


# Uradni list

## Republike Slovenije



# Mednarodne pogodbe

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Leto X

9. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Ciper o odpravi vizumov (BCYOV)  
Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

### U K A Z

#### O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE CIPER O ODPRAVI VIZUMOV (BCYOV)

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Ciper o odpravi vizumov (BCYOV), ki ga je sprejel Državni zbor Republike Slovenije na seji 15. februarja 2000.

Št. 001-22-10/00  
Ljubljana, dne 23. februarja 2000

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

### Z A K O N

#### O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE CIPER O ODPRAVI VIZUMOV (BCYOV)

##### 1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Republike Ciper o odpravi vizumov, podpisan v Nikoziji dne 25. maja 1998.

##### 2. člen

Sporazum se v izvorniku v slovenskem in angleškem jeziku glasi:\*

#### SPORAZUM MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE CIPER O ODPRAVI VIZUMOV

Vlada Republike Slovenije in Vlada Republike Ciper sta se v želji, da bi nadalje poglobljali prijateljske odnose med državama na podlagi načel in priporočil Sklepne listine Konference o varnosti in sodelovanju v Evropi ter olajšali potovanja svojih državljanov in s tem boljše stike med njimi,

dogovorili, da skleneta ta sporazum o odpravi vizumov.

##### 1. člen

(1) Državljeni Republike Slovenije in državljani Republike Ciper so oproščeni zahteve po pridobitvi vizumov v obsegu in pod pogoji, ki jih določa ta sporazum.

(2) "Državljeni" so – za namen tega sporazuma – osebe, ki imajo državljanstvo ene ali druge države po zakonih in predpisih svoje države.

#### AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA AND THE GOVERNMENT OF THE REPUBLIC OF CYPRUS ON THE ABOLITION OF VISA REQUIREMENTS

The Government of the Republic of Slovenia and the Government of the Republic of Cyprus, desirous of further deepening friendly relations between the two States on the basis of the principles and recommendations of the Final Act of the Conference on Security and Co-operation in Europe, and of facilitating travel by their citizens and thus contacts between them,

have agreed to conclude this Agreement on the Abolition of Visa Requirements.

##### Article 1

(1) Citizens of the Republic of Slovenia and citizens of the Republic of Cyprus shall be exempted from visa requirements to the extent and under the conditions as laid down in the present Agreement.

(2) "Citizens" – for the purpose of this Agreement – shall mean persons who hold the citizenship of either State under the laws and regulations of the respective State.

\* Besedilo sporazuma v grškem jeziku je na vpogled v Sektorju za mednarodne pravne zadeve Ministrstva za zunanje zadeve.

## 2. člen

(1) Državljeni ene ali druge države, ki imajo veljaven potni dokument, naveden v prilogi k temu sporazumu, lahko vstopijo na ozemlje druge države brez vizuma in tam ostanejo za obdobje do devetdeset dni.

(2) Državljeni ene ali druge države, ki želijo ostati na ozemlju druge države kot obiskovalci za obdobje, daljše od 90 dni, morajo pridobiti potrebno dovoljenje organov države sprejemnice. Za tako dovoljenje lahko zaprosijo bodisi pred svojim prihodom v državo sprejemnico ali pa med svojim 90-dnevnim bivanjem v njej.

(3) Državljeni ene ali druge države, ki želijo vstopiti na ozemlje druge države zaradi stalnega bivanja, zaposlitve ali študija, morajo – z izjemo primera iz 3. člena – pridobiti vizume ali odobritev za take vizume pri pristojnih organih države sprejemnice pred svojim vstopom.

## 3. člen

Imetniki diplomatskih in službenih potnih listov, ki so poslani na delo na diplomatska predstavništva, konzulate in mednarodne organizacije na ozemlju druge države, lahko vstopijo na njeno ozemlje in tam ostanejo brez vizumov za čas, ko opravljajo svojo nalogo. Državo sprejemnico mora o njihovem bivanju obvestiti ministrstvo za zunanje zadeve države, ki jih pošilja na diplomatsko predstavništvo v državi sprejemnici, 15 dni pred njihovo napotitvijo na delo. Pravice, ki izhajajo iz načel, določenih v tem členu, se bodo nanašale tudi na družinske člane pod pogojem, da imajo diplomatski ali službeni potni list.

## 4. člen

Državljeni ene ali druge države lahko prestopijo državno mejo druge države na katerem koli mejnem prehodu, odprtem za mednarodni promet.

## 5. člen

Pred začetkom veljavnosti tega sporazuma si pogodbenici pošljeta vzorce veljavnih potnih dokumentov oziroma si bosta nove potne dokumente poslali vsaj 30 dni pred njihovo uvedbo.

## 6. člen

(1) Državljeni ene ali druge države, ki so izgubili potne dokumente na ozemlju druge države, morajo izgubo takoj prijaviti pristojnim organom države, kjer so dokumente izgubili. Ti izdajo potrdilo o prijavljeni izgubi potnih dokumentov.

(2) Diplomatsko ali konzularno predstavništvo države, katere državljan je izgubil potni dokument, izda nov potni dokument na podlagi potrdila, omenjenega v prvem odstavku.

(3) Odhod s potnim dokumentom, izdanim v skladu z drugim odstavkom, se lahko opravi na podlagi notranjih zakonov in predpisov.

## 7. člen

(1) Sporazum ne vpliva na pravico pristojnih organov ene ali druge države prepovedati vstop državljanom druge države, za katere se šteje, da so persona non grata, kot tudi ne na pravico skrajšati ali prekiniti bivanje take osebe v skladu s svojimi notranjimi zakoni in predpisi.

(2) Vsaka od pogodbenic na zahtevo druge pogodbenice ponovno sprejme na svoje ozemlje brez nepotrebnih formalnosti vsakega svojega državljana, ki na ozemlju te pogodbenice ne izpolnjuje več pogojev za vstop in/ali bivanje.

## 8. člen

Državljeni ene ali druge države med bivanjem v drugi državi spoštujejo zakone in predpise, ki veljajo na ozemlju te države.

## Article 2

(1) Citizens of either State who hold a valid travel document as referred to in the Annex to this Agreement may enter the territory of the other State without a visa and stay there for a period of up to ninety days.

(2) Citizens of either State who wish to stay on the territory of the other State, as visitors, for a period of more than 90 days, shall obtain the necessary permit from the authorities of the receiving State. They may apply for such a permit either before their arrival or during their 90 day stay in the receiving State.

(3) Citizens of either State who wish to enter the territory of the other State for the purpose of permanent residence, employment or studies, with the exception of the case referred to in Article 3, must obtain visas, or approval for such visas from the competent authorities of the receiving State prior to their entry.

## Article 3

Holders of diplomatic and service passports assigned to work at the diplomatic missions, consular offices and international organisations on the territory of the other State may enter its territory and stay there without visas for the duration of their assignment. The receiving State shall be notified of their designation by the Ministry of Foreign Affairs of the sending State within 15 days before their arrival. The rights resulting from the principles defined in this Article will be extended to the members of families, provided they are holders of diplomatic or service passports.

## Article 4

Citizens of each of the two States may cross the state frontier of the other State at any border crossing point open to international traffic.

## Article 5

The Contracting Parties shall, before the entry into force of this Agreement, provide each other, with specimens of valid travel documents, and will provide each other with new valid travel documents at least 30 days prior to their introduction.

## Article 6

(1) Citizens of either State who have lost travel documents on the territory of the other State are obliged to report the loss immediately to the competent authorities of the State where the documents have been lost. The latter shall issue a certificate attesting the reported loss of the travel documents.

(2) The diplomatic or consular mission of the State whose citizen has lost his travel document shall issue a new travel document on the basis of the certificate referred to in paragraph 1.

(3) Departure with the travel document issued in accordance with paragraph 2 can be effected, accordingly, on the basis of domestic laws and regulations.

## Article 7

(1) The Agreement shall not affect the right of the competent authorities of either State to refuse entry to citizens of the other State who are regarded as persona non-grata, as well as the right to shorten or terminate the stay of such a person in accordance with its domestic laws and regulations.

(2) Each of the Contracting Parties shall readmit into its territory, at the request of the other Party, without unnecessary formalities, any of its citizens, who has ceased to fulfil the conditions of entry and/or stay on the territory of that Contracting Party.

## Article 8

The citizens of either State shall observe the laws and regulations valid on the territory of the other State while staying on that territory.

## 9. člen

Vsaka od pogodbenic lahko začasno v celoti ali delno preneha izvajati ta sporazum zaradi javnega reda ali varnosti. Drugo pogodbenico je treba o takem začasnem prenehanju izvajanja in njegovem preklicu takoj uradno obvestiti po diplomatski poti.

## 10. člen

(1) Ta sporazum se sklone za nedoločen čas in začne veljati po izteku trideset dni po dnevu izmenjave uradnih obvestil, s katerima se pogodbenici obvestita, da so izpolnjeni njihovi notranji pogoji za začetek njegove veljavnosti. Pogodbenici se strinjata, da začasno uporabljata sporazum od datuma njegovega podpisa.

(2) Vsaka pogodbenica lahko kadar koli odpove ta sporazum s pisnim obvestilom po diplomatski poti; sporazum preneha veljati devetdeset dni po datumu, ko druga pogodbenica prejme tako obvestilo.

Sestavljeno v Nikoziji dne 25. maja 1998 v dveh izvirniki v slovenskem, grškem in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. Ob razlikah v razlagi prevlada angleško besedilo.

Za Vlado  
Republike Slovenije  
dr. Boris Frlec l. r.

Za Vlado  
Republike Ciper  
dr. Ioannis Kasoulidas l. r.

PRILOGA  
k Sporazumu med  
Vlado Republike Slovenije in  
Vlado Republike Ciper  
o odpravi vizumov

Potni dokumenti, ki so veljavni v okviru tega sporazuma, so:

za državljane Republike Slovenije:

- (a) diplomatski potni list,
- (b) službeni potni list,
- (c) navadni potni list,
- (d) potni list za vrnitev;

za državljane Republike Ciper:

- (a) diplomatski potni list,
- (b) službeni potni list,
- (c) navadni potni list,
- (d) dokument, ki potrjuje identiteto (Laisser Passer M.32).

## Article 9

The application of the present Agreement may – in full or in part – be suspended provisionally by either Contracting Party on grounds of public order or security. The other Contracting Party shall immediately be notified through diplomatic channels of such a suspension and its revocation.

## Article 10

(1) The present Agreement is concluded for an indefinite period of time and shall enter into force after the elapse of thirty days from the day of the exchange of Notes by which the Contracting Parties have notified each other that their respective internal requirements for its entry into force have been fulfilled. The Contracting Parties agree to implement the Agreement provisionally from the date of its signature.

(2) Either Contracting Party may at any time terminate this Agreement by giving written notice to that effect through diplomatic channels; the Agreement shall cease to be effective on the ninetieth day after the date of receipt of the notice by the other Contracting Party.

Done at Nicosia on May 25, 1998 in two originals, each in the Slovene, Greek and English languages, all the texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

For the Government  
of the Republic of Slovenia:  
dr. Boris Frlec, (s)

For the Government  
of the Republic of Cyprus:  
dr. Ioannis Kasoulidas, (s)

A N N E X  
to the Agreement between  
the Government of the Republic of Slovenia and  
the Government of the Republic of Cyprus  
on the Abolition of Visa Requirements

Travel documents valid within the framework of this Agreement are:

For the citizens of the Republic of Slovenia:

- (a) Diplomatic passport;
- (b) Service passport;
- (c) Ordinary passport;
- (d) Emergency passport;

For the citizens of the Republic of Cyprus:

- (a) Diplomatic passport;
- (b) Service passport;
- (c) Ordinary passport;
- (d) Certificate of Identity (Laisser Passer M.32).

## 3. člen

Za izvajanje sporazuma skrbita Ministrstvo za notranje zadeve in Ministrstvo za zunanje zadeve.

## 4. člen

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

Št. 213-03/99-28/1

Ljubljana, dne 15. februarja 2000

Predsednik  
Državnega zbora  
Republike Slovenije  
Janez Podobnik, dr. med. l. r.

**10. Zakon o ratifikaciji Sporazuma med Republiko Slovenijo in Republiko Albanijo o vzajemnem spodbujanju in zaščiti vlaganj (BALSZV)**

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

**U K A Z****O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED REPUBLIKO SLOVENIJO IN REPUBLIKO ALBANIJO O VZAJEMNEM SPODBUJANJU IN ZAŠČITI VLAGANJ (BALSZV)**

Razglašam Zakon o ratifikaciji Sporazuma med Republiko Slovenijo in Republiko Albanijo o vzajemnem spodbujanju in zaščiti vlaganj (BALSZV), ki ga je sprejel Državni zbor Republike Slovenije na seji 15. februarja 2000.

Št. 001-22-11/00  
Ljubljana, dne 23. februarja 2000

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N****O RATIFIKACIJI SPORAZUMA MED REPUBLIKO SLOVENIJO IN REPUBLIKO ALBANIJO O VZAJEMNEM SPODBUJANJU IN ZAŠČITI VLAGANJ (BALSZV)**

## 1. člen

Ratificira se Sporazum med Republiko Slovenijo in Republiko Albanijo o vzajemnem spodbujanju in zaščiti vlaganj, podpisan na Bledu 23. oktobra 1997.

## 2. člen

Sporazum se v izvirniku v slovenskem in angleškem jeziku glasi:\*

**S P O R A Z U M  
MED REPUBLIKO SLOVENIJO IN  
REPUBLIKO ALBANIJO  
O VZAJEMNEM SPODBUJANJU IN ZAŠČITI  
VLAGANJ**

Republika Slovenija in Republika Albanija (v nadaljevanju pogodbenici);

ki želita na dolgoročni podlagi okrepiti svoje gospodarsko sodelovanje v korist obeh držav;

ki nameravata ustvariti in ohranjati ugodne razmere za vlaganja vlagateljev ene pogodbenice na ozemlju druge pogodbenice;

ki se zavedata, da bosta pospeševanje in zaščita vlaganj na podlagi tega sporazuma spodbudila pobudo na tem področju;

sta se dogovorili naslednje:

## 1. člen

**OPREDELITEV POJMOV**

Za namene tega sporazumu:

1. "vlaganje" pomeni vse vrste sredstev, ki jih vloži vlagatelj ene pogodbenice v skladu z zakoni in predpisi druge pogodbenice in ki obsegajo predvsem, vendar ne izključno:

a) premoženje in nepremičnine ter druge stvarne pravice, kot so služnostne pravice, hipoteke, pravice do zaplembe, zastave in podobne pravice;

**A G R E E M E N T  
BETWEEN THE REPUBLIC OF SLOVENIA  
AND THE REPUBLIC OF ALBANIA  
ON RECIPROCAL PROMOTION AND  
PROTECTION OF INVESTMENTS**

The Republic of Slovenia and the Republic of Albania (hereinafter referred to as the Contracting Parties);

DESIRING to intensify their economic cooperation to the mutual benefit of both countries on a long-term basis;

INTENDING to create and maintain favourable conditions for investments by investors of either Contracting Party in the territory of the other Contracting Party;

RECOGNIZING that the encouragement and protection of investments on the basis of the present Agreement will stimulate the initiative in this field;

HAVE AGREED AS FOLLOWS:

## Article 1

**DEFINITIONS**

For the purposes of this Agreement:

1. "Investment" shall mean every kind of asset invested by an investor of one Contracting Party, provided that they have been made in accordance with the laws and regulations of the other Contracting Party, and shall include in particular though not exclusively:

a) movable and immovable property and any other rights *in rem*, such as servitudes, mortgages, liens, pledges and similar rights;

\* Besedilo sporazuma v albanskem jeziku je na vpogled v Sektorju za mednarodne pravne zadeve Ministrstva za zunanje zadeve Republike Slovenije.

b) delnice in druge vrednostne papirje ter vse druge oblike udeležbe v kakem podjetju;

c) posojila, denarne zahtevke ali zahtevke za izvedbo pogodbenih del z ekonomsko vrednostjo, ki jih spremlja vlaganje;

d) avtorske pravice, pravice industrijske lastnine (kot so patenti, uporabni modeli, vzorci ali modeli, blagovne ali storitvene znamke, firma, oznake o poreklu), znanje in izkušnje in goodwill;

e) vsakršno z zakonom ali po pogodbi dodeljeno pravico in po zakonu dodeljena dovoljenja vključno s koncesijami za iskanje, pridobivanje, gojenje ali izkoriščanje naravnih bogastev.

Kakršna koli sprememba oblike vlaganja odobrena v skladu z zakoni in predpisi pogodbenice, na ozemlju katere je bilo vlaganje opravljeno, ne vpliva na naravo vlaganja.

2. "Dohodek" pomeni prihodke od vlaganja in med drugim obsega še posebej dobiček, obresti, prihodke od kapitala, dividende, avtorske in druge honorarje ter druge prihodke.

3. "Vlagatelj" v zvezi s pogodbenicama pomeni:

za Republiko Slovenijo:

a) izraz "fizična oseba", ki pomeni fizične osebe, ki so državljani te pogodbenice;

b) izraz "pravna oseba", ki pomeni pravne subjekte skupaj s podjetji, korporacijami, poslovnimi združenji in drugimi organizacijami, ki so ustanovljeni ali drugače ustrezno organizirani v skladu z zakonodajo te pogodbenice in imajo svoj sedež na njenem ozemlju, kjer opravljajo svoje gospodarske dejavnosti;

za Republiko Albanijo:

a) izraz "fizična oseba", ki pomeni vsako fizično osebo, ki je državljan te pogodbenice v skladu z njeno zakonodajo;

b) izraz "pravna oseba", ki pomeni kateri koli subjekt, registriran ali ustanovljen v skladu z njeno zakonodajo kot pravna oseba in je po tej zakonodaji kot tak priznan ter ima stalni sedež na ozemlju te pogodbenice.

4. Izraz "ozemlje" pomeni v zvezi s katero koli pogodbenico ozemlje, ki je pod njeno suverenostjo, kot tudi teritorialno vode, epikontinentalni pas in področja pod morsko površino, na katerem pogodbenica v skladu z mednarodnim pravom izvaja suverene pravice ali jurisdikcijo.

## 2. člen

### SPODBUJANJE IN ZAŠČITA VLAGANJ

1. Vsaka pogodbenica na svojem ozemlju spodbuja vlaganja vlagateljev druge pogodbenice in dopušča taka vlaganja v skladu s svojimi zakoni in predpisi.

2. Dohodek od vlaganj in prihodek, ki izhaja iz odobrenega reinvestiranja, uživata enako zaščito kot osnovna vlaganja.

3. Vlaganja vlagateljev ene izmed pogodbenic se na ozemlju druge pogodbenice ves čas pravično in nepristransko obravnavajo in uživajo popolno zaščito in varnost.

## 3. člen

### ZAŠČITA IN OBRAVNAVA VLAGANJ

1. Vsaka pogodbenica na svojem ozemlju zaščiti vlaganja, ki jih v skladu z njenimi zakoni in predpisi opravi vlagatelji druge pogodbenice, in ne sprejema neupravičenih ali diskriminacijskih ukrepov, s katerimi bi škodovala upravljanju, vzdrževanju, uporabi, uživanju, širitvi, prodaji in morebitni likvidaciji takih vlaganj.

b) shares, stocks and other securities and any other form of interests in a company;

c) loans, claims to money or to any performance under contract having an economic value and accompanied by an investment;

d) copyrights, industrial property rights (such as patents, utility models, industrial designs or models, trade or service marks, trade names, indications of origin), know-how and goodwill;

e) any right conferred by law or under contract and any licenses and permits pursuant to law, including the concessions to search for, extract, cultivate or exploit natural resources.

Any change in the form of an investment, admitted in accordance with laws and regulations of the Contracting Party on whose territory the investment was made, does not affect its character as an investment.

2. "Returns" shall mean the amounts yielded by an investment and in particular, though not exclusively, includes profit, interest, capital gains, dividends, royalties, fees and other income.

3. "Investor" shall comprise with regard to either Contracting Party:

In respect of the Republic of Slovenia:

a) the term "natural person" which shall mean natural persons having the nationality of the Contracting Party;

b) the term "legal person" which shall mean legal entities, including companies, corporations, business associations and other organizations, which are constituted or otherwise duly organized under the law of that Contracting Party and have their seat, together with economic activities, in the territory of that Contracting Party;

In respect of the Republic of Albania:

a) the term "natural person" which shall mean any natural person having the nationality of that Contracting Party in accordance with its laws;

b) the term "legal person" which shall mean any entity incorporated or constituted in accordance with, and recognized as a legal person by its laws, having permanent residence in the territory of that Contracting Party.

4. "Territory" shall mean in respect of either Contracting Party the territory under its sovereignty as well as the territorial waters, the continental shelf and submarine areas over which that Contracting Party exercises, in conformity with international law, sovereign rights or jurisdiction.

## Article 2

### PROMOTION AND PROTECTION OF INVESTMENT

1. Each Contracting Party shall promote on its territory investments by investors of the other Contracting Party and admit such investments in accordance with its laws and regulations.

2. Returns from the investments and, in cases of approved reinvestment, the income ensuing therefrom shall enjoy the same protection as the major investments.

3. Investments of investors of either Contracting Party shall at all times be accorded fair and equitable treatment and shall enjoy full protection and security in the territory of the other Contracting Party.

## Article 3

### PROTECTION AND TREATMENT OF INVESTMENTS

1. Each Contracting Party shall protect within its territory investments made in accordance with its laws and regulations by investors of the other Contracting Party and shall not impair by unreasonable or discriminatory measures the management, maintenance, use, enjoyment, extension, sale and should it so happen, liquidation of such investments.

2. Vsaka pogodbenica na svojem ozemlju zagotavlja pravično in nepristransko obravnavo vlaganj vlagateljev druge pogodbenice. Ta obravnava ne bo manj ugodna od obravnave, ki jo pogodbenica za vlaganja na svojem ozemlju zagotavlja svojim vlagateljem ali vlagateljem iz kake tretje države, če je slednja obravnava ugodnejša.

3. Obravnava po načelu države z največjimi ugodnostmi pa ne velja za privilegije, ki jih katera koli pogodbenica dodeli vlagateljem kake tretje države zaradi svojega članstva ali pridruženega članstva v kakem območju proste trgovine, carinski uniji, skupnem trgu ali organizaciji za regionalno gospodarsko sodelovanje ali pridružitve kaki obstoječi ali prihodnji konvenciji o izogibanju dvojnemu obdavčevanju ali konvenciji o drugih davčnih zadevah.

#### 4. člen RAZLASTITEV

1. Vlaganje vlagateljev ene pogodbenice na ozemlju druge pogodbenice ni mogoče razlastiti, nacionalizirati ali v zvezi z njimi sprejemati drugih ukrepov, ki bi imeli enak učinek kot razlastitev ali nacionalizacija, razen če to ni v javno korist in proti takojšnji, primerni in učinkoviti odškodnini ter v skladu z ustreznimi zakonskimi postopki na nediskriminacijski podlagi. Taka odškodnina bo izračunana na podlagi tržne vrednosti razlaščenega vlaganja tik pred dnevom dejanske ali nameravane razlastitve, nacionalizacije ali podobnega ukrepa, oziroma preden je nameravana razlastitev postala splošno znana, karkoli je prej.

Odškodnina bo plačana brez nepotrebnega odlašanja in bo vključevala veljavne bančne obresti do dneva plačila. Biti mora dejansko vnovčljiva in prosto prenosljiva.

V primeru razlastitve, nacionalizacije ali podobnega ukrepa je potrebno na ustrezen način predvideti določitev in plačilo te odškodnine.

2. Vlagatelji vsake pogodbenice so v zvezi z določili tega člena na ozemlju druge pogodbenice deležni obravnave po načelu države z največjimi ugodnostmi.

#### 5. člen ODŠKODNINA ZA IZGUBE

Vlagateljem vsake pogodbenice, ki pri svojih vlaganjih na ozemlju druge pogodbenice utrpijo izgube zaradi vojne, oboroženih spopadov, revolucije, izrednega stanja v državi, upora, vstaje ali nemirov pri svojih vlaganjih, bo v zvezi s povračilom, nadomestilom, odškodnino ali drugo obliko poravnave zagotovljena obravnava, ki bo vsaj tako ugodna kot obravnava, ki jo druga pogodbenica priznava svojim vlagateljem ali vlagateljem kake tretje države. Če je le mogoče, morajo biti plačila na tej podlagi prosto prenosljiva in izplačana brez neupravičene zamude.

#### 6. člen PRENOS

1. Vsaka pogodbenica, na čigar ozemlju so bila opravljena vlaganja s strani vlagateljev druge pogodbenice, zagotavlja vlagateljem druge pogodbenice v prosto zamenljivi valuti prost prenos sredstev v zvezi z njihovimi vlaganji in še zlasti, ne pa izključno:

- a) kapital in dodatne zneske za vzdrževanje ali povečanje vlaganja;
- b) dobiček, obresti, dividende in druge tekoče prihodke;

2. Each Contracting Party shall ensure within its territory fair and equitable treatment of the investments of the investors of the other Contracting Party. This treatment shall not be less favourable than that granted by each Contracting Party to investments made within its territory by its own investors, or made within its territory by investors of any third State, if this latter treatment is more favourable.

3. The treatment of the most favoured nation shall not apply to privileges which either Contracting Party accords to investors of a third State because of its membership in or association with a free trade area, customs union, common market or organization for regional economic cooperation or to an existing or future convention on the avoidance of double taxation or a convention on other fiscal matters.

#### Article 4 EXPROPRIATION

1. Investments by investors of either Contracting Party shall not be expropriated, nationalized or subjected to any other measure the effects of which would be tantamount to expropriation or nationalization in the territory of the other Contracting Party, except for the public benefit and against prompt, adequate and effective compensation, and always under due process of law and without discrimination. Such compensation shall be equivalent to the market value of the expropriated investment immediately before the date on which the actual or threatened expropriation, nationalization or comparable measure has been taken or become publicly known, whichever is earlier.

The compensation shall be paid without undue delay, and shall carry the current bank interest until the time of payment. It shall be effectively realizable and freely transferable.

Provision shall have been made in an appropriate manner at or prior to the time of expropriation, nationalization or comparable measure for the determination and payment of such compensation.

2. Investors of either Contracting Party shall enjoy most favoured nation treatment in the territory of the other Contracting Party in respect of the matters provided for in this Article.

#### Article 5 COMPENSATION FOR LOSSES

Investors of either Contracting Party who suffer losses of their investments on the territory of the other Contracting Party due to war or other armed conflict, revolution, a state of national emergency, revolt, insurrection or riot, shall be accorded with respect to restitution, indemnification, compensation or other settlement, no less favourable treatment than that which the latter Contracting Party accords to its own investors or to investors of any third State. Resulting payments shall whenever possible be freely transferable without undue delay.

#### Article 6 TRANSFER

1. Each Contracting Party in whose territory investments have been made by investors of the other Contracting Party shall grant those investments a free transfer of payments in freely convertible currency relating to these investments, particularly but not exclusively:

- a) capital and additional amounts to maintain or increase the investment;
- b) profits, interest, dividends and other current income;

c) sredstva za odplačilo pravilno dogovorjenih in dokumentiranih posojil v zvezi z določenim vlaganjem;

d) avtorske in druge honorarje;

e) dohodke od celotne ali delne prodaje ali likvidacije vlaganja;

f) osebne dohodke tujih državljanov, zaposlenih pri tujem vlagatelju v skladu z zakoni in predpisi posamezne pogodbenice.

2. Prenosi v prosto zamenljivi valuti morajo biti opravljene brez neupravičene zamude po tržnem menjalnem tečaju, ki prevladuje na dan izvršitve prenosa, v skladu s postopki, ki jih določi pogodbenica, na katere ozemlju je bilo vlaganje opravljeno.

#### 7. člen SUBROGACIJA

1. Če pogodbenica ali kaka njena agencija opravi plačilo svojemu vlagatelju na podlagi garancije ali zavarovanja, za katero se je v zvezi z določenim vlaganjem pogodbeno obvezala, bo druga pogodbenica priznala veljavnost prenosa vsakršne pravice ali upravičenja, ki pripada temu vlagatelju, v korist prve pogodbenice ali njene agencije.

Pogodbenica ali kaka njena agencija, na katero se prenesejo pravice takega vlagatelja, ima enake pravice kot vlagatelj v obsegu, v katerem te pravice uveljavlja. Pri tem pa zanjo veljajo obveznosti vlagatelja v zvezi s tako zavarovanim vlaganjem.

2. Pri prenosu pravice, opredeljene v prvem odstavku zgoraj, vlagatelj ne uveljavlja svojih terjatev, razen če ga za to ne pooblasti pogodbenica ali kaka njena agencija.

#### 8. člen OBSEG UPORABE SPORAZUMA

Določbe tega sporazuma veljajo za vlaganja vlagateljev ene pogodbenice na ozemlju druge pogodbenice po 1. januarju 1992, ko je Republika Albanija sprejela prvi zakon o tujih vlaganjih.

#### 9. člen REŠEVANJE SPOROV MED POGODBENICAMA

1. Spori med pogodbenicama v zvezi z razlago ali uporabo tega sporazuma, se po možnosti rešujejo po diplomatski poti.

2. Spor, ki ga na ta način ni mogoče rešiti v šestih mesecih, se na zahtevo katere koli pogodbenice predloži arbitražnemu sodišču v skladu z določbami tega člena.

3. Arbitražno sodišče se ustanovi za vsak posamezen primer na sledeč način. V dveh mesecih po prejemu zahtevka za arbitražo imenuje vsaka pogodbenica enega člana sodišča. Ta dva člana potem izbereta državljana kake tretje države, ki je imenovan za predsednika sodišča (v nadaljevanju "predsednik"), ko ga potrdita pogodbenici. Predsednika je treba imenovati v treh mesecih od datuma imenovanja drugih dveh članov.

4. Če v obdobjih iz tretjega odstavka tega člena potrebna imenovanja niso opravljena, je mogoče za imenovanje zaprositi predsednika Meddržavnega sodišča. Če je ta slučajno državljan ene od pogodbenic ali zaradi kakih drugih razlogov ne more opravljati omenjene funkcije, je treba za

c) funds in repayment of loans regularly contracted and documented and directly related to a specific investment;

d) royalties and other fees;

e) the proceeds from a total or partial sale or liquidation of the whole or any part of an investment;

f) personal earnings of foreign citizens employed by the foreign investor, according to the laws and regulations of each Contracting Party.

2. Transfers in freely convertible currency shall be effected without undue delay at the prevailing market rate of exchange for commercial transactions on the date of the transfer, in accordance with the procedures established by the Contracting Party in whose territory the investment was made.

#### Article 7 SUBROGATION

1. If a Contracting Party or any agency thereof makes a payment to any of its investors under a guarantee or insurance it has contracted in respect of an investment, the other Contracting Party shall recognize the validity of the subrogation in favour of the former Contracting Party or agency thereof to any right or title held by the investor.

The Contracting Party or any agency thereof which is subrogated in the rights of an investor shall be entitled to the same rights as those of the investor and to the extent that they exercise such rights. They shall do so subject to the obligations of the investor pertaining to such insured investment.

2. In the case of subrogation as defined in paragraph 1 above, the investor shall not pursue a claim unless authorized to do so by the Contracting Party or any agency thereof.

#### Article 8 APPLICABILITY OF THIS AGREEMENT

The provisions of this Agreement shall apply to investments made by investors of one Contracting Party in the territory of the other Contracting Party after January 1, 1992, when the Republic of Albania adopted the first law on foreign investment.

#### Article 9 SETTLEMENT OF DISPUTES BETWEEN THE CONTRACTING PARTIES

1. Disputes between the Contracting Parties concerning the interpretation or application of this Agreement shall, if possible, be settled through diplomatic channels.

2. If a dispute cannot be thus settled within six months, it shall upon the request of either Contracting Party, be submitted to an Arbitral Tribunal in accordance with the provisions of this Article.

3. The Arbitral Tribunal shall be constituted for each individual case in the following way. Within two months of the receipt of the request for arbitration, each Contracting Party shall appoint one member of the Tribunal. These two members shall then select a national of a third State who on approval of the two Contracting Parties shall be appointed Chairman of the Tribunal (hereinafter referred to as the "Chairman"). The Chairman shall be appointed within three months from the date of appointment of the other two members.

4. If within the periods specified in paragraph 3 of this Article the necessary appointments have not been made, a request may be made to the President of the International Court of Justice to make the appointments. If he happens to be a national of either Contracting Party, or if he is otherwise

imenovanje zaprositi podpredsednika. In če je tudi ta slučajno državljani ene od pogodbenic ali zaradi kakih drugih razlogov ne more opravljati omenjene funkcije, je treba zaprositi naslednjega po funkciji najvišjega člana Meddržavnega sodišča, ki ni državljani nobene od pogodbenic, da opravi imenovanja.

5. Arbitražno sodišče odloča z večino glasov. Njegove odločitve so obvezujoče. Vsaka pogodbenica krije stroške za svojega razsodnika in svojega zastopstva v arbitražnem postopku. Stroške za predsednika in druge stroške pa si pogodbenici enakomerno porazdelita. Arbitražno sodišče določi svoj postopek.

#### 10. člen

##### REŠEVANJE SPOROV ZARADI VLAGANJ MED POGODBENICO IN VLAGATELJEM IZ DRUGE POGODBENICE

1. Vsak spor, ki bi nastal med vlagateljem iz ene pogodbenice in drugo pogodbenico zaradi vlaganja na ozemlju te pogodbenice, stranki, vpleteni v spor, rešujeta s pogajaji.

2. Če spora med vlagateljem iz ene pogodbenice in drugo pogodbenico ni mogoče rešiti na ta način v šestih mesecih od začetka pogajanj, ima vlagatelj pravico, da zadevo predloži bodisi:

a) pristojnemu sodišču pogodbenice, na ozemlju katere je bilo vlaganje opravljeno; ali

b) Mednarodnemu centru za reševanje investicijskih sporov (ICSID) ob upoštevanju ustreznih določb Konvencije o reševanju investicijskih sporov med državami in državljani drugih držav, odprte za podpisovanje v Washingtonu D.C. 18. marca 1965, če sta pogodbenici podpisnici te konvencije; ali

c) mednarodnemu arbitražnemu sodišču, ustanovljenemu posebej za to priložnost na podlagi pravilnika o arbitraži Komisije Združenih narodov za mednarodno trgovinsko pravo (UNCITRAL). Stranki, vpleteni v spor, se lahko pisno dogovorita o spremembi tega pravilnika. Odločbe arbitražnega sodišča so za stranki, vpleteni v spor, dokončne in obvezujoče.

#### 11. člen

##### UPORABA DRUGIH PRAVIL

Če bi zakonske določbe katere koli pogodbenice ali sedanje ali morebitne prihodnje medsebojne obveznosti pogodbenic po mednarodnem pravu poleg tega sporazuma vsebovale kak splošen ali poseben predpis, ki bi vlaganjem vlagatelj iz druge države pogodbenice zagotavljal ugodnejšo obravnavo, kot jo zagotavlja ta sporazum, tak predpis v obsegu, v katerem je ugodnejši, prevlada nad tem sporazumom.

#### 12. člen

##### POSVETOVANJA

Predstavniki pogodbenic se po potrebi posvetujejo o vsaki zadevi, ki vpliva na uresničevanje tega sporazuma. Ta posvetovanja bodo opravljena na predlog ene od pogodbenic v kraju in času, o katerih se bosta pogodbenici dogovorili po diplomatski poti.

prevented from discharging the said function, the Vice-President shall be invited to make the appointments. If the Vice-President also happens to be a national of either Contracting Party or is prevented from discharging the said function, the member of the International Court of Justice next in seniority who is not a national of either Contracting Party shall be invited to make the appointments.

5. The Arbitral Tribunal shall reach its decision by a majority of votes. Such decision shall be binding. Each Contracting Party shall bear the costs of its own arbitrator and its representation in the arbitral proceedings; the costs of the Chairman and the remaining costs shall be borne in equal parts by both Contracting Parties. The Arbitral Tribunal shall determine its own procedure.

#### Article 10

##### SETTLEMENT OF INVESTMENT DISPUTES BETWEEN A CONTRACTING PARTY AND AN INVESTOR OF THE OTHER CONTRACTING PARTY

1. Any dispute which may arise between an investor of one Contracting Party and the other Contracting Party in connection with an investment on the territory of that other Contracting Party shall be subject to negotiations between the parties in dispute.

2. If any dispute between an investor of one Contracting Party and the other Contracting Party can not be thus settled within a period of six months from the beginning of such negotiations, the investor shall be entitled to submit the case either to:

a) the competent court of the Contracting Party in the territory of which the investment has been made; or

b) the International Centre for Settlement of Investment Disputes (ICSID) having regard to the applicable provisions of the Convention on the Settlement of Investment Disputes between States and Nationals of other States opened for signature at Washington D.C. on 18 March 1965, in the event both Contracting Parties are parties to this Convention; or

c) an arbitrator or international *ad hoc* arbitral tribunal established under the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL). The parties to the dispute may agree in writing to modify these Rules. The arbitral awards shall be final and binding on both Parties to the dispute.

#### Article 11

##### APPLICATION OF OTHER RULES

If the provisions of law of either Contracting Party or obligations under international law existing at present or established thereafter between the Contracting Parties in addition to the present Agreement contain a regulation, whether general or specific, entitling investments by investors of the other Contracting Party to a treatment more favourable than that provided for by the present Agreement, such a regulation shall, to the extent that it is more favourable, prevail over the present Agreement.

#### Article 12

##### CONSULTATIONS

Representatives of the Contracting Parties shall, whenever necessary, hold consultations on any matter affecting the implementation of this Agreement. These consultations shall be held on the proposal of one of the Contracting Parties at a place and at a time agreed upon through diplomatic channels.



## 13. člen

ZAČETEK, TRAJANJE IN PRENEHANJE VELJAVNOSTI  
SPORAZUMA

1. Vsaka pogodbenica drugo po diplomatski poti obvesti o opravljenih postopkih, ki so po njeni zakonodaji potrebni za začetek veljavnosti tega sporazuma. Ta sporazum začne veljati z datumom drugega uradnega obvestila.

2. Ta sporazum velja za obdobje deset let. Po tem obdobju velja še naprej, razen če katera od pogodbenic eno leto pred pretekom začetega ali kakega kasnejšega obdobja druge uradno ne obvesti o svoji nameri, da sporazum odpove.

3. Za vlaganja pred prenehanjem veljavnosti tega sporazuma veljajo njegove določbe še deset let po datumu prenehanja njegove veljavnosti.

V potrditev tega sta spodaj podpisana, ki so ju za to pravilno pooblastile njune oblasti, podpisala ta sporazum.

Sestavljeno v dveh izvornikih na Bledu dne 23. oktobra 1997, v slovenskem, albanskem in angleškem jeziku. Vsa besedila so enako verodostojna. Ob morebitni različni razlagi je odločilno angleško besedilo.

Za  
Republiko Slovenijo  
**Marjan Senjur** l. r.

Za  
Republiko Albanijo  
**Shaqir Vukaj** l. r.

For the  
Republic of Slovenia  
**Marjan Senjur**, (s)

For the  
Republic of Albania  
**Shaqir Vukaj**, (s)

## Article 13

ENTRY INTO FORCE, DURATION AND  
TERMINATION

1. Each of the Contracting Parties shall notify the other through diplomatic channels of the completion of the procedures required by its law for bringing this Agreement into force. This Agreement shall enter into force on the date of the second notification.

2. This Agreement shall remain in force for a period of ten years and shall continue in force thereafter unless, one year before the expiry of the initial or any subsequent periods, either Contracting Party notifies the other in writing of its intention to terminate the Agreement.

3. In respect of investments made prior to the termination of this Agreement, the provisions of this Agreement shall continue to be effective for a period of ten years from the date of termination.

In witness whereof the undersigned, duly authorized by their respective Authorities, have signed this Agreement.

Done in duplicate at Bled, this 23<sup>rd</sup> day of October, 1997, in Slovenian, Albanian and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

## 3. člen

Za izvajanje sporazuma skrbi Ministrstvo za ekonomske odnose in razvoj.

## 4. člen

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

Št. 410-01/99-21/1

Ljubljana, dne 15. februarja 2000

Predsednik  
Državnega zbora  
Republike Slovenije  
**Janez Podobnik, dr. med.** l. r.

**11. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Belgijsko-luksemburško ekonomsko unijo o medsebojnem pospeševanju in zaščiti naložb (MBLUPZN)**

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 SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN BELGIJSKO-LUKSEMBURŠKO EKONOMSKO UNIJO O MEDSEBOJNEM POSPEŠEVANJU IN ZAŠČITI NALOŽB (MBLUPZN)**

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Belgijsko-luksemburško ekonomsko unijo o medsebojnem pospeševanju in zaščiti naložb (MBLUPZN), ki ga je sprejel Državni zbor Republike Slovenije na seji 15. februarja 2000.

Št. 001-22-12/00

Ljubljana, dne 23. februarja 2000

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N****O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN BELGIJSKO-LUKSEMBURŠKO EKONOMSKO UNIJO O MEDSEBOJNEM POSPEŠEVANJU IN ZAŠČITI NALOŽB (MBLUPZN)**

## 1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Belgijsko-luksemburško ekonomsko unijo o medsebojnem pospeševanju in zaščiti naložb, podpisan v Ljubljani 1. februarja 1999.

## 2. člen

Sporazum se v izvirniku v slovenskem in angleškem jeziku glasi:\*

**S P O R A Z U M  
MED VLADO REPUBLIKE SLOVENIJE IN  
BELGIJSKO-LUKSEMBURŠKO EKONOMSKO  
UNIJO O MEDSEBOJNEM POSPEŠEVANJU IN  
ZAŠČITI NALOŽB**

VLADA REPUBLIKE SLOVENIJE  
na eni strani  
in  
VLADA KRALJEVINE BELGIJE,  
ki deluje tako v svojem imenu kot v imenu  
Vlade Velikega vojvodstva Luksemburg, na podlagi ob-  
stojećih sporazumov,  
Vlade Pokrajine Valonije,  
Vlade Pokrajine Flandrije  
in Vlade Pokrajine glavnega mesta Bruselj,  
na drugi strani  
(v nadaljevanju pogodbenici), sta se

V ŽELJI, da ustvarita ugodne razmere za večje gospo-  
darsko sodelovanje med državama in še zlasti za naložbe  
vlagateljev ene pogodbenice na ozemlju druge pogodbe-  
nice

**A G R E E M E N T  
BETWEEN THE GOVERNMENT OF THE  
REPUBLIC OF SLOVENIA AND THE  
BELGO-LUXEMBOURG ECONOMIC UNION FOR  
THE RECIPROCAL PROMOTION AND  
PROTECTION OF INVESTMENTS**

THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA,  
on the one hand,  
and  
THE GOVERNMENT OF THE KINGDOM OF BELGIUM,  
acting both in its own name and in the name of  
the Government of the Grand-Duchy of Luxembourg,  
by virtue of existing agreements,  
the Walloon Government,  
the Flemish Government,  
and the Government of the Region of Brussels-Capital,  
on the other hand,  
(hereinafter referred to as the "Contracting Parties");

DESIRING to create favourable conditions for greater  
economic co-operation between their countries and in par-  
ticular, with respect to investments by investors of one Con-  
tracting Party in the territory of the other Contracting Party;

\* Besedilo sporazuma v francoskem in nizozemskem jeziku je na vpogled v Sektorju za mednarodne pravne zadeve Ministrstva za zunanje zadeve Republike Slovenije.

in

OB SPOZNANJU, da bosta medsebojno pospeševanje in zaščita takih naložb po tem sporazumu privedla k spodbujanju poslovne pobude in povečala blaginjo v obeh državah,

DOGOVORILI, kot sledi:

#### 1. člen

##### Opredelitev pojmov

Za namene tega sporazuma:

1. Izraz "naložba" pomeni vsako vrsto premoženja, vloženega v skladu z zakoni in predpisi pogodbenice, na katere ozemlju je naložba izvedena in še zlasti, vendar ne izključno:

a) premičnine in nepremičnine kot tudi katere koli druge stvarne pravice, kot so hipoteke, pravice do zaplembe, zastave, užitek in podobne pravice,

b) lastniške deleže, delnice, obveznice in kakršno koli drugo obliko udeležbe v kaki družbi,

c) denarno terjatev ali zahtevek v zvezi s kakršno koli drugo dejavnostjo, ki ima ekonomsko vrednost in je povezana z naložbo,

d) pravice intelektualne lastnine, vključno s pravicami v zvezi z avtorskimi pravicami, patenti, blagovnimi znamkami, imeni družb, industrijskimi vzorci in pravicami v tehničnih postopkih, vrednost na podlagi dobrega imena in slovesa in know-how,

e) z zakonom ali po pogodbi podeljene koncesije za opravljanje kakršne koli gospodarske ali komercialne poslovne dejavnosti, vključno s koncesijami za iskanje, obdelovanje, črpanje ali izkoriščanje naravnih virov.

Izraz "naložba" se uporablja tudi za kakršen koli posreden prispevek v gotovini, v naravi ali v storitvah, ki se naloži ali ponovno naloži v kateri koli sektor gospodarske dejavnosti v skladu z zakoni in predpisi pogodbenice, na katere ozemlju je naložba izvedena.

Kakršna koli sprememba oblike, v kateri se premoženje vloži ali ponovno vloži, ne učinkuje na njegovo naravo kot naložbe pod pogojem, da je taka sprememba v skladu z zakoni in predpisi pogodbenice, na katere ozemlju je bila naložba izvedena.

2. Izraz "vlagatelj" pomeni:

za Belgijsko-luksemburško ekonomsko unijo:

a) katero koli fizično osebo, ki se po zakonodaji Kraljevine Belgije ali Velikega vojvodstva Luksemburg šteje za državljana Kraljevine Belgije ali Velikega vojvodstva Luksemburg,

b) katero koli pravno osebo, ustanovljeno v skladu z zakonodajo Kraljevine Belgije ali Velikega vojvodstva Luksemburg in ima sedež podjetja na ozemlju Kraljevine Belgije ali Velikega vojvodstva Luksemburg;

za Republiko Slovenijo:

a) fizične osebe, ki so državljani Republike Slovenije v skladu z njenimi zakoni,

b) pravne osebe, vključno s korporacijami, gospodarskimi družbami ali drugimi družbami ali združenji, ki imajo sedež na ozemlju Republike Slovenije in so registrirane ali ustanovljene v skladu s pravom Republike Slovenije.

3. Izraz "dohodek" pomeni kakršen koli znesek, ki ga prinaša naložba in vključuje še zlasti, vendar ne izključno dobiček, obresti, dividende, kapitalski dobiček, licenčnine, dohodek od celotne ali delne prodaje ali likvidacije naložbe in vse druge zakonite dohodke v zvezi z naložbami.

and

RECOGNISING that the reciprocal promotion and protection of such investments under this Agreement will be conducive to the stimulation of business initiative and will increase prosperity

in both Parties;

HAVE agreed as follows:

#### Article 1

##### Definitions

For the purposes of this Agreement:

1. The term "investment" shall mean every kind of asset invested in accordance with the laws and regulations of the Contracting Party in whose territory the investment is made and in particular, though not exclusively:

a) movable and immovable property, as well as any other rights *in rem* such as mortgages, liens, pledges, usufruct and similar rights;

b) shares, stocks, bonds and any other form of participation in a company;

c) claim to money or a claim to performance having an economic value, and associated with an investment;

d) intellectual property rights, including rights with respect to copyright, patents, trade marks, trade names, industrial designs and rights in technical processes, goodwill and know-how;

e) concessions, conferred by law or under contract, to undertake any economic and commercial activity, including concessions to search for, cultivate, extract or exploit natural resources.

The term "investment" shall also apply to any indirect contribution in cash, in kind or in services, invested or reinvested in any sector of economic activity in accordance with the laws and regulations of the Contracting Party in whose territory the investment is made.

Any alteration of the form in which assets are invested or reinvested shall not affect their character as investments provided that such alteration is in accordance with the laws and regulations of the Contracting Party in whose territory the investment has been made.

2. The term "investor" shall mean:

with respect to the Belgo-Luxembourg Economic Union:

a) any natural person who, according to the legislation of the Kingdom of Belgium or of the Grand-Duchy of Luxembourg is considered as a citizen of the Kingdom of Belgium or of the Grand-Duchy of Luxembourg;

b) any legal person constituted in accordance with the legislation of the Kingdom of Belgium or of the Grand-Duchy of Luxembourg and having its registered office in the territory of the Kingdom of Belgium or of the Grand-Duchy of Luxembourg;

with respect to the Republic of Slovenia:

a) natural persons having the nationality of the Republic of Slovenia in accordance with its laws;

b) legal persons, including corporations, commercial companies or other companies or associations, which have their seat in the territory of the Republic of Slovenia and are incorporated or constituted in accordance with the law of the Republic of Slovenia.

3. The term "return" shall mean any amount yielded by an investment and in particular though not exclusively include profit, interest, dividends, capital gains, royalties, proceeds from the sale or liquidation of all or any part of the investment and all other lawful income related to the investments.

4. Izraz "ozemlje" pomeni:

a) za Belgijsko-luksemburško ekonomsko unijo ozemlje Kraljevine Belgije in ozemlje Velikega vojvodstva Luksemburg kot tudi obmorska območja, to je morska in podvodna območja, ki segajo čez teritorialne vode zadevnih držav in na katerih te države v skladu z mednarodnim pravom uresničujejo svoje suverene pravice in jurisdikcijo za namen raziskovanja, izkoriščanja in ohranjanja naravnih virov;

b) za Republiko Slovenijo ozemlje Republike Slovenije, kjer Republika Slovenija izvaja suverenost, suverene pravice ali jurisdikcijo v skladu z mednarodnim pravom.

## 2. člen

### *Pospeševanje in zaščita naložb*

1. Vsaka pogodbenica na svojem ozemlju spodbuja in pospešuje naložbe vlagateljev druge pogodbenice in v skladu s svojim pravom dopušča take naložbe.

2. Vsaka pogodbenica v skladu s svojimi zakoni in predpisi dovoli sklepanje in izvrševanje licenčnih pogodb in komercialnih ter administrativnih sporazumov in sporazumov o tehnični pomoči, če so te dejavnosti povezane s takimi naložbami.

3. Vsaka pogodbenica se obvezuje, da bo vedno zagotovila, da se spoštujejo obveznosti, ki jih je sprejela od vlagateljev druge pogodbenice v skladu s tem sporazumom.

4. Vsaka pogodbenica zagotovi trajno zaščito in varnost naložb vlagateljev druge pogodbenice v skladu s svojimi zakoni. Nobena pogodbenica vlagateljem druge pogodbenice ne sme z nerazumnimi ali diskriminacijskimi ukrepi škodovati pri upravljanju, vzdrževanju, uporabi, uživanju naložb ali razpolaganju z njimi na svojem ozemlju.

Enake obravnave bodo veljale za reinvesticije dohodkov in vlaganje dodatnega premoženja za razširitev in vzdrževanje naložbe.

## 3. člen

### *Nacionalna obravnava in obravnava po načelu države z največjimi ugodnostmi*

1. Vsaka pogodbenica na svojem ozemlju zagotavlja pošteno in pravično obravnavo naložb in dohodkov vlagateljev druge pogodbenice. Ta obravnava v nobenem primeru ne sme biti manj ugodna od tiste, ki jo v enakih okoliščinah priznava svojim vlagateljem ali vlagateljem iz katere koli tretje države, kar je ugodnejše.

2. Nobena pogodbenica na svojem ozemlju ne sme obravnavati vlagateljev druge pogodbenice v zvezi z njihovim upravljanjem, vzdrževanjem, uporabo, uživanjem njihovih naložb ali prodajo njihovih naložb na manj ugoden način od obravnave, ki jo priznava svojim lastnim vlagateljem ali vlagateljem iz katere koli tretje države.

3. Določb tega člena v zvezi z zagotovitvijo obravnave, ki ne bo manj ugodna od tiste, ki je zagotovljena vlagateljem posamezne pogodbenice ali vlagateljem tretjih držav, ni mogoče razlagati tako, da obvezujejo eno pogodbenico, da dodeli vlagateljem druge pogodbenice ugodnost kakršnekoli obravnave, prednosti ali privilegije, ki izhajajo iz:

a) kakršne koli obstoječe ali prihodnje carinske ali gospodarske unije, prostotrgovinskega območja ali sporazuma

4. The term "territory" shall mean:

a) with respect to the Belgo-Luxembourg Economic Union the territory of the Kingdom of Belgium and the territory of the Grand-Duchy of Luxembourg as well as the maritime areas, i.e. the marine and underwater areas which extend beyond the territorial waters, of the States concerned and upon which the latter exercise, in accordance with international law, their sovereign rights and their jurisdiction for the purpose of exploring, exploiting and preserving natural resources;

b) with respect to the Republic of Slovenia the territory of the Republic of Slovenia where the Republic of Slovenia exercises sovereignty, sovereign rights or jurisdiction in accordance with international law.

## Article 2

### *Promotion and protection of investments*

1. Each Contracting Party shall encourage and promote investments in its territory by investors of the other Contracting Party and shall, in accordance with its law, admit such investments.

2. Each Contracting Party shall in accordance with its laws and regulations authorize the conclusion and the fulfilment of licence contracts and commercial, administrative or technical assistance agreements, as far as these activities are in connection with such investments.

3. Each Contracting Party undertakes to ensure at all times that the commitments it has entered into vis-a-vis investors of the other Contracting Party shall be observed pursuant to this Agreement.

4. Each Contracting Party shall ensure continuous protection and security of investments made by investors of the other Contracting Party in accordance with its laws. Neither Contracting Party shall in any way impair by unreasonable or discriminatory measures the management, maintenance, use, enjoyment or disposal of investments in its territory of investors of the other Contracting Party.

The same treatment is applied to reinvestment of returns and additional assets for expansion and maintenance of investments.

## Article 3

### *National treatment and most favoured Nation treatment*

1. Each Contracting Party shall ensure fair and equitable treatment within its territory to investments and returns of investors of the other Contracting Party. This treatment shall be in no case less favourable than that which, in like circumstances, it accords to its own investors or investors of any third State, whichever is more favourable.

2. Neither Contracting Party shall subject investors of the other Contracting Party, as regards their management, maintenance, use, enjoyment or disposal of their investment in its territory to treatment less favourable than that which it accords to its own investors or to investors of any third State.

3. The provision of this Article relative to the grant of treatment no less favourable than that accorded to the investors of either Contracting Party or of any third State shall not be construed so as to oblige one Contracting Party to extend to investors of the other the benefit of any treatment, preference or privilege resulting from:

a) any existing or future customs or economic union, free trade area or agreement, or similar international agree-

o prosti trgovini ali podobnega mednarodnega sporazuma, katerega pogodbenica je ena ali druga pogodbenica, oziroma bo to postala,

b) sporazumov, ki se v celoti ali deloma nanašajo na obdavčitev.

#### 4. člen

##### *Nadomestilo za izgube*

Vlagateljem ene pogodbenice, katerih naložbe na ozemlju druge pogodbenice utrpijo izgube zaradi vojne ali katere koli druge oblike oboroženega spopada, revolucije, izrednega stanja, upora, vstaje, nemirov ali drugih podobnih dogodkov na ozemlju te druge pogodbenice, druga pogodbenica glede vzpostavitve prejšnjega stanja, odškodnine ali nadomestila priznava enako ugodno obravnavo, kot jo zagotavlja svojim vlagateljem ali vlagateljem katere koli tretje države. Plačila na tej podlagi so prosto prenosljiva.

#### 5. člen

##### *Razlastitev in odškodnina*

1. Naložbe vlagateljev ene ali druge pogodbenice na ozemlju druge pogodbenice ne smejo biti predmet nacionalizacije, razlastitve ali ukrepov z enakim učinkom, kot ga ima nacionalizacija ali razlastitev (v nadaljevanju "razlastitev"), razen v javnem interesu, na nediskriminacijski podlagi, v skladu z zakonskim postopkom in proti takojšnji, učinkoviti in ustrezni odškodnini.

2. Odškodnina iz prvega odstavka tega člena se, glede na to, kateri dogodek se primeri prvi, izračuna na podlagi tržne vrednosti naložbe tik pred razlastitvijo ali preden je nameravana razlastitev postala splošno znana. Izplačilo odškodnine se izvrši brez odlašanja v konvertibilni valuti ali v valuti, v kateri je bila izvedena naložba in vključuje obresti po običajni komercialni obrestni meri, ki jo pogodbenica določi z zakonom, predpisi ali kako drugače, od dneva razlastitve do dneva plačila in mora biti prosto prenosljiva in dejansko vnovčljiva.

3. Vlagatelj, čigar naložbe so razlašene, ima pravico zahtevati, da skladno z zakonodajo pogodbenice, ki razlastitev izvede, sodni ali drug pristojni organ te pogodbenice takoj prouči njegov primer in vrednotenje njegovih naložb v skladu z načeli, določenimi v tem členu.

#### 6. člen

##### *Prenosi*

1. Vsaka pogodbenica v skladu s svojimi zakoni priznava vlagateljem druge pogodbenice prost prenos sredstev v zvezi z njihovimi naložbami, ki vključujejo zlasti, vendar ne izključno:

a) začetni kapital in dodatne prispevke za vzdrževanje ali razvoj naložb,  
b) dohodke, opredeljene v tretjem odstavku 1. člena tega sporazuma,  
c) sredstva za odplačilo posojil v zvezi z naložbo,

d) dohodek od celotne ali delne prodaje ali likvidacije naložbe,

e) kakršno koli odškodnino ali drugo plačilo iz 4. in 5. člena tega sporazuma,

f) zaslužke in prejeme državljanov iz tujine, zaposlenih v zvezi z naložbo.

2. Prenosi se opravijo brez odlašanja v prosto zamenljivo valuti. Prenosi se opravijo po tržnem menjalnem tečaju, veljavnem na dan prenosa, razen če se ni investitor dogovoril drugače.

ment to which either Contracting Party is or becomes a party;

b) agreements relating wholly or mainly to taxation.

#### Article 4

##### *Compensation for losses*

Investors of one Contracting Party whose investments in the territory of the other Contracting Party suffer losses owing to war or any other form of armed conflict, revolution, state of emergency, revolt, insurrection, riot or other such similar events in the territory of the latter Contracting Party shall be accorded by the latter Contracting Party as regards restitution, indemnification or compensation treatment no less favourable than that which it accords to its own investors or to investors of any third State. Resulting payments shall be freely transferable.

#### Article 5

##### *Expropriation and compensation*

1. Investments of investors of either Contracting Party shall not be nationalised, expropriated or subjected to measures having an effect equivalent to nationalisation or expropriation (hereinafter referred to as "expropriation") in the other Contracting Party, except for a public purpose, on a non-discriminatory basis, under due process of law and against prompt, effective and adequate compensation.

2. The compensation referred to in paragraph 1 of this Article shall be computed on the basis of the market value of the investment when the expropriation was decided or became public knowledge, whichever is earlier, shall be payable from the date of expropriation in convertible currency or in the currency in which the investment was made, with interest at the normal commercial rate provided by law, regulations or otherwise by the Contracting Party until the date of payment, shall be paid without delay and shall be effectively realisable and freely transferable.

3. The investor whose investments are expropriated, shall have the right under the law of the expropriating Contracting Party to prompt review by a judicial or other competent authority of that Contracting Party of its case and of the valuation of its investments in accordance with the principles set out in this Article.

#### Article 6

##### *Transfers*

1. Each Contracting Party shall pursuant to its laws grant investors of the other Contracting Party free transfer of funds related to their investments, including in particular though not exclusively:

a) initial capital and additional contributions for the maintenance or development of the investments;

b) returns defined in Paragraph 3 Article 1 of this Agreement;

c) funds in repayment of loans related to an investment;

d) proceeds from the sale or liquidation of all or part of an investment;

e) any compensation or other payment referred to in Articles 4 and 5 of this Agreement;

f) earnings and remuneration of nationals engaged from abroad in connection with the investment.

2. Transfers shall be effected without delay in a freely convertible currency. Unless otherwise agreed by the investor, transfers shall be made at the market rate of exchange applicable on the date of transfer.

7. člen  
*Subrogacija*

1. Če ena pogodbenica ali agencija, ki jo pogodbenica imenuje (v nadaljevanju "prva pogodbenica") opravi kako plačilo vlagatelju te pogodbenice na podlagi garancije ali pogodbe o zavarovanju, ki jo je odobrila v zvezi s kako naložbo, druga pogodbenica prizna prenos pravic in upravičenj v zvezi s tako naložbo. Prva pogodbenica je upravičena, da uresničuje take pravice in uveljavlja take zahtevke na podlagi subrogacije v enakem obsegu kot oškodovana stranka.

2. Če pogodbenica plača neko plačilo svojemu vlagatelju in prevzame pravice in terjatve vlagatelja, ta vlagatelj ne sme uveljavljati teh pravic in terjatev do druge pogodbenice, če ni pooblaščen, da nastopa v imenu pogodbenice, ki je opravila plačilo.

8. člen  
*Reševanje sporov med vlagatelji  
in pogodbenicama*

1. Vsak spor, ki bi nastal med pogodbenico in vlagateljem druge pogodbenice v zvezi z naložbo izvedeno na ozemlju prve pogodbenice, se rešuje po mirni poti s pogajanjii.

2. Če spora ni mogoče rešiti v šestih (6) mesecih od dneva zahteve po reševanju spora, se spor po izbiri investitorja predloži:

a) pristojnim sodnim organom pogodbenice ali

b) ad hoc razsodišču, ki se, če se stranke v sporu ne dogovorijo drugače, ustanovi v skladu z Arbitražnimi pravili Komisije Združenih narodov za mednarodno trgovinsko pravo (UNCITRAL), ali

c) Mednarodnemu centru za reševanje investicijskih sporov (ICSID) s spravnim postopkom ali arbitražo, ki je bil ustanovljen v skladu s Konvencijo o reševanju investicijskih sporov med državami in državljani drugih držav, ki je bila dana na voljo za podpis v Washingtonu D.C. 18. marca 1965.

3. Vsaka pogodbenica s tem soglašaa s predložitvijo investicijskega spora v mednarodni spravnii postopek ali arbitražo.

4. V kateri koli fazi arbitražnega postopka ali izvrševanja arbitražne odločbe nobena od pogodbenic, vpletenih v spor, nima pravice kot ugovor navesti dejstva, da je vlagatelj, ki je nasprotna stranka v sporu, prejel nadomestilo, ki v celoti ali delno pokriva njegove izgube v skladu z zavarovalno polico ali garancijo, predvideno v 7. členu tega sporazuma.

5. Nobena od pogodbenic ne sme po diplomatski poti reševati katere koli zadeve, predložene arbitraži, dokler se postopek ne končaa in eni od pogodbenic ni uspelo držati se razsodbe oziroma se ravnati po njej.

6. Odločba je dokončna in zavezujočaa za obe stranki v sporu. Vsaka pogodbenica se obveže, da bo izvršila odločbo v skladu s svojo zakonodajo.

9. člen  
*Reševanje sporov med pogodbenicama*

1. Spori med pogodbenicama v zvezi z razlago in uporabo tega sporazuma se, če je to le mogoče, rešujejo po mirni poti.

Article 7  
*Subrogation*

1. If one Contracting Party or its designated agency (hereinafter referred to as the "First Contracting Party") makes a payment to an investor of that Contracting Party under a guarantee or a contract of insurance it has granted in respect of an investment, the other Contracting Party shall recognise the transfer of rights of any right or title in respect of such investment. The First Contracting Party is entitled to exercise such rights and enforce such claims by virtue of subrogation, to the same extent as the party indemnified.

2. Where a First Contracting Party has made a payment to its investors and has taken over the rights and claims of the investor, that investor shall not, unless authorised to act on behalf of the First Contracting Party making the payment, pursue those rights and claims against the other Contracting Party.

Article 8  
*Settlement of disputes between investors and Parties  
hereof*

1. Any dispute which may arise between one Contracting Party and an investor of the other Contracting Party concerning an investment of that investor in the territory of the former Contracting Party shall be settled amicably through negotiations.

2. If such a dispute cannot be settled within a period of six (6) months from the date of request for settlement, the dispute shall be submitted, at the option of the investor, to either:

a) the competent judicial authorities of the Contracting Party; or

b) an ad-hoc tribunal which, unless otherwise agreed upon by the parties to the dispute, shall be established under the arbitration rules of the United Nations Commission on International Trade Law (UNCITRAL); or

c) the International Centre for the Settlement of Investment Disputes (ICSID) through conciliation or arbitration, established under the Convention on the Settlement of Investments Disputes between States and Nationals of other States, opened for signature in Washington D.C., on March 18, 1965.

3. Each Contracting Party hereby consents to the submission of an investment dispute to international conciliation or arbitration.

4. At any stage of the arbitration proceedings or of the execution of an arbitral award, none of the Contracting Parties involved in a dispute shall be entitled to raise as an objection the fact that the investor who is the opposing party in the dispute has received compensation totally or partly covering his losses pursuant to an insurance policy or to the guarantee provided for in Article 7 of this Agreement.

5. Neither Contracting Party shall pursue through diplomatic channels any matter referred to arbitration until the proceedings have terminated and a Contracting Party has failed to abide by or to comply with the award.

6. The award shall be final and binding on both parties to the dispute. Each Contracting Party undertakes to execute the awards in accordance with its national legislation.

Article 9  
*Settlement of disputes between the Contracting Parties*

1. All disputes which may arise between the Contracting Parties concerning the interpretation and application of this Agreement shall, as far as possible, be settled amicably.

2. Če pogodbenicama ne uspe doseči dogovora v šestih mesecih od datuma zahteve po poravnavi, se spor na zahtevo ene ali druge pogodbenice predloži arbitražnemu sodišču, ki ga sestavljajo trije člani.

3. Arbitražno sodišče se ustanovi za vsak posamezen primer na naslednji način. V dveh mesecih od prejema zahteve za arbitražo vsaka pogodbenica imenuje enega člana razsodišča. Ta dva člana nato izbereta državljan tretje države, ki se po odobritvi pogodbenic imenuje za predsednika razsodišča. Predsednik se imenuje v dveh mesecih od dne, ko sta bila imenovana druga dva člana.

4. Če potrebna imenovanja niso bila opravljena v rokih, določenih v tretjem odstavku tega člena, lahko ena ali druga pogodbenica, če ni dogovorjeno drugače, povabi predsednika Meddržavnega sodišča v Haagu, da opravi potrebna imenovanja. Če je predsednik sodišča državljan ene od pogodbenic ali iz kakršnega koli razloga ne more opraviti te naloge, se povabi podpredsednik sodišča, da opravi potrebna imenovanja. Če je podpredsednik sodišča državljan ene od pogodbenic ali iz kakršnega koli razloga ne more opraviti te naloge, se povabi član Meddržavnega sodišča, ki ni državljan ene od pogodbenic, da opravi potrebna imenovanja.

5. Arbitražno sodišče odloča z večino glasov. Njegove odločitve so dokončne in zavezujoče za obe pogodbenici. Vsaka pogodbenica krije stroške svojega člana in svojega zastopstva v arbitražnem postopku. Pogodbenici krijeta stroške za predsednika in druge stroške v enakih delih.

6. Skladno z določili tega člena razsodišče določa svoj lastni postopek.

#### 10. člen

##### *Uporaba drugih pravil*

Če zakonske določbe ene ali druge pogodbenice ali obveznosti po mednarodnem pravu, ki že obstajajo ali se po začetku veljavnosti tega sporazuma vzpostavijo med pogodbenicama poleg tega sporazuma, vsebujejo splošen ali pa poseben predpis, po katerem so naložbe vlagateljev druge pogodbenice upravičene do obravnave, ki je ugodnejša od tiste, ki je predvidena po tem sporazumu, potem take določbe v obsegu, v katerem so ugodnejše, prevladajo nad tem sporazumom.

#### 11. člen

##### *Uporaba sporazuma*

1. Ta sporazum se uporablja za vse sedanje in prihodnje naložbe, ki jih vlagatelji ene pogodbenice izvedejo na ozemlju druge pogodbenice v skladu z njenimi zakoni in predpisi.

2. V primeru posrednih naložb, navedenih v drugem pododstavku prvega odstavka 1. člena, vlagatelji ne smejo vložiti zahtevka na podlagi tega sporazuma, če je bil v isti zadevi že uveljavljan zahtevek na podlagi drugega sporazuma o zaščiti naložb.

#### 12. člen

##### *Začetek veljavnosti, trajanje in prenehanje*

1. Vsaka pogodbenica pisno po diplomatski poti obvesti drugo pogodbenico o izpolnjenih notranjepravnih zahtevah za začetek veljavnosti tega sporazuma. Ta sporazum začne veljati z datumom zadnje notifikacije. Ta sporazum ostane v veljavi deset let.

2. If the Contracting Parties cannot reach an agreement within six months from the date of request for settlement, the dispute shall, upon request of either Contracting Party, be submitted to an arbitral tribunal of three members.

3. Such an arbitral tribunal shall be constituted for each individual case in the following way. Within two months of the receipt of the request for arbitration, each Contracting Party shall appoint one member of the tribunal. Those two members shall then select a national of a third country who on approval by the Contracting Parties shall be appointed Chairman of the tribunal. The Chairman shall be appointed within two months from the date of appointment of the other two members.

4. If the necessary appointments have not been made within the periods specified in paragraph (3) of this Article, either Contracting Party may, in the absence of any other agreement, invite the President of the International Court of Justice in the Hague to make any necessary appointments. If the President is a national of either Contracting Party or if he is otherwise prevented from discharging the said function, the Vice-President shall be invited to make the necessary appointments. If the Vice-President is a national of either Contracting Party or is prevented from discharging the said function, a member of the Court who is not a national of either Contracting Party shall be invited to make the necessary appointments.

5. The arbitral tribunal shall reach its decision by a majority of votes. The decisions of the tribunal are final and binding on both Contracting Parties. Each Contracting Party shall bear the cost of its own member of the tribunal and of its representation in the arbitral proceedings. The cost of the Chairman and remaining costs shall be borne in equal parts by the Contracting Parties.

6. Subject to the provisions of this Article, the tribunal shall determine its own procedure.

#### Article 10

##### *Application of other rules*

If the provisions of law of either Contracting Party or obligations under international law existing at present or established hereafter between the Contracting Parties in addition to this Agreement contain a regulation, whether general or specific, entitling investments made by investors of the other Contracting Party to a treatment more favourable than is provided for by this Agreement, such provisions shall, to the extent that they are more favourable, prevail over this Agreement.

#### Article 11

##### *Application of the Agreement*

1. This Agreement shall apply to all existing and future investments made by investors from one Contracting Party in the territory of the other Contracting Party in accordance with its laws and regulations.

2. In the case of indirect investments referred to in the second subparagraph of paragraph 1 of the Article 1, the investors must not raise a claim based on this Agreement if in respect of the same matter the provisions of another investment protection agreement have been invoked.

#### Article 12

##### *Entry into force, duration and termination*

1. Each Contracting Party shall notify the other Contracting Party in writing through the diplomatic channel of the completion of its legal requirements for the entry into force of this Agreement. This Agreement shall enter into force on the date of the later notification. This Agreement shall remain in force for a period of ten years.

2. Sporazum se vsakokrat podaljšuje za nadaljnjih deset let, razen če ena ali druga pogodbenica najmanj šest mesecev pred iztekom njegove veljavnosti pisno ne obvesti druge pogodbenice o nameri odpovedi sporazuma, pri čemer si vsaka pogodbenica pridržuje pravico, da sporazum odpove z uradnim obvestilom najmanj šest mesecev pred datumom izteka tekočega obdobja veljavnosti.

3. Za naložbe, ki so bile izvedene med veljavnostjo tega sporazuma, ostajajo določbe členov od 1 do vključno 11 veljavne še nadaljnjih deset let po datumu prenehanja in brez poseganja v uporabo splošnih pravil mednarodnega prava po izteku tega zadnjega obdobja.

V DOKAZ TEGA sta za to od svojih vlad pravilno pooblaščenca podpisnika podpisala ta sporazum.

Sestavljeno v Ljubljani dne 1. februarja 1999, v dveh izvirmikih, od katerih je vsak v slovenskem, nizozemskem, francoskem in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. V primeru razlik pri razlagi prevlada angleško besedilo.

ZA VLADO  
REPUBLIKE SLOVENIJE

**dr. Boris Frlec** l. r.

ZA BELGIJSKO-LUKSEMBURŠKO  
EKONOMSKO UNIJO

Za Vlado Kraljevine Belgije,  
ki deluje tako v lastnem imenu  
in v imenu Vlade Velikega  
vojvodstva Luksemburg:  
Za Vlado Pokrajine Valonije:  
Za Vlado Pokrajine Flandrije:  
Za Vlado Pokrajine glavnega  
mesta Bruselj:  
**Erik Derycke** l. r.

FOR THE GOVERNMENT  
OF THE REPUBLIC OF SLOVENIA

**dr. Boris Frlec**, (s)

FOR THE BELGO-LUXEMBOURG  
ECONOMIC UNION:

For the Government of the  
Kingdom of Belgium, acting both  
in its own name and in the  
name of the Government of the  
Grand-Duchy of Luxembourg,  
For the Walloon Government,  
For the Flemish Government,  
For the Government of the  
Region of Brussels-Capital,  
**Erik Derycke**, (s)

### 3. člen

Za izvajanje sporazuma skrbi Ministrstvo za ekonomske odnose in razvoj.

### 4. člen

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

Št. 410-01/99-19/1

Ljubljana, dne 15. februarja 2000

Predsednik  
Državnega zbora  
Republike Slovenije  
**Janez Podobnik**, dr. med. l. r.



**12. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Bolgarije o ponovnem sprejemu oseb (BBOPSO)**

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

**U K A Z****O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE BOLGARIJE O PONOVNEM SPREJEMU OSEB (BBOPSO)**

Razlašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Bolgarije o ponovnem sprejemu oseb (BBOPSO), ki ga je sprejel Državni zbor Republike Slovenije na seji 15. februarja 2000.

Št. 001-22-13/00

Ljubljana, dne 23. februarja 2000

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N****O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE BOLGARIJE O PONOVNEM SPREJEMU OSEB (BBOPSO)**

## 1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Republike Bolgarije o ponovnem sprejemu oseb, podpisan v Sofiji dne 30. junija 1998.

## 2. člen

Sporazum se v izvirniku v slovenskem in angleškem jeziku glasi:\*

**S P O R A Z U M****MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE BOLGARIJE O PONOVNEM SPREJEMU OSEB**

Vlada Republike Slovenije in Vlada Republike Bolgarije (v nadaljnjem besedilu: pogodbenici) sta se

z željo, da v duhu dobrega sodelovanja na medsebojni podlagi olajšata ponoven sprejem oseb, katerih vstop na ozemlje države druge pogodbenice ali bivanje na njem sta v nasprotju z notranjim pravom, dogovorili naslednje:

**I. PONOVEN SPREJEM DRŽAVLJANOV DRŽAV POGODBENIC**

## 1. člen

(1) Vsaka pogodbenica mora na zahtevo druge pogodbenice in brez formalnosti ponovno sprejeti na ozemlje svoje države vsako osebo, ki ne izpolnjuje ali ne izpolnjuje več pogojev za vstop ali bivanje, ki veljajo na ozemlju države pogodbenice prosilke, če se ugotovi ali domneva, da ima ta oseba državljanstvo zaprosene države pogodbenice.

**A G R E E M E N T****BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA AND THE GOVERNMENT OF THE REPUBLIC OF BULGARIA ON READMISSION OF PERSONS**

The Government of the Republic of Slovenia and the Government of the Republic of Bulgaria (hereinafter referred to as the Contracting Parties),

with a desire to facilitate, in the spirit of good cooperation and on mutual basis, the readmission of persons, whose entry into or residence on the territory of the State of the other Contracting Party is contrary to the national law; have agreed as follows:

**I. READMISSION OF CITIZENS OF THE STATES OF THE CONTRACTING PARTIES**

## Article 1

(1) Each Contracting Party shall, upon request of the other Contracting Party and without any formalities, readmit to the territory of its State any person, who does not or does not any longer, comply with the conditions for entry or stay, applicable on the territory of the State of the requesting Contracting Party, if it is ascertained or presumed, that such person has citizenship of the State of the requested Contracting Party.

\* Besedilo sporazuma v bolgarskem jeziku je na vpogled v Sektorju za mednarodne pravne zadeve Ministrstva za zunanje zadeve.

(2) Državljanstvo se lahko ugotavlja ali domneva na podlagi dokumentov, navedenih v Prilogi 1 k temu sporazumu. Državljanstvo se lahko domneva tudi na podlagi drugih podatkov.

(3) Pogodbenica prosilka mora osebo pod istimi pogoji ponovno sprejeti na ozemlje svoje države, če je bilo z nadaljnjim preverjanjem ugotovljeno, da oseba v trenutku, ko je zapustila ozemlje države pogodbenice prosilke, ni imela državljanstva zaprosene države pogodbenice.

## II. PONOVEN SPREJEM DRŽAVLJANOV TRETJIH DRŽAV IN OSEB BREZ DRŽAVLJANSTVA

### 2. člen

(1) Vsaka pogodbenica mora na zahtevo druge pogodbenice in brez formalnosti na svoje ozemlje ponovno sprejeti državljana tretje države ali osebo brez državljanstva, ki ne izpolnjuje ali ne izpolnjuje več pogojev za vstop ali bivanje, ki veljajo na ozemlju države pogodbenice prosilke, če se ugotovi, da je taka oseba vstopila na ozemlje države pogodbenice po bivanju na ozemlju zaprosene države pogodbenice ali potovanju čezenj.

(2) Vsaka pogodbenica mora na zahtevo druge pogodbenice in brez formalnosti ponovno sprejeti državljana tretje države ali osebo brez državljanstva, ki ne izpolnjuje ali ne izpolnjuje več pogojev za vstop ali bivanje, ki veljajo na ozemlju države pogodbenice prosilke, če ima taka oseba veljaven vizum ali kako drugo veljavno dovoljenje za bivanje, ki ga je izdala zaprosena pogodbenica.

### 3. člen

Obveznost ponovnega sprejema, določena v 2. členu, ne velja, kadar gre za:

a) državljane tretjih držav, ki imajo skupno mejo z državo pogodbenico prosilko, in osebe brez državljanstva, ki imajo veljavno dovoljenje za bivanje, ki ga je izdal pristojni organ take tretje sosednje države;

b) državljane tretjih držav ali osebe brez državljanstva, ki so pred ali po tem, ko so zapustile ozemlje zaprosene države pogodbenice, ali po vstopu na ozemlje države pogodbenice prosilke od slednje dobili vizum ali dovoljenje za bivanje ali vstopili na njeno ozemlje na podlagi obstoječega sporazuma za potovanje brez vizumov;

c) državljane tretjih držav ali osebe brez državljanstva, ki so zadnje tri mesece bivali na ozemlju države pogodbenice prosilke;

d) državljane tretjih držav ali osebe brez državljanstva, ki jim je pogodbenica prosilka priznala bodisi status begunca na podlagi določb Ženevske konvencije o statusu beguncev z dne 28. julija 1951 in določb Newyorškega protokola o statusu beguncev z dne 31. januarja 1967 ali status osebe brez državljanstva na podlagi Newyorške konvencije o statusu oseb brez državljanstva z dne 28. septembra 1954;

e) državljane tretjih držav ali osebe brez državljanstva, ki jih je zaprosena država pogodbenica dejansko vrnila v njihovo matično državo ali v kako tretjo državo;

(2) Citizenship may be ascertained or presumed on the basis of the documents, mentioned in Annex 1 to this Agreement. Citizenship may also be presumed on the basis of other data.

(3) The requesting Contracting Party shall, under the same conditions, accept back on the territory of its State a readmitted person, if it has been ascertained through further verification that at the moment of leaving the territory of the State of the requesting Contracting Party, the said person did not have citizenship of the State of the requested Contracting Party.

## II. READMISSION OF CITIZENS OF THIRD STATES AND STATELESS PERSONS

### Article 2

(1) Each Contracting Party shall readmit to its territory, upon request of the other Contracting Party and without any formalities, a citizen of a third state or a stateless person, who does not, or does not any longer comply with the conditions for entry or stay applicable on the territory of the State of the requesting Contracting Party, if it has been ascertained that such a person had entered the territory of the State of the Contracting Party after having sojourned in or travelled through the territory of the State of the requested Contracting Party.

(2) Each Contracting Party shall, upon request of the other Contracting Party and without any formalities, readmit a citizen of a third state or a stateless person who does not, or does not any longer comply with the conditions for entry or stay applicable on the territory of the State of the requesting Contracting Party, if such a person has a valid visa or any other valid residence permit, issued by the requested Contracting Party.

### Article 3

The obligation of readmission as provided in Article 2 shall not apply in case of:

a) citizens of third states that have a common state border with the State of the requesting Contracting Party, and stateless persons who have a valid residence permit, issued by the competent authorities of such a third neighbouring State;

b) citizens of third states or stateless persons who, before or after they left the territory of the State of the requested Contracting Party or after they entered the territory of the State of the requesting Contracting Party, obtained a visa or residence permit from the latter or entered its territory on the basis of existing agreement for visa free travel;

c) citizens of third states or stateless persons who have resided for the last three months on the territory of the State of the requesting Contracting Party;

d) citizens of third states or stateless persons who were recognised by the requesting Contracting Party as having either the status of refugee on the basis of the provisions of the Geneva Convention relating to the Status of Refugees of 28 July 1951 and the provisions of the New York Protocol relating to the Status of Refugees of 31 January 1967, or the status of stateless person on the basis of the New York Convention relating to the Status of Stateless Persons of 28 September 1954;

e) citizens of third states or stateless persons, actually returned by the requested Contracting Party to their state of origin or to any other third state;

f) državljane tretjih držav ali osebe brez državljanstva, ki jim je po zapustitvi ozemlja zaprosene pogodbenice država tranzita odobrila vizum ali kako drugo dovoljenje za bivanje.

#### 4. člen

(1) Pogodbenica prosilka soglaša s ponovnim sprejemom na ozemlje države državljanov tretjih držav ali oseb brez državljanstva, za katere bi zaprosena pogodbenica po ustreznem preverjanju ugotovila, da v času odhoda z ozemlja države pogodbenice prosilke ne ustrezajo določbam 2. in 3. člena tega sporazuma.

(2) Če sta obe pogodbenici izdali vizum ali dovoljenje za bivanje, ima odgovornost tista država pogodbenica, katere vizum ali dovoljenje za bivanje je bilo izdano kasneje.

### III. POSTOPEK PONOVNEGA SPREJEMA

#### 5. člen

(1) Zaprošena pogodbenica je dolžna pisno odgovoriti na prošnjo za ponovni sprejem v osmih dneh po njenem prejemu. Zavrnitev ponovnega sprejema je treba utemeljiti.

(2) Osebam, ki jim je bil odobren ponoven sprejem, morajo biti ponovno sprejete najpozneje v tridesetih dneh od dne, ko je od zaprosene pogodbenice prejela odobritev. To obdobje se lahko podaljša z vzajemnim dogovorom.

#### 6. člen

V primeru vračanja oseb v skladu s tretjim odstavkom 1. člena ali s prvim odstavkom 4. člena je zaprosena pogodbenica dolžna pisno potrditi vračanje osebe in izročiti vso dokumentacijo, ki jo je prejela od pogodbenice prosilke v zvezi s prvotnim ponovnim sprejemom te osebe.

#### 7. člen

Pogodbenica prosilka krije stroške prevoza oseb, ki jih je treba ponovno sprejeti, do meje zaprosene države pogodbenice. Pogodbenica prosilka po potrebi krije vse stroške ponovnega sprejema oseb.

### IV. TRANZIT V PRIMERU ZAVRNITVE

#### 8. člen

(1) Vsaka pogodbenica na zahtevo druge pogodbenice dovoli državljanom tretjih držav ali osebam brez državljanstva med ponovnim sprejemom tranzit čez ozemlje svoje države, če je zagotovljen sprejem v naslednje možne države tranzita in/ali v namembno državo. Tranzit se lahko opravi po cesti, železnici ali z letalom.

(2) Pogodbenica prosilka prevzame polno odgovornost za nadaljevanje potovanja take osebe v namembno državo in bo tako osebo ponovno sprejela, če se ukrep zavrnitve iz kateregakoli razloga ne bi mogel izpolniti.

(3) Pogodbenica prosilka zaproseni pogodbenici potrdi, da ima oseba, za katero je bil odobren tranzit, potni dokument in dokument za prevoz v namembno državo.

f) citizens of third states or stateless persons who have been granted a valid visa or any other authorisation for residence by the transit State after they had left the territory of the requested Contracting Party.

#### Article 4

(1) The requesting Contracting Party agrees to accept back to the territory of its State those citizens of a third state or stateless persons for whom it may be ascertained, after adequate verification carried out by the requested Contracting Party, that they do not comply with the clauses under Articles 2 and 3 of the present Agreement at the time of their departure from the territory of the State of the requesting Contracting Party.

(2) If both Contracting Parties have issued a visa or a residence permit, responsibility will reside with the Contracting Party whose visa or residence permit was issued later.

### III. READMISSION PROCEDURE

#### Article 5

(1) The requested Contracting Party is obliged to answer in writing the request for readmission within eight days after it was received. Any refusal of readmission must be founded.

(2) Persons, to whom readmission is granted shall be readmitted within a maximum period of thirty days from the date of the receipt of the consent of requested Contracting Party. The said period can be extended by mutual agreement.

#### Article 6

In the case of return of persons in accordance with Article 1, paragraph (3) or Article 4, paragraph (1), the requested Contracting Party is obliged to confirm in writing the return of the person and to hand over all documentation received from the requesting Contracting Party in connection with the initial readmission of that person.

#### Article 7

The requesting Contracting Party shall cover the expenses of transportation of persons to be readmitted to the border of the State of the requested Contracting Party. The requesting Contracting Party shall also, if necessary, bear all expenses for the readmission of persons.

### IV. TRANSIT IN CASE OF REJECTION

#### Article 8

(1) Each Contracting Party shall, at the request of the other Contracting Party, allow citizens of third states or stateless persons to transit in course of readmission through the territory of its State, if admission into the next possible States of transit and/or to the State of destination is assured. Transiting may be carried out by road, rail or air transport.

(2) The requesting Contracting Party shall take full responsibility for the continuation of the travel of such person to the State of final destination and shall accept back such person, if for any reason the measure of rejection cannot be carried out.

(3) The requesting Contracting Party shall confirm to the requested Contracting Party that the person for whom the transit was granted, has a travel document and a document for transportation to the State of final destination.

## 9. člen

Pogodbenica prosilka mora obvestiti zaproseno državo pogodbenico, ali zavrnjena oseba potrebuje spremstvo. Zaprošena pogodbenica se v zvezi s tranzitom lahko:

- odloči, da bo sama določila spremstvo;
- odloči, da bo določila spremstvo skupaj s pristojnimi organi pogodbenice prosilke.

(2) Če se tranzit opravi z letalsko družbo pogodbenice prosilke in s policijskim spremstvom, osebe v tranzitu ne smejo zapustiti območij za potnike v tranzitu na letališčih zaprosene pogodbenice.

(3) Če se tranzit opravi z letalsko družbo zaprosene pogodbenice, pristojni organi te pogodbenice priskrbijo policijsko spremstvo.

(4) Če se mora tranzit izjemoma opraviti po cesti ali železnici, se pogodbenici dogovorita o nujnosti in načinu spremstva.

## 10. člen

(1) Zahtevo za tranzit si neposredno izmenjata pristojna organa pogodbenic.

(2) Zahteva mora vsebovati vse podatke o istovetnosti osebe v tranzitu, kot so navedeni v Prilogi 2 k temu sporazumu.

## 11. člen

Tranzit med ponovnim sprejemom se lahko zavrne:

– če je državljan tretje države ali oseba brez državljanstva v svoji namembni državi ali v katerikoli drugi državi tranzita preganjan zaradi rase, veroizpovedi, narodnosti ali pripadnosti določeni družbeni skupini ali zaradi političnega prepričanja;

– če državljanu tretje države ali osebi brez državljanstva v namembni državi ali v katerikoli drugi državi tranzita grozi pregon ali obsodba zaradi kaznivih dejanj, ki jih je zagrešil pred tranzitom;

– če je državljan tretje države ali oseba brez državljanstva razglašena kot "persona non grata" na ozemlju zaprosene države pogodbenice ali če prehod te osebe v tranzitu pomeni nevarnost za državno varnost, javni red in mir ali zdravje.

## 12. člen

(1) Pogodbenica prosilka krije vse stroške tranzita do meje namembne države in vse morebitne stroške, ki bi nastali v primeru ob morebitnem vračanju.

(2) Zaprošena pogodbenica krije vse stroške policijskega spremstva v območjih za potnike v tranzitu na letališčih na ozemlju svoje države.

## V. SPLOŠNE DOLOČBE

## 13. člen

Pogodbenici določita po diplomatski poti:

- pristojne organe, odgovorne za obravnavo prošenj za ponoven sprejem ali tranzit;
- letališča ali druge mednarodne mejne prehode, ki jih je mogoče uporabiti za ponoven sprejem ali vstop oseb v tranzitu.

## Article 9

(1) The requesting Contracting Party shall inform the requested Contracting Party in case the rejected person needs an escort. The requested Contracting Party may, in connection with the transit:

- decide to appoint its own escort;
- decide to appoint escort in agreement with the competent authorities of the requesting Contracting Party.

(2) If transit is performed by the requesting Contracting Party's designated airline company and with a police escort, the persons in transit may not leave the transit zones of the airports of the requested Contracting Party.

(3) If transit is performed by the requested Contracting Party's designated airline company the police escort is provided for by the competent authorities of this Contracting Party.

(4) If transit must, exceptionally, be carried out by road or railway, the Contracting Parties shall agree about the necessity and modality of the escort.

## Article 10

(1) The request for transit shall be exchanged directly between the competent authorities of the Contracting Parties.

(2) The request should contain all data pertaining to the identity of the person to be transited, as mentioned in Annex 2 to this Agreement.

## Article 11

Transit in course of readmission may be rejected:

– if the citizen of a third state or stateless person is prosecuted in his/her final destination state, or in any other transit country, because of his/her race, religion, ethnicity or membership of a certain social group or because of his/her political opinion;

– if the citizen of a third state or stateless person is threatened to be prosecuted or sentenced in the state of final destination or in any other transit country for criminal offences committed before the transit;

– if the citizen of a third state or stateless person is declared "persona non grata" on the territory of the State of the requested Contracting Party or if that person's transit passage represents a threat to national security, public order or health.

## Article 12

(1) The requesting Contracting Party shall cover all the expenses of transit to the border of the state of final destination, as well as all possible expenses which may occur in the case of possible return.

(2) The requested Contracting Party shall cover the expenses of police escort in the transit zones of airports on the territory of its State.

## V. GENERAL PROVISIONS

## Article 13

The Contracting Parties shall define through the diplomatic channels:

- the competent authorities responsible for the treatment of applications for readmission or transit;
- the airports and other international border crossing points that may be used for the readmission or entrance of persons in transit.

## 14. člen

Če je treba za izvajanje tega sporazuma sporočiti osebne podatke, naj te informacije vsebujejo podatke, navedene v Prilogi 2 k temu sporazumu.

## 15. člen

(1) Določbe tega sporazuma ne preprečujejo uporabe določb Evropske konvencije o varstvu človekovih pravic in temeljnih svoboščin z dne 4. novembra 1950.

(2) Določbe tega sporazuma ne preprečujejo uporabe določb Ženevske konvencije o statusu beguncev z dne 28. julija 1951, dopolnjene z Newyorškim protokolom o statusu beguncev z dne 31. januarja 1967, in Newyorške konvencije o statusu oseb brez državljanstva z dne 28. septembra 1954.

(3) Določbe tega sporazuma ne posegajo v obveznosti ponovnega sprejemanja ali vračanja državljanov tretjih držav ali oseb brez državljanstva, ki izhajajo iz drugih mednarodnih sporazumov, veljavnih za pogodbenici.

## 16. člen

(1) Ta sporazum se sklene za nedoločen čas in začne veljati trideset dni od dne prejema zadnjega obvestila, ki potrjuje izpolnitev vseh notranjih postopkov v zvezi z začetkom njegove veljavnosti.

(2) Vsaka pogodbenica lahko z uradnim obvestilom drugi državi pogodbenici začasno prekine izvajanje tega sporazuma, z izjemo določb, ki urejajo ponoven sprejem državljanov držav pogodbenic, in sicer iz tehtnih razlogov, posebno zaradi zaščite državne varnosti, javnega reda in miru ali zdravja ljudi. Začasna prekinitve izvajanja začne veljati takoj.

(3) Vsaka pogodbenica lahko z uradnim obvestilom drugi pogodbenici odpove ta sporazum. Odpoved začne veljati prvi dan drugega meseca po mesecu, v katerem je druga pogodbenica prejela uradno obvestilo.

Da bi to potrdila, sta predstavnika pogodbenic, pravilno pooblaščenca v ta namen, podpisala ta sporazum.

Sestavljeno v Sofiji dne 30. junija 1998 v dveh izvodih v slovenskem, bolgarskem in angleškem jeziku, pri čemer so vsa tri besedila enako verodostojna. Ob sporu ali razlikah v razlagi tega sporazuma prevlada angleško besedilo.

Za vlado  
Republike Slovenije  
dr. Ernest Petrič l. r.

Za vlado  
Republike Bolgarije  
Božidar Popov l. r.

## Article 14

Insofar as personal data have to be communicated in order to implement this Agreement, such information should contain the data, as mentioned in Annex 2 to this Agreement.

## Article 15

(1) The provisions of the present Agreement shall not prevent the application of the provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950.

(2) The provisions of the present Agreement shall not prevent the application of the provisions of the Geneva Convention relating to the Status of Refugees of 28 July 1951, complemented by the New York Protocol relating to the Status of Refugees of 31 January 1967 and the New York Convention relating to the Status of Stateless Persons of 28 September 1954.

(3) The provisions of the present Agreement shall not interfere with any obligations for the readmission or return of citizens of third states or stateless persons which derive from other international agreements in force for the Contracting Parties.

## Article 16

(1) This Agreement is concluded for an indefinite period and shall enter into force thirty days from the date of receipt of the last note, confirming completion of the internal procedures relating to its entry into force.

(2) Each Contracting Party may suspend this Agreement by notification to the other Contracting Party, with the exception of provisions regulating the readmission of the citizens of the States of the Contracting Parties, on important grounds, in particular on grounds of the protection of state security, public order or public health. The suspension shall become effective immediately.

(3) Each Contracting Party may terminate this Agreement by notification to the other Contracting Party. The termination shall become effective on the first day of the second month following the month in which notification was received by the other Contracting Party.

In confirmation of the above, the representatives of both Contracting Parties, duly authorised for this purpose, have signed the present Agreement.

Done at Sofia on the 30<sup>th</sup> day of June 1998 in two copies in Slovenian, Bulgarian and English languages, all three texts being equally authentic. In case of any dispute or difference in the interpretation of the present Agreement, the English text shall prevail.

For the Government of  
the Republic of Slovenia  
dr. Ernest Petrič, (s)

For the Government of  
the Republic of Bulgaria  
Božidar Popov, (s)

**PRILOGA 1****k Sporazumu med Vlado Republike Slovenije in Vlado Republike Bolgarije o ponovnem sprejemu oseb**

Državljanstvo se ugotavlja ali domneva na podlagi teh dokumentov Republike Slovenije:

- potrdilo o državljanstvu;
  - potni list;
  - osebna izkaznica;
- tudi če so bili ti dokumenti izdani nepravilno ali če je njihova veljavnost potekla pred manj kot tremi leti.

Državljanstvo se ugotavlja ali domneva na podlagi teh dokumentov Republike Bolgarije:

- dokument o nacionalni istovetnosti;
  - potni list ali nadomestni potni dokument s fotografijo (prepustnica);
  - vojaška osebna izkaznica osebja oboroženih sil s fotografijo imetnika;
- tudi če so bili ti dokumenti izdani nepravilno ali če je njihova veljavnost potekla pred manj kot tremi leti.

**PRILOGA 2****k Sporazumu med Vlado Republike Slovenije in Vlado Republike Bolgarije o ponovnem sprejemu oseb**

Če je treba za izvajanje tega sporazuma sporočiti osebne podatke, naj taka informacija vsebuje:

a) podatke o osebi, in če je potrebno, še o njenih družinskih članih, kot so priimek, ime, vsako prejšnje ime, vzdevek ali psevdonim, alias, datum in kraj rojstva, spol, sedanje in vsa prejšnja državljanstva;

b) potni list, potni dokument, prepustnica ali kakršenkoli drug identifikacijski dokument (številka, datum izdaje, organ, ki ga je izdal, kraj izdaje, čas veljavnosti, ozemlje veljavnosti);

- c) druge podatke, potrebne za identifikacijo osebe;
- d) načrti potovanja;
- e) dovoljenja za vstop, ki jih je izdala ena od pogodbenic ali tretja država, njihovi opisi;
- f) obvestilo o posebni pomoči starejšim ali bolnim osebam, če je ta potrebna.

## 3. člen

Za izvajanje sporazuma skrbi Ministrstvo za notranje zadeve.

## 4. člen

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

Št. 213-04/99-29/1

Ljubljana, dne 15. februarja 2000

**ANNEX 1****to the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Bulgaria on the readmission of persons**

Citizenship may be ascertained or presumed on the basis of the following documents of the Republic of Slovenia:

- citizenship certificate;
  - passport;
  - identity card;
- even if such documents were issued incorrectly or if they expired not more than three years previously.

Citizenship may be ascertained or presumed on the basis of the following documents of the Republic of Bulgaria:

- document of national identity;
  - passport or a substitute travel document with a photograph (laissez-passez);
  - military identity card of Armed Forces personnel with bearer's photograph;
- even if such documents were issued incorrectly or if they expired not more than three years previously.

**ANNEX 2****to the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Bulgaria on the readmission of persons**

Insofar as personal data have to be communicated in order to implement this Agreement, such information should contain the following:

a) the particulars of the person and, when necessary, of the members of the person's family, such as: surname, given name, any previous names, nicknames or pseudonyms, aliases, date and place of birth, sex, current and any previous citizenship;

b) passport, travel document, laissez-passer or any other identity document (number, date of issue, issuing authority, place of issue, period of validity, territory of validity);

- c) other details needed to identify the person;
- d) itineraries;
- e) entry permits issued by one of the Contracting Parties or a third state, their descriptions;
- f) if necessary, the need for special assistance to elderly or sick persons should be notified.

Predsednik  
Državnega zbora  
Republike Slovenije  
**Janez Podobnik, dr. med. l. r.**

**13. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Ukrajine o sodelovanju v kulturi, izobraževanju in znanosti (BUKKIZ)**

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

**U K A Z**

**O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO UKRAJINE O SODELOVANJU V KULTURI, IZOBRAŽEVANJU IN ZNANOSTI (BUKKIZ)**

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Ukrajine o sodelovanju v kulturi, izobraževanju in znanosti (BUKKIZ), ki ga je sprejel Državni zbor Republike Slovenije na seji 15. februarja 2000.

Št. 001-22-14/00

Ljubljana, dne 23. februarja 2000

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N**

**O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO UKRAJINE O SODELOVANJU V KULTURI, IZOBRAŽEVANJU IN ZNANOSTI (BUKKIZ)**

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Ukrajine o sodelovanju v kulturi, izobraževanju in znanosti, podpisan v Ljubljani 12. maja 1997.

2. člen

Sporazum se v izvorniku v slovenskem in angleškem jeziku glasi:\*

**S P O R A Z U M**

**MED VLADO REPUBLIKE SLOVENIJE IN VLADO UKRAJINE O SODELOVANJU V KULTURI, IZOBRAŽEVANJU IN ZNANOSTI**

Vlada Republike Slovenije in Vlada Ukrajine (v nadaljnjem besedilu pogodbenici) sta se

v želji, da bi razvili in krepili prijateljske odnose med državama in poglobljali sodelovanje in izmenjavo v kulturi, izobraževanju in znanosti,

ob spoštovanju načel in določb Helsinške sklepne listine Konference o varnosti in sodelovanju v Evropi, Pariške listine za novo Evropo in Dunajske deklaracije Sveta Evrope in

odločeni, da podpišeta ta sporazum o sodelovanju v kulturi, izobraževanju in znanosti (v nadaljnjem besedilu sporazum),

dogovorili o naslednjem:

1. člen

Pogodbenici bosta v skladu z načeli enakosti in medsebojne koristi spodbujali in podpirali izmenjavo in sodelovanje v izobraževanju, znanosti, kulturi, umetnosti, športu, turizmu in med mladimi.

**A G R E E M E N T**

**BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA AND THE GOVERNMENT OF UKRAINE ON COOPERATION IN THE FIELDS OF CULTURE, EDUCATION AND SCIENCE**

The Government of the Republic of Slovenia and the Government of Ukraine (hereinafter referred to as the "Contracting Parties");

Willing to develop and strengthen friendly relations between the two countries and deepen cooperation and exchange in the fields of culture, education and science;

Guided by the principles and provisions of the Helsinki Final Act of the Conference on Security and Cooperation in Europe, the Paris Charter for a New Europe, and the Vienna Declaration of the Council of Europe and

Having resolved to sign this Agreement on Cooperation in the Fields of Culture, Education and Science (hereinafter referred to as "the Agreement"),

Have agreed as follows:

Article 1

The Contracting Parties, in conformity with the principles of equality and mutual benefit, shall encourage and support exchange and cooperation in the fields of education, science, culture, art, sport, tourism, and youth.

\* Besedilo sporazuma v ukrajinskem jeziku je na vpogled v Sektorju za mednarodne pravne zadeve Ministrstva za zunanje zadeve Republike Slovenije.

## 2. člen

Pogodbenici bosta spodbujali sodelovanje v izobraževanju in znanosti z:

- izmenjavo predavateljev, znanstvenikov in strokovnjakov, ki bodo sodelovali na konferencah, imeli predavanja in opravljali raziskovalno dejavnost z namenom, da se pogodbenica seznaní z izobraževalnim sistemom druge pogodbenice;
- izmenjavo študentov, podiplomskih študentov in pripravnikov za ustrezno usposabljanje;
- vzpostavljanjem neposrednega sodelovanja in stikov med univerzami in drugimi izobraževalnimi, znanstvenimi in raziskovalnimi ustanovami;
- spodbujanjem študija jezika, književnosti, kulture in zgodovine druge države.

## 3. člen

Pogodbenici bosta proučili možnosti za medsebojno priznavanje spričeval, univerzitetnih diplom in akademskih naslovov in bosta v ta namen podpisali poseben sporazum.

## 4. člen

Pogodbenici bosta spodbujali ozaveščenost javnosti o kulturni dediščini druge pogodbenice in o njenih klasičnih in sodobnih dosežkih v kulturi.

V ta namen bosta spodbujali:

- izmenjavo informacij o kulturnem življenju v obeh državah;
- izmenjavo umetniških in fotografskih razstav;
- sodelovanje na mednarodnih glasbenih, pevskih festivalih in festivalih ljudskih plesov, ki jih organizirata pogodbenici;
- vabljenje pisateljev, umetnikov in drugih osebnosti druge pogodbenice, ki so dejavni v kulturi.

## 5. člen

Pogodbenici bosta spodbujali stike in sodelovanje med muzeji, knjižnicami in arhivi ter med ustanovami za arheologijo in obnavljanje zgodovinskih spomenikov.

## 6. člen

Pogodbenici bosta spodbujali sodelovanje med radiem in televizijo in pospeševali izmenjavo radijskih in televizijskih programov.

Spodbujali bosta tudi sodelovanje med tiskovnimi agencijami obeh držav.

## 7. člen

Pogodbenici bosta spodbujali sodelovanje v športu kot tudi izmenjave med mladinskimi organizacijami obeh držav.

## 8. člen

V skladu s cilji tega sporazuma bosta pogodbenici spodbujali turistično izmenjavo za namene rekreacije in zato da bi javnost druge pogodbenice boljše seznanili z življenjem in kulturo druge pogodbenice.

## 9. člen

Za izvajanje tega sporazuma bosta pogodbenici občasno razvijali posebne programe izmenjave in se bosta dogovorili o finančnih pogojih za njihovo uresničevanje.

## Article 2

The Contracting Parties shall encourage cooperation in the field of education and science through:

- exchange of lecturers, scientists and specialists, taking part in conferences, delivering lectures, and conducting research, with the aim of familiarizing both Parties with their respective educational systems;
- exchange of students, postgraduates for training;
- establishing direct cooperation and contacts between universities and other educational, scientific and research institutions;
- promoting study of the language, literature, culture and history of the other country.

## Article 3

The Contracting Parties shall consider the possibility of reciprocal recognition of certificates, university diplomas and academic titles, and shall sign a special agreement to this end.

## Article 4

The Contracting Parties shall encourage public awareness of the cultural heritage of the other Party, and of its cultural achievements, both classical and contemporary.

To this end they shall encourage:

- exchange of information on the cultural life of both countries;
- exchange of art exhibitions, photo-exhibitions;
- participation in international music, song and folk dance festivals, held by both Parties;
- invitations extended to writers, artists, and others of either Party involved in the field of culture.

## Article 5

The Contracting Parties shall support contacts and cooperation between museums, libraries and archives, as well as institutions in the field of archeology and the restoration of historical monuments.

## Article 6

The Contracting Parties shall encourage cooperation in the field of radio and television, and promote exchange of radio and TV programmes.

They shall also promote cooperation between the information agencies of both countries.

## Article 7

The Contracting Parties shall encourage cooperation in the field of sport, as well as exchanges between youth organizations of both countries.

## Article 8

Proceeding from the goals of this Agreement, the Contracting Parties shall encourage tourist exchange both for recreation and in order to make the public of either Party better acquainted with the life and culture of the other State.

## Article 9

For the practical implementation of this Agreement, the Contracting Parties shall periodically develop specific exchange programmes and agree upon the financial terms for their implementation.



Na podlagi tega sporazuma lahko ustrezni organi in ustanove obeh držav sklenejo sporazume ali protokole o neposrednem sodelovanju.

## 10. člen

Ta sporazum začne veljati na dan prejema zadnjega pisnega obvestila, v katerem se pogodbenici medsebojno obvestita o tem, da so izpolnjeni potrebni postopki, ki jih njuni notranji zakonodaji določata za uveljavitev tega sporazuma.

## 11. člen

Ta sporazum se sklene za pet let in se samodejno podaljša za naslednje petletno obdobje, razen če ena od pogodbenic pisno ne obvesti druge o svoji nameri, da ga odpove. V tem primeru sporazum preneha veljati šest mesecev po tem, ko druga pogodbenica prejme tako obvestilo.

Sestavljeno v Ljubljani dne 12. maja 1997 v dveh izvodih v slovenskem, ukrajinskem in angleškem jeziku, pri čemer so vsa besedila verodostojna. Ob različni razlagi je odločilno angleško besedilo.

Za Vlado  
Republike Slovenije  
**Zoran Thaler** l. r.

Za Vlado  
Ukrajine  
**Genadij Udovenko** l. r.

On the basis of this Agreement, the relevant departments and institutions of both countries may conclude agreements or protocols on direct cooperation.

## Article 10

This Agreement shall enter into force on the day of receiving the last written notification, in which the Contracting Parties shall inform each other of completion of the necessary procedures stipulated by their internal legislation for the Agreement to take effect.

## Article 11

This Agreement is concluded for the term of five years; it shall be automatically extended for the succeeding five-year period unless either Contracting Party gives a written notification to the other Contracting Party of its intention to terminate it. In this case the Agreement shall expire six months after receipt of such notification by the other Contracting Party.

Done at Ljubljana this 12<sup>th</sup> day of May 1997, in duplicate in the Slovene, Ukrainian and English languages, all texts being equally authentic. In case of different interpretation the English text shall prevail.

For the Government  
of the Republic of Slovenia  
**Zoran Thaler**, (s)

For the Government  
of Ukraine  
**Genadij Udovenko**, (s)

## 3. člen

Za izvajanje sporazuma skrbijo Ministrstvo za kulturo, Ministrstvo za šolstvo in šport in Ministrstvo za znanost in tehnologijo.

## 4. člen

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

Številka: 610-02/99-23/1  
Ljubljana, dne 15. februarja 2000

Predsednik  
Državnega zbora  
Republike Slovenije  
**Janez Podobnik**, dr. med. l. r.

**14. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Kraljevine Norveške o mednarodnem cestnem prevozu (BNOMCP)**

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

**U K A Z****O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO KRALJEVINE NORVEŠKE O MEDNARODNEM CESTNEM PREVOZU (BNOMCP)**

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Kraljevine Norveške o mednarodnem cestnem prevozu (BNOMCP), ki ga je sprejel Državni zbor Republike Slovenije na seji 15. februarja 2000.

Št. 001-22-15/00

Ljubljana, dne 23. februarja 2000

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N****O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO KRALJEVINE NORVEŠKE O MEDNARODNEM CESTNEM PREVOZU (BNOMCP)**

## 1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Kraljevine Norveške o mednarodnem cestnem prevozu, podpisan 26. maja 1998 v Kopenhagenu.

## 2. člen

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

**A G R E E M E N T  
BETWEEN THE GOVERNMENT OF THE  
REPUBLIC OF SLOVENIA AND THE  
GOVERNMENT OF THE KINGDOM OF NORWAY  
CONCERNING INTERNATIONAL ROAD  
TRANSPORT**

The Government of the Republic of Slovenia and the Government of the Kingdom of Norway (hereinafter referred to as the Contracting Parties), desiring to promote transport of passengers and goods by motor vehicles between and through the two countries, have agreed as follows:

## I GENERAL

Article 1  
*Definitions*

1. The term "home country" means the country of the Contracting Party where a vehicle is registered.

2. The term "host country" means the country of the Contracting Party where a vehicle is being used in transport operations other than its home country.

3. The term "passenger motor vehicle" means any power driven vehicle which is equipped and used exclusively for the carriage of passengers.

4. The term "regular services" means services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points.

5. The term "shuttle services" means services whereby, by means of repeated outward and return journeys, groups of passengers assembled in advance are carried

**S P O R A Z U M  
MED VLADO REPUBLIKE SLOVENIJE IN VLADO  
KRALJEVINE NORVEŠKE O MEDNARODNEM  
CESTNEM PREVOZU**

Vlada Republike Slovenije in Vlada Kraljevine Norveške (v nadaljevanju pogodbenici) sta se v želji, da bi spodbudili prevoz potnikov in blaga z motornimi vozili med državama in čez njiju, sporazumeli, kot sledi:

## I. SPLOŠNO

## 1. člen

*Opredelitev izrazov*

1. Izraz "domača država" pomeni državo pogodbenice, v kateri je vozilo registrirano.

2. Izraz "država gostiteljica" pomeni državo pogodbenice, ki ni domača država in v kateri se vozilo uporablja za opravljanje prevozov.

3. Izraz "potniško motorno vozilo" pomeni vsako vozilo na motorni pogon, ki je opremljeno in se uporablja izključno za prevoz potnikov.

4. Izraz "linijski prevoz" pomeni prevoz, s katerimi se opravlja prevoz potnikov v določenih časovnih presledkih na določenih progah, pri čemer potniki vstopajo in izstopajo na vnaprej določenih postajališčih.

5. Izraz "izmenični prevoz" pomeni prevoz na stalni progi tja in nazaj, pri čemer se vnaprej sestavljene skupine potnikov prepeljejo od enega samega odhodnega kraja do enega samega namembnega kraja. Te skupine, ki jih sestav-

from a single area of departure to a single area of destination. These groups, made up of passengers who have completed the outward journey, are carried back to the place of departure in the course of a subsequent journey.

6. "Area of departure" and "area of destination" mean respectively the place where the journey begins and the place where the journey ends, together with, in each case, localities within a radius of 50 km. The first return journey and the last outward journey shall be unladen.

7. The term "commercial motor vehicle" means any power driven vehicle normally used for goods transport by road. For the purposes of this Agreement the term "commercial motor vehicle" also applies to any trailer or semitrailer, coupled to any commercial vehicle as well as any combination of vehicles.

8. The term "cabotage" means transport of passengers or goods between points in the host country.

#### Article 2

##### *Scope*

A carrier who in his home country is entitled to perform international road transport operations, may perform such operations to and from the territory of the host country, or in transit through the territory of the host country on the terms specified in this Agreement.

#### Article 3

##### *National legislation*

Carriers and vehicle crews must comply with the laws and regulations of the host country while performing road transport operations within that country's territory.

#### Article 4

##### *Joint Commission*

The competent authorities of both Contracting Parties shall establish a Joint Commission to review the implementation and application of this Agreement. The Joint Commission will meet at the request of the competent authority of either Contracting Party.

#### Article 5

##### *Competent Authorities*

1. The competent authorities of the Contracting Parties will exchange information about all agreed obligations related to this Agreement, such as the issuance of authorizations, return of authorizations after use, infringements, etc.

2. Information on the titles and addresses of the competent authorities will be exchanged by both Contracting Parties through diplomatic channels.

## II PASSENGER TRANSPORT

#### Article 6

##### *Authorization*

All transport operations by passenger motor vehicles between the countries of the Contracting Parties and in transit through their territories, except the transport operations specified in Article 8 of this Agreement, must have proper authorization issued by the competent authority of the host country.

#### Article 7

##### *Regular and shuttle services*

Regular and shuttle services between the countries of the Contracting Parties or in transit through their territories

ljajo potniki, ki so že prispeli v namembni kraj, se vrnejo v odhodni kraj v eni od kasnejših voženj.

6. "Odhodni kraj" in "namembni kraj" pomenita mesti, kjer se potovanje začne in konča, pri čemer ti lokaciji vključujeta tudi mesta v oddaljenosti do 50 km. Prva vožnja nazaj v odhodni kraj in zadnja vožnja v namembni kraj se opravita s praznim vozilom.

7. Izraz "tovorno motorno vozilo" pomeni vsako vozilo na motorni pogon, ki se običajno uporablja za prevoz blaga po cesti. Za namen tega sporazuma se izraz "tovorno motorno vozilo" uporablja tudi za vsak priklopnik ali polpriklopnik, ki je priključen h kateremu koli tovornemu vozilu, kakor tudi za kombinacijo vozil.

8. Izraz "kabotaža" pomeni prevoz potnikov ali blaga med točkami v državi gostiteljici.

#### 2. člen

##### *Obseg*

Prevoznik, ki ima v svoji domači državi pravico opravljati mednarodni cestni prevoz, lahko takšen prevoz opravlja na ozemlje države gostiteljice in z njega ali v tranzitu čez to ozemlje po določbah tega sporazuma.

#### 3. člen

##### *Notranja zakonodaja*

Prevozniki in vozno osebje morajo pri opravljanju cestnih prevozov na ozemlju države gostiteljice spoštovati zakonodajo in predpise te države.

#### 4. člen

##### *Skupna komisija*

Pristojni organi obeh pogodbenic ustanovijo skupno komisijo, ki spremlja izvajanje in uporabo tega sporazuma. Skupna komisija se sestane na željo pristojnega organa ene ali druge pogodbenice.

#### 5. člen

##### *Pristojni organi*

1. Pristojni organi pogodbenic izmenjujejo informacije o vseh dogovorjenih obveznostih v zvezi s tem sporazumom, kot so izdaja dovoljenj, vračilo dovoljenj po uporabi, kršitve itd.

2. Informacije o nazivih in naslovih pristojnih organov si pogodbenici izmenjata po diplomatski poti.

## II. PREVOZ POTNIKOV

#### 6. člen

##### *Dovoljenje*

Za vse prevoze s potniškimi motornimi vozili med državama obeh pogodbenic in tranzitno čez njuni ozemlji, razen prevozov iz 8. člena tega sporazuma, je potrebno ustrezno dovoljenje, ki ga izda pristojni organ države gostiteljice.

#### 7. člen

##### *Linijski in izmenični prevoz*

Linijski in izmenični prevoz med državama obeh pogodbenic ali v tranzitu čez njuni ozemlji morajo vnaprej odobriti

shall be approved in advance by their competent authorities. Carriers must address applications for authorizations to the competent authority of their home country. If that competent authority approves the application, it shall forward the application to the competent authority of the host country along with a recommendation.

## Article 8

*Occasional services and other services exempt from authorizations*

1. Occasional transport of passengers is not subject to authorization according to article 6 of this Agreement. A transport service is considered occasional when the same passengers are transported by the same passenger motor vehicle either:

- a) on a round trip beginning and intending to end in the vehicle's home country (closed-door tour), or
- b) on a journey beginning in the vehicle's home country and ending at a destination in the host country, provided that the vehicle returns empty to its home country, or
- c) on a transit service of occasional character.

2. Transport of passengers by passenger motor vehicles constructed and used for carriage of less than nine persons, including the driver, is not subject to authorization.

3. Passenger motor vehicles needed to replace broken down or damaged vehicles do not require authorization.

## III GOODS TRANSPORT

## Article 9

*Authorization*

1. Carriers may perform goods transport between the countries of the Contracting Parties as well as transit transport through their territories without authorization.

2. Carriers may perform goods transport between the host country and third countries only by virtue of an authorization issued by the host country.

## IV OTHER PROVISIONS

## Article 10

*Cabotage*

Carriers cannot perform cabotage in the host country unless a special permit is granted by the competent authority of that country.

## Article 11

*Infringements*

If a carrier or vehicle crew of the home country infringes upon the provisions of this Agreement while performing transport in the host country, the competent authorities of the host country may impose sanctions in accordance with its national legislation. The competent authorities of the host country shall inform the competent authorities of the carrier's home country about sanctions imposed.

## Article 12

*Weights and dimensions*

If weights and dimensions of the passenger or commercial motor vehicles of the home country used in transport operations exceed maximum weights and dimensions permitted in the territory of the host country, the carrier must in advance obtain a special permit from the competent authority of the host country.

njuni pristojni organi. Prevozniki morajo vloge za dovoljenja poslati pristojnemu organu svoje domače države. Če pristojni organ vlogo odobri, jo skupaj s priporočilom pošlje pristojnemu organu države gostiteljice.

## 8. člen

*Občasni prevozi in drugi prevozi, za katere ni potrebno dovoljenje*

1. Za občasne prevoze potnikov ni potrebno dovoljenje v skladu s 6. členom tega sporazuma. Prevoz se šteje za občasen, če se isti potniki prevažajo z istim potniškim motornim vozilom bodisi:

- a) na krožnem potovanju, ki se začne in namerava končati v domači državi (vožnja zaprtih vrat), ali
- b) na potovanju, ki se začne v domači državi in konča na cilju v državi gostiteljici, pod pogojem, da se vozilo prazno vrne v domačo državo, ali
- c) na občasnem tranzitnem prevozu.

2. Dovoljenje ni potrebno za prevoz potnikov s potniškimi motornimi vozili, ki so narejena in se uporabljajo za prevoz manj kot devetih oseb, vključno z voznikom.

3. Dovoljenje ni potrebno za potniška motorna vozila, ki zamenjajo poškodovana ali pokvarjena vozila.

## III. PREVOZ BLAGA

## 9. člen

*Dovoljenje*

1. Prevozniki lahko opravljajo prevoz blaga med državama pogodbenic in v tranzitu čez njuni ozemlji brez dovoljenja.

2. Prevozniki lahko opravljajo prevoz blaga med državo gostiteljico in tretjimi državami le na podlagi dovoljenja, ki ga izda država gostiteljica.

## IV. DRUGE DOLOČBE

## 10. člen

*Kabotaža*

Prevozniki ne smejo opravljati kabotaže v državi gostiteljici, če jim pristojni organ te države ne izda posebne dovolilnice.

## 11. člen

*Kršitve*

Če prevoznik ali vozno osebje domače države pri opravljanju prevoza v državi gostiteljici krši določbe tega sporazuma, lahko pristojni organi države gostiteljice sprejmejo kazenske ukrepe v skladu s svojo notranjo zakonodajo. Pristojni organi države gostiteljice obvestijo pristojne organe prevoznikove domače države o sprejetih kazenskih ukrepih.

## 12. člen

*Masa in dimenzije*

Če masa in dimenzije potniških ali tovornih motornih vozil domače države, ki se uporabljajo za prevoz, presegajo največjo dovoljeno maso in dimenzije v državi gostiteljici, mora prevoznik vnaprej dobiti posebno dovolilnico pristojnega organa države gostiteljice.

## Article 13

*Entry into force and duration*

1. Each Contracting Party shall notify the other in writing through diplomatic channels of the completion of all measures necessary for the entry into force of this Agreement. This Agreement shall enter into force 30 days after the date of the latter of the said notifications.

2. This Agreement shall be provisionally applied from the date of its signature.

3. This Agreement shall remain in force for one year, and shall thereafter continue in force unless it is denounced by either Contracting Party upon six months written notice to the other Contracting Party through diplomatic channels.

In witness whereof, the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

Done at Copenhagen on the 26<sup>th</sup> of May 1998 in duplicate in the English language.

For the Government of the  
Republic of Slovenia  
**mag. Anton Bergauer, (s)**

For the Government of the  
Kingdom of Norway  
**Odd Einar Dørum, (s)**

## 13. člen

*Začetek veljavnosti in trajanje*

1. Vsaka pogodbenica pisno obvesti drugo po diplomatski poti, da so izpeljani vsi potrebni ukrepi za začetek veljavnosti tega sporazuma. Ta sporazum začne veljati 30 dni po dnevu zadnjega takšnega obvestila.

2. Ta sporazum se začasno uporablja od dneva podpisa.

3. Ta sporazum ostane v veljavi eno leto in je nato še naprej v veljavi, če ga ena od pogodbenic ne odpove s šestmesečnim odpovednim rokom, tako da o tem po diplomatski poti pisno obvesti drugo pogodbenico.

V potrditev tega sta podpisana, ki sta ju njuni vladi pravilno pooblastili, podpisala ta sporazum.

Sestavljeno v Kopenhagnu dne 26. maja 1998 v dveh izvornikih v angleškem jeziku.

Za Vlado  
Republike Slovenije  
**mag. Anton Bergauer l. r.**

Za Vlado  
Kraljevine Norveške  
**Odd Einar Dørum l. r.**

## 3. člen

Za izvajanje sporazuma skrbi Ministrstvo za promet in zveze.

## 4. člen

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

Št. 326-07/99-21/1

Ljubljana, dne 15. februarja 2000

Predsednik  
Državnega zbora  
Republike Slovenije  
**Janez Podobnik, dr. med. l. r.**

**15. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Latvije o mednarodnem cestnem prevozu in Dodatnega protokola k Sporazumu med Vlado Republike Slovenije in Vlado Republike Latvije o mednarodnem cestnem prevozu (BLAMCP)**

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

**U K A Z**

**O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE LATVIJE O MEDNARODNEM CESTNEM PREVOZU IN DODATNEGA PROTOKOLA K SPORAZUMU MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE LATVIJE O MEDNARODNEM CESTNEM PREVOZU (BLAMCP)**

Razlašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Latvije o mednarodnem cestnem prevozu in Dodatnega protokola k Sporazumu med Vlado Republike Slovenije in Vlado Republike Latvije o mednarodnem cestnem prevozu (BLAMCP), ki ga je sprejel Državni zbor Republike Slovenije na seji 15. februarja 2000.

Št. 001-22-16/00  
Ljubljana, dne 23. februarja 2000

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N**

**O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE LATVIJE O MEDNARODNEM CESTNEM PREVOZU IN DODATNEGA PROTOKOLA K SPORAZUMU MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE LATVIJE O MEDNARODNEM CESTNEM PREVOZU (BLAMCP)**

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Republike Latvije o mednarodnem cestnem prevozu in Dodatni protokol k Sporazumu med Vlado Republike Slovenije in Vlado Republike Latvije o mednarodnem cestnem prevozu, podpisan 26. maja 1998 v Kopenhagenu.

2. člen

Sporazum in dodatni protokol se v izvirniku v slovenskem in angleškem jeziku glasita:\*

**S P O R A Z U M  
MED VLADO REPUBLIKE SLOVENIJE IN VLADO  
REPUBLIKE LATVIJE O MEDNARODNEM  
CESTNEM PREVOZU**

Vlada Republike Slovenije in Vlada Republike Latvije (v nadaljnjem besedilu: pogodbenici) sta se v želji, da bi v interesu razvijanja vzajemno koristnih gospodarskih odnosov spodbujali cestni prevoz potnikov in blaga med državama in tranzit čez svoji ozemlji, ter z namenom varovanja okolja, pri čemer se uporabljajo vozila, ki zmanjšujejo hrup in nevarne emisije ter ustrezajo visokim tehničnim in varnostnim standardom,

sporazumeli, kot sledi:

1. člen

1. V skladu z določbami tega sporazuma lahko prevozniki obeh pogodbenic z uporabo vozil, registriranih v njihovi domači državi, opravljajo mednarodni prevoz potnikov in blaga po cesti za račun tretjega ali v svojem imenu na ozemlje druge pogodbenice, z njega ali v tranzitu čezenj.

**A G R E E M E N T  
BETWEEN THE GOVERNMENT OF THE  
REPUBLIC OF SLOVENIA AND THE  
GOVERNMENT OF THE REPUBLIC OF LATVIA  
ON INTERNATIONAL ROAD TRANSPORT**

The Government of the Republic of Slovenia and the Government of the Republic of Latvia (hereinafter called "the Contracting Parties"), desirous to promote in the interest of developing mutually advantageous economic relations the transport of passengers and goods by road between the two countries and in transit through their territories and with the aim of protecting environment, whereby the vehicles which reduce noise and hazardous emissions and conform to high technical and safety standards shall be used

have agreed as follows:

Article 1

1. In accordance with the terms of this Agreement carriers of both the Contracting Parties by using vehicles registered in their home country may perform international carriage of passengers and goods by road for hire or reward or own account to, from or in transit through the territory of the other Contracting Party.

\* Besedilo izvirnika sporazuma v latvijskem jeziku se nahaja v Službi za mednarodne pravne zadeve Ministrstva za zunanje zadeve Republike Slovenije.

2. Ta sporazum ne vpliva na pravice in obveznosti vsake pogodbenice, ki izhajajo iz določb drugih mednarodnih sporazumov, veljavnih za eno ali drugo pogodbenico.

#### 2. člen

Za namen tega sporazuma:

1. je "prevoznik" katera koli fizična ali pravna oseba, ki ima sedež svojega podjetja na ozemlju ene od pogodbenic in je pooblaščen za opravljanje mednarodnega prevoza potnikov in blaga po cesti v skladu z ustreznimi državnimi zakoni in predpisi;

2. je "vozilo" motorno vozilo, registrirano na ozemlju ene od pogodbenic, ali kombinacija vozil, od katerih je vsaj motorno vozilo registrirano na ozemlju ene od pogodbenic in se uporablja ter je opremljeno izključno za prevoz potnikov ali blaga, in pri potniškem prevozu tudi vozilo za cestni prevoz potnikov (avtobus), ki ima več kot devet sedežev vključno z voznikom;

3. je "kabotaža" prevoz med dvema ali več točkami na ozemlju ene pogodbenice, ki ga opravlja prevoznik, ki ima sedež svojega podjetja na ozemlju druge pogodbenice.

### PREVOZ POTNIKOV

#### 3. člen

Po tem sporazumu je prevoz potnikov prevoz oseb in njihove prtljage z avtobusi. Vključuje tudi prazno vožnjo avtobusov, ki opravljajo omenjene storitve.

#### 4. člen

1. Izraz "linijski prevoz potnikov" je prevoz, ki se opravlja po vnaprej dogovorjeni progi, voznem redu in ceniku, potniki pa vstopajo in izstopajo na vnaprej dogovorjenih postajališčih.

2. Linijski prevoz potnikov med ozemljema pogodbenic ali tranzitno čez njuni ozemlji na podlagi doseženega soglasja dovolita pristojna organa pogodbenic. Pristojni organ vsake pogodbenice izda dovoljenje za del proge na svojem ozemlju.

3. Vloga za pridobitev dovoljenja za opravljanje linijskega prevoza potnikov se predloži pristojnemu organu pogodbenice, kjer ima prevoznik sedež svojega podjetja in so registrirana vozila. Če zoper vlogo ni ugovora, jo zgoraj navedeni pristojni organ pošlje skupaj s svojim mnenjem pristojnemu organu druge pogodbenice.

4. O postopku in zahtevah za predložitev vlog ter njihovi vsebini se dogovori skupni odbor, ustanovljen po 16. členu tega sporazuma.

5. Šteje se, da je prevoz iz tega člena odobren in se lahko začne opravljati, ko pristojna organa obeh pogodbenic izmenjata ustrezna dovoljenja z vsemi potrebnimi prilogami.

Dovoljenje oziroma njegova overjena kopija mora biti med vožnjo v vozilu.

2. The present Agreement does not affect the rights and obligations of each Contracting Party resulting from the provisions of other international agreements in force for either Contracting Party.

#### Article 2

For the purpose of this Agreement:

1. The term "carrier" means any natural or legal person who is established in the territory of either Contracting Party and is authorized to engage in international carriage of passengers and goods by road in accordance with the relevant national laws and regulations.

2. The term "vehicle" means a motor vehicle registered in either territory of the Contracting Parties or a combination of vehicles of which at least the motor vehicle is registered in one of the territories of the Contracting Parties and which is used and equipped exclusively for the carriage of passengers or goods, and in case of passenger service a passenger road vehicle (a bus) which has more than nine seats, including that of a driver.

3. The term "cabotage" means the operation of transport services between two or more points in the territory of one Contracting Party performed by a carrier established in the territory of the other Contracting Party.

### PASSENGER TRANSPORT

#### Article 3

In accordance with this Agreement the passenger transport is the carriage of persons and their luggage by buses. It includes also unladen journeys by buses concerned with the aforementioned services.

#### Article 4

1. The term "regular bus services" shall mean a service where the journeys are carried out according to the beforehand agreed itinerary, time-table and fares tariff, passengers being taken up and set down at the beforehand agreed stopping points en route.

2. Regular bus services between the territories of the Contracting Parties or in transit through them shall be authorized, in mutual agreement, by the competent authorities of the Contracting Parties. The competent authority of each Contracting Party shall grant an authorization for the section of the itinerary operated in its territory.

3. The application in view to obtain the authorization for operating regular bus services shall be submitted to the competent authority of the Contracting Party where the carrier is established and the respective vehicles are registered. In case the application does not arise any objection, the above competent authority shall communicate it together with its opinion to the competent authority of the other Contracting Party.

4. The procedure and requirements for submitting the applications and their content shall be agreed upon by the Joint Committee established under Article 16 of this Agreement.

5. The services stated in this Article shall be considered approved and can be started to operate once the competent authorities of both the Contracting Parties have exchanged the respective authorizations with all necessary enclosures.

During the journey the respective authorization or its authorized copy must be present in the vehicle.

## 5. člen

1. "Izmienični prevoz" je prevoz vnaprej oblikovanih skupin potnikov z več potovanji iz enega samega odhodnega kraja do enega samega namembnega kraja. Vsaka skupina, ki je odpotovala skupaj, se mora skupaj vrniti v odhodni kraj. Potniki med potovanjem ne smejo vstopati ali izstopati. Prva vožnja nazaj v odhodni kraj in zadnja vožnja v namembni kraj se opravita s praznim vozilom.

2. Za prevoze, omenjene v prvem odstavku tega člena, so potrebna dovoljenja, ki jih izdajo pristojni organi druge pogodbenice. O postopku in zahtevah za predložitev vlog ter o njihovi vsebini se dogovori skupni odbor, ustanovljen po 16. členu tega sporazuma.

## 6. člen

1. "Občasni prevoz potnikov" so prevozne storitve razen tistih, ki so navedene v prvem odstavku 4. člena tega sporazuma.

2. Za občasni prevoz potnikov med ozemljema pogodbenic ali v tranzitu čeznju z isto skupino potnikov ni potrebno dovoljenje, če:

a) se krožna vožnja začne in se namerava končati v državi registracije vozila pod pogojem, da isto vozilo pripelje skupino potnikov na odhodni kraj (vožnja zaprtih vrat),

b) se vožnja s potniki začne v kraju države registracije vozila in konča na ozemlju druge pogodbenice ali katere koli druge države pod pogojem, da se vozilo prazno vrne v državo registracije,

c) se opravi vožnja ob odhodu s praznim vozilom pod pogojem, da vsi potniki vstopijo na istem kraju, kamor jih je predhodno prepeljal isti prevoznik s prevozom iz pododstavka b) in jih prepelje nazaj v državo, kjer je vozilo registrirano.

3. V vozilih, ki se uporabljajo za prevoze po drugem odstavku tega člena, mora biti pravilno izpolnjena potniška spremnica, ki jo izpolni prevoznik ter vsebuje seznam potnikov in jo potrdi z žigom in podpisom organizator vožnje ali prevoznik in ima žig pristojnih carinskih organov. Potniška spremnica se izpolni na ozemlju domače države in je ves čas vožnje v vozilu, za katero je bila izdana.

4. Za občasni prevoz potnikov, ki ne izpolnjuje določb drugega odstavka tega člena, je potrebno dovoljenje pristojnega organa druge pogodbenice.

Skupni odbor, naveden v 16. členu tega sporazuma, se dogovori o obliki dovoljenja, ki je potrebno za opravljanje občasnega prevoza potnikov, in o drugih vprašanjih, ki zadevajo ta prevoz.

## PREVOZ BLAGA

## 7. člen

1. Prevoznik vsake pogodbenice mora imeti dovolilnico za mednarodni prevoz blaga po cesti med državama, v tranzitu čez ozemlje druge pogodbenice in za dostavo blaga v tretje države ali iz njih, če skupni odbor, omenjen v 16. členu tega sporazuma, ne določi drugače.

## Article 5

1. The term "shuttle services" means services whereby, by means of repeated outward and return journeys, previously formed groups of passengers are carried from a single place of departure to a single destination. Each group of passengers who have made the outward journey together shall subsequently be carried back to place of departure together. Passengers shall not be taken up or set down during the journey. The first return journey and the last outward journey shall be made unladen.

2. For services mentioned under paragraph 1 of this Article authorisations issued by the competent authorities of the other Contracting Party are required. The procedure and requirements for the submission of applications and their contents shall be agreed on by the Joint Committee under Article 16 of this Agreement.

## Article 6

1. "The occasional passenger service" shall mean the transport services other than those referred to in paragraph 1 of Article 4 of this Agreement.

2. The occasional passenger service between the two territories of the Contracting Parties or in transit through them, carrying the same group of passengers, shall require no authorization if:

a) a round trip begins and it is intended to end in the country of registration of the vehicle providing that the group of passengers is brought back to the place of departure (closed door tour) by the same vehicle;

b) a journey with passengers starts at a place in the country of registration of the vehicle and ends in the territory of the other Contracting Party or any other country providing that the vehicle returns empty to the country of registration;

c) an outward journey is made unladen provided that all the passengers are taken up in the same place where they have been previously brought by the same carrier on a service referred to in subparagraph b) above, and are carried back into the country where the vehicle is registered.

3. In the vehicles used for performing services under paragraph 2 of this Article there shall be a properly completed waybill filled out by the carrier, containing the list of passengers which shall be certified by the journey organizer's or carrier's stamp and signature and stamped by the competent customs authorities. The waybill shall be completed while being in the territory of the home country and throughout the journey shall be kept in the vehicle for which it has been issued.

4. The occasional passenger services which do not meet the provisions of paragraph 2 of this Article are subject to an authorization of the competent authority of the other Contracting Party.

The Joint Committee referred to in Article 16 of this Agreement shall agree on the form of the authorization required for performing occasional passenger services and on other issues related to these services.

## GOODS TRANSPORT

## Article 7

1. A carrier of each Contracting Party shall have a permit in order to engage in the international carriage of goods by road between the two countries, in transit through the territory of the other Contracting Party as well as delivering goods to or from third countries if not otherwise provided by the Joint Committee mentioned in Article 16 of this Agreement.



Posamezna dovolilnica dovoljuje prevozniku ene države eno krožno vožnjo.

2. Dovolilnico sme uporabiti samo prevoznik, kateremu je bila izdana. Veljavna je za uporabo enega motornega vozila ali spojene kombinacije vozil (sestavljeno vozilo ali cestni vlak) ne glede na to, v kateri državi je registriran spremljajoči priklopnik ali polpriklopnik.

3. Pristojni organi obeh pogodbenic letno izmenjajo število neizpolnjenih dovolilnic, o katerem se dogovori skupni odbor, omenjen v 16. členu tega sporazuma.

#### 8. člen

1. Dovolilnice, navedene v 7. členu tega sporazuma, niso potrebne za:

a) prevoz blaga z motornimi vozili, katerih skupna dovoljena masa, vključno s priklopniki, ne presega 6 ton ali pri katerih dovoljena nosilnost, vključno s priklopniki, ne presega 3,5 tone,

b) selitveni prevoz z vozili, ki so opremljena v ta namen,

c) prevoz predmetov, opreme in živali za gledališke, filmske, cirkuške ali glasbene predstave ali športne prireditve, razstave ali sejme ali za snemanje radijskih ali televizijskih oddaj ali filmov pod pogojem, da se ti predmeti ali oprema uvažajo ali izvažajo začasno,

d) prevoz posmrtnih ostankov,

e) prevoz blaga z javnega letališča ali na javno letališče ob havariji ali kakšni drugi letalski nesreči ali ob zasilnem pristanku zaradi spremenjene smeri poleta ali ob odpovedanih letih,

f) prevoz poštnih pošiljk,

g) prevoz poškodovanih ali pokvarjenih vozil,

h) prevoz človekoljubnih pošiljk ob nujnih primerih, še posebej ob naravnih nesrečah,

i) prevoz čebel in ribjega podmladka,

j) prazno vožnjo nadomestnega vozila, ki se uporablja za prevoz blaga in nadomesti vozilo, ki se je pokvarilo v drugi državi, in nadaljuje prevoz v okviru dovolilnice, izdane za vozilo, ki se je pokvarilo,

k) vozila tehnične pomoči za popravilo pokvarjenih ali poškodovanih vozil.

2. Voznik vozila, ki opravlja kateri koli prevoz iz prvega odstavka tega člena, mora imeti vse potrebne dokumente, ki jasno kažejo upravičenost prevoza po kateri koli izmed določb, navedenih v tem odstavku.

#### SPLOŠNE DOLOČBE

##### 9. člen

Kabotaža ni dovoljena, razen če je pristojni organ pogodbenice v ta namen izdal posebno dovolilnico.

##### 10. člen

1. Če masa in/ali dimenzije naloženega ali praznega vozila pri opravljanju prevoza po določbah tega sporazuma presega dovoljene omejitve, ki veljajo na ozemlju druge pogodbenice, se zahteva posebna dovolilnica, ki jo izda pristojni organ te pogodbenice.

A single permit shall authorize a carrier of one country to make one round journey.

2. A permit shall be used only by the carrier to whom it has been issued. It shall be valid for the use of a single motor vehicle or a coupled combination of vehicles (articulated vehicle or road train), without regard which is the country of registration of an accompanying semitrailer or trailer.

3. The competent authorities of both the Contracting Parties shall annually exchange the number of blank permits agreed upon by the Joint Committee mentioned in Article 16 of this Agreement.

#### Article 8

1. The permits referred to in Article 7 of this Agreement shall not be required for the:

a) carriage of goods in motor vehicles whose permitted gross laden weight, including trailers, does not exceed 6 tonnes, or whose permitted payload, including trailers, does not exceed 3,5 tonnes,

b) removals carriage performed by vehicles which have been equipped for this purpose,

c) carriage of objects, equipment and animals for theatrical, film, circus or musical performances or sporting events, exhibitions or fairs, or for making of radio or television broadcasts or films, provided that these objects and equipment are imported or exported temporarily,

d) funeral transport,

e) carriage of goods from a public airport or to a public airport in case of average or any other plane accident or in case of emergency landing due to diversion of route or in cases when air flights have been canceled,

f) carriage of mails,

g) carriage of vehicles which are damaged or have broken down,

h) carriage of humanitarian supplies needed for emergencies, notably in the event of natural disasters,

i) carriage of bees and fish fry,

j) unladen run of a relief vehicle used for transporting goods sent to replace a vehicle which has broken down in another country and continuation of the haul by the relief vehicle under cover of the permit issued for the vehicle which has broken down,

k) maintenance and service vehicles providing assistance to broken down or damaged vehicles.

2. A driver of the vehicle performing any of the transport operations listed in paragraph 1 of this Article shall have all necessary documents clearly indicating that the transport is justified by any of provisions stated in this paragraph.

#### GENERAL PROVISIONS

##### Article 9

Cabotage transport is not permitted unless the competent authority of the respective Contracting Party has issued a special permit for this purpose.

##### Article 10

1. If the weight and/or dimensions of a laden or unladen vehicle when engaged in transport operations under the provisions of this Agreement exceed the permissible limits in force in the territory of the other Contracting Party, a special permit issued by the competent authority of that Contracting Party shall be required.

2. Glede mase in dimenzij vozil se vsaka pogodbenica zavezuje, da za vozila, ki so registrirana na ozemlju druge pogodbenice, ne bo postavljala pogojev, ki so strožji od tistih, ki veljajo za vozila, registrirana v njeni državi.

## 11. člen

Prevozniki, ki imajo sedež svojega podjetja v pogodbenicah, morajo pri prevozih nevarnega blaga spoštovati določbe Evropskega sporazuma o mednarodnem cestnem prevozu nevarnega blaga (ADR).

## 12. člen

Pogodbenici zagotavljata potrebne spodbude za pospeševanje kombiniranega prevoza in uporabo pomorskih pristanišč v svojih državah.

## 13. člen

1. V skladu z določbami tega sporazuma morajo prevozniki vsake pogodbenice in osebje njihovih vozil, kadar so na ozemlju druge pogodbenice, spoštovati zakone in predpise, ki veljajo v tej državi.

2. Dovolilnice in drugi potrebni dokumenti, ki se zahtevajo v skladu s tem sporazumom, morajo biti v vozilu, na katero se nanašajo, in jih je treba pokazati na zahtevo katerega koli organa pogodbenice, ki je pristojen za njihovo preverjanje.

3. Če prevoznik ali njegovo vozno osebje težje in večkrat krši veljavne pravne predpise v drugi državi ali določbe tega sporazuma, lahko pristojni organ pogodbenice, na ozemlju katere je bilo vozilo registrirano, in na prošnjo pristojnega organa pogodbenice, na ozemlju katere je bil storjen prekršek, sprejme naslednje ukrepe v okviru veljavnih predpisov svoje države:

- a) opozori prevoznika, da mora upoštevati veljavne predpise (opomin);
- b) mu začasno prepove opravljati prevoz;
- c) preneha izdajati dovolilnice temu prevozniku ali prekliche že izdano dovoljenje za obdobje, za katero mu je pristojni organ druge države začasno prepovedal opravljati prevoz.

Določbe tega člena ne vplivajo na zakonite sankcije, ki se uporabljajo v skladu z zakoni in predpisi države, na ozemlju katere je prišlo do kršitve.

4. Pristojni organ, ki je sprejel kakršne koli ukrepe, omenjene v tretjem odstavku tega člena, o tem obvesti pristojni organ druge pogodbenice.

## 14. člen

1. Vozila, ki so registrirana na ozemlju ene pogodbenice in se začasno uvozijo na ozemlje druge pogodbenice za opravljanje prevoznih storitev v skladu s tem sporazumom, so po načelu vzajemnosti oproščena plačila pristojbin za uporabo cest in dajatev na promet z vozilom.

2. Ta oprostitvev pa ne velja za plačilo cestnin, mostnin in drugih podobnih pristojbin, ki se vedno zahtevajo na podlagi načela nediskriminacije.

2. As regards the weight and dimensions of vehicles, each Contracting Party undertakes not to impose on vehicles registered in the territory of the other Contracting Party conditions which are more restrictive than those imposed on vehicles registered in its own country.

## Article 11

The carriers established in both the Contracting Parties shall, when performing carriages of dangerous goods, comply with the provisions of the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR).

## Article 12

Both the Contracting Parties shall provide the necessary incentives to encourage the performance of combined transport operations and usage of the sea ports situated in their respective states.

## Article 13

1. Subject to the provisions of this Agreement carriers of either Contracting Party and the crews of their vehicles shall, when in the territory of the other Contracting Party, comply with the laws and regulations in force in that country.

2. Permits and other necessary documents required in accordance with this Agreement shall be carried on the vehicles to which they relate and produced on demand of any authority respectively authorized to check them.

3. If a carrier or its crew seriously and repeatedly infringe legal regulations in force in the other country or the stipulations of this Agreement, the competent authority of the Contracting Party on the territory of which the vehicle has been registered and on request of the competent authority of the Contracting Party on the territory of which the infringement occurred, may adopt the following measures within the framework of regulations in force in the respective country:

- a) warn the carrier that it is obliged to respect the regulations in force (warning);
- b) temporarily suspend the carrier from engaging in transport;
- c) stop issuing permits to the relevant carrier or revoke any previously issued authorisation for the period for which the carrier has been suspended from engaging in transport by the competent authority of the other country.

The provisions of this Article shall be without prejudice to any lawful sanctions which may be applied in accordance with the laws and regulations of the country in which territory the infringement occurred.

4. The competent authority having taken any of the measures mentioned in paragraph 3 of this Article shall inform on it the competent authority of the other Contracting Party.

## Article 14

1. Vehicles which are registered in the territory of one Contracting Party and are temporarily imported into the territory of the other Contracting Party to perform transport services in accordance with this Agreement shall be exempt, according to the reciprocity principle, from the levy of road use and traffic taxes.

2. However, this exemption shall not apply to the payment of road tolls, bridge tolls and other similar charges, which shall always be required on the basis of the principle of non discrimination.

3. Pri vozilih, omenjenih v prvem odstavku tega člena, so carinskih dajatev oproščeni:

- a) vozila,
- b) gorivo, vsebovano v serijsko vgrajenih rezervoarjih vozil,
- c) rezervni deli, uvoženi na ozemlje druge pogodbenice in namenjeni za popravilo pokvarjenega vozila. Zamenjani deli se ponovno izvozijo ali uničijo pod nadzorom pristojnih carinskih organov druge pogodbenice.

#### 15. člen

V skladu s preambulo tega sporazuma se pogodbenici dogovorita, da bosta pri opravljanju prevoznih storitev spodbujali uporabo sodobno opremljenih in tehnično varnih vozil z nizko ravnijo hrupa in emisijo nevarnih snovi.

#### 16. člen

Za uspešno izvajanje tega sporazuma se oblikuje skupni odbor, ki ga sestavljajo predstavniki pristojnih organov obeh pogodbenic. Odbor se sestaja na željo pristojnega organa pogodbenic izmenično na ozemlju pogodbenic.

#### 17. člen

Pogodbenici se dogovorita o določitvi pravil za uporabo posameznih določb tega sporazuma v dodatnem protokolu. Dodatni protokol je sestavni del sporazuma.

#### 18. člen

Ta sporazum se uporablja začasno od datuma podpisa. Pogodbenici se po diplomatski poti medsebojno obveščata, da so izpolnjene zahteve v zvezi s postopkom za začetek veljavnosti mednarodnih sporazumov.

Ta sporazum začne veljati trideseti dan po datumu zadnjega od teh obvestil.

#### 19. člen

Če je potrebno, se pogodbenici pogajata o kakršni koli spremembi tega sporazuma, sprememba pa začne veljati skladno s postopki iz 18. člena.

#### 20. člen

Ta sporazum velja, dokler ga pogodbenica ne odpove, tako da po diplomatski poti najkasneje tri mesece pred iztekom koledarskega leta o tem pisno obvesti drugo pogodbenico.

V potrditev tega sta podpisana, pravilno pooblaščenata ta namen, podpisala ta sporazum.

Sestavljeno v dveh izvirkih v Kopenhagenu dne 26. maja 1998, vsak v slovenskem, latvijskem in angleškem jeziku, pri čemer je vsako besedilo enako verodostojno in enako pravno veljavno. Ob razhajanjih pri razlagi je odločilno angleško besedilo.

Za Vlado  
Republike Slovenije  
mag. Anton Bergauer l. r.

Za Vlado  
Republike Latvije  
Vilis Kristopans l. r.

3. On the vehicles mentioned in the paragraph 1 of this Article customs duties shall be exempted on:

- a) the vehicles;
- b) the fuel contained in the ordinary supply tanks of the vehicles;
- c) spare parts imported into the territory of the other Contracting Party, intended for the breakdown service of a vehicle. Replaced parts shall be re-exported or destroyed under the control of competent customs authorities of the other Contracting Party.

#### Article 15

Pursuant to the preamble of this Agreement the Contracting Parties agree to support, when performing transport services, the usage of the modernly equipped and technically safe vehicles with low noise and emission of hazardous substances.

#### Article 16

In order to ensure the satisfactory implementation of this Agreement a Joint Committee shall be formed comprising the representatives of competent authorities of both the Contracting Parties. It shall meet at the request of either competent authority of the Contracting Parties alternately in the territories of the Contracting Parties.

#### Article 17

The Contracting Parties agree to lay down rules for the application of certain provisions of this Agreement in an Additional Protocol. The Additional Protocol shall form an integral part of the Agreement.

#### Article 18

This Agreement shall be applied provisionally as from the date of its signature. The Contracting Parties shall notify each other through diplomatic channels that the requirements regarding the procedure of entering into force of international agreements have been fulfilled.

This Agreement shall enter into force on the thirtieth day after the date of the later of these notifications.

#### Article 19

In case of necessity any amendment to the present Agreement shall be negotiated by the Contracting Parties and it shall enter into force according to the procedure as per Article 18.

#### Article 20

The Agreement shall remain in force unless it is terminated by either Contracting Party giving through diplomatic channels not later than three months prior the end of a calendar year written notice thereof to the other Contracting Party.

In witness whereof the undersigned, being duly authorized thereto, have signed this Agreement.

Done in two originals at Copenhagen on 26<sup>th</sup> May 1998 each in the Slovenian, Latvian and English languages, each text being equally authentic and has equal legal force. In case of divergence of interpretation the English text shall prevail.

For the Government  
of the Republic of Slovenia  
mag. Anton Bergauer, (s)

For the Government  
of the Republic of Latvia  
Vilis Kristopans, (s)

**DODATNI PROTOKOL**  
**k Sporazumu med Vlado Republike Slovenije in**  
**Vlado Republike Latvije o mednarodnem**  
**cestnem prevozu**

**ADDITIONAL PROTOCOL**  
**to the Agreement between the Government of**  
**the Republic of Slovenia and the Government of**  
**the Republic of Latvia on International Road**  
**Transport**

Za izvajanje tega sporazuma v skladu z njegovim 17. členom sta se pogodbenici dogovorili, da sta za namen tega sporazuma pristojna organa:

za Republiko Slovenijo:  
Ministrstvo za promet in zveze

za Republiko Latvijo:  
Ministrstvo za promet

Sestavljeno v dveh izvornikih v Kopenhagnu dne 26. maja 1998, vsak v slovenskem, latvijskem in angleškem jeziku, pri čemer je vsako besedilo enako verodostojno in enako pravno veljavno.

In order to implement the Agreement in conformity with its Article 17 the Contracting Parties have agreed that for the purpose of this Agreement the competent authorities are:

in the Republic of Slovenia:  
Ministry of Transport and Communications

in the Republic of Latvia:  
Ministry of Transport

Done in two originals at Copenhagen on 26<sup>th</sup> May 1998 each in the Slovenian, Latvian and English languages, each text being equally authentic and has equal legal force.

Za Vlado  
Republike Slovenije  
**mag. Anton Bergauer** l. r.

Za Vlado  
Republike Latvije  
**Vilis Kristopans** l. r.

For the Government  
of the Republic of Slovenia  
**mag. Anton Bergauer**, (s)

For the Government  
of the Republic of Latvia  
**Vilis Kristopans**, (s)

3. člen

Za izvajanje sporazuma skrbi Ministrstvo za promet in zveze.

4. člen

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

Št. 326-07/99-22/1  
Ljubljana, dne 15. februarja 2000

Predsednik  
Državnega zbora  
Republike Slovenije  
**Janez Podobnik, dr. med.** l. r.

**16. Zakon o ratifikaciji Sporazuma med Republiko Slovenijo in Helensko republiko o mednarodnem cestnem prevozu potnikov in blaga (BGRMCP)**

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

**U K A Z****O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED REPUBLIKO SLOVENIJO IN HELENSKO REPUBLIKO O MEDNARODNEM CESTNEM PREVOZU POTNIKOV IN BLAGA (BGRMCP)**

Razglašam Zakon o ratifikaciji Sporazuma med Republiko Slovenijo in Helensko republiko o mednarodnem cestnem prevozu potnikov in blaga (BGRMCP), ki ga je sprejel Državni zbor Republike Slovenije na seji 15. februarja 2000.

Št. 001-22-17/00

Ljubljana, dne 23. februarja 2000

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N****O RATIFIKACIJI SPORAZUMA MED REPUBLIKO SLOVENIJO IN HELENSKO REPUBLIKO O MEDNARODNEM CESTNEM PREVOZU POTNIKOV IN BLAGA (BGRMCP)**

## 1. člen

Ratificira se Sporazum med Republiko Slovenijo in Helensko republiko o mednarodnem cestnem prevozu potnikov in blaga, podpisan v Ljubljani 27. maja 1998.

## 2. člen

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

**A G R E E M E N T****BETWEEN THE REPUBLIC OF SLOVENIA AND THE HELLENIC REPUBLIC ON INTERNATIONAL ROAD TRANSPORT OF PASSENGERS AND GOODS**

The Republic of Slovenia and the Hellenic Republic, hereafter called the Contracting Parties,  
– desirous of promoting international co-operation in the field of road transport between their two countries and in transit through their territories,  
– inspired by the principle of liberalization regarding road transport and  
– taking into consideration the dispositions of the Transport Agreement signed between the Republic of Slovenia and the European Economic Community on April 5, 1993, have agreed as follows:

## Article 1

1) The dispositions of this Agreement apply to:

1. The road transport of goods and passengers between the two Contracting Parties and the transit through their respective territories.

2. The journey of empty vehicles in connection with the above mentioned transport.

2) The Contracting Party which is a member of the European Union will apply this Agreement in accordance with its obligations under the treaties establishing the European Union, as amended or supplemented.

**S P O R A Z U M****MED REPUBLIKO SLOVENIJO IN HELENSKO REPUBLIKO O MEDNARODNEM CESTNEM PREVOZU POTNIKOV IN BLAGA**

Republika Slovenija in Helenska republika, v nadaljnjem besedilu pogodbenici, sta se  
– v želji pospeševati mednarodno sodelovanje na področju cestnega prevoza med državama in v tranzitu čez njuni ozemlji,  
– ob upoštevanju načela liberalizacije cestnega prevoza in  
– ob upoštevanju določb Sporazuma med Republiko Slovenijo in Evropsko gospodarsko skupnostjo na področju prometa, podpisanega dne 5. aprila 1993, dogovorili naslednje:

## 1. člen

1) Določbe tega sporazuma se uporabljajo za:

1. prevoz blaga in potnikov v cestnem prevozu med pogodbenicama in v tranzitu čez njuni ozemlji,

2. vožnje praznih vozil, povezane z omenjenim prevozom.

2) Pogodbenica, ki je članica Evropske unije, bo uporabljala ta sporazum v skladu z obveznostmi iz pogodb o ustanovitvi Evropske unije, njihovimi spremembami ali dopolnitvami.

## Article 2

For the purpose of this Agreement:

1. The term "carrier" means a physical or legal person established in either Contracting Party who has the right to carry out transport of passengers or goods by road, conforming to the laws and regulations in force in its country.

2. The term "vehicle" means a motor vehicle or a combination of vehicles of which at least the motor vehicle is a registered in either Contracting Party and which is used and equipped exclusively for the carriage of goods or passengers.

3. The term "transit" means the transport of goods or passengers from either Contracting Party through the territory of the other Contracting Party effected by a carrier operating in one of the Contracting Parties.

## I. TRANSPORT OF PASSENGERS

## A. Scope and Definitions

## Article 3

For the purpose of transport of passengers, this Agreement shall apply:

1. To all passengers transport services for hire or reward by passenger motor vehicles (coaches and buses), between the two Contracting Parties and in transit through their territories.

2. To unladen journeys of the vehicles concerned with these services.

## Article 4

For the purpose of transport of passengers:

1. "Passenger motor vehicle" means any power driven vehicle registered in the territory of the one of the Contracting Parties, which by virtue of its construction and its equipment, is suitable for carrying more than nine persons, including the driver.

2. "Regular Services" means services which provide for carriage of passengers according to a specific frequency and along specified routes, whereby passengers may be taken up or set down at predetermined stopping points. Regular services can be subject to the obligation of respecting previously established timetables and tariffs.

3. "Shuttle services" means services whereby, by means of repeated outward and return journeys, previously formed groups of passengers are carried from a single place of departure to a single destination, situated in the territory of the two Contracting Parties respectively. Each group, consisting of the passengers who made the outward journey, shall be carried back to the place of departure on a later journey.

a) In the course of shuttle services, no passenger may be taken up or set down during the journey.

b) The first return journey and the last outward journey in a series of shuttles shall be unladen.

c) Regular and shuttle services and conditions regarding their operation are to be determined on the basis of a mutual Agreement of the responsible authorities of the Contracting Parties, either directly or on the basis of conclusions accepted by the Joint Committee, which is established by the Article 13 of this Agreement.

## 2. člen

Za namen tega sporazuma:

1. Izraz "prevoznik" pomeni fizično ali pravno osebo, ustanovljeno v eni od pogodbenic, ki ima pravico opravljati prevoz potnikov ali blaga po cestah v skladu z zakoni in predpisi, veljavnimi v njegovi državi.

2. Izraz "vozilo" pomeni motorno vozilo ali kombinacijo vozil, od katerih je vsaj motorno vozilo registrirano v eni od pogodbenic in se uporablja ter je opremljeno izključno za prevoz blaga ali potnikov;

3. Izraz "tranzit" pomeni prevoz blaga ali potnikov iz ene pogodbenice čez ozemlje druge pogodbenice, ki ga opravlja prevoznik s sedežem v eni od pogodbenic.

## I. PREVOZ POTNIKOV

## A. Obseg in opredelitev izrazov

## 3. člen

Za namen prevoza potnikov se ta sporazum uporablja:

1. za vse prevoze potnikov za račun tretjega s potniškimi motornimi vozili (avtobusi) med pogodbenicama in v tranzitu čez njuni ozemlji,

2. za vožnje praznih vozil, ki opravljajo te storitve.

## 4. člen

Za namen prevoza potnikov:

1. "Potniško motorno vozilo" pomeni katero koli motorno vozilo, ki je registrirano na ozemlju ene pogodbenice in je zaradi svoje konstrukcije in opreme primerno za prevoz več kot devetih oseb skupaj z voznikom.

2. "Linjski prevoz potnikov" pomeni prevoz, v katerem se opravlja prevoz potnikov ob določenem času in po določenih progah, potniki pa lahko vstopajo ali izstopajo na vnaprej določenih postajališčih. Linjski prevoz potnikov se lahko opravlja po vnaprej določenem voznem redu in tarifi.

3. "Izmenični prevoz" pomeni prevoz, pri katerem se opravlja prevoz vnaprej organiziranih skupin potnikov z več potovanji iz istega odhodnega kraja do istega namembnega kraja, od katerih je vsak v drugi pogodbenici. Vsaka skupina potnikov, ki odpotuje iz odhodnega kraja, se z zadnjim potovanjem vrne v odhodni kraj.

a) Pri izmeničnem prevozu potniki iz skupine ne smejo izstopati ali vstopati novi.

b) Prva vožnja nazaj v odhodni kraj in zadnja vožnja v namembni kraj v vrsti izmeničnih prevozov se opravi s praznim vozilom.

c) Linjski in izmenični prevoz ter pogoje njenega opravljanja določajo z vzajemnim soglasjem pristojni organi pogodbenic neposredno ali na podlagi sklepov, ki jih sprejme skupni odbor iz 13. člena tega sporazuma.

4. "Transit" means the transport of passengers starting from the territory of the Contracting Party, where the vehicle is registered crossing the territory of the other country provided that no passenger may be taken up or set down.

5. "Occasional services" are:

a) Closed door tours, that is to say services, whereby the same vehicle is used to carry the same group of passengers throughout the journey and to bring them back to the place of departure, which is the country where the vehicle is registered.

b) Services which make the outward journey laden and the return journey unladen.

c) Services which make the outward journey unladen and the return journey laden.

d) All other services which do not meet the above criteria.

### B. Access to the Market

#### Article 5

1) The occasional services referred to in Article 4, paragraphs 5a and 5b, shall be exempted from the need for any transport authorization on the territory of the Contracting Party, where the vehicle is not registered.

2) The occasional services shall be carried out under the cover of a control document.

3) The control document shall consist of a journey form.

4) The journey form shall contain at least the following information:

a) The type of service.

b) The main itinerary.

c) The carrier(s) involved.

d) A complete list of passengers.

5) The books of journey forms shall be supplied by the competent authorities of the Contracting Parties, where the vehicle is registered or by bodies appointed by those authorities.

6) Occasional services referred to in Article 4, paragraphs 5c and 5d can only be operated on the basis of adequate licenses. The number of licenses is to be determined by the responsible authorities in the countries that signed the Agreement on the occasion of the session of the Joint Committee, referred to in Article 13.

#### Article 6

1) Regular and shuttle services are subject to authorization.

2) Authorizations shall be issued in the name of the transport undertaking; they may not be transferred by the latter to third parties. However, the carrier who has received the authorization may operate service through a subcontractor.

3) The period of validity of an authorization shall not exceed three years for regular services and one year for shuttle services.

4) Authorizations shall specify the following:

a) The type of services.

b) The route of the service, giving in particular the place of departure, the place of destination and the crossing points at the borders.

4. "Tranzit" pomeni prevoz potnikov z ozemlja pogodbenice, v kateri je vozilo registrirano, čez ozemlje druge države, pri čemer potniki ne smejo vstopati oziroma izstopati.

5. "Občasni prevozi" so:

a) krožne vožnje zaprtih vrat, pri čemer se ista skupina potnikov prevaža z istim vozilom ves čas potovanja in se vrne v odhodni kraj, ki je v državi, v kateri je vozilo registrirano,

b) prevoz s polnim vozilom pri odhodu in s praznim vozilom pri vrnitvi,

c) prevoz s praznim vozilom pri odhodu in s polnim vozilom pri vrnitvi,

d) vsi drugi prevozi, ki ne izpolnjujejo navedenih meril.

### B. Dostop na trg

#### 5. člen

1) Za občasne prevoze iz točk 5a) in 5b) 4. člena niso potrebna dovoljenja za prevoz na ozemlju pogodbenice, v kateri vozilo ni registrirano.

2) Občasni prevozi se opravljajo na podlagi kontrolne listine.

3) Kontrolna listina je v obliki potniškega obrazca.

4) Na kontrolni listini morajo biti navedeni vsaj ti podatki:

a) vrsta prevoza,

b) osnovni itinerar,

c) prevoznik(i),

d) popoln seznam potnikov.

5) Obrazce kontrolnih dokumentov zagotovijo pristojni organi pogodbenice, v kateri je vozilo registrirano, ali telesa, ki jih ti organi imenujejo.

6) Občasni prevozi iz točk 5c) in 5d) 4. člena se lahko opravljajo le na podlagi ustreznih dovoljenj. Število dovoljenj določijo pristojni organi podpisnic sporazuma na zasedanju skupnega odbora iz 13. člena.

#### 6. člen

1) Za linijski in izmenični prevoz je potrebno dovoljenje.

2) Dovoljenje je izdano na ime prevoznika, ki ga ne sme prenesti na tretjo osebo. Prevoznik, ki ima dovoljenje, pa lahko opravlja prevoze s podizvajalcem.

3) Rok veljavnosti dovoljenja ne sme biti daljši od treh let za linijske prevoze in enega leta za izmenične prevoze.

4) Dovoljenje mora vsebovati te podatke:

a) vrsto prevoza,

b) progo prevoza s posebej navedenim odhodnim in namembnim krajem ter mejnimi prehodi,

c) The period of validity of the authorization.  
 d) For regular services, the stops and the timetable.  
 e) Authorizations, signed by the issuing competent authorities of the Contracting Parties, must be accompanied by documents regarding the itinerary, timetable and tariffs.

5) Applications for authorizations shall be submitted to the competent authority of the Contracting Party, where the vehicle is registered, which can accept it or not. In case the application does not arise any objection, the above authority shall communicate it to the competent authority of the other Contracting Party. If the latter agrees, then each competent authority shall issue the authorization for that part of the itinerary, which is performed in its territory.

6) The application in two copies should contain data requested by national regulations as well as a drawing of the line containing well marked bus-stops and kilometers. The responsible authorities are allowed to ask carriers to give any relevant data that may be considered necessary.

7) During the journey an authorized copy of the authorization or its original must be on the vehicle.

8) The form and content of authorizations will be specified by competent authorities of the two Contracting Parties or by the Joint Committee of Article 13.

#### Article 7

Transit through the territory of the one Contracting Party of occasional services, performed by a vehicle registered to the other Contracting Party, is exempted from any authorization.

#### Article 8

A regular service is approved and can start operating once the responsible authorities of both Contracting Parties have exchanged the particular license with all necessary enclosures.

## II. TRANSPORT OF GOODS

#### Article 9

1) Carriers established in the territory of one of the Contracting Parties are allowed to carry out the international road goods transport for hire or reward between the two Contracting Parties (bilateral transport), as well as through their territories to other countries (transit transport) using a permit issued by the competent authorities of the other Contracting Party.

2) There shall be no restrictions regarding the number of permits provided for in Article 9, paragraph 1.

3) With regard to road goods transport carried out by carriers of one Contracting Party, departing from the territory of the other Contracting Party and bound for a third country (triangular transport), a special permit shall be issued by the Contracting Party from which or to which the transport is carried out.

These special permits can only be used by the carriers on whose name they were issued and they are not transmissible. The potentiality of issuing such kind of permits, as well as their number, shall be determined by the Joint Committee mentioned in the Article 13 of the present Agreement.

c) rok veljavnosti dovoljenja,  
 d) pri linijskih prevozi postajališča in vozni red,  
 e) dovoljenju, ki ga izda pristojni organ pogodbenice, morajo biti priloženi dokumenti o itinerarju, voznem redu in tarifah.

5) Vloge za dovoljenja je treba predložiti pristojnim organom pogodbenice, v kateri je vozilo registrirano, ki lahko vlogo odobrijo ali zavrnejo. Če ni zadržkov za sprejem vloge, omenjeni organ o tem obvesti pristojni organ druge pogodbenice. Če se slednji strinja, vsak izda dovoljenje za tisti del itinerarja, ki poteka po njegovem ozemlju.

6) Vloga v dveh izvodih mora vsebovati podatke, ki jih zahtevajo notranji predpisi, ter skico smeri potovanja z označenimi postajami in kilometri. Pristojni organi lahko zahtevajo od prevoznikov tudi druge podatke, za katere menijo, da so potrebni.

7) Med vožnjo mora biti v vozilu izvirnik dovoljenja ali njegova overjena kopija.

8) Obliko in vsebino dovoljenj določijo pristojni organi pogodbenic ali skupni odbor iz 13. člena.

#### 7. člen

Dovoljenja niso potrebna za tranzit čez ozemlje ene pogodbenice za občasni prevoz, ki ga opravlja vozilo, registrirano v drugi pogodbenici.

#### 8. člen

Linijski prevoz je odobren in se lahko začne opravljati, ko pristojni organi pogodbenic izmenjajo posebna dovoljenja z vsemi potrebnimi prilogami.

## II. PREVOZ BLAGA

#### 9. člen

1) Prevozniki, ustanovljeni na ozemlju ene od pogodbenic, lahko opravljajo prevoz blaga v mednarodnem cestnem prevozu za račun tretjega med pogodbenicama (dvostranski promet) in čez njuni ozemlji v tretje države (tranzit) na podlagi dovolilnice, ki jo izdajo pristojni organi druge pogodbenice.

2) Število dovolilnic iz prvega odstavka 9. člena ni omejeno.

3) Za prevoz blaga v mednarodnem cestnem prevozu, ki ga opravljajo prevozniki ene pogodbenice, ki zapuščajo ozemlje druge pogodbenice in so namenjeni v tretjo državo (prevozi za tretje države), izda posebno dovolilnico pogodbenica, iz katere ali v katero se opravlja prevoz.

Posebne dovolilnice lahko uporablja samo prevoznik, na katerega ime so izdane, in niso prenosljive. Možnost izdajanja takšnih dovolilnic in njihovo število določi skupni odbor iz 13. člena tega sporazuma.



## Article 10

The type of the permits mentioned in Article 9, is to be determined by the Competent Authorities of the Contracting Parties directly or on the basis of the conclusions adopted by the Joint Committee as per Article 13 of this Agreement.

## Article 11

1) On the basis of Article 9, paragraph 1 of this Agreement the competent Authorities of the two Contracting Parties shall exchange each year the requested permits through the procedure decided by the Joint Committee provided for in Article 13.

2) During the first period of implementation of this Agreement, namely before the first meeting of the Joint Committee of Article 13, the two Contracting Parties agree to fulfill the needs concerning the bilateral and transit road goods transport, as this would be notified to their respective competent Authorities through diplomatic channels.

## Article 12

1) Notwithstanding the provisions of Article 9, paragraph 1 of this Agreement, a permit is not obligatory in the following cases:

1. Transport of objects from a public airport or to a public airport in case of casualty or any other accident of the plane, or if the plane must land due to a change of course or emergency and in case that flights are canceled;

2. Transport of a damaged motor vehicle and its trailer;

3. Funeral transport;

4. Transport of personal belongings in the context of the household removal in special vehicles;

5. Transport of mail;

6. Transport of goods for fairs and exhibitions;

7. Transport of accessories and other goods for theaters, music and other cultural events, circus and film shows and radio or TV performances;

8. Transport of dead animals, unless industrial working up of raw material is the case;

9. Transport of bees or fish progeny;

10. Transport of flowers and other decorative plants;

11. Transport of pharmaceuticals or any other materials as aid in case of disasters caused by natural phenomena;

12. Transport of empty vehicles to be exchanged for damaged vehicles which are to take over the transport of goods that damaged ones cannot perform;

13. Transport with trailer in a group of vehicles composed by a motor vehicle belonging to the home carrier and a foreign trailer;

14. Vehicles performing technical aid or repair of damaged vehicles (service and refit vehicles);

15. Transport of a vehicle which is to replace another damaged vehicle located in the other Contracting Party;

16. Transport of cargo to be used for education and advertising;

17. The carriage of goods in motor vehicles, the permissible laden weight of which, including that of trailers, does not exceed 6 tons or the permissible payload of which, including that of trailers, does not exceed 3.5 tons;

## 10. člen

Vrsto dovolilnic iz 9. člena določijo pristojni organi pogodbenic neposredno ali na podlagi sprejetih sklepov skupnega odbora iz 13. člena tega sporazuma.

## 11. člen

1) Na podlagi prvega odstavka 9. člena tega sporazuma si pristojni organi pogodbenic vsako leto izmenjajo za-prošene dovolilnice v skladu s postopkom, ki ga določi skupni odbor iz 13. člena.

2) Pogodbenici se strinjata, da bosta v začetnem obdobju izvajanja tega sporazuma, t. j. pred prvim zasedanjem skupnega odbora iz 13. člena, zadovoljili potrebe po dvostranskem in tranzitnem prevozu blaga v cestnem prevozu tako, da bosta ustrezne pristojne organe o teh potrebah obvestili po diplomatski poti.

## 12. člen

1) Ne glede na določbe prvega odstavka 9. člena tega sporazuma dovolilnica ni potrebna za:

1. prevoz blaga z javnega letališča ali na javno letališče ob nezgodi ali drugi nesreči letala ali ob pristanku zaradi spremenjene smeri poleta ali v sili in ob odpovedanih letih;

2. prevoz poškodovanega motornega vozila in njegovega priklopnika;

3. prevoz posmrtnih ostankov;

4. prevoz osebnih stvari pri selitvi gospodinjstva s posebnimi vozili;

5. prevoz poštnih pošiljk;

6. prevoz blaga, namenjenega za sejme in razstave;

7. prevoz pripomočkov in drugih potrebščin za gledališke, glasbene in druge kulturne prireditve, cirkuške predstave ter za filmska in radijska ali televizijska snemanja;

8. prevoz mrtvih živali, razen če gre za industrijsko predelavo surovin;

9. prevoz čebel ali ribjega podmladka;

10. prevoz cvetja in drugih okrasnih rastlin;

11. prevoz farmacevtskega ali katerega koli drugega materiala kot pomoč ob naravnih nesrečah;

12. prazna vozila, s katerimi se zamenjajo pokvarjena vozila in ki prevzamejo prevoz blaga iz pokvarjenih vozil;

13. prevoz s priklopnikom v skupini vozil, ki jo sestavljata motorno vozilo domačega prevoznika in tuji priklopnik;

14. vozila tehnične pomoči za popravilo pokvarjenih vozil (servisna in remontna vozila);

15. vožnjo vozila, ki nadomesti vozilo, poškodovano v drugi pogodbenici;

16. prevoze tovorov, ki se uporabljajo v izobraževalne in reklamne namene;

17. prevoz blaga z motornimi vozili, vključno s priklopniki, z dovoljeno skupno maso do 6 ton oziroma dovoljeno skupno nosilnostjo do 3,5 tone.

2) With regard to the transport from the first paragraph of this Article, the driver must keep all papers and documents that clearly indicate that one of the above kinds of transport is the case.

### III. GENERAL PROVISIONS

#### Article 13

1) In order to regulate all questions regarding the implementation and application of this Agreement, a Joint Committee shall be established.

2) This Committee is to be composed of the representatives of both Contracting Parties who can invite representatives of the road transport industry at the meetings.

3) The Joint Committee shall meet once per year or at the request of either Contracting Party, alternately in either Contracting Party. The agenda of the meeting shall be presented by the Contracting Party hosting, or requesting if this is the case, the meeting at least two weeks in advance. Each meeting shall be concluded with the adoption of a protocol signed by the heads of delegations of the two Contracting Parties.

4) The Joint Committee shall also decide upon the time limit as well as the way of exchanging data and all other relevant information.

#### Article 14

The Contracting Parties shall notify each other on who are the competent Authorities to settle the questions connected with carrying out the provisions of this Agreement.

#### Article 15

1) The Contracting Parties agree that vehicles registered in either Contracting Party are mutually exempted from all taxes and other duties, for the use of their respective road networks, as well as any other possible charges.

2) The Contracting Parties shall agree that the provisions of Article 15, paragraph 1 of this Agreement, regarding the payment of taxes and duties shall be adjusted to future unified provisions of agreements with the European Union.

#### Article 16

Carriers of a Contracting Party and the crews of their vehicles shall, when on the territory of the other Contracting Party, comply with the laws and regulations in force in that country.

#### Article 17

For the protection of environment and within the framework of Article 16 of the Transport Agreement between the Republic of Slovenia and the European Economic Community in the field of transport, signed in Luxembourg on April 5, 1993, the Contracting Parties shall comply with standards laid down by international agreements relating to the environment and shall work together and make every effort towards the achievement of these objectives.

2) Za prevoz iz prvega odstavka tega člena mora imeti voznik vozila vse listine in dokumente iz katerih je jasno razvidno, da gre za enega od navedenih prevozov.

### III. SPLOŠNE DOLOČBE

#### 13. člen

1) Za reševanje vseh vprašanj, ki so v zvezi z izvajanjem in uporabo tega sporazuma, se ustanovi skupni odbor.

2) Odbor sestavljajo predstavniki obeh pogodbenic, ki na sestanke lahko povabijo predstavnike cestnoprometne panoge.

3) Skupni odbor se sestaja enkrat letno na pobudo ene od pogodbenic vsako leto v drugi pogodbenici. Dnevni red sestankov pripravi vsaj dva tedna pred začetkom pogodbenice gostiteljica ali tista, ki da pobudo za sestanek. Ob koncu vsakega sestanka se sprejme protokol, ki ga podpiseta vodji delegacij obeh pogodbenic.

4) Skupni odbor določi roke in način izmenjave podatkov in vseh drugih ustreznih informacij.

#### 14. člen

Pogodbenici se bosta medsebojno obvestili o pristojnih organih za reševanje vprašanj v zvezi z izvajanjem določb tega sporazuma.

#### 15. člen

1) Pogodbenici soglašata, da so vozila, registrirana v kateri koli od pogodbenic, vzajemno oproščena plačevanja davkov in pristojbin za uporabo njunih cestnih omrežij kot tudi vseh drugih dajatev.

2) Pogodbenici se strinjata, da se določbe prvega odstavka 15. člena tega sporazuma v zvezi s plačilom davkov in pristojbin prilagodijo prihodnjim enotnim določbam sporazumov z Evropsko unijo.

#### 16. člen

Prevozniki pogodbenice in vozno osebje na njihovih vozilih morajo na ozemlju druge pogodbenice upoštevati zakone in predpise, ki veljajo v tej državi.

#### 17. člen

Za varstvo okolja in v okviru 16. člena Sporazuma med Republiko Slovenijo in Evropsko gospodarsko skupnostjo na področju prometa, podpisanega v Luxembourgju dne 5. aprila 1993, bosta pogodbenici upoštevali standarde, ki jih določajo mednarodni sporazumi o okolju, in si bosta skupaj prizadevali za doseganje teh ciljev.

## Article 18

This Agreement will enter into force on the date of the exchange of letters certifying completion of the respective constitutional requirements of the Contracting Parties. It will remain in force for one year. It shall thereafter be tacitly prolonged for further one year periods unless one of the Parties notifies the other, six months before the expiration date, of its intention to terminate this Agreement.

Done at Ljubljana on 27 May 1998 in two copies in English language.

In WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Agreement.

For the Republic of Slovenia  
**Dr Boris Frlec** (s)

For the Hellenic Republic  
**Theodoros Pangalos** (s)

## 18. člen

Ta sporazum začne veljati na dan izmenjave pisem, ki potrjujeta izpolnitev ustreznih ustavnih zahtev v pogodbenicah. Sporazum velja leto dni. Za vsako naslednje leto se molče podaljšuje, razen če ga ena od pogodbenic ne odpove najmanj šest mesecev pred datumom izteka njegove veljavnosti.

Sestavljeno v Ljubljani dne 27. maja 1998 v dveh izvodih v angleškem jeziku.

V POTRDATEV TEGA sta podpisana, pravilno pooblaščen v ta namen, podpisala ta sporazum.

Za Republiko Slovenijo  
**dr. Boris Frlec** l. r.

Za Helensko republiko  
**Theodoros Pangalos** l. r.

## 3. člen

Za izvajanje sporazuma skrbi Ministrstvo za promet in zveze.

## 4. člen

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

Št. 326-07/99-24/1

Ljubljana, dne 15. februarja 2000

Predsednik  
Državnega zbora  
Republike Slovenije  
**Janez Podobnik, dr. med.** l. r.

– **Obvestilo o začetku veljavnosti mednarodnih pogodb**

**O B V E S T I L O**  
**o začetku veljavnosti mednarodnih pogodb**

Dne 7. oktobra 1999 je začel veljati Memorandum o soglasju (MOS) med Ministrstvom za obrambo Republike Slovenije, ki ga zastopa minister za obrambo, in Ministrstvom za obrambo Združenega kraljestva Velike Britanije in Severne Irske, ki ga zastopa državni sekretar za obrambo, o sodelovanju na področju obrambnega materiala, podpisan 12. oktobra 1998 v Ljubljani in je objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 22/99 (Uradni list Republike Slovenije, št. 80/99).

Dne 17. decembra 1999 je začel veljati Sporazum med Vlado Republike Slovenije in Vlado Združenih držav Amerike o znanstvenem in tehnološkem sodelovanju, podpisan dne 21. junija 1999 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 29/99 (Uradni list Republike Slovenije, št. 100/99).

Dne 23. februarja 2000 je začela veljati Pogodba med Republiko Slovenijo in Republiko Hrvaško o ureditvi premoženjskopravnih razmerij, podpisana v Ljubljani 8. oktobra 1999 (Uradni list Republike Slovenije – Mednarodne pogodbe, št. 31/99; v: Uradni list Republike Slovenije, št. 110/99).

Ministrstvo za zunanje zadeve  
Republike Slovenije

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