entities if the duties of their office include the direct supervision of their work.

(3) The prohibition referred to in paragraph one of this Article regarding the membership and the performance of management, supervision or representation activities in public institutes, public funds, public agencies and other entities governed by public or private law, if the entity governed by private law is vested with public authority or is a public service provider, shall also apply to non-professional mayors and deputy mayors who hold their office in the municipality that is related to the entities referred to in this paragraph in terms of founding, ownership, supervision and finance.

Article 28 (Termination of activity, office or membership)

(1) A holder of public office who, prior to taking office, performed an activity or held an office that is incompatible with their office under this Act or is contrary to the preceding Article shall cease to perform the activity or hold office no later than 30 days of the date of their election or appointment or the approval of their mandate.

(2) A holder of public office who, prior to taking office, was a member of bodies whose membership is incompatible with their office under this Act or is contrary to the preceding Article shall immediately submit their resignation or make a request to have their membership terminated; the membership shall be terminated within 30 days of the date of their appointment to office.

Article 29 (Warning by the Commission and the consequences of failure to comply)

(1) If a holder of public office does not cease to perform an activity, hold membership, or hold an office that is incompatible with their office under this Act within the time limit referred to in the preceding paragraph, the Commission shall warn the holder of public office and set the time limit by which the holder of public office must cease to perform the activity or hold office. The time limit set by the Commission may not be shorter than 15 days or longer than three months. The Commission shall warn the holder of public office who, after taking office commences an activity, gains membership or takes an office which is incompatible with their office under this Act and shall set the time limit by which the incompatibility in question must be eliminated. This time limit may not be shorter than 15 days or longer than three months.

(2) If the Commission establishes that the holder of public office continues to perform the activity, hold a membership or hold an office after the time limit set by the Commission has expired, it shall inform the relevant authority competent to propose or commence a procedure for the removal of the holder of public office from office. The competent authority shall inform the Commission of its final decision.

(3) The provisions of the preceding paragraph do not apply to directly elected holders of public office. If the Commission establishes that the facts referred to in the preceding paragraph in connection with directly elected holders of public office are true, it shall inform the public of its findings and publish them on its website.

2. (Prohibition and restrictions with regard to the acceptance of gifts by holders of public office)

Article 30 (Prohibition and limitations in the public sector relating to the acceptance of gifts)

(1) An official person may not accept gifts or other benefits (hereinafter: gifts) in connection with the discharge of the duties of their office or public service or in connection with their position. The prohibition to accept gifts in connection with the discharge of office duties or public service or in connection with the position shall also apply to the family members of the official person.

(2) Notwithstanding the preceding paragraph, an official person or their family member may, on behalf of the body for which the official person works, accept a ceremonial gift which, regardless of its value, shall become the property of their employer. Ceremonial gifts are gifts gifted by foreign or Slovenian legal or natural persons at official events.

(3) Notwithstanding paragraphs one and two of this Article, an official person may accept a gift that is traditionally or commonly presented at specific events (cultural events, ceremonies, events marking the end of education or training programmes, holidays, etc.) or when carrying out diplomatic activities whose value does not exceed EUR 100, regardless of the type of gift and the number of persons presenting the same gift.

(4) If the gift concerned is not as specified in paragraph two or three of this Article, the official person shall be obliged to inform the giver of the prohibition to accept gifts and reject the offered gift; the family member of the official person shall be obliged to do the same. If the giver insists on giving the gift, the official person or their family member shall be obliged to hand over the gift to the employer of the official person.

(5) Notwithstanding the provisions of this Article, the official person or their family member may not accept the gift:

- if giving or accepting such a gift is considered a criminal offence;
- if this is prohibited in accordance with another act or regulation issued on the basis thereof;
- if the gift constitutes cash, securities, gift vouchers or precious metals;
- if the acceptance of the gift influences or appears to influence the impartial and objective performance of the official person's public duties.

(6) A public sector entity shall keep a list of received gifts containing data on the type and estimated value of the gift, the giver and other gift-giving circumstances. The gift list shall include gifts with a value exceeding EUR 50. A public sector entity shall be obliged to submit the gift lists pertaining to official persons, their family members and ceremonial gifts to the Commission by 31 March for the previous year using an electronic form available on the Commission's website.

(7) The minister responsible for systemic regulation concerning the limitation of corruption shall adopt the rules defining the manner in which gifts are handled, the manner in which their value is determined, the manner in which the gift list is kept and other practical questions with regard to the implementation of this Article.

(8) The provisions of this Article shall not apply to companies in which the state or local communities are the controlling shareholders or have a prevailing influence, except those established on the basis of an act.

**Article 31
(Deleted)**

**Article 32
(Deleted)**

**Article 33
(Deleted)**

**Article 34
(Deleted)**

3. Restrictions on business activities

**Article 35
(Restrictions on business activities and the consequences of violations)**

(1) A public sector body or organisation which is committed to conducting a public procurement procedure in accordance with the regulations on public procurement or which carries out a procedure for granting concessions or other forms of public–private partnership may not order goods, services or construction works, enter into public–private partnerships, or grant special and exclusive rights to entities in which the holder of public office who holds office in the body or organisation concerned or their family member has the following role:

- participating as a manager, member of management or legal representative or
- having more than a five percent share in the founders' rights, management or capital, either by direct participation or through the participation of other legal persons.

(2) The prohibition referred to in the preceding paragraph shall also apply to the public sector body or organisation's business dealings with the holder of public office or their family member as a natural person.

(3) The prohibition of operation within the scope detailed in paragraphs one and two of this Article shall not apply to other procedures or ways of obtaining funds that are not set out in paragraph one of this Article, providing that the provisions of this or any other act relating to conflicts of interest and the obligation to avoid any conflicts of interest are complied with or that the holder of public office is excluded from all stages of decision-making on the performance and entering into of procedures or transactions. If the holder of public office or their family member violates the provisions on the avoidance of conflicts of interest or exclusion, the consequences shall be the same as those specified for the prohibition of operation.

(4) The prohibition of operation referred to in paragraph one of this Article and the prohibition referred to in the preceding paragraph shall also apply to smaller parts of a municipality (i.e. to village, local and quarter communities) which have their own legal personality if the municipal holder of public office is a member of the council of a smaller part of the municipality or if a particular transaction may be entered into only with the municipal holder of public office's consent.

(5) The natural or responsible person of a business entity shall give a written statement to the effect that the natural person or business entity is not associated with the holder of public office and, to their knowledge, is not associated with a family member of the holder of public office in the manner prescribed in paragraph one of this Article. The statement shall be submitted in the procedure for granting concessions, upon entering a public–private partnership or in the public procurement procedure or, if the latter was not carried out, before concluding a contract with the public sector body or organisation referred to in paragraph one of this Article.

(6) If the circumstances from paragraph one of this Article occur, the holders of public office shall communicate to the public sector body or organisation in which they hold office within one month after taking office and thereafter no later than within eight days of any change occurring, the following:

- their personal name,
- their personal identification number (EMŠO),
- the address of their permanent residence,
- data on the body in which they hold office,
- the start and end dates of the restriction,
- the name, head office, registration number and tax identification number of the business entity,
- the manner of participation of the holder of public office or their family members in the business entity.

(7) The public sector body or organisation shall submit the data from the previous paragraph to the Commission using the electronic form available on the Commission's website within no later than 15 days of receiving the data or of any change thereto. The Commission shall publish the list of business entities referred to in the preceding paragraph on its website every month. The business entity subject to restrictions on operation after the termination of office shall be on the list of operation restrictions kept by the Commission for one year after the termination of the holder's office.

(8) The restrictions under the provisions of this Article shall not apply to operations based on contracts concluded prior to the holder of public office taking office.

(9) A contract or other forms of obtaining funds that are in conflict with the provisions of this Article shall be null and void.

Article 36

(Temporary prohibition of operation after the termination of office)

(1) A holder of public office may not act as a representative of a business entity that has established or is about to establish business contacts with a public sector body or organisation in which the holder of public office held office until two years have elapsed from the termination of their office.

(2) The public sector body or organisation in which the holder of public office held office may not do business with an entity in which the former public office holder has more than a five percent share in the founders' rights, the management or capital and the public office holder as a natural person, either by direct participation or through the participation of other legal persons, until one year has elapsed from the termination of office.

(3) The public sector body or organisation in which the holder of public office held office shall without delay, and within 30 days at the latest, inform the Commission of the situation referred to in paragraph one of this Article.

4. Conflict of interest

Article 37

(Obligation to avoid conflicts of interest)

(1) An official person shall pay due attention to any conflict of interest with regard to their post or office and shall be obliged to avoid such.

(2) An official person who, upon taking up a post or office or during the performance of the duties thereof, detects circumstances that could influence or could appear to influence the impartial and objective performance of their public duties, shall immediately disclose such circumstances to their immediate supervisor or their authorised person.

(3) An official person may not use their post or office or the information obtained during the performance of the duties of thereof, to advance their personal interests or the personal interests of another person.

Article 38 **(Manner of avoiding conflicts of interest)**

(2) When an official person detects the circumstances of a conflict of interest, they shall immediately cease to perform any work with regard to the matter unless it would be dangerous to delay, and inform their superior or the person in charge of their exclusion and the circumstances of the conflict of interest in writing within no later than three working days.

(2) As soon as possible but no later than within five days of receiving the notification referred to in the preceding paragraph, the superior or the person in charge shall reach a reasoned decision on whether to exclude the official person from the consideration of and decision on the matter or let them continue their work. There shall be no legal remedy against this decision.

(3) When the official person is part of a collective body, their exclusion shall be decided by this body within the time limit and in the manner referred to in the preceding paragraph. The official person may not participate in the decision on their own exclusion.

(4) If the supervisor or the person in charge or the collective body decides that the official person shall continue working on the matter despite a conflict of interest, the official person may be given compulsory guidelines with explanations as to their conduct and decision-making while being obliged to pursue the public interest. The supervisor or the person in charge or the collective body shall inform the Commission of their decision within five days of its adoption.

(5) If the supervisor or the person in charge or the collective body fails to reach a decision on exclusion within the time limit referred to in paragraph two of this Article or if the official person has no superior or person in charge, the official person shall notify the Commission of the circumstances of the conflict of interest within five days. The Commission shall reach a decision on the existence or non-existence of a conflict of interest and the manner of avoiding it within five days of receiving the notification.

Article 39 **(Procedure for establishing an actual conflict of interest and its consequences)**

(1) In case of suspicion that an actual conflict of interest has arisen in the official conduct of an official person, the Commission may, within two years of the official conduct in question, initiate a procedure for establishing the existence of an actual conflict of interest and its consequences.

(2) If it is established, on the basis of the procedure carried out, that an actual conflict of interest has arisen, the Commission shall inform the official person's employer of its findings in the case in question and set the time limit by which the employer is obliged to

inform the Commission of the measures taken to remedy the consequences of the conflict of interest.

(3) The Commission may also submit its findings referred to in the preceding paragraph and the lack of measures for due avoidance of a conflict of interest referred to in the preceding paragraph to the supervisory authority of the public sector entity in which the official person works and call upon it to implement or impose measures to prevent the violation from happening again and, based on the circumstances of the case in question, measures to establish the accountability of the official person, their superior or person in charge.

Article 40 **(Application of provisions on the conflict of interest)**

(1) The provisions of Articles 37 through 39 of this Act shall apply to all official persons under this Act, unless if the exclusion of an official person is regulated by the act governing the criminal procedure, the act governing the civil procedure, the act governing the general administrative procedure or another act governing exclusion from decision-making in legal proceedings.

(2) The provisions of Articles 37 through 39 of this Act applicable to official persons shall also apply to persons appointed as external members of committees, councils, working groups or other comparable bodies by a public sector entity when they perform public duties or duties within the remit of the public sector entity.

V. DECLARATION AND SUPERVISION OF ASSETS

Article 41 **(Obligation to declare assets)**

(1) The persons obliged to declare assets are professional holders of public office, members of the National Council, non-professional mayors and deputy mayors, officials in a managerial position, managers and members of supervisory bodies in state-owned enterprises and corporations in which a controlling interest or a dominant influence is held either by the state or by a local community, persons responsible for public procurement, officials of the National Review Commission for Reviewing Public Procurement Procedures (hereinafter: the National Review Commission) and citizens of the Republic of Slovenia who hold office in EU institutions and other EU bodies and other international institutions to which they have been appointed or elected on the basis of secondment or a proposal from the Government or the National Assembly and whose obligation to declare assets is not otherwise regulated by the documents of EU institutions or other EU bodies or other international institutions for which they perform duties.

(2) Within no later than one month after assuming office and after ceasing to hold the office or post, the person with obligations shall provide the Commission with data on their assets as at the date of assuming or termination of office. Persons with obligations shall also communicate the data on their assets to the Commission a year after ceasing to hold the office or post.

(3) Notwithstanding the preceding paragraph, persons responsible for public procurement shall provide the Commission with data on their assets as at 31 December by

31 January for the previous year if, in the previous calendar year, they participated in a public procurement procedure as laid down in point 10 of Article 4 of this Act.

(4) Public sector bodies or organisations in which persons with obligations work shall communicate the list of persons obliged to declare assets within 30 days of any change occurring. Contracting authorities that operate in accordance with regulations on public procurement shall communicate the list of persons with obligations by 31 January for the previous year. Data on the citizens of the Republic of Slovenia who hold office in EU institutions and other EU bodies and other international institutions to which they have been appointed or elected on the basis of secondment or a proposal from the Government or the National Assembly shall be communicated to the Commission by the Government or the National Assembly. These lists shall include the following information: the personal name, personal registration number (EMŠO), tax ID number of the person with obligations, their office or position, the date of taking or ceasing to hold office or position and the address of their permanent residence.

(5) Data on assets and the list of the persons with obligations shall be communicated by way of an electronic form, which is available on the Commission's website.

Article 42 (Data on assets)

(1) A person with obligations shall provide the following personal data in the form for the declaration of assets:

- their personal name,
- their personal registration number (EMŠO),
- the address of their permanent residence,
- their tax ID number,
- data on the office held or the work performed that is the basis for their obligations,
- data on the office held or the work performed immediately before becoming a person with obligations, and
- data on any other office held or activities performed.

(2) The person with obligations shall provide the following data on assets in the Republic of Slovenia and abroad in the asset declaration form:

- data on immovable property: type, size, year of construction, cadastral municipality, ownership share, plot number, building number and the number of the part of the building,
- data on rights on immovable property and other property rights,
- data on movable property the value of which exceeds EUR 10,000,
- data on monetary assets deposited in banks, savings banks, and savings and loan undertakings if the total account balance exceeds EUR 10,000,
- data on the total value of cash held if this exceeds EUR 10,000 in value,
- data on ownership or stakes and shares, if their total value exceeds EUR 10,000, and management rights in a company or other private-law entity, with the designation of the registered name of the legal person or the name of the entity and data on the types and values of securities if their total value exceeds EUR 10,000,
- data on debts, obligations, or assumed guarantees and granted loans if their value exceeds EUR 10,000, and
- any other data in relation to assets that the person with obligations wishes to provide or that is prescribed by this Act.

(3) The person with obligations shall communicate the data on assets from indents one through seven of the preceding paragraph if they are the legal owner of the individual

assets declared. Actual ownership and shares in the total ownership of a particular asset declared shall be provided under indent eight of the preceding paragraph.

Section 43
(Obligation to provide information on any change in assets)

(1) The person with obligations shall communicate any change in the personal data referred to in indents one, five and seven of paragraph one of the preceding Article within 30 days of any change that occurred, and any change in assets by 31 January the year following the change that occurred. As regards changes in individual assets that are declared only if they exceed a certain value pursuant to paragraph two of the preceding Article, the person with obligations shall declare an increase in assets achieving the threshold for declaring a particular type of asset; as regards previously declared individual assets, a change shall be communicated when the assets increase or decrease by more than EUR 10,000.

(2) Any changes in assets shall be communicated by means of an electronic form which is available on the Commission's website. The form in which changes in assets are communicated also includes the possibility of stating the reason for the increase or decrease in assets.

(3) The Commission may at any time request the person with obligations to submit the comprehensive data referred to in paragraphs one and two of the preceding Article. The person with obligations shall submit such data within 15 days of receipt of the request.

Article 44
(Invitation to submit data on assets)

(1) If the Commission finds that the person with obligations has not provided data on his or her offices, activities, assets and income in accordance with this Act, it shall invite the responsible person to submit the data required within a time limit that may not be shorter than 15 days or longer than 30 days in duration.

(2) If the person with obligations fails to submit the required data within the time limit referred to in the preceding paragraph, the Commission shall decide that this person's salary or salary compensation should be reduced by ten percent of his basic salary each month after the expiry of the time limit, but to no less than the minimum salary level. This decision shall be implemented by the employer.

(3) Paragraph two of this Article shall not apply to non-professional mayors or deputy mayors.

Article 44a
(Supervision of assets and establishing a disproportionate increase in assets)

(1) The Commission shall supervise the accuracy, timeliness and completeness of asset declaration data and any changes therein. In the event of a suspected breach of the duty to declare assets and suspected disproportionate increase in assets, the Commission shall compare the declared asset data of persons with obligations to the data obtained on the basis of the request under Article 16 of this Act.

(2) If, based on the comparison of data referred to in the preceding paragraph, the Commission finds an inconsistency, it shall require the person with obligations to provide a

written explanation for the inconsistency within 15 days, enclosing the appropriate proof, or conduct an interview with the person with obligations to clarify the actual facts.

(3) If the data obtained in the procedure referred to in this Article or other data obtained under this Act gives rise to a suspicion that, since the last declaration, the assets of the person with obligations have increased disproportionately compared to their income derived from their duties of office or an activity performed in accordance with the provisions and restrictions laid down in this Act and other Acts, or that the value of the person's actual assets, being a basis for the assessment of tax liabilities, considerably exceeds the declared value of said person's assets (a disproportionate increase in assets) or that the person with obligations possesses assets of unknown origin, the Commission shall initiate proceedings for suspected disproportionate increase in assets. In establishing the facts, the Commission may propose to law enforcement and supervision authorities, including the authority responsible for the prevention of money laundering, that, within their powers, they establish the facts regarding assets and property in the Republic of Slovenia and abroad and submit their findings to the Commission.

(4) The Commission shall prepare draft findings on a specific case containing a list of assets that, according to the Commission's findings, exceed the value of declared assets, the officially known income of the person with obligations or assets whose source or origin could not be established. This draft shall be sent to the person with obligations, calling upon them to provide, within a time limit set by the Commission based on the circumstances of the violation under consideration, but not shorter than eight days, a written explanation for the manner of increase in or the origin of assets and enclose the appropriate proof. On its own initiative or at the proposal of the person with obligations, the Commission may conduct an interview with said person with regard thereto.

(5) If the person with obligations fails to explain the manner of increase in or the origin of assets or fails to do it convincingly, credibly and clearly, the Commission shall act in accordance with Article 45 of this Act.

(6) If, in the course of the procedure, the Commission estimates that there is a reasonable risk that the person with obligations will dispose of, conceal or appropriate the assets of unknown or unexplained origin, it may propose that the State Prosecutor's Office or the competent authority in the field of money laundering prevention or financial supervision take all necessary steps within their legal powers to temporarily stop transactions and secure the money and assets for the purpose of seizing unlawfully obtained proceeds or money and assets of illegal origin. In its proposal, the Commission shall submit all the collected data necessary for the bodies referred to in the preceding paragraph to act within their legal powers.

(7) The State Prosecutor's Office or other bodies referred to in the preceding paragraph shall inform the Commission in writing of the measures taken in this regard or provide reasons for not taking action no later than within 72 hours.

(8) The person with obligations shall be the subject of supervision under this Article for the duration of their term in office, position or work and another year after the termination of their office, position or work.

Article 44b **(Extension of supervision to other persons)**

(1) If the procedures referred to in the preceding Article give rise to suspicions that the person with obligations is concealing assets by transferring them to their family members

or that these persons acquire indirectly from third parties individual assets that in any way originate from the office or work of the person with obligations, the Commission may extend supervision to the assets of the family members of the person with obligations. The suspicion referred to in the preceding sentence arises particularly when the obtained data suggests the transfer of assets to family members, when the expenditure of the person with obligations significantly exceeds their officially known income or when the data suggests that a significant portion of their living expenses is covered by other persons.

2) The procedure of supervision of the assets of persons referred to in the preceding paragraph shall be governed *mutatis mutandis* by the provisions of the previous Article.

Article 45 **(Measures in the event of a disproportionate increase in assets)**

(1) If, based on the notification of the competent body, the person with obligations in the procedure referred to in Article 44a of this Act fails to explain the manner of increase in assets, the origin of assets or the difference between actual and declared assets or fails to do so convincingly, credibly and clearly, the Commission shall immediately refer the matter with all the collected data to the State Prosecutor's Office to examine the possibility of taking action according to the act governing the seizure of assets of illegal origin or to the competent tax body to examine the possibility of taking action according to tax regulations. The Commission may also, if it establishes based on the notification of the competent body that this would not jeopardise the interests of proceedings before other competent bodies, notify the public sector body or organisation in which the person with obligations holds office or performs work or the body responsible for the election or appointment of the person with obligations.

(2) The public sector body or organisation in which the person with obligations holds office to which they were appointed or performs work or the body responsible for their election or appointment must, on the basis of the notification referred to in the preceding paragraph, in accordance with the Constitution and the relevant act, initiate a procedure for the termination of the term of office or dismissal or other ways of holding the person with obligations accountable, notifying the Commission thereof within three months from receiving the notification.

(3) The State Prosecutor's Office that receives the matter referred to in paragraph one of this Article shall notify the Commission of its decisions and measures after the procedure has concluded.

Article 46 **(Public availability of data for a particular group of persons with obligations)**

(1) In order to strengthen transparency and public trust in the holders of public office, the data on asset changes of National Assembly deputies, the President of the National Council, the President of the Republic, the Prime Minister, ministries, state secretaries, professional and non-professional mayors and deputy mayors, members of the Governing Board of the Bank of Slovenia, holders of public office in independent and autonomous state bodies performing the duties of supervisors or their deputies and Constitutional Court judges shall be publicly available on the Commission's website for the entire duration of their term and another year after the termination of office.

(2) The publication referred to in the preceding paragraph shall encompass the data submitted by the person with obligations via the electronic form referred to in paragraph two of Article 43 of this Act. In addition to the form, the Commission may also publish its findings on the accuracy, completeness and timeliness of the declaration referred to in paragraph one of Article 44a of this Act.

(3) The Commission shall publish the data within no later than 30 days after receiving the asset declaration changes.

(4) The data on assets and changes thereto of other persons with obligations shall not be considered information of a public nature.

(5) A detailed methodology for the publication of data shall be laid down by the Commission in its Rules of Procedure.

VI. INTEGRITY PLANS

Article 47 (Integrity plan)

(1) State bodies, self-governing local communities, public agencies, public institutes, public utility institutes and public funds (hereinafter: entities obliged to draw up integrity plans) shall draw up and adopt an integrity plan and inform the Commission of this in accordance with this Act.

(2) If the Commission finds that there is a considerable risk of corruption or other forms of unlawful conduct in performing an activity in the public interest and disposal of public assets, it may issue a decision ordering a public entity which is not specified in the preceding paragraph and in which this activity is performed or assets are available to draw up, implement and amend the integrity plan in cooperation with the Commission.

(3) An integrity plan shall contain in particular the following:

- an assessment of the institution's exposure to corruption;
- the personal names and posts of persons responsible for the integrity plan;
- a description of the areas and manner of decision-making with an assessment of exposure to corruption risks and proposals for integrity improvements;
- measures for the timely detection, prevention and elimination of corruption risks; and
- other parts of the plan as defined in the guidelines referred to Article 50 of this Act.

(4) The Commission shall provide training for the persons referred to in indent two of the preceding paragraph.

Article 48 (Drawing up and supervising integrity plans)

(1) On the basis of the assessment of exposure to corruption risks, the entities obliged to draw up integrity plans shall be divided into three groups: the least, medium and most exposed; indicators for dividing entities into individual groups and the methodology and manner of the drawing up and evaluation of integrity plans shall be specified in the guidelines referred to in Article 50 of this Act.

(2) The Commission shall check whether the entities have adopted the integrity plans and how they plan to implement them.

Article 49
(Request for the assessment of the integrity plan)

On the proposal and at the expense of other legal entities not specified in paragraph one of Article 47 of this Act, and by applying the provision of paragraph one of Article 47 of this Act, the Commission may carry out an integrity assessment or make suggestions for integrity improvements.

Article 50
(Publication of guidelines for drawing up the integrity plan)

The Commission shall produce guidelines for the drawing up of integrity plans, checking their functioning and assessing levels of integrity and shall publish them on its website.

VII. RESOLUTION ON THE PREVENTION OF CORRUPTION

Article 51
(Purpose and aim)

(1) The resolution is a document adopted by the National Assembly upon the proposal of the Government.

(2) The resolution is aimed at taking realistic, gradual and considered measures to eliminate corruption; its fundamental objectives focus on preventive action: the long-term and permanent elimination of conditions for the occurrence and development of corruption, the establishment of an adequate legal and institutional environment for the prevention of corruption, consistent enforcement of accountability for illegal actions, the establishment of a generally acceptable system of zero tolerance for all acts of corruption through different forms of education, and the effective application of internationally recognised standards in this area.

(3) The Commission shall monitor the implementation of the resolution on the basis of an action plan that it shall adopt within three months of the adoption of the resolution or its amendments in cooperation with the authorities responsible for the measures contained in the resolution.

(4) In order to meet the obligations referred to in the preceding paragraph, the Commission may make proposals for the adoption of and amendments to regulations and provide guidelines on the manner in which the measures contained in the resolution are implemented and on plans for the implementation of the resolution.

Article 52
(Activities)

(1) In the implementation of the resolution and the plans for doing so, the Commission shall cooperate with non-profit public and private sector organisations, non-profit organisations governed by private law in the field of prevention of corruption, and citizens.

(2) The cooperation referred to in the preceding paragraph shall apply to joint activities for the implementation of the resolution and the plans for doing so, analysing the

situation in the field of corruption, conducting media campaigns, and other activities relevant to strengthening integrity and preventing corruption.

**Article 53
(Action plan)**

(1) The public sector authorities responsible for the measures contained in the action plan for the implementation of the resolution shall report annually to the Commission by the end of February on the activities undertaken during the previous year to implement these measures.

(2) The Commission shall prepare a report on the implementation of the resolution containing key achievements, problems, risk factors and a performance assessment within three months of receipt of the reports referred to in the preceding paragraph and shall include it in the annual report on work referred to in Article 19 of this Act.

(3) If any failure to implement measures contained in the action plan for the implementation of the resolution should arise, the Commission may propose that the competent authority calls the persons responsible for the implementation of measures to account.

**Article 54
(Modifications and amendments to the resolution)**

(1) If the authorities responsible for the measures contained in the resolution and the plans for its implementation propose modifications and amendments to the resolution in their reports, the Commission shall adopt an opinion on the proposed amendments and shall inform the National Assembly of the proposals of the authorities responsible for the measures and of its own proposals contained in the report as referred to in paragraph two of the preceding Article.

(2) If the Commission finds that immediate corrections to the resolution are required or that other urgent measures for its implementation need to be implemented, it shall call on the competent authorities to commence with the implementation of the measures and shall inform the National Assembly without delay.

(3) If the Commission disagrees with the proposals of the authorities responsible for the measures referred to in paragraph one of this Article, it shall inform them of this and provide reasons for its decision.

**Article 55
(Modifications to the resolution)**

Every three years, the Commission shall check whether the resolution needs to be modified. It shall include its findings and proposals in the next regular report to the National Assembly.

VIII. LOBBYING

1. Lobbying

Article 56
(Lobbying and lobbyists)

(1) Lobbying activities may be performed only by registered lobbyists, with the exception of the persons listed in paragraph four of Article 58 of this Act.

(2) A lobbyist may be any person having reached the age of majority who is not employed in the public sector, has not been deprived of the capacity to enter into contracts and has not been given a final sentence for a premeditated crime prosecuted *ex officio* in the Republic of Slovenia of imprisonment for a term of more than six months.

(3) Officials may not lobby until two years have elapsed from the date of termination of their office.

Article 56a
(Exceptions to lobbying)

Actions taken by individuals, informal groups or interest groups for the purpose of influencing the decision-making of state bodies, bodies of self-governing local communities and other organisations vested with public authority in the consideration and adoption of regulations and other general documents in the area directly relating to the systemic issues of strengthening the rule of law, democracy, and the protection of human rights and fundamental freedoms is not considered lobbying under the provisions of this Act.

2. (Lobbyist associations)

Article 57
(Lobbyist associations)

Lobbyists may form lobbyist associations which adopt the code of professional ethics.

3. Registration of lobbyists

Article 58
(Entry in the register)

(1) Lobbying activities may be performed by a domestic or foreign natural person entered in the register of lobbyists in the Republic of Slovenia, which is kept by the Commission. Entry into the register shall be a prerequisite for the commencement of lobbying activities.

(2) Lobbying activities for legal persons may be performed only by natural persons entered in the register of lobbyists in the Republic of Slovenia.

(3) Lobbyists shall be entered in a register that contains the following data: the personal name of the lobbyist, tax ID number, the address where the notices and invitations referred to in paragraph two of Article 67 of this Act are to be received, the registered office or name and the head office of the company, sole trader or interest group if that is where the lobbyist is employed, and the areas in which the lobbyist has registered an interest.

(4) Notwithstanding the provisions of this Act, persons carrying out lobbying activities for the interest group in which they are employed shall not be obliged to enter into the register of lobbyists. The same shall apply to the legal representative or elected representative of the interest group.

(5) A fee shall be charged for entry into the register in accordance with the act governing administrative fees.

(6) The data in the register shall be made public, with the exception of the tax ID number.

(7) Foreign lobbyists shall be entered into the register on the basis of officially translated documents proving, *mutatis mutandis*, that the conditions referred to in paragraph three of this Article have been met.

(8) Lobbyists shall report any change regarding the data for entry into the register within eight days of its occurrence.

Article 59 (Entry documents)

In order to be entered into the register, a foreign natural person must also submit an extract from the public register for a lobbyist individual sole trader, company or interest group if they employ the lobbyist in question.

Article 60 (Issuing a decision)

(1) The Commission shall issue a decision on entry into the register or a decision on removal from the register within 15 days of receipt of the application for entry or after the reasons for removal from the register have arisen.

(2) A lobbyist shall be entered in the register on the date on which the decision is served.

(3) Confirmation of entry shall be issued to the lobbyist on the basis of the decision on entry into the register. The confirmation form shall be determined by the registration authority.

(4) A lobbyist shall return the confirmation form to the registration authority within eight days of the expiry of validity of the registration or the removal from the register.

Article 61 (Completing the entry data)

(1) If the Commission finds that a lobbyist candidate has failed to submit all the required data and enclosures for the entry or renewal of the entry into the register, it shall invite the candidate, within five days at the latest, to submit them within the time limit set. This time limit may not be shorter than 5 days or longer than 15 days.

(2) If the lobbyist candidate submits the data in question within the time limit set, the Commission shall issue a decision on entry into the register to the candidate within the next 15 days.

(3) If the lobbyist candidate fails to submit the required data within the time limit referred to in paragraph one of this Article, the candidate's application for entry into the register shall be dismissed.

Article 62 (Removal from the register)

- The Commission shall remove a lobbyist from the register on the following bases:
- if it has been established that the data and documents used for entry into the register are false;
 - if they have been given a final sentence of imprisonment for premeditated crime prosecuted *ex officio* in the Republic of Slovenia for a term of more than six months;
 - if it finds that they no longer meet the criteria for entry into the register;
 - if they state in writing that they no longer wish to be a lobbyist or carry out lobbying activities.

4. Reporting obligations for lobbyists

Article 63 (Report by the lobbyist)

(1) A lobbyist entered in the register of lobbyists in the Republic of Slovenia shall report in writing to the Commission on their work within the following timeframes:

- by 31 January of the current year for the previous year and
- by no later than within 30 days of the expiry of the validity of registration.

(2) A lobbyist entered in the register of lobbyists in the Republic of Slovenia shall keep the documentation on which reporting to the Commission is based for five years from the date on which the report referred to in the preceding paragraph is submitted.

(3) The interest group for which the person referred to in paragraph four of Article 58 of this Act lobbies shall also report to the Commission on lobbying using the electronic form available on the Commission's website, either regularly or by 31 January of the current year for the previous year at the latest. The report shall contain the lobbyist's name and surname and the information referred to in indents four, five and six of Article 64 of this Act.

(4) Notwithstanding the provisions of the preceding paragraph, a non-profit private sector interest group without employees shall not report on lobbying.

Article 64 (Content of the report)

- The report referred to in the preceding Article shall contain the following:
- the lobbyist's tax ID number;
 - data on interest groups for which the lobbyist has lobbied;
 - data on the amount of payment received from interest groups for each matter in which the lobbyist has lobbied; if lobbying is a part of a service contract that also includes other activities and the value of lobbying cannot be clearly determined, the lobbyist shall state the value of the service contract and the percentage of payment for lobbying;
 - the statement of the purpose and objective of lobbying for a particular interest group;
 - the names of state bodies in which the lobbyist has lobbied and persons lobbied by the lobbyist;

- types and methods of lobbying for a particular matter in which the lobbyist has lobbied;
- the type and value of donations made to political parties and the organisers of electoral and referendum campaigns.

Article 65
(Verifying and completing the report)

The Commission shall verify whether the report contains all the data required. If it finds that the report is incomplete in this respect, the Commission shall request the lobbyist to properly complete the report within the time limit set. This time limit may not be shorter than 20 days and not longer than 30 days.

Article 66
(Verifying the accuracy of data and statements)

The Commission may verify the accuracy of the data and statements contained in the report by carrying out the following:

- viewing the lobbyist's documentation referred to in Article 64 of this Act;
- making enquiries with interest groups for which the lobbyist has lobbied;
- making enquiries with state bodies in which the lobbyist has lobbied and persons lobbied by the lobbyist;
- making enquiries with political parties and the organisers of electoral and referendum campaigns;
- proposing that competent authorities conduct an audit of the operations of the lobbyist, a company, sole trader or interest group employing the lobbyist, or interest groups for which the lobbyist has lobbied.

4. Providing information

Article 67
(The lobbyist's right to information)

(1) In a written request for access to information of a public nature under the act governing access to information of a public nature, the lobbied person is not required to meet the conditions stipulated in paragraph one of Article 69 of this Act.

(2) A lobbyist entered in the register of lobbyists in the Republic of Slovenia shall have the right to be invited to all public presentations and all forms of public consultations with regard to the areas in which they have registered an interest and shall be informed thereof by the state bodies and local communities concerned.

Article 68
(Informing persons lobbied and lobbying record)

(1) In carrying out lobbying activities, a lobbyist may meet the persons lobbied or submit to them any verbal or written information and material on matters in which the lobbyist carries out lobbying activities for interest groups. In so doing, they must provide the data referred to in paragraph two of this Article and paragraph one of Article 69 of this Act.

(2) At every contact with the lobbyist who intends to carry out lobbying activities, the person lobbied shall make a record containing the following data: the lobbyist's personal

name, information on whether the lobbyist has identified himself or herself in accordance with the provisions of this Act, the area of lobbying, the purpose and aim, the name of the interest group or any other organisation for which the lobbyist is lobbying, any enclosures and the date and place of the lobbyist's visit. The person lobbied shall forward a copy of the record to their superior and the Commission within eight days. The obligation of persons lobbied to keep a record shall also apply in the event of contact referred to in paragraph three of Article 69 of this Act. The Commission shall keep lobbying records for a period of five years.

(3) Notwithstanding the preceding paragraph, the person lobbied shall not keep a record if an attempt at contact was made in writing and does not contain all the data referred to in paragraph one of Article 69 of this Act and if this letter is immediately and without any further contact with the sender entered in the documentary records archive.

(4) Notwithstanding paragraph two of this Article, in case of an email addressed to several representatives of the same body, only the first addressee lobbied shall report such a message and notify the other addressees thereof.

(5) The Commission may require the person lobbied to supplement the record of lobbying within eight days if it establishes that the record is missing any prescribed data.

(6) Records of contact with lobbyists shall be submitted by means of an electronic form, which is available on the Commission's website.

Article 69 **(The lobbyist's duty of identification)**

(1) A lobbyist shall show to the persons lobbied their identification and an authorisation obtained from the interest group to lobby in a particular matter. The lobbyist shall also state the purpose and objective of the lobbying in question.

(2) The persons lobbied may agree to have contact with the lobbyist only after verifying whether the lobbyist is entered in the register of lobbyists (exceptions to this are referred to in paragraph four of Article 58 of this Act).

(3) If, during contact with a particular lobbyist, a conflict of interest arises on the part of the person lobbied, the person lobbied shall refuse any further contact with the lobbyist.

5. Prohibitions

Article 70 **(Prohibited actions of lobbyists)**

(1) A lobbyist may not lobby outside the scope specified in point 14 of Article 4 of this Act.

(2) A lobbyist may not provide incorrect, incomplete or misleading information to the persons lobbied.

(3) When carrying out lobbying activities, a lobbyist may not act in contravention of regulations on the prohibition of the acceptance of gifts in connection with the discharge of the duties of the office or public duties of the persons lobbied.

Article 71
(Reporting prohibited lobbyist actions)

(1) If a lobbyist fails to act in accordance with the preceding Article or is not entered in the register of lobbyists in accordance with Article 58, the person lobbied shall report the lobbyist to the Commission within ten days of the attempt to lobby in question.

(2) Persons lobbied shall be obliged to report the contact referred to in paragraph four of Article 58 to the Commission in the event that it is made in a non-public manner.

(3) If the persons lobbied consider the contact referred to in the preceding paragraph to be illegal or contrary to the purpose of this Act, they must refuse it and inform the Commission thereof.

Article 72
(Right to a make statement with regard to the report)

(1) In the event that a report referred to in the preceding Article is filed, the Commission shall inform the lobbyist or reported person of this and shall set the time limit by which the lobbyist or reported person may make a statement with regard to the report. This time limit may not be shorter than 15 days and not longer than 30 days.

(2) The lobbyist or reported person may make a statement referred to in the preceding paragraph orally or in writing for the record before the Commission.

(3) The Commission may verify the accuracy of data contained in the report and in the statement of the lobbyist or reported person in accordance with Article 66 of this Act.

Article 73
(Sanctions for failure to comply with the provisions of this Act)

(1) The Commission shall impose the following sanctions on a lobbyist who has failed to submit the report referred to in Article 63 of this Act or complete it in accordance with Article 65 of this Act or for whom it has been established in accordance with Article 66 of this Act that they have given false information in the report:

- a written reminder,
- a ban from lobbying activities for a specified period of time, which may not be shorter than 3 months or longer than 24 months,
- removal from the register.

(2) The sanctions referred to in the preceding paragraph shall be entered in the register of lobbyists.

(3) The Commission may impose a sanction depending on the gravity of the violation, on the consequences that ensue, and on whether the violation is a first-time or repeat violation.

Article 74
(Sanctions for violations of the duty of identification and the prohibition regarding lobbyist actions)

(1) The Commission may impose the following sanctions on a lobbyist who has acted in contravention of Articles 69 or 70 of this Act:

- a written reminder,
- a ban from further lobbying activities in a particular matter,
- a ban from lobbying for a specified period of time, which may not be shorter than 3 months or longer than 24 months,
- removal from the register.

(2) The Commission may impose a sanction depending on the gravity of the violation, on the consequences that ensue, and on whether the violation is a first-time or repeat violation. The sanctions referred to in the preceding paragraph shall be entered in the register of lobbyists.

IX. USE OF INFORMATION AND RECORD KEEPING

Article 75 (Use of information)

All information obtained in accordance with this Act and the data contained in records under this Act shall be processed only for the purposes of implementing the measures and methods required to strengthen integrity, ensuring the transparency of the operation of the public sector, preventing corruption and conflicts of interest, supervising assets and the acceptance of gifts, and keeping the record of lobbyists.

Article 75a (Obtaining, using, processing and linking data on the cash flows of public sector entities)

(1) For the purpose of indent seven of paragraph one of Article 12 of this Act and the implementation of measures and methods to strengthen integrity and prevent corruption, the Commission may, free of charge and when possible, automatically obtain, use, process and link data from the following records:

1. records of financial transactions with data from payment orders debited against the current accounts of public sector entities managed by the Public Payments Administration of the Republic of Slovenia,
2. analytical accounting records of public sector entities concerning the obligations and payment transactions of public sector entities managed by the Ministry of Finance and other public sector entities,
3. records of received e-invoices as prescribed by the act governing the provision of payment services for budget users,
4. the business register, the register of companies, the current account register, the register of actual owners and the database of annual reports of business entities managed or published by the Agency of the Republic of Slovenia for Public Legal Records and Related Services (hereinafter: AJPES),
5. the database of publications with regard to insolvency proceedings managed by the Supreme Court of the Republic of Slovenia and published on the AJPES website,
6. central registers of central securities depositories as prescribed by the act governing book-entry securities,
7. the public procurement portal managed by the ministry responsible for public procurement,
8. records of cash transactions and transfers to high-risk countries managed by the Office of the Republic of Slovenia for Money Laundering Prevention,

9. records of the tangible assets of public sector entities as prescribed by the act governing the physical assets of the state and self-governing local communities and managed by the Ministry of Public Administration, local communities and other public sector entities,
10. the property sales register managed by the Surveying and Mapping Authority of the Republic of Slovenia in the part pertaining to transactions involving the Republic of Slovenia or a local community in any role and the part pertaining to transactions involving a public sector entity as the buyer or seller,
11. other records not containing personal data or whose public availability is prescribed by special regulations, unless a special regime is prescribed for accessing or using such data.

(2) From the records referred to in point 1 of the preceding paragraph, the Commission shall obtain the following data from the controllers:

- the payment date, the amount and the currency code,
- the debited account, the payer's name, the payer's address, the payer's city,
- the debit reference model and the debit reference,
- the purpose of the transaction, including personal data and the purpose code,
- the credited account, including personal data,
- the name of the payee, including personal data, the city of the payee and the country of the payee,
- the credit reference model and the credit reference, including personal data,
- the e-invoice identifier.

(3) From the records referred to in point 2 of paragraph one of this Article and with regard thereto, the Commission shall obtain the following data from the controllers:

- the current chart of accounts,
- the date of the business event and the date of the accounting entry,
- the reference of the accounting document that was the basis of the entry,
- the relevant amount and account, including analytical subaccounts under which the event was entered (both on the debit and the credit side),
- a description of the business event, including personal data,
- the purpose of the transfer from the code table, where applicable.

(4) From the records referred to in point 3 of paragraph one of this Article, the Commission shall obtain the following data:

- data from the e-invoice envelope and the e-invoice, as prescribed by the act governing the provision of payment services for budget users, including personal data,
- the invoice identifier and status.

(5) From the records referred to in point 4 of paragraph one of this Article, the Commission shall obtain the following data:

- data on persons associated with a particular business entity: the personal names, tax and registration numbers of the founders, the current and former company members and their business interests; the personal names and tax and registration numbers of the members of supervisory and management bodies or other representatives and their positions in the business entity, the date of authorisation conferral or the date of election or other appointment and the date of termination of the authorisation;
- data on the actual owners: their personal names, addresses and citizenships, their ownership stakes or an indication of other type of control;
- the names and surnames, tax numbers and current accounts of natural persons, current account holders, who are the payees in transactions referred to in point 1 of paragraph one of this Article, when the transaction code of purpose indicates that the payment refers to donation, sponsorship or advisory contracts or other copyright or other intellectual services, and the same data for natural persons, current account holders,

- who are the payees in transactions exceeding the monthly gross salary of the President of the Republic;
- other data concerning the business entities, other than personal data.

(6) From the records referred to in point 5 of paragraph one of this Article, the Commission shall obtain the data published on the Ajpes website.

(7) From the records referred to in point 6 of paragraph one of this Article, the Commission shall obtain the following data:

- the personal names and tax numbers (for natural persons) or the registered names, tax and registration numbers and addresses (for business entities) of security holders and the number of specific securities,
- security references, the number of issued securities and other data on securities from the central register of book-entry securities.

(8) From the public procurement portal referred to in point 7 of paragraph one of this Article, the Commission shall obtain data from notifications published by public contracting authorities with regard to the conduct of public procurement procedures, concessions and public-private partnerships and concluded contracts, including links to the content of such contracts.

(9) From the records referred to in point 8 of paragraph one of this Article, the Commission shall obtain data on cash transactions and transfers to high-risk countries published on the basis of the act governing the prevention of money laundering and terrorist financing.

(10) From the records referred to in point 9 of paragraph one of this Article, the Commission shall obtain the following data:

- the plot number and the cadastral municipality code,
- the building number and the part of building number and the cadastral municipality code,
- the owner, including personal data,
- the controller, including personal data,
- the ownership share,
- any note of public good,
- property rights,
- the plot area,
- the part of building area,
- the address of the building or part of building and
- the type of use of part of building.

(11) From the records referred to in point 10 of paragraph one of this Article, the Commission shall obtain the following data:

- the personal name and address of the contracting party who is a natural person or the company name, registered office and registration number of the contacting party that is a legal person, and the state of establishment and legal form of organisation of the contracting parties,
- the date of the legal transaction and, for lease transactions, the date of the commencement and termination of the lease,
- the type of legal transaction,
- the type of property and, for lease transactions, the type and size of the leased property,
- identification marks of plots, buildings or parts of buildings,
- data on the properties which are the subject of legal transactions,
- the price or the rental price of the properties; and
- other data affecting the price or rental price of the properties.

(12) From the records referred to in point 11 of paragraph one of this Article, the Commission may obtain the data if an Act designates such data as public and if no special regime is prescribed for accessing or using such data.

(13) When the Commission obtains data on a legal or natural person from existing personal data records, it shall not be obliged to inform the data subject thereof. The individual's right to access their own personal data shall be exercised directly with the controller of the filing system referred to in paragraph one of this Article. At the Commission's request, the controllers shall be obliged to provide the data it needs to perform the tasks under this Act. The Commission shall reach an agreement with specific controllers about the manner of providing and reporting changes to previously provided data, particularly any changes to data published under the following Article.

(14) The provisions of this Article shall not apply to data protected under the provisions of the act governing confidential data.

(15) Natural persons shall be identified by their tax number, EMŠO or current account, business entities shall be defined by their tax number, registration number or current account, budget users shall be identified by the budget user code, their tax number, registration number or current account, e-invoices shall be identified by the e-invoice identifier, and properties shall be identified by the property identification mark. In linking databases, the Commission may also use other identifiers contained in specific filing systems.

(16) The Commission may obtain the data referred to in this Article directly from the controllers of filing systems referred to in paragraph one of this Article for the past 10 years.

Article 75b **(Publication of data on the cash flows of public sector entities)**

(1) In order to ensure the transparency of the use of public funding and financial assets of public sector business entities, to strengthen integrity and limit corruption risks and ensure public oversight of the prudent use of public funding, the Commission shall publish the data referred to in the preceding Article on its website under the conditions provided in this Article.

(2) The data referred to in paragraphs four, six, eight, nine and twelve of the preceding Article shall be published in full.

(3) The data referred to in paragraph two of the preceding Article pertaining to the current account, address and tax number of a payee who is a natural person shall not be published. Furthermore, the data pertaining to the payee's personal name and the purpose of the transaction shall not be published, unless the code of purpose indicates that the payment refers to donation, sponsorship or advisory contracts or other copyright or other intellectual services and transactions exceeding the monthly gross salary of the President of the Republic.

(4) The data referred to in paragraph three of the preceding Article pertaining to the description of the business event shall not be published, unless the code of purpose of the transaction to which the entry refers indicates that the business event pertains to donation, sponsorship or advisory contracts or other copyright or other intellectual services and transactions exceeding the monthly gross salary of the President of the Republic.

(5) The data referred to in paragraph five of the preceding Article shall only be published if they are published by Ajpes in accordance with an Act and in the manner or with restrictions prescribed by the relevant Act.

(6) Furthermore, the data referred to in paragraph seven of the preceding Article pertaining to the tax numbers of natural persons shall not be published; the same shall apply to the personal names of natural persons whose ownership shares in the securities of a specific entity do not exceed five percent.

(7) The online publication of and search for the personal data of a specific company member, founder, representative, supervisory board member, holder or actual owner shall be subject to the limitations prescribed by the act governing the register of companies, the act governing the business register and the act governing the prevention of money laundering and terrorist financing.

(8) The personal data referred to in paragraph ten of the preceding Article pertaining to natural persons shall not be published.

(9) The personal data referred to in paragraph eleven of the preceding Article pertaining to natural persons shall not be published.

(10) The data from the records of assets referred to in paragraph two of Article 46 of this Act, the records of contacts with lobbyists referred to in paragraph two of Article 68 of this Act and the records of business entities referred to in Article 35 of this Act shall be published.

(11) The Commission shall update and publish the data made publicly available under this Article on a regular basis. If a mistake is discovered in the published data kept by the Commission, a correction of such data and an official note of this correction shall be published.

(12) A person with a justified legal interest may request the correction of a mistake in the published data kept by the Commission. The Commission shall issue a decision on the correction in accordance with the act governing the general administrative procedure. If the Commission grants the request in full, it shall make an official note of this. If the request is rejected, the person may request that their explanation about the challenged data, the Commission's decision and other relevant documents be published alongside the challenged data. No appeal shall be allowed against the Commission's decision.

(13) The Commission shall store and ensure the accessibility of data for ten years from its publication. The data from transaction records older than 10 years shall be handed over to the Archives of the Republic of Slovenia and removed from the Commission's website. The data published by the Commission shall also be available in a machine-readable form, together with the metadata defining their structure and enabling simple reuse. The data published on the website, except for the data referred to in paragraphs five, six and nine of this Article, shall also be published on the national open data portal.

(14) Notwithstanding the provisions of the act governing access to public information, the data referred to in the preceding Article shall be available for reuse to applicants upon their request only from the controller of the filing system referred to in paragraph one of the preceding Article.

Article 76

(Data records and the storage period)

(1) The Commission shall store the data, information and documents obtained pursuant to this Act for a period of ten years. The documents shall be treated in accordance with regulations governing the protection of documents.

- (2) The Commission shall keep the following data records:
- a record of reported suspicions of corruption and violations of this Act containing the name, surname and address of the permanent or temporary residence of the reporting person and of the reported person and other data relating to the prevention and investigation of reported acts of corruption for the purposes of establishing instances of corruption and exercising the powers of the Commission and other state bodies in the prevention of corruption,
 - a record of holders of public office, officials in a managerial position, managers and persons responsible for public procurement referred to in Article 4 of this Act (personal name, EMŠO, tax ID, office or position, and address of permanent residence) for the purposes of establishing persons with obligations and their identities, verifying data and decision-making under this Act,
 - a record of cases involving international corruption in accordance with indent eight of paragraph one of Article 12 of this Act (personal name of the suspected, accused, charged or convicted person, EMŠO, the type of criminal offence and the manner in which the case was concluded) for the purposes of establishing the causes of international corruption, drawing up measures, reporting to international organisations, detecting cases of international corruption in accordance with the powers under this Act and cooperating with other competent state bodies,
 - a record of cases involving the protection of persons who report acts of corruption referred to in paragraphs four, five and six of Article 23 of this Act (personal name of the reporting person or their pseudonym, any decision on whether the report has been made in good faith and a record of whether the protection of the reporting person or their family members has been secured under the act governing witness protection) for the purposes of implementing the protection of persons who report acts of corruption, monitoring the effectiveness of the protection provided and offering assistance to reporting persons,
 - a record of cases involving the protection of official persons who are requested to engage in the illegal or unethical conduct referred to in Article 24 of this Act (personal name of the reporting person, personal name of the person who is requesting the illegal or unethical conduct, name of the body and the list of instructions issued by the Commission on further action to be taken) for the purposes of implementing the protection of official persons, monitoring the effectiveness of protection and offering assistance to official persons,
 - a record of the existence of a causal link referred to in paragraph three of Article 25 of this Act and a record of requests for transfer referred to in paragraph four of Article 25 of this Act (personal name of the reporting person, personal name of the person who requests illegal or unethical conduct, name of the body, and content of the assessment or the request for transfer) for the purposes of establishing the existence of retaliatory measures, taking action against retaliatory measures and monitoring the effectiveness of the measures taken by the Commission,
 - a record of the gift lists referred to in paragraph six of Article 30 of this Act (name of the body that accepted a gift, personal name of the person who was given the gift and their office, position or post, and the type of gift) for the purposes of establishing and deciding on violations of the prohibition of and restrictions with regard to the acceptance of gifts and the Commission exercising supervision over the management and publication of gift lists,
 - a record of business entities referred to in Article 35 of this Act (personal name of the official person, EMŠO, address of permanent residence, public sector body or organisation in which they hold office, the start and end dates of the restriction, the name, registered office, registration and tax ID number of the business entity, the

- manner of participation of the public office holder or their family members in the business entity),
- a record of the official persons and persons referred to in paragraph two of Article 40 of this Act appointed as external members by a public sector entity, with regard to whom the Commission has established the existence of a conflict of interest under paragraph five of Article 38 and paragraph two of Article 39 of this Act (personal name, office, position or post or membership data, address of permanent residence, content of the Commission's decision) for the purpose of establishing and deciding on conflicts of interest, and cooperating with the competent bodies,
 - a record of persons with obligations referred to in paragraph one of Article 41 containing the data referred to in paragraphs one and two of Article 42 of this Act, with data on assets kept separately, for the purposes of determining the persons with obligations and their identities, verifying data and decision-making under this Act, publishing information, and exercising the powers of the Commission and other state bodies in the prevention of corruption,
 - a record of cases involving a disproportionate increase in assets referred to in Article 44a of this Act (the personal names, offices or positions of persons with obligations referred to in paragraph one of Article 41 of this Act, the list of notifications referred to in paragraph one of Article 45 of this Act, the list of notifications referred to in paragraph two of Article 45 of this Act, the list of decisions taken referred to in paragraph six of Article 44a of this Act, and the list of measures taken referred to in paragraph seven of Article 44a of this Act) for the purposes of establishing the assets of persons with obligations, deciding on violations and cooperating with the competent state bodies,
 - a record of persons referred to in indent two of paragraph three of Article 47 of this Act (personal name, post and body) for the purposes of an effective implementation of the integrity plan and the training of persons responsible for the integrity plan,
 - a record of holders of public office with regard to whom the Commission proposed that they be called to account owing to their failure to implement the measures contained in the resolution (paragraph three of Article 53 of this Act), which contains the information referred to in indent one of this paragraph, for the purposes of implementing the resolution and proposing measures in the event that the measures contained in the resolution are not implemented,
 - a record/register of lobbyists containing information referred to in paragraph three of Article 58 of this Act for the purposes of ensuring the legality of and establishing, deciding on and supervising lobbying activities,
 - a record of the sole traders, companies or interest groups for which lobbyists carry out lobbying activities (name and tax ID number) referred to in Article 58 of this Act for the purposes of ensuring the legality of and establishing, deciding on and supervising lobbying activities,
 - a record of lobbying contacts referred to in Article 68 of this Act (the name and surname, position or office of the person lobbied, the name of the body, political party, deputy group or institution, date of contact, area and interest group on behalf of which the lobbyist lobbied, the purpose and aim of lobbying, the name and surname and tax ID number of the lobbyist entered in the register of lobbyists in the Republic of Slovenia, the legal representative or elected representative of the interest group) for the purposes of supervising lobbying and strengthening the transparency of influences on decision-making in the public sector; the record kept by the Commission in electronic form shall be publicly available,
 - a record of the sanctions imposed on lobbyists referred to in Articles 73 and 74 of this Act (personal name of the lobbyist, tax ID number, type of violation and type of sanction) for the purposes of ensuring the legality and transparency of lobbying and the security of legal transactions, monitoring of causes and violations and the drawing up of measures.

(3) The data from the record of lobbying contacts shall represent available information of a public nature published by the Commission on its website; provided that the source is indicated, the data shall be available for free and unlimited reuse.

X. PENALTY PROVISIONS

Article 77 (Minor offences by natural persons)

(1) An individual shall be fined from EUR 400 to EUR 1,200 for the minor offences of:

- in contravention of the provision of paragraph six of Article 15a of this Act, failing to respond to an interview at a session of the Commission without a valid reason or, in contravention of the provision of indent two of paragraph three of Article 15b of this Act, failing to respond to the questions posed by the Commission within its remit, with the exception of the cases referred to in indent three of paragraph three of Article 15b of this Act,
- in contravention of the provision of paragraph two of Article 16a of this Act, disclosing or publishing data or information which they have obtained or become familiar with during the course of or in connection with the performance of their work for the Commission, or communicating this data or information to unauthorised third parties, without the prior written consent of the Commission,
- in contravention of the provision of paragraph four of Article 23 of this Act, attempting to establish the identity of the reporting person who has made the report in good faith or have reasonably believed that their information is true;
- in contravention of the provision of paragraph two of Article 26, failing to inform the Commission that they are carrying out a professional or other activity,
- in contravention of the provision of paragraph three of Article 26 of this Act, failing to comply with the Commission's decision on the prohibition of the performance of an additional activity or with the conditions or restrictions imposed on them by the Commission's decision,
- in contravention of the provisions of Article 30 of this Act, accepting a gift in connection with the discharge of their office duties or public service or in connection with their position,
- in contravention of the provision of paragraph six of Article 35 of this Act, failing to communicate data to the public sector body or organisation in which they hold office,
- in contravention of the provision of paragraph one of Article 36 of this Act, acting as a representative of a legal person that has established or is about to establish business contacts with a public sector body or organisation within two years of the termination of their term of office at the latter,
- in contravention of the provision of paragraph one of Article 38 of this Act, failing to exclude themselves from the consideration of and decision on the matter and notifying their superior or the person in charge thereof in writing or, in contravention of the provision of paragraph five of Article 38 of this Act, failing to notify the Commission,
- in contravention of the provisions of paragraphs two and three of Article 41 of this Act, failing to communicate information on their assets to the Commission,
- failing to provide the necessary data, or providing false data, in the declaration of assets referred to in Articles 42 and 43 of this Act or its supplements,
- in contravention of the provision of paragraph one of Article 43 of this Act, failing to communicate data changes to the Commission,
- in contravention of the provision of paragraph three of Article 56 of this Act, carrying out lobbying activities before two years have elapsed from the date of termination of their office,

- performing lobbying activities despite not being entered in the register of lobbyists in accordance with paragraph one of Article 58 of this Act and being exempt from the obligation to register under paragraph four of Article 58 of this Act,
- in their capacity as a lobbied person, failing to provide the Commission with a record of lobbying under paragraph two of Article 68 of this Act,
- in contravention of the provision of paragraph five of Article 68 of this Act, failing to supplement the record of lobbying within eight days,
- in contravention of the provision of Article 69 of this Act, in their capacity as a lobbied person, failing to refuse contact with a lobbyist who is not entered in the register of lobbyists or contact where a conflict of interest would arise,
- in contravention of the provision of paragraph three of Article 70 of this Act, failing to comply with regulations on the prohibition of the acceptance of gifts in connection with the discharge of the duties of the office or public duties of the persons lobbied,
- in their capacity as a lobbied person, failing to report to the Commission, within the time limit referred to in paragraph one of Article 71 of this Act, a lobbyist who acts in contravention of Article 70 of this Act or is not entered into the register of lobbyists in accordance with Article 58 of this Act.

(2) An individual shall be fined from EUR 1,000 to EUR 2,000 for the minor offences of:

- in contravention of the provision of paragraph four of Article 23 of this Act, disclosing the identity of the reporting person who has made the report in good faith or have reasonably believed that their information is true or making a malicious report,
- in contravention of the provision of paragraph five of Article 26 of this Act, failing to cease to perform a professional or other activity after the decision made on revocation of permission has become final,
- in contravention of the provision of paragraph one of Article 29 of this Act, failing to cease to hold an incompatible office, perform an incompatible activity or revoke their membership within the time limit prescribed by the Commission,
- carries out lobbying activities in contravention of Article 70 of this Act.

(3) A responsible person of a public sector body or organisation shall be fined from EUR 400 to EUR 4,000 for the minor offence of:

- in contravention the provisions of paragraphs two and five of Article 14 of this Act, failing to include the content referred to in paragraph one of Article 14 of this Act in a contract concluded by a public sector body or organisation,
- after being notified by the Commission or other bodies of the alleged existence of the facts referred to in paragraph one of Article 14 of this Act, in contravention of paragraph three of Article 14 of this Act, failing to initiate a procedure for establishing the nullity of the contract or to take other appropriate measures in accordance with the regulations of the Republic of Slovenia,
- in contravention of the provision of paragraph four of Article 14 of this Act, failing to provide the Commission with the requested contracts and documents,
- in contravention with the provision of paragraph six of Article 14 of this Act, failing to obtain a statement or data on the participation of natural and legal persons in the ownership of the bidder, including the participation of silent partners, and on economic operators which are considered to be affiliated with the bidder according to the provisions of the act governing companies, or, in contravention of the provision of paragraph six of Article 14 of this Act, failing to provide the Commission with this statement upon request.

(4) A responsible person of a state body or local community body, holder of public authority, legal person governed by public or private law, or sole trader or self-employed person shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of the provision of paragraph one of Article 16 of this Act, failing to submit to the Commission

free of charge any data, including personal data, and documents required by the Commission to perform its statutory tasks.

(5) A responsible person of a public sector entity shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of the provision of paragraph three of Article 16 of this Act, failing to enable the Commission to access data and documents that the entity has at its disposal or failing to submit an extract or copy of such data and documents to the Commission.

(6) A responsible person of a state body, local community body, holder of public authority, or legal person governed by public or private law shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of the provision of paragraph four of Article 23 of this Act, initiating a procedure for the establishment or disclosure of the identity of the reporting person due to the report having been filed by this person.

(7) A responsible person of a state body, local community, holder of public authority, or other legal person governed by public or private law shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of the provision of paragraph one of Article 25 of this Act, acting in a manner that has adverse consequences for the reporting person or exposing the reporting person to retaliatory measures.

(8) A responsible person of a state body, local community body, holder of public authority, or other legal person governed by public or private law shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of the provision of paragraph one of Article 25 of this Act, failing to immediately cease imposing retaliatory measures.

(9) A responsible person of a state body, local community, holder of public authority, or other legal person governed by public or private law shall be fined from EUR 400 to EUR 4,000 for the minor offence of failing to transfer a public employee to another equivalent position without justification in contravention of paragraph four of Article 25 of this Act within the time limit from paragraph six of Article 25 of this Act.

(10) A responsible person of a public sector entity shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of paragraph six of Article 30 of this Act, failing to submit a list of the gifts received by the Commission.

(11) A responsible person of a public sector body or organisation or a smaller part of a municipality shall be fined from EUR 400 to EUR 4,000 for the minor offence of acting in contravention of paragraphs one, two or four of Article 35 of this Act.

(12) A responsible person of a public sector body or organisation in which the former official held office shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of the provision of paragraph two of Article 36 of this Act, doing business with the former official as a natural person or their business entity.

(13) A responsible person of a public sector body or organisation in which the official held office shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of the provision of paragraph three of Article 36 of this Act, failing to notify the Commission of conduct by the official referred to in paragraph one of Article 36 of this Act.

(14) A responsible person of a public sector body or organisation shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of paragraph two of Article 38 of this Act, failing to exclude the official person from the consideration of and decision on the matter or failing to submit to the Commission, pursuant to paragraph four of

Article 38 of this Act, the decision reached, indicating that the official person may continue work on the matter.

(15) A responsible person of a public sector body or organisation or contracting authority shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of paragraph four of Article 41 of this Act, failing to submit a list of persons with obligations to the Commission.

(16) A responsible person of an entity obliged to draw up integrity plans shall be fined from EUR 400 to EUR 4,000 for the minor offence of acting in contravention of paragraph one or two of Article 47 of this Act or, following the Commission's conclusions pursuant to paragraph two of Article 48 of this Act, failing to implement the integrity plan.

(17) A responsible person of a state body, local community body or organisation vested with public authority as an authority responsible for the implementation of measures contained in the action plan for the implementation of the resolution shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of paragraph one of Article 53 of this Act, failing to report to the Commission on activities undertaken to implement these measures.

Article 78 (Offences by legal persons)

An organisation vested with public authority or other legal person governed by public or private law shall be fined from EUR 400 to EUR 100,000 for the minor offences referred to in paragraphs three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen of Article 77 of this Act.

Article 79 (Offences by an interest group)

(1) An interest group for which an individual who, in contravention of Article 58 of this Act, is not registered as a lobbyist but carries out lobbying activities with the full knowledge of the interest group shall be fined from EUR 400 to EUR 100,000.

(2) An interest group shall be fined from EUR 400 to EUR 100,000 for the minor offence of, in contravention of the provision of paragraph three of Article 63 of this Act, failing to provide the Commission with a written report.

(3) An interest group shall be fined from EUR 400 to EUR 100,000 for the minor offence of ordering a lobbyist to lobby in contravention of Article 70 of this Act.

Article 80 (Exercising supervision)

(1) The Commission shall be responsible for the implementation and supervision of the implementation of the provisions of this Act.

(2) The fines laid down in this Act may also be imposed in an expedited procedure in an amount higher than the minimum amount of the fine prescribed but shall not exceed the maximum fines prescribed for minor offences under this Act.

"XI. TRANSITIONAL AND FINAL PROVISIONS

Article 81

(Powers of the Commission for the Prevention of Corruption for the remainder of the term of office of members)

(1) Under the Prevention of Corruption Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 2/14, 20/16 – ZNOJF-1 and 33/17 – Constitutional Court Decision; hereinafter: the Prevention of Corruption Act), the Chief, deputy and members of the Commission for the Prevention of Corruption shall continue their work in accordance with the tasks and powers of the members of the Commission under this Act until the Chief Commissioner and two deputies are appointed and take up duties under this Act.

(2) The Chief, deputy and members of the Commission for the Prevention of Corruption shall make decisions by way of a majority vote of all its members in accordance with the Prevention of Corruption Act.

Article 82

(Prohibition of reappointment)

The Chief Commissioner, Deputy Commissioners and members of the Commission appointed under the Prevention of Corruption Act may not be reappointed to office in the Commission after the expiry of their term of office referred to in paragraph one of the preceding Article.

Article 83

(Termination of membership, activity or office and restrictions on business activities)

(1) Holders of public office who, on the date of the entry into force of this Act, hold an office or perform an activity that is incompatible with their office under Article 26 or 27 of this Act shall act in accordance with paragraph one of Article 28 of this Act within two months of the entry into force thereof.

(2) Holders of public office who are members of bodies in contravention of Article 27 of this Act on the date of the entry into force of this Act shall act in accordance with paragraph two of Article 28 of this Act within two months of the entry into force thereof.

(3) Paragraph three of Article 27 shall not apply to non-professional mayors and deputy mayors until the expiry of their term of office in entities referred to in paragraph one of Article 27 of this Act.

(4) Contracts concluded by contracting authorities prior to the entry into force of this Act shall remain valid until the expiry of the contractual deadline notwithstanding the provisions of paragraph one of Article 35. If a public procurement procedure is being conducted on the date of the entry into force of this Act and involves a bidder with which the contracting authority may not do business in accordance with paragraphs one and two of Article 35 thereof, the bidder shall withdraw its tender within five days of its entry into force.

Article 84

(Completion of procedures)

(1) The proceedings initiated under the Prevention of Corruption Act shall be completed in accordance with its provisions.

(2) A proceeding for the appointment of the Chief, deputy and new members of the Commission that has already been initiated under the Prevention of Corruption Act shall cease as of the date of the entry into force of this Act.

(3) In the case referred to in the preceding paragraph, the President of the Republic shall initiate a procedure for the appointment of the Commission's officials within seven days of the entry into force of this Act by calling on the proposers of members of the selection committee to appoint their members and by issuing a public call in accordance with Article 9 of this Act. At the same time, the President of the Republic shall call on the proposers of possible candidates who have submitted their proposals in accordance with the call under the Prevention of Corruption Act referred to in the preceding paragraph to state whether, taking into account the conditions laid down in this Act, their proposal is considered a candidacy under Article 9 of this Act. The procedure shall continue in accordance with the provisions of this Act that regulate the procedure for the appointment of the Commission's officials.

Article 85
(Establishment of records)

The Commission shall establish or reconcile data records under this Act no later than within six months of its entry into force.

Article 86
(Time limits for actions)

(1) Those persons with obligations referred to in Article 41 of this Act who have not yet declared their assets shall for the first time declare said assets within 75 days of the entry into force thereof.

(2) The responsible persons referred to in paragraph two of Article 56 of this Act shall send their report referred to in Article 63 of this Act to the Commission after one year has elapsed since its entry into force.

(3) An employer that employs the persons with obligations referred to in Article 41 of this Act shall for the first time submit the lists of these persons to the Commission within 30 days of its entry into force.

(4) The integrity plans referred to in paragraph one of Article 47 of this Act shall be adopted no later than within two years of its entry into force.

Article 87
(Guidelines for integrity plans)

The Commission shall produce guidelines for drawing up integrity plans, checking their functioning and assessing integrity, and publish them on its website within three months of the entry into force of this Act.

Article 88
(Implementing regulations)

(1) The following implementing regulations adopted pursuant to the Prevention of Corruption Act shall continue to apply, unless they are contrary to the provisions of this Act:

- Rules of Procedure of the Commission for the Prevention of Corruption (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 105/14), this until the adoption of the Rules of Procedure of the Commission referred to in Article 11 of this Act;
- Rules on the disposal of gifts received by officials (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 17/15), this until the manner in which gifts are handled is defined by the Commission as referred to in paragraph 6 of Article 31 of this Act.

(2) The Commission shall adopt the Rules of Procedure referred to in Article 11 of this Act within 60 days of the entry into force thereof.

(3) The Commission shall adopt the rules on the manner in which gifts are handled, as referred to in paragraph six of Article 31 of this Act, within 30 days of the entry into force thereof.

Article 89 (Expiration of regulations)

(1) As of the date of the entry into force of this Act, the Incompatibility of Holding Public Office with Profitable Activity Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 20/16 and 33/07 – Constitutional Court Decision) shall cease to be in force.

(2) As of the date of the entry into force of this Act, indent four of paragraph two of Article 52 of the Minor Offences Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 3/17 – official consolidated text, 17/08, 20/08 – corr., 76/08 – ZIKS-1C, 108/09 and 109/09 – Constitutional Court Decision) shall cease to be in force in the part relating to minor offences relating to the incompatibility of holding public office with profitable activity.

Article 90 (Entry into force)

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

(2) The provisions of Chapter VII of this Act shall apply six month following the publication in the Official Gazette of the Republic of Slovenia."

The Act amending the Integrity and Prevention of Corruption Act – ZIntPK-A (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. [26/11](#)) contains the following final provision:

"FINAL PROVISION

Article 3

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 Integrity and Prevention of Corruption Act – ZIntPK-B (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. [43/11](#)) amends Article 86 of the Act to read as follows:

"Article 86
(Time limits for actions)

(1) Those persons with obligations referred to in Article 41 of this Act who have not yet declared their assets shall for the first time declare said assets within 75 days of the entry into force thereof.

(2) The responsible persons referred to in paragraph two of Article 56 of this Act shall send their reports referred to in Article 63 of this Act to the Commission after one year has elapsed since its entry into force.

(3) An employer that employs the persons with obligations referred to in Article 41 of this Act shall for the first time submit the lists of these persons to the Commission within 30 days of its entry into force.

(4) The integrity plans referred to in paragraph one of Article 47 of this Act shall be adopted by no later than two years after the entry into force of this Act.

(5) A fine of between EUR 400 and EUR 4,000 shall be imposed on a responsible person of a body or organisation referred to in paragraphs one and two of Article 47 which, in contravention of Article 47 of this Act, fails to draw up and adopt the integrity plan within the time limit specified in the preceding paragraph.";

it also includes the following transitional and final provisions:

"TRANSITIONAL AND FINAL PROVISIONS

Article 30
(Reporting on restrictions on operation)

Officials shall communicate the name, registration number and head office of entities with which they or their family members have a relationship as specified in paragraph one of Article 35 of this Act for the first time to the body in which they hold office within 30 days of the entry into force of this Act.

Article 31
(Declaring assets)

(1) Communicating data on assets by means of the electronic form referred to in paragraph four of Article 41 shall be made possible by no later than 1 July 2011.

(2) Professional officials, non-professional mayors and deputy mayors, high-ranking civil servants, managers, persons responsible for public procurement, and citizens of the Republic of Slovenia who hold office in EU institutions, other EU bodies and other

international institutions to which they have been appointed or elected on the basis of secondment or the proposal from the Government or the National Assembly and whose obligation to declare their assets is not otherwise regulated by documents of EU institutions, EU bodies and other international institutions for which they perform duties of the office and who will assume office or take up work after 1 July 2011, shall declare their assets by means of an electronic form. The civil servants of the National Review Commission shall declare their assets for the first time by means of an electronic form by no later than 31 August 2011.

(3) Professional officials, non-professional mayors and deputy mayors, high-ranking civil servants, managers, persons responsible for public procurement, and citizens of the Republic of Slovenia who hold office in EU institutions, other EU bodies and other international institutions to which they have been appointed or elected on the basis of secondment or the proposal from the Government or the National Assembly and whose obligation to declare their assets is not otherwise regulated by documents of EU institutions, EU bodies and other international institutions for which they perform the duties of their office and who declared their assets or communicated any changes thereof before 1 July 2011, shall declare their assets by completing an electronic form by no later than 31 January 2012. When declaring assets by means of an electronic form for the first time, the person with obligations shall complete the electronic form in full and provide information on all their assets.

(4) A fine of between EUR 400 and EUR 1,200 shall be imposed on an individual who, as a person with obligations, fails to communicate data on their assets to the Commission, in contravention of paragraphs two and three of this Article.

Article 32
(Entry into force)

This Act shall enter into force on the day following its publication in the Official Gazette of the Republic of Slovenia, with the exception of the first sentence of paragraph two of Article 23 of this Act, which shall take effect on 1 January 2013."

The Act amending the Integrity and Prevention of Corruption Act – ZIntPK-C (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. [158/20](#)) contains the following transitional and final provisions:

"TRANSITIONAL AND FINAL PROVISIONS

Article 39
(Commission's Rules of Procedure)

The Commission shall adopt the Rules of Procedure referred to in paragraph eleven of the amended Article 11 of the Act within six months of the entry into force of this Act.

Article 40
(Rules on the manner in which gifts are handled)

The minister responsible for systemic regulation concerning the limitation of corruption shall adopt the rules on the manner in which gifts are handled, as referred to in paragraph seven of the amended Article 30 of the Act within six months of the entry into force of this Act.

Article 41
(Restrictions on operation)

(1) The public sector bodies or organisations referred to in paragraph seven of the amended Article 35 of this Act shall submit to the Commission the data referred to in paragraph six of the amended Article 35 of this Act via an electronic form within two months of the entry into force of this Act.

(2) A responsible person of a public sector body or organisation shall be fined from EUR 400 to EUR 4,400 for the minor offence of, in contravention of the preceding paragraph, failing to provide the data.

Article 42
(Declaring assets)

(1) Persons with obligations referred to in paragraph one of the amended Article 41 of this Act who, according to the regulations applicable to date, were not obliged to declare their assets to the Commission shall be obliged to declare their assets via an electronic form for the first time within two months of the entry into force of this Act.

(2) An individual with obligations shall be fined from EUR 400 to EUR 1,200 for the minor offence of, in contravention of the preceding paragraph, failing to submit the data on their assets to the Commission.

Article 43
(Obligation to provide information on any change in assets)

Until an electronic application is established, the persons with obligations under paragraphs one and three of the amended Article 41 of this Act shall report to the Commission any change in their personal data and any change in their assets referred to in paragraph one of the amended Article 43 of the Act once a year by 31 January for the previous calendar year.

Article 44
(Establishment of the information system for the publication of data)

(1) Within one year of the entry into force of this Act, the Commission shall establish an information system for the purpose of publishing the data of persons with obligations referred to in paragraph one of the amended Article 46 of this Act.

(2) Persons with obligations referred to in paragraph one of the amended Article 46 of this Act shall declare their assets by filling out an electronic form within two months of the establishment of the information system referred to in the preceding paragraph.

(3) An individual with obligations shall be fined from EUR 400 to EUR 1,200 for the minor offence of, in contravention of the preceding paragraph, failing to submit the data on their assets to the Commission.

Article 45
(Establishment of records)

The Commission shall establish or reconcile data records under this Act within six months of the entry into force of this Act.

Article 46
(Financing of non-profit private sector organisations)

The Commission shall assume the obligation referred to in paragraph two of the amended Article 17 of this Act with the beginning of the financial year following the entry into force of this Act.

Article 47
(Completion of procedures)

Procedures initiated pursuant to the Integrity and Prevention of Corruption Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 69/11 – official consolidated version) shall be completed in accordance with the provisions of this Act.

Article 48
(End of validity and application of regulations)

- (1) On the day this Act enters into force, the following shall cease to be in force:
- Article 38a of the Companies Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 65/09 – official consolidated version, 33/11, 91/11, 32/12, 57/12, 44/13 – Constitutional Court Decision, 82/13, 55/15, 15/17 and 22/19 – ZPosS) if it pertains to managers and members of the management and supervisory boards of companies in which the state or local communities are the controlling shareholders or have a prevailing influence;
 - Article 11 of the Public Employees Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 63/07 – official consolidated version, 65/08, 69/08 – ZTFI-A, 69/08 – ZZavar-E and 40/12 – ZUJF), the Decree on restrictions and duties of public employees as regards acceptance of gifts (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 58/03 and 56/15) and the Rules on restrictions and duties of public office holders as regards acceptance of gifts (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 53/10 and 73/10), which shall apply until the determination of the manner in which the gifts referred to in paragraph seven of Article 30 of this Act are handled, provided they do not contravene this Act.

(2) As of the day of entry into force of this Act, point 8 of paragraph two of Article 123 of the Public Employees Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 63/07 – official consolidated version, 65/08, 69/08 – ZTFI-A, 69/08 – ZZavar-E and 40/12 – ZUJF) shall cease to be valid.

Article 49
(Entry into force)

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