

# Uradni list Republike Slovenije



## Mednarodne pogodbe

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75. Zakon o ratifikaciji Mednarodne konvencije o ureditvi kitolova in Protokola k Mednarodni konvenciji o ureditvi kitolova, podpisani v Washingtonu, z datumom 2. decembra 1946 (MKUK)

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 MEDNARODNE KONVENCIJE O UREDITVI KITOLOVA IN PROTOKOLA K MEDNARODNI KONVENCIJI O UREDITVI KITOLOVA, PODPISANI V WASHINGTONU, Z DATUMOM 2. DECEMBER 1946 (MKUK)

Razglasjam Zakon o ratifikaciji Mednarodne konvencije o ureditvi kitolova in Protokola k Mednarodni konvenciji o ureditvi kitolova, podpisani v Washingtonu, z datumom 2. decembra 1946 (MKUK), ki ga je sprejel Državni zbor Republike Slovenije na seji 23. julija 2006.

Št. 001-22-107/06  
Ljubljana, dne 3. julija 2006

dr. Janez Drnovšek l.r.  
Predsednik  
Republike Slovenije

### Z A K O N

#### O RATIFIKACIJI MEDNARODNE KONVENCIJE O UREDITVI KITOLOVA IN PROTOKOLA K MEDNARODNI KONVENCIJI O UREDITVI KITOLOVA, PODPISANI V WASHINGTONU, Z DATUMOM 2. DECEMBER 1946 (MKUK)

##### 1. člen

Ratificirata se Mednarodna konvencija o ureditvi kitolova, sestavljena v Washingtonu 2. decembra 1946, in Protokol k Mednarodni konvenciji o ureditvi kitolova, podpisani v Washingtonu, z datumom 2. decembra 1946, sestavljen v Washingtonu 19. novembra 1956.

##### 2. člen

Besedilo konvencije in protokola se v izvirniku v angleškem jeziku ter v prevodu v slovenskem jeziku glasi:

#### INTERNATIONAL CONVENTION for the Regulation of Whaling

The Governments whose duly authorised representatives have subscribed hereto,

Recognizing the interest of the nations of the world in safeguarding for future generations the great natural resources represented by the whale stocks;

Considering that the history of whaling has seen over-fishing of one area after another and of one species of whale after another to such a degree that it is essential to protect all species of whales from further over-fishing;

Recognizing that the whale stocks are susceptible of natural increases if whaling is properly regulated, and that increases in the size of whale stocks will permit increases in the number of whales which may be captured without endangering these natural resources;

Recognizing that it is in the common interest to achieve the optimum level of whale stocks as rapidly as possible without causing widespread economic and nutritional distress;

#### MEDNARODNA KONVENCIJA o ureditvi kitolova

Vlade, katerih pooblaščeni predstavniki so podpisali to konvencijo,

ob spoznanju interesa držav za varovanje staležev kitov kot pomembnih naravnih virov za prihodnje rodove;

ker je v zgodovini kitolova na različnih območjih prihajalo do prelova kitov v tolikšnem obsegu, da je nujno zavarovati vse vrste kitov pred nadaljnjjim prelovom;

ob spoznanju, da se staleži kitov lahko povečajo po naravnih potih, če je kitolov pravilno urejen, in da bo povečanje staležev kitov omogočilo povečanje števila kitov, ki jih je mogoče uloviti, ne da bi bili ti naravnii viri ogroženi;

ob spoznanju, da je v skupnem interesu, da se čim prej dosežejo optimalni staleži kitov, ne da bi to povzročilo obsežne gospodarske in prehranske težave;

Recognizing that in the course of achieving these objectives, whaling operations should be confined to those species best able to sustain exploitation in order to give an interval for recovery to certain species of whales now depleted in numbers;

Desiring to establish a system of international regulation for the whale fisheries to ensure proper and effective conservation and development of whale stocks on the basis of the principles embodied in the provisions of the International Agreement for the Regulation of Whaling, signed in London on 8th June, 1937, and the protocols to that Agreement signed in London on 24th June, 1938, and 26th November, 1945; and

Having decided to conclude a convention to provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry;

Have agreed as follows:

### Article I

1. This Convention includes the Schedule attached thereto which forms an integral part thereof. All references to "Convention" shall be understood as including the said Schedule either in its present terms or as amended in accordance with the provisions of Article V.

2. This Convention applies to factory ships, land stations, and whale catchers under the jurisdiction of the Contracting Governments and to all waters in which whaling is prosecuted by such factory ships, land stations, and whale catchers.

### Article II

As used in this Convention:

- "Factory ship" means a ship in which or on which whales are treated either wholly or in part;
- "Land station" means a factory on the land at which whales are treated either wholly or in part;
- "Whale catcher" means a ship used for the purpose of hunting, taking, towing, holding on to, or scouting for whales;

– "Contracting Government" means any Government which has deposited an instrument of ratification or has given notice of adherence to this Convention.

### Article III

1. The Contracting Governments agree to establish an International Whaling Commission, hereinafter referred to as the Commission, to be composed of one member from each Contracting Government. Each member shall have one vote and may be accompanied by one or more experts and advisers.

2. The Commission shall elect from its own members a Chairman and Vice-Chairman and shall determine its own Rules of Procedure. Decisions of the Commission shall be taken by a simple majority of those members voting except that a three-fourths majority of those members voting shall be required for action in pursuance of Article V. The Rules of Procedure may provide for decisions otherwise than at meetings of the Commission.

3. The Commission may appoint its own Secretary and staff.

4. The Commission may set up, from among its own members and experts or advisers, such committees as it considers desirable to perform such functions as it may authorize.

5. The expenses of each member of the Commission and of his experts and advisers shall be determined by his own Government.

ob spoznanju, da bi moral biti pri uresničevanju teh ciljev kitolov omejen na tiste vrste, ki najbolje prenesejo izkoriščanje, tako da bi imele vrste kitov, katerih število je zdaj močno zmanjšano, čas za obnovo;

v želji, da se vzpostavi sistem mednarodne ureditve kitolova za zagotovitev pravilnega in učinkovitega ohranjanja in rasti staležev kitov na podlagi načel Mednarodnega sporazuma o ureditvi kitolova, podpisanega v Londonu 8. junija 1937, in njegovih protokolov, podpisanih v Londonu 24. junija 1938 in 26. novembra 1945, in

ob odločitvi o sklenitvi te konvencije za ohranjanje staležev kitov in omogočanje urejenega razvoja kitolovne industrije;

so se dogovorile:

### I. člen

1. Konvenciji je priložen program, ki je njen sestavni del. Vsako sklicevanje na konvencijo vključuje tudi omenjeni program v njegovi sedanji obliki ali kakor bo spremenjen v skladu s V. členom.

2. Konvencija se uporablja za predelovalne ladje, kopenske postaje in kitolovke, ki so v pristojnosti vlad pogodbenic, ter za vse vode, v katerih izvajajo kitolov.

### II. člen

Izrazi, uporabljeni v tej konvenciji:

- "predelovalna ladja" je ladja, v ali na kateri se kit predelujejo v celoti ali delno;
- "kopenska postaja" je obrat na kopnem, v katerem kite predelujejo v celoti ali delno;
- "kitolovka" je ladja, ki se uporablja za lov, ulov, vlečenje, zadrževanje ali sledenje kitov;

– "vlade pogodbenice" pomeni vse vlade, ki so deponale listino o ratifikaciji ali poslale uradno obvestilo o pristopu h konvenciji.

### III. člen

1. Vlade pogodbenice soglašajo, da se ustanovi Mednarodna komisija za kitolov, v nadaljevanju komisija, v kateri je po en član iz vsake vlade pogodbenice. Vsak član ima en glas, spremila ga lahko en ali več strokovnjakov ali svetovalcev.

2. Komisija med člani izvoli predsednika in podpredsednika ter sprejme svoj poslovnik. Komisija odloča z navadno večino članov, ki glasujejo, razen pri zadevah iz V. člena, ko se zahteva tričetrtna večina. V poslovniku je lahko predvideno, da se odločitve sprejemajo tudi drugače kakor na sestankih komisije.

3. Komisija lahko imenuje sekretarja in osebje.

4. Komisija lahko ustanovi odbore svojih članov in strokovnjakov ali svetovalcev, za katere meni, da je potrebno, da opravlajo naloge, za katere jih pooblasti.

5. Stroške članov komisije in njihovih strokovnjakov ali svetovalcev določijo njihove vlade.

6. Recognizing that specialized agencies related to the United Nations will be concerned with the conservation and development of whale fisheries and the products arising therefrom and desiring to avoid duplication of functions, the Contracting Governments will consult among themselves within two years after the coming into force of this Convention to decide whether the Commission shall be brought within the framework of a specialized agency related to the United Nations.

7. In the meantime the Government of the United Kingdom of Great Britain and Northern Ireland shall arrange, in consultation with the other Contracting Governments, to convene the first meeting of the Commission, and shall initiate the consultation referred to in paragraph 6 above.

8. Subsequent meetings of the Commission shall be convened as the Commission may determine.

#### Article IV

1. The Commission may either in collaboration with or through independent agencies of the Contracting Governments or other public or private agencies, establishments, or organizations, or independently (a) encourage, recommend, or if necessary, organize studies and investigations relating to whales and whaling; (b) collect and analyze statistical information concerning the current condition and trend of the whale stocks and the effects of whaling activities thereon; (c) study, appraise, and disseminate information concerning methods of maintaining and increasing the populations of whale stocks.

2. The Commission shall arrange for the publication of reports of its activities, and it may publish independently or in collaboration with the International Bureau for Whaling Statistics at Sandefjord in Norway and other organizations and agencies such reports as it deems appropriate, as well as statistical, scientific, and other pertinent information relating to whales and whaling.

#### Article V

1. The Commission may amend from time to time the provisions of the Schedule by adopting regulations with respect to the conservation and utilization of whale resources, fixing (a) protected and unprotected species; (b) open and closed seasons; (c) open and closed waters, including the designation of sanctuary areas; (d) size limits for each species; (e) time, methods, and intensity of whaling (including the maximum catch of whales to be taken in any one season); (f) types and specifications of gear and apparatus and appliances which may be used; (g) methods of measurement; and (h) catch returns and other statistical and biological records.

2. These amendments of the Schedule (a) shall be such as are necessary to carry out the objectives and purposes of this Convention and to provide for the conservation, development, and optimum utilization of the whale resources; (b) shall be based on scientific findings; (c) shall not involve restrictions on the number or nationality of factory ships or land stations, nor allocate specific quotas to any factory or ship or land station or to any group of factory ships or land stations; and (d) shall take into consideration the interests of the consumers of whale products and the whaling industry.

3. Each of such amendments shall become effective with respect to the Contracting Governments ninety days following notification of the amendment by the Commission to each of the Contracting Governments, except that (a) if any Government presents to the Commission objection to any amendment prior to the expiration of this ninety-day period, the amendment shall not become effective with respect to any of the Governments for an additional ninety days; (b) thereupon, any other Contracting Government may present objection to the amendment at any time prior to the expiration of the additional ninety-day period, or before the expiration

6. Ker se bodo z ohranjanjem in razvojem kitolova in kitolovnih proizvodov ukvarjale specializirane agencije, povezane z Združenimi narodi, in v želji, da bi se izognili podvajanju pristojnosti, se bodo v dveh letih od začetka veljavnosti konvencije vlade pogodbenice med seboj posvetovale in odločile, ali naj komisijo vključijo v okvir specializirane agencije, povezane z Združenimi narodi.

7. V vmesnem času bo Vlada Združenega kraljestva Velika Britanija in Severna Irska v posvetovanju z drugimi vladami pogodbenicami poskrbela za sklic prvega sestanka komisije in začela posvetovanje iz prejšnjega odstavka.

8. Naslednji sestanki komisije se sklicejo, kakor odloči komisija.

#### IV. člen

1. Komisija lahko v sodelovanju z neodvisnimi agencijami vlad pogodbenic ali drugimi javnimi ali zasebnimi agencijami, ustanovami ali organizacijami ali prek njih, lahko pa tudi neodvisno (a) spodbuja, priporoča ali organizira študije in raziskave v zvezi s kitolovom, če je potrebno; (b) zbira in analizira statistične informacije o obstoječem stanju in spremembah staležev kitov in učinkih kitolovnih dejavnosti na njih; (c) preučuje, ocenjuje in razširja informacije o načinu ohranjanja in povečevanja staležev kitov.

2. Komisija poskrbi za objavo poročil o svojih dejavnostih in lahko neodvisno ali v sodelovanju z Mednarodnim uradom za kitolovno statistiko v Sandefjordu na Norveškem in drugimi organizacijami in agencijami objavi poročila, za katera meni, da je to primerno, in statistične, znanstvene in druge ustrezne informacije v zvezi s kitolovom.

#### V. člen

1. Komisija lahko občasno spremeni določbe programa, tako da sprejme pravila o ohranjanju in rabi kitov, s katerimi določi (a) zavarovane in nezavarovane vrste; (b) kitolovno sezono in lovopust; (c) kitolovne in nekitolovne vode, vključno z določitvijo zavarovanih območij; (d) mejne velikosti za posamezne vrste; (e) čas, načine in intenzivnost kitolova (vključno z največjim dovoljenim ulovom kitov v posamezni sezoni); (f) vrste in specifikacije orodja, naprav in pripomočkov, ki se smejo uporabljati; (g) načine meritev in (h) statistiko o ulovu in druge statistične in biološke podatke.

2. Spremembe programa (a) ustrezajo uresničevanju ciljev in namena te konvencije in zagotavljanju ohranjanja rasti in optimalne rabe staležev kitov; (b) temeljijo na znanstvenih doganjajih; (c) ne vsebujejo omejitve števila ali državne pripadnosti predelovalnih ladij ali kopenskih postaj in ne določajo kvot za kateri koli obrat, ladjo ali kopensko postajo ali za katero koli skupino predelovalnih ladij ali kopenskih postaj in (d) upoštevajo interese porabnikov kitolovnih proizvodov in kitolovne industrije.

3. Vsaka sprememba začne za vlade pogodbenice veljati devetdeset dni po tem, ko komisija o spremembi uradno obvesti vse vlade pogodbenice, razen če (a) katera vlada predloži komisiji ugovor proti spremembi pred potekom tega devetdesetdnevnega roka, sprememba za nobeno vlado ne velja še dodatnih devetdeset dni; (b) nato lahko katera koli druga vlada pogodbenica predloži ugovor proti spremembi pred potekom dodatnih devetdesetih dni ali pred potekom tridesetih dni od dneva prejema zadnjega ugovora, prejetega v obdobju dodatnih devetdesetih dni, odvisno od tega, kateri datum je poznejši, in (c) nato sprememba začne veljati za

of thirty days from the date of receipt of the last objection received during such additional ninety-day period, whichever date shall be the later; and (c) thereafter, the amendment shall become effective with respect to all Contracting Governments which have not presented objection but shall not become effective with respect to any Government which has so objected until such date as the objection is withdrawn. The Commission shall notify each Contracting Government immediately upon receipt of each objection and withdrawal and each Contracting Government shall acknowledge receipt of all notifications of amendments, objections, and withdrawals.

4. No amendments shall become effective before 1st July, 1949.

#### **Article VI**

The Commission may from time to time make recommendations to any or all Contracting Governments on any matters which relate to whales or whaling and to the objectives and purposes of this Convention.

#### **Article VII**

The Contracting Government shall ensure prompt transmission to the International Bureau for Whaling Statistics at Sandefjord in Norway, or to such other body as the Commission may designate, of notifications and statistical and other information required by this Convention in such form and manner as may be prescribed by the Commission.

#### **Article VIII**

1. Notwithstanding anything contained in this Convention any Contracting Government may grant to any of its nationals a special permit authorizing that national to kill, take and treat whales for purposes of scientific research subject to such restrictions as to number and subject to such other conditions as the Contracting Government thinks fit, and the killing, taking, and treating of whales in accordance with the provisions of this Article shall be exempt from the operation of this Convention. Each Contracting Government shall report at once to the Commission all such authorizations which it has granted. Each Contracting Government may at any time revoke any such special permit which it has granted.

2. Any whales taken under these special permits shall so far as practicable be processed and the proceeds shall be dealt with in accordance with directions issued by the Government by which the permit was granted.

3. Each Contracting Government shall transmit to such body as may be designated by the Commission, in so far as practicable, and at intervals of not more than one year, scientific information available to that Government with respect to whales and whaling, including the results of research conducted pursuant to paragraph 1 of this Article and to Article IV.

4. Recognizing that continuous collection and analysis of biological data in connection with the operations of factory ships and land stations are indispensable to sound and constructive management of the whale fisheries, the Contracting Governments will take all practicable measures to obtain such data.

#### **Article IX**

1. Each Contracting Government shall take appropriate measures to ensure the application of the provisions of this Convention and the punishment of infractions against the said provisions in operations carried out by persons or by vessels under its jurisdiction.

2. No bonus or other remuneration calculated with relation to the results of their work shall be paid to the gunners and crews of whale catchers in respect of any whales the taking of which is forbidden by this Convention.

vse vlade pogodbenice, ki niso predložile ugovora, ne velja pa za vlade, ki so ugovarjale do dneva, ko ugovor umaknejo. Komisija uradno obvesti vse vlade pogodbenice takoj po prejemu posameznega ugovora ali umika ugovora, vlade pogodbenice pa potrdijo prejem uradnih obvestil o spremembah, ugovorih in umikih ugovorov.

4. Nobena sprememba ne začne veljati pred 1. julijem 1949.

#### **VI. člen**

Komisija lahko občasno pošlje priporočilo kateri koli ali vsem vladam pogodbenicam o kateri koli zadevi, ki se nanaša na kite ali kitolov ter na cilje in namene te konvencije.

#### **VII. člen**

Vlade pogodbenice zagotovijo, da se Mednarodnemu uradu za kitolovno statistiko v Sandefjordu na Norveškem ali drugemu organu, ki ga določi komisija, čim prej pošljejo uradna obvestila ter statistični in drugi podatki, ki jih zahteva konvencija, v obliki in na način, ki ga določi komisija.

#### **VIII. člen**

1. Ne glede na vsebino konvencije lahko vsaka vlast pogodbenica vsakemu svojemu državljanu izda posebno dovoljenje, ki mu omogoča, da ubija, lovi in obdeluje kite za znanstvenoraziskovalne namene ob upoštevanju omejitve glede števila in drugih pogojev, za katere vlast pogodbenica meni, da so ustrezni, tako da so ubijanje, kitolov in predelava kitov po določbah tega člena izvzeti iz izvajanja konvencije. Vsaka vlast pogodbenica takoj poroča komisiji o vseh takih izdanih dovoljenjih. Vsaka vlast pogodbenica lahko kadar koli prekliče vsako posebno dovoljenje, ki ga je izdala.

2. Kiti, ulovljeni na podlagi posebnih dovoljenj, se predelajo, kolikor je mogoče, z iztržkom pa se ravna v skladu z navodili vlade, ki je izdala dovoljenje.

3. Če je mogoče, vsaka vlast pogodbenica pošlje organu, ki ga določi komisija, v časovnih presledkih, ki niso daljši od enega leta, znanstvene informacije o kitih in kitolovu, ki so ji na voljo, vključno z izsledki raziskav, opravljenih na podlagi prvega odstavka tega člena in IV. člena.

4. Ob priznavanju, da sta stalno zbiranje in analiza bioloških podatkov, povezanih z dejavnostmi predelovalnih ladij in kopenskih postaj, nujno potrebna za preudarno in konstruktivno upravljanje kitolova, bodo vlade pogodbenice sprejele vse izvedljive ukrepe za pridobivanje takih podatkov.

#### **IX. člen**

1. Vsaka vlast pogodbenica sprejme ustreerne ukrepe, s katerimi zagotovi izvajanje konvencije in kaznovanje za kršitve njenih določb, ki jih pri svojih dejavnostih storijo osebe ali plovila v njeni pristojnosti.

2. Harpunarjem in posadkam kitolovk se ne plačujejo premije ali nadomestila, izračunana na podlagi rezultatov njihovega dela, v zvezi s kiti, katerih lov je s konvencijo prepovedan.

3. Prosecution for infractions against or contraventions of this Convention shall be instituted by the Government having jurisdiction over the offence.

4. Each Contracting Government shall transmit to the Commission full details of each infraction of the provisions of this Convention by persons or vessels under the jurisdiction of that Government as reported by its inspectors. This information shall include a statement of measures taken for dealing with the infraction and of penalties imposed.

#### Article X

1. This Convention shall be ratified and the instruments of ratifications shall be deposited with the Government of the United States of America.

2. Any Government which has not signed this Convention may adhere thereto after it enters into force by a notification in writing to the Government of the United States of America.

3. The Government of the United States of America shall inform all other signatory Governments and all adhering Governments of all ratifications deposited and adherences received.

4. This Convention shall, when instruments of ratification have been deposited by at least six signatory Governments, which shall include the Governments of the Netherlands, Norway, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, enter into force with respect to those Governments and shall enter into force with respect to each Government which subsequently ratifies or adheres on the date of the deposit of its instrument of ratification or the receipt of its notification of adherence.

5. The provisions of the Schedule shall not apply prior to 1<sup>st</sup> July, 1948. Amendments to the Schedule adopted pursuant to Article V shall not apply prior to 1<sup>st</sup> July, 1949.

#### Article XI

Any Contracting Government may withdraw from this Convention on 30th June, of any year by giving notice on or before 1<sup>st</sup> January, of the same year to the depository Government, which upon receipt of such a notice shall at once communicate it to the other Contracting Governments. Any other Contracting Government may, in like manner, within one month of the receipt of a copy of such a notice from the depository Government give notice of withdrawal, so that the Convention shall cease to be in force on 30th June, of the same year with respect to the Government giving such notice of withdrawal.

The Convention shall bear the date on which it is opened for signature and shall remain open for signature for a period of fourteen days thereafter.

IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Convention.

DONE in Washington this second day of December, 1946, in the English language, the original of which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the other signatory and adhering Governments.

3. Pregon zaradi kršitev konvencije ali ravnanja v nasprotju z njo sproži vlada, v katere pristojnost spadajo taka dejanja.

4. Vsaka vlada pogodbenica pošlje komisiji vse podrobnosti o kršitvah določb konvencije, ki jih storijo osebe ali plovila v njeni pristojnosti, kakor o njih poročajo njeni inšpektorji. Taka informacija vključuje navedbo ukrepov, sprejetih zaradi obravnavanja kršitve, in izrečenih kazni.

#### X. člen

1. Konvencija se ratificira, listine o ratifikaciji pa se deponirajo pri vladi Združenih držav Amerike.

2. Vlada, ki ni podpisala konvencije, lahko po začetku njene veljavnosti k njej pristopi, o čemer pisno uradno obvesti vlado Združenih držav Amerike.

3. Vlada Združenih držav Amerike obvesti vse druge vlade pogodbenice in vse vlade, ki h konvenciji pristopijo, o deponiranih ratifikacijah in prejetih obvestilih o pristopu.

4. Konvencija začne veljati, ko listine o ratifikaciji depnira vsaj šest vlad podpisnic, med njimi vlade Nizozemske, Norveške, Zveze sovjetskih socialističnih republik, Združenega kraljestva Velika Britanija in Severna Irska ter Združenih držav Amerike, za te vlade, za druge vlade, ki pozneje ratificirajo ali pristopijo h konvenciji, pa začne veljati na dan deponiranja listine o ratifikaciji ali na dan prejema njihovega uradnega obvestila o pristopu.

5. Določbe programa se ne uporabljajo pred 1. julijem 1948. Spremembe programa, sprejete na podlagi V. člena, se ne uporabljajo pred 1. julijem 1949.

#### XI. člen

Vsaka vlada pogodbenica lahko odpove konvencijo vsako leto 30. junija, tako da 1. januarja istega leta ali pred tem datumom o odpovedi obvesti vlado depozitarja, ki po prejemu obvestila to takoj sporoči drugim vladam pogodbenicam. Druga vlada pogodbenica lahko enako v enem mesecu po prejemu takega obvestila od depozitarja pošlje obvestilo o svoji odpovedi, tako da konvencija zanjo preneha veljati 30. junija istega leta.

Datum konvencije je datum, ko je konvencija na voljo za podpis, podpiše pa se lahko v štirinajstih dneh od navedenega datuma.

V POTRDITEV tega so pravilno pooblaščeni podpisniki podpisali to konvencijo.

SESTAVLJENO v Washingtonu drugega decembra 1946 v angleškem jeziku; izvirnik se deponira v arhivih vlade Združenih držav Amerike. Vlada Združenih držav Amerike pošlje overjene izvode konvencije vsem drugim vladam podpisnicam in pristopnicam.

**SCHEDULE**

**1. (a)** There shall be maintained on each factory ship at least two inspectors of whaling for the purpose of maintaining twenty-four hour inspection. These inspectors shall be appointed and paid by the Government having jurisdiction over the factory ship.

**(b)** Adequate inspection shall be maintained at each land station. The inspectors serving at each land station shall be appointed and paid by the Government having jurisdiction over the land station.

**2.** It is forbidden to take or kill gray whales or right whales, except when the meat and products of such whales are to be used exclusively for local consumption by the aborigines.

**3.** It is forbidden to take or kill calves or suckling whales or female whales which are accompanied by calves or suckling whales.

**4.** It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating baleen whales in any of the following areas:

**(a)** in the waters north of 66° North Latitude except that from 150° East Longitude eastward as far as 140° West Longitude the taking or killing of baleen whales by a factory ship or whale catcher shall be permitted between 66° North Latitude and 72° North Latitude;

**(b)** in the Atlantic Ocean and its dependent waters north of 40° South Latitude;

**(c)** in the Pacific Ocean and its dependent waters east of 150° West Longitude between 40° South Latitude and 35° North Latitude;

**(d)** in the Pacific Ocean and its dependent waters west of 150° West Longitude between 40° South Latitude and 20° North Latitude;

**(e)** in the Indian Ocean and its dependent waters north of 40° South Latitude.

**5.** It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating baleen whales in the waters south of 40° South Latitude from 70° West Longitude westward as far as 160° West Longitude.

**6.** It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating humpback whales in any waters south of 40° South Latitude.

**7. (a)** It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating baleen whales in any waters south of 40° South Latitude, except during the period from December 15 to April 1 following, both days inclusive.

**(b)** Notwithstanding the above prohibition of treatment during a closed season, the treatment of whales which have been taken during the open season may be completed after the end of the open season.

**8. (a)** The number of baleen whales taken during the open season caught in any waters south of 40° South Latitude by whale catchers attached to factory ships under the jurisdiction of the Contracting Governments shall not exceed sixteen thousand blue-whale units.

**(b)** For the purposes of subparagraph (a) of this paragraph, blue-whale units shall be calculated on the basis that one blue whale equals:

- (1) two fin whales or
- (2) two and a half humpback whales or
- (3) six sei whales.

**PROGRAM**

**1. (a)** Na vsaki predelovalni ladji sta za zagotovitev štiri-indvajseturnega nadzora najmanj dva inšpektorja za kitolov. Inšpektorja imenuje in plačuje vlada, v katere pristojnost spada predelovalna ladja.

**(b)** Na vsaki kopenski postaji je zagotovljen ustrezen nadzor. Inšpektorje, ki so v službi na posamezni kopenski postaji, imenuje in plačuje vlada, v katere pristojnost spada kopenska postaja.

**2.** Prepovedano je loviti ali ubijati sive ali biskajske kite, razen kadar se meso ali izdelki iz njih uporabljajo izključno za lokalno porabo domorodcev.

**3.** Prepovedano je loviti ali ubijati mlade kite ali mladiči, ki še sesajo, ali samice, ki jih spremljajo mladi kiti ali mladiči, ki še sesajo.

**4.** Na vseh naslednjih območjih je prepovedana uporaba predelovalne ladje ali kitolovke, ki je z njo povezana, za lov na vosate kite ali njihovo predelavo:

**(a)** v vodah severno od 66° severne zemljepisne širine, razen tistih vzhodno od 150° vzhodne zemljepisne dolžine pa vse do 140° zahodne zemljepisne dolžine, kjer je predelovalnim ladjam ali kitolovkam dovoljeno loviti ali ubijati vosate kite med 66° in 72° severne zemljepisne širine;

**(b)** v Atlantskem oceanu in z njim povezanih vodah severno od 40° južne zemljepisne širine;

**(c)** v Tihem oceanu in z njim povezanih vodah vzhodno od 150° zahodne zemljepisne dolžine med 40° južne zemljepisne širine in 35° severne zemljepisne širine;

**(d)** v Tihem oceanu in z njim povezanih vodah zahodno od 150° zahodne zemljepisne dolžine med 40° južne zemljepisne širine in 20° severne zemljepisne širine;

**(e)** v Indijskem oceanu in z njim povezanih vodah severno od 40° južne zemljepisne širine.

**5.** Prepovedana je uporaba predelovalne ladje ali kitolovke, ki je z njo povezana, za lov na vosate kite ali njihovo predelavo v vodah južno od 40° južne zemljepisne širine, in sicer od 70° do 160° zahodne zemljepisne dolžine.

**6.** Prepovedana je uporaba predelovalne ladje ali kitolovke, ki je z njo povezana, za lov na kite grbavce ali njihovo predelavo kjer koli v vodah južno od 40° južne zemljepisne širine.

**7. (a)** Prepovedana je uporaba predelovalne ladje ali kitolovke, ki je z njo povezana, za lov na vosate kite ali njihovo predelavo kjer koli v vodah južno od 40° južne zemljepisne širine, razen v obdobju med 15. decembrom in 1. aprilom naslednjega leta, vključno z obema navedenima dnevoma.

**(b)** Predelava kitov, ki so bili ulovljeni v lovni dobi, se ne glede na gornjo prepoved predelave v varstveni dobi lahko dokonča po koncu lovne dobe.

**8. (a)** Število vosatih kitov, ki jih kjer koli v vodah južno od 40° južne zemljepisne širine v lovni dobi ulovijo kitolovke, povezane s predelovalno ladjo, ki so v pristojnosti vlad pogodbenic, ne sme presegati šestnajst tisoč enot sinjega kita.

**(b)** Za namene pododstavka a tega odstavka se enote sinjega kita izračunajo tako, da se šteje, da je en sinji kit enako kot:

- (1) dva hrbitopluta kita ali
- (2) dva in pol kita grbavca ali
- (3) šest zajvalov.

(c) Notification shall be given in accordance with the provisions of Article VII of the Convention, within two days after the end of each calendar week, of data on the number of blue-whale units taken in any waters south of 40° South Latitude by all whale catchers attached to factory ships under the jurisdiction of each Contracting Government.

(d) If it should appear that the maximum catch of whales permitted by subparagraph (a) of this paragraph may be reached before April 1 of any year, the Commission, or such other body as the Commission may designate, shall determine, on the basis of the data provided, the date on which the maximum catch of whales shall be deemed to have been reached and shall notify each Contracting Government of the date not less than two weeks in advance thereof. The taking of baleen whales by whale catchers attached to factory ships shall be illegal in any waters south of 40° South Latitude after the date so determined.

(e) Notification shall be given in accordance with the provisions of Article VII of the Convention of each factory ship intending to engage in whaling operations in any waters south of 40° South Latitude.

**9.** It is forbidden to take or kill any blue, fin, sei, humpback, or sperm whales below the following lengths:

(a) blue whales	70 feet (21.3 meters)
(b) fin whales	55 feet (16.8 meters)
(c) sei whales	40 feet (12.2 meters)
(d) humpback whales	35 feet (10.7 meter s)
(e) sperm whales	35 feet (10.7 meters)

except that blue whales of not less than 65 feet (19.8 meters), fin whales of not less than 50 feet (15.2 meters), and sei whales of not less than 35 feet (10.7 meters) in length may be taken for delivery to land stations provided that the meat of such whales is to be used for local consumption as human or animal food.

Whales must be measured when at rest on deck or platform, as accurately as possible by means of a steel tape measure fitted at the zero end with a spiked handle which can be stuck into the deck planking abreast of one end of the whale. The tape measure shall be stretched in a straight line parallel with the whale's body and read abreast the other end of the whale. The ends of the whale, for measurement purposes, shall be the point of the upper jaw and the notch between the tail flukes. Measurements, after being accurately read on the tape measure, shall be logged to the nearest foot: that is to say, any whale between 75'6" and 76'6" shall be logged as 76', and any whale between 76'6" and 77'6" shall be logged as 77'. The measurement of any whale which falls on an exact half foot shall be logged at the next half foot, e.g. 76'6" precisely, shall be logged as 77'.

**10.** It is forbidden to use a land station or a whale catcher attached thereto for the purpose of taking or treating baleen whales in any area or in any waters for more than six months in any period of twelve months, such period of six months to be continuous.

**11.** It is forbidden to use a factory ship, which has been used during a season in any waters south of 40° South Latitude for the purpose of treating baleen whales, in any other area for the same purpose within a period of one year from the termination of that season.

(c) V dveh dneh po koncu vsakega koledarskega tedna se pošlje uradno obvestilo v skladu s 7. členom konvencije s podatki o številu ulovljenih enot sinjega kita, ki jih kjer koli v vodah južno od 40° južne zemljepisne širine ulovijo kitolovke, povezane s predelovalnimi ladjami, ki so v pristojnosti vlad posameznih pogodbenic.

(d) Če bi se izkazalo, da je mogoče, da bo največji dovoljeni ulov kitov, ki ga dovoljuje pododstavek a tega odstavka, dosežen pred 1. aprilom posameznega leta, Komisija ali drugo telo, ki ga imenuje Komisija, na podlagi predloženih podatkov določi datum, ko je bil dosežen največji dovoljeni ulov kitov, in najmanj dva tedna vnaprej o tem datumu uradno obvesti vlade vseh pogodbenic. Lov na vosate kite s kitolovkami, povezanimi s predelovalnimi ladjami, v vseh vodah južno od 40° južne zemljepisne širine, je po tem datumu nezakonit.

(e) V skladu s 7. členom konvencije je treba poslati uradno obvestilo o vseh predelovalnih ladjah, ki načrtujejo kitolov kjer koli v vodah južno od 40° južne zemljepisne širine.

**9.** Prepovedano je loviti ali ubiti sinjega kita, hrbitoplutega kita, zajvala, kita grbavca ali kita glavača, ki je krajsi, kot je navedeno:

(a) sinji kit	70 čevljev (21,3 metra)
(b) hrbitopluti kit	55 čevljev (16,8 metra)
(c) zajval	40 čevljev (12,2 metra)
(d) kit grbavec	35 čevljev (10,7 metra)
(e) kit glavač	35 čevljev (10,7 metra),

le da je mogoče sinjega kita, ki ni krajsi od 65 čevljev (19,8 metra), hrbitoplutega kita, ki ni krajsi od 50 čevljev (15,2 metra), in zajvala, ki ni krajsi od 35 čevljev (10,7 metra), ujeti za kopensko postajo, če je meso takih kitov namenjeno za lokalno prehrano ljudi ali živali.

Kite je treba čim natančneje izmeriti, ko mirujejo na palubi ali ploščadi, in sicer z jeklenim tračnim metrom, na točki nič opremljenim s konico, ki jo je mogoče pritrdirti v tla palube na enem koncu kita. Tračni meter se potegne v ravni črti vzporedno s kitovim trupom in odčita na drugem koncu kita. Pri merjenju se za konca kita štejeta vrh zgornje čeljusti in najgloblja točka med obema polovicama repne plavuti. Mere, ki se natančno odčitajo s tračnega metra, se vpišejo zaokrožene na cel čevelj, in sicer tako, da se vpiše, da je kit, katerega mere so med 75' 6" in 76' 6", dolg 76' in da je kit, katerega mere so med 76' 6" in 77' 6", dolg 77'. Mere kita, katerega dolžina je natanko na polovici čevelja, se vpišejo tako, kakor če bi segle v naslednjo polovico čevelja, npr. 76' 6", za kar se vpiše 77'.

**10.** V posameznem dvanajstmesečnem obdobju je za lov na vosate kite ali njihovo predelavo na vseh območjih in vseh vodah za več kot šest mesecev prepovedana uporaba kopenske postaje ali kitolovke, ki je z njo povezana, pri čemer mora biti tako šestmesečno obdobje neprekinkeno.

**11.** Prepovedana je uporaba predelovalne ladje, ki se je v eni sezoni uporabljala v katerih koli vodah južno od 40° južne zemljepisne širine za predelavo vosatih kitov, na katerem koli drugem območju za isti namen v enem letu po koncu tiste sezone.

**12. (a)** All whales taken shall be delivered to the factory ship or land station and all parts of such whales shall be processed by boiling or otherwise, except the internal organs, whale bone and flippers of all whales, the meat of sperm whales and of part s of whales intended for human food or feeding animals.

**(b)** Complete treatment of the carcasses of "Dauhval" and of whales used as fenders will not be required in cases where the meat or bone of such whales is in bad condition.

**13.** The taking of whales for delivery to a factory ship shall be so regulated or restricted by the master or person in charge of the factory ship that no whale carcass (except of a whale used as a fender) shall remain in the sea for a longer period than thirty-three hours from the time of killing to the time when it is taken up on to the deck of the factory ship for treatment. All whale catchers engaged in taking whales must report by radio to the factory ship the time when each whale is caught.

**14.** Gunners and crews of factory ships, land stations, and whale catchers shall be engaged on such terms that their remuneration shall depend to a considerable extent upon such factors as the species, size, and yield at whales taken, and not merely upon the number of the whales taken. No bonus or other remuneration shall be paid to the gunners or crews of whale catchers in respect to the taking at milk-filled or lactating whales.

**15.** Copies at all official laws and regulations relating to whales and whaling and changes in such laws and regulations shall be transmitted to the Commission.

**16.** Notification shall be given in accordance with the provisions of Article VII of the Convention with regard to all factory ships and land stations of statistical information (a) concerning the number of whales of each species taken, the number thereof lost, and the number treated at each factory ship or land station, and (b) as to the aggregate amounts of oil of each grade and quantities of meal, fertilizer (guano), and other products derived from them, together with (c) particulars with respect to each whale treated in the factory ship or land station as to the date and approximate latitude and longitude of taking, the species and sex of the whale, its length and, if it contains a foetus, the length and sex, if ascertainable, of the foetus. The data referred to in (a) and (c) above shall be verified at the time or the tally and there shall also be notification to the Commission of any information which may be collected or obtained concerning the calving grounds and migration routes or whales.

In communicating this information there shall be specified:

- (a) the name and gross tonnage of each factory ship;
- (b) the number and aggregate gross tonnage of the whale catchers;
- (c) a list of the land stations which were in operation during the period concerned.

**17.** Notwithstanding the definition of land station contained in Article II of the Convention, a factory ship operating under the jurisdiction of a Contracting Government, and the movements of which are confined solely to the territorial waters of that Government, shall be subject to the regulations governing the operation of land stations within the following areas:

- (a) on the coast or Madagascar and its dependencies, and on the west coasts of French Africa;

**12. (a)** Vsi ulovljeni kiti se dostavijo predelovalni ladji ali kopenski postaji, vsi njihovi deli pa se predelajo s kuhanjem ali kako drugače, razen notranjih organov, kosti in plavuti vseh kitov, mesa kita glavača in delov kitov, ki so namenjeni za prehrano ljudi ali živali.

**(b)** Popolna predelava trupel "dauhvalov" in kitov, ki se uporabljajo kot branik, se ne zahteva, kadar so meso ali kosti takih kitov v slabem stanju.

**13.** Poveljnik ali oseba, odgovorna za predelovalno ladjo, uredi ali omeji ulov kitov za dobavo predelovalni ladji tako, da nobeno truplo kita (razen kita, ki se uporablja za branik) v morju ne ostane več kot triinideset ur od takrat, ko je bil ubit, in do takrat, ko se potegne na palubo predelovalne ladje za obdelavo. Vse kitolovke, ki sodelujejo pri kitolovu, morajo po radiu obvestiti predelovalno ladjo o uri, ko je bil kit ulovljen.

**14.** Harpunarji in posadke predelovalnih ladij, kopenskih postaj in kitolov so zaposleni pod takimi pogoji, da je njihovo plačilo v glavnem odvisno od vrste, velikosti in donosa ulovljenih živali, ne pa zgolj od števila ulovljenih kitov. Harpunarji ali posadka kitolov ne dobi nobenega dodatka ali druge nagrade za ulov samic z mlekom ali doječih samic.

**15.** Komisiji se pošlje izvod vseh zakonov in drugih predpisov, ki se nanašajo na kite in kitolov, ter njihovih sprememb.

**16.** V skladu s 7. členom konvencije se za vse predelovalne ladje in kopenske postaje pošlje uradno obvestilo o statističnih podatkih, ki se nanašajo na (a) število ulovljenih kitov po vrstah, število izgubljenih kitov in kitov, ki jih je predelala posamezna predelovalna ladja ali kopenska postaja, in (b) skupno količino olja posamezne kategorije in količine moke, gnojila (gvano) in drugih iz njih pridobljenih proizvodov skupaj s (c) podrobnostmi o vsakem kitu, ki je bil predelan na predelovalni ladji ali kopenski postaji, datumu in približni zemeljski širini in dolžini kraja ulova, vrsti, spolu kita, njegovi dolžini in pri brejih samicah dolžini plodu in njegovem spolu, če je prepoznaven. Podatki iz a in c se preverjajo pri obračunu, Komisija pa se obvesti tudi o vseh podatkih, ki jih je mogoče zbrati ali pridobiti o območjih poleganja mladičev in selitvenih poteh kitov.

Pri sporočanju teh podatkov bodo navedeni:

- (a) ime in bruto tonaža vsake predelovalne ladje;
- (b) število in skupna bruto tonaža kitolov;

(c) seznam kopenskih postaj, ki so obratovale v obravnavanem obdobju.

**17.** Ne glede na opredelitev kopenske postaje v 2. členu konvencije veljajo za predelovalno ladjo, ki deluje na območju pristojnosti vlade pogodbenice in katere gibanje je omejeno izključno na teritorialno morje te vlade, predpisi, ki urejajo delovanje kopenskih postaj na naslednjih območjih:

- (a) na obali Madagaskarja in njegovih odvisnih ozemelj ter na zahodnih obalah francoske Afrike;

(b) on the west coast of Australia in the area known as Shark Bay and northward to Northwest Cape and including Exmouth Gulf and King George's Sound, including the port of Albany; and on the east coast of Australia, in Twofold Bay and Jervis Bay.

18. The following expressions have the meanings respectively assigned to them, that is to say:

– "baleen whale" means any whale other than a toothed whale;

– "blue whale" means any whale known by the name of blue whale, Sibbald's rorqual, or sulphur bottom;

– "fin whale" means any whale known by the name of common finback, common rorqual, finback, finner, fin whale, herring whale, razorback, or true fin whale;

– "sei whale" means any whale known by the name of *Balaenoptera borealis*, sei whale, Rudolphi's rorqual, pollack whale, or coalfish whale, and shall be taken to include *Balaenoptera brydei*, Bryde's whale;

– "gray whale" means any whale known by the name of gray whale, California gray, devil fish, hard head, mussel digger, gray back, rip sack;

– "humpback whale" means any whale known by the name of bunch, humpback, humpback whale, humpbacked whale, hump whale, or hunchbacked whale;

– "right whale" means any whale known by the name of Atlantic right whale, Arctic right whale, Biscayan right whale, bowhead, great polar whale, Greenland right whale, Greenland whale, Nordkaper, North Atlantic right whale, North Cape whale, Pacific right whale, pigmy right whale, Southern pigmy right whale, or Southern right whale;

– "sperm whale" means any whale known by the name of sperm whale, spermacet whale, cachalot, or pot whale;

– "Dauhval" means any unclaimed dead whale found floating.

(b) na zahodni obali Avstralije na območju, imenovanem zaliv Shark, ter proti severu do rta Northwest z zalivom Exmouth in ožino King George s pristaniščem Albany ter na vzhodni obali Avstralije v zalivih Twofold in Jervis.

18. Navedeni izrazi pomenijo:

– "vosati kit" pomeni vsakega kita, ki ni zobat;

– "sinji kit" pomeni kita pod imenom sinji kit (*Balaenoptera musculus*);

– "hrbtopluti kit" pomeni kita pod imenom hrbtopluti ali brazdasti kit (*Balaenoptera physalus*);

– "zajval" pomeni kita pod imenom borealni kit (*Balaenoptera borealis*) in se šteje, da vključuje tudi brydovega kita (*Balaenoptera edeni*, *Balaenoptera brydei*);

– "sivi kit" pomeni kita pod imenom sivi kit (*Eschrichtius robustus*);

– "grbasti kit" pomeni kita pod imenom grbasti kit (*Megaptera novaeangliae*);

– "biskajski kit" pomeni kita pod imenom biskajski kit (*Eubalaena glacialis*, *Eubaalena australis*);

– "kit glavač" pomeni kita pod imenom kit glavač (*Physeter macrocephalus*);

– "dauhval" pomeni plavajoče truplo kita, ki si ga nihče ne lasti.

**PROTOCOL  
to the International Convention  
for the Regulation of Whaling, Signed at  
Washington Under Date of December 2, 1946**

The Contracting Governments to the International Convention for the Regulation of Whaling signed at Washington under date of 2nd December, 1946 which Convention is hereinafter referred to as the 1946 Whaling Convention, desiring to extend the application of that Convention to helicopters and other aircraft and to include provisions on methods of inspection among those Schedule provisions which may be amended by the Commission, agree as follows:

**Article I**

Subparagraph 3 of the Article II of the 1946 Whaling Convention shall be amended to read as follows: "3. 'whale catcher' means a helicopter, or other aircraft, or a ship, used for the purpose of hunting, taking, killing, towing, holding on to, or scouting for whales."

**Article II**

Paragraph 1 of Article V of the 1946 Whaling Convention shall be amended by deleting the word "and" preceding clause (h), substituting a semicolon for the period at the end of the paragraph, and adding the following language: "and (i) methods of inspection".

**Article III**

1. This Protocol shall be open for signature and ratification or for adherence on behalf of any Contracting Government to the 1946 Whaling Convention.

2. This Protocol shall enter into force on the date upon which instruments of ratification have been deposited with, or written notifications of adherence have been received by, the Government of the United States of America on behalf of all the Contracting Governments to the 1946 Whaling Convention.

3. The Government of the United States of America shall inform all Governments signatory or adhering to the 1946 Whaling Convention of all ratifications deposited and adherences received.

4. This Protocol shall bear the date on which it is opened for signature and shall remain open for signature for a period of fourteen days thereafter, following which period it shall be open for adherence.

IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Protocol.

DONE in Washington this nineteenth day of November, 1956, in the English Language, the original of which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all Governments signatory or adhering to the 1946 Whaling Convention.

**3. člen**

Za izvajanje konvencije in protokola skrbi Ministrstvo za okolje in prostor.

**4. člen**

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

Številka: 801-12/06-22/1  
Ljubljana, dne 23. junija 2006  
EPA 895-IV

**PROTOCOL**

**k Mednarodni konvenciji  
o ureditvi kitolova, podpisani v Washingtonu,  
z datumom 2. decembra 1946**

Vlade pogodbenice Mednarodne konvencije o ureditvi kitolova, podpisane v Washingtonu, z datumom 2. decembra 1946, v nadaljevanju Konvencija o kitolovu, 1946, ki želijo razširiti uporabo te konvencije na helikopterje in druga zračna plovila ter vključiti določbe o načinih inšpekcijskega pregleda med tiste določbe programa, ki jih komisija lahko spremeni, se dogovorijo:

**I. člen**

Tretja točka II. člena Konvencije o kitolovu, 1946, se spremeni, tako da se glasi: "3. "kitolovka" je helikopter ali drugo zračno plovilo ali ladja, ki se uporablja za lov, ulov, ubijanje, vlečenje, zadrževanje ali iskanje kitov."

**II. člen**

Prvi odstavek V. člena Konvencije o kitolovu, 1946, se spremeni, tako da se črta beseda "in" pred točko h doda podpičje in na koncu odstavka doda besedilo: "in (i) načini inšpekcijskega pregleda".

**III. člen**

1. Protokol je na voljo za podpis, ratifikacijo ali pristop vsem vladam pogodbenicam Konvencije o kitolovu, 1946.

2. Protokol začne veljati z dnem, ko se pri Vladi Združenih držav Amerike deponirajo listine o ratifikaciji ali ko prejme pisna uradna obvestila o pristopu vseh vlad pogodbenic Konvencije o kitolovu, 1946.

3. Vlada Združenih držav Amerike obvesti vse vlade pogodbenice ali vse vlade, ki so pristopile h Konvenciji o kitolovu, 1946, o vseh deponiranih listinah o ratifikaciji in prejetih obvestilih o pristopu.

4. Datum protokola je datum, ko je protokol na voljo za podpis, podpiše pa se lahko v štirinajstih dneh od tega datuma, temu pa sledi obdobje, ko je drugim vladam na voljo za pristop.

V POTRDITEV TEGA so podpisani, ki so bili za to pravilno pooblaščeni, podpisali ta protokol.

SESTAVLJENO v Washingtonu devetnajstega novembra 1956 v angleškem jeziku; izvirnik se deponira v arhivih Vlade Združenih držav Amerike. Vlada Združenih držav Amerike pošlje overjene izvode protokola vsem vladam podpisnicam Konvencije o kitolovu, 1946, in pristopnicam k njej.

Predsednik  
Državnega zbora  
Republike Slovenije  
**France Cukjati, dr. med., l.r.**

- 76. Uredba o ratifikaciji Dogovora med Upravo Republike Slovenije za jedrsko varnost in Zveznim ministrstvom za kmetijstvo, gozdarstvo, okolje in upravljanje voda Republike Avstrije o sodelovanju pri varstvu pred sevanji in krepliti medsebojne izmenjave podatkov iz merilnega sistema aerosolov**

Na podlagi prve in tretje alinee petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo) izdaja Vlada Republike Slovenije

## U R E D B O

### **O RATIFIKACIJI DOGOVORA MED UPRAVO REPUBLIKE SLOVENIJE ZA JEDRSKO VARNOST IN ZVEZNIM MINISTRSTVOM ZA KMETIJSTVO, GOZDARSTVO, OKOLJE IN UPRAVLJANJE VODA REPUBLIKE AVSTRIJE O SODELOVANJU PRI VARSTVU PRED SEVANJI IN KREPLITVI MEDSEBOJNE IZMENJAVE PODATKOV IZ MERILNEGA SISTEMA AEROSOLOV**

#### 1. člen

Ratificira se Dogovor med Upravo Republike Slovenije za jedrsko varnost in Zveznim ministrstvom za kmetijstvo, gozdarstvo, okolje in upravljanje voda Republike Avstrije o sodelovanju pri varstvu pred sevanji in krepliti medsebojne izmenjave podatkov iz merilnega sistema aerosolov, sestavljen na Dunaju dne 7. julija 2005.

#### 2. člen

Besedilo dogovora se v izvirniku v angleškem jeziku ter v prevodu v slovenskem jeziku glasi:

#### A R R A N G E M E N T

between

the Nuclear Safety Administration of the  
Republic of Slovenia and the Federal Ministry  
of Agriculture and Forestry, Environment and  
Water Management of the Republic of Austria  
regarding

**Co-operation in the Field of Radiation Protection  
and Strengthening of the Mutual Exchange of  
Data of the Aerosol Monitoring Systems**

The Nuclear Safety Administration of the Republic of Slovenia (hereinafter referred to as SNSA) and the Ministry of Agriculture and Forestry, Environment and Water Management of the Republic of Austria (hereinafter referred to as BM-LFUW), (hereinafter referred to as the "Contracting Parties"),

**Recognising** the special relationship between the Contracting Parties and their mutual commitment to achieve an increase of the high level of emergency preparedness in both countries,

**Having a mutual interest** in a continuing exchange of data from the Aerosol Measuring Systems required or recommended by their authorities for the regulation of the Early Warning Systems and Emergency Notification,

**Noting** the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Austria on Early Exchange of Information in the Event of a Radiological Emergency and on Questions of Mutual Interest in the Field of Nuclear Safety and Radiation Protection signed in Ljubljana on 19 April 1996, (hereinafter referred to as the "Agreement"), and

**Having regard** the Commission Recommendation (2000/473/Euratom) on the application of Article 36 of the Euratom Treaty concerning the monitoring of the levels of radioactivity in the environment for the purpose of assessing the exposure of the population as a whole of 8 June 2000

Have agreed as follows:

#### Article 1

##### Purpose and Subject

This Arrangement is intended to set out the terms and conditions for the

1.1. transfer of measuring data of the devices of the Aerosol Measuring System (hereinafter referred to as AMS), owned by the Republic of Slovenia and located in Ljubljana and at Krško/NPP from SNSA to BM-LFUW;

#### D O G O V O R

med

upravo Republike Slovenije za jedrsko varnost  
in  
Zveznim ministrstvom za kmetijstvo, gozdarstvo,  
okolje in upravljanje voda Republike Avstrije  
o

**sodelovanju pri varstvu pred sevanji in krepliti  
medsebojne izmenjave podatkov iz merilnega  
sistema aerosolov**

Uprava Republike Slovenije za jedrsko varnost (v nadaljevanju URSJV) in Zvezno ministrstvo za kmetijstvo, gozdarstvo, okolje in upravljanje voda Republike Avstrije (v nadaljevanju BM-LFUW) (v nadaljevanju pogodbenici) sta se

**ob zavedanju** posebnega medsebojnega odnosa in zaveze za izboljšanje pripravljenosti na izredni dogodek v obeh državah,

**v obojestranskem interesu** za nadaljnjo izmenjavo podatkov iz merilnega sistema aerosolov, ki jih zahtevajo oziroma priporočajo njuni organi za urejanje sistema zgodnjega opozarjanja in obveščanja ob izrednem dogodku,

**glede na** Sporazum med Republiko Slovenijo in Republiko Avstrijo o zgodnji izmenjavi informacij v primeru radiološke nevarnosti in o vprašanjih skupnega interesa s področja jedrske varnosti in varstva pred sevanji, podpisanega v Ljubljani 19. aprila 1996 (v nadaljevanju sporazum), in

**ob upoštevanju** Priporočila Komisije 2000/473/EURATOM z dne 8. junija 2000 o uporabi 36. člena Pogodbe EURATOM o nadzoru stopnje radioaktivnosti v okolju za ocenjevanje izpostavljenosti prebivalstva kot celote

dogovorila:

#### 1. člen

##### Namen in vsebina

Namen dogovora je določiti roke in pogoje za:

1.1 prenos merskih podatkov iz naprav merilnega sistema aerosolov (v nadaljevanju MSA), ki je v lasti Republike Slovenije, nameščenih v Ljubljani in NE Krško, iz URSJV v BM-LFUW;

1.2. maintenance work for the above mentioned AMS devices that will be performed by the manufacturer Bitt technology-A GmbH, A-2104 Spillern, based on a separate contract between BMLFUW and Bitt technology-A GmbH.

## Article 2

### AMS data exchange

2.1 The Contracting Parties agree to extend the existing on-line and real-time exchange of AMS measuring data between Slovenia and Austria to the data of the AMS devices in Ljubljana and at Krško/NPP.

2.2 To avoid any delayed data exchange the Contracting Parties agree on exchanging data "as measured" as soon as they arrive in the respective AMS data centre. Therefore, the transmitting Party does not apply on-line quality assurance to incoming data from measuring sites before the data are transferred to the receiving Party. This can lead to unusual values caused by malfunction of measuring equipment, transmission lines, etc.

2.3 Consequently, the transmitting Party does not warrant the suitability of any information for any particular use or application. The application or use of such data exchanged or transferred between the Contracting Parties under this Arrangement shall be the responsibility of the receiving Party.

## Article 3

### Confidentiality

3.1. Information received by each Contracting Party to this Arrangement may not be disseminated freely without prior permission of the other Contracting Party unless otherwise indicated by the transmitting Party.

3.2. The Contracting Parties agree to use the received data only for internal purposes and consider all data received under this Arrangement as strictly confidential. For this reason the Contracting Parties will omit all official actions based on these data without consultations with the contact point of the other Contracting Party.

3.3 Nevertheless, each Contracting Party is authorised to use these data as additional input data for national radiological or meteorological crisis management systems (e.g. the RODOS system).

## Article 4

### Technical realisation of data exchange

4.1 The data exchange will be carried out between the AMS centralised Personal Computers, situated in Ljubljana (SNSA) and in Vienna (Austrian Radiation Warning Centre), either by dialled telephone lines, ISDN lines or via secure internet connection.

4.2 In the near future data shall be exchanged in the "AMS format" created by Bitt technology-A GmbH.

4.3 The Contracting Parties shall take measures for data transmission in the EURDEP format on bilateral or multilateral level (with other countries possessing AMS monitors) and in co-operation with the European Commission.

4.4 The Contracting Parties agree to establish a working group for designing a detailed realisation concept for this data exchange taking into account the specific requirements of each Contracting Party (e.g. access restrictions due to security requirements).

## Article 5

### Maintenance

5.1 The maintenance regarding the AMS devices located in Ljubljana and at Krško/NPP will be performed by Bitt technology-A GmbH, Wiener Strasse 70, A-2104 Spillern, phone: +43 2266 80216, fax: +43 2266 8021612, e-mail: [service@bitt.at](mailto:service@bitt.at).

1.2 vzdrževalna dela omenjenih naprav MSA, ki jih bo opravljal proizvajalec, podjetje Bitt technology-A GmbH, A-2104 Spillern, na podlagi posebne pogodbe med BMLFUW in podjetjem Bitt technology-A GmbH.

## 2. člen

### Izmenjava podatkov MSA

2.1 Pogodbenici se strinjata, da se obstoječa avtomatska računalniška izmenjava in izmenjava merskih podatkov MSA med Slovenijo in Avstrijo v realnem času razširita tudi na podatke iz naprav MSA v Ljubljani in Krškem, NEK.

2.2 Da bi se izognili zakasnitvi pri izmenjavi podatkov, se pogodbenici strinjata, da se podatki, "kot so izmerjeni", izmenjajo takoj, ko prispejo v posamezen podatkovni center MSA. Preden se podatki iz merilnih postaj pošljejo pogodbenici prejemnici, pogodbenici pošiljaljci ni treba sproti zagotavljati kakovosti za prejete podatke. To lahko vodi do neobičajnih vrednosti, ki jih povzroči nepravilno delovanje merilne opreme, prenosnih povezav itd.

2.3 Posledično pogodbenica pošiljaljica ne jamči za ustreznost poslanih informacij za neposredno ali posredno uporabo. Za neposredno ali posredno uporabo izmenjanih ali poslanih podatkov med pogodbenicama tega dogovora je odgovorna pogodbenica prejemnica.

## 3. člen

### Zaupnost

3.1 Pogodbenica tega dogovora prejetih informacij ne sme prosti razširjati brez predhodnega soglasja druge pogodbenice, razen če pogodbenica pošiljaljica ne navede drugače.

3.2 Pogodbenici se strinjata, da so vsi podatki, prejeti po tem dogovoru, samo za interno uporabo in se štejejo kot strogo zaupni. Zato se bosta pogodbenici, ne da bi se prej posvetovali s točko za stike druge pogodbenice, izogibali vseh uradnih dejanj, ki temeljijo na teh podatkih.

3.3 Vsaka pogodbenica je pooblaščena, da uporabi te podatke kot dodatne vhodne podatke za nacionalne sisteme radiološkega ali meteorološkega obvladovanja izrednih dogodkov (npr. za sistem RODOS).

## 4. člen

### Tehnična izvedba izmenjave podatkov

4.1 Izmenjava podatkov bo potekala med centralnima osebnima računalnikoma MSA, nameščenima v Ljubljani (URSJV) in na Dunaju (Avstrijski center za opozarjanje pred sevanji), po telefonskih povezavah, povezavah ISDN ali zaščitenih internetskih povezavah.

4.2 V bližnji prihodnosti se bodo podatki izmenjavalni v formatu MSA, ki ga je razvilo podjetje Bitt technology-A GmbH.

4.3 Pogodbenici storita vse potrebno za prenos podatkov v formatu EURDEP na dvostranski in večstranski ravni (z drugimi državami, ki imajo monitorje MSA) in v sodelovanju z Evropsko komisijo.

4.4 Pogodbenici se strinjata, da se ustanovi delovna skupina za načrtovanje podrobne zasnove izmenjave podatkov, pri čemer upoštevata posebne zahteve vsake pogodbenice (npr. omejitev dostopa iz varnostnih razlogov).

## 5. člen

### Vzdrževanje

5.1 Naprave MSA, nameščene v Ljubljani in Krškem, vzdržuje podjetje Bitt technology-A GmbH, Wiener Strasse 70, A-2104 Spillern, telefon: +43 2266 80216, telefaks: +43 2266 8021612, e-naslov: [service@bitt.at](mailto:service@bitt.at).

5.2 To facilitate the maintenance work, Bitt technology-A GmbH shall upgrade the above-mentioned AMS devices to a technical status equal with the Austrian devices. This upgrade consists of software upgrades to reduce false alarms from the devices, optimised mounting of PIPS detectors in order to reduce noise pulses, exchange of outdated hardware components (monitor, PC mouse) and implementation of a UPS device at the Ljubljana AMS device.

5.3 The maintenance work consists of the activities within the scope of services, which is subject to the above-mentioned separate contract concluded between BMLFUW and Bitt technology-A GmbH regarding the AMS devices and AMS data centrals in Austria.

5.4. The maintenance work according to this Arrangement comprises the AMS devices, the Slovenian AMS data centre and additionally data transmission equipment, UPS devices and air conditioning systems at the AMS containers and includes:

- Quarterly preventive maintenance,
- Troubleshooting and repair in cases of malfunctions,

– A reaction time of 72 hours (during weekdays) after incoming fault message from SNSA,

– Maintenance reports as well as a report concerning the above mentioned upgrade work (in the English language) within two weeks after finishing maintenance or repairing work.

5.5 SNSA ensures that maintenance personnel gain access to the areas of AMS devices and AMS data central observing security regulations in force.

5.6 The working group established pursuant to Article 4 above will work out a concept for a remote communication access to the AMS devices which can be used by the maintenance personnel in order to fasten and improve the maintenance work.

## Article 6

### Funding

6.1 Each Contracting Party's activities shall be subject to the availability of appropriated funds, personnel and other resources. This includes in particular all respective costs for necessary technical data transmission equipment (modems, routers, hubs, additional firewall systems, etc.) and for telephone/internet connection arising in the own sphere of each Contracting Party.

6.2 Expenses for service, repairs and maintenance of the AMS devices in the scope of Article 5 of this Arrangement will be fully covered by BMLFUW (for the equipment as well as for the one-time upgrade).

## Article 7

### Contact points

Contact points in terms of this Arrangement are:

– in Slovenia:

for organisational and technical purposes:

Slovenian Nuclear Safety Administration (SNSA)  
Železna cesta 16, P.O.Box 5759  
SI-1001 Ljubljana  
Tel: + 386 1 472 11 00, Fax: + 386 1 472 11 99  
e-mail: [snsa@gov.si](mailto:snsa@gov.si)

Out of office hours consultations can take place with the personnel of Division of radiation safety and materials over the mobile phone (tel. +386 41 982 713, officer on duty for radiation monitoring).

– in Austria:

for organisational purposes:

Austrian Ministry of Agriculture and Forestry, Environment and Water Management (BMLFUW),  
Div. V/7 – Radiation protection, Radetzkystrasse 2,  
A-1031 Wien  
Tel. +431 71100 4194, Fax +431 7122331,  
e-mail: [strahlenschutz@bmlfuw.gv.at](mailto:strahlenschutz@bmlfuw.gv.at)

5.2 Zaradi lažjega vzdrževanja Bitt technology-A GmbH nadgradi omenjeni napravi MSA, da bosta na tehnični ravni izenačeni z napravami v Avstriji. Nadgradnja zajema programsko opremo za zmanjšanje lažnih alarmov iz naprav, optimiziranje montaže PIPS-detektorjev za zmanjšanje šuma, zamenjavo zastarele računalniške opreme (monitor, miška) in postavitev naprave UPS za napravo MSA v Ljubljani.

5.3 Vzdrževalna dela zajemajo servisiranje, ki ga ureja omenjena posebna pogodba med BMLFUW in podjetjem Bitt technology-A GmbH o napravah MSA in podatkovnih centralah MSA v Avstriji.

5.4 Vzdrževalna dela po tem dogovoru zajemajo naprave MSA, slovenski podatkovni center MSA in še opremo za prenos podatkov, naprave UPS in klimatske sisteme v zabojnikih MSA in vključujejo:

- četrteletno preventivno vzdrževanje,
- odstranjevanje tehničnih motenj in popravila ob okvarah,
- odzivni čas 72 ur (med tednom) po prejemu sporočila URSJV o napaki,
- poročila o vzdrževalnih delih in poročilo o omenjeni nadgradnji (v angleškem jeziku) v dveh tednih po opravljenem vzdrževanju oziroma popravilu.

5.5 URSJV zagotavlja, da ima osebje za vzdrževanje dostop do naprav MSA in podatkovne centrale MSA z upoštevanjem veljavnih varnostnih predpisov.

5.6 Delovna skupina, ustanovljena po 4. členu, izdela osnutek o dostopu do naprav MSA po daljinski povezavi, ki ga lahko uporabljajo vzdrževalci, da bi hitreje in bolje opravili vzdrževalna dela.

## 6. člen

### Financiranje

6.1 Vsaka pogodbenica financira svoje dejavnosti glede na razpoložljivost sredstev, osebja in drugih virov. To vključuje lastne stroške za potrebno tehnično opremo za prenos podatkov (modemi, usmerjevalniki, vozlišča, dodatne varnostne pregrade itd.) in za telefonski/internetni priključek v sistemu vsake države pogodbencice.

6.2 Stroške servisiranja, popravil in vzdrževanja naprav MSA iz 5. člena tega dogovora v celoti krije BMLFUW (za opremo in enkratno nadgradnjo sistema).

## 7. člen

### Točke za stike

Točke za stike po tem dogovoru so:

– v Sloveniji:

za organizacijske in tehnične namene:

Uprava Republike Slovenije za jedrsko varnost  
Železna cesta 16, p. p. 5759  
SI-1001 Ljubljana  
telefon: +386 1 472 11 00, telefaks: +386 1 472 11 99,  
elektronski naslov: [snsa@gov.si](mailto:snsa@gov.si)

Posvetovanje z osebjem Sektorja za sevalno varnost in materiale zunaj delovnega časa je mogoče po mobilnem telefonu (+386 41 982 713, dežurni delavec za radiacijski monitoring);

– v Avstriji:

za organizacijske namene:

Zvezno ministrstvo za kmetijstvo, gozdarstvo, okolje in upravljanje voda Republike Avstrije (BMLFUW)  
Oddelek V/7 – varstvo pred sevanji  
Radetzkystrasse 2, A-1031 Dunaj  
telefon: +43 1 71100 4194, telefaks: +43 1 7122331,  
elektronski naslov: [strahlenschutz@bmlfuw.gv.at](mailto:strahlenschutz@bmlfuw.gv.at)

for technical purposes:

Austrian Federal Radiation Early Warning Centre, which can be reached during working days from 8 to 16 o'clock,  
Tel. +431-5269654, Fax +431-5261563, e-mail: [bstrwz@vienna.at](mailto:bstrwz@vienna.at)

Out of office hours consultations can take place with the personnel of Radiation protection division over the mobile phone (tel. +43664-8195411, Mr. Hohenberg, or +43664-5166124, Mr. Haider).

#### Article 8

##### Settlement of Disputes

Co-operation under this Arrangement shall be governed by the laws and regulations of the respective countries. The Contracting Parties should strive to resolve by mutual agreement any disputes that arise out of the interpretation or application of this Arrangement.

#### Article 9

##### Entry into Force, Duration and Termination of the Arrangement

9.1. This Arrangement shall enter into force on the date upon which the Austrian side receives the written notification from Slovenian side that the constitutional requirements for its entry into force have been fulfilled. It shall remain in force for two (2) years and will be extended automatically for an additional two-year period provided that the period of this Arrangement shall in no event extend beyond the period during which the Agreement is in force. Either Contracting Party may terminate this Arrangement after providing the other Contracting Party with a written notice three months prior its expiry.

9.2. This Arrangement may be amended at any time by agreement between the Contracting Parties.

DONE at Vienna, on July 7<sup>th</sup> 2005, in duplicate in the English language.

For the Nuclear Safety Administration of the Republic of Slovenia

**Dr. Andrej Stritar, (s)**  
Director

For the Federal Ministry of Agriculture and Forestry, Environment and Water Management of the Republic of Austria

**Dr. E. Streeruwitz, (s)**  
Head of Directorate V

za tehnične namene:

Zvezni center za zgodnje opozarjanje pred sevanji Republike Avstrije, ki je dosegljiv med delovnikom od 8. do 16. ure, telefon: +43 1 5269654, telefaks: +43 1 5261563, elektronski naslov: [bstrwz@vienna.at](mailto:bstrwz@vienna.at)

Posvetovanje z osebjem Oddelka za varstvo pred sevanji zunaj delovnega časa je mogoče po mobilnem telefonu (+43 664-8195411, gospod Hohenberg, ali +43 664-5166124, gospod Haider).

#### 8. člen

##### Reševanje sporov

Sodelovanje po tem dogovoru je skladno z zakoni in drugimi predpisi obeh držav. Pogodbenici morata sporazumno reševati vse spore ali vprašanja v zvezi z razlago ali uporabo tega dogovora med njegovo veljavnostjo.

#### 9. člen

##### Začetek veljavnosti, trajanje in odpoved dogovora

9.1 Dogovor začne veljati z dnem, ko avstrijska stran prejme pisno obvestilo slovenske strani, da so izpolnjene notranjepravne zahteve, potrebne za začetek njegove veljavnosti. Dogovor velja dve leti in se samodejno podaljša za nadaljnji dve leti, pri čemer dogovor v nobenem primeru ne sme veljati dlje kot sporazum. Pogodbenica lahko najpozneje tri mesece pred potekom veljavnosti tega dogovora pisno obvesti drugo pogodbenico o odpovedi.

9.2 Pogodbenici lahko kadar koli sporazumno spremeni ta dogovor.

Sestavljeno na Dunaju 7. julija 2005 v dveh izvodih v angleškem jeziku.

Za Upravo Republike Slovenije za jedrsko varnost

**dr. Andrej Stritar l.r.**  
direktor

Za Zvezno ministrstvo za kmetijstvo, gozdarstvo, okolje in upravljanje voda Republike Avstrije

**dr. E. Streeruwitz l.r.**  
vodja oddelka Direktorata V

#### 3. člen

Za izvajanje dogovora skrbi Ministrstvo za okolje in prostor – Uprava Republike Slovenije za jedrsko varnost.

#### 4. člen

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

Št. 00724-36/2006/4  
Ljubljana, dne 29. junija 2006  
EVA 2006-1811-0114

Vlada Republike Slovenije

**Janez Janša l.r.**  
Predsednik

**77. Uredba o ratifikaciji Zapisnika XVI. zasedanja Stalne mešane komisije po Sporazumu med Republiko Slovenijo in Republiko Hrvaško o obmejnem prometu in sodelovanju**

Na podlagi prve in tretje alineje petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo) izdaja Vlada Republike Slovenije

**U R E D B O****O RATIFIKACIJI ZAPISNIKA XVI. ZASEDANJA STALNE MEŠANE KOMISIJE PO SPORAZUMU MED REPUBLIKO SLOVENIJO IN REPUBLIKO HRVAŠKO O OBMEJNEM PROMETU IN SODELOVANJU****1. člen**

Ratificira se Zapisnik XVI. zasedanja Stalne mešane komisije po Sporazumu med Republiko Slovenijo in Republiko Hrvaško o obmejnem prometu in sodelovanju, podpisani 12. maja 2006 v Zaprešiču.<sup>1</sup>

**2. člen**

Besedilo zapisnika se v izvirniku v slovenskem jeziku glasi:<sup>2</sup>

Stalna mešana komisija  
za izvajanje Sporazuma  
med Republiko Slovenijo in Republiko Hrvaško  
o obmejnem prometu in sodelovanju

**Zapisnik XVI. zasedanja  
Stalne mešane komisije, ki je potekala  
v Zaprešiču, 12. maja 2006**

Na XVI. zasedanju Stalne mešane komisije, ki je potekala v Zaprešiču, 12. maja 2006, je bil sprejet naslednji dnevni red:

1. Uvodni pozdrav podžupana Zaprešiča, g. Željka Turka in seznanjanje s stanjem na tem obmejnem območju – predstavitev županov obmejnih občin;
2. Poročila s sestankov podkomisij
3. Potrjevanje predloženih sklepov:
  - 3.1. Podkomisija za usklajevanje cestnih povezav in izgradnjo mejnih prehodov
  - 3.2. Podkomisija za mejni režim in izdajanje dokumentov
  - 3.3. Podkomisija za turizem
  - 3.4 Podkomisija za ribištvo
  4. Razno

Popis prisotnih je priloga I. tega zapisnika.

V skladu s sprejetim dnevnim redom je Stalna mešana komisija sprejela naslednje:

**S K L E P E****Ad) 1**

Podžupan Zaprešiča g. Željko Turk je pozdravil člane Stalne mešane komisije in predstavil osnovne probleme tega obmejnega kraja.

**Ad 2)**

Stalna mešana komisija se je seznanila in sprejela poročila sopredsednikov Podkomisije za usklajevanje cestnih povezav in izgradnjo mejnih prehodov ge. Ljube Brank in g. Branka Bolanče (v imenu predsednika), Podkomisije za mejni režim in izdajanje dokumentov g. Rajka Komata in

g. Branka Bolanče, Podkomisije za turizem g. Leona Devjaka in ge. Blanke Belošević in Podkomisije za ribištvo g. Andreja Drašlerja in mag. Josipa Markovića.

**Ad 3)**

**3.1. Stalna mešana komisija je na predlog Podkomisije za usklajevanje prometnih povezav in izgradnjo mejnih prehodov za obmejni promet sprejela naslednje sklepe:**

**3.1.1.**

Stalna mešana komisija potrjuje tabelo s popisom 96 prometnih komunikacij predvidenih za zapiranje, ki je priloga II. tega zapisnika.

Zapiranje teh prometnic bo opravila slovenska stran.

Stalna mešana komisija zadolži Podkomisijo za mejni režim in izdajanje dokumentov ter Podkomisijo za usklajevanje cestnih povezav in izgradnjo mejnih prehodov, da pri izvedbi zapiranja vsakega konkretnega primera dogovorita vse potrebne elemente.

**3.1.2.**

Stalna mešana komisija je potrdila, da je mejni prehod za obmejni promet Sedlarjevo-Plavič ponovno začel obravati 10. maja 2006, z urnikom ob delavnikih od 6:00 do 22:00 ure in ob nedeljah od 7:00 do 21:00, v skladu s sklepom XIII. zasedanja Stalne mešane komisije, ki je potekala 22. aprila 2004 v Kopru.

**3.2. Stalna mešana komisija je na predlog Podkomisije za mejni režim in izdajanje dokumentov sprejela naslednje zaključke:**

**3.2.1.**

Izmenjeni so podatki o številu izdanih obmejnih prepušnic in kmetijskih vložkov do dne 1. maja 2006. V Republiki Sloveniji je bilo izdanih 17.444 obmejnih prepušnic in 5.266 kmetijskih vložkov, medtem ko je bilo v Republiki Hrvaški do 31. marca 2006 izdanih 9.337 obmejnih prepušnic in 1.762 kmetijskih vložkov.

**3.2.2.**

Stalna mešana komisija določi posebno prehodno točko Mlini-Mlini. Na njej lahko prehajajo dvolastniki, pod pogojem, da jim to predstavlja najkrajšo povezano izven mejnega prehoda do njihove posesti. Za preprečevanje ilegalnega prehajanja se hrvaška stran obvezuje postaviti zapornico v čim krajšem času.

<sup>1</sup> Priloga I k zapisniku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

<sup>2</sup> Besedilo zapisnika v hrvaškem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

**3.2.3.**

Stalna mešana komisija potrjuje spremembe odpiralnih časov mejnih prehodov za obmejni promet:

– **Žunići – Prilišče** – od 8.00 do 20.00 ure vse dni v tednu,

– **Krasinac – Pravutina** – od 5.00 do 23.00 ure, ob nedeljah pa od 8.00 do 20.00 ure,

– **Božakovo – Obrež** – od 8.00 do 20.00 ure vse dni v tednu,

– **Krmačina – Vivodina** – od 6.00 do 22.00 ure, ob nedeljah pa od 8.00 do 20.00 ure,

– **Novokračina – Lipa** – v času turistične sezone (1.6. do 1.10.), med vikendom od 7:00 do 22.00 ure,

– **Rakovc – Kraj Donji** – v obdobju od 1.11. do 1.3., samo med 7.00 do 19.00 ure.

Navedeni mejni prehodi za obmejni promet začnejo v skladu z novim odpiralnim časom obratovati od 15. junija 2006 dalje.

**3.3. Stalna mešana komisija je na predlog Podkomisije za turizem sprejela naslednje sklepe:**

**3.3.1.**

Hrvaška stran je v skladu s predlogom Podkomisije za turizem ponovno predlagala razglasitev turistične cone Mura ter odprtje turistične cone Haloze-Zagorje.

Slovenska stran tega predloga ni sprejela zaradi omejitev, ki jih predstavlja vzpostavljanje schengenskega pravnega reda glede nadzora državne meje.

**3.4. Stalna mešana komisija je na predlog Podkomisije za ribištvo sprejela naslednje sklepe:**

**3.4.1.**

Stalna mešana komisija zadolži Podkomisijo za ribištvo, da sklice sestanke ribiških društev obeh strani, ki naj izdelajo načrte za upravljanje ribištva v mejnih vodotokih in predloge dostavijo Podkomisiji za ribištvo do 1. oktobra 2006.

**3.4.2.**

Slovenska stran je na podlagi zasedanja Podkomisije za ribištvo, ki je potekalo v Lendavi dne 27. januarja 2006, ponovila stališče Slovenije, da se ribiško upravljanje reke Mure opravlja v skladu s stanjem na dan 25. junij 1991.

Hrvaška stran tega stališča ni sprejela, saj smatra, da je ribolov na reki Muri reguliran v skladu s SOPS-om.

**Ad 4)****4.1.**

Hrvaška stran je obvestila o novi Uredbi o organizaciji Ministrstva za morje, turizem, promet in razvoj, ki predvideva tudi vzpostavitev Uprave za regionalno in lokalno infrastrukturo in bo med drugim pristojna za problematiko vezano infrastrukturne objekte na slovensko-hrvaški meji. To bo torej prihodnji naslov za reševanje problematike vzdrževanja mostov na mejnih rekah in podobno.

**4.2.**

Hrvaška stran je obvestila tudi o zaključku del na mostu čez reko Muro v Svetem Martinu na Muri in začetku obratovanja na Dan državnosti, 25. junija 2006.

Slovenska stran je opozorila, da hrvaška izgradnja mostu predstavlja kršitev stanja na dan 25. 6. 1991, k čemur sta se obe vladi ponovno zavezali v Skupni izjavi o izogibanju incidentov, 10. 6. 2005 na Brionih.

Hrvaška stran je omenila, da pogovori o tem objektu potekajo že od leta 2002 in, da to torej ne zapade pod to Izjavo.

**4.3.**

Stalna mešana komisija je obravnavala tudi obratovanja mejnega prehoda za obmejni promet Brezovica-Brezovica.

Hrvaška stran je ponovila stališče vlade Republike Hrvaške, da izgradnja mejnega prehoda za obmejni promet Brezovica pri Metliki ni gospodarsko upravičena, zato se zaenkrat mejni prehod ne bo gradil, obmejni nadzor pa se bo opravljal kot doslej z mobilnimi patruljami.

Slovenska stran je obvestila, da bo morala v tem primeru izvesti druge ukrepe za ustrezni nadzor nad prehajanjem državne meje na tem območju.

**4.4.**

Hrvaška stran je obvestila, da je novi predsednik hrvaškega dela Podkomisije za mejni režim in izdajanje dokumentov g. Branko Bolanča, hrvaškega dela Podkomisije za usklajevanje prometnih povezav in izgradnjo mejnih prehodov za obmejni promet pa g. Zvonimir Nagy.

Slovenska stran je obvestila, da je novi predsednik slovenskega dela Podkomisije za ribištvo in Podkomisije za lovstvo g. Andrej Drašler.

Naslednje zasedanje Stalne mešane komisije bo potekalo v drugi polovici letosnjega leta na slovenski strani.

**Olga Kresović-Rogulja** l.r.  
predsednica  
hrvaške delegacije

**Bogdan Benko** l.r.  
predsednik  
slovenske delegacije

Zaporedna številka	ImePrehoda SLO	Ime prehoda v RH	Predlog ureditve po ogledu na terenu	Prijedlog uredenja po pregledu na terenu HR
1	Gibina (mala cesta)	Jalšovec 1	zapornica	<b>SUGLASNI</b>
2	Gibina (Trebež)	Jalšovec	zapornica	<b>SUGLASNI</b>
3	Gibina 40	Banfi 11	zapornica	<b>SUGLASNI</b>
4	Gibina 46a (Gjerek)	Banfi 56	zapornica	<b>SUGLASNI</b>
5	Šafarsko 27 (Kocen)	Banfi 69	zapornica	<b>SUGLASNI</b>
6	Razkrižje.50a (Cimerman)	Banfi 136	zapornica	<b>SUGLASNI</b>
7	Globoka 60 (kapelica)	Robadje	zapornica	<b>SUGLASNI</b>
8	Presika 22a	Robadje 142	zapornica	<b>SUGLASNI</b>
9	Hermanci 48	Robadje 1.1.	zapornica	<b>SUGLASNI</b>
10	Gomila pri Kogu-Magdič	Robadje 1.2.	zapornica	<b>SUGLASNI</b>
11	Gomila pri Kogu -Šantavec	Sv. Urban 11	zapornica	<b>SUGLASNI</b>
12	Gomila pri Kogu (Lukman)	Sv. Urban (Veliki Kozlovčak)	zapornica	<b>SUGLASNI</b>
13	Jastrebc (Pukšič)	Stanetinec 34	zapornica	<b>SUGLASNI</b>
14	Jastrebc (Požgan)	Stanetinec ( Amerika)	zapornica	<b>SUGLASNI</b>
15	Vodranci 01	Stanetinec 1 (Amerika)	podreti brv	<b>SUGLASNI</b>
16	Vodranci-Klančar	Stanetinec 45	nasutje	<b>SUGLASNI</b>
17	Godeninci 2	Preseka 1	podreti brv ?	<b>SUGLASNI</b>
18	Zavrč 1	Dubrava Križovljanska 1	zapornica	<b>SUGLASNI</b>
19	Hrastovec	Dubrava Križovljanska 2	zapornica	<b>SUGLASNI</b>
20	Paradiž- Mlakar	Zalužje	odbojna ograja	<b>SUGLASNI</b>
21	Gruškovje 2	Brezova Gora	zapornica	<b>SUGLASNI</b>
22	Gruškovje	G. Macelj - Cafuti	zapornica	<b>SUGLASNI</b>
23	Macelj 4	Donji Macelj	zapornica	<b>SUGLASNI</b>
24	Macelj 1	Lugarica 2	zapornica	<b>SUGLASNI</b>
25	Stara Glažuta	Lugarica 1	zapornica	<b>SUGLASNI</b>
26	Trlično 2	Hromec 1. 2	zasutje	<b>SUGLASNI</b>
27	Trližno (žaga)	Hromec 1.1	zasutje	<b>SUGLASNI</b>
28	Trlično 1	Hromec (za Artič,Krsnik)	zaporninca	<b>SUGLASNI</b>
29	Črešnjevec (Nikola)	Lupinjak Kamen	podreti most	<b>SUGLASNI</b>
30	Dobovec 1 (Fricov most)	Lupinjak 1	podreti most	<b>SUGLASNI</b>
31	Rogatec II	Strmec Humski 5	podreti brv	<b>SUGLASNI</b>
32	Za tovarno Gorenje	Hum na Sutli 4	podreti brv	<b>SUGLASNI</b>
33	Za tovarno Gorenje	Hum na Sutli 3	podreti brv	<b>SUGLASNI</b>
34	Za tovarno Straža	Hum na Sutli 2	podreti most	<b>SUGLASNI</b>
35	Za tovarno Straža	Hum na Sutli 1	podreti brv	<b>SUGLASNI</b>
36	Rjavica.1	most kod Čerene	podreti brv	<b>SUGLASNI</b>
37	Rjavica	Mali Tabor	zapornica	<b>SUGLASNI</b>

Zaporedna številka	ImePrehoda SLO	Ime prehoda v RH	Predlog ureditve po ogledu na terenu	Prijedlog uredenja po pregledu na terenu HR
38	Sp.Rjavica (Sajko)	Prišlin	zapornica	<b>SUGLASNI</b>
39	Sotelsko jezero 2	Zalug	zapornica s konzolo	<b>SUGLASNI</b>
40	Vonarje (Marčja vas)	Harina Zlaka	zapornica	<b>SUGLASNI</b>
41	Atomske Toplice	Harina Zlaka 2	gavge	<b>SUGLASNI</b>
42	Zg.Imeno	Bratkovec	zapornica ?	<b>SUGLASNI</b>
43	Dekmanca	Zagorska sela	zapornica	<b>SUGLASNI</b>
44	Ples	Kumrovec 1	podreti brv	<b>SUGLASNI</b>
45	Kunšperk	Risvica	zapornica	<b>SUGLASNI</b>
46	Orešje1	Gredice	podreti brv	<b>SUGLASNI</b>
47	Gregovce	Kraljevec na Sutli	zasutje	<b>SUGLASNI</b>
48	Obrežje-Kalin	Bregana ( Most Kalin )	zamenjati korita ali druga rešitev	<b>SUGLASNI</b>
49	Slovenska vas 1.2	Bregana	podreti brv	<b>SUGLASNI</b>
50	Slovenska vas 1.1	Bregansko Selo	zapornica ?	<b>SUGLASNI</b>
51	Slovenska vas 1	Grdanjci	zamenjati korita ali druga rešitev	<b>SUGLASNI</b>
52	Mali Cirnik	Vlaški križ	zapornica ?	<b>SUGLASNI</b>
53	Črešnjevec 3 (Črneča vas)	Cerovica	zapornica	<b>SUGLASNI</b>
54	Črešnjevec pri Oštrcu	Petričko selo	zapornica	<b>SUGLASNI</b>
55	Opatova gora 2 (Črešnjevec-Pogana jama)	Pogana jama	zapornica	<b>SUGLASNI</b>
56	Ravna Gora (Mirčev križ)	Polom (Blaževo brdo)	zapornica	<b>SUGLASNI</b>
57	Brezovica 25 (Iglenik.lesena pot)	Brezovica 2	zapornica	<b>SUGLASNI</b>
58	Brezovica .2 (Drage_Popoviči)	Brezovica 1	zapornica ali zasip	<b>SUGLASNI</b>
59	Brezovica (Malo Lešče)	Grmki	zapornica	<b>SUGLASNI</b>
60	Bojanja vas1	Liješće 1	zapornica	<b>SUGLASNI</b>
61	Radovica	Kašt1		<b>SUGLASNI</b>
62	Kamenica 1.1	Kašt 1.2	zapornica	<b>SUGLASNI</b>
63	Božakovo 1	Vrškovac	zasutje	<b>SUGLASNI</b>
64	Griblje	Velika Paka (žaga)	zapornica	<b>SUGLASNI</b>
65	Žuniči (reka)	(Donje) Prilišče	zapornica	<b>SUGLASNI</b>
66	Podklanec	Pribanjci	varovalna ograja	<b>SUGLASNI</b>
67	most Osilnica	Hrib	zapornica	<b>SUGLASNI</b>
68	Strojči	Plešce	zapornica	<b>SUGLASNI</b>
69	Papeži	Donji Žagari	zapornica	<b>SUGLASNI</b>
70	Črni Potok	Bošli	zapornica	<b>SUGLASNI</b>
71	Vici	Potok	zapornica	<b>SUGLASNI</b>
72	Podplanina3 (Poje)	Izvor (Čabar)	zapornica	<b>SUGLASNI</b>
73	Novi kot3 (Tuški)	Tuški	zapornica	<b>SUGLASNI</b>

Zaporedna številka	ImePrehoda SLO	Ime prehoda v RH	Predlog ureditve po ogledu na terenu	Prijedlog uredenja po pregledu na terenu HR
74	Zajčji hrib	Prezid 2	zapornica	<b>SUGLASNI</b>
75	Bela voda (Vavkovec 01)	Prezid 1.	zapornica	<b>SUGLASNI</b>
76	Jarmovec	Paravićeva miza	zapornica	<b>SUGLASNI</b>
77	Gomance 1	Gomance 1	zapornica	<b>SUGLASNI</b>
78	Dletvo (Sušak.4)	Lisac	zapornica	<b>SUGLASNI</b>
79	Sušak.1	Lisac 1	zapornica	<b>SUGLASNI</b>
80	Dolenje pri Jelšanah 2	Šapjane 1	zapornica	<b>SUGLASNI</b>
81	Starod ob MP	Pasjak 1	zapornica - zasip	<b>SUGLASNI</b>
82	Račice 1.2	Vele Mune 1	zapornica	<b>SUGLASNI</b>
83	Oštarič 3	Vodice 1	zapornica	<b>SUGLASNI</b>
84	Golac	Vodice	zapornica	<b>SUGLASNI</b>
85	Podgorje 11	Jelovice 1	zapornica	<b>SUGLASNI</b>
86	Rakitovec 3	Brest-Rakitovec	zapornica	<b>SUGLASNI</b>
87	Dvori	Požane 1	fizična zapora	<b>SUGLASNI</b>
88	Mlini	Mlini		<b>SUGLASNI</b>
89	Pregara	Pregon	zapornica	<b>SUGLASNI</b>
90	Abitanti 1	Lucija	zapornica	<b>SUGLASNI</b>
91	Hrvoji 1	Kućibreg	zapornica na magnetno kartico	<b>SUGLASNI</b>
92	Brič-Novi Brič	Brič	zapornica	<b>SUGLASNI</b>
93	Senjak	Merišće 1.1.	zapornica	<b>SUGLASNI</b>
94	Senjak	Merišće 1.3.	zapornica	<b>SUGLASNI</b>
95	Sv. Peter 1 (Dramac)	Dramac	zapornica	<b>SUGLASNI</b>
96	Sv. Peter 2	Dramac 1	zapornica	<b>SUGLASNI</b>
	<b>legenda:</b>			

## 3. člen

Za izvajanje zapisnika skrbijo Ministrstvo za kmetijstvo, gozdarstvo in prehrano, Ministrstvo za promet, Ministrstvo za notranje zadeve, Ministrstvo za javno upravo, Ministrstvo za finance- Carinska uprava Republike Slovenije, Ministrstvo za okolje in prostor ter Ministrstvo za zunanje zadeve.

## 4. člen

Ta uredba začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije.

Šifra: 00724-32/2006  
Ljubljana, dne 14. junija 2006  
EVA 2006-1811-0115

**Vlada Republike Slovenije**

**Janez Janša** l.r.  
Predsednik

**78. Sklep o objavi besedila Skupnega pravilnika k aktu iz leta 1999, aktu iz leta 1960 in aktu iz leta 1934 Haaškega sporazuma, ki ga je sprejela Skupščina Haaške unije dne 1. oktobra 2003 v Ženevi**

Na podlagi tretjega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/35 – uradno prečiščeno besedilo) je Vlada Republike Slovenije na 79. redni seji dne 22. 6. 2006 sprejela

**S K L E P  
O O B J A V I B E S E D I L A**

**Skupnega pravilnika k aktu iz leta 1999, aktu iz leta 1960 in aktu iz leta 1934 Haaškega sporazuma (Uradni list RS–MP, št. 4/02, 20/94), ki ga je sprejela Skupščina Haaške unije dne 1. oktobra 2003 v Ženevi,**

ki se v izvirniku v angleškem jeziku in v prevodu v slovenski jezik glasi:

**Common Regulations**

**Under the 1999 Act, the 1960 Act and the 1934 Act of the Hague Agreement**  
(as in force on April 1, 2004)

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**Skupni pravilnik**

**k aktu iz leta 1999, aktu iz leta 1960 in aktu iz leta 1934 Haaškega sporazuma (kakor so veljali 1. aprila 2004)**

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**7. POGLAVJE PRISTOJBINE**

27. pravilo Zneski in plačilo pristojbin

28. pravilo Valuta plačil

29. pravilo Knjiženje pristojbin v dobro pogodbenic

**8. POGLAVJE MEDNARODNE PRIJAVE, KI JIH UREJA IZKLJUČNO ALI DELNO AKT IZ LETA 1934, IN MEDNARODNE REGISTRACIJE NA PODLAGI TEH PRIJAV**

30. pravilo Uporaba tega pravilnika za mednarodne prijave, ki jih ureja izključno akt iz leta 1934, in mednarodne registracije na podlagi teh prijav

31. pravilo Uporaba tega pravilnika za mednarodne prijave, ki jih ureja delno akt iz leta 1934, in mednarodne registracije na podlagi teh prijav

**9. POGLAVJE RAZNO**

32. pravilo Izpiski, kopije in informacije v zvezi z objavljenimi mednarodnimi registracijami

33. pravilo Sprememba nekaterih pravil

34. pravilo Upravna navodila

35. pravilo Izjave pogodbenic akta iz leta 1999

36. pravilo Izjave pogodbenic akta iz leta 1960

**SEZNAM PRISTOJBIN****CHAPTER 1  
GENERAL PROVISIONS****Rule 1  
Definitions**

(1) [Abbreviated Expressions] For the purposes of these Regulations,

(i) "1999 Act" means the Act signed at Geneva on July 2, 1999, of the Hague Agreement;

(ii) "1960 Act" means the Act signed at The Hague on November 28, 1960, of the Hague Agreement;

(iii) "1934 Act" means the Act signed at London on June 2, 1934, of the Hague Agreement;

(iv) an expression which is used in these Regulations and is referred to in Article 1 of the 1999 Act has the same meaning as in that Act;

(v) "Administrative Instructions" means the Administrative Instructions referred to in Rule 34;

(vi) "communication" means any international application or any request, declaration, invitation, notification or information relating to or accompanying an international application or an international registration that is addressed to the Office of a Contracting Party, the International Bureau, the applicant or the holder by means permitted by these Regulations or the Administrative Instructions;

(vii) "official form" means a form established by the International Bureau or any form having the same contents and format;

(viii) "International Classification" means the Classification established under the Locarno Agreement Establishing an International Classification for Industrial Designs;

(ix) "prescribed fee" means the applicable fee set out in the Schedule of Fees;

(x) "Bulletin" means the periodical bulletin in which the International Bureau effects the publications provided for in the 1999 Act, the 1960 Act, the 1934 Act or these Regulations, whatever the medium used;

**1. POGLAVJE  
SPLOŠNE DOLOČBE****1. pravilo  
Pomen izrazov**

(1) [Skrajšani izraz] V tem pravilniku

(i) "akt iz leta 1999" pomeni akt Haaškega sporazuma, podpisani v Ženevi 2. julija 1999;

(ii) "akt iz leta 1960" pomeni akt Haaškega sporazuma, podpisani v Haagu 28. novembra 1960;

(iii) "akt iz leta 1934" pomeni akt Haaškega sporazuma, podpisani v Londonu 2. junija 1934;

(iv) izrazi iz 1. člena akta iz leta 1999 ohranijo v tem pravilniku isti pomen;

(v) "upravna navodila" pomenijo upravna navodila iz 34. pravila;

(vi) "sporočilo" pomeni vsako mednarodno prijavo ali vsako zahtevo, izjavo, poziv, uradno obvestilo ali informacijo, ki se nanaša na mednarodno prijavo ali mednarodno registracijo ali je dana skupaj z njo in je naslovljena na urad pogodbenice, Mednarodni urad, prijavitelja oziroma imetnika tako, kot dopuščajo ta pravilnik ali upravna navodila;

(vii) "uradni obrazec" pomeni obrazec, ki ga določi Mednarodni urad, ali vsak obrazec enake vsebine in oblike;

(viii) "mednarodna klasifikacija" pomeni klasifikacijo, vzpostavljeno po Locarnskem aranžmaju o ustanovitvi mednarodne klasifikacije za industrijske vzorce in modele;

(ix) "predpisana pristojbina" pomeni veljavno pristojbino, določeno v seznamu pristojbin;

(x) "bilten" pomeni redno glasilo, v katerem Mednarodni urad objavlja vse objave, predvidene v aktih iz let 1999, 1960, 1934 ali v tem pravilniku, ne glede na uporabljeni medij;

(xi) "Contracting Party designated under the 1999 Act" means a designated Contracting Party in respect of which the 1999 Act is applicable, either as the only common Act to which that designated Contracting Party and the applicant's Contracting Party are bound, or by virtue of Article 31(1), first sentence, of the 1999 Act;

(xii) "Contracting Party designated under the 1960 Act" means a designated Contracting Party in respect of which the 1960 Act is applicable, either as the only common Act to which that designated Contracting Party and the State of origin referred to in Article 2 of the 1960 Act are bound, or by virtue of Article 31(1), first sentence, of the 1960 Act;

(xiii) "Contracting Party designated under the 1934 Act" means a designated Contracting Party in respect of which the 1934 Act is applicable, as the only common Act to which that designated Contracting Party and the contracting country referred to in Article 1 of the 1934 Act are bound;

(xiv) "international application governed exclusively by the 1999 Act" means an international application in respect of which all designated Contracting Parties are Contracting Parties designated under the 1999 Act;

(xv) "international application governed exclusively by the 1960 Act" means an international application in respect of which all designated Contracting Parties are Contracting Parties designated under the 1960 Act;

(xvi) "international application governed exclusively by the 1934 Act" means an international application in respect of which all designated Contracting Parties are Contracting Parties designated under the 1934 Act;

(xvii) "international application governed by both the 1999 Act and the 1960 Act" means an international application in respect of which

- at least one Contracting Party has been designated under the 1999 Act,

- at least one Contracting Party has been designated under the 1960 Act, and

- no Contracting Party has been designated under the 1934 Act;

(xviii) "international application governed by both the 1999 Act and the 1934 Act" means an international application in respect of which

- at least one Contracting Party has been designated under the 1999 Act,

- at least one Contracting Party has been designated under the 1934 Act, and

- no Contracting Party has been designated under the 1960 Act;

(xix) "international application governed by both the 1960 Act and the 1934 Act" means an international application in respect of which

- at least one Contracting Party has been designated under the 1960 Act,

- at least one Contracting Party has been designated under the 1934 Act, and

- no Contracting Party has been designated under the 1999 Act;

(xx) "international application governed by the 1999 Act, the 1960 Act and the 1934 Act" means an international application in respect of which

- at least one Contracting Party has been designated under the 1999 Act,

- at least one Contracting Party has been designated under the 1960 Act, and

- at least one Contracting Party has been designated under the 1934 Act.

(2) [Correspondence Between Some Expressions Used in the 1999 Act, the 1960 Act and the 1934 Acf] For the purposes of these Regulations,

(i) reference to "international application" or "international registration" shall be deemed, where appropriate, to include a reference to "international deposit" as referred to in the 1960 Act and the 1934 Act;

(xi) "pogodbenica, imenovana na podlagi akta iz leta 1999" pomeni imenovano pogodbenico, za katero velja akt iz leta 1999, ker je edini skupni akt, ki zavezuje to imenovano pogodbenico in pogodbenico prijavitelja, ali zaradi uporabe prvega stavka prvega odstavka 31. člena akta iz leta 1999;

(xii) "pogodbenica, imenovana na podlagi akta iz leta 1960" pomeni imenovano pogodbenico, za katero velja akt iz leta 1960, ker je edini skupni akt, ki zavezuje to imenovano pogodbenico in državo izvora iz 2. člena akta iz leta 1960, ali zaradi uporabe prvega stavka prvega odstavka 31. člena akta iz leta 1960;

(xiii) "pogodbenica, imenovana na podlagi akta iz leta 1934" pomeni imenovano pogodbenico, za katero velja akt iz leta 1934, ker je edini skupni akt, ki zavezuje to imenovano pogodbenico in državo pogodbenico iz 1. člena akta iz leta 1934;

(xiv) "mednarodna prijava, ki jo ureja izključno akt iz leta 1999" pomeni mednarodno prijavo, pri kateri so vse imenovane pogodbenice imenovane na podlagi akta iz leta 1999;

(xv) "mednarodna prijava, ki jo ureja izključno akt iz leta 1960" pomeni mednarodno prijavo, pri kateri so vse imenovane pogodbenice imenovane na podlagi akta iz leta 1960;

(xvi) "mednarodna prijava, ki jo ureja izključno akt iz leta 1934" pomeni mednarodno prijavo, pri kateri so vse imenovane pogodbenice imenovane na podlagi akta iz leta 1934;

(xvii) "mednarodna prijava, ki jo urejata akta iz let 1999 in 1960" pomeni mednarodno prijavo, pri kateri

- je bila vsaj ena pogodbenica imenovana na podlagi akta iz leta 1999,

- je bila vsaj ena pogodbenica imenovana na podlagi akta iz leta 1960 in

- nobena pogodbenica ni bila imenovana na podlagi akta iz leta 1934;

(xviii) "mednarodna prijava, ki jo urejata akta iz let 1999 in 1934" pomeni mednarodno prijavo, pri kateri

- je bila vsaj ena pogodbenica imenovana na podlagi akta iz leta 1999,

- je bila vsaj ena pogodbenica imenovana na podlagi akta iz leta 1934 in

- nobena pogodbenica ni bila imenovana na podlagi akta iz leta 1960;

(xix) "mednarodna prijava, ki jo urejata akta iz let 1960 in 1934" pomeni mednarodno prijavo, pri kateri

- je bila vsaj ena pogodbenica imenovana na podlagi akta iz leta 1960,

- je bila vsaj ena pogodbenica imenovana na podlagi akta iz leta 1934 in

- nobena pogodbenica ni bila imenovana na podlagi akta iz leta 1999;

(xx) "mednarodna prijava, ki jo urejajo akti iz let 1999, 1960 in 1934" pomeni mednarodno prijavo, pri kateri

- je bila vsaj ena pogodbenica imenovana na podlagi akta iz leta 1999,

- je bila vsaj ena pogodbenica imenovana na podlagi akta iz leta 1960 in

- je bila vsaj ena pogodbenica imenovana na podlagi akta iz leta 1934.

(2) [Ujemanje nekaterih izrazov, uporabljenih v aktih iz let 1999, 1960 in 1934] V tem pravilniku

(i) se sklicevanje na "mednarodno prijavo" ali "mednarodno registracijo", kadar je ustrezno, šteje tudi kot sklicevanje na "mednarodni depozit" iz aktov iz let 1960 in 1934;

(ii) reference to "applicant" or "holder" shall be deemed, where appropriate, to include a reference to, respectively, "depositor" or "owner" as referred to in the 1960 Act and the 1934 Act;

(iii) reference to "Contracting Party" shall be deemed, where appropriate, to include a reference to a State party to the 1960 Act or to a country party to the 1934 Act;

(iv) reference to "Contracting Party whose Office is an examining Office" shall be deemed, where appropriate, to include a reference to "State having a novelty examination" as defined in Article 2 of the 1960 Act;

(v) reference to "individual designation fee" shall be deemed, where appropriate, to include a reference to the fee mentioned in Article 15(1)(2)(b) of the 1960 Act;

(vi) reference to "renewal" shall be deemed, where appropriate, to include a reference to "prolongation" referred to in the 1934 Act.

### *Rule 2*

#### *Communication with the International Bureau*

Communications addressed to the International Bureau shall be effected as specified in the Administrative Instructions.

### *Rule 3*

#### *Representation Before the International Bureau*

(1) [Representative; Number Representatives] (a) The applicant or the holder may have a representative before the International Bureau.

(b) Only one representative may be appointed in respect of a given international application or international registration. Where the appointment indicates several representatives, only the one indicated first shall be considered to be a representative and be recorded as such.

(c) Where a partnership or firm composed of attorneys or patent or trademark agents has been indicated as representative to the International Bureau, it shall be regarded as one representative.

(2) [Appointment of the Representative] (a) The appointment of a representative may be made in the international application, provided that the application is signed by the applicant.

(b) The appointment of a representative may also be made in a separate communication which may relate to one or more specified international applications or international registrations of the same applicant or holder. The said communication shall be signed by the applicant or the holder.

(c) Where the International Bureau considers that the appointment of a representative is irregular, it shall notify accordingly the applicant or holder and the purported representative.

(3) [Recording and Notification of Appointment of a Representative; Effective Date of Appointment] (a) Where the International Bureau finds that the appointment of a representative complies with the applicable requirements, it shall record the fact that the applicant or holder has a representative, as well as the name and address of the representative, in the International Register. In such a case, the effective date of the appointment shall be the date on which the International Bureau received the international application or separate communication in which the representative is appointed.

(b) The International Bureau shall notify the recording referred to in subparagraph (a) to both the applicant or holder and the representative.

(ii) se sklicevanje na "prijavitelja" oziroma "imetnika", kadar je ustrezeno, šteje tudi kot sklicevanje na "prijavitelja" oziroma "imetnika" iz aktov iz let 1960 in 1934;

(iii) se sklicevanje na "pogodbenico", kadar je ustrezeno, šteje tudi kot sklicevanje na državo pogodbenico akta iz leta 1960 ali državo pogodbenico akta iz leta 1934;

(iv) se sklicevanje na "pogodbenico", katere urad je urad za preizkušanje, kadar je ustrezeno, šteje tudi kot sklicevanje na "državo, ki preizkuša novosti", kot je opredeljena v 2. členu akta iz leta 1960;

(v) se sklicevanje na "pristojbino za posamično imenovanje", kadar je ustrezeno, šteje tudi kot sklicevanje na pristojbino iz točke (b) drugega pododstavka prvega odstavka 15. člena akta iz leta 1960;

(vi) se sklicevanje na "obnovitev", kadar je ustrezeno, šteje tudi kot sklicevanje na "podaljšanje" iz akta iz leta 1934.

### *2. pravilo*

#### *Sporočila Mednarodnemu uradu*

Sporočila Mednarodnemu uradu se pošiljajo tako, kot je določeno v upravnih navodilih.

### *3. pravilo*

#### *Zastopanje pred Mednarodnim uradom*

(1) [Zastopnik; število zastopnikov] (a) Prijavitelj oziroma imetnik ima pred Mednarodnim uradom lahko zastopnika.

(b) Za posamezno mednarodno prijavo ali mednarodno registracijo je lahko imenovan samo en zastopnik. Kadar je v imenovanju navedenih več zastopnikov, le prvi navedeni velja za zastopnika in je kot tak vpisan v register.

(c) Kadar je kot zastopnik pred Mednarodnim uradom navedena pisarna ali družba, v kateri so odvetniki, patentni zastopniki ali zastopniki za znamke, se ta upošteva kot en sam zastopnik.

(2) [Imenovanje zastopnika] (a) Zastopnika je mogoče imenovati v mednarodni prijavi, če tako prijavo podpiše prijavitelj.

(b) Zastopnika je mogoče imenovati tudi v ločenem sporočilu, ki se lahko nanaša na eno ali več določenih mednarodnih prijav ali mednarodnih registracij istega prijavitelja oziroma imetnika. To sporočilo podpiše prijavitelj oziroma imetnik.

(c) Kadar Mednarodni urad meni, da imenovanje zastopnika ni pravilno, o tem uradno obvesti prijavitelja oziroma imetnika in dozdevnega zastopnika.

(3) [Vpis imenovanja zastopnika in uradno obvestilo o tem; dan veljavnosti imenovanja] (a) Kadar Mednarodni urad ugotovi, da je imenovanje zastopnika opravljeno skladno z veljavnimi pogoji, vpiše dejstvo, da ima prijavitelj oziroma imetnik zastopnika, ter ime in naslov zastopnika v mednarodni register. V takem primeru je dan veljavnosti imenovanja tisti dan, ko je Mednarodni urad prejel mednarodno prijavo ali ločeno sporočilo z imenovanjem zastopnika.

(b) Mednarodni urad o vpisu iz pododstavka (a) uradno obvesti prijavitelja oziroma imetnika in zastopnika.

(4) [Effect of Appointment of a Representative] (a) Except where these Regulations expressly provide otherwise, the signature of a representative recorded under paragraph (3)(a) shall replace the signature of the applicant or holder.

(b) Except where these Regulations expressly require that a communication be addressed to both the applicant or holder and the representative, the International Bureau shall address to the representative recorded under paragraph (3)(a) any communication which, in the absence of a representative, would have to be sent to the applicant or holder; any communication so addressed to the said representative shall have the same effect as if it had been addressed to the applicant or holder.

(c) Any communication addressed to the International Bureau by the representative recorded under paragraph (3)(a) shall have the same effect as if it had been addressed to the said Bureau by the applicant or holder.

(5) [Cancellation of Recording; Effective Date of Cancellation] (a) Any recording under paragraph (3)(a) shall be canceled where cancellation is requested in a communication signed by the applicant, holder or representative. The recording shall be canceled *ex officio* by the International Bureau where a new representative is appointed or where a change in ownership is recorded and no representative is appointed by the new holder of the international registration.

(b) The cancellation shall be effective from the date on which the International Bureau receives the corresponding communication.

(c) The International Bureau shall notify the cancellation and its effective date to the representative whose recording has been canceled and to the applicant or holder.

#### Rule 4 Calculation of Time Limits

(1) [Periods Expressed in Years] Any period expressed in years shall expire, in the relevant subsequent year, in the month having the same name and on the day having the same number as the month and the day of the event from which the period starts to run, except that, where the event occurred on February 29 and in the relevant subsequent year February ends on the 28th, the period shall expire on February 28.

(2) [Periods Expressed in Months] Any period expressed in months shall expire, in the relevant subsequent month, on the day which has the same number as the day of the event from which the period starts to run, except that, where the relevant subsequent month has no day with the same number, the period shall expire on the last day of that month.

(3) [Periods Expressed in Days] The calculation of any period expressed in days shall start with the day following the day on which the relevant event occurred and shall expire accordingly.

(4) [Expiry on a Day on Which the International Bureau or an Office Is Not Open to the Public] If a period expires on a day on which the International Bureau or the Office concerned is not open to the public, the period shall, notwithstanding paragraphs (1) to (3), expire on the first subsequent day on which the International Bureau or the Office concerned is open to the public.

#### Rule 5 Irregularities in Postal and Delivery Services

(1) [Communications Sent Through a Postal Service] Failure by an interested party to meet a time limit for a communication addressed to the International Bureau and mailed through a postal service shall be excused if the interested party submits evidence showing, to the satisfaction of the International Bureau,

(4) [Učinek imenovanja zastopnika] (a) Podpis zastopnika, vpisanega v register po pododstavku (a) tretjega odstavka, nadomesti podpis prijavitelja oziroma imetnika, razen kadar v tem pravilniku ni izrecno drugače določeno.

(b) Mednarodni urad naslavljva na zastopnika, vpisanega v register po pododstavku (a) tretjega odstavka, vsa sporočila, ki bi jih sicer moral, če zastopnika ne bi bilo, pošiljati prijavitelju oziroma imetniku, razen kadar ta pravilnik izrecno ne zahteva, da mora biti sporočilo naslovljeno na prijavitelja oziroma imetnika in na zastopnika; vsako tako sporočilo zastopniku ima enak učinek, kot če bi bilo naslovljeno na prijavitelja oziroma imetnika.

(c) Vsako sporočilo, ki ga na Mednarodni urad naslovi zastopnik, vpisan v register po pododstavku (a) tretjega odstavka, ima enak učinek, kot če bi ga na ta urad naslovil prijavitelj oziroma imetnik.

(5) [Izbris vpisa; dan veljavnosti izbrisa] (a) Vsak vpis v register po pododstavku (a) tretjega odstavka se izbriše, če je izbris zahtevan v sporočilu, ki ga je podpisal prijavitelj, imetnik ali zastopnik. Mednarodni urad vpis izbriše po uradni dolžnosti, če je imenovan nov zastopnik oziroma če se vpis v register sprememba lastništva in novi imetnik mednarodne registracije ni imenoval nobenega zastopnika.

(b) Izbris velja od dneva, ko Mednarodni urad prejme ustrezno sporočilo.

(c) Mednarodni urad o izbrisu in datumu njegove veljavnosti uradno obvesti zastopnika, čigar vpis v register je bil izbrisani, in prijavitelj oziroma imetnika.

#### 4. pravilo Računanje rokov

(1) [Roki, izraženi v letih] Vsak rok, izražen v letih, poteče v ustremnem naslednjem letu v mesecu z enakim imenom in na dan z enako številko, kot ju imata mesec in dan dogodka, od katerega začne rok teči, z edino izjemo, da za dogodek, ki se je zgodil 29. februarja, v naslednjem letu pa ima februar le 28 dni, rok poteče 28. februarja.

(2) [Roki, izraženi v mesecih] Vsak rok, izražen v mesecih, poteče v ustremnem naslednjem mesecu na dan z enako številko, kot jo ima dan dogodka, od katerega začne rok teči, z edino izjemo, da rok poteče na zadnji dan v naslednjem mesecu, kadar ta mesec nima dneva z enako številko.

(3) [Roki, izraženi v dnevih] Rok, izražen v dnevih, začne teči z dnem, ki sledi dnevu, v katerem se je dogodek zgodil, in temu ustrezno poteče.

(4) [Potelek roka na dan, ko Mednarodni urad ali drug urad ni odprt za javnost] Če rok poteče na dan, ko Mednarodni urad ali drug zadevni urad ni odprt za javnost, poteče ne glede na prvi do tretji odstavek prvi naslednji dan, ko je Mednarodni urad ali drug zadevni urad odprt za javnost.

#### 5. pravilo Motene poštne in dostavne storitve

(1) [Sporočila, poslana po pošti] Če zainteresirana stranka zamudi rok za sporočilo, naslovljeno na Mednarodni urad in poslano po pošti, se ji zamuda oprosti, če Mednarodnemu uradu predloži zadovoljiv dokaz,

(i) that the communication was mailed at least five days prior to the expiry of the time limit, or, where the postal service was, on any of the ten days preceding the day of expiry of the time limit, interrupted on account of war, revolution, civil disorder, strike, natural calamity, or other like reason, that the communication was mailed not later than five days after postal service was resumed,

(ii) that the mailing of the communication was registered, or details of the mailing were recorded, by the postal service at the time of mailing, and

(iii) in cases where not all classes of mail normally reach the International Bureau within two days of mailing, that the communication was mailed by a class of mail which normally reaches the International Bureau within two days of mailing or by airmail.

(2) [Communications Sent Through a Delivery Service] Failure by an interested party to meet a time limit for a communication addressed to the International Bureau and sent through a delivery service shall be excused if the interested party submits evidence showing, to the satisfaction of the International Bureau,

(i) that the communication was sent at least five days prior to the expiry of the time limit, or, where the delivery service was, on any of the ten days preceding the day of expiry of the time limit, interrupted on account of war, revolution, civil disorder, natural calamity, or other like reason, that the communication was sent not later than five days after the delivery service was resumed, and

(ii) that details of the sending of the communication were recorded by the delivery service at the time of sending.

(3) [Limitation on Excuse] Failure to meet a time limit shall be excused under this Rule only if the evidence referred to in paragraph (1) or (2) and the communication or a duplicate thereof are received by the International Bureau not later than six months after the expiry of the time limit.

#### Rule 6 Languages

(1) [International Application] The international application shall be in English or French.

(2) [Recording and Publication] The recording in the International Register and the publication in the Bulletin of the international registration and of any data to be both recorded and published under these Regulations in respect of that international registration shall be in English and French. The recording and publication of the international registration shall indicate the language in which the international application was received by the International Bureau.

(3) [Communications] Any communication concerning an international application or the international registration resulting therefrom shall be

(i) in English or French where such communication is addressed to the International Bureau by the applicant or holder or by an Office;

(ii) in the language of the international application where the communication is addressed by the International Bureau to an Office, unless that Office has notified the International Bureau that all such communications are to be in English or that all such communications are to be in French;

(iii) in the language of the international application where the communication is addressed by the International Bureau to the applicant or holder unless the applicant or holder expresses the wish to receive all such communications in English although the international application was in French, or vice versa.

(i) da je bilo sporočilo poslano po pošti najmanj pet dni pred potekom roka ali da je bilo, če je bilo poštno poslovanje na kateri koli dan v desetih dneh pred potekom roka prekinjeno zaradi vojne, revolucije, notranjih nemirov, stavke, naravne nesreče ali drugega podobnega razloga, poslano po pošti najmanj pet dni po tem, ko je pošta spet delovala,

(ii) da je bilo sporočilo poslano priporočeno ali da je poštna služba ob prevzemu pošiljke evidentirala podrobne podatke o pošiljki, in

(iii) če Mednarodni urad nekaterih vrst pošiljk ne prejme običajno v dveh dneh, da je bilo sporočilo poslano kot taka vrsta poštne pošiljke, ki običajno pride do Mednarodnega urada v dveh dneh od oddaje, ali z letalsko pošto.

(2) [Sporočila, poslana po dostavnji službi] Če zainteresirana stranka zamudi rok za sporočilo, naslovljeno na Mednarodni urad in poslano po dostavnji službi, se ji zamuda oprosti, če Mednarodnemu uradu predloži zadovoljiv dokaz,

(i) da je bilo sporočilo poslano najmanj pet dni pred potekom roka ali da je bilo, če so bile dostavne storitve na kateri koli dan v desetih dneh pred potekom roka prekinjene zaradi vojne, revolucije, notranjih nemirov, naravne nesreče ali drugega podobnega razloga, poslano najmanj pet dni po tem, ko je dostavna služba spet delovala, in

(ii) da je dostavna služba ob prevzemu pošiljke evidentirala podrobne podatke o pošiljanju sporočila.

(3) [Omejitev oprostitve] Zamuda roka se po tem pravilu oprosti le, če Mednarodni urad prejme dokazila iz prvega ali drugega odstavka in poslano sporočilo ali njegov dvojnik najpozneje šest mesecev po poteku roka.

#### 6. pravilo Jeziki

(1) [Mednarodna prijava] Mednarodna prijava mora biti v angleščini ali francoščini.

(2) [Vpis in objava] Mednarodna registracija in vsi podatki, ki jih je treba v zvezi z njo po tem pravilniku vpisati v mednarodni register in objaviti v biltenu, se vpišejo in objavijo v angleščini in francoščini. Pri vpisu in objavi mednarodne registracije se navede jezik, v katerem je Mednarodni urad prejel mednarodno prijavo.

(3) [Sporočila] Vsako sporočilo v zvezi z mednarodno prijavo ali mednarodno registracijo na njeni podlagi mora biti

(i) v angleščini ali francoščini, kadar tako sporočilo na Mednarodni urad naslovi prijavitelj, imetnik ali eden od uradov;

(ii) v jeziku mednarodne prijave, kadar Mednarodni urad naslovi sporočilo na enega od uradov, razen če ta uradno ne obvesti Mednarodnega urada, da morajo biti vsa taka sporočila v angleščini ali da morajo biti v francoščini;

(iii) v jeziku mednarodne prijave, kadar Mednarodni urad naslovi sporočilo na prijavitelja ali imetnika, razen če prijavitelj ali imetnik ne izrazi želje, da vsa taka sporočila prejema v angleščini, čeprav je bila mednarodna prijava v francoščini, ali obratno.

(4) [Translation] The translations needed for the recordings and publications under paragraph (2) shall be made by the International Bureau. The applicant may annex to the international application a proposed translation of any text matter contained in the international application. If the proposed translation is not considered by the International Bureau to be correct, it shall be corrected by the International Bureau after having invited the applicant to make, within one month from the invitation, observations on the proposed corrections.

## CHAPTER 2 INTERNATIONAL APPLICATIONS AND INTERNATIONAL REGISTRATIONS

### Rule 7

#### *Requirements Concerning the International Application*

(1) [Form and Signature] The international application shall be presented on the official form. The international application shall be signed by the applicant.

(2) [Fees] The prescribed fees applicable to the international application shall be paid as provided for in Rules 27 and 28.

(3) [Mandatory Contents of the International Application] The international application shall contain or indicate

- (i) the name of the applicant, given in accordance with the Administrative Instructions;
- (ii) the address of the applicant, given in accordance with the Administrative Instructions;
- (iii) the Contracting Party or Parties in respect of which the applicant fulfills the conditions to be the holder of an international registration;
- (iv) the product or products which constitute the industrial design or in relation to which the industrial design is to be used, with an indication whether the product or products constitute the industrial design or are products in relation to which the industrial design is to be used; the product or products shall preferably be identified by using terms appearing in the list of goods of the International Classification;
- (v) the number of industrial designs included in the international application, which may not exceed 100, and the number of reproductions or specimens of the industrial designs accompanying the international application in accordance with Rule 9 or 10;

(vi) the designated Contracting Parties;

(vii) the amount of the fees being paid and the method of payment, or instructions to debit the required amount of fees to an account opened with the International Bureau, and the identification of the party effecting the payment or giving the instructions.

(4) [Additional Mandatory Contents of an International Application] (a) With respect to Contracting Parties designated under the 1999 Act in an international application, that application shall contain, in addition to the indications referred to in paragraph (3)(iii), the indication of the applicant's Contracting Party.

(b) Where a Contracting Party designated under the 1999 Act has notified the Director General, in accordance with Article 5(2)(a) of the 1999 Act, that its law requires one or more of the elements referred to in Article 5(2)(b) of the 1999 Act, the international application shall contain such element or elements, as prescribed in Rule 11.

(c) Where Rule 8 applies, the international application shall contain the indications referred to in Rule 8(2) and, where applicable, be accompanied by the statement or document referred to in that Rule.

(4) [Prevod] Prevode, potrebne za vpis in objavo po drugem odstavku, opravi Mednarodni urad. Prijavitelj lahko mednarodni prijavi priloži predlog prevoda katerega koli dela besedila v mednarodni prijavi. Če Mednarodni urad meni, da predlagani prevod ni pravilen, pozove prijavitelja, da v enem mesecu sporoči pripombe k predlaganim popravkom, nato pa ga popravi.

## 2. POGLAVJE MEDNARODNA PRIJAVA IN MEDNARODNA REGISTRACIJA

### 7. pravilo

#### *Pogoji v zvezi z mednarodno prijavo*

(1) [Obrazec in podpis] Mednarodna prijava mora biti predložena na uradnem obrazcu. Prijavitelj mora mednarodno prijavo podpisati.

(2) [Pristojbine] Predpisane pristojbine za mednarodno prijavo je treba plačati v skladu s 27. in 28. pravilom.

(3) [Obvezna vsebina mednarodne prijave] Mednarodna prijava mora vsebovati ali imeti navedeno:

- (i) ime prijavitelja, navedenega v skladu z upravnimi navodili;
- (ii) naslov prijavitelja, navedenega v skladu z upravnimi navodili;
- (iii) pogodbenico ali pogodbenice, glede katerih prijavitelj izpoljuje pogoje za imetnika mednarodne registracije;

(iv) izdelek ali izdelke, ki predstavljajo model ali v zvezi s katerimi naj bi se model uporabljaj, skupaj z navedbo, ali izdelek oziroma izdelki predstavljajo model ali pa so to izdelki, v zvezi s katerimi se bo model uporabljaj; izdelek ali izdelki naj bi bili po možnosti opredeljeni z izrazi, ki se pojavljajo na seznamu izdelkov v mednarodni klasifikaciji;

(v) število modelov v mednarodni prijavi, ki jih ne sme biti več kot 100, in število prikazov ali primerkov modelov, danih skupaj z mednarodno prijavo v skladu z 9. ali 10. pravilom;

(vi) imenovane pogodbenice;

(vii) znesek plačanih pristojbin in način plačila ali navedilo za obremenitev računa, odprtega pri Mednarodnem uradu, za zahtevani znesek pristojbin ter podatke o stranki, ki je izvedla plačilo ali daje nalog zanj.

(4) [Dodatna obvezna vsebina mednarodne prijave] (a) Kadar so v mednarodni prijavi pogodbenice imenovane na podlagi akta iz leta 1999, mora biti v njej poleg navedb iz točke (iii) tretjega odstavka navedena tudi pogodbenica prijavitelja.

(b) Kadar je pogodbenica, imenovana na podlagi akta iz leta 1999, skladno s pododstavkom (a) drugega odstavka 5. člena akta iz leta 1999 uradno obvestila generalnega direktorja, da njen zakon zahteva eno ali več sestavin iz pododstavka (b) drugega odstavka 5. člena, mora mednarodna prijava tako sestavino ali sestavine vsebovati, kot je predpisano v 11. pravilu.

(c) Kadar se uporablja 8. pravilo, mora mednarodna prijava vsebovati navedbe iz drugega odstavka 8. pravila, če pa je potrebno, ji mora biti dodana izjava ali listina iz 8. pravila.

## (5) [Optional Contents of an International Application]

(a) An element referred to in item (i) or (ii) of Article 5(2)(b) of the 1999 Act or in Article 8(4)(a) of the 1960 Act may, at the option of the applicant, be included in the international application even where that element is not required in consequence of a notification in accordance with Article 5(2)(a) of the 1999 Act or in consequence of a requirement under Article 8(4)(a) of the 1960 Act.

(b) Where the applicant has a representative, the international application shall state the name and address of the representative, given in accordance with the Administrative Instructions.

(c) Where the applicant wishes, under Article 4 of the Paris Convention, to take advantage of the priority of an earlier filing, the international application shall contain a declaration claiming the priority of that earlier filing, together with an indication of the name of the Office where such filing was made and of the date and, where available, the number of that filing and, where the priority claim relates to less than all the industrial designs contained in the international application, the indication of those industrial designs to which the priority claim relates or does not relate.

(d) Where the applicant wishes to take advantage of Article 11 of the Paris Convention, the international application shall contain a declaration that the product or products which constitute the industrial design or in which the industrial design is incorporated have been shown at an official or officially recognized international exhibition, together with the place where the exhibition was held and the date on which the product or products were first exhibited there and, where less than all the industrial designs contained in the international application are concerned, the indication of those industrial designs to which the declaration relates or does not relate.

(e) Where the applicant wishes that publication of the industrial design be deferred, the international application shall contain a request for deferment of publication.

(f) The international application may also contain any declaration, statement or other relevant indication as may be specified in the Administrative Instructions.

(g) The international application may be accompanied by a statement that identifies information known by the applicant to be material to the eligibility for protection of the industrial design concerned.

(6) [No Additional Matter] If the international application contains any matter other than that required or permitted by the 1999 Act, the 1960 Act, the 1934 Act, these Regulations or the Administrative Instructions, the International Bureau shall delete it *ex officio*. If the international application is accompanied by any document other than those required or permitted, the International Bureau may dispose of the said document.

(7) [All Products to Be in Same Class] All the products which constitute the industrial designs to which an international application relates, or in relation to which the industrial designs are to be used, shall belong to the same class of the International Classification.

**Rule 8***Special Requirements Concerning the Applicant*

(1) [Notification of Special Requirements] (a) Where the law of a Contracting Party bound by the 1999 Act requires that an application for the protection of an industrial design be filed in the name of the creator of the industrial design, that Contracting Party may, in a declaration, notify the Director General of that fact.

(b) The declaration referred to in subparagraph (a) shall specify the form and mandatory contents of any statement or document required for the purposes of paragraph (2).

(5) [Neobvezna vsebina mednarodne prijave] (a) Sestavina iz točke (i) ali (ii) pododstavka (b) drugega odstavka 5. člena akta iz leta 1999 ali iz pododstavka (a) četrtega odstavka 8. člena akta iz leta 1960 je po izbiri prijavitelja lahko vključena v mednarodno prijavo, tudi če je uradno obvestilo po pododstavku (a) drugega odstavka 5. člena akta iz leta 1999 ali pododstavek (a) četrtega odstavka 8. člena akta iz leta 1960 ne zahteva.

(b) Kadar ima prijavitelj zastopnika, je treba v mednarodni prijavi navesti njegovo ime in naslov v skladu z upravnimi navodili.

(c) Kadar želi prijavitelj v skladu s 4. členom Pariške konvencije izkoristiti prednost zgodnejše vložitve, mora mednarodna prijava vsebovati izjavo, s katero se zahteva prednost zgodnejše vložitve, skupaj z navedbo imena urada, pri katerem je bila vložitev opravljena, ter datuma, in če je na voljo, številke vložitve; kadar pa se zahteva za prednost ne nanaša na vse modele v mednarodni prijavi, mora biti navedeno, na katere modele se nanaša ali na katere ne.

(d) Kadar želi prijavitelj izkoristiti 11. člen Pariške konvencije, mora mednarodna prijava vsebovati izjavo, da je bil izdelek oziroma so bili izdelki, ki predstavljajo ali vključujejo model, prikazani na uradni ali uradno priznani mednarodni razstavi, skupaj z navedbo kraja razstave in datuma, ko je bil izdelek oziroma so bili izdelki tam prvič razstavljeni, kadar pa se to nanaša samo na nekatere modele v mednarodni prijavi, mora vsebovati še navedbo, na katere modele se izjava nanaša ali na katere ne.

(e) Kadar prijavitelj želi, da se objava modela odloži, mora mednarodna prijava vsebovati zahtevo za odlog objave.

(f) Mednarodna prijava lahko vsebuje tudi izjave, sporočila ali druge za zadevo pomembne navedbe, ki so morda določene v upravnih navodilih.

(g) Mednarodni prijavi je lahko priloženo tudi sporočilo o informacijah, ki so po prijaviteljem vedenju pomembne za pridobitev varstva zadevnega modela.

(6) [Izločitev dodatnih sestavin] Če mednarodna prijava vsebuje navedbe, ki jih ne zahtevajo ali dovoljujejo akti iz let 1999, 1960 in 1934, ta pravilnik ali upravna navodila, jih Mednarodni urad po uradni dolžnosti črta iz prijave. Če je mednarodni prijavi poleg zahtevanih ali dovoljenih priložena še kaka druga listina, jo Mednarodni urad lahko izloči.

(7) [Vsi izdelki morajo pripadati istemu razredu] Vsi izdelki, ki predstavljajo modele, na katere se mednarodna prijava nanaša, ali v zvezi s katerimi naj bi se modeli uporabljali, morajo pripadati istemu razredu mednarodne klasifikacije.

**8. pravilo**  
*Posebne zahteve v zvezi s prijaviteljem*

(1) [Uradno obvestilo o posebnih zahtevah] (a) Kadar zakon pogodbene, ki jo zavezuje akt iz leta 1999, zahteva, da se prijava za varstvo modela vloži v imenu oblikovalca modela, lahko pogodbena o tem z izjavo uradno obvesti generalnega direktorja.

(b) V izjavi iz pododstavka (a) tega odstavka se določita oblika in obvezna vsebina izjave ali listine, zahtevane za namene drugega odstavka.

(2) [Identity of the Creator and Assignment of International Application] Where an international application contains the designation of a Contracting Party that has made the declaration referred to in paragraph (1),

(i) it shall also contain indications concerning the identity of the creator of the industrial design, together with a statement, complying with the requirements specified in accordance with paragraph (1)(b), that the latter believes himself to be the creator of the industrial design; the person so identified as the creator shall be deemed to be the applicant for the purposes of the designation of that Contracting Party, irrespective of the person named as the applicant in accordance with Rule 7(3)(i);

(ii) where the person identified as the creator is a person other than the person named as the applicant in accordance with Rule 7(3)(i), the international application shall be accompanied by a statement or document, complying with the requirements specified in accordance with paragraph (1)(b), to the effect that it has been assigned by the person identified as the creator to the person named as the applicant. The latter person shall be recorded as the holder of the international registration.

#### *Rule 9 Reproductions of the Industrial Design*

(1) [Form and Number of Reproductions of the Industrial Design] (a) Reproductions of the industrial design shall, at the option of the applicant, be in the form of photographs or other graphic representations of the industrial design itself or of the product or products which constitute the industrial design. The same product may be shown from different angles; views from different angles shall be included in different photographs or other graphic representations.

(b) Any reproduction shall be submitted in the number of copies specified in the Administrative Instructions.

(2) [Requirements Concerning Reproductions] (a) Reproductions shall be of a quality permitting all the details of the industrial design to be clearly distinguished and permitting publication.

(b) Matter which is shown in a reproduction but for which protection is not sought may be indicated as provided for in the Administrative Instructions.

(3) [Views Required] (a) Subject to subparagraph (b), any Contracting Party bound by the 1999 Act which requires certain specified views of the product or products which constitute the industrial design or in relation to which the industrial design is to be used shall, in a declaration, so notify the Director General, specifying the views that are required and the circumstances in which they are required.

(b) No Contracting Party may require more than one view where the industrial design or product is two-dimensional, or more than six views where the product is three-dimensional.

(4) [Refusal on Grounds Relating to the Reproductions of the Industrial Design] A Contracting Party may not refuse the effects of the international registration on the ground that requirements relating to the form of the reproductions of the industrial design that are additional to, or different from, those notified by that Contracting Party in accordance with paragraph (3)(a) have not been satisfied under its law. A Contracting Party may however refuse the effects of the international registration on the ground that the reproductions contained in the international registration are not sufficient to disclose fully the industrial design.

(2) [Osebni podatki oblikovalca in prenos mednarodne prijave] Kadar mednarodna prijava vsebuje imenovanje pogodbenice, ki je dala izjavo iz prvega odstavka,

(i) mora vsebovati tudi osebne podatke oblikovalca modela in izjavo v skladu z zahtevami pododstavka (b) prvega odstavka, da je oblikovalec prepričan, da je on oblikovalec modela; za namen imenovanja pogodbenice se šteje, da je oseba, ki je tako opredeljena kot oblikovalec, tudi prijavitelj ne glede na to, kdo je imenovan kot prijavitelj v skladu s točko (i) tretjega odstavka 7. pravila;

(ii) če oseba, ki je opredeljena kot oblikovalec, ni oseba, ki je imenovana kot prijavitelj v skladu s točko (i) tretjega odstavka 7. pravila, se mednarodni prijavi priloži izjava ali listina, skladna z zahtevami pododstavka (b) prvega odstavka, s katero se prijava z osebe, ki je bila opredeljena kot oblikovalec, prenese na osebo, ki je imenovana kot prijavitelj. Ta se vpiše kot imetnik mednarodne registracije.

#### *9. pravilo Prikazi modela*

(1) [Vrste in število prikazov modela] (a) Prikazi modela so po izbiri prijavitelja lahko v obliki fotografij ali drugih grafičnih prikazov samega modela oziroma izdelka ali izdelkov, ki predstavljajo model. Isti izdelek je lahko prikazan z različnih kotov; pogledi z različnih kotov se prikažejo na posamičnih fotografijah ali drugih grafičnih prikazih.

(b) Vsak prikaz mora biti predložen v toliko izvodih, kot je določeno v upravnih navodilih.

(2) [Zahteve v zvezi s prikazi] (a) Prikazi morajo biti tako kakovostni, da so vse podrobnosti modela jasno vidne in da so primerni za objavo.

(b) Del prikaza, za katerega ni zahtevano varstvo, je lahko označen, kot je določeno v upravnih navodilih.

(3) [Zahtevani pogledi] (a) Ob upoštevanju pododstavka (b) mora vsaka pogodbenica, ki jo zavezuje akt iz leta 1999 in zahteva določene posebne poglede na izdelek ali izdelke, ki predstavljajo model ali v zvezi s katerimi naj bi se model uporabjal, o tem uradno obvestiti generalnega direktorja z izjavo, v kateri točno določi poglede, ki jih zahteva, in okoliščine, v katerih so zahtevani.

(b) Nobena pogodbenica ne more zahtevati več kot en pogled, če je model ali izdelek dvodimenzionalen, ali več kot šest pogledov, če je izdelek tridimenzionalen.

(4) [Zavrnitev iz razlogov, povezanih s prikazi modela] Pogodbenica ne more zavrniti veljavnosti mednarodne registracije, če po njeni zakonodaji niso bili izpolnjeni pogoji glede vrste prikazov modela, dodani pogojem, ki jih je pogodbenica uradno sporočila v skladu s pododstavkom (a) tretjega odstavka, ali se od njih razlikujejo. Pogodbenica pa veljavnost mednarodne registracije lahko zavrne, če prikazi v mednarodni registraciji niso zadostni, da bi popolnoma razkrili model.

**Rule 10****Specimens of the Industrial Design Where Deferment of Publication Is Requested**

(1) [Number of Specimens] Where an international application governed exclusively by the 1999 Act contains a request for deferment of publication in respect of a two-dimensional industrial design and, instead of being accompanied by the reproductions referred to in Rule 9, is accompanied by specimens of the industrial design, the following number of specimens shall accompany the international application:

- (i) one specimen for the International Bureau; and
- (ii) one specimen for each designated Office that has notified the International Bureau under Article 10(5) of the 1999 Act that it wishes to receive copies of international registrations.

(2) [Specimens] All the specimens shall be contained in a single package. The specimens may be folded. The maximum dimensions and weight of the package shall be specified in the Administrative Instructions.

**Rule 11****Identity of Creator; Description; Claim**

(1) [Identity of Creator] Where the international application contains indications concerning the identity of the creator of the industrial design, his name and address shall be given in accordance with the Administrative Instructions.

(2) [Description] Where the international application contains a description, the latter shall concern those features that appear in the reproductions of the industrial design and may not concern technical features of the operation of the industrial design or its possible utilization. If the description exceeds 100 words, an additional fee, as set out in the Schedule of Fees, shall be payable.

(3) [Claim] A declaration under Article 5(2)(a) of the 1999 Act that the law of a Contracting Party requires a claim in order for an application for the grant of protection to an industrial design to be accorded a filing date under that law shall specify the exact wording of the required claim. Where the international application contains a claim, the wording of that claim shall be as specified in the said declaration.

**Rule 12****Fees Concerning the International Application**

(1) [Prescribed Fees] (a) The international application shall be subject to the payment of the following fees:

- (i) a basic fee;
  - (ii) a standard designation fee in respect of each designated Contracting Party that has not made a declaration under Article 7(2) of the 1999 Act or under Rule 36(1);
  - (iii) an individual designation fee in respect of each designated Contracting Party that has made a declaration under Article 7(2) of the 1999 Act or under Rule 36(1);
  - (iv) a publication fee.
- (b) The amounts of the fees referred to in items (i), (ii) and (iv) are set out in the Schedule of Fees.

(2) [When Fees to Be Paid] The fees referred to in paragraph (1) are, subject to paragraph (3), payable at the time of filing the international application, except that, where the international application contains a request for deferment of publication, the publication fee may be paid later, in accordance with Rule 16(3)(a).

(3) [Individual Designation Fee Payable in Two Parts] (a) A declaration under Article 7(2) of the 1999 Act or under Rule 36(1) may also specify that the individual designation fee to be paid in respect of the Contracting Party concerned comprises two parts, the first part to be paid at the time of filing the international application and the second part to be paid at a later date which is determined in accordance with the law of the Contracting Party concerned.

**10. pravilo****Primerki modela pri zahtevanem odlogu objave**

(1) [Število primerkov] Kadar mednarodna prijava, ki jo ureja izključno akt iz leta 1999, vsebuje zahtevo za odlog objave za dvodimenzionalni model in so ji namesto prikazov iz 9. pravila priloženi primerki modela, jih morajo biti priloženi primerki v naslednjem številu:

(i) en primerek za Mednarodni urad in

(ii) en primerek za vsak imenovani urad, ki je po petem odstavku 10. člena akta iz leta 1999 uradno obvestil Mednarodni urad, da želi prejemati kopije mednarodnih registracij.

(2) [Primerki] Vsi primerki morajo biti pakirani skupaj. Primerki so lahko zloženi. Največja dovoljena velikost in teža posameznega zavitka sta določeni v upravnih navodilih.

**11. pravilo****Osebni podatki oblikovalca; opis; zahtevek**

(1) [Osebni podatki oblikovalca] Kadar mednarodna prijava vsebuje osebne podatke oblikovalca modela, se njegovo ime in priimek ter naslov navedejo v skladu z upravnimi navodili.

(2) [Opis] Kadar mednarodna prijava vsebuje opis, se mora ta nanašati na oblikovne lastnosti prikazanega modela in ne na tehnične lastnosti njegovega delovanja ali njegovo mogočo uporabo. Če je opis daljši od 100 besed, je treba plačati dodatno pristojbino, določeno v seznamu pristojbin.

(3) [Zahtevek] V izjavi po pododstavku (a) drugega odstavka 5. člena akta iz leta 1999, da zakonodaja pogodbenice predpisuje zahtevek, da bi se prijavil za podelitev varstva modela po tej zakonodaji lahko dodelil datum vložitve, je treba navesti točno besedilo predisanega zahtevka. Kadar mednarodna prijava vsebuje tak zahtevek, mora biti njegovo besedilo tako, kot je navedeno v omenjeni izjavi.

**12. pravilo****Pristojbine za mednarodno prijavo**

(1) [Predpisane pristojbine] (a) Za mednarodno prijavo je treba plačati te pristojbine:

(i) osnovno pristojbino;

(ii) pristojbino za standardno imenovanje za vsako imenovano pogodbenico, ki ni dala izjave po drugem odstavku 7. člena akta iz leta 1999 ali prvem odstavku 36. pravila;

(iii) pristojbino za posamično imenovanje za vsako imenovano pogodbenico, ki je dala izjavo po drugem odstavku 7. člena akta iz leta 1999 ali prvem odstavku 36. pravila;

(iv) pristojbino za objavo.

(b) Zneski pristojbin iz točk (i), (ii) in (iv) so določeni v seznamu pristojbin.

(2) [Kdaj se plačajo pristojbine] Pristojbine iz prvega odstavka se ob upoštevanju tretjega odstavka plačajo ob vložitvi mednarodne prijave; izjema je pristojbina za objavo, ki se v skladu s pododstavkom (a) tretjega odstavka 16. pravila lahko plača pozneje, če mednarodna prijava vsebuje zahtevo za odlog objave.

(3) [Pristojbina za posamično imenovanje, plačljiva v dveh delih] (a) Izjava po drugem odstavku 7. člena akta iz leta 1999 ali prvem odstavku 36. pravila lahko tudi določa, da je pristojbina za posamično imenovanje, ki jo je treba plačati za zadevno pogodbenico, sestavljena iz dveh delov, pri čemer je prvi del treba plačati ob vložitvi mednarodne prijave, drugi del pa se plača pozneje na dan, določen v skladu z zakonodajo zadevne pogodbenice.

(b) Where subparagraph (a) applies, the reference in paragraph (1)(iii) to an individual designation fee shall be construed as a reference to the first part of the individual designation fee.

(c) The second part of the individual designation fee may be paid either directly to the Office concerned or through the International Bureau, at the option of the holder. Where it is paid directly to the Office concerned, the Office shall notify the International Bureau accordingly and the International Bureau shall record any such notification in the International Register. Where it is paid through the International Bureau, the International Bureau shall record the payment in the International Register and notify the Office concerned accordingly.

(d) Where the second part of the individual designation fee is not paid within the applicable period, the Office concerned shall notify the International Bureau and request the International Bureau to cancel the international registration in the International Register with respect to the Contracting Party concerned. The International Bureau shall proceed accordingly and so notify the holder.

#### Rule 13

##### *International Application Filed Through an Office*

(1) [Date of Receipt by Office and Transmittal to the International Bureau] Where an international application governed exclusively by the 1999 Act is filed through the Office of the applicant's Contracting Party, that Office shall notify the applicant of the date on which it received the application. At the same time as it transmits the international application to the International Bureau, the Office shall notify the International Bureau of the date on which it received the application. The Office shall notify the applicant of the fact that it has transmitted the international application to the International Bureau.

(2) [Transmittal Fee] An Office that requires a transmittal fee, as provided for in Article 4(2) of the 1999 Act, shall notify the International Bureau of the amount of such fee, which should not exceed the administrative costs of receiving and transmitting the international application, and its due date.

(3) [Filing Date of International Application Filed Indirectly] Subject to Rule 14(2), the filing date of an international application filed through an Office shall be

(i) where the international application is governed exclusively by the 1999 Act, the date on which the international application was received by that Office, provided that it is received by the International Bureau within one month of that date;

(ii) in any other case, the date on which the International Bureau receives the international application.

(4) [Filing Date Where Applicant's Contracting Party Requires a Security Clearance] Notwithstanding paragraph (3), a Contracting Party whose law, at the time that it becomes party to the 1999 Act, requires security clearance may, in a declaration, notify the Director General that the period of one month referred to in that paragraph shall be replaced by a period of six months.

#### Rule 14

##### *Examination by the International Bureau*

(1) [Time Limit for Correcting Irregularities] If the International Bureau finds that the international application does not, at the time of its receipt by the International Bureau, fulfill the applicable requirements, it shall invite the applicant to make the required corrections within three months from the date of the invitation sent by the International Bureau.

(b) Kadar se uporablja pododstavek (a), je treba sklicevanje na posamično imenovanje v točki (iii) prvega odstavka razumeti kot sklicevanje na prvi del pristojbine za posamično imenovanje.

(c) Drugi del pristojbine za posamično imenovanje lahko imetnik po svoji izbiri plača zadevnemu uradu neposredno ali prek Mednarodnega urada. Kadar plača pristojbino neposredno zadevnemu uradu, mora urad o tem uradno obvestiti Mednarodni urad, ta pa tako uradno obvestilo vpiše v mednarodni register. Kadar pa plačilo poteka prek Mednarodnega urada, ta vpiše plačilo v mednarodni register in o tem uradno obvesti zadevni urad.

(d) Kadar drugi del pristojbine za posamično imenovanje ni plačan v veljavnem roku, zadevni urad o tem obvesti Mednarodni urad in ga zaprosi, da mednarodno registracijo za zadevno pogodbenico izbriše iz mednarodnega registra. Mednarodni urad to storiti in o tem uradno obvesti imetnika.

#### 13. pravilo

##### *Mednarodna prijava, vložena prek urada*

(1) [Datum prejema v uradu in prenos na Mednarodni urad] Kadar je mednarodna prijava, ki jo ureja izključno akt iz leta 1999, vložena prek urada pogodbenice prijavitelja, mora ta urad uradno obvestiti prijavitelja o datumu prejema prijave. Ko urad mednarodno prijavo pošlje Mednarodnemu uradu, ga hkrati uradno obvesti o datumu prejema prijave. Urad uradno obvesti prijavitelja, da je mednarodno prijavo poslal Mednarodnemu uradu.

(2) [Posredniška pristojbina] Urad, ki zahteva posredniško pristojbino, kot je predvideno v drugem odstavku 4. člena akta iz leta 1999, uradno obvesti Mednarodni urad o višini te pristojbine, ki naj ne bi presegala upravnih stroškov za prejem in posredovanje mednarodne prijave, ter o datumu njene zapadlosti.

(3) [Datum vložitve posredno vložene mednarodne prijave] Ob upoštevanju drugega odstavka 14. pravila je datum vložitve mednarodne prijave, ki je vložena prek urada,

(i) kadar mednarodno prijavo ureja izključno akt iz leta 1999, datum, ko je ta urad prejel mednarodno prijavo, če jo je Mednarodni urad prejel v enem mesecu po tem datumu;

(ii) v drugih primerih pa datum, ko Mednarodni urad prejme mednarodno prijavo.

(4) [Datum vložitve, kadar pogodbenica prijavitelja zah-teva varnostno preverjanje] Ne glede na tretji odstavek lahko pogodbenica, katere zakonodaja takrat, ko postane pogodbenica akt iz leta 1999, zahteva varnostno preverjanje, z izjavo uradno obvesti generalnega direktorja, da se enomesečni rok iz tretjega odstavka zamenja s šestmesečnim rokom.

#### 14. pravilo

##### *Preizkus pri Mednarodnem uradu*

(1) [Rok za odpravo nepravilnosti] Če Mednarodni urad ugotovi, da mednarodna prijava v času, ko jo je prejel, ne izpolnjuje zahtevanih pogojev, pozove prijavitelja, da jo popravi v treh mesecih od datuma poziva Mednarodnega urada.

(2) [*Irregularities Entailing a Postponement of the Filing Date of the International Application*] Where the international application has, on the date on which it is received by the International Bureau, an irregularity which is prescribed as an irregularity entailing a postponement of the filing date of the international application, the filing date shall be the date on which the correction of such irregularity is received by the International Bureau. The irregularities which are prescribed as entailing a postponement of the filing date of the international application are the following:

(a) the international application is not in the prescribed language or one of the prescribed languages;

(b) any of the following elements is missing from the international application:

(i) an express or implicit indication that international registration under the 1999 Act, the 1960 Act or the 1934 Act is sought;

(ii) indications allowing the identity of the applicant to be established;

(iii) indications sufficient to enable the applicant or its representative, if any, to be contacted;

(iv) a reproduction, or, in accordance with Article 5(1)(iii) of the 1999 Act, a specimen, of each industrial design that is the subject of the international application;

(v) the designation of at least one Contracting Party.

(3) [*International Application Considered Abandoned; Reimbursement of Fees*] Where an irregularity, other than an irregularity referred to in Article 8(2)(b) of the 1999 Act, is not remedied within the time limit referred to in paragraph (1), the international application shall be considered abandoned and the International Bureau shall refund any fees paid in respect of that application, after deduction of an amount corresponding to the basic fee.

#### Rule 15

##### *Registration of the Industrial Design in the International Register*

(1) [*Registration of the Industrial Design in the International Register*] Where the International Bureau finds that the international application conforms to the applicable requirements, it shall register the industrial design in the International Register and send a certificate to the holder.

(2) [*Contents of the Registration*] The international registration shall contain

(i) all the data contained in the international application, except any priority claim under Rule 7(5)(c) where the date of the earlier filing is more than six months before the filing date of the international application;

(ii) any reproduction of the industrial design;

(iii) the date of the international registration;

(iv) the number of the international registration;

(v) the relevant class of the International Classification, as determined by the International Bureau.

#### Rule 16

##### *Deferment of Publication*

(1) [*Maximum Period of Deferment*] (a) The prescribed period for deferment of publication in respect of an international application governed exclusively by the 1999 Act shall be 30 months from the filing date or, where priority is claimed, from the priority date of the application concerned.

(b) The maximum period for deferment of publication in respect of an international application governed exclusively by the 1960 Act or by both the 1999 Act and the 1960 Act shall be 12 months from the filing date or, where priority is claimed, from the priority date of the application concerned.

(2) [*Nepravilnosti, zaradi katerih se preloži datum vložitve mednarodne prijave*] Kadar je v mednarodni prijavi na dan, ko jo je prejel Mednarodni urad, kakšna nepravilnost, ki je opredeljena kot nepravilnost, zaradi katere se preloži datum vložitve mednarodne prijave, se za datum vložitve šteje dan, ko je Mednarodni urad prejel popravek nepravilnosti. Nepravilnosti, ki so določene kot nepravilnosti, zaradi katerih se preloži datum vložitve mednarodne prijave, so:

(a) mednarodna prijava ni v predpisanim jezikom ali v nem od predpisanih jezikov;

(b) v mednarodni prijavi manjka ena od teh sestavin:

(i) izrecna ali iz besedila razvidna navedba, da gre za mednarodno registracijo na podlagi akta iz leta 1999, akta iz leta 1960 ali akta iz leta 1934;

(ii) navedbe, iz katerih je mogoče ugotoviti identiteto prijavitelja;

(iii) zadostne navedbe, da je mogoče vzpostaviti stik s prijaviteljem ali njegovim zastopnikom, če ga ima;

(iv) prikaz ali v skladu s točko (iii) prvega odstavka 5. člena akta iz leta 1999 primerek vsakega modela iz mednarodne prijave;

(v) imenovanje vsaj ene pogodbalice.

(3) [*Mednarodna prijava, ki se šteje za opuščeno; povračilo pristojbin*] Kadar se nepravilnost, ki ni nepravilnost po pododstavku (b) drugega odstavka 8. člena akta iz leta 1999, ne odpravi v roku iz prvega odstavka, se šteje, da je mednarodna prijava opuščena, in Mednarodni urad po odbitku zneska v višini osnovne pristojbine vrne vse pristojbine, plačane v zvezi s to prijavo.

#### 15. pravilo

##### *Vpis modela v mednarodni register*

(1) [*Vpis modela v mednarodni register*] Kadar Mednarodni urad ugotovi, da mednarodna prijava izpolnjuje zahlevane pogoje, vpiše model v mednarodni register in pošlje imetniku potrdilo.

(2) [*Vsebina registracije*] Mednarodna registracija vsebuje:

(i) vse podatke iz mednarodne prijave, razen morebitne zahteve za prednost po pododstavku (c) petega odstavka 7. pravila, kadar je datum vložitve zgodnejše prijave več kot šest mesecev pred datumom vložitve mednarodne prijave;

(ii) prikaze modela;

(iii) datum mednarodne registracije;

(iv) številko mednarodne registracije;

(v) ustrezni razred po mednarodni klasifikaciji, kot ga določi Mednarodni urad.

#### 16. pravilo

##### *Odlog objave*

(1) [*Najdaljši rok odloga objave*] (a) Predpisani rok za odlog objave mednarodne prijave, ki jo ureja izključno akt iz leta 1999, je 30 mesecev od datuma vložitve, oziroma kadar je zahtevana prednost, od prednostnega datuma te prijave.

(b) Najdaljši rok odloga objave mednarodne prijave, ki jo urejajo izključno akt iz leta 1960 ali akta iz let 1999 in 1960, je 12 mesecev od datuma vložitve, oziroma kadar je zahtevana prednost, od prednostnega datuma te prijave.

(2) [Period for Withdrawal of Designation Where Deferment Is Not Possible Under Applicable Law] The period referred to in Article 11(3)(i) of the 1999 Act for the applicant to withdraw the designation of a Contracting Party whose law does not allow the deferment of publication shall be one month from the date of the notification sent by the International Bureau.

(3) [Period for Paying Publication Fee and Submitting Reproductions] (a) The publication fee referred to in Rule 12(1)(a)(iv) shall be paid, and, where specimens have been submitted instead of reproductions in accordance with Rule 10, those reproductions shall be submitted, not later than three months before the period of deferment applicable under Article 11(2) of the 1999 Act or under Article 6(4)(a) of the 1960 Act expires or not later than three months before the period of deferment is considered to have expired in accordance with Article 11(4)(a) of the 1999 Act or with Article 6(4)(b) of the 1960 Act.

(b) Six months before the expiry of the period of deferment of publication referred to in subparagraph (a), the International Bureau shall, by sending an unofficial notice, remind the holder of the international registration, where applicable, of the date by which the publication fee referred to in paragraph (3) shall be paid and the reproductions referred to in paragraph (3) shall be submitted.

(4) [Registration of Reproductions] The International Bureau shall record in the International Register any reproduction submitted under paragraph (3).

(5) [Requirements Not Complied With] If the requirements of paragraph (3) are not complied with, the international registration shall be canceled and shall not be published.

#### Rule 17

#### Publication of the International Registration

(1) [Timing of Publication] The international registration shall be published

(i) where the applicant so requests, immediately after the registration,

(ii) where deferment of publication has been requested and the request has not been disregarded, immediately after the date on which the period of deferment expired or is considered to have expired,

(iii) in any other case, six months after the date of the international registration or as soon as possible thereafter.

(2) [Contents of Publication] The publication of the international registration in the Bulletin shall contain

(i) the data recorded in the International Register;

(ii) the reproduction or reproductions of the industrial design;

(iii) where publication has been deferred, an indication of the date on which the period of deferment expired or is considered to have expired.

#### CHAPTER 3 REFUSALS AND INVALIDATIONS

#### Rule 18

#### Notification of Refusal

(1) [Period for Notification of Refusal] (a) The prescribed period for the notification of refusal of the effects of an international registration in accordance with Article 12(2) of the 1999 Act or Article 8(1) of the 1960 Act shall be six months from the publication of the international registration as provided for by Rule 26(3).

(2) [Rok za umik imenovanja, kadar odlog po veljavni zakonodaji ni mogoč] Rok iz točke (i) tretjega odstavka 11. člena akta iz leta 1999, v katerem prijavitelj lahko umakne imenovanje pogodbenice, katere zakonodaja ne dovoljuje odloga objave, je en mesec od datuma uradnega obvestila Mednarodnega urada.

(3) [Rok za plačilo pristojbine za objavo in rok za predložitev prikazov] (a) Pristojbino za objavo iz točke (iv) pododstavka (a) prvega odstavka 12. pravila je treba plačati, in kadar so bili namesto prikaza predloženi primerki v skladu z 10. pravilom, predložiti prikaze najpozneje tri mesece pred potekom roka za odlog po drugem odstavku 11. člena akta iz leta 1999 ali pododstavku (a) četrtega odstavka 6. člena akta iz leta 1960 ali najpozneje tri mesece, preden se šteje, da je potekel rok za odlog v skladu s pododstavkom (a) četrtega odstavka 11. člena akta iz leta 1999 ozziroma pododstavkom (b) četrtega odstavka 6. člena akta iz leta 1960.

(b) Šest mesecev pred potekom roka za odlog objave iz pododstavka (a) Mednarodni urad z neuradnim obvestilom spomni imetnika mednarodne registracije, kadar je potrebno, na datum, do katerega je treba plačati pristojbino za objavo iz tretjega odstavka in predložiti prikaze iz tretjega odstavka.

(4) [Registracija prikazov] Mednarodni urad vpiše v mednarodni register vse prikaze, predložene po tretjem odstavku.

(5) [Neizpolnjeni pogoji] Če pogoji iz tretjega odstavka niso izpolnjeni, se mednarodna registracija zavrne in se ne objavi.

#### 17. pravilo Objava mednarodne registracije

(1) [Čas objave] Mednarodna registracija se objavi,

(i) takoj po registraciji, kadar prijavitelj tako zahteva;

(ii) kadar je bil zahtevan odlog objave in je bila zahteva upoštevana, takoj po dnevnu, ko je rok za odlog potekel ali se šteje, da je potekel;

(iii) v vseh drugih primerih pa šest mesecev po dnevu mednarodne registracije ali čim prej po njem.

(2) [Vsebina objave] Objava mednarodne registracije v biltenu vsebuje:

(i) podatke, vpisane v mednarodni register;

(ii) prikaz ali prikaze modela;

(iii) kadar je bila objava odložena, navedbo datuma, ko je rok za odlog potekel ali se šteje, da je potekel.

#### 3. POGLAVJE ZAVRNITEV IN RAZVELJAVITEV

#### 18. pravilo Uradno obvestilo o zavnitvi

(1) [Rok za uradno obvestilo o zavnitvi] (a) Predpisani rok za uradno obvestilo o zavnitvi veljavnosti mednarodne registracije v skladu z drugim odstavkom 12. člena akta iz leta 1999 ozziroma s prvim odstavkom 8. člena akta iz leta 1960 je šest mesecev od objave mednarodne registracije, kot je predvidena v tretjem odstavku 26. pravila.

(b) Notwithstanding subparagraph (a), any Contracting Party whose Office is an Examining Office, or whose law provides for the possibility of opposition to the grant of protection, may, in a declaration, notify the Director General that, where it is designated under the 1999 Act, the period of six months referred to in that subparagraph shall be replaced by a period of 12 months.

(c) The declaration referred to in subparagraph (b) may also state that the international registration shall produce the effect referred to in Article 14(2)(a) of the 1999 Act at the latest

(i) at a time specified in the declaration which may be later than the date referred to in that Article but which shall not be more than six months after the said date or

(ii) at a time at which protection is granted according to the law of the Contracting Party where a decision regarding the grant of protection was unintentionally not communicated within the period applicable under subparagraph (a) or (b); in such a case, the Office of the Contracting Party concerned shall notify the International Bureau accordingly and endeavor to communicate such decision to the holder of the international registration concerned promptly thereafter.

(2) [Notification of Refusal] (a) The notification of any refusal shall relate to one international registration, shall be dated and shall be signed by the Office making the notification.

(b) The notification shall contain or indicate

(i) the Office making the notification,

(ii) the number of the international registration,

(iii) all the grounds on which the refusal is based together with a reference to the corresponding essential provisions of the law;

(iv) where the grounds on which the refusal is based refer to similarity with an industrial design which has been the subject of an earlier national, regional or international application or registration, the filing date and number, the priority date (if any), the registration date and number (if available), a copy of a reproduction of the earlier industrial design (if that reproduction is accessible to the public) and the name and address of the owner of the said industrial design, as provided for in the Administrative Instructions,

(v) where the refusal does not relate to all the industrial designs that are the subject of the international registration, those to which it relates or does not relate,

(vi) whether the refusal may be subject to review or appeal and, if so, the time limit, reasonable under the circumstances, for any request for review of, or appeal against, the refusal and the authority to which such request for review or appeal shall lie, with the indication, where applicable, that the request for review or the appeal has to be filed through the intermediary of a representative whose address is within the territory of the Contracting Party whose Office has pronounced the refusal, and

(vii) the date on which the refusal was pronounced.

(3) [Notification of Division of International Registration]

Where, following a notification of refusal in accordance with Article 13(2) of the 1999 Act, an international registration is divided before the Office of a designated Contracting Party in order to overcome a ground of refusal stated in that notification, that Office shall notify the International Bureau of such data concerning the division as shall be specified in the Administrative Instructions.

(4) [Notification of Withdrawal of Refusal] (a) The notification of any withdrawal of refusal shall relate to one international registration, shall be dated and shall be signed by the Office making the notification.

(b) The notification shall contain or indicate

(i) the Office making the notification,

(ii) the number of the international registration,

(iii) where the withdrawal does not relate to all the industrial designs to which the refusal applied, those to which it relates or does not relate, and

(iv) the date on which the refusal was withdrawn.

(b) Ne glede na pododstavek (a) lahko vsaka pogodbenica, kadar je imenovana po aktu iz leta 1999 in katere urad je urad za preizkušanje ali katere zakonodaja predvideva možnost ugovora zoper podelitev varstva, z izjavo uradno obvesti generalnega direktorja, da se šestmesečni rok iz navedenega pododstavka nadomesti z dvanajstmesečnim rokom.

(c) V izjavi iz pododstavka (b) je lahko tudi navedeno, da bo mednarodna registracija začela učinkovati po pododstavku (a) drugega odstavka 14. člena akta iz leta 1999 najpozneje

(i) z dnem, navedenim v izjavi, ki je lahko poznejši od datuma iz omenjenega člena, vendar za največ šest mesecev, ali

(ii) z dnem, ko se varstvo po zakonodaji pogodbenice podeli, kadar odločitev o podelitvi varstva ni bila sporočena nemerno v veljavnem roku po pododstavku (a) ali (b); v takem primeru urad zadevne pogodbenice o tem uradno obvesti Mednarodni urad in si prizadeva takoj zatem o tej odločitvi obvestiti zadevnega imetnika mednarodne registracije.

(2) [Uradno obvestilo o zavnitvi] (a) Uradno obvestilo o kakršni koli zavnitvi se mora nanašati samo na eno mednarodno registracijo ter imeti datum in podpis urada, ki uradno obvestilo pošlje.

(b) Uradno obvestilo mora vsebovati ali navajati:

(i) urad, ki pošlje uradno obvestilo;

(ii) številko mednarodne registracije;

(iii) vse razloge, na katerih temelji zavnitev, skupaj s sklicevanjem na ustrezne bistvene določbe zakona;

(iv) kadar se razlogi, na katerih temelji zavnitev, nanašajo na podobnost z modelom, za katerega je že bila vložena nacionalna, regionalna ali mednarodna prijava ali je že bil registriran, datum in številko vložitve, datum prednosti (če obstaja), datum in številko registracije (če sta na voljo), kopijo prikaza prejšnjega modela (če je ta prikaz dostopen za javnost) ter ime in naslov imetnika navedenega modela, kadar je predvideno v upravnih navodilih;

(v) navedbo modelov, na katere se nanaša oziroma ne nanaša, kadar se zavnitev ne nanaša na vse modele iz mednarodne registracije;

(vi) ali je zavnitev mogoče ponovno obravnavati ali se zoper njo pritožiti, in v takem primeru še okoliščinam primenjen rok za vložitev zahteve za ponovni pregled zavnitve ali za vložitev pritožbe zoper zavnitev in organ, pri katerem se vlagajo zahteve za ponovni pregled ali pritožbo, z navedbo, kadar je potrebno, da se zahteva za pregled ali pritožba vloži prek zastopnika, ki ima naslov na ozemlju pogodbenice, katere urad je izrekel zavnitev, in

(vii) datum, ko je bila zavnitev izrečena.

(3) [Uradno obvestilo o delitvi mednarodne registracije]

Kadar je po obvestilu o zavnitvi v skladu z drugim odstavkom 13. člena akta iz leta 1999 mednarodna registracija pri uradu imenovane pogodbenice razdeljena, da bi se odpravil razlog za zavnitev, naveden v uradnem obvestilu, ta urad uradno obvesti Mednarodni urad o podatkih v zvezi z delitvijo registracije, kot so določeni v upravnih navodilih.

(4) [Uradno obvestilo o umiku zavnitve] (a) Uradno obvestilo o umiku zavnitve se nanaša samo na eno mednarodno registracijo ter je opremljeno z datumom in podpisom urada, ki pošlje uradno obvestilo.

(b) Uradno obvestilo mora vsebovati ali navajati:

(i) urad, ki pošlje uradno obvestilo,

(ii) številko mednarodne registracije,

(iii) kadar se umik zavnitve ne nanaša na vse modele, na katere se je nanašala zavnitev, navedbo, na katere se nanaša oziroma ne nanaša, in

(iv) datum umika zavnitve.

(5) [Recording] The International Bureau shall record any notification received under paragraph (1)(c)(ii), (2) or (4) in the International Register together with, in the case of a notification of refusal, an indication of the date on which the notification of refusal was sent to the International Bureau.

(6) [Transmittal of Copies of Notifications] The International Bureau shall transmit copies of notifications received under paragraph (1)(c)(ii), (2) or (4) to the holder.

#### Rule 19 Irregular Refusals

(1) [Notification Not Regarded as Such] (a) A notification of refusal shall not be regarded as such by the International Bureau and shall not be recorded in the International Register

(i) if it does not indicate the number of the international registration concerned, unless other indications contained in the notification permit the said registration to be identified,

(ii) if it does not indicate any grounds for refusal, or

(iii) if it is sent to the International Bureau after the expiry of the period applicable under Rule 18(1).

(b) Where subparagraph (a) applies, the International Bureau shall, unless it cannot identify the international registration concerned, transmit a copy of the notification to the holder, shall inform, at the same time, the holder and the Office that sent the notification that the notification of refusal is not regarded as such by the International Bureau and has not been recorded in the International Register, and shall indicate the reasons therefor.

(2) [Irregular Notification] If the notification of refusal

(i) is not signed on behalf of the Office which communicated the refusal, or does not comply with the requirements established under Rule 2,

(ii) does not comply, where applicable, with the requirements of Rule 18(2)(b)(iv),

(iii) does not indicate, where applicable, the authority to which a request for review or an appeal lies and the applicable time limit, reasonable under the circumstances, for lodging such a request or appeal (Rule 18(2)(b)(vi)),

(iv) does not indicate the date on which the refusal was pronounced (Rule 18(2)(b)(vii)),  
the International Bureau shall nevertheless record the refusal in the International Register and transmit a copy of the notification to the holder. If so requested by the holder, the International Bureau shall invite the Office which communicated the refusal to rectify its notification without delay.

#### Rule 20 Invalidation in Designated Contracting Parties

(1) [Contents of the Notification of Invalidation] Where the effects of an international registration are invalidated in a designated Contracting Party and the invalidation is no longer subject to any review or appeal, the Office of the Contracting Party whose competent authority has pronounced the invalidation shall, where it is aware of the invalidation, notify the International Bureau accordingly. The notification shall indicate

- (i) the authority which pronounced the invalidation,
- (ii) the fact that the invalidation is no longer subject to appeal,
- (iii) the number of the international registration,
- (iv) where the invalidation does not relate to all the industrial designs that are the subject of the international registration, those to which it relates or does not relate,
- (v) the date on which the invalidation was pronounced and its effective date.

(5) [Vpis] Mednarodni urad vpiše vsako uradno obvestilo, prejeto na podlagi točke (ii) pododstavka (c) prvega odstavka, drugega odstavka ali četrtega odstavka, v mednarodni register in pri uradnem obvestilu o zavnitvi navede tudi datum, ko je bilo uradno obvestilo o zavnitvi poslano Mednarodnemu uradu.

(6) [Pošiljanje kopij uradnih obvestil] Mednarodni urad pošlje imetniku kopijo uradnega obvestila, prejetega na podlagi točke (ii) pododstavka (c) prvega odstavka, drugega odstavka ali četrtega odstavka.

#### 19. pravilo Nepravilne zavnitve

(1) [Uradno obvestilo, ki se ne upošteva kot tako] (a) Uradnega obvestila o zavnitvi Mednarodni urad ne upošteva kot takega in ga ne vpiše v mednarodni register,

(i) če ne navaja številke mednarodne registracije, na katero se nanaša, razen če je registracijo mogoče prepozнатi iz drugih navedb v uradnem obvestilu,

(ii) če v njem niso navedeni razlogi za zavnitev ali

(iii) če je poslano Mednarodnemu uradu po poteku veljavnega roka po prvem odstavku 18. pravila.

(b) Kadar se uporabi pododstavek (a), Mednarodni urad, razen če ne more prepozнатi zadevne mednarodne registracije, pošlje kopijo uradnega obvestila imetniku, hkrati obvesti imetnika in urad, ki je poslal uradno obvestilo, da uradnega obvestila o zavnitvi ne upošteva kot takega in ga ni vpisal v mednarodni register, ter navede razloge za to.

(2) [Nepravilno uradno obvestilo] Če uradno obvestilo o zavnitvi

(i) ni podpisano v imenu urada, ki je sporočil zavnitev, ali ne izpoljuje zahteve iz 2. pravila,

(ii) ne izpoljuje pogojev iz točke (iv) pododstavka (b) drugega odstavka 18. pravila, kadar je potrebno,

(iii) ne navaja, kadar je potrebno, organa, pri katerem se vloži zahteve za ponovni pregled ali pritožba, in okoliščinam primerenega roka za vložitev take zahteve ali pritožbe (točka (vi) pododstavka (b) drugega odstavka 18. pravila),

(iv) ne navaja datuma, ko je bila izrečena zavnitev (točka (vii) pododstavka (b) drugega odstavka 18. pravila), mora Mednarodni urad ne glede na to vpisati zavnitev v mednarodni register in poslati imetniku kopijo uradnega obvestila. Če imetnik zahteva, mora Mednarodni urad pozvati urad, ki je sporočil zavnitev, da svoje uradno obvestilo nemudoma popravi.

#### 20. pravilo Razveljavitev v imenovanih pogodbenicah

(1) [Vsebina uradnega obvestila o razveljavitvi] Kadar se imenovani pogodbenici razveljavljati mednarodna registracija in razveljavitve ni več mogoče dati v ponovni pregled ali se zoper njo pritožiti, urad pogodbenice, katere pristojni organ je izrekel razveljavitev, o tem uradno obvesti Mednarodni urad, kadar za tako razveljavitev ve. Uradno obvestilo mora navajati

(i) organ, ki je izrekel razveljavitev,

(ii) dejstvo, da se zoper razveljavitev ni več mogoče pritožiti,

(iii) številko mednarodne registracije,

(iv) na katere modele se razveljavitev nanaša in katere ne, kadar se razveljavitev ne nanaša na vse modele iz mednarodne registracije,

(v) dan izreka razveljavitve in dan začetka veljavnosti.

(2) [Recording of the Invalidation] The International Bureau shall record the invalidation in the International Register, together with the data contained in the notification of invalidation.

#### CHAPTER 4 CHANGES AND CORRECTIONS

##### Rule 21 Recording of a Change

(1) [Presentation of the Request] (a) A request for the recording shall be presented to the International Bureau on the relevant official form where the request relates to any of the following:

(i) a change in the ownership of the international registration in respect of all or some of the industrial designs that are the subject of the international registration;

(ii) a change in the name or address of the holder;

(iii) a renunciation of the international registration in respect of any or all of the designated Contracting Parties;

(iv) a limitation, in respect of any or all of the designated Contracting Parties, to one or some of the industrial designs that are the subject of the international registration.

(b) The request shall be presented by the holder and signed by the holder; however, a request for the recording of a change in ownership may be presented by the new owner, provided that it is

(i) signed by the holder, or

(ii) signed by the new owner and accompanied by an attestation from the competent authority of the holder's Contracting Party that the new owner appears to be the successor in title of the holder.

(2) [Contents of the Request] The request for the recording of a change shall, in addition to the requested change, contain or indicate

(i) the number of the international registration concerned,

(ii) the name of the holder, unless the change relates to the name or address of the representative,

(iii) in case of a change in the ownership of the international registration, the name and address, given in accordance with the Administrative Instructions, of the new owner of the international registration,

(iv) in case of a change in the ownership of the international registration, the Contracting Party or Parties in respect of which the new owner fulfills the conditions to be the holder of an international registration,

(v) in case of a change in the ownership of the international registration that does not relate to all the industrial designs and to all the Contracting Parties, the numbers of the industrial designs and the designated Contracting Parties to which the change in ownership relates, and

(vi) the amount of the fees being paid and the method of payment, or instruction to debit the required amount of fees to an account opened with the International Bureau, and the identification of the party effecting the payment or giving the instructions.

(3) [Request Not Admissible] A change in the ownership of an international registration may not be recorded in respect of a designated Contracting Party if that Contracting Party is not bound by an Act to which the Contracting Party, or one of the Contracting Parties, indicated under paragraph (2)(iv) is bound.

(4) [Irregular Request] If the request does not comply with the applicable requirements, the International Bureau shall notify that fact to the holder and, if the request was made by a person claiming to be the new owner, to that person.

(2) [Vpis razveljavitve] Mednarodni urad vpiše razveljavitev v mednarodni register skupaj s podatki, ki so navedeni v uradnem obvestilu o razveljavitvi.

#### 4. POGLAVJE SPREMEMBE IN POPRAVKI

##### 21. pravilo Vpis spremembe

(1) [Predložitev zahteve] (a) Zahteva za vpis se predloži Mednarodnemu uradu na ustreznom uradnem obrazcu, kadar se zahteva nanaša na:

(i) spremembo lastništva mednarodne registracije za vse ali za nekatere modele iz mednarodne registracije;

(ii) spremembo imena ali naslova imetnika;

(iii) odpoved mednarodni registraciji za nekatere ali vse imenovane pogodbenice;

(iv) omejitev za nekatere ali vse imenovane pogodbenice na en model ali nekaj modelov iz mednarodne registracije.

(b) Zahtevo mora predložiti in podpisati imetnik; zahtevo za vpis spremembe lastništva pa lahko predloži novi lastnik, če

(i) jo je podpisal imetnik ali

(ii) jo je podpisal novi lastnik in ji je priložena overovitev pristojnega organa pogodbenice imetnika, da je novi lastnik pravni naslednik imetnika.

(2) [Vsebina zahteve] Zahteva za vpis spremembe mora poleg zahtevane spremembe vsebovati ali navajati še

(i) številko zadevne mednarodne registracije,

(ii) ime imetnika, razen če se sprememba ne nanaša na ime ali naslov zastopnika,

(iii) pri spremembi lastništva mednarodne registracije ime in naslov novega lastnika, navedena v skladu z upravnimi navodili,

(iv) pri spremembi lastništva mednarodne registracije pogodbenico ali pogodbenice, za katere novi lastnik izpolnjuje pogoje, da je lahko imetnik mednarodne registracije,

(v) pri spremembi lastništva mednarodne registracije, ki se ne nanaša na vse modele in vse pogodbenice, številke modelov in imenovane pogodbenice, na katere se spremembra lastništva nanaša, in

(vi) znesek plačanih pristojbin in način plačila ali navodilo za obremenitev računa, odprtega pri Mednarodnem uradu, za zahtevani znesek pristojbin ter podatke o stranki, ki je izvedla plačilo ali daje nalog zanj.

(3) [Nesprejemljiva zahteva] Sprememba lastništva mednarodne registracije se ne vpiše za imenovano pogodbenico, če te ne zavezuje akt, ki zavezuje pogodbenico ali eno od pogodbenic po točki (iv) drugega odstavka.

(4) [Nepravilna zahteva] Če zahteva ne izpolnjuje zahtevanih pogojev, Mednarodni urad o tem uradno obvesti imetnika, če pa je zahtevo vložila oseba, ki trdi, da je novi lastnik, tudi njo.

(5) [Time Allowed to Remedy Irregularity] The irregularity may be remedied within three months from the date of the notification of the irregularity by the International Bureau. If the irregularity is not remedied within the said three months, the request shall be considered abandoned and the International Bureau shall notify accordingly and at the same time the holder and, if the request was presented by a person claiming to be the new owner, that person, and shall refund any fees paid, after deduction of an amount corresponding to one-half of the relevant fees.

(6) [Recording and Notification of a Change] (a) The International Bureau shall, provided that the request is in order, promptly record the change in the International Register and shall inform the holder. In the case of a recording of a change in ownership, the International Bureau will inform both the new holder and the previous holder.

(b) The change shall be recorded as of the date of receipt by the International Bureau of the request complying with the applicable requirements. Where however the request indicates that the change should be recorded after another change, or after renewal of the international registration, the International Bureau shall proceed accordingly.

(7) [Recording of Partial Change in Ownership] Assignment or other transfer of the international registration in respect of some only of the industrial designs, or some only of the designated Contracting Parties shall be recorded in the International Register under the number of the international registration of which a part has been assigned or otherwise transferred; any assigned or otherwise transferred part shall be canceled under the number of the said international registration and recorded as a separate international registration. The separate international registration shall bear the number of the international registration of which a part has been assigned or otherwise transferred, together with a capital letter.

(8) [Recording of Merger of International Registrations] Where the same person becomes the holder of two or more international registrations resulting from a partial change in ownership, the registrations shall be merged at the request of the said person and paragraphs (1) to (6) shall apply *mutatis mutandis*. The international registration resulting from the merger shall bear the number of the international registration of which a part had been assigned or otherwise transferred, together, where applicable, with a capital letter.

#### Rule 22

#### *Corrections in the International Register*

(1) [Correction] Where the International Bureau, acting *ex officio* or at the request of the holder, considers that there is an error concerning an international registration in the International Register, it shall modify the Register and inform the holder accordingly.

(2) [Refusal of Effects of Correction] The Office of any designated Contracting Party shall have the right to declare in a notification to the International Bureau that it refuses to recognize the effects of the correction. Rules 18 and 19 shall apply *mutatis mutandis*.

#### CHAPTER 5

#### RENEWALS

#### Rule 23

#### *Unofficial Notice of Expiry*

Six months before the expiry of a five-year term, the International Bureau shall send to the holder and the representative, if any, a notice indicating the date of expiry of the international registration. The fact that the said notice is not received shall not constitute an excuse for failure to comply with any time limit under Rule 24.

(5) [Rok za popravek nepravilnosti] Nepravilnost se lahko popravi v treh mesecih od dneva uradnega obvestila Mednarodnega urada o nepravilnosti. Če nepravilnost v teh treh mesecih ni popravljena, se zahteva šteje za opuščeno in Mednarodni urad o tem uradno obvesti imetnika, če pa je zahtevo vložila oseba, ki trdi, da je novi lastnik, hkrati tudi njo, ter vrne vse plačane pristojbine po odbitku zneska v višini polovice ustreznih pristojbin.

(6) [Vpis spremembe in uradno obvestilo o njej] (a) Če je zahteva popolna, Mednarodni urad takoj vpiše spremembo v mednarodni register in o tem obvesti imetnika. Pri vpisu spremembe lastništva pa Mednarodni urad obvesti novega in prejšnjega imetnika.

(b) Sprememba se vpiše z dnem, ko Mednarodni urad prejme zahtevo, ki izpolnjuje zahtevane pogoje. Kadar pa je v zahtevi navedeno, naj se sprememba vpiše po neki drugi spremembi ali po obnovitvi mednarodne registracije, ravna Mednarodni urad skladno s temi navodili.

(7) [Vpis delne spremembe lastništva] Odstop ali drug prenos mednarodne registracije za samo nekatere modele ali samo nekatere imenovane pogodbenice se vpiše v mednarodni register pod številko mednarodne registracije, katere del je bil odstopljen ali drugače prenesen; vsak odstopljen ali drugače prenesen del se pod številko navedene mednarodne registracije izbriše in vpiše kot ločena mednarodna registracija. Ločena mednarodna registracija ima številko mednarodne registracije, katere del je bil odstopljen ali drugače prenesen, in dodano veliko tiskano črko.

(8) [Vpis združitve mednarodnih registracij] Kadar po stane ista oseba zaradi delne spremembe lastništva imetnik dveh ali več mednarodnih registracij, se te registracije na nje no zahtevo združijo, pri čemer se smiselno uporabljajo prvi do šesti odstavek. Mednarodna registracija, ki je posledica take združitve, ima številko mednarodne registracije, katere del je bil odstopljen ali drugače prenesen, in če je primerno, še dodano veliko tiskano črko.

#### 22. pravilo

#### *Popravki v mednarodnem registru*

(1) [Popravek] Kadar Mednarodni urad, ki nastopa po uradni dolžnosti ali na zahtevo imetnika, meni, da je v zvezi z mednarodno registracijo v mednarodnem registru napaka, jo popravi in o tem obvesti imetnika.

(2) [Zavrnitev veljavnosti popravka] Urad vsake imenovane pogodbenice ima pravico v uradnem obvestilu Mednarodnemu uradu izjaviti, da ne priznava veljavnosti popravka. Smiselno se uporabita 18. in 19. pravilo.

#### 5. POGLAVJE

#### OBNOVITVE

#### 23. pravilo

#### *Neuradno obvestilo o poteku veljavnosti*

Šest mesecev pred potekom petletnega roka pošuje Mednarodni urad imetniku in njegovemu zastopniku, če ga ima, obvestilo o datumu poteka veljavnosti mednarodne registracije. Če tako obvestilo ni prejeto, to ne more biti izgovor za neupoštevanje rokov iz 24. pravila.

*Rule 24*  
*Details Concerning Renewal*

(1) [Fees] (a) The international registration shall be renewed upon payment of the following fees:

- (i) a basic fee;
- (ii) a standard designation fee in respect of each Contracting Party designated under the 1999 Act that has not made a declaration under Article 7(2) of the 1999 Act, and each Contracting Party designated under the 1960 Act, for which the international registration is to be renewed;

(iii) an individual designation fee for each Contracting Party designated under the 1999 Act that has made a declaration under Article 7(2) of the 1999 Act and for which the international registration is to be renewed.

(b) The amounts of the fees referred to in items (i) and (ii) of subparagraph (a) are set out in the Schedule of Fees.

(c) The payment of the fees referred to in subparagraph (a) shall be made at the latest on the date on which the renewal of the international registration is due. However, it may still be made within six months from the date on which the renewal of the international registration is due, provided that the surcharge specified in the Schedule of Fees is paid at the same time.

(d) If any payment made for the purposes of renewal is received by the International Bureau earlier than three months before the date on which the renewal of the international registration is due, it shall be considered as having been received three months before that date.

(2) [Further Details] (a) Where the holder does not wish to renew the international registration

(i) in respect of a designated Contracting Party, or  
(ii) in respect of any of the industrial designs that are the subject of the international registration, payment of the required fees shall be accompanied by a statement indicating the Contracting Party or the numbers of the industrial designs for which the international registration is not to be renewed.

(b) Where the holder wishes to renew the international registration in respect of a designated Contracting Party notwithstanding the fact that the maximum period of protection for industrial designs in that Contracting Party has expired, payment of the required fees, including the standard designation fee or the individual designation fee, as the case may be, for that Contracting Party, shall be accompanied by a statement that the renewal of the international registration is to be recorded in the International Register in respect of that Contracting Party.

(c) Where the holder wishes to renew the international registration in respect of a designated Contracting Party notwithstanding the fact that a refusal is recorded in the International Register for that Contracting Party in respect of all the industrial designs concerned, payment of the required fees, including the standard designation fee or the individual designation fee, as the case may be, for that Contracting Party, shall be accompanied by a statement specifying that the renewal of the international registration is to be recorded in the International Register in respect of that Contracting Party.

(d) The international registration may not be renewed in respect of any designated Contracting Party in respect of which an invalidation has been recorded for all the industrial designs under Rule 20 or in respect of which a renunciation has been recorded under Rule 21. The international registration may not be renewed in respect of any designated Contracting Party for those industrial designs in respect of which an invalidation in that Contracting Party has been recorded under Rule 20 or in respect of which a limitation has been recorded under Rule 21.

*24. pravilo*  
*Podrobnosti v zvezi z obnovitvijo*

(1) [Pristojbine] (a) Mednarodna registracija se obnovi, ko so plačane te pristojbine:

- (i) osnovna pristojbina;
- (ii) pristojbina za standardno imenovanje za vsako pogodbenico, ki je imenovana na podlagi akta iz leta 1999 in ni dala izjave po drugem odstavku 7. člena akta iz leta 1999, ter za vsako pogodbenico, ki je imenovana na podlagi akta iz leta 1960 in za katero je treba obnoviti mednarodno registracijo;

(iii) pristojbina za posamično imenovanje za vsako pogodbenico, ki je imenovana na podlagi akta iz leta 1999 in je dala izjavo po drugem odstavku 7. člena akta iz leta 1999 in za katero je treba obnoviti mednarodno registracijo.

(b) Zneski pristojbin iz točk (i) in (ii) pododstavka (a) so določeni v seznamu pristojbin.

(c) Pristojbine iz pododstavka (a) je treba plačati najpozneje na dan, ko je treba obnoviti mednarodno registracijo. Lahko pa se plačajo tudi še v šestih mesecih od dneva, ko je treba obnoviti mednarodno registracijo, če se hkrati plača še dodatna pristojbina, določena v seznamu pristojbin.

(d) Če Mednarodni urad prejme plačilo za obnovitev registracije prej kot tri mesece pred dnevom, ko je treba obnoviti registracijo, se šteje, kot da ga je prejel tri mesece pred tem dnevom.

(2) [Druge podrobnosti] (a) Kadar imetnik ne želi obnoviti mednarodne registracije

(i) za neko imenovano pogodbenico ali  
(ii) za neki model iz mednarodne registracije,  
je treba plačilu zahtevanih pristojbin priložiti izjavo z navedbo pogodbence ali številki modelov, za katere mednarodne registracije ne obnavljajo.

(b) Kadar želi imetnik obnoviti mednarodno registracijo za neko imenovano pogodbenico ne glede na to, da je najdaljši možni rok varstva za modele v tej pogodbenici že potekel, je treba ob plačilu zahtevanih pristojbin, vključno s pristojbino za standardno oziroma posamično imenovanje za to pogodbenico, predložiti tudi izjavo, da mora biti obnovitev mednarodne registracije za to pogodbenico vpisana v mednarodni register.

(c) Kadar želi imetnik obnoviti mednarodno registracijo za neko imenovano pogodbenico ne glede na to, da je v mednarodnem registru za to pogodbenico vpisana zavrnitev za vse zadevne modele, je treba ob plačilu zahtevanih pristojbin, vključno s pristojbino za standardno oziroma posamično imenovanje za to pogodbenico, predložiti tudi izjavo, da mora biti obnovitev mednarodne registracije za to pogodbenico vpisana v mednarodni register.

(d) Mednarodna registracija se ne more obnoviti za nobeno imenovano pogodbenico, za katero je bila vpisana razveljavitev za vse modele po 20. pravilu oziroma za katero je bila vpisana odpoved po 21. pravilu. Mednarodna registracija se ne more obnoviti za nobeno imenovano pogodbenico za tiste modele, za katere je bila za to pogodbenico vpisana razveljavitev po 20. pravilu ali omejitev po 21. pravilu.

(3) [*Insufficient Fees*] (a) If the amount of the fees received is less than the amount required for renewal, the International Bureau shall promptly notify at the same time both the holder and the representative, if any, accordingly. The notification shall specify the missing amount.

(b) If the amount of the fees received is, on the expiry of the period of six months referred to in paragraph (1)(c), less than the amount required for renewal, the International Bureau shall not record the renewal, shall refund the amount received and shall notify accordingly the holder and the representative, if any.

#### *Rule 25*

##### *Recording of the Renewal; Certificate*

(1) [*Recording and Effective Date of the Renewal*] Renewal shall be recorded in the International Register with the date on which renewal was due, even if the fees required for renewal are paid within the period of grace referred to in Rule 24(1)(c).

(2) [*Certificate*] The International Bureau shall send a certificate of renewal to the holder.

#### *CHAPTER 6* *BULLETIN*

#### *Rule 26*

##### *Bulletin*

(1) [*Information Concerning International Registrations*] The International Bureau shall publish in the Bulletin relevant data concerning

- (i) international registrations, in accordance with Rule 17;
- (ii) refusals recorded under Rule 18(5), with an indication as to whether there is a possibility of review or appeal, but without the grounds for refusal;
- (iii) invalidations recorded under Rule 20(2);
- (iv) changes in ownership, changes of name or address of the holder, renunciations and limitations recorded under Rule 21;
- (v) corrections effected under Rule 22;
- (vi) renewals recorded under Rule 25(1);
- (vii) international registrations which have not been renewed.

(2) [*Information Concerning Declarations; Other Information*] The International Bureau shall publish in the Bulletin any declaration made by a Contracting Party under the 1999 Act, the 1960 Act or these Regulations, as well as a list of the days on which the International Bureau is not scheduled to open to the public during the current and the following calendar year.

(3) [*Mode of Publishing the Bulletin*] The Bulletin referred to in Rule 1(1)(x) shall be published on the website of the Organization. The date on which each issue of the Bulletin is published on that website shall be electronically communicated by the International Bureau to the Office of each Contracting Party. Such communication shall be deemed to replace the sending of the Bulletin referred to in Article 10(3)(b) of the 1999 Act and Article 6(3)(b) of the 1960 Act, and, for the purposes of Article 8(2) of the 1960 Act, the Bulletin shall be deemed to have been received by each Office concerned also on the date of the said communication.

(3) [*Nezadostno plačilo pristojbin*] (a) Če je znesek prejetih pristojbin manjši od zneska, ki je zahtevan za obnovitev, Mednarodni urad o tem takoj hkrati obvesti imetnika in njegovega zastopnika, če ga ima. V uradnem obvestilu mora biti manjkajoči znesek točno naveden.

(b) Če je znesek prejetih pristojbin na dan, ko poteče šestmesečni rok iz pododstavka (c) prvega odstavka, manjši od zneska, ki je zahtevan za obnovitev, Mednarodni urad obnovitve registracije ne vpiše, vrne prejeti znesek ter o tem obvesti imetnika in njegovega zastopnika, če ga ima.

#### *25. pravilo*

##### *Vpis obnovitve registracije; potrdilo*

(1) [*Vpis in datum začetka veljavnosti obnovitve*] Obnovitve registracije se vpiše v mednarodni register z datumom, ko je bilo treba registracijo obnoviti, tudi če so bile pristojbine za obnovitev plačane v roku odloga iz pododstavka (c) prvega odstavka 24. pravila.

(2) [*Potrdilo*] Mednarodni urad pošlje imetniku potrdilo o obnovitvi registracije.

#### *6. POGLAVJE* *BILTEN*

#### *26. pravilo*

##### *Bilten*

(1) [*Informacije o mednarodnih registracijah*] Mednarodni urad objavi v biltenu pomembne podatke o

- (i) mednarodnih registracijah v skladu s 17. pravilom;
- (ii) zavnitvah, vpisanih po petem odstavku 18. pravila, skupaj z navedbo možnosti ponovnega pregleda ali pritožbe, vendar brez razlogov za zavnitev;
- (iii) razveljavitvah, vpisanih po drugem odstavku 20. pravila;
- (iv) spremembah lastništva, spremembah imena ali naslova imetnika, odpovedih in omejitvah, vpisanih po 21. pravilu;
- (v) popravkih, vnesenih po 22. pravilu;
- (vi) obnovitvah veljavnosti, vpisanih po prvem odstavku 25. pravila;
- (vii) mednarodnih registracijah, ki niso bile obnovljene.

(2) [*Informacije o danih izjavah; druge informacije*] Mednarodni urad objavi v biltenu vse izjave, ki jih je dala kaka pogodbenica po aktu iz leta 1999, aktu iz leta 1960 ali tem pravilniku, in seznam dni v tekočem in naslednjem koledarskem letu, ko Mednarodni urad ni odprt za javnost.

(3) [*Način objavljanja biltena*] Bilten iz točke (x) prvega odstavka 1. pravila se objavi na spletni strani organizacije. Datum objave posameznega izvoda biltena na spletni strani Mednarodni urad elektronsko sporoči uradu vsake pogodbenice. To obvestilo nadomešča pošiljanje biltena iz pododstavka (b) tretjega odstavka 10. člena akta iz leta 1999 in pododstavka (b) tretjega odstavka 6. člena akta iz leta 1960; za namene drugega odstavka 8. člena akta iz leta 1960 se šteje, da ga je vsak zadeven urad prejel na dan, ko je prejel navedeno sporočilo.

**CHAPTER 7**  
**FEES**

**Rule 27**  
*Amounts and Payment of Fees*

(1) [Amounts of Fees] The amounts of fees due under the 1999 Act, the 1960 Act, the 1934 Act and these Regulations, other than individual designation fees referred to in Rule 12(1)(a)(iii), shall be specified in the Schedule of Fees which is annexed to these Regulations and forms an integral part thereof.

(2) [Payment] (a) Subject to subparagraph (b) and Rule 12(3)(c), the fees shall be paid directly to the International Bureau.

(b) Where the international application is filed through the Office of the applicant's Contracting Party, the fees payable in connection with that application may be paid through that Office if it accepts to collect and forward such fees and the applicant or the holder so wishes. Any Office which accepts to collect and forward such fees shall notify that fact to the Director General.

(3) [Modes of Payment] Fees shall be paid to the International Bureau in accordance with the Administrative Instructions.

(4) [Indications Accompanying the Payment] At the time of the payment of any fee to the International Bureau, an indication must be given,

(i) before international registration, of the name of the applicant, the industrial design concerned and the purpose of the payment;

(ii) after international registration, of the name of the holder, the number of the international registration concerned and the purpose of the payment.

(5) [Date of Payment] (a) Subject to Rule 24(1)(d) and subparagraph (b), any fee shall be considered to have been paid to the International Bureau on the day on which the International Bureau receives the required amount.

(b) Where the required amount is available in an account opened with the International Bureau and that Bureau has received instructions from the holder of the account to debit it, the fee shall be considered to have been paid to the International Bureau on the day on which the International Bureau receives an international application, a request for the recording of a change, or an instruction to renew an international registration.

(6) [Change in the Amount of the Fees] (a) Where an international application is filed through the Office of the applicant's Contracting Party and the amount of the fees payable in respect of the filing of the international application is changed between, on the one hand, the date on which the international application was received by that Office and, on the other hand, the date of the receipt of the international application by the International Bureau, the fee that was valid on the first date shall be applicable.

(b) Where the amount of the fees payable in respect of the renewal of an international registration is changed between the date of payment and the due date of the renewal, the fee that was valid on the date of payment, or on the date considered to be the date of payment under Rule 24(1)(d), shall be applicable. Where the payment is made after the due date, the fee that was valid on the due date shall be applicable.

(c) Where the amount of any fee other than the fees referred to in subparagraphs (a) and (b) is changed, the amount valid on the date on which the fee was received by the International Bureau shall be applicable.

**7. POGLAVJE**  
**PRISTOJBINE**

**27. pravilo**  
*Zneski in plačilo pristojbin*

(1) [Zneski pristojbin] Zneski pristojbin, ki jih je treba plačati po aktu iz leta 1999, aktu iz leta 1960, aktu iz leta 1934 in po tem pravilniku, so razen pristojbin za posamično imenovanje iz točke (iii) pododstavka (a) prvega odstavka 12. pravila določeni v seznamu pristojbin, ki je priložen temu pravilniku in je njegov sestavni del.

(2) [Plačilo] (a) Ob upoštevanju pododstavka (b) tega odstavka in pododstavka (c) tretjega odstavka 12. pravila se pristojbine plačujejo neposredno Mednarodnemu uradu.

(b) Kadar je mednarodna prijava vložena prek urada pogodbenice prijavitelja, se lahko pristojbine, ki jih je treba plačati v zvezi s to prijavo, plačajo prek tega urada, če je ta pripravljen pristojbine sprejemati in jih pošiljati naprej ter če prijavitelj ali imetnik tako želi. Vsak urad, ki pristane, da bo pristojbine sprejemal in jih pošiljal naprej, mora o tem uradno obvestiti generalnega direktorja.

(3) [Načini plačila] Pristojbine se plačujejo Mednarodnemu uradu v skladu z upravnimi navodili.

(4) [Navedbe ob plačilu] Ob plačilu katere koli pristojbine Mednarodnemu uradu je treba navesti

(i) pred mednarodno registracijo: ime prijavitelja, model, za katerega se plačuje, in namen plačila;

(ii) po mednarodni registraciji: ime imetnika, številko mednarodne registracije, za katero se plačuje, in namen plačila.

(5) [Datum plačila] (a) Ob upoštevanju pododstavka (d) prvega odstavka 24. pravila in pododstavka (b) tega odstavka se šteje, da je bila pristojbina plačana Mednarodnemu uradu na dan, ko je ta prejel zahtevani znesek.

(b) Kadar je zahtevani znesek na voljo na računu, odprttem pri Mednarodnem uradu, in je ta urad od imetnika računa prejel nalog za obremenitev tega računa, se šteje, da je bila pristojbina plačana Mednarodnemu uradu na dan, ko je ta prejel mednarodno prijavo, zahtevo za vpis spremembe ali nalog za obnovitev mednarodne registracije.

(6) [Spremembe zneska pristojbin] (a) Kadar je mednarodna prijava vložena prek urada pogodbenice prijavitelja in se je med dnem, ko je urad prejel mednarodno prijavo, in dnem, ko jo je dobil Mednarodni urad, pristojbina za vložitev mednarodne prijave spremenila, velja pristojbina, ki je veljala pred spremembom.

(b) Kadar se znesek pristojbin za obnovitev registracije spremeni med dnem plačila in dnem, ko je treba registracijo obnoviti, velja pristojbina, ki je veljala na dan plačila ali na dan, ki se šteje za dan plačila po pododstavku (d) prvega odstavka 24. pravila. Kadar je plačilo izvedeno po dnevnu, ko je bilo treba registracijo obnoviti, velja pristojbina, ki je veljala na dan, ko je bilo treba registracijo obnoviti.

(c) Kadar se spremeni znesek pristojbine, ki ni omenjena v pododstavkih (a) in (b), velja znesek, ki je veljal na dan, ko je Mednarodni urad prejel pristojbino.

*Rule 28  
Currency of Payments*

(1) [Obligation to Use Swiss Currency] All payments made under these Regulations to the International Bureau shall be in Swiss currency irrespective of the fact that, where the fees are paid through an Office, such Office may have collected those fees in another currency.

(2) [Establishment of the Amount of Individual Designation Fees in Swiss Currency] (a) Where a Contracting Party makes a declaration under Article 7(2) of the 1999 Act or under Rule 36(1) that it wants to receive an individual designation fee, the amount of the fee indicated to the International Bureau shall be expressed in the currency used by its Office.

(b) Where the fee is indicated in the declaration referred to in subparagraph (a) in a currency other than Swiss currency, the Director General shall, after consultation with the Office of the Contracting Party concerned, establish the amount of the fee in Swiss currency on the basis of the official exchange rate of the United Nations.

(c) Where, for more than three consecutive months, the official exchange rate of the United Nations between the Swiss currency and the currency in which the amount of an individual designation fee has been indicated by a Contracting Party is higher or lower by at least 5% than the last exchange rate applied to establish the amount of the fee in Swiss currency, the Office of that Contracting Party may ask the Director General to establish a new amount of the fee in Swiss currency according to the official exchange rate of the United Nations prevailing on the day preceding the day on which the request is made. The Director General shall proceed accordingly. The new amount shall be applicable as from a date which shall be fixed by the Director General, provided that such date is between one and two months after the date of the publication of the said amount in the Bulletin.

(d) Where, for more than three consecutive months, the official exchange rate of the United Nations between the Swiss currency and the currency in which the amount of an individual designation fee has been indicated by a Contracting Party is lower by at least 10% than the last exchange rate applied to establish the amount of the fee in Swiss currency, the Director General shall establish a new amount of the fee in Swiss currency according to the current official exchange rate of the United Nations. The new amount shall be applicable as from a date which shall be fixed by the Director General, provided that such date is between one and two months after the date of the publication of the said amount in the Bulletin.

*Rule 29  
Crediting of Fees to the Accounts of the Contracting Parties Concerned*

Any standard designation fee or individual designation fee paid to the International Bureau in respect of a Contracting Party shall be credited to the account of that Contracting Party with the International Bureau within the month following the month in the course of which the recording of the international registration or renewal for which that fee has been paid was effected or, as regards the second part of the individual designation fee, immediately upon its receipt by the International Bureau.

*28. pravilo  
Valuta plačil*

(1) [Obvezna uporaba švicarske valute] Vsa plačila Mednarodnemu uradu po tem pravilniku morajo biti v švicarski valuti ne glede na to, da so bile morda pristojbine, plačane prek posameznega urada, temu plačane v drugi valuti.

(2) [Določitev zneska pristojbin za posamično imenovanje v švicarski valuti] (a) Kadar da pogodbenica izjavo po drugem odstavku 7. člena akta iz leta 1999 ali prvem odstavku 36. pravila, da želi prejemati pristojbino za posamično imenovanje, je znesek pristojbine, ki se sporoči Mednarodnemu uradu, izražen v valuti, ki jo uporablja njen urad.

(b) Kadar pristojbina v izjavi iz pododstavka (a) ni navedena v švicarski valuti, določi znesek v tej valuti generalni direktor po posvetovanju z uradom zadevne pogodbenice na podlagi uradnega menjalnega tečaja Združenih narodov.

(c) Kadar je več kot tri zaporedne mesece uradni menjalni tečaj Združenih narodov med švicarsko valuto in valuto, v kateri je pogodbenica navedla pristojbino za posamično imenovanje, najmanj 5% višji ali nižji od zadnjega menjalnega tečaja, upoštevanega za določitev zneska pristojbine v švicarski valuti, lahko urad pogodbenice zaprosi generalnega direktorja, da določi nov znesek pristojbine v švicarski valuti po uradnem menjalnem tečaju Združenih narodov, ki je veljal na dan pred dnem zaprosila. Generalni direktor temu ustrezeno rjava. Novi znesek velja od dneva, ki ga določi generalni direktor, vendar ta dan ne more biti več kot en mesec pred objavo v biltenu in ne več kot dva meseca po njej.

(d) Kadar je več kot tri zaporedne mesece uradni menjalni tečaj Združenih narodov med švicarsko valuto in valuto, v kateri je pogodbenica navedla pristojbino za posamično imenovanje, najmanj 10% nižji od zadnjega menjalnega tečaja, uporabljenega za določitev zneska pristojbine v švicarski valuti, generalni direktor določi nov znesek pristojbine v švicarski valuti na podlagi trenutno veljavnega menjalnega tečaja Združenih narodov. Novi znesek velja od dneva, ki ga določi generalni direktor, vendar ta dan ne more biti več kot en mesec pred objavo v biltenu in ne več kot dva meseca po njej.

*29. pravilo  
Knjiženje pristojbin v dobro pogodbenic*

Vsaka pristojbina za standardno ali posamično imenovanje, plačana Mednarodnemu uradu za določeno pogodbenico, se knjiži v dobro računa te pogodbenice pri Mednarodnem uradu v mesecu, ki sledi mesecu, v katerem je bil opravljen vpis mednarodne registracije ali obnovitve registracije, za katero je bila plačana pristojbina, drugi del plačila pristojbine za posamično imenovanje pa se knjiži v dobro, takoj ko ga Mednarodni urad prejme.

**CHAPTER 8**  
**INTERNATIONAL APPLICATIONS GOVERNED  
 EXCLUSIVELY OR PARTLY BY THE  
 1934 ACT AND INTERNATIONAL REGISTRATIONS  
 RESULTING THEREFROM**

**Rule 30**

*Applicability of These Regulations to International  
 Applications Governed Exclusively by the 1934 Act and  
 International Registrations Resulting Therefrom*

(1) [General Principle] Unless otherwise specified and subject to paragraph (2), these Regulations shall be applicable to international applications governed exclusively by the 1934 Act and to international registrations resulting therefrom.

(2) [Exceptions] (a) Notwithstanding Rule 6, any international application governed exclusively by the 1934 Act shall be in French. Any communication concerning that international application or the international registration resulting therefrom shall be in French.

(b) Notwithstanding Rule 7(5)(a), a description of the reproduction or of the characteristic features of the industrial designs and the identity of the creator of the industrial designs may not be included in an application governed exclusively by the 1934 Act.

(c) Notwithstanding Rule 7(5)(e), deferment of publication may not be requested with respect to an international application governed exclusively by the 1934 Act.

(d) Notwithstanding Rule 7(7), the industrial designs contained in an international application governed exclusively by the 1934 Act may belong to different classes of the International Classification.

(e) Notwithstanding Rule 9(1), an international application governed exclusively by the 1934 Act may, instead of containing reproductions, be accompanied by specimens.

(f) Notwithstanding Rule 12(1)(a), an international application governed exclusively by the 1934 Act shall be subject only to the payment of the basic fee referred to in Rule 12(1)(a)(i).

(g) Notwithstanding Rule 15(1), the reproductions of the industrial designs contained in an international application governed exclusively by the 1934 Act shall not be registered in the International Register.

(h) Notwithstanding Rule 17(1), an international registration resulting from an international application governed exclusively by the 1934 Act shall be published immediately after registration.

(i) Notwithstanding Rule 17(2)(ii), the reproductions of industrial designs contained in an international registration resulting from an international application governed exclusively by the 1934 Act shall not be published in the Bulletin.

(j) Notwithstanding Rule 18, the effects of an international registration resulting from an international application governed exclusively by the 1934 Act may not be the subject of a notification of refusal of protection.

(k) Notwithstanding Rule 21(3), a change in ownership may not be recorded in respect of a Contracting Party designated under the 1934 Act if, on the basis of the indications referred to in Rule 21(2)(iv), the 1934 Act would cease to be applicable in respect of that Contracting Party.

(l) Notwithstanding Rule 24(1)(a), an international registration resulting from an international application governed exclusively by the 1934 Act shall be renewed upon payment only of the basic fee referred to in Rule 24(1)(a)(i).

(m) Notwithstanding Rule 24(2)(b), an international registration resulting from an international application governed exclusively by the 1934 Act shall not be renewed where the duration of international protection of fifteen years referred to in Article 7 of the 1934 Act has expired.

**8. POGLAVJE**

**MEDNARODNE PRIJAVE, KI JIH UREJA IZKLUČNO  
 ALI DELNO AKT IZ LETA 1934, IN MEDNARODNE  
 REGISTRACIJE NA PODLAGI TEH PRIJAV**

**30. pravilo**

*Uporaba tega pravilnika za mednarodne prijave, ki jih ureja izključno akt iz leta 1934, in mednarodne registracije na podlagi teh prijav*

(1) [Splošno načelo] Če ni drugače določeno in ob upoštevanju drugega odstavka, se ta pravilnik uporablja za mednarodne prijave, ki jih ureja izključno akt iz leta 1934, in za mednarodne registracije na podlagi teh prijav.

(2) [Izjeme] (a) Ne glede na 6. pravilo morajo biti vse mednarodne prijave, ki jih ureja izključno akt iz leta 1934, v francoščini. Vsako sporočilo v zvezi s to mednarodno prijavo ali mednarodno registracijo na njeni podlagi mora biti v francoščini.

(b) Ne glede na pododstavek (a) petega odstavka 7. pravila v prijavo, ki jo ureja izključno akt iz leta 1934, ne morejo biti vključeni opis prikaza ali značilne lastnosti modelov in osebni podatki oblikovalca modelov.

(c) Ne glede na pododstavek (e) petega odstavka 7. pravila za mednarodno prijavo, ki jo ureja izključno akt iz leta 1934, ni mogoče zahtevati odloga objave.

(d) Ne glede na sedmi odstavek 7. pravila lahko modeli v mednarodni prijavi, ki jo ureja izključno akt iz leta 1934, pripadajo različnim razredom mednarodne klasifikacije.

(e) Ne glede na prvi odstavek 9. pravila so lahko mednarodni prijavi, ki jo ureja izključno akt iz leta 1934, namesto prikazov priloženi primerki.

(f) Ne glede na pododstavek (a) prvega odstavka 12. pravila je treba za mednarodno prijavo, ki jo ureja izključno akt iz leta 1934, plačati samo osnovno pristojbino iz točke (i) pododstavka (a) prvega odstavka 12. pravila.

(g) Ne glede na prvi odstavek 15. pravila se prikazi modelov v mednarodni prijavi, ki jo ureja izključno akt iz leta 1934, ne vpišejo v mednarodni register.

(h) Ne glede na prvi odstavek 17. pravila se mednarodna registracija na podlagi mednarodne prijave, ki jo ureja izključno akt iz leta 1934, objavi takoj po registraciji.

(i) Ne glede na točko (ii) drugega odstavka 17. pravila se prikazi modelov v mednarodni registraciji na podlagi mednarodne prijave, ki jo ureja izključno akt iz leta 1934, ne objavijo v biltenu.

(j) Ne glede na 18. pravilo mednarodna registracija na podlagi mednarodne prijave, ki jo ureja izključno akt iz leta 1934, ne more biti zavrnjena z uradnim obvestilom.

(k) Ne glede na tretji odstavek 21. pravila ni mogoče vpisati spremembe lastništva za pogodbenico, imenovano po aktu iz leta 1934, če bi se v skladu z navedbami iz točke (iv) drugega odstavka 21. pravila akt iz leta 1934 za to pogodbenico prenehal uporabljati.

(l) Ne glede na pododstavek (a) prvega odstavka 24. pravila se mednarodna registracija na podlagi mednarodne prijave, ki jo ureja izključno akt iz leta 1934, obnovi, ko je plačana samo osnovna pristojbina iz točke (i) pododstavka (a) prvega odstavka 24. pravila.

(m) Ne glede na pododstavek (b) drugega odstavka 24. pravila se mednarodna registracija na podlagi mednarodne prijave, ki jo ureja izključno akt iz leta 1934, ne obnovi, če je petnajstletno obdobje mednarodnega varstva iz 7. člena akta iz leta 1934 že poteklo.

(n) The renewal of an international registration resulting from an international application governed exclusively by the 1934 Act, for the second period of protection of ten years referred to in Article 7 of the 1934 Act, may be requested at the time of filing the international application concerned. In such case, the fee referred to in Rule 24(1)(a)(i) shall be payable at the time of filing of the said international application, failing which the request for renewal shall be disregarded by the International Bureau.

(3) [International Applications Under Sealed Cover] (a) An international application governed exclusively by the 1934 Act shall contain, in addition to the indications referred to in Rule 7(3), an indication as to whether such application is made under open or sealed cover.

(b) Upon expiry of the first period of five years of international protection referred to in Article 7 of the 1934 Act, any international registration which is under sealed cover shall be opened by the International Bureau upon renewal of the said registration.

### Rule 31

#### *Applicability of These Regulations to International Applications Governed Partly by the 1934 Act and International Registrations Resulting Therefrom*

(1) [General Principle] These Regulations shall be applicable to international applications referred to in Rule 1(1)(xviii) to (xx), and to international registrations resulting therefrom, subject to paragraph (2).

(2) [Exceptions] (a) Notwithstanding Rule 7(5)(e), deferment of publication may not be requested with respect to an international application referred to in paragraph (1). Where deferment of publication has been requested and one of the designated Contracting Parties in the international application has been designated under the 1934 Act, the International Bureau shall notify the applicant accordingly; if, within the period of one month from the date of the notification sent by the International Bureau, the applicant does not, by notice in writing to the International Bureau, withdraw the designation of the said Contracting Party, the International Bureau shall disregard the request for deferment of publication.

(b) Notwithstanding Rule 21(3), a change in ownership may not be recorded in respect of a designated Contracting Party if, on the basis of the indications referred to in Rule 21(2)(iv), the 1934 Act would cease to be applicable, or would become applicable, in respect of that Contracting Party.

(c) With respect to Contracting Parties designated under the 1934 Act in an international application referred to in paragraph (1), or in an international registration resulting therefrom,

(i) the fees referred to in Rule 12(1)(a)(ii) to (iv) shall not be payable;

(ii) the effects of the international registration concerned may not be the subject of a notification of refusal of protection referred to in Rule 18;

(iii) the renewal fees referred to in Rule 24(1)(a)(ii) and (iii) shall not be payable;

(iv) the international registration concerned shall not be renewed where the duration of international protection of fifteen years referred to in Article 7 of the 1934 Act has expired, notwithstanding Rule 24(2)(b).

(n) Obnovitev mednarodne registracije na podlagi mednarodne prijave, ki jo ureja izključno akt iz leta 1934, se lahko za naslednje desetletno obdobje iz 7. člena akta iz leta 1934 zahteva ob vložitvi te mednarodne prijave. V takem primeru je treba pristojbino iz točke (i) pododstavka (a) prvega odstavka 24. pravila plačati ob vložitvi te prijave, sicer Mednarodni urad zahteve za obnovitev ne upošteva.

(3) [Mednarodna prijava v zaprti ovojnici] (a) Mednarodna prijava, ki jo ureja izključno akt iz leta 1934, mora poleg navedb iz tretjega odstavka 7. pravila navajati tudi, ali se prijava vlaga v odprtli ali zaprti ovojnici.

(b) Po poteku prvega petletnega obdobja mednarodnega varstva iz 7. člena akta iz leta 1934 Mednarodni urad pri obnovitvi registracije, za katero je bila prijava vložena v zaprti ovojnici, to registracijo razkrije.

### 31. pravilo

#### *Uporaba tega pravilnika za mednarodne prijave, ki jih ureja delno akt iz leta 1934, in mednarodne registracije na podlagi teh prijav*

(1) [Splošno načelo] Ob upoštevanju drugega odstavka se ta pravilnik uporablja za mednarodne prijave iz točk (xviii) do (xx) prvega odstavka 1. pravila in za mednarodne registracije na podlagi teh prijav.

(2) [Zjeme] (a) Ne glede na pododstavek (e) petega odstavka 7. pravila za mednarodno prijavo iz prejšnjega odstavka ni mogoče zahtevati odloga objave. Če je bil zahtevan odlog objave in je bila ena od pogodbenic, ki so imenovane v mednarodni prijavi, imenovana po aktu iz leta 1934, Mednarodni urad o tem uradno obvesti prijavitelja; če prijavitelj v enem mesecu od dneva uradnega obvestila Mednarodnega urada s pisnim obvestilom Mednarodnemu uradu ne umakne imenovanja omenjene pogodbenice, ta ne upošteva zahteve za odlog objave.

(b) Ne glede na tretji odstavek 21. pravila ni mogoče vpisati spremembe lastništva za imenovano pogodbenico, če bi se na podlagi navedb iz točke (iv) drugega odstavka 21. pravila akt iz leta 1934 za to pogodbenico prenehal ali začel uporabljati.

(c) Za pogodbenice, imenovane po aktu iz leta 1934 v mednarodni prijavi iz prvega odstavka ali v mednarodni registraciji na podlagi te prijave,

(i) se ne plačajo pristojbine iz točk (ii) do (iv) pododstavka (a) prvega odstavka 12. pravila;

(ii) učinki mednarodne registracije ne morejo biti zavrnjeni z uradnim obvestilom iz 18. pravila;

(iii) se ne plačajo pristojbine za obnovitev iz točk (ii) in (iii) pododstavka (a) prvega odstavka 24. pravila;

(iv) se mednarodna registracija ne obnovi, če je ne glede na pododstavek (b) drugega odstavka 24. pravila petnajstletno obdobje mednarodnega varstva iz 7. člena akta iz leta 1934 že poteklo.

**CHAPTER 9**  
**MISCELLANEOUS**

**Rule 32***Extracts, Copies and Information Concerning Published International Registrations*

(1) [Modalities] Against payment of a fee whose amount shall be fixed in the Schedule of Fees, any person may obtain from the International Bureau, in respect of any published international registration:

- (i) extracts from the International Register;
- (ii) certified copies of recordings made in the International Register or of items in the file of the international registration;
- (iii) uncertified copies of recordings made in the International Register or of items in the file of the international registration;
- (iv) written information on the contents of the International Register or of the file of the international registration;
- (v) a photograph of a specimen.

(2) [Exemption from Authentication, Legalization or any Other Certification] In respect of a document referred to in paragraph (1)(i) and (ii), bearing the seal of the International Bureau and the signature of the Director General or a person acting on his behalf, no authority of any Contracting Party shall require authentication, legalization or any other certification of such document, seal or signature, by any other person or authority. The present paragraph applies *mutatis mutandis* to the international registration certificate referred to in Rule 15(1).

**Rule 33***Amendment of Certain Rules*

(1) [Requirement of Unanimity] Amendment of the following provisions of these Regulations shall require unanimity of the Contracting Parties bound by the 1999 Act:

- (i) Rule 13(4);
- (ii) Rule 18(1).

(2) [Requirement of Four-Fifths Majority] Amendment of the following provisions of the Regulations and of paragraph (3) of the present Rule shall require a four-fifths majority of the Contracting Parties bound by the 1999 Act:

- (i) Rule 7(7);
- (ii) Rule 9(3)(b);
- (iii) Rule 16(1)(a);
- (iv) Rule 17(1)(iii).

(3) [Procedure] Any proposal for amending a provision referred to in paragraph (1) or (2) shall be sent to all Contracting Parties at least two months prior to the opening of the session of the Assembly which is called upon to make a decision on the proposal.

**Rule 34***Administrative Instructions*

(1) [Establishment of Administrative Instructions; Matters Governed by Them] (a) The Director General shall establish Administrative Instructions. The Director General may modify them. The Director General shall consult the Offices of the Contracting Parties with respect to the proposed Administrative Instructions or their proposed modification.

(b) The Administrative Instructions shall deal with matters in respect of which these Regulations expressly refer to such Instructions and with details in respect of the application of these Regulations.

(2) [Control by the Assembly] The Assembly may invite the Director General to modify any provision of the Administrative Instructions, and the Director General shall proceed accordingly.

**9. POGLAVJE**  
**RAZNO**

**32. pravilo***Izpiski, kopije in informacije v zvezi z objavljenimi mednarodnimi registracijami*

(1) [Načini] S plačilom pristojbine, določene v seznamu pristojbin, lahko vsakdo od Mednarodnega urada za vsako objavljeno mednarodno registracijo pridobi:

- (i) izpiske iz mednarodnega registra;
- (ii) overjene kopije vpisov v mednarodnem registru ali dokumentov iz spisov mednarodne registracije;
- (ii) neoverjene kopije vpisov v mednarodnem registru ali dokumentov iz spisov mednarodne registracije;
- (iv) pisne informacije o vsebini mednarodnega registra ali spisov mednarodne registracije;
- (v) fotografijo primerka.

(2) [Izjeme v zvezi z avtentifikacijo, legalizacijo ali drugo certifikacijo] Za dokument iz točk (i) in (ii) prejšnjega odstavka, ki ima žig Mednarodnega urada in podpis generalnega direktorja ali osebe, ki deluje v njegovem imenu, noben organ pogodbenice ne more zahtevati, da katera koli druga oseba ali organ avtentificira, legalizira ali drugače certificira tak dokument, ga žigosa ali podpiše. Ta odstavek se smiselno uporablja za potrdilo o mednarodni registraciji iz prvega odstavka 15. pravila.

**33. pravilo***Sprememba nekaterih pravil*

(1) [Zahlevana soglasnost] Soglasnost pogodbenic, ki jih zavezuje akt iz leta 1999, je potrebna za spremembe teh določb tega pravilnika:

- (i) četrtega odstavka 13. pravila,
- (ii) prvega odstavka 18. pravila.

(2) [Zahlevana štiripetinska večina] Štiripetinska večina pogodbenic, ki jih zavezuje akt iz leta 1999, je potrebna za spremembe teh določb tega pravilnika in tretjega odstavka tega pravila:

- (i) sedmega odstavka 7. pravila,
- (ii) pododstavka (b) tretjega odstavka 9. pravila,
- (iii) pododstavka (a) prvega odstavka 16. pravila,
- (iv) točke (iii) prvega odstavka 17. pravila.

(3) [Postopek] Vsak predlog za spremembo določbe prvega ali drugega odstavka se pošlje vsem pogodbenicam najmanj dva meseca pred začetkom zasedanja skupščine, na katerem naj bi odločali o predlogu.

**34. pravilo***Upravna navodila*

(1) [Določitev upravnih navodil; zadeve, ki jih urejajo]

(a) Generalni direktor določi upravna navodila. Lahko jih tudi spremeni. O predlaganih upravnih navodilih ali predlogih za njihovo spremembo se posvetuje z uradi pogodbenic.

(b) Upravna navodila urejajo zadeve, glede katerih se ta pravilnik izrecno sklicuje na upravna navodila, in druge podrobnosti za uporabo tega pravilnika.

(2) [Nadzor, ki ga opravlja skupščina] Skupščina lahko pozove generalnega direktorja, da spremeni posamezne določbe upravnih navodil, in generalni direktor tako tudi ravna.

(3) [Publication and Effective Date] (a) The Administrative Instructions and any modification thereof shall be published in the Bulletin.

(b) Each publication shall specify the date on which the published provisions become effective. The dates may be different for different provisions, provided that no provision may be declared effective prior to its publication in the Bulletin.

(4) [Conflict with the 1999 Act, the 1960 Act, the 1934 Act or These Regulations] In the case of conflict between, on the one hand, any provision of the Administrative Instructions and, on the other hand, any provision of the 1999 Act, the 1960 Act, the 1934 Act or of these Regulations, the latter shall prevail.

#### Rule 35

##### *Declarations Made by Contracting Parties to the 1999 Act*

(1) [Making and Coming into Effect of Declarations] Article 30(1) and (2) of the 1999 Act shall apply *mutatis mutandis* to the making of any declaration under Rules 8(1), 9(3)(a), 13(4) or 18(1)(b) and to its coming into effect.

(2) [Withdrawal of Declarations] Any declaration referred to in paragraph (1) may be withdrawn at any time by notification addressed to the Director General. Such withdrawal shall take effect upon receipt by the Director General of the notification of withdrawal or at any later date indicated in the notification. In the case of a declaration made under Rule 18(1)(b), the withdrawal shall not affect an international registration whose date is earlier than the coming into effect of the said withdrawal.

#### Rule 36

##### *Declarations Made by Contracting Parties to the 1960 Act*

(1) [Individual Designation Fee] For the purpose of Article 15(1)(2)(b) of the 1960 Act, any Contracting Party to the 1960 Act whose Office is an Examining Office may, in a declaration, notify the Director General that, in connection with any international application in which it is designated under the 1960 Act, the standard designation fee referred to in Rule 12(1)(a)(ii) shall be replaced by an individual designation fee, whose amount shall be indicated in the declaration and can be changed in further declarations. The said amount may not be higher than the equivalent of the amount which the Office of that Contracting Party would be entitled to receive from an applicant for a grant of protection for an equivalent period to the same number of industrial designs, that amount being diminished by the savings resulting from the international procedure.

(2) [Maximum Duration of Protection] Each Contracting Party to the 1960 Act shall, in a declaration, notify the Director General of the maximum duration of protection provided for by its law.

(3) [Time at Which Declarations May Be Made] Any declaration under paragraphs (1) and (2) may be made

(i) at the time of the deposit of an instrument referred to in Article 26(2) of the 1960 Act, in which case it shall become effective on the date on which the State having made the declaration becomes bound by this Act, or

(ii) after the deposit of an instrument referred to in Article 26(2) of the 1960 Act, in which case it shall become effective one month after the date of its receipt by the Director General or at any later date indicated in the declaration but shall apply only in respect of any international registration whose date of international registration is the same as, or is later than, the effective date of the declaration.

(3) [Objava in začetek veljavnosti] (a) Upravna navodila in vse njihove spremembe se objavijo v biltenu.

(b) V vsaki objavi je določen datum začetka veljavnosti objavljenih določb. Datumi so za različne določbe lahko različni, pri čemer ne more biti nobena določba razglašena za veljavno, dokler ni objavljena v biltenu.

(4) [Neskladje z aktom iz leta 1999, aktom iz leta 1960, aktom iz leta 1934 ali s tem pravilnikom] Ob neskladju med posameznimi določbami upravnih navodil na eni strani in posameznimi določbami aktov iz let 1999, 1960, 1934 ali tega pravilnika na drugi strani se uporabljajo določbe slednjih.

#### 35. pravilo

##### *Izjave pogodbenic akta iz leta 1999*

(1) [Dajanje izjav in začetek njihove veljavnosti] Prvi in drugi odstavek 30. člena akta iz leta 1999 se smiselnouporabljata za vse izjave, dane po prvem odstavku 8. pravila, pododstavku (a) tretjega odstavka 9. pravila, četrtem odstavku 13. pravila ali pododstavku (b) prvega odstavka 18. pravila, in za začetek njihove veljavnosti.

(2) [Umik izjav] Vsako izjavo iz prvega odstavka tega pravila je mogoče kadar koli umakniti z uradnim obvestilom generalnemu direktorju. Umik začne veljati z dnem, ko generalni direktor prejme uradno obvestilo o umiku, ali na kateri koli poznejši dan, naveden v uradnem obvestilu. Če je izjava dana po pododstavku (b) prvega odstavka 18. pravila, njen umik ne vpliva na mednarodno registracijo z zgodnejšim datumom, kot je datum začetka veljavnosti takega umika.

#### 36. pravilo

##### *Izjave pogodbenic akta iz leta 1960*

(1) [Pristojbina za posamično imenovanje] Za namene točke (b) drugega pododstavka prvega odstavka 15. člena akta iz leta 1960 lahko vsaka pogodbenica akta iz leta 1960, katere urad je urad za preizkušanje, z izjavo uradno obvesti generalnega direktorja, da se v zvezi s katero koli mednarodno prijavo, v kateri je imenovana na podlagi akta iz leta 1960, pristojbina za standardno imenovanje iz točke (ii) pododstavka (a) prvega odstavka 12. pravila zamenja s pristojbo za posamično imenovanje, katere znesek se navede v izjavi in se lahko s poznejšimi izjavami spremeni. Ta znesek pa ne sme biti višji od zneska, ki bi ga imel urad te pogodbenice pravico prejeti od prijavitelja za podelitev varstva za enako obdobje za enako število modelov, zmanjšanega za prihranek zaradi mednarodnega postopka.

(2) [Najdaljše trajanje varstva] Vsaka pogodbenica akta iz leta 1960 z izjavo uradno obvesti generalnega direktorja o najdaljšem trajanju varstva, ki ga določa njena zakonodaja.

(3) [Kdaj se lahko dajo izjave] Katera koli izjava iz prvega in drugega odstavka se lahko da

(i) ob deponiranju listine iz drugega odstavka 26. člena akta iz leta 1960; v tem primeru začne veljati na dan, ko za državo, ki je dala izjavo, začne veljati ta akt, ali

(ii) po deponiranju listine iz drugega odstavka 26. člena akta iz leta 1960; v tem primeru začne veljati en mesec po tem, ko jo je prejel generalni direktor, ali na kateri koli poznejši dan, naveden v izjavi, velja pa samo za mednarodno registracijo, katere datum je enak datumu začetka veljavnosti izjave ali je poznejši.

**SCHEDULE OF FEES**  
(as in force on April 1, 2004)

I.	<i>International Applications Governed Exclusively or Partly by the 1960 Act or by the 1999 Act</i>	<i>Swiss francs</i>
1.	Basic fee	
1.1	For one design	397
1.2	For each additional design included in the same international application	19
2.	Publication fee	
2.1	For each reproduction to be published in black and white	12
2.2	For each reproduction to be published in color	75
	2.3 For each page, in addition to the first, on which one or more reproductions are shown (where the reproductions are submitted on paper)	150
3.	Additional fee where the description exceeds 100 words per word exceeding 100 words	2
4.	Standard designation fee	
4.1	For one design	42
4.2	For each additional design included in the same international application	2
5.	Individual designation fee (the amount of the individual designation fee is fixed by each Contracting Party concerned)	
II.	<i>International Applications Governed Exclusively by the 1934 Act</i>	
6.	Basic fee	
6.1	For one design	216
6.2	For two to 50 designs included in the same international application	432
6.3	For 51 to 100 designs included in the same international application	638
III.	<i>Renewal of an International Registration Resulting From an International Application Governed Exclusively or Partly by the 1960 Act or by the 1999 Act</i>	<i>Swiss francs</i>
7.	Basic fee	
7.1	For one design	200
7.2	For each additional design included in the same international registration	17
8.	Standard designation fee	
8.1	For one design	21
8.2	For each additional design included in the same international registration	1
9.	Individual designation fee (the amount of the individual designation fee is fixed by each Contracting Party concerned)	
10.	Surcharge (period of grace)	**
IV.	<i>Renewal of an International Registration Resulting From an International Application Governed Exclusively by the 1934 Act</i>	
11.	Basic fee	
11.1	For one design	422
11.2	For two to 50 designs included in the same international registration	844
11.3	For 51 to 100 designs included in the same international registration	1236
12.	Surcharge (period of grace)	**

**SEZNAM PRISTOJBIN**  
(veljajo od 1. aprila 2004)

I	<i>Mednarodne prijave, ki jih ureja izključno ali delno akt iz leta 1960 ali akt iz leta 1999</i>	<i>Švicarski franki</i>
1	Osnovna pristojbina	
1.1	za en model	397
1.2	za vsak dodaten model v isti mednarodni prijavi	19
2	Pristojbina za objavo	
2.1	za vsak prikaz, objavljen v črno-beli tehniki	12
	2.2 za vsak prikaz, objavljen v barvah	75
	2.3 Za vsako dodatno stran poleg prve z enim ali več prikazi (če so predloženi na papirju)	150
3	Dodatna pristojbina za opis z več kot 100 besed; za vsako besedo nad 100	2
4	Pristojbina za standardno imenovanje	
4.1	za en model	42
4.2	za vsak dodaten model v isti mednarodni prijavi	2
5	Pristojbina za posamično imenovanje (višino pristojbine za posamično imenovanje določi vsaka zadevna pogodbenica)	
II	<i>Mednarodne prijave, ki jih ureja izključno akt iz leta 1934</i>	
6	Osnovna pristojbina	
6.1	za en model	216
6.2	za 2 do 50 modelov v isti mednarodni prijavi	432
	6.3 za 51 do 100 modelov v isti mednarodni prijavi	638
III	<i>Obnovitev mednarodne registracije na podlagi mednarodne prijave, ki jo ureja izključno ali delno akt iz leta 1960 ali akt iz leta 1934</i>	
7	Osnovna pristojbina	
7.1	za en model	200
7.2	za vsak dodaten model v isti mednarodni registraciji	17
8	Pristojbina za standardno imenovanje	
8.1	za en model	21
8.2	za vsak dodaten model v isti mednarodni registraciji	1
9	Pristojbina za posamično imenovanje (višino pristojbine za posamično imenovanje določi vsaka zadevna pogodbenica).	
10	Dodatna pristojbina (rok odloga)	**
IV	<i>Obnovitev mednarodne registracije na podlagi mednarodne prijave, ki jo ureja izključno akt iz leta 1934</i>	
11	Osnovna pristojbina	
11.1	za en model	422
11.2	za 2 do 50 modelov v isti mednarodni registraciji	844
11.3	za 51 do 100 modelov v isti mednarodni registraciji	1236
12	Dodatna pristojbina (rok odloga)	**

\*\* 50% of the renewal basic fee.

\*\* 50 % osnovne pristojbine za obnovitev.

V.	<i>Miscellaneous Recordings</i>	V	<i>Različni vpisi</i>	
13.	Change in ownership	144	13 Sprememba lastništva	144
14.	Change of name and/or address of the holder	144	14 Sprememba imena in/ali naslova imetnika	144
	14.1 For one international registration	144	14.1 za eno mednarodno registracijo	144
	14.2 For each additional international registration of the same holder included in the same request	72	14.2 za vsako dodatno mednarodno registracijo istega imetnika iz iste zahteve za vpis	72
15.	Renunciation	144	15 Odpoved	144
16.	Limitation	144	16 Omejitev	144
VI.	<i>Information Concerning Published International Registrations</i>	VI	<i>Informacije o objavljenih mednarodnih registracijah</i>	
17.	Supply of an extract from the International Register relating to a published international registration	144	17 Izdaja izpisa iz mednarodnega registra o objavljeni mednarodni registraciji	144
18.	Supply of non-certified copies of the International Register or of items in the file of a published international registration	26	18 Izdaja neoverjenih kopij vpisov v mednarodnem registru ali dokumentov iz spisov mednarodne registracije	26
	18.1 For the first five pages	26	18.1 za prvih pet strani	2
	18.2 For each additional page after the fifth if the copies are requested at the same time and relate to the same international registration	2	18.2 za vsako dodatno stran nad peti, če so kopije zahtevane istočasno in se nanašajo na isto mednarodno registracijo	2
19.	Supply of certified copies from the International Register or of items in the file of a published international registration	46	19 Izdaja overjenih kopij vpisov v mednarodnem registru ali dokumentov iz spisov mednarodne registracije	46
	19.1 For the first five pages	46	19.1 za prvih pet strani	46
	19.2 For each additional page after the fifth if the copies are requested at the same time and relate to the same international registration	2	19.2 za vsako dodatno stran nad peti, če so kopije zahtevane istočasno in se nanašajo na isto mednarodno registracijo	2
20.	Supply of a photograph of a specimen	57	20 Izdaja fotografije primerka	57
21.	Supply of written information on the contents of the International Register or of the file of a published international registration	82	21 Izdaja pisne informacije o vsebini mednarodnega registra ali spisa objavljene mednarodne registracije	82
	21.1 Concerning one international registration	82	21.1 za eno mednarodno registracijo	82
	21.2 Concerning any additional international registration of the same holder if the same information is requested at the same time	10	21.2 za vsako dodatno mednarodno registracijo istega imetnika, če je ista informacija zahtevana istočasno	10
22.	Search in the list of owners of international registrations	10	22 Poizvedba po seznamu imetnikov mednarodnih registracij	10
	22.1 Per search by the name of a given person or entity	82	22.1 za vsako poizvedbo po imenu določene pravne ali fizične osebe	82
	22.2 For each international registration found beyond the first one	10	22.2 za vsako najdeno mednarodno registracijo poleg prve	10
23.	Surcharge for the communication of extracts, copies, information or search reports by telefacsimile (per page)	4	23 Dodatna pristojbina za pošiljanje izpisov, kopij, informacij ali poročil o poizvedbah po telefaksu (na stran)	4

Šifra: 00713-21/2006  
 Ljubljana, dne 22. junija 2006  
 EVA 2006-2111-0011

mag. Božo Predalič I.r.  
 v.d. generalnega sekretarja  
 Vlade Republike Slovenije

## **Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb**

- 79.** Obvestilo o začetku veljavnosti Sporazuma med Republiko Slovenijo in Programom Združenih narodov za okolje (UNEP) – Sredozemskim akcijskim načrtom (MAP) o dogоворih za 14. redno zasedanje pogodbenic Konvencije za varstvo morskega okolja in obalnega območja Sredozemlja in njenih protokolov

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list Republike Slovenije, št. 113/03 – uradno prečiščeno besedilo) Ministrstvo za zunanje zadeve

sporoča,

da je dne 23. junija 2006 začel veljati Sporazum med Republiko Slovenijo in Programom Združenih narodov za okolje (UNEP) – Sredozemskim akcijskim načrtom (MAP) o dogоворih za 14. redno zasedanje pogodbenic Konvencije za varstvo morskega okolja in obalnega območja Sredozemlja in njenih protokolov, podpisani 17. junija 2005 v Atenah in 22. avgusta 2005 v Sloveniji ter objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 11/06 (Uradni list Republike Slovenije, št. 48/06).

Ljubljana, dne 28. junija 2006

Ministrstvo  
za zunanje zadeve  
Republike Slovenije

- 
- 80.** Obvestilo o začetku veljavnosti Sporazuma med Republiko Slovenijo in Republiko Turčijo o spodbujanju in zaščiti naložb

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list Republike Slovenije, št. 113/03 – uradno prečiščeno besedilo) Ministrstvo za zunanje zadeve

sporoča,

da je dne 18. junija 2006 začel veljati Sporazum med Republiko Slovenijo in Republiko Turčijo o spodbujanju in zaščiti naložb, podpisani 23. marca 2004 v Ankari in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 10/06 (Uradni list Republike Slovenije, št. 45/06).

Ljubljana, dne 19. junija 2006

Ministrstvo  
za zunanje zadeve  
Republike Slovenije

## VSEBINA

- |  |   |      |
|--|---|------|
| 75.  | Zakon o ratifikaciji Mednarodne konvencije o ureditvi kitolova in Protokola k Mednarodni konvenciji o ureditvi kitolova, podpisani v Washingtonu, z datumom 2. decembra 1946 (MKUK)   | 1033 |
| 76.  | Uredba o ratifikaciji Dogovora med Upravo Republike Slovenije za jedrsko varnost in Zveznim ministrstvom za kmetijstvo, gozdarstvo, okolje in upravljanje voda Republike Avstrije o sodelovanju pri varstvu pred sevanji in krepitvi medsebojne izmenjave podatkov iz merilnega sistema aerosolov | 1043 |
| 77.  | Uredba o ratifikaciji Zapisnika XVI. zasedanja Stalne mešane komisije po Sporazumu med Republiko Slovenijo in Republiko Hrvaško o obmejnem prometu in sodelovanju   | 1047 |
| 78.  | Sklep o objavi besedila Skupnega pravilnika k aktu iz leta 1999, aktu iz leta 1960 in aktu iz leta 1934 Haaškega sporazuma, ki ga je sprejela Škupština Haaške unije dne 1. oktobra 2003 v Ženevi   | 1052 |
| <i>Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb</i> |   |      |
| 79.  | Obvestilo o začetku veljavnosti Sporazuma med Republiko Slovenijo in Programom Združenih narodov za okolje (UNEP) – Sredozemskim akcijskim načrtom (MAP) o dogovorih za 14. redno zasedanje pogodbenic Konvencije za varstvo morskega okolja in obalnega območja Sredozemlja in njenih protokolov | 1079 |
| 80.  | Obvestilo o začetku veljavnosti Sporazuma med Republiko Slovenijo in Republiko Turčijo o spodbujanju in zaščiti naložb  | 1079 |

