

60. Zakon o ratifikaciji Pridružitvenega sporazuma med Vlado Republike Slovenije in Evropsko vesoljsko agencijo (MPSEVA)

Na podlagi druge alinee prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z

o razglasitvi Zakona o ratifikaciji Pridružitvenega sporazuma med Vlado Republike Slovenije in Evropsko vesoljsko agencijo (MPSEVA)

Razglašam Zakon o ratifikaciji Pridružitvenega sporazuma med Vlado Republike Slovenije in Evropsko vesoljsko agencijo (MPSEVA), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 20. oktobra 2016.

Št. 003-02-8/2016-6

Ljubljana, dne 28. oktobra 2016

Borut Pahor l.r.
Predsednik
Republike Slovenije

Z A K O N

O RATIFIKACIJI PRIDRUŽITVENEGA SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN EVROPSKO VESOLJSKO AGENCIJO (MPSEVA)

1. člen

Ratificira se Pridružitveni sporazum med Vlado Republike Slovenije in Evropsko vesoljsko agencijo, sklenjen v Parizu 5. julija 2016.

2. člen

Sporazum se v izvorniku v angleškem jeziku in prevodu v slovenskem jeziku glasi:

**Association Agreement
Between
The Government of the Republic of Slovenia
And
The European Space Agency**

The Government of the Republic of Slovenia (hereinafter referred to as "Slovenija")

And

the European Space Agency (hereinafter referred to as "The Agency") established by the Convention opened for signature in Paris on 30 May 1975 (hereinafter referred to as "the Convention"),

also referred to below individually as a Party, or collectively as the Parties,

RECALLING that the purpose of the Agency is to provide for and to promote, for exclusively peaceful purposes, cooperation among European States in space research and technology and their space applications,

NOTING that space has become a significant factor in technological, economic, scientific and cultural development,

**Pridružitveni sporazum
med
Vlado Republike Slovenije
in
Evropsko vesoljsko agencijo**

Vlada Republike Slovenije (v nadaljnjem besedilu: Slovenija)

in

Evropska vesoljska agencija (v nadaljnjem besedilu: agencija), ustanovljena s konvencijo, ki je bila na voljo za podpis v Parizu 30. maja 1975 (v nadaljnjem besedilu: konvencija),

imenovani posamično kot »pogodbenica« in skupno kot »pogodbenici«, sta se

OB POUČENJU, da je namen agencije izključno v miroljubne namene omogočati ter spodbujati sodelovanje med evropskimi državami na področju vesoljskih raziskav in vesoljske tehnologije ter njihove uporabe v vesolju,

OB UGOTOVITVI, da je vesolje postalo pomemben dejavnik v tehnološkem, gospodarskem, znanstvenem in kulturnem razvoju,

CONVINCED of the benefits of sustaining and enhancing the level of international cooperation in space activities generally for exclusively peaceful purposes,

DESIRING to establish the foundation of mutually beneficial cooperation and noting the value of the potential that Slovenia can add to that of the Agency,

HAVING REGARD to the results of the cooperation achieved under the Cooperation Agreement between the Parties signed on 28 May 2008 and entered into force on 23 February 2009,

HAVING REGARD to the European Cooperating State (ECS) Agreement between the Parties signed on 22 January 2010 and which entered into force on 30 November 2010 and HAVING REGARD to its subsequent extension,

CONSIDERING that Slovenia is, since 1 May 2004, a Member of the European Union and is thereby associated to the definition of an overall European Space Policy and is also participating with full rights and obligations, in the EU Copernicus and Galileo programmes,

HAVING REGARD to the Resolution on the European Space Policy adopted by the ESA Council meeting on 22 May 2007 (ESA/C/CXCIV/Res.1 (Final)),

TAKING INTO CONSIDERATION the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, done on 27 January 1967, and other multilateral agreements on the exploration and use of outer space to which Member States of the Agency are parties and which the Agency has accepted,

CONSIDERING Slovenia's request to cooperate with the Agency and the acceptance by the Council of the Agency (hereinafter referred to as "Council") of this request in accordance with Article XIV.3 of the Convention,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

1. Slovenia hereby becomes an associate Member of the Agency.

2. Slovenia agrees that, at all levels of its cooperation with the Agency as associate Member, it will act in conformity with the purpose to which the Agency is dedicated, in particular the exploration and utilisation of space for exclusively peaceful purposes.

ARTICLE 2

1. Slovenia shall benefit, subject to other provisions of this Agreement, from activities executed under the Agency's general budget. Participation by Slovenia in the Agency's basic technology research programme (TRP) is not, however, a matter within the scope of the cooperation relationship established by this Agreement.

2. Slovenia may participate in further parts of the Agency's activities and programmes or operational activities by providing experiments or observation facilities pursuant to the conditions established in Article 7 below.

ARTICLE 3

1. Slovenia shall contribute annually to the Agency's basic activities expenditure under the General Budget. This contribution shall represent 70% of its contribution level shown in the scale calculated on the basis used for the Member States of the Agency and adopted in accordance with Article XIII.1 of the Agency's Convention. An amount representing half of the latter contribution shall be used by the Agency to foster and manage Slovenia's participation in the Agency activities as an associate Member. For avoidance of doubt, Slovenia's contribution referred to in this paragraph shall start accruing on a time proportional basis from the date of entry into force of this Agreement pursuant to Article 15 below.

PREPRIČANI o prednostih ohranjanja in krepitev ravni mednarodnega sodelovanja pri vesoljskih dejavnostih na splošno v izključno miroljubne namene,

V ŽELJI, da se vzpostavijo temelji vzajemnega koristnega sodelovanja, ob upoštevanju pomena potenciala, ki ga Slovenija lahko doda potencialu agencije,

OB UPOŠTEVANJU dosežkov sodelovanja na podlagi sporazuma o sodelovanju, ki sta ga pogodbenici podpisali 28. maja 2008 in je začel veljati 23. februarja 2009,

OB UPOŠTEVANJU Sporazuma evropske sodelujoče države (ECS), ki sta ga pogodbenici podpisali 22. januarja 2010 in je začel veljati 30. novembra 2010, in OB UPOŠTEVANJU njegove nadaljnje širitve,

GLEDE NA TO, da je Slovenija od 1. maja 2004 članica Evropske unije in se tako pridružuje opredelitvi celovite evropske vesoljske politike ter z vsemi pravicami in obveznostmi sodeluje tudi pri programih EU Copernicus in Galileo,

OB UPOŠTEVANJU Resolucije o evropski vesoljski politiki, ki je bila sprejeta na zasedanju sveta Evropske vesoljske agencije 22. maja 2007 (ESA/C/CXCIV/Res. 1 (final)),

OB UPOŠTEVANJU določb Pogodbe o načelih, ki urejajo dejavnosti držav pri raziskovanju in uporabi vesolja, vključno z Luno in drugimi nebesnimi telesi, z dne 27. januarja 1967 ter drugih večstranskih sporazumov o raziskovanju in uporabi vesolja, katerih pogodbenice so države članice agencije in ki jih je agencija sprejela,

OB UPOŠTEVANJU zahteve Slovenije, da sodeluje z agencijo, in sprejetjem te zahteve s strani sveta agencije (v nadaljnjem besedilu: svet) v skladu s tretjim odstavkom XIV. člena konvencije

DOGOVORILI:

1. ČLEN

1. Slovenija postane s tem sporazumom pridružena članica agencije.

2. Slovenija se strinja, da bo na vseh ravneh sodelovanja z agencijo kot pridružena članica delovala v skladu s cilji, za katere s zavzema agencija, zlasti raziskovanje in uporaba vesolja v izključno miroljubne namene.

2. ČLEN

1. Slovenija ima v skladu z drugimi določbami tega sporazuma koristi od dejavnosti, ki se izvajajo v okviru splošnega proračuna agencije. Vendar pa sodelovanje Slovenije v osnovnem programu tehnoloških raziskav agencije (TRP) ne spada v okvir sodelovanja, ki ga vzpostavlja ta sporazum.

2. Slovenija lahko sodeluje v nadaljnjih delih dejavnosti in programih ali operativnih dejavnostih agencije z zagotavljanjem poskusov ali opazovalnih naprav in objektov v skladu s pogoji, določenimi v 7. členu tega sporazuma.

3. ČLEN

1. Slovenija letno prispeva k stroškom za osnovne dejavnosti agencije v okviru splošnega proračuna agencije. Njen prispevek znaša 70% prispevne stopnje po lestvici, izračunani na osnovi, ki se uporabljajo za države članice agencije, in je bila sprejeta v skladu s prvim odstavkom XIII. člena konvencije agencije. Znesek, ki znaša polovico omenjenega prispevka, uporabi agencija za spodbujanje in upravljanje sodelovanja Slovenije kot pridružene članice v dejavnostih agencije. Da bi se izognili dvomu se prispevek Slovenije iz tega odstavka začne povečevati sorazmerno s časom od dneva začetka veljavnosti tega sporazuma v skladu z njegovim 15. členom.

2. Slovenia shall contribute to the expenditure of the activities and programmes in which it participates, in accordance with the provisions of Article 4 below.

3. Slovenia's contributions as provided for in this Article shall be updated and paid in conformity with the rules and procedures in force in the Agency for all Member States.

ARTICLE 4

For the purpose of the execution of each Agency optional programme for which the respective Member States concerned have unanimously approved Slovenia's participation, Slovenia shall from the date of that approval have the rights and obligations of a Participating State as set forth in the Declaration concerning the programme in question, in the applicable implementing rules and in any other decisions governing the execution of said programme. In particular, Slovenia shall contribute to cover the expenditure resulting from the execution of said programme in accordance with the provisions of the Declaration and of any subsequent revision of that Declaration by the Participating States on the occasion of meetings of the Agency's Council or of the Council's subordinate bodies.

ARTICLE 5

Slovenija shall participate in the meetings of the Agency's delegate bodies in accordance with the following provisions:

(a) Slovenia shall have the right to be represented at open meetings of the Council of the Agency by not more than two delegates, who may be accompanied by advisors. Slovenia shall have the right to vote on questions relating to the activities and programmes in which it participates pursuant to this Agreement, this being in its capacity of Participating State in the case of optional programmes. Slovenia shall not have the right to vote in Council on the General Budget or on matters related to it, but shall have the right to state its opinion and to be heard on other questions.

(b) Slovenia shall have the right to be represented, by not more than two delegates who may be accompanied by advisors, at meetings of the subordinate and advisory bodies of the Agency, competent in any capacity to deal with the activities and programmes in which Slovenia participates. Slovenia shall also have the right to be similarly represented on the Programme Boards of the Agency concerned with those optional programmes in which Slovenia participates pursuant to Article 4 above. Slovenia shall have the right to be heard at the above meetings and to vote, in its capacity of Participating State, on issues relating to those activities and programmes.

(c) For matters of common interest between ESA and the European Union, Slovenia shall be entitled to attend meetings of the Agency's subsidiary bodies as an observer. For other matters, Slovenia may request to be represented in an observer capacity at meetings of any subordinate or advisory body or Programme Board of the Agency which is solely concerned with programmes in which Slovenia does not participate. Such request shall be accepted subject to the unanimous approval of the Agency Member States concerned.

(d) Slovenia may attend Potential Participants' meetings in an observer capacity, in particular meetings dealing with the preparation of programmes related to programmes in which Slovenia participates, unless the Agency Member States concerned decide otherwise.

(e) Slovenia shall not have the right to be represented at the meetings of the Council, of any subordinate bodies or Programme Boards which are held on a restricted basis in accordance with the relevant rules of procedure. However, Slovenia may be authorised by the body concerned, either at Slovenia's request or at the request of one or more Member States, to attend discussions on certain items on the agendas of such meetings, when they involve matters of interest to Slovenia and the Agency, in order to express its opinion.

2. Slovenija prispeva k stroškom za dejavnosti in programe, v katerih sodeluje, v skladu z določbami 4. člena tega sporazuma.

3. Prispevki Slovenije, kot jih določa ta člen, se posodablajo in plačujejo v skladu s pravili in postopki, ki veljajo v agenciji za vse države članice.

4. ČLEN

Za izvedbo vsakega neobveznega programa agencije, za katerega so zadevne države članice soglasno potrdile udeležbo Slovenije, ima Slovenija od dneva te odobritve pravice in obveznosti sodelujoče države, kot je določeno v izjavi glede zadevnega programa, veljavnih pravilih in drugih sklepov, ki urejajo izvajanje omenjenega programa. Zlasti pa Slovenija prispeva h kritju stroškov, ki izhajajo iz izvajanja omenjenega programa v skladu z določbami izjave in katere koli naknadne spremembe te izjave, ki bi jo sprejele sodelujoče države na zasedanjih sveta agencije ali podrejenih teles sveta.

5. ČLEN

Slovenija sodeluje na sestankih delegatskih teles agencije v skladu s temi določbami:

(a) Slovenija ima pravico, da jo na odprtih zasedanjih sveta agencije zastopata največ dva delegata, ki ju lahko spremljajo svetovalci. Slovenija ima pravico glasovati o vprašanih, ki se nanašajo na dejavnosti in programe, v katerih sodeluje v skladu s tem sporazumom, in sicer kot sodelujoča država pri neobveznih programih. Slovenija nima pravice glasovati v svetu o splošnem proračunu ali zadevah, povezanih z njim, lahko pa izrazi svoje mnenje o tem in drugih vprašanih.

(b) Slovenija ima pravico, da jo na sestankih podrejenih in svetovalnih teles agencije zastopata največ dva delegata, ki ju lahko spremljajo svetovalci, ki so v kateri koli vlogi pristojni za dejavnosti in programe, v katerih sodeluje Slovenija. Slovenija ima prav tako pravico, da je podobno zastopana v programskih odborih agencije, ki se ukvarjajo s tistimi neobveznimi programi, v katerih Slovenija sodeluje v skladu s 4. členom tega sporazuma. Slovenija ima kot sodelujoča država na omenjenih sestankih pravico govora in glasovanja o vprašanih, ki se nanašajo na te dejavnosti in programe.

(c) V zadevah, ki so v skupnem interesu ESA in Evropske unije, ima Slovenija pravico, da se udeležuje sestankov podrejenih teles agencije kot opazovalka. V drugih zadevah Slovenija lahko zaprosi, da je kot opazovalka zastopana na sestankih katerega koli podrejenega ali svetovalnega telesa ali programskega odbora agencije, ki obravnava samo programe, pri katerih Slovenija ne sodeluje. Taki prošnji se ugodí, če jo soglasno potrdijo zadevne države članice agencije.

(d) Slovenija se lahko kot opazovalka udeležuje sestankov potencialnih udeležencev, zlasti sestankov o pripravi programov, v katerih sodeluje, razen če zadevne države članice agencije ne odločijo drugače.

(e) Slovenija nima pravice biti zastopana na zaprtih sestankih sveta, katerih koli podrejenih teles ali programskih odborov, ki so v skladu z ustreznim poslovnikom zaprti. Vendar pa se Sloveniji na njeno zahtevo ali zahtevo ene države članice ali več teh lahko odobri udeležba v razpravah o nekaterih točkah dnevnega reda takih sestankov, če te vključujejo vprašanja v interesu Slovenije in agencije, da lahko izrazi svoje mnenje.

ARTICLE 6

Slovenija shall have access, to the same extent as provided to Member States, to information, including contract reports, relating to the activities and programmes in which Slovenia participates.

ARTICLE 7

1. Subject to the terms of Article 6 above and to the prior requirements and obligations of the Agency, Slovenia shall have access on a cost-reimbursable basis to the facilities and services of the Agency for Slovenia national space projects. The methods of calculating costs shall be those applied to the Agency's Member States when utilising the Agency facilities and services for their own space projects. In return, Slovenia shall make available its facilities and services to the Agency and its Member States on favourable terms.

2. In developing its national space potential and in planning for national space missions, Slovenia shall give preference, pursuant to the terms of Article VIII of the Convention, to the use of European space transportation systems, and of facilities, products and services belonging to, or developed or operated under the auspices of, the Agency or its Member States. Slovenia shall, further, support the Agency's efforts to promote the use of European transportation systems, facilities, products and services by those international bodies to which it belongs that employ systems or services with a space-based component. For the purpose of satisfying its facilities requirements for any given mission which are unmet on the basis of its own potential or that of its Member States, the Agency shall, subject to arrangements existing at the relevant time with other entities and on terms of parity in this matter with other associate Members of the Agency, give detailed consideration to the appropriate Slovenia facilities with a view to their potential use.

ARTICLE 8

1. With a view to identifying possible areas of cooperation, Slovenia and the Agency shall exchange information in the following spheres:

(a) on the content of, and plan for, their current and future space programmes;

(b) on matters of scientific and technical interest resulting from their space activities. In particular, Slovenia shall receive reports published and made available by the Agency, as well as information connected with the progress of the Agency programmes and with activities in which Slovenia participates under this Agreement.

2. Provisions of any Agency information shall in any case be subject to Slovenia observance of any proprietary rights in the information, while Slovenia further undertakes not to disseminate information that is not otherwise generally available beyond the territories of Slovenia and the Agency's Member States, whether directly or through intermediaries operating within or outside those territories.

3. Slovenia shall not be required to communicate any information obtained outside the Agency if it considers that such communication would be inconsistent with the interests of its own agreements with third parties, or the conditions under which such information has been obtained.

4. Slovenia and the Agency may establish a scheme to permit the exchange of experts concerned with work within the competence of the Agency, consistent with the application of the laws and regulations relating to the entry into, stay in or departure from Slovenia.

6. ČLEN

Slovenija ima dostop do informacij v enakem obsegu kot vse druge države članice, vključno s poročili o sklenjenih pogodbah, ki se nanašajo na dejavnosti in programe, v katerih sodeluje.

7. ČLEN

1. Ob upoštevanju določb 6. člena tega sporazuma ter predhodnih zahtev in obveznosti agencije ima Slovenija na podlagi vračljivih stroškov dostop do objektov, naprav in storitev agencije za nacionalne vesoljske projekte Slovenije. Stroški se izračunavajo po metodah, ki jih agencija uporablja za svoje države članice, kadar te uporabljajo objekte, naprave in storitve za svoje vesoljske projekte. Agenciji in njenim državam članicam Slovenija v zameno daje na voljo svoje objekte, naprave in storitve pod ugodnimi pogoji.

2. Slovenija pri razvoju svojega nacionalnega vesoljskega potenciala in načrtovanju nacionalnih vesoljskih nalog v skladu s pogoji iz VIII. člena konvencije prednostno uporablja evropske prevozne sisteme, objekte, naprave, izdelke in storitve, ki pripadajo agenciji ali njenim državam članicam ali so jih te razvile ali se upravljajo pod njihovim pokroviteljstvom. Prav tako Slovenija podpira prizadevanje agencije za spodbujanje uporabe evropskih prevoznih sistemov, objektov, naprav, izdelkov in storitev s strani mednarodnih teles, ki jim pripada in ki uporabljajo sisteme ali storitve, povezane z vesoljem. Agencija za izpolnjevanje svojih zahtev glede objektov in naprav za katero koli nalogo, ki jih s svojimi zmogljivostmi ali zmogljivostmi svojih držav članic ne more zadovoljiti, glede na dogovore, ki jih ima v tistem času z drugimi subjekti, in pod enakopravnimi pogoji v tej zadevi s svojimi drugimi pridruženimi članicami natančno razmisli o morebitni uporabi ustreznih objektov in naprav v Sloveniji.

8. ČLEN

1. Za določanje mogočih področij sodelovanja si Slovenija in agencija izmenjujeta informacije o:

(a) vsebini in načrtovanju sedanjih in prihodnjih vesoljskih programov;

(b) zadevah v znanstvenem in tehničnem interesu, ki izhajajo iz njenih vesoljskih dejavnosti. Slovenija še zlasti prejema poročila, ki jih objavlja in daje na voljo agencija, ter informacije v zvezi z napredovanjem programov agencije in dejavnostmi, v katerih Slovenija sodeluje po tem sporazumu.

2. Slovenija pri vseh informacijah, ki jih prejme od agencije, vselej upošteva lastninsko pravico do teh informacij, hkrati pa se zavezuje, da ne bo razširjala informacij, ki niso kako drugače splošno dostopne zunaj ozemelj Slovenije ali držav članic agencije, ali neposredno ali prek posrednikov, ki delujejo znotraj ali zunaj teh ozemelj.

3. Od Slovenije se ne zahteva, da sporoča kakršne koli informacije, pridobljene zunaj agencije, če meni, da bi bilo to v neskladju z interesi njenih sporazumov s tretjimi stranmi ali pogoji, pod katerimi je Slovenija take informacije dobila.

4. V zvezi z delom, ki je v pristojnosti agencije, lahko Slovenija in agencija vzpostavita sistem, ki omogoča izmenjavo strokovnjakov v skladu z zakoni in drugimi predpisi v zvezi z vstopom v Slovenijo, bivanjem v njej ali odhodom iz nje.

ARTICLE 9

With respect to the geographical distribution of work relating to the activities and programmes in which Slovenia participates, the Agency shall:

(a) strive at providing a fair industrial return to Slovenia for activities relating to the basic activities under the General Budget, excluding the technological research programme (TRP), and

(b) for optional activities and programmes, and consistent with Article 4 above, implement for Slovenia the applicable rules developed for the various activities and programmes, to the same extent as for the other Participating States.

ARTICLE 10

In addition to cooperation in the long-term continuing framework outlined above, Slovenia and the Agency may also develop arrangements for cooperating in individual bilateral projects in space activities pursued by both Parties and for the exchange of personnel. Approval of such arrangements, which shall not modify the rights and obligations of the Parties under the present Agreement, shall be subject to the Parties' relevant procedures.

ARTICLE 11

For the execution of the Agency's official activities undertaken within the frame of the present Agreement, Slovenia shall grant the following privileges and immunities:

1. The Agency shall have, in the territory of Slovenia, legal personality. It shall in particular have the capacity to contract, to acquire and dispose of movable and immovable property, and to be a party to legal proceedings.

2. The Agency shall have immunity from jurisdiction and execution except:

(a) where the Agency has expressly waived such immunity in a particular case;

(b) in respect of a civil action by a third party for damage arising from an accident caused by a motor vehicle belonging to, or operated on behalf of the Agency, or in respect of a motor traffic offence involving such a vehicle;

(c) in respect of an enforcement of an arbitration award made under Article 14 below;

(d) in the event of the attachment, pursuant to a decision by a judicial authorities, of the salaries and emoluments owed by the Agency to a staff member;

3. Within the scope of its official activities, the Agency, its property and income shall be exempt from direct taxes in Slovenia. The Agency shall also be exempted from indirect taxes when purchases or services of substantial value, strictly necessary for the exercise of the official activities of the Agency within the frame of the present Agreement, are made or used, by the Agency.

4. Goods imported or exported by the Agency and strictly necessary for the exercise of its official activities shall be exempt from all import and export duties and taxes and from all import or export prohibitions and restrictions. Any such imported or exported goods may not be sold, lent or transferred with or without payment in the territory of Slovenia except according to conditions defined by Slovenia. Slovenia and the Agency shall define the procedures to be applied to the export or import of assets used in connection with their cooperation. The Agency shall cooperate with the Slovenian authorities in order to ensure that the goods imported or exported by the Agency are being used for its official activities undertaken within the frame of the present Agreement.

5. The Agency may receive and hold in Slovenia any kind of funds, currency, cash or securities; it may dispose of them freely in Slovenia for any official purpose of the Agency and hold accounts in any currency.

9. ČLEN

Glede na geografsko razporeditev dela v zvezi z dejavnostmi in programi, v katerih sodeluje Slovenija:

(a) si agencija prizadeva zagotoviti Sloveniji pošteno industrijsko povračilo za dejavnosti, ki se nanašajo na temeljne dejavnosti v okviru splošnega proračuna, razen tehnološkega raziskovalnega programa (TRP), ter

(b) agencija v skladu s 4. členom tega sporazuma za neobvezne dejavnosti in programe za Slovenijo uporablja pravila, ki jih je vzpostavila za različne dejavnosti in programe, enako kot za druge sodelujoče države.

10. ČLEN

Poleg zgoraj opisanega stalnega dolgoročnega okvira sodelovanja se lahko Slovenija in agencija dogovorita tudi za sodelovanje pri posameznih dvostranskih projektih na področju vesoljskih dejavnosti, ki jih izvajata pogodbenici, in za izmenjavo osebja. Odobritev takih dogovorov, ki ne spreminjajo pravic in obveznosti pogodbenic po tem sporazumu, poteka po ustreznih postopkih pogodbenic.

11. ČLEN

Za uradne dejavnosti, ki jih agencija izvaja na podlagi tega sporazuma, ji Slovenija prizna te privilegije in imunitete:

1. Agencija ima na ozemlju Slovenije status pravne osebe. Zlasti ima zmožnost, da najema, pridobiva ter odprodaja premišninine in nepremičnine, in da je stranka v sodnem postopku.

2. Agencija ima sodno imuniteto, razen:

(a) kadar se v določeni zadevi izrecno odpove tej imuniteti;

(b) v zvezi s civilno tožbo tretje strani zaradi škode, ki nastane v nesreči motornega vozila, ki pripada agenciji ali z njim upravlja nekdo v njenem imenu, ali v zvezi s prometnim prekrškom, v katerega je tako vozilo vpleteno;

(c) v zvezi z izvrševanjem arbitražne razzodbe iz 14. člena tega sporazuma;

(d) ob prepovedi izplačila plač in drugih prejemkov, ki jih mora agencija izplačati uslužbencu, v skladu z odločbo pravosodnega organa.

3. Agencija, njeno premoženje in dohodek so oproščeni neposrednih davkov v Sloveniji. Agencija je oproščena tudi posrednih davkov pri nakupih in storitvah večje vrednosti, ki so nujni za izvajanje njenih uradnih dejavnosti na podlagi tega sporazuma.

4. Blago, ki ga agencija uvozi ali izvozi in je nujno potrebno za izvajanje njenih uradnih dejavnosti, je izvzeto iz vseh uvoznih in izvoznih dajatev in davkov ter iz vseh uvoznih ali izvoznih prepovedi in omejitev. Nobeno tako uvoženo ali izvoženo blago se na ozemlju Slovenije ne sme prodati, posoditi ali posredovati s plačilom ali brezplačno, razen pod pogoji, ki jih določi Slovenija. Slovenija in agencija opredelita postopke, ki se uporabljajo pri uvozu ali izvozu sredstev, povezanih z njunim sodelovanjem. Agencija sodeluje s slovenskimi organi oblasti, da se zagotovi, da se blago, ki ga agencija uvozi ali izvozi res uporablja za njene uradne dejavnosti na podlagi tega sporazuma.

5. Agencija lahko v Sloveniji sprejema in ima v lasti vse vrste denarnih sredstev, valut, gotovine ali vrednostnih papirjev; z njimi lahko v Sloveniji prosto razpolaga za katere koli svoje uradne namene in lahko ima račune v kateri koli valuti.

6. Staff members of the Agency shall be exempt from national income tax on their salaries and emoluments paid by the Agency; however, such salaries and emoluments may be taken into account by Slovenia for the purpose of assessing the amount of taxation to be applied to income from other sources.

7. The circulation of publications and other information material sent by or to the Agency shall not be restricted in any way.

ARTICLE 12

Slovenia shall notify the Agency's Director General of the name of the authority appointed to represent it for the implementation of this Agreement, as well as the names of Slovenia's representative and advisors attending any meetings in accordance with Article 5 above.

ARTICLE 13

This Agreement may be amended by mutual consent. The Party wishing to amend a provision of this Agreement shall notify the other Party in writing. Any amendment shall enter into force when each Party has notified the other in writing of its acceptance of the said amendment in accordance with its own procedures.

ARTICLE 14

Where a dispute arises in relation to the application or interpretation of this Agreement which cannot be settled amicably between the Parties, it shall, at the request of either Party, be submitted to arbitration. The provisions of Article XVII of the Agency's Convention shall apply unless the Parties agree otherwise.

ARTICLE 15

1. Each Party shall notify the other Party in writing of the completion of its respective procedures for the entry into force of this Agreement. This Agreement shall enter into force on the date of the second of these notifications and shall remain in force for a period of five years following that date.

2. This Agreement may be terminated upon one year's written notice by either Party before the end of the five-year period referred to in paragraph 15.1 above. The participation of Slovenia into the Agency optional programmes, or parts thereof, pursuant to Article 4 above which is effective at the time of termination of this Agreement shall remain effective until the completion of the activities under the respective programmes or parts thereof, on the understanding that completion of the respective programmes will be notified by the Agency to Slovenia. Taking into account any outstanding obligation incurred under Article 4 above, Slovenia shall contribute to the part of the common infrastructure plan in force and the part of the fixed common costs to be borne by the General Budget at a rate to be mutually agreed. Article 4 above, and this paragraph, shall remain in force and continue to produce their effects after the termination or expiry of this Agreement.

3. One year before the expiry of this Agreement, the Parties shall proceed to a formal review of their cooperation under this Agreement. On the basis of that review, the Parties shall examine ways and means of continuing or further developing such cooperation including the possibility of Slovenia being granted the status of Member State of the Agency. The granting of such a status to Slovenia shall be subject of a specific Council decision on the basis of a written request to be made by Slovenia.

4. This Agreement may be renewed for further periods by mutual agreement. The present Agreement shall remain in force during the time necessary to complete the procedures for such renewal.

6. Uslužbenci agencije so oproščeni plačila nacionalnega davka od dohodkov na plače in druge prejemke, ki jih izplačuje agencija; Slovenija pa lahko te plače in druge prejemke upošteva pri določitvi višine obdavčitve, ki se obračuna od dohodkov iz drugih virov.

7. Razpošiljanje publikacij in drugega informacijskega gradiva, ki jih agencija pošilja ali prejema, se na noben način ne omejuje.

12. ČLEN

Slovenija generalnemu direktorju agencije uradno sporoči ime imenovanega organa oblasti, ki jo predstavlja pri izvajanju tega sporazuma, ter imena svojega predstavnika in svetovalcev, ki se bodo udeleževali zasedanj v skladu s 5. členom tega sporazuma.

13. ČLEN

Ta sporazum je mogoče spremeniti z vzajemnim soglasjem. Pogodbenica, ki želi spremeniti določbo tega sporazuma, o tem pisno obvesti drugo pogodbenico. Vsaka sprememba začne veljati po tem, ko pogodbenici druga drugo uradno pisno obvestita, da v skladu s svojimi postopki sprejemata zadevno spremembo.

14. ČLEN

V primeru spora glede uporabe ali razlage tega sporazuma, ki ga pogodbenici ne moreta rešiti po mirni poti, se na zahtevo ene od njiju spor predloži arbitraži. Uporabijo se določbe XVII. člena konvencije agencije, razen če se pogodbenici ne dogovorita drugače.

15. ČLEN

1. Vsaka pogodbenica uradno pisno obvesti drugo pogodbenico o dokončanju svojih postopkov, potrebnih za začetek veljavnosti tega sporazuma. Ta sporazum začne veljati na dan drugega od teh uradnih obvestil in velja pet let po tem dnevu.

2. Ta sporazum se lahko odpove z uradnim pisnim obvestilom z enoletnim odpovednim rokom ene ali druge pogodbenice pred koncem petletnega obdobja iz prvega odstavka 15. člena tega sporazuma. Prispevki Slovenije v neobvezne programe agencije ali njihove dele po 4. členu tega sporazuma, ki veljajo ob odpovedi tega sporazuma, ostajajo veljavni do konca dejavnosti v okviru ustreznih programov ali njihovih delov, s tem, da agencija uradno obvesti Slovenijo o dokončanju teh programov. Ob upoštevanju morebitne nepravilne obveznosti, ki nastane v skladu s 4. členom, mora Slovenija prispevati k delu skupnega veljavnega infrastrukturnega načrta in del stalnih skupnih stroškov, ki se krijejo iz splošnega proračuna po stopnji, o kateri se medsebojno dogovorita pogodbenici. 4. člen tega sporazuma in ta odstavek ostaneta v veljavi in učinkujeta še po prenehanju ali poteku tega sporazuma.

3. Leto dni pred potekom veljavnosti tega sporazuma pogodbenici uradno pregledata svoje sodelovanje po tem sporazumu. Na podlagi tega pregleda proučita načine za nadaljevanje ali nadaljnje razvijanje takega sodelovanja, vključno z možnostjo, da se Republikli Sloveniji podeli status države članice agencije. O podelitvi takega statusa Sloveniji posebej odloči svet na podlagi pisne prošnje, ki jo mora vložiti Slovenija.

4. Ta sporazum se z vzajemnim soglasjem lahko podaljša. V veljavi ostaja toliko časa, kolikor je potrebno za dokončanje postopkov za njegovo podaljšanje.

5. Upon its entry into force, the present Agreement shall replace the European Cooperating State (ECS) Agreement between the Agency and the Republic of Slovenia referred to in the preamble, it being understood that the provisions of the latter Agreement shall nevertheless continue to apply to the extent necessary to secure the implementation of any contracts that have been concluded within the framework of said Agreement and which are still effective on the date said Agreement ceases to be in force.

Done at Paris on 5 July 2016 in two originals in the English language. The signatories may also establish translation hereof in the French, German and Slovenian languages, which shall not, however, be considered as authoritative for the purposes of interpretation.

For the
Government of the
Republic of Slovenia
Zdravko Počivalšek (s)

For the
European
Space Agency
Johann-Dietrich Woerner (s)

5. Ta sporazum z dnem začetka veljavnosti nadomesti Sporazum evropske sodelujoče države (ECS), naveden v preambuli, s tem, da se njegove določbe vseeno uporabljajo še naprej v obsegu, ki je nujen za zagotovitev izvajanja pogodb, sklenjenih v okviru navedenega sporazuma, in še vedno veljajo na dan, ko ta preneha veljati.

Sklenjeno v Parizu 5. julija 2016 v dveh izvornikih v angleškem jeziku. Podpisnici lahko izvornik tega sporazuma prevedeta v francoski, nemški in slovenski jezik, ti prevodi pa se za razlago ne morejo šteti za verodostojne.

Za Vlado
Republike Slovenije
Zdravko Počivalšek l.r.

Za
Evropsko vesoljsko agencijo
Johann-Dietrich Woerner l.r.

3. člen

Za izvajanje sporazuma skrbi ministrstvo, pristojno za gospodarski razvoj in tehnologijo.

4. člen

Ta zakon začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 630-02/16-4/10
Ljubljana, dne 20. oktobra 2016
EPA 1514-VII

Državni zbor
Republike Slovenije
dr. Milan Brglez l.r.
Predsednik

Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb

61. Obvestilo o začetku veljavnosti Sporazuma med Vlado Republike Slovenije in Vlado Madžarske o izmenjavi in medsebojnem varovanju tajnih podatkov in prenehanju veljavnosti Sporazuma med Vlado Republike Slovenije in Vlado Republike Madžarske o varstvu zaupnih obrambnih informacij in sredstev

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09, 80/10 – ZUTD in 31/15) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 1. septembra 2016 začel veljati Sporazum med Vlado Republike Slovenije in Vlado Madžarske o izmenjavi in medsebojnem varovanju tajnih podatkov, sklenjen 22. januarja 2016 na Brdu pri Kranju in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 11/16 (Uradni list Republike Slovenije, št. 49/16). Z dnem uveljavitve tega sporazuma je prenehal veljati Sporazum med Vlado Republike Slovenije in Vlado Republike Madžarske o varstvu zaupnih obrambnih infor-

macij in sredstev, sklenjen 5. oktobra 1998 v Misefi, objavljen v Uradnem listu RS – Mednarodne pogodbe, št. 9/00 (Uradni list RS, št. 33/00).

Ljubljana, dne 3. novembra 2016

Ministrstvo za zunanje zadeve
Republike Slovenije

Popravki

62. Popravek Obvestila o začetku veljavnosti Konvencije o prometnih znakih

Obvestilo o začetku veljavnosti Konvencije o prometnih znakih, sklenjene na Dunaju, 8. novembra 1968, ki je bilo objavljeno v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 15/13 (Uradni list RS, št. 92/13), se nadomesti z naslednjim:

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09, 80/10 – ZUTD in 31/15) Ministrstvo za zunanje zadeve

s p o r o č a,

da od 25. junija 1991 velja nasledstvo Republike Slovenije v Konvenciji o prometnih znakih, sklenjeni na Dunaju, 8. novembra 1968, ki je bila objavljena v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 15/10 (Uradni list Republike Slovenije, št. 77/10).

Ljubljana, dne 4. novembra 2016

Ministrstvo za zunanje zadeve
Republike Slovenije

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