

70. Zakon o ratifikaciji Izbirnega protokola h Konvenciji o varnosti osebja Združenih narodov in spremljevalnega osebja (MIPKVOZN)

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

U K A Z

o razglasitvi Zakona o ratifikaciji Izbirnega protokola h Konvenciji o varnosti osebja Združenih narodov in spremljevalnega osebja (MIPKVOZN)

Razlašam Zakon o ratifikaciji Izbirnega protokola h Konvenciji o varnosti osebja Združenih narodov in spremljevalnega osebja (MIPKVOZN), ki ga je sprejel Državni zbor Republike Slovenije na seji 22. junija 2007.

Št. 001-22-87/07
Ljubljana, dne 2. julija 2007

dr. Janez Drnovšek l.r.
Predsednik
Republike Slovenije

Z A K O N

O RATIFIKACIJI IZBIRNEGA PROTOKOLA H KONVENCIJI O VARNOSTI OSEBJA ZDRUŽENIH NARODOV IN SPREMLJEVALNEGA OSEBJA (MIPKVOZN)

1. člen

Ratificira se Izbirni protokol h Konvenciji o varnosti osebja Združenih narodov in spremljevalnega osebja, sprejet 8. decembra 2005 v New Yorku.

2. člen

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

**OPTIONAL PROTOCOL
TO THE CONVENTION ON THE SAFETY
OF UNITED NATIONS AND ASSOCIATED
PERSONNEL**

The States Parties to this Protocol,
Recalling the terms of the Convention on the Safety of United Nations and Associated Personnel, done at New York on 9 December 1994,

Deeply concerned over the continuing pattern of attacks against United Nations and associated personnel,

Recognizing that United Nations operations conducted for the purposes of delivering humanitarian, political or development assistance in peacebuilding and of delivering emergency humanitarian assistance which entail particular risks for United Nations and associated personnel require the extension of the scope of legal protection under the Convention to such personnel,

Convinced of the need to have in place an effective regime to ensure that the perpetrators of attacks against United Nations and associated personnel engaged in United Nations operations are brought to justice,

Have agreed as follows:

**IZBIRNI PROTOKOL
H KONVENCIJI O VARNOSTI OSEBJA
ZDRUŽENIH NARODOV IN SPREMLJEVALNEGA
OSEBJA**

Države pogodbenice tega protokola so se,
ob sklicevanju na Konvencijo o varnosti osebja Združenih narodov in spremljevalnega osebja, sprejeto v New Yorku 9. decembra 1994,

ob globoki zaskrbljenosti zaradi številnih napadov na osebe Združenih narodov in spremljevalno osebje,

ob ugotovitvi, da operacije Združenih narodov za zagotavljanje humanitarne, politične ali razvojne pomoči pri utrjevanju miru ter nujne humanitarne pomoči, ki za osebe Združenih narodov in spremljevalno osebje pomenijo tveganje, zahtevajo razširitev obsega pravnega varstva tega osebja po konvenciji,

ob prepričanju, da je nujna učinkovita ureditev, ki bi zagotovila, da bodo storilci napadov na osebe Združenih narodov in spremljevalno osebje, ki sodelujeta pri operacijah Združenih narodov, privedeni pred sodišče,
dogovorile:

Article I
RELATIONSHIP

This Protocol supplements the Convention on the Safety of United Nations and Associated Personnel, done at New York on 9 December 1994 (hereinafter referred to as "the Convention"), and as between the Parties to this Protocol, the Convention and the Protocol shall be read and interpreted together as a single instrument.

Article II
**APPLICATION OF THE CONVENTION
TO UNITED NATIONS OPERATIONS**

1. The Parties to this Protocol shall, in addition to those operations as defined in article 1 (c) of the Convention, apply the Convention in respect of all other United Nations operations established by a competent organ of the United Nations in accordance with the Charter of the United Nations and conducted under United Nations authority and control for the purposes of:

(a) Delivering humanitarian, political or development assistance in peacebuilding, or

(b) Delivering emergency humanitarian assistance.

2. Paragraph 1 does not apply to any permanent United Nations office, such as headquarters of the Organization or its specialized agencies established under an agreement with the United Nations

3. A host State may make a declaration to the Secretary-General of the United Nations that it shall not apply the provisions of this Protocol with respect to an operation under article II (1) (b) which is conducted for the sole purpose of responding to a natural disaster. Such a declaration shall be made prior to the deployment of the operation.

Article III
**DUTY OF A STATE PARTY WITH RESPECT
TO ARTICLE 8 OF THE CONVENTION**

The duty of a State Party to this Protocol with respect to the application of article 8 of the Convention to United Nations operations defined in article II of this Protocol shall be without prejudice to its right to take action in the exercise of its national jurisdiction over any United Nations or associated personnel who violates the laws and regulations of that State, provided that such action is not in violation of any other international law obligation of the State Party.

Article IV
SIGNATURE

This Protocol shall be open for signature by all States at United Nations Headquarters for twelve months, from 16 January 2006 to 16 January 2007.

Article V
CONSENT TO BE BOUND

1. This Protocol shall be subject to ratification, acceptance or approval by the signatory States. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations.

2. This Protocol shall, after 16 January 2007, be open for accession by any non-signatory State. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

3. Any State that is not a State Party to the Convention may ratify, accept, approve or accede to this Protocol if at the same time it ratifies, accepts, approves or accedes to the Convention in accordance with articles 25 and 26 thereof.

I. člen
RAZMERJE

Ta protokol dopolnjuje Konvencijo o varnosti osebja Združenih narodov in spremljevalnega osebja, sprejeto v New Yorku 9. decembra 1994 (v nadaljnjem besedilu: konvencija), in za države pogodbenice tega protokola velja, da se protokol in konvencija bereta in razlagata skupaj in kot en dokument.

II. člen
**UPORABA KONVENCIJE PRI OPERACIJAH
ZDRUŽENIH NARODOV**

1. Pogodbenice tega protokola poleg operacij, ki so opredeljene v točki c 1. člena konvencije, uporabljajo konvencijo v zvezi z vsemi drugimi operacijami Združenih narodov, ki jih odobri pristojni organ Združenih narodov v skladu z Ustanovno listino Združenih narodov in se izvajajo pod njihovim vodstvom in nadzorom pri:

a) zagotavljanju humanitarne, politične ali razvojne pomoči pri utrjevanju miru ali

b) zagotavljanju nujne humanitarne pomoči.

2. Prejšnji odstavek se ne uporablja za stalne urade Združenih narodov, kot je sedež organizacije ali njene specializirane agencije, ustanovljene po sporazumu z Združenimi narodi.

3. Država gostiteljica lahko generalnemu sekretarju Združenih narodov da izjavo, da ne bo uporabljala tega protokola v zvezi z operacijo iz točke b prvega odstavka, ki se izvaja samo ob naravni nesreči. Taka izjava se da še pred začetkom izvajanja operacije.

III. člen
**DOLŽNOST DRŽAVE POGODBENICE V ZVEZI
Z 8. ČLENOM KONVENCIJE**

Dolžnost države pogodbenice tega protokola v zvezi z uporabo 8. člena konvencije o operacijah Združenih narodov, opredeljenih v II. členu tega protokola, ne vpliva na njeno pravico do ukrepanja pri izvajanju njene jurisdikcije nad katerim koli članom osebja Združenih narodov ali spremljevalnega osebja, ki krši zakone in predpise te države, pod pogojem, da taki ukrepi ne kršijo drugih mednarodnopravnih obveznosti države pogodbenice.

IV. člen
PODPIS

Ta protokol je na voljo za podpis vsem državam pogodbenicam na sedežu Združenih narodov dvanajst mesecev, od 16. januarja 2006 do 16. januarja 2007.

V. člen
SOGLASJE O ZAVEZANOSTI

1. Države podpisnice ratificirajo, sprejmejo ali odobrijo ta protokol. Listine o ratifikaciji, sprejetju ali odobritvi se deponirajo pri generalnem sekretarju Združenih narodov.

2. Ta protokol je po 16. januarju 2007 na voljo za pristop vsaki državi nepodpisnici. Listine o pristopu se deponirajo pri generalnem sekretarju Združenih narodov.

3. Vsaka država, ki ni država pogodbenica konvencije, lahko ratificira, sprejme ali odobri ta protokol ali pristopi k njemu, če hkrati ratificira, sprejme ali odobri tudi konvencijo ali k njej pristopi v skladu s 25. in 26. členom konvencije.

Article VI
ENTRY INTO FORCE

1. This Protocol shall enter into force thirty days after twenty-two instruments of ratification, acceptance, approval or accession have been deposited with the Secretary-General of the United Nations.

2. For each State ratifying, accepting, approving or acceding to this Protocol after the deposit of the twenty-second instrument of ratification, acceptance, approval or accession, the Protocol shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification, acceptance, approval or accession.

Article VII
DENUNCIATION

1. A State Party may denounce this Protocol by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect one year following the date on which notification is received by the Secretary-General of the United Nations.

Article VIII
AUTHENTIC TEXTS

The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

Done at New York this eighth day of December two thousand and five.

VI. člen
ZAČETEK VELJAVNOSTI

1. Ta protokol začne veljati trideset dni po tem, ko je bilo pri generalnem sekretarju Združenih narodov deponiranih dvaindvajset listin o ratifikaciji, sprejetju, odobritvi ali pristopu.

2. Za vsako državo, ki ratificira, sprejme ali odobri protokol ali k njemu pristopi po deponiranju dvaindvajsete listine o ratifikaciji, sprejetju, odobritvi ali pristopu, začne protokol veljati trideseti dan po tem, ko je država deponirala svojo listino o ratifikaciji, sprejetju, odobritvi ali pristopu.

VII. člen
ODPOVED

1. Država pogodbenica lahko ta protokol odpove s pisnim uradnim obvestilom generalnemu sekretarju Združenih narodov.

2. Odpoved začne veljati eno leto po dnevu, ko generalni sekretar Združenih narodov prejme uradno obvestilo.

VII. člen
VERODOSTOJNOST BESEDIL

Izvirnik protokola, katerega angleško, arabsko, francosko, kitajsko, rusko in špansko besedilo so enako verodostojna, se deponira pri generalnem sekretarju Združenih narodov, ki overjene kopije pošlje vsem državam.

Sestavljeno v New Yorku osmega decembra dva tisoč pet.

3. člen

Za izvajanje Protokola skrbi Ministrstvo za zunanje zadeve.

4. člen

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

Št. 212-02/07-5/1
Ljubljana, dne 22. junija 2007
EPA 1450-IV

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

71. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Bolgarije o medsebojni pomoči pri carinskih zadevah (BBOPCZ)

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

U K A Z**o razglasitvi Zakona o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Bolgarije o medsebojni pomoči pri carinskih zadevah (BBOPCZ)**

Razglašam Zakon o o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Bolgarije o medsebojni pomoči pri carinskih zadevah (BBOPCZ), ki ga je sprejel Državni zbor Republike Slovenije na seji 22. junija 2007.

Št. 001-22-89/07
Ljubljana, dne 2. julija 2007

dr. Janez Drnovšek l.r.
Predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE BOLGARIJE O MEDSEBOJNI POMOČI PRI CARINSKIH ZADEVAH (BBOPCZ)**

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Republike Bolgarije o medsebojni pomoči pri carinskih zadevah, podpisan 8. julija 2005 v Ljubljani.

2. člen

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

A G R E E M E N T**BETWEEN THE GOVERNMENT OF THE
REPUBLIC OF SLOVENIA AND THE
GOVERNMENT OF THE REPUBLIC OF
BULGARIA REGARDING MUTUAL ASSISTANCE
IN CUSTOMS MATTERS**

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

Considering that the contraventions against Customs laws are prejudicial to the economic, fiscal and commercial interests of their respective countries;

Considering the importance of assuring the accurate assessment of Customs duties and other taxes on the importation and exportation of goods, as well as the accurate determination of the value and origin of such goods;

Recognizing the need for international cooperation in matters related to the administration and enforcement of the Customs laws;

Convinced that action against Customs contraventions can be made more effective by cooperation between their Customs Authorities;

Having regard to the Recommendation of the Customs Cooperation Council on Mutual Administrative Assistance of December 5, 1953;

Having regard also to the provisions of the Single Convention on Narcotic Drugs of 1961 amended by the Protocol of 1972 and the Convention on Psychotropic Substances of 1971 drawn up under the auspices of the United Nations Organisation as well as the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

Have agreed as follows:

S P O R A Z U M**MED VLADO REPUBLIKE SLOVENIJE
IN VLADO REPUBLIKE BOLGARIJE
O MEDSEBOJNI POMOČI PRI CARINSKIH
ZADEVAH**

Vlada Republike Slovenije in Vlada Republike Bolgarije, v nadaljevanju »pogodbenici«, sta se

glede na to, da je kršenje carinske zakonodaje škodljivo za gospodarske, davčne in trgovinske interese njunih držav,

glede na pomembnost zagotavljanja pravilne odmere carin in drugih davkov na uvoz in izvoz blaga ter natančnega določanja vrednosti in porekla takega blaga,

ker priznavata potrebo po mednarodnem sodelovanju pri zadevah, ki se nanašajo na izvajanje in uveljavljanje carinske zakonodaje,

ker sta prepričani, da je mogoče s sodelovanjem med njunima carinskima organoma učinkoviteje preprečevati kršitve carinske zakonodaje,

ob upoštevanju Priporočila Sveta za carinsko sodelovanje o medsebojni upravni pomoči z dne 5. decembra 1953,

ob upoštevanju določb Enotne konvencije o mamilih iz leta 1961, dopolnjene s protokolom iz leta 1972, in Konvencije o psihotropnih substancah iz leta 1971, sestavljene pod okriljem Organizacije združenih narodov, ter Konvencije Združenih narodov proti prepovedani trgovini z mamili in psihotropnimi substancami iz leta 1988

dogovorili:

Article 1

Definitions

For the purposes of this Agreement:

a) "Customs legislation" shall mean any legal and administrative provisions applicable or enforceable by either Customs Authority in connection with the importation, exportation, transshipment, transit, storage, and movement of goods, including legal and administrative provisions relating to measures of prohibition, restriction, and control;

b) "Customs duties" shall mean all duties, taxes, fees or/and other charges which are levied and collected in the territories of the Contracting Parties, in application of customs legislation, but not including fees and charges which are limited in amount to the approximate costs of services rendered;

c) "Applicant Authority" shall mean the Customs Authority which makes a request for assistance pursuant to this Agreement or which receives such assistance;

d) "Requested Authority" shall mean the Customs Authority which receives a request for assistance pursuant to this Agreement or which renders such assistance;

e) "Contravention" shall mean any violation of the customs legislation as well as any attempted violation of such legislation;

f) "Customs Authority" shall mean:

for the Republic of Slovenia, the Ministry of Finance – the Customs Administration of the Republic of Slovenia (Ministrstvo za finance – Carinska uprava Republike Slovenije)

for the Republic of Bulgaria – the National Customs Agency to the Minister of Finance (Ministerstvo na Financite – Agentzia "Mitnitsi");

g) "Personal data" shall mean all information relating to an identified or identifiable individual;

i) "information" shall mean any data, whether or not processed or analysed, and documents, reports, and other communications in any format, including electronic, or certified or authenticated copies thereof;

j) "person" shall mean both natural and legal person.

Article 2

Scope of the Agreement

1. The Contracting Parties shall through their Customs Authorities assist each other, in the manner and under the conditions laid down in this Agreement, in ensuring that customs legislation is correctly applied, in particular for the prevention, detection and investigation of contraventions of this legislation.

2. All assistance pursuant to the present Agreement shall be rendered in accordance with the national law of the requested Contracting Party.

Article 3

Assistance on Request

1. At the request of the applicant Authority, the requested Authority shall furnish it with all relevant information to enable it to ensure that customs legislation is correctly applied, including inter alia, information regarding the transportation of goods, their value and origin as well as information regarding acts committed or planned which contravene or would contravene such legislation.

2. At the request of the applicant Authority, the requested Authority shall inform it whether goods exported from the territory of one of the Contracting Parties have been properly imported into the territory of the other Contracting Party, specifying, where appropriate, the customs procedure applied to the goods.

3. At the request of the applicant Authority, the requested Authority shall take the necessary steps to ensure that a surveillance is kept on:

a) particular persons of whom there are reasonable grounds for believing that they are contravening or have contravened customs legislation in the territory of the applicant Contracting Party;

1. člen

Opredelitev pojmov

V tem sporazumu:

a) »carinska zakonodaja« pomeni vse zakonske in upravne predpise, ki jih uporabljata ali uveljavljata carinska organa pri uvozu, izvozu, prevozu, tranzitu, hranjenju ali premiku blaga, vključno z zakonskimi in upravnimi predpisi, ki se nanašajo na prepovedi, omejitve in nadzor;

b) »carinske dajatve« pomenijo vse dajatve, davke, pristojbine in/ali druge dajatve, ki se odmerjajo in pobirajo na ozemljih pogodbenic pri uporabi carinske zakonodaje, ne vključujejo pa pristojbin in dajatev, katerih znesek je omejen na približne stroške opravljenih storitev;

c) »organ prosilec« pomeni carinski organ, ki zaprosi za pomoč na podlagi tega sporazuma ali prejme tako pomoč;

d) »zaprošeni organ« pomeni carinski organ, ki prejme zaprosilo za pomoč na podlagi tega sporazuma ali da tako pomoč;

e) »kršitev« pomeni vsako kršitev carinske zakonodaje in vsak poskus kršitve take zakonodaje;

f) »carinski organ« pomeni:

v Republiki Sloveniji Ministrstvo za finance – Carinsko upravo Republike Slovenije

in v Republiki Bolgariji Državno carinsko agencijo pri ministru za finance (Ministerstvo na Financite – Agentzia »Mitnitsi«);

g) »osebni podatki« pomenijo vse podatke, ki se nanašajo na določenega ali določljivega posameznika;

i) »informacije« so vsi podatki, obdelani ali neobdelani ali analizirani, ter dokumenti, poročila in druga sporočila v kateri koli obliki, tudi elektronski, ali pa njihove overjene kopije;

j) »oseba« pomeni tako fizično kot pravno osebo.

2. člen

Področje uporabe sporazuma

1. Pogodbenici si na način in pod pogoji, navedenimi v tem sporazumu, prek svojih carinskih uprav pomagata pri zagotavljanju pravilne uporabe carinske zakonodaje, še zlasti za preprečevanje, odkrivanje in preiskovanje kršitev te zakonodaje.

2. Vsa pomoč po tem sporazumu je dana v skladu z notranjim pravom zaprosene pogodbenice.

3. člen

Pomoč na zaprosilo

1. Na zaprosilo organa prosilca mu zaprošeni organ pri-skrbi vse ustrezne podatke, ki mu omogočijo, da zagotovi pravilno uporabo carinske zakonodaje, med drugim tudi podatke o prevozu blaga, njegovi vrednosti in poreklu, pa tudi podatke o storjenih ali načrtovanih dejanjih, s katerimi se krši ali bi se lahko kršila taka zakonodaja.

2. Na zaprosilo organa prosilca ga zaprošeni organ obvesti, ali je bilo blago, izvoženo z ozemlja ene pogodbenice, pravilno uvoženo na ozemlje druge pogodbenice, in kadar je primerno, navede carinski postopek, uporabljen za blago.

3. Na zaprosilo organa prosilca zaprošeni organ sprejme potrebne ukrepe za zagotovitev nadzora nad:

a) osebami, za katere se utemeljeno domneva, da kršijo ali so kršile carinsko zakonodajo na ozemlju pogodbenice prosilke;

b) places where goods are stored in a way that gives grounds for suspecting that they are intended to be illicitly imported into the territory of the applicant Contracting Party;

c) movement of goods notified by the applicant Authority as possibly giving rise to contraventions of customs legislation in the territory of the applicant Contracting Party;

d) means of transport for which there are reasonable grounds for believing that they have been, are or may be used in the contravening of customs legislation in the territory of the applicant Contracting Party.

Article 4

Spontaneous Assistance

The Contracting Parties shall within their competences provide each other with assistance if they consider that to be necessary for the correct application of customs legislation, particularly when they obtain information pertaining to:

– acts which have contravened, contravene or would contravene such legislation and which may be of interest to the other Contracting Party;

– new means or methods employed in committing contraventions against such legislation;

– goods known to be the subject of contraventions against the customs legislation in the territory of the other Contracting Party;

– particular persons known to be or suspected of committing contraventions against the legislation in force in the territory of the other Contracting Party;

– means of transport and containers, about which knowledge or suspicions exist that they were, are, or could be used in committing contraventions against the customs legislation in force in the territory of the other Contracting Party.

Article 5

Technical Assistance

1. Assistance, as provided for in this Agreement shall include inter alia information regarding:

a) enforcement actions that may be of use in the prevention of contraventions;

b) new methods used in committing contraventions;

c) observations and findings resulting from the successful application of new enforcement aids and techniques; and

d) new techniques and improved methods of processing passengers and cargo.

2. The Customs Authorities of the Contracting Parties shall, if not contrary to their national law, also seek to cooperate in:

a) initiating, developing, or improving specific training programs for their personnel;

b) establishing and maintaining channels of communication between themselves in order to facilitate the secure and rapid exchange of information;

c) facilitating effective coordination between themselves, including the exchange of personnel, experts, and the posting of liaison officers;

d) the consideration and testing of new equipment or procedures;

e) the simplification and harmonization of their respective customs procedures; and

f) any other general administrative matters that may from time to time require their joint actions.

b) kraji, kjer se blago skladišči na način, zaradi katerega je mogoče utemeljeno sumiti, da je namenjeno prepovedanemu uvozu na ozemlje pogodbenice prosilke;

c) gibanjem blaga, za katero organ prosilec sporoči, da bi lahko povzročilo kršitve carinske zakonodaje na ozemlju pogodbenice prosilke;

d) prevoznimi sredstvi, za katera se utemeljeno domneva, da so bila, so ali bi lahko bila uporabljena pri kršenju carinske zakonodaje na ozemlju pogodbenice prosilke.

4. člen

Pomoč na lastno pobudo

Pogodbenici si v okviru svojih pristojnosti pomagata, če menita, da je to potrebno za pravilno uporabo carinske zakonodaje, še zlasti kadar prejmeta informacije, ki se nanašajo na:

– dejanja, s katerimi je bila, je ali bi lahko bila kršena ta zakonodaja in ki bi lahko zanimala drugo pogodbenico;

– nova sredstva ali načine, uporabljene pri kršenju te zakonodaje;

– blago, za katero se ve, da v zvezi z njim prihaja do kršitev carinske zakonodaje na ozemlju druge pogodbenice;

– osebe, za katere se ve ali sumi, da kršijo zakonodajo, ki velja na ozemlju druge pogodbenice;

– prevozna sredstva in zabojnike, za katere se ve ali sumi, da so bili, so ali bi lahko bili uporabljeni pri kršenju carinske zakonodaje, ki velja na ozemlju druge pogodbenice.

5. člen

Strokovna pomoč

1. Pomoč, predvidena po tem sporazumu, med drugim obsega podatke o:

a) ukrepov, ki bi se lahko uporabili pri preprečevanju kršitev;

b) novih načinov kršitev;

c) opažanj in ugotovitvah, ki izhajajo iz uspešne uporabe novih pripomočkov in tehnik za ukrepanje, in

d) novih tehnikah in izboljšanih načinov obravnave potnikov in tovarov.

2. Carinska organa pogodbenic si, če to ni v nasprotju z njunim notranjim pravom, prav tako prizadevata za sodelovanje pri:

a) uvajanju, razvijanju ali izboljševanju posebnih programov usposabljanja za svoje osebe;

b) vzpostavljanju in vzdrževanju poti za medsebojno komuniciranje, da bi olajšala varno in hitro izmenjavo informacij;

c) pospeševanju učinkovitega medsebojnega usklajevanja, vključno z izmenjavo osebja in izvedencev ter imenovanjem uradnikov za zvezo;

d) proučevanju in preizkušanju nove opreme ali postopkov;

e) poenostavitvi in usklajevanju svojih carinskih postopkov in

f) vseh drugih splošnih upravnih zadevah, pri katerih je občasno potrebno njuno skupno ukrepanje.

Article 6

Delivery/Notification

At the request of the applicant Authority, the requested Authority shall in accordance with its legislation take all necessary measures in order

- to deliver all documents,
- to notify all decisions

falling within the scope of this Agreement to an addressee, residing or established in its territory. In such a case paragraph 3 of Article 7 shall apply.

Article 7

Form and Substance of Requests for Assistance

1. Requests for assistance under this Agreement shall be addressed directly to the Customs Authority of the other Contracting Party. Requests shall be made in writing or electronically, and shall be accompanied by any information deemed useful to comply with the request. The requested Authority may require written confirmation of electronic requests. Where the circumstances so require, requests may be made orally. Such requests shall be confirmed in writing as soon as possible.

2. Requests pursuant to paragraph 1 of this Article shall include the following information:

- a) the applicant Authority making the request;
- b) the measure requested;
- c) the object of and the reason for the request;
- d) the laws, rules and other legal elements involved;

e) indications as exact and comprehensive as possible on the persons, to which the request relates;

f) a summary of the relevant facts, except in cases provided for in Article 6; and

g) the connection between the assistance sought and the matter to which it relates.

3. Requests shall be submitted in an official language of the requested Authority, in English or in a language acceptable to that Authority.

4. a) Assistance shall be carried out by direct communication between the respective Customs Authorities;

b) In case the requested Authority is not the appropriate agency to comply with a request, it shall promptly transmit the request to the appropriate agency. This agency shall act upon the request according to its powers under the law, or advise the applicant Authority of the appropriate procedure to be followed regarding such a request.

5. If a request does not meet the formal requirements, its correction or completion may be demanded; the ordering of precautionary measures may, however, be undertaken.

Article 8

Execution of Requests

1. The requested Authority shall take all reasonable measures to execute the request, and if required, will endeavour to seek any official or judicial measure necessary to carry out the request.

2. The Customs Authority of one Contracting Party shall, upon the request of the Customs Authority of the other Contracting Party, conduct any necessary investigation, including the questioning of experts and witnesses or persons suspected of having committed a contravention, and undertake verifications, inspections, and fact-finding inquiries in connection with the matters referred to in the present Agreement.

3. Upon request, the requested Authority may, to the fullest extent possible, allow officials of the applicant Authority to be present in the territory of the requested Contracting Party, when its officials are investigating contraventions which are of concern to the applicant Authority.

6. člen

Pošiljanje/uradno obveščanje

Na zaprosilo organa prosilca sprejme zaprošeni organ v skladu s svojo zakonodajo vse potrebne ukrepe za:

- pošiljanje vseh dokumentov,
- pošiljanje uradnih obvestil o vseh odločitvah

s področja uporabe tega sporazuma naslovniku, ki prebiva ali je ustanovljen na njegovem ozemlju. V takem primeru se uporablja tretji odstavek 7. člena.

7. člen

Oblika in vsebina zaprosil za pomoč

1. Zaposila za pomoč po tem sporazumu se pošljejo neposredno carinskemu organu druge pogodbenice. Zaposila morajo biti pisna ali v elektronski obliki, priložijo pa se jim kakršne koli informacije, ki se zdijo potrebne za njihovo izpolnitev. Zaprošeni organ lahko zahteva pisno potrditev elektronskih zaprosil. Če tako zahtevajo okoliščine, so zaposila lahko ustna. Taka zaposila se čim prej pisno potrdijo.

2. Zaposila iz prvega odstavka tega člena vsebujejo te podatke:

- a) organ prosilca, ki vlaga zaprosilo,
- b) zaprošeni ukrep,
- c) predmet zaposila in razlog zanj,
- d) zakone, predpise in druge pravne elemente v zvezi s tem,

e) kolikor je mogoče natančne in celovite navedbe o osebah, na katere se zaposilo nanaša,

f) povzetek pomembnih dejstev, razen v primerih, predvidenih v 6. členu, in

g) povezavo med zaproseno pomočjo in zadevo, na katero se nanaša.

3. Zaposila je treba predložiti v uradnem jeziku zaprošene organa, angleškem jeziku ali pa jeziku, ki je za ta organ sprejemljiv.

4. a) Pomoč se zagotovi z neposrednim komuniciranjem med ustreznima carinskima organoma;

b) če zaprošeni organ ni pristojni organ za obravnavo zaposila, ga mora nemudoma poslati pristojnemu organu. Ta v zvezi z njim ukrepa v skladu s svojimi zakonskimi pooblastili ali pa organ prosilca obvesti o ustreznem postopku, po katerem se je treba pri takem zaposilu ravnati.

5. Če zaposilo ne ustreza formalnim zahtevam, je mogoče zahtevati njegov popravek ali dopolnitev; lahko pa se odredijo previdnostni ukrepi.

8. člen

Obravnavanje zaprosil

1. Zaprošeni organ sprejme vse razumne ukrepe za obravnavo zaposila in po potrebi skuša zagotoviti vse uradne ali sodne ukrepe, potrebne za izpolnitev zaposila.

2. Carinski organ ene pogodbenice na zaprosilo carinskega organa druge pogodbenice opravi vse potrebne preiskave, vključno z zaslišanjem izvedencev in prič ali oseb, osumljenih kršitve, ter opravi preverjanja, inšpekcijske preglede in poištevbe o dejstvih v zvezi z zadevami, na katere se nanaša ta sporazum.

3. Na zaposilo lahko zaprošeni organ v največji mogoči meri omogoči uradnim osebam organa prosilca navzočnost na ozemlju zaprošene pogodbenice, kadar njegove uradne osebe preiskujejo kršitve, ki zanimajo organ prosilca.

4. The applicant Authority shall, if it so requests, be advised of the time and place of the action to be taken in response to the request so that the action may be coordinated.

5. Officials of the applicant Authority, authorized to investigate contraventions, may ask that the requested Authority examine relevant books, registers, and other documents or data media and supply copies thereof, or any information relating to the contravention.

Article 9

The Form in which Information is to be Communicated

1. The requested Authority shall communicate the results of inquiries to the applicant Authority in the form of documents, certified copies of documents, reports and the like and, when necessary, orally too.

2. The documents provided for in paragraph 1 may be replaced by computerized information produced in any form for the same purpose, any information necessary for the interpretation or utilization of such computerized information shall be furnished along with it.

Article 10

Exceptions to the Obligation to Provide Assistance

1. In cases where the requested Contracting Party is of the opinion that compliance with a request would infringe upon its sovereignty, security, public policy, or other substantive national interest, or would violate an industrial, commercial or professional secret, assistance may be refused or compliance may be made subject to the satisfaction of certain conditions or requirements. Assistance may also be refused if the request involves currency or tax regulations other than customs legislation.

2. Where the applicant Authority requests assistance which it would itself be unable to provide if so asked, it shall draw attention to the fact in its request. It shall then be for the requested Authority to decide how to respond to such a request.

3. If assistance is withheld or denied, the decision and the reasons therefore must be notified to the applicant Authority without delay.

Article 11

Obligations to Observe Confidentiality

1. Any information received under this Agreement shall be treated as confidential and shall be subject to at least the same protection and confidentiality as the same kind of information is subject to under the national law of the Contracting Party where it is received.

2. Personal data may only be transmitted if the level of personal data protection afforded by the legislation of the Contracting Party is equivalent. The Contracting Parties shall ensure at least a level of protection based on the principles laid down in the Annex to this Agreement. The Annex entitled »Basic Principles of Data Protection« shall be an integral part of this Agreement.

Article 12

Use of Information

1. Information, received in the course of mutual assistance may only be used for the purposes specified in the present Agreement, including in judicial and administrative proceedings.

2. The applicant Authority shall not use evidence or information obtained under this Agreement for purposes other than those stated in the request without the prior written consent of the requested Authority.

4. Organ prosilec je, če tako zahteva, obveščen o času in kraju ukrepanja na podlagi zaprosila, tako da se ukrepi lahko uskladijo.

5. Uradne osebe organa prosilca, ki so pooblašene za preiskovanje kršitev, lahko zaprosijo, da zaprošeni organ pregleda ustrezne knjige, registre in drugo dokumentacijo ali nosilce podatkov ter priskrbi njihove kopije ali da priskrbi vse informacije v zvezi s kršitvijo.

9. člen

Oblika sporočanja informacij

1. Zaprošeni organ sporoči izid poizvedb organu prosilcu v obliki dokumentov, overjenih kopij dokumentov, poročil in podobnega, po potrebi pa tudi ustno.

2. Dokumente iz prvega odstavka lahko nadomestijo računalniški podatki v kakršni koli obliki z enakim namenom; hkrati je treba dostaviti vse informacije, potrebne za razlago ali uporabo takih računalniških podatkov.

10. člen

Izjeme pri obveznosti dajanja pomoči

1. Kadar zaprošena pogodbenica meni, da bi bili z izpolnitvijo zaprosila prizadeti njena suverenost, varnost, javni interes ali drugi bistveni državni interesi ali da bi bila kršena kaka gospodarska, poslovna ali poklicna skrivnost, lahko pomoč odreče ali jo da le, če so izpolnjeni določeni pogoji ali zahteve. Pomoč lahko prav tako odreče, če zaprosilo vključuje devizne ali davčne predpise, ki se ne nanašajo na carinsko zakonodajo.

2. Kadar organ prosilec prosi za pomoč, ki je sam ne bi mogel zagotoviti, če bi bil zanjo zaprošen, mora v svojem zaprosilu na to opozoriti. Zaprošeni organ se mora potem odločiti, kako bo odgovoril na tako zaprosilo.

3. Če se pomoč zadrži ali odreče, je treba o tej odločitvi in razlogih zanjo nemudoma uradno obvestiti organ prosilca.

11. člen

Obveznost spoštovanja zaupnosti

1. Vse informacije, prejete na podlagi tega sporazuma, se obravnavajo kot zaupne ter uživajo vsaj enako stopnjo varovanja in zaupnosti kot jo enake informacije po notranjem pravu pogodbenice, kjer so informacije prejete.

2. Osebne podatke je mogoče poslati le, če je raven varstva osebnih podatkov, ki ga zagotavlja zakonodaja pogodbenice, enakovredna. Pogodbenici zagotovita vsaj raven varstva, ki temelji na načelih, navedenih v prilogi k temu sporazumu. Priloga z naslovom Temeljna načela varstva podatkov je sestavni del tega sporazuma.

12. člen

Uporaba informacij

1. Informacije, prejete pri medsebojni pomoči, je mogoče uporabiti le za namene, določene v tem sporazumu, vključno v sodnih in upravnih postopkih.

2. Organ prosilec brez predhodnega pisnega soglasja zaprošenega organa ne sme uporabljati dokazov ali informacij, pridobljenih po tem sporazumu, za drugačne namene, kot so navedeni v zaprosilu.

3. Where personal data is exchanged under this Agreement, the Customs Authorities of the Contracting Parties shall ensure that it is used only for the purposes indicated in the request and according to any conditions that the requested Contracting Party may impose.

4. The provisions of paragraphs 1 and 2 of this Article are not applicable to information concerning contraventions relating to narcotic drugs, psychotropic substances and precursors. Such information may be communicated to the authorities of the applicant Contracting Party which are directly involved in combatting illicit drug traffic.

Article 13

Files, Documents and Witnesses

1. The Customs Authorities of the Contracting Parties shall, upon request, provide each other with documentation relating to the transportation of goods, showing the value and origin of those goods.

2. Originals of files, documents, and other materials shall be requested only in cases where copies would be insufficient. Upon specific request, copies of such files, documents, and other materials shall be appropriately authenticated.

3. Originals of files, documents, and other materials which have been furnished to the applicant Authority shall be returned at the earliest opportunity. Upon request, originals necessary for adjudicative or similar purposes shall be returned without delay.

4. Upon the request of the Customs Authority of one Contracting Party, the Customs Authority of the other Contracting Party shall, at its discretion, authorize its employees, if such employees consent to do so, to appear as witnesses in judicial or administrative proceedings in the territory of the applicant Contracting Party, and to produce such files, documents, and other materials, or authenticated copies thereof, as may be considered necessary for the proceedings. Such a request shall specify the time, place, and type of proceedings and in what capacity the employee shall testify.

Article 14

Costs

1. The Customs Authorities of the Contracting Parties shall waive all claims for the reimbursement of costs incurred in the execution of the present Agreement, with the exception of expenses for witnesses, fees of experts, and the costs of interpreters other than government employees.

2. If expenses of a substantial and extraordinary nature are, or will be required, in order to execute a request, the Customs Authorities of the Contracting Parties shall consult to determine the terms and conditions under which the request shall be executed, as well as the manner in which the costs shall be borne.

Article 15

Implementation

1. The implementation of this Agreement shall be entrusted to the Customs Authorities of the Contracting Parties. They shall decide on all practical measures and arrangements necessary for its application, taking into consideration rules in the field of data protection.

2. After consultation, the Customs Authorities of the Contracting Parties may adopt any administrative directives necessary for the implementation of this Agreement.

3. The Customs Authorities of the Contracting Parties may arrange for their investigation services to be in direct communication with each other.

3. Kadar so po tem sporazumu izmenjani osebni podatki, carinska organa pogodbenic zagotovita, da so uporabljeni le za namene, navedene v zaprosilu, in v skladu z vsemi pogoji, ki jih lahko postavi zaprosilna pogodbenica.

4. Določbe prvega in drugega odstavka tega člena ne veljajo za informacije v zvezi s kršitvami, ki se nanašajo na mamila, psihotropne snovi in predhodne sestavine. Take informacije je mogoče sporočiti organom pogodbenice prosilke, ki so neposredno vključeni v boj proti prepovedani trgovini z mamili.

13. člen

Spisi, dokumenti in priče

1. Carinska organa pogodbenic na zaprosilo drug drugemu priskrbita dokumentacijo v zvezi s prevozom blaga z navedbo vrednosti in porekla tega blaga.

2. Izvirnike spisov, dokumentov in drugega gradiva je mogoče zahtevati le, kadar kopije ne bi zadostovale. Na posebno zahtevo se kopije takih spisov, dokumentov in drugega gradiva ustrezno overijo.

3. Izvirnike spisov, dokumentov in drugega gradiva, ki so bili poslani organu prosilcu, je treba čim prej vrniti. Na zahtevo je treba izvirnike, potrebne za razsojanje ali podobne namene, nemudoma vrniti.

4. Na zaprosilo carinskega organa ene pogodbenice carinski organ druge pogodbenice po lastnem preudarku pooblasti svoje uslužbence, če ti na to pristanejo, da nastopijo kot priče v sodnih ali upravnih postopkih na ozemlju pogodbenice prosilke in predložijo spise, dokumente in drugo gradivo ali njihove overjene kopije, ki utegnejo biti potrebne za postopek. V takem zaprosilu se navedejo čas, kraj in vrsta postopka in v kakšni vlogi bo uslužbenec pričal.

14. člen

Stroški

1. Carinska organa pogodbenic se odpovesta vsem zahtevkom za povračilo stroškov, nastalih pri izvajanju tega sporazuma, razen stroškov za priče, honorarjev izvedencev in stroškov za tolmače, ki niso državni uslužbenci.

2. Če so ali bodo za izpolnitev zaprosila potrebni večji in izredni stroški, se carinska organa pogodbenic posvetujeta, da določita pogoje, pod katerimi se zaprosilo izpolni, in način kritja stroškov.

15. člen

Izvajanje

1. Za izvajanje tega sporazuma sta pooblaščen carinska organa pogodbenic. Odločata o vseh praktičnih ukrepih in dogovorih, potrebnih za njegovo uporabo, ob upoštevanju pravil za varstvo podatkov.

2. Po posvetovanju lahko carinska organa pogodbenic sprejmeta upravna navodila, potrebna za izvajanje tega sporazuma.

3. Carinska organa pogodbenic se lahko dogovorita, da bodo njune preiskovalne službe v neposrednih stikih.

Article 16

Entry into Force and Termination

1. This Agreement shall enter into force on the first day of the second month following the date on which the Contracting Parties notify each other through diplomatic channels that all national legal requirements for its entry into force have been fulfilled.

2. As soon as this Agreement enters into force in the relations between the Republic of Slovenia and the Republic of Bulgaria, the Agreement between the Government of the Socialist Federal Republic of Yugoslavia and the Government of the People's Republic of Bulgaria regarding co-operation and mutual assistance in customs matters, signed in Belgrade on 7th April 1964, shall cease to apply.

3. This Agreement shall be concluded for an indefinite period of time, unless terminated by one of the Contracting Parties in writing through diplomatic channels. The Agreement shall cease to apply six months following the receipt of such notification.

Article 17

Review

1. The Customs Authorities of the Contracting Parties agree to meet in order to review this Agreement or to discuss any other customs matters which may arise out of the relationship between them, upon the request of one of the Customs Authorities or at the end of five years from the date of its entry into force, unless they notify one another in writing that no such review is necessary.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective governments, have signed this Agreement.

Done at Ljubljana on the 8th day of July 2005 in two originals in the English language.

For the Government of
the Republic of Slovenia
Franc Košir (s)

For the Government of
the Republic of Bulgaria
Assen Assenov (s)

16. člen

Začetek in prenehanje veljavnosti

1. Sporazum začne veljati prvi dan drugega meseca, ki sledi datumu, ko se pogodbenici po diplomatski poti uradno obvestita, da so izpolnjene vse notranjepravne zahteve za začetek njegove veljavnosti.

2. Z začetkom veljavnosti tega sporazuma v odnosih med Republiko Slovenijo in Republiko Bolgarijo preneha veljati Sporazum med Vlado Socialistične federativne republike Jugoslavije in Vlado Ljudske republike Bolgarije o sodelovanju in medsebojni pomoči pri carinskih vprašanjih, podpisan v Beogradu 7. aprila 1964.

3. Ta sporazum je sklenjen za nedoločen čas, razen če ga katera koli pogodbenica pisno po diplomatski poti ne odpove. Sporazum preneha veljati šest mesecev po prejemu takega uradnega obvestila.

17. člen

Pregled

1. Carinska organa pogodbenic soglašata, da se na za-prosilo enega od carinskih organov ali po petih letih od datuma začetka veljavnosti sporazuma sestaneta zaradi ponovnega pregleda sporazuma ali obravnave drugih carinskih zadev, ki bi lahko izhajale iz njunega medsebojnega odnosa, razen če se pisno obvestita, da tak pregled ni potreben.

V POTRDITEV TEGA sta podpisana, ki sta ju pravilno pooblastili njuni vladi, podpisala ta sporazum.

Sklenjeno v Ljubljani 8. julija 2005 v dveh izvornikih v angleškem jeziku.

Za Vlado
Republike Slovenije
Franc Košir l.r.

Za Vlado
Republike Bolgarije
Assen Assenov l.r.

ANNEX**BASIC PRINCIPLES OF DATA PROTECTION**

1. Personal data undergoing automatic processing shall be:

- a) obtained and processed fairly and lawfully;
- b) stored for specified and legitimate purposes and not used in a way incompatible with those purposes;
- c) adequate, relevant and not excessive in relation to the purposes for which they are stored;
- d) accurate and, where necessary, kept up to date;
- e) preserved in a form which permits identification of the data subjects for no longer than is required for the purpose for which those data are stored.

2. Personal data concerning health or sexual life, may not be processed automatically unless national law provides appropriate safeguards. The same shall apply to personal data relating to criminal convictions.

3. Appropriate security measures shall be taken for the protection of personal data stored in automated data files against unauthorised destruction or accidental loss as well as against unauthorised access, alteration or dissemination.

PRILOGA**TEMELJNA NAČELA VARSTVA PODATKOV**

1. Osebni podatki, ki se računalniško obdelujejo, morajo biti:

- a) pridobljeni in obdelani pošteno in zakonito;
- b) hranjeni za določene in zakonite namene in se ne smejo uporabljati na način, nezdržljiv s temi nameni;
- c) primerni, ustrezni in ne preobsežni glede na namene, za katere se hranijo;
- d) točni, in če je potrebno, sproti dopolnjeni;
- e) ohranjeni v obliki, ki dopušča prepoznavanje oseb, na katere se podatki nanašajo, le tako dolgo, dokler je to potrebno za namen, za katerega se hranijo.

2. Osebni podatki o zdravju ali spolnem življenju ne smejo biti računalniško obdelani, razen če notranje pravo zagotavlja ustrezno varstvo. Enako velja za osebne podatke v zvezi z obsodbami za kazniva dejanja.

3. Sprejeti je treba ustrezne varnostne ukrepe za varstvo osebnih podatkov, hranjenih v računalniških zbirkah podatkov, pred nepooblaščenim uničenjem ali nenamerno izgubo ter tudi pred nepooblaščenim dostopom, spreminjanjem ali razširjanjem.

4. Any individual shall be enabled:

a) to establish the existence of an automated personal data file, its main purposes, as well as the identity and habitual residence or principal place of business of the controller of the file;

b) to obtain at reasonable intervals and without excessive delay or expense confirmation of whether personal data relating to him are stored in the automated data file as well as communication to him of such data in an intelligible form;

c) to obtain, as the case may be, rectification or erasure of such data if they have been processed contrary to the provisions of national law giving effect to the basic principles set out under paragraphs 1 and 2 of this Annex;

d) to have remedy if a request for communication or, as the case may be, communication, rectification or erasure as referred to in subparagraphs b and c of this paragraph is not complied with.

5.1 No exception to the provisions under paragraphs 1, 2 and 4 of this Annex shall be allowed except within the limits defined in this paragraph.

5.2 Derogation from the provisions under paragraphs 1, 2 and 4 of this Annex shall be allowed when such derogation is provided for by the law of the Contracting Party and constitutes a necessary measure in a democratic society in the interest of:

a) protecting State security, public safety, the monetary interests of the State or the suppression of criminal offences;

b) protecting the data subject or the rights and freedoms of others.

5.3 Restrictions on the exercise of the rights specified in paragraph 4, subparagraphs b, c and d of this Annex, may be provided by law with respect to automated personal data files used for statistics or for scientific research purposes where there is obviously no risk of an infringement of the privacy of the data subjects.

6. None of the provisions of this Annex shall be interpreted as limiting or otherwise affecting the possibility for a Contracting Party to grant data subjects a wider measure of protection than that stipulated in this Annex.

4. Vsaki osebi je treba omogočiti:

a) da ugotovi, ali obstaja računalniška zbirka osebnih podatkov, njene glavne namene ter kdo je upravljavec zbirke podatkov in njegovo običajno prebivališče ali sedež;

b) da je v razumnih presledkih in brez prevelike zamude ali stroškov obveščena o tem, ali so osebni podatki, ki se nanašajo nanjo, shranjeni v računalniški zbirki podatkov, in da ji take podatke sporočijo v razumljivi obliki;

c) da, odvisno od primera, doseže popravek ali izbris takih podatkov, če so bili obdelani v nasprotju z določbami notranjega prava, s katerimi se uresničujejo temeljna načela iz prvega in drugega odstavka te priloge;

d) da ima na voljo pravna sredstva, če zahteva za sporočilo oziroma obvestilo, popravek ali izbris iz pododstavkov b) in c) tega odstavka ni izpolnjena.

5.1 Glede določb iz prvega, drugega in četrtega odstavka te priloge niso dovoljene nobene izjeme, razen v mejah, določenih v tem odstavku.

5.2 Odstopanje od določb prvega, drugega in četrtega odstavka te priloge je dovoljeno, če je to predvideno v zakonodaji pogodbenice in je to potreben ukrep v demokratični družbi v interesu:

a) zaščite državne varnosti, javne varnosti, finančnih interesov države ali zatiranja kaznivih dejanj;

b) varstva osebe, na katero se podatki nanašajo, ali pravic in svoboščin drugih.

5.3 Zakon lahko določa omejitve pri uresničevanju pravic, določenih v pododstavkih b), c) in d) četrtega odstavka te priloge, v zvezi z računalniškimi zbirkami osebnih podatkov, ki se uporabljajo za statistične ali znanstvenoraziskovalne namene, kadar očitno ni nikakršnega tveganja, da bi bila kršena zasebnost oseb, na katere se podatki nanašajo.

6. Nobene določbe te priloge ni mogoče razlagati, kot da omejuje ali drugače vpliva na možnost pogodbenice, da dodeli osebam, na katere se podatki nanašajo, širše varstvo, kot je določeno v tej prilogi.

3. člen

Za izvajanje sporazuma skrbi Ministrstvo za finance – Carinska uprava Republike Slovenije.

4. člen

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

Št. 437-01/07-21/1

Ljubljana, dne 22. junija 2007

EPA 1491-IV

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

72. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Ruske federacije o sodelovanju in medsebojni pomoči pri carinskih zadevah (BRUPCZ)

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

U K A Z**o razglasitvi Zakona o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Ruske federacije o sodelovanju in medsebojni pomoči pri carinskih zadevah (BRUPCZ)**

Razglasjam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Ruske federacije o sodelovanju in medsebojni pomoči pri carinskih zadevah (BRUPCZ), ki ga je sprejel Državni zbor Republike Slovenije na seji 22. junija 2007.

Št. 001-22-88/07
Ljubljana, dne 2. julija 2007

dr. Janez Drnovšek l.r.
Predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO RUSKE FEDERACIJE O SODELOVANJU IN MEDSEBOJNI POMOČI PRI CARINSKIH ZADEVAH (BRUPCZ)**

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Ruske federacije o sodelovanju in medsebojni pomoči pri carinskih zadevah, podpisan 31. maja 2006 v Moskvi.

2. člen

Sporazum se v slovenskem in angleškem jeziku glasi¹:

S P O R A Z U M**MED VLADO REPUBLIKE SLOVENIJE
IN VLADO RUSKE FEDERACIJE
O SODELOVANJU IN MEDSEBOJNI POMOČI
PRI CARINSKIH ZADEVAH**

Vlada Republike Slovenije in Vlada Ruske federacije, v nadaljevanju »pogodbenci«, sta se

glede na to, da je kršenje carinske zakonodaje škodljivo za gospodarske, davčne in trgovinske interese njunih držav,

glede na pomembnost zagotavljanja pravilne odmere carinskih dajatev in davkov na uvoz in izvoz blaga kot tudi natančnega določanja vrednosti in porekla takega blaga ter pravilnega izvajanja določb o prepovedih, omejitvah in nadzoru,

ker priznavata potrebo po mednarodnem sodelovanju pri zadevah, ki se nanašajo na izvajanje in uveljavljanje carinske zakonodaje,

ker sta prepričani, da je mogoče s sodelovanjem med njunima carinskima organoma povečati učinkovitost ukrepanja proti carinskim prekrškom,

glede na to, da nedovoljen promet z mamili in psihotropnimi snovmi ogroža zdravje ljudi in družbo,

ob upoštevanju določb Konvencije Združenih narodov proti prepovedani trgovini z mamili in psihotropnimi substancami z dne 20. decembra 1988,

ob upoštevanju Priporočila Sveta za carinsko sodelovanje o medsebojni upravni pomoči z dne 5. decembra 1953

dogovorili:

A G R E E M E N T**BETWEEN THE GOVERNMENT OF THE
REPUBLIC OF SLOVENIA AND THE
GOVERNMENT OF THE RUSSIAN FEDERATION
REGARDING COOPERATION AND MUTUAL
ASSISTANCE IN CUSTOMS MATTERS**

The Government of the Republic of Slovenia and the Government of the Russian Federation hereinafter referred to as the "Contracting Parties",

Considering that the offences against Customs legislation are prejudicial to the economic, fiscal and commercial interests of their respective States;

Considering the importance of assuring the accurate assessment of Customs duties and taxes on the importation and exportation of goods, as well as the accurate determination of the value and origin of such goods and the proper implementation of the provisions of prohibition, restriction and control of goods;

Recognizing the need for international cooperation in matters related to the administration and enforcement of the Customs legislation;

Convinced that actions against Customs offences can be made more effective by cooperation between their Customs Authorities;

Considering that illicit trafficking in narcotic drugs and psychotropic substances constitutes a danger to public health and to society;

Having regard also to the provisions of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of December 20, 1988;

Having regard to the Recommendation of the Customs Cooperation Council on Mutual Administrative Assistance of December 5, 1953;

Have agreed as follows:

¹ Besedilo sporazuma v ruskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

1. člen**Pomen izrazov**

V tem sporazumu:

a) »carinska zakonodaja« pomeni zakone in predpise, ki jih uveljavljata carinska organa pri uvozu, izvozu in tranzitu blaga in se nanašajo na carinske dajatve, davke in druge dajatve ali ukrepe prepovedi, omejitev in nadzora pri pretoku blaga čez državne meje;

b) »carinske dajatve« pomenijo vse carine, davke, pristojbine in druge dajatve, ki jih carinska organa odmerjata in pobirata na ozemljih svojih držav v skladu z notranjo zakonodajo držav pogodbenic;

c) »organ prosilec« pomeni carinski organ, ki zaprosi za pomoč na podlagi tega sporazuma ali prejme tako pomoč;

d) »zaprošeni organ« pomeni carinski organ, ki prejme zaprosilo za pomoč na podlagi tega sporazuma ali da tako pomoč;

e) »kršitev« pomeni vsako kršitev carinske zakonodaje in vsak poskus njene kršitve;

f) »osebni podatki« pomenijo vse podatke, ki se nanašajo na določenega ali določljivega posameznika;

g) »carinski organ« pomeni v Republiki Sloveniji Ministrstvo za finance – Carinsko upravo Republike Slovenije in v Ruski federaciji Zvezno carinsko službo (ZCS Rusije).

2. člen**Področje uporabe sporazuma**

1. Pogodbenici si prek carinskih organov na način in pod pogoji, navedenimi v tem sporazumu, pomagata pri zagotavljanju pravilne uporabe carinske zakonodaje, še zlasti s preprečevanjem, odkrivanjem in preiskovanjem kršitev te zakonodaje.

2. Pomoč po tem sporazumu, se zagotavlja v skladu z zakonodajo države zaprosene pogodbenice.

3. Sporazum je namenjen medsebojni upravni pomoči pri carinskih zadevah med pogodbenicama.

4. Nobene določbe tega sporazuma ni mogoče razlagati tako, da bi omejevala medsebojno pomoč po drugih sporazumih, ki že veljajo med pogodbenicama.

3. člen**Primeri sodelovanja in medsebojne pomoči**

1. Carinska organa na zaprosilo ali na lastno pobudo v skladu z določbami tega sporazuma drug drugemu pošljeta vse potrebne podatke, ki jima omogočajo, da zagotovita pravilno uporabo carinske zakonodaje, med drugim tudi podatke o gibanju blaga, njegovi vrednosti, poreklu in uvrstitvi v carinsko tarifo, ter podatke o storjenih ali načrtovanih dejanjih, ki kršijo ali bi lahko kršila to zakonodajo.

2. Zaprošeni organ na lastno pobudo ali na zaprosilo pošlje organu prosilcu naslednje informacije:

a) ali je bilo blago, uvoženo na ozemlje države ene pogodbenice, zakonito izvoženo z ozemlja države druge pogodbenice,

Article 1**Definitions**

For the purposes of this Agreement:

a) "Customs legislation" shall mean laws and regulations enforced by the Customs Authorities concerning importation, exportation, and transit of goods, as they relate to Customs duties, taxes and charges, or to measures of prohibition, restriction and control in respect of the movement of goods across national boundaries;

b) "Customs duties" shall mean all duties, taxes, fees and other charges which are levied and collected by the Customs Authorities in the territories of their States in accordance with the national legislation of the States of the Contracting Parties;

c) "Applicant Authority" shall mean the Customs Authority which makes a request for assistance in pursuant to this Agreement or which receives such assistance;

d) "Requested Authority" shall mean the Customs Authority which receives a request for assistance pursuant to this Agreement or which renders such assistance;

e) "Contravention" shall mean any violation of the customs legislation as well as any attempted violation of such legislation;

f) "Personal data" shall mean information relating to an identified or identifiable individual;

g) "Customs Authority" shall mean in the Republic of Slovenia the Ministry of Finance – the Customs Administration of the Republic of Slovenia and in the Russian Federation – the Federal Customs Service (FCS of Russia).

Article 2**Scope of the Agreement**

1. The Contracting Parties through their Customs Authorities shall assist each other, in the manner and under the conditions laid down in this Agreement, in ensuring that customs legislation is correctly applied, in particular by the prevention, detection and investigation of contraventions of this legislation.

2. Assistance under this Agreement shall be rendered in accordance with the legislation of the State of the requested Contracting Party.

3. This Agreement is intended for the mutual administrative assistance in customs matters between the Contracting Parties.

4. No provisions of this Agreement shall be interpreted in a manner which would restrict mutual assistance practices that under other agreements are already in effect between the Contracting Parties.

Article 3**Instances of Cooperation and Mutual Assistance**

1. The Customs Authorities shall at the request or on own initiative furnish each other in accordance with the provisions of this Agreement with all relevant information enabling them to ensure that customs legislation is correctly applied, including inter alia information regarding the movement of goods, their value, origin and tariff classification as well as information regarding acts committed or planned which contravene or may contravene that legislation.

2. The requested Authority shall, on its own initiative or upon request, supply to the applicant Authority the following information:

a) whether goods imported into the territory of the State of one Contracting Party have been lawfully exported from the territory of the State of the other Contracting Party;

b) ali je bilo blago, izvoženo z ozemlja države ene pogodbenice, zakonito uvoženo na ozemlje države druge pogodbenice.

3. Na zaprosilo organa prosilca zaprošeni organ sprejme potrebne ukrepe za zagotovitev nadzora nad:

a) fizičnimi ali pravnimi osebami, za katere se utemeljeno domneva, da kršijo ali so kršile carinsko zakonodajo na ozemlju države organa prosilca;

b) kraji, kjer se blago skladišči na način, zaradi katerega se utemeljeno sumi, da je namenjeno nedovoljenemu uvozu na ozemlje države organa prosilca;

c) gibanjem blaga, za katero organ prosilec sporoči, da bi lahko povzročilo bistvene kršitve carinske zakonodaje na ozemlju države organa prosilca;

d) prevoznimi sredstvi, za katera se utemeljeno domneva, da so bila, so ali bi lahko bila uporabljena pri kršenju carinske zakonodaje na ozemlju države organa prosilca.

4. člen

Pomoč na lastno pobudo

Carinska organa si v okviru svojih pristojnosti pomagata, če menita, da je to potrebno za pravilno uporabo carinske zakonodaje, še posebej kadar prejmeta informacije, ki se nanašajo na:

– dejanja, s katerimi je bila, je ali bi lahko bila kršena ta zakonodaja in ki bi lahko zanimala drugo pogodbenico;

– nova sredstva ali načine, uporabljene pri kršenju carinske zakonodaje;

– blago, za katero se ve, da v zvezi z njim prihaja do bistvenih kršitev carinske zakonodaje na ozemlju države druge pogodbenice;

– osebe, za katere se ve ali sumi, da kršijo zakonodajo, ki velja na ozemlju države druge pogodbenice;

– prevozna sredstva, vključno z zabojniki, za katera se ve ali sumi, da so bila, so ali bi lahko bila uporabljena pri kršenju carinske zakonodaje, ki velja na ozemlju države druge pogodbenice;

– kraje, ki se uporabljajo za skladiščenje blaga, kar bi lahko povzročilo večji nedovoljen promet na ozemlje države druge pogodbenice.

5. člen

Strokovna pomoč

1. Pomoč, predvidena po tem sporazumu, med drugim obsega izmenjavo izkušenj in informacij o:

a) ukrepov, ki bi se lahko uporabili pri preprečevanju kršitev;

b) novih načinov kršitev;

c) opažanj in ugotovitev, ki izhajajo iz uspešne uporabe novih pripomočkov in tehnik za ukrepanje;

d) novih tehnikah in izboljšanih načinih obravnave potnikov in tovara.

2. Carinska organa pogodbenic si, če to ni v nasprotju z njuno notranjo zakonodajo, prav tako prizadevata sodelovati pri:

a) uvajanju, razvijanju ali izboljševanju posebnih programov usposabljanja za svoje osebe;

b) whether goods exported from the territory of the State of one Contracting Party have been lawfully imported into the territory of the State of the other Contracting Party.

3. At the request of the applicant Authority, the requested Authority shall take the necessary steps to ensure that surveillance is kept on:

a) particular natural or legal persons of whom there are reasonable grounds for believing that they are contravening or have contravened customs legislation in the territory of the State of the applicant Authority;

b) places where goods are stored in a way that gives grounds for suspecting that they are intended to be illicitly imported into the territory of the State of the applicant Authority;

c) movement of goods notified by the applicant Authority as possibly giving rise to substantial contraventions of customs legislation in the territory of the State of the applicant Authority;

d) means of transport for which there are reasonable grounds for believing that they have been, are or may be used in the contravening of customs legislation in the territory of the State of the applicant Authority.

Article 4

Spontaneous Assistance

The Customs Authorities shall within their competence provide each other with assistance if they consider that to be necessary for the correct application of customs legislation, particularly when they obtain information pertaining to:

– acts which have contravened, contravene or may contravene such legislation and which may be of interest to the other Contracting Party;

– new means or methods employed in committing contraventions against customs legislation;

– goods known to be the subject of substantial contraventions against the customs legislation in the territory of the State of the other Contracting Party;

– particular persons known to be or suspected of committing contraventions against the legislation in force in the territory of the State of the other Contracting Party;

– means of transport including containers, about which knowledge or suspicions exist that they were, are, or could be used in committing contraventions against the customs legislation in force in the territory of the State of the other Contracting Party;

– places used for storing goods which may cause substantial illicit traffic into the territory of the State of the other Contracting Party.

Article 5

Technical Assistance

1. Assistance, as provided for in this Agreement shall include inter alia exchange of experience and information regarding:

a) enforcement actions that may be of use in the prevention of contraventions;

b) new methods used in committing contraventions;

c) observations and findings resulting from the successful application of new enforcement aids and techniques;

d) new techniques and improved methods of processing passengers and cargo.

2. The Customs Authorities shall, if not contrary to their national legislation, also seek to cooperate in:

a) initiating, developing or improving specific training programs for their personnel;

b) vzpostavljanju in vzdrževanju poti za medsebojno komuniciranje, da bi olajšala varno in hitro izmenjavo podatkov;

c) pospeševanju učinkovitega medsebojnega usklajevanja, vključno z izmenjavo osebja, izvedencev in imenovanjem uradnikov za zvezo;

d) pregledovanju in preizkušanju nove opreme ali postopkov.

6. člen

Oblika in vsebina zaprosil za pomoč

1. Zaposila po tem sporazumu morajo biti pisna. Zaposilu morajo biti priloženi dokumenti, potrebni za njegovo obravnavo. Kadar je nujno hitro ukrepanje, se lahko sprejme ustno zaprosilo, ki pa ga je treba takoj pisno potrditi.

2. Zaposila iz prvega odstavka tega člena vsebujejo podatke:

- a) o organu prosilcu, ki vloga zaprosilo,
- b) zaprošenem ukrepu,
- c) predmetu zaprosila in razlogih zanj,
- d) zakonih, predpisih in drugih pravnih elementih v zvezi

s tem,

e) kolikor je mogoče natančne in celovite navedbe o fizičnih ali pravnih osebah, na katere se zaprosilo nanaša,

f) povzetek pomembnih dejstev.

3. Zaposilo je treba predložiti v uradnem jeziku države zaprošenega organa, angleškem jeziku ali jeziku, ki je sprejemljiv za ta organ.

4. Če zaprosilo ne ustreza formalnim zahtevam, je mogoče zahtevati njegov popravek ali dopolnitev; seveda pa se lahko odredijo previdnostni ukrepi.

7. člen

Obravnava zaprosil

1. Zaprošeni organ sprejme vse razumne ukrepe za obravnavo zaprosila in po potrebi skuša zagotoviti vse uradne ali sodne ukrepe, potrebne za izpolnitev zaprosila.

2. Carinski organ ene pogodbenice na zaprosilo carinskega organa druge pogodbenice opravi vse potrebne preiskave o dejavnostih, ki so ali se zdijo v nasprotju s carinsko zakonodajo, ki velja na ozemlju države organa prosilca.

3. Če zaprošeni carinski organ ni pristojen za obravnavanje zaprosila, ga nemudoma pošlje pristojnemu organu, ki v zvezi z njim ukrepa v skladu s svojimi pooblastili po zakonodaji svoje države, ali pa organu prosilcu svetuje ustrezen postopek za obravnavo takega zaprosila.

8. člen

Ukrepi proti nedovoljenemu prometu z občutljivim blagom

Carinska organa si na lastno pobudo ali na zaprosilo nemudoma pošljeta vse pomembne informacije o dejanjih, odkritih ali načrtovanih, ki kršijo ali bi lahko kršila veljavno carinsko zakonodajo na ozemlju države ene od pogodbenic o:

a) prometu z orožjem, strelivom, razstrelivom in eksplozivnimi napravami;

b) prometu z umetninami in starinami, ki so za eno od pogodbenic posebne zgodovinske, kulturne ali arheološke vrednosti;

b) establishing and maintaining channels of communication between themselves in order to facilitate the secure and rapid exchange of information;

c) facilitating effective coordination between themselves, including the exchange of personnel, experts, and the posting of liaison officers;

d) the examination and testing of new equipment or procedures.

Article 6

Form and Substance of Requests for Assistance

1. Request pursuant to this Agreement shall be made in writing. Documents necessary for the execution of such a request shall accompany the request. When required because of the urgency of the situation, oral request may be accepted, but must be confirmed in writing immediately.

2. Request pursuant to paragraph 1 of this Article shall include the following information:

- a) the applicant Authority making the request;
- b) the measure requested;
- c) the object of and the reason for the request;
- d) the laws, rules and other legal elements involved;

e) indications as exact and comprehensive as possible on the natural or legal persons, to which the request relates;

f) a summary of the relevant facts.

3. Request shall be submitted in an official language of the State of the requested Authority, in English or in a language acceptable to that Authority.

4. If a request does not meet the formal requirements, its correction or completion may be demanded; the ordering of precautionary measures may, however, be undertaken.

Article 7

Execution of Requests

1. The requested Authority shall take all reasonable measures to execute the request, and if required, will endeavour to seek any official or judicial measure necessary to carry out the request.

2. The Customs Authority of one Contracting Party shall, upon the request of the Customs Authority of the other Contracting Party, conduct any necessary investigation concerning operations which are, or appear to be, contrary to the customs legislation in force in the territory of the State of the applicant Customs Authority.

3. In case the requested Customs Authority is not the appropriate agency to comply with a request, it shall promptly transmit the request to the appropriate agency, who shall act upon the request according to its powers under the legislation of its State, or advise the applicant Authority of the appropriate procedure to be followed regarding such a request.

Article 8

Action against Illicit Traffic of Sensible Goods

The Customs Authorities shall, on their own initiative or upon request and without delay, supply to each other all relevant information on activities, detected or planned, which contravene or may contravene the customs legislation in force in the territory of the State of one of the Contracting Parties in the field of:

a) movement of arms, ammunition, explosives and explosive devices;

b) movement of objects of art and antiquity, which present significant historical, cultural or archeological value for one of the Contracting Parties;

c) prometu s strupenim blagom ter snovmi, ki ogrožajo okolje in zdravje ljudi;

d) prometu z blagom, za katero se plačujejo visoke carinske dajatve ali davki;

e) prometu z občutljivim in strateškim blagom, za katero veljajo netarifne omejitve, v skladu s seznamami, o katerih se dogovorita carinska organa.

9. člen

Oblika sporočanja informacij

1. Zaprošeni organ sporoči izid poizvedb organu prosilcu v obliki dokumentov, overjenih kopij dokumentov, poročil in podobnega, po potrebi pa tudi ustno.

2. Dokumente iz prvega odstavka lahko nadomestijo računalniški podatki, izdelani v kakršni koli obliki z enakim namenom; hkrati je treba dostaviti vse informacije, potrebne za razlago ali uporabo takih računalniških podatkov.

10. člen

Izjeme pri obveznosti dajanja pomoči

1. Kadar zaprošeni organ meni, da bi bili z izpolnitvijo zaprosila prizadeti suverenost, varnost, javni red ali drugi bistveni interesi njegove države ali da bi bila kršena industrijska, poslovna ali poklicna skrivnost, lahko pomoč odreče ali jo da le ob izpolnitvi določenih pogojev ali zahtev.

2. Kadar organ prosilec prosi za pomoč, ki je sam ne bi mogel zagotoviti, če bi bil zanjo zaprosen, mora v svojem zaprosilu na to opozoriti. Zaprošeni organ se mora potem odločiti, kako bo odgovoril na tako zaprosilo.

3. Če se pomoč zadrži ali zavrne, je treba to odločitev in razloge zanjo nemudoma sporočiti organu prosilcu.

11. člen

Obveznost spoštovanja zaupnosti

1. Carinska organa zagotavljata zaupnost vseh podatkov, ki sta jih kot take opredelila v skladu z notranjo zakonodajo svojih držav. Carinski organ prejemnik zagotavlja podatkom in dokumentom enako zaščito, kot jo takim podatkom in dokumentom daje zakonodaja njegove države.

2. Dajanje osebnih podatkov ureja priloga k temu sporazumu.

12. člen

Uporaba informacij

1. Podatke, dokumente in druga sporočila, prejeta pri medsebojni pomoči, je mogoče uporabiti le za namene, ki so določeni v tem sporazumu, ter v sodnih in upravnih postopkih.

2. Organ prosilec ne sme brez predhodnega pisnega soglasja zaprosenega organa uporabljati dokazov ali podatkov, pridobljenih po tem sporazumu, za drugačne namene, kot so navedeni v zaprosilu.

3. Določbe prvega in drugega odstavka tega člena ne veljajo za informacije v zvezi s kršitvami, ki se nanašajo na mamila in psihotropne snovi. Take podatke lahko carinski organ prosilec sporoči pristojnim organom svoje države, ki so neposredno vključeni v boj proti nedovoljenemu prometu z drogami.

c) movement of poisonous goods as well as the substances dangerous for the environment and the public health;

d) movement of goods subject to substantial customs duties or taxes;

e) movement of sensible and strategic goods subject to non tariff limitations in accordance with the lists agreed upon by the Customs Authorities.

Article 9

The Form in which Information is to be Communicated

1. The requested Authority shall communicate the results of inquiries to the applicant Authority in the form of documents, certified copies of documents, reports and the like and, when necessary, orally.

2. The documents provided for in paragraph 1 may be replaced by computerized information produced in any form for the same purpose, any information necessary for the interpretation or utilization of such computerized information shall be furnished along with it.

Article 10

Exceptions to the Obligation to Provide Assistance

1. In cases where the requested Authority is of the opinion that compliance with a request would infringe upon sovereignty, security, public order, or other substantive interest of its State, or would violate an industrial, commercial or professional secret, assistance may be refused or compliance may be made subject to the satisfaction of certain conditions or requirements.

2. Where the applicant Authority requests assistance which it would itself be unable to provide if so asked, it shall draw attention to the fact in its request. It shall then be for the requested Authority to decide how to respond to such a request.

3. If assistance is withheld or denied the decision and the reasons therefore must be notified to the applicant Authority without delay.

Article 11

Obligation to Observe Confidentiality

1. The Customs Authorities shall guarantee the confidentiality of all information that was determined by them as confidential in accordance with the legislation of their States. The information and documents shall enjoy the same level of protection by the receiving Customs Authority as is extended to information and documents of the same kind under national legislation of its State.

2. The transmission of personal data shall be regulated by Annex to this Agreement.

Article 12

Use of Information

1. Information, documents, and other communications received in the course of mutual assistance may only be used for the purposes specified in this Agreement, including the use in judicial and administrative proceedings.

2. The applicant Authority shall not use evidence or information obtained under this Agreement for purposes other than those stated in the request without the prior written consent of the requested Authority.

3. The provisions of paragraphs 1 and 2 of this Article are not applicable to information concerning contraventions relating to narcotic drugs and psychotropic substances. Such information may be communicated by the applicant Customs Authority to the competent agencies of its State which are directly involved in combating illicit drug traffic.

13. člen**Spisi, dokumenti, priče in izvedenci**

1. Izvirnike spisov in dokumentov je mogoče zahtevati le, kadar kopije ne bi zadostovale. Na zahtevo se kopije takih spisov, dokumentov in drugega gradiva ustrezno overijo.

2. Izvirnike spisov in dokumentov, ki so bili poslani organu prosilcu, je treba čim prej vrniti. To ne vpliva na pravice zaprosenega organa ali tretjih oseb, ki so s tem povezane. Na zahtevo je treba izvirnike, potrebne za sodne in upravne postopke, nemudoma vrniti.

3. Na zaprosilo organa prosilca zaproseni organ lahko pooblasti svoje uslužbenca, če ti na to pristanejo, da nastopijo kot priče ali izvedenci v sodnih ali upravnih postopkih na ozemlju države organa prosilca in predložijo spise in dokumente ali njihove overjene kopije, za katere se meni, da so potrebni za postopek. V takem zaprosilu se navedejo čas, kraj in vrsta postopka ter v kakšni funkciji bo uslužbenec pričal.

4. Kadar so uradne osebe enega carinskega organa v okoliščinah, določenih s tem sporazumom, na ozemlju države druge pogodbenice, morajo biti kadar koli sposobne predložiti dokazila o svoji uradni funkciji. Ne smejo nositi niti uniforme niti orožja.

14. člen**Stroški**

1. Carinska organa pogodbenic se odpovesta vsem zahtevkom za povračilo stroškov, nastalih pri izvajanju tega sporazuma, razen stroškov za priče, honorarjev izvedencev in stroškov za tolmače, ki niso državni uslužbenci; te stroške krije carinski organ prosilca.

2. Če so ali bodo za izpolnitev zaprosila potrebni večji in izredni stroški, se carinska organa posvetujeta, da določita pogoje, pod katerimi se zaprosilo izpolni, in način kritja stroškov.

15. člen**Izvajanje**

1. Za izvajanje tega sporazuma sta pooblaščenca carinska organa. Odločata o vseh praktičnih ukrepih in dogovorih, potrebnih za njegovo uporabo.

2. Carinska organa se lahko dogovorita, da bodo njune preiskovalne službe med seboj v neposrednih stikih.

3. Carinska organa se redno ali na zahtevo enega carinskega organa posvetujeta o sodelovanju in pomoči po tem sporazumu.

16. člen**Območje uporabe**

Sporazum se uporablja na carinskih območjih držav pogodbenic, opredeljenih v skladu z notranjo zakonodajo držav pogodbenic.

17. člen**Začetek in prenehanje veljavnosti**

1. Sporazum začne veljati trideseti dan po zadnjem pisnem uradnem obvestilu, da so bili končani vsi notranjepravni postopki, potrebni za začetek njegove veljavnosti.

Article 13**Files, Documents, Witnesses and Experts**

1. Originals of files and documents shall be requested only in cases where copies would be insufficient. Upon request, copies of such files, documents, and other materials shall be appropriately authenticated.

2. Originals of files and documents, which have been furnished to the applicant Authority, shall be returned at the earliest opportunity. The rights of the requested Authority or of third parties relating thereto shall remain unaffected. Upon request, originals necessary for judicial and administrative proceedings shall be returned without delay.

3. Upon the request of the applicant Authority, the requested Authority may authorize its employees, if such employees consent to do so, to appear as witnesses or experts in judicial or administrative proceedings in the territory of the State of the applicant Authority, and to produce such files and documents or authenticated copies thereof, as may be considered necessary for the proceedings. Such a request shall specify the time, place, and type of proceedings and in what capacity the employee shall testify.

4. When in the circumstances provided for under this Agreement, officials of one Customs Authority are present on the territory of the State of the other Contracting Party, they must at all times be able to furnish the proof of their official capacity. They must not wear uniform nor carry arms.

Article 14**Costs**

1. The Customs Authorities shall waive all claims for the reimbursement of costs incurred in the execution of this Agreement, with the exception of expenses for witnesses, fees of experts, and the costs of interpreters other than government employees, which shall be borne by the applicant Customs Authority.

2. If expenses of a substantial and extraordinary nature are, or will be required, in order to execute the request, the Customs Authorities shall consult to determine the terms and conditions under which the request shall be executed, as well as the manner in which the costs shall be borne.

Article 15**Implementation**

1. The implementation of this Agreement shall be entrusted to the Customs Authorities. They shall decide on all practical measures and arrangements necessary for its application.

2. The Customs Authorities may arrange for their investigation services to be in direct communication with each other.

3. The Customs Authorities shall hold consultations on matters of cooperation and assistance provided for under this Agreement on regular basis or upon the request of one of the Customs Authorities.

Article 16**Territorial Applicability**

This Agreement shall be applicable on the customs territories of the States of the Contracting Parties as defined in the national legislation of the States of the Contracting Parties.

Article 17**Entry into Force and Termination**

1. This Agreement shall enter into force on the thirtieth day from the date of the last written notification that all national legal procedures necessary for its entry into force have been fulfilled.

2. Z začetkom veljavnosti tega sporazuma v odnosih med Republiko Slovenijo in Rusko federacijo preneha veljati Sporazum med Vlado Socialistične federativne republike Jugoslavije in Vlado Zveze sovjetskih socialističnih republik o sodelovanju in medsebojni pomoči v carinskih zadevah, podpisan v Beogradu 14. septembra 1977.

3. Sporazum je sklenjen za nedoločen čas in velja še šest mesecev po datumu, ko pogodbenica prejme od druge pogodbenice pisno uradno obvestilo, da namerava odpovedati ta sporazum.

4. Sporazum se lahko spremeni s soglasjem pogodbenic, dogovorjene spremembe pa začnejo veljati skladno s postopkom, določenim v prvem odstavku tega člena.

V POTRDITEV TEGA sta podpisana, ki sta ju pravilno pooblastili njuni vladi, podpisala ta sporazum.

Sklenjeno v Moskvi dne 31. maja 2006 v dveh izvornikih v slovenskem, ruskem in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. Pri razlikah v razlagi prevlada angleško besedilo.

Za Vlado
Republike Slovenije
Dimitrij Rupel l.r.

Za Vlado
Ruske federacije
Andrej Beljaninov l.r.

2. As soon as this Agreement enters into force in the relations between the Republic of Slovenia and the Russian Federation, Agreement between the Government of the Socialist Federal Republic of Yugoslavia and the Government of the Union of Soviet Socialist Republics regarding cooperation and mutual assistance in customs matters, signed in Belgrade on September 14, 1977 shall cease to have effect.

3. This Agreement is concluded for an unlimited duration and shall stay in force six months after the date of receipt by one Contracting Party of a written notification of the other Contracting Party about its intention to terminate the Agreement.

4. This Agreement may be modified by mutual consent of the Contracting Parties and the agreed modifications shall enter into force in accordance with the procedure established in paragraph 1 of this Article.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

Done at Moscow on the 31st day of May 2006 in two originals in the Slovene, Russian and English languages, all texts being equally authentic. In case of any difference in interpretation, the English text shall prevail.

For the Government of
the Republic of Slovenia
Dimitrij Rupel (s)

For the Government of
the Russian Federation
Andrej Beljaninov (s)

PRILOGA

k Sporazumu med Vlado Republike Slovenije in Vlado Ruske federacije o sodelovanju in medsebojni pomoči pri carinskih zadevah

Določbe, ki veljajo za carinska organa pogodbenic
pri posredovanju osebnih podatkov

1. Carinska organa lahko prejete osebne podatke uporabita samo za namene in pod pogoji, ki jih določi carinski organ, ki jih pošlje. Ti podatki se lahko pošljejo drugim organom samo s predhodnim soglasjem carinskega organa, ki jih pošlje.

2. Na zahtevo carinskega organa, ki pošlje podatke, drugi carinski organ prevzame odgovornost za njihovo uporabo in poročča o rezultatih uporabe.

3. Carinski organ, ki pošlje podatke, preveri njihovo točnost. Če so podatki netočni ali zaupni, to nemudoma sporoči carinskemu organu prosilcu. Carinski organ prosilec popravi podatke ali jih na zahtevo uniči.

4. Carinska organa vodita evidenco o pošiljanju in prejemu osebnih podatkov.

5. Carinska organa varujeta prejete podatke pred nepooblaščenim dostopom, spremembami, ki jih ni dovolil carinski organ, ki je poslal podatke, ter pred nepooblaščenim nadaljnjim posredovanjem.

6. Carinski organ, ki pošlje podatke, določi rok za njihov izbris. Osebnih podatki se izbršejo, ko niso več potrebni, najpozneje pa ob izteku določenega roka.

ANNEX

to the Agreement between the Government of the Republic of Slovenia and the Government of the Russian Federation regarding cooperation and mutual assistance in customs matters

Provisions regarding the transferring of personal data to
be followed by the Customs Authorities of the Contracting
Parties

1. The Customs Authorities may use the received personal data only for the purposes and subject to the conditions stated by the Customs authority providing the data. Such data can be forwarded to other authorities only subject to the preliminary consent of the providing Customs Authority.

2. Upon request of the Customs Authority providing such data the other Customs authority shall account for the use of such data and report on that of the result.

3. The Customs Authority providing the data shall ascertain the validity of the data to be transferred. In case of invalid or restricted data, the applicant Customs Authority shall be informed immediately of the fact. The applicant Customs Authority shall implement the correction of the data or destroy it if so requested.

4. The Customs Authorities shall keep a register on the supply and receipt of the personal data.

5. The Customs Authorities shall protect the received data against unauthorized access, modification without consent of the Customs authority providing the data, as well as against unauthorized further transferring.

6. The Customs Authority providing the data shall determine the deadline of the deletion of the data. The personal data shall be deleted at the termination of the necessity and at the determined deadline at the latest.

7. Sporazum med Vlado Republike Slovenije in Vlado Ruske federacije o sodelovanju in medsebojni pomoči pri carinskih zadevah z dne 31. maja 2006 se v vsakem primeru uporablja tako, da se pri obravnavanju osebnih podatkov spoštujejo pravice in temeljne svoboščine posameznikov, vključno z zasebnostjo in identiteto, v skladu z varstvom po notranji zakonodaji držav pogodbenic.

8. Za ravnanje z osebnimi podatki, izmenjanimi po Sporazumu med Vlado Republike Slovenije in Vlado Ruske federacije o sodelovanju in medsebojni pomoči pri carinskih zadevah z dne 31. maja 2006, se uporablja notranja zakonodaja držav pogodbenic. Raven varstva osebnih podatkov ne sme biti nižja od ravni, določene v Konvenciji o varstvu posameznikov glede na avtomatsko obdelavo osebnih podatkov (sestavljene v Strasbourgu 28. januarja 1981).

7. The application of the Agreement between the Government of the Republic of Slovenia and the Government of the Russian Federation in cooperation and mutual assistance in customs matters of 31 May 2006 shall take place, in any case, in such a way that the processing of personal data is carried out respecting the rights and fundamental freedoms of persons, including their privacy and identity, as safeguarded in the national legislation of the State of the Contracting Parties.

8. The national legislations of the States of the Contracting Parties shall apply for handling of personal data exchanged pursuant to the Agreement between the Government of the Republic of Slovenia and the Government of the Russian Federation in cooperation and mutual assistance in customs matters of 31 May 2006. The level of personal data protection shall not be less than that defined by the provisions of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (prepared in Strasbourg, on January 28, 1981).

3. člen

Za izvajanje sporazuma skrbi Ministrstvo za finance – Carinska uprava Republike Slovenije.

4. člen

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

Št. 437-01/07-20/1
Ljubljana, dne 22. junija 2007
EPA 1490-IV

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

73. Zakon o spremembi Zakona o ratifikaciji Evropske konvencije o izročitvi, Dodatnega protokola k Evropski konvenciji o izročitvi in Drugega dodatnega protokola k Evropski konvenciji o izročitvi (MEKIDP-A)

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

U K A Z

o razglasitvi Zakona o spremembi Zakona o ratifikaciji Evropske konvencije o izročitvi, Dodatnega protokola k Evropski konvenciji o izročitvi in Drugega dodatnega protokola k Evropski konvenciji o izročitvi (MEKIDP-A)

Razglašam Zakon o spremembi Zakona o ratifikaciji Evropske konvencije o izročitvi, Dodatnega protokola k Evropski konvenciji o izročitvi in Drugega dodatnega protokola k Evropski konvenciji o izročitvi (MEKIDP-A), ki ga je sprejel Državni zbor Republike Slovenije na seji 22. junija 2007.

Št. 001-22-86/07
Ljubljana, dne 2. julija 2007

dr. Janez Drnovšek l.r.
Predsednik
Republike Slovenije

Z A K O N

O SPREMEMBI ZAKONA O RATIFIKACIJI EVROPSKE KONVENCIJE O IZROČITVI, DODATNEGA PROTOKOLA K EVROPSKI KONVENCIJI O IZROČITVI IN DRUGEGA DODATNEGA PROTOKOLA K EVROPSKI KONVENCIJI O IZROČITVI (MEKIDP-A)

1. člen

V Zakonu o ratifikaciji Evropske konvencije o izročitvi, Dodatnega protokola k Evropski konvenciji o izročitvi in Drugega dodatnega protokola k Evropski konvenciji o izročitvi (Uradni list RS – MP, št. 22/94) se 2. člen spremeni tako, da se v slovenskem prevodu 10. člena Evropske konvencije o izročitvi za besedo »prosilke« beseda »in« nadomesti z besedo »ali«.

2. člen

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

Št. 713-01/91-8/3
Ljubljana, dne 22. junija 2007
EPA 1448-IV

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

74. Uredba o ratifikaciji Memoranduma o sodelovanju med Vlado Republike Slovenije in Vlado Italijanske republike

Na podlagi petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo in 20/06 – ZNOMCMO) izdaja Vlada Republike Slovenije

U R E D B O**O RATIFIKACIJI MEMORANDUMA O SODELOVANJU MED VLADO REPUBLIKE SLOVENIJE
IN VLADO ITALIJANSKE REPUBLIKE**

1. člen

Ratificira se Memorandum o sodelovanju med Vlado Republike Slovenije in Vlado Italijanske republike, podpisan 14. maja 2007 v Bruslju.

2. člen

Memorandum se v slovenskem in angleškem jeziku glasi*:

**M E M O R A N D U M
O SODELOVANJU MED
VLADO REPUBLIKE SLOVENIJE
IN VLADO ITALIJANSKE REPUBLIKE**

Izhajajoč iz skupne evropske prihodnosti, ki jo zagotavlja članstvo obeh držav v EU,

zavedajoč se pomena vsestranskega dobrososedskega sodelovanja v tem prostoru,

upoštevajoč interes obeh držav, da zaščitita pravice, kulturo in blaginjo slovenske manjšine v Italiji in italijanske manjšine v Sloveniji

in

z namenom krepite partnerskih odnosov v EU, razvijanja nadaljnjih prijateljskih odnosov med državama, sporazumnega reševanja vprašanj, ki so v skupnem interesu obeh sosednjih držav, in povečanja gospodarskega sodelovanja med državama;

1. člen

Vlada Republike Slovenije in Vlada Italijanske republike ustanovita Koordinacijski odbor ministrov, pristojnih za zunanje zadeve, gospodarstvo, energetiko, okolje, infrastrukturo, promet, kmetijstvo, univerze in znanstveno raziskovanje. Po potrebi in v dogovoru z drugo stranjo se področje delovanja lahko razširi tudi na druga področja interesa obeh držav. Posebna pozornost se posveti oblikovanju severnojadranskega razvojnega pola, tudi ob upoštevanju oblik usklajevanja in skupnega upravljanja regionalnih virov in varstva okolja z vidika severnojadranskega partnerstva v okviru instrumentov okoljskega prava in dobrih praks Evropske unije.

2. člen

Koordinacijski odbor ministrov vodita ministra, pristojna za zunanje zadeve obeh držav.

3. člen

Koordinacijski odbor ministrov se sestaja najmanj enkrat letno, oziroma po potrebi na pobudo ene ali druge strani ter obravnava odprta vprašanja, ki jih predhodno predlaga katerikoli stran.

**M E M O R A N D U M
ON COOPERATION BETWEEN
THE GOVERNMENT OF THE REPUBLIC
OF SLOVENIA AND THE GOVERNMENT
OF THE ITALIAN REPUBLIC**

Deriving from a common European future ensured by EU membership of the two States,

Being aware of the significance of all-round good neighbourly relations in the region,

Bearing in mind that it is in the interest of both States to protect the rights, culture and well-being of the Slovenian minority in Italy and the Italian minority in Slovenia,

and

With a view to strengthening partner relations within the EU, developing further the friendly relations between the two States, consensual solving of issues of common interest to both neighbouring States, and enhancing economic cooperation between the two States;

Article 1

The Government of the Republic of Slovenia and the Government of the Italian Republic shall establish herewith a Coordination Committee of Ministers responsible for foreign affairs, economy, energy, environment, infrastructure, transport, agriculture, universities and scientific research. Where necessary and in agreement with the other party, the scope of activity may be expanded to other fields of interest to the two States. A special focus shall be put on shaping a Northern Adriatic Pole of Development, also considering forms of co-ordination and joint management of the region's resources and environmental protection, in view of a Northern Adriatic partnership within the instruments of environmental law and good practices of the European Union.

Article 2

The Coordination Committee of Ministers shall be headed by the ministers responsible for foreign affairs of the two states.

Article 3

The Coordination Committee of Ministers shall meet at least once a year, or, when necessary, on the initiative of one or the other party, to address open issues, proposed by either party.

* Besedilo memoranduma v italijanskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

4. člen

Koordinacijski odbor ministrov o svojem delu poroča vladama obeh držav in predlaga priporočila glede reševanja vprašanj s področij, navedenih v 1. členu.

5. člen

Za pripravo sestankov omenjenega Koordinacijskega odbora in obravnavanje vprašanj v skupnem interesu se visoki predstavniki zadevnih ministrstev sestanejo kot delovna skupina.

Visoki predstavniki ministrstev bodo na področjih, za katera so pristojni, redno izmenjevali mnenja in predlagali ustrezne teme za razpravo.

Visoki predstavniki ministrstev za zunanje zadeve so odgovorni za usklajevanje delovne skupine.

6. člen

Pogodbenici o sklenitvi memoranduma obvestita Evropsko komisijo.

7. člen

Ta memorandum začne veljati z dnem prejema zadnjega uradnega pisnega obvestila, s katerim se pogodbenici po diplomatski poti medsebojno obvestita, da so izpolnjene njune notranjepravne zahteve.

Sestavljeno v Bruslju dne 14. maja 2007 v dveh izvornikih v slovenskem, italijanskem in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. V primeru razlik v razlagi prevlada angleško besedilo.

Za Vlado
Republike Slovenije

Dimitrij Rupel l.r.

Za Vlado
Italijanske republike

Massimo D'Alema l.r.

On behalf of the
Government of the
Republic of Slovenia
Dimitrij Rupel (s)

On behalf of the
Government of the
Italian Republic
Massimo D'Alema (s)

3. člen

Za izvajanje memoranduma skrbi Ministrstvo za zunanje zadeve.

4. člen

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

Št. 00724-31/2007
Ljubljana, dne 20. junija 2007
EVA 2007-1811-0062

Vlada Republike Slovenije

Janez Janša l.r.
Predsednik

Article 4

The Coordination Committee of Ministers shall report on its work to the Governments of the two States and shall make recommendations for solving the issues in the fields referred to in Article 1.

Article 5

In order to prepare the meetings of the aforementioned Coordination Committee, and to discuss issues of common interest, high representatives of the involved ministries shall meet as a Working Group.

In their respective fields of competence, the high representatives of the involved ministries will have regular exchanges of views and propose relevant subjects of discussion.

The high representatives of the ministries of foreign affairs shall be responsible for the co-ordination of the Working Group.

Article 6

The respective parties shall inform the European Commission of the conclusion of the Memorandum.

Article 7

This Memorandum shall enter into force on the date of the receipt of the last written notification by which the parties have notified each other, through diplomatic channels, that their respective internal legal requirements have been fulfilled.

Done in Brussels on 14 May 2007, in two originals, each in the Slovenian, Italian and English languages, all texts being equally authentic. In case of divergence in interpretation, the English text shall prevail.

75. Uredba o ratifikaciji Memoranduma o sodelovanju med Ministrstvom za gospodarstvo Republike Slovenije in Ministrstvom za industrijo in trgovino Češke republike

Na podlagi petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo in 20/06 – ZNOMCMO) izdaja Vlada Republike Slovenije

U R E D B O**O RATIFIKACIJI MEMORANDUMA O SODELOVANJU MED MINISTRSTVOM ZA GOSPODARSTVO REPUBLIKE SLOVENIJE IN MINISTRSTVOM ZA INDUSTRIJO IN TRGOVINO ČEŠKE REPUBLIKE**

1. člen

Ratificira se Memorandum o sodelovanju med Ministrstvom za gospodarstvo Republike Slovenije in Ministrstvom za industrijo in trgovino Češke republike, podpisan v Krškem 19. maja 2006.

2. člen

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

M E M O R A N D U M**ON COOPERATION BETWEEN THE MINISTRY OF THE ECONOMY OF THE REPUBLIC OF SLOVENIA AND THE MINISTRY OF INDUSTRY AND TRADE OF THE CZECH REPUBLIC**

The Ministry of the Economy of the Republic of Slovenia and the Ministry of Industry and Trade of the Czech Republic (hereinafter referred to as the "Contracting Parties"),

Led by the desire to develop and expand cooperation and strengthen relationships between the above-mentioned two ministries and thereby to contribute to the development of economic relations between the Republic of Slovenia and the Czech Republic,

Led by the desire to support the development of economic cooperation as part of the Central European region, and thereby to contribute to the economic development of the European Union,

hereby declare:

Article 1

The Contracting Parties, pursuant to the laws and regulations in force in their respective countries and to the commitments ensuing to them from international agreements and from their membership in the European Union, shall support the development of bilateral economic relations, industrial cooperation and the placement of investments, whilst fully respecting the mutual benefit principle. Special attention shall be devoted to the problems and issues facing small and medium enterprises and the creation of conditions for the further deepening of the single internal market of the European Union.

Article 2

Within their respective spheres of competence, the Contracting Parties shall:

a) Consult on fundamental questions of interest to both parties related to the implementation of common European Union economic policy, or to the compilation of standpoints and opinions on the drafts of new, or amendments of existing documents prepared for discussion before the relevant bodies of the European Union or other international organizations, as the case may be;

b) Keep each other informed of economic development in their respective countries and of the results of trading in goods and services;

c) Engage in consultation pertaining to fundamental questions and documents associated with the operation of the single internal market of the European Union, specifically as regards the free movement of goods, services and the freedom of settlement for the purpose of carrying on entrepreneurial activities within the single internal market of the European Union;

M E M O R A N D U M**O SODELOVANJU MED MINISTRSTVOM ZA GOSPODARSTVO REPUBLIKE SLOVENIJE IN MINISTRSTVOM ZA INDUSTRIJO IN TRGOVINO ČEŠKE REPUBLIKE**

Ministrstvo za gospodarstvo Republike Slovenije ter Ministrstvo za industrijo in trgovino Češke republike (v nadaljevanju »pogodbenika«)

v želji, da bi razvijali in širili sodelovanje ter krepili odnose med ministrstvom ter tako prispevali k razvoju gospodarskih odnosov med Republiko Slovenijo in Češko republiko,

v želji, da bi podpirali razvoj gospodarskega sodelovanja kot del srednjeevropskega območja in tako prispevali h gospodarskemu razvoju Evropske unije,

izjavljata:

1. člen

Pogodbenika na podlagi zakonov in predpisov, ki veljajo v njihovi državi, ter zavez iz mednarodnih sporazumov in svojega članstva v Evropski uniji podpirata razvoj dvostranskih gospodarskih odnosov, industrijsko sodelovanje in vlaganja ob polnem spoštovanju načela obojestranske koristi. Posebno pozornost namenjata težavam in vprašanjem malih in srednje velikih podjetij ter ustvarjanju razmer za nadaljnjo poglobitev notranjega trga Evropske unije.

2. člen

V okviru svojih pristojnosti pogodbenika:

a) se posvetujeta o temeljnih vprašanih skupnega interesa glede uresničevanja skupne gospodarske politike Evropske unije ali oblikovanju stališč in mnenj o osnutkih nove gospodarske politike ali glede sprememb obstoječih dokumentov, pripravljenih za razpravo v ustreznih telesih Evropske unije ali drugih mednarodnih organizacijah, odvisno od primera;

b) se obveščata o gospodarskem razvoju v svojih državah ter rezultatih menjave blaga in storitev;

c) se posvetujeta o temeljnih vprašanih in dokumentih, povezanih z delovanjem notranjega trga Evropske unije, zlasti glede prostega pretoka blaga, storitev in svobode nastanitve zaradi opravljanja podjetniških dejavnosti na notranjem trgu Evropske unije;

d) Support consultation of the business entities of both Contracting Parties as regards to the possibilities of cooperation and during the course of implementation of business projects on third party markets;

e) Support regional cooperation;

f) Organise and implement exchange programmes, seminars and contacts between experts of the partner ministries;

g) Support the participation of Slovene and Czech entities in exhibitions, trade fairs held in the two countries, organise symposiums and other educational and promotional events;

h) Keep each other informed of:

– Any changes being prepared in ministry policy, specifically in industrial, power generation, pro-export policies and in policies for the support of small and medium enterprises,

– Implemented economic analyses, compiled ministerial analytical materials and materials determining the economic strategy of the two countries that are within the Contracting Parties' spheres of influence,

– The manner of implementing the principles of sustainable development in the economic area,

– Any problematic issues pertaining to the internal market and consumer protection,

– The activities of institutions supporting developments in trade, industry and investments,

– The activities of agencies supporting the development of small and medium enterprises,

– Experiences with the use of structural funds,

– Restructuring programmes and state aid aimed at saving and restructuring enterprises facing difficulties,

– The activities of institutions arranging for assessments in the harmonised as well as the non-harmonised sphere, technical normalization and metrology,

– Investment incentive systems,

– Experience gained from the preparations for and carrying out of the European Union Council presidency duties,

i) Support cooperation of bodies and institutions of the Republic of Slovenia and the Czech Republic active in the above-mentioned areas.

Article 3

The Contracting Parties shall perform activities stipulated in Article 2 hereof or, after mutual agreement, expanded by the addition of other areas, in the form of normal business contacts, exchange of appropriate materials and as part of regular meetings of the Ministerial Consulting Committee established pursuant to Article 4 hereof.

Article 4

1. A Ministerial Consulting Committee (hereinafter referred to as the "Committee") shall be established, comprising of representatives of the two Contracting Parties. The representative of the Ministry of the Economy of the Republic of Slovenia shall be the State Secretary in that ministry, the representative of the Ministry of Industry and Trade of the Czech Republic shall be the Deputy Minister of that ministry. In justified cases and after mutual agreement the representatives of the two ministries may be represented at meetings of the Committee by representatives appointed by them. The head of delegations shall, on the basis of the programme of negotiations, appoint other ad hoc representatives of their ministries on the Committee. Representatives of other organizations and institutions participating in the issue being discussed may be invited to the meetings.

2. The Committee shall meet regularly once a year, alternately in the Republic of Slovenia and in the Czech Republic. Either of the Contracting Parties may request the convening of an extraordinary meeting. At its meetings the Committee shall deal with activities stipulated in Article 2 hereof.

3. The Committee may establish specialised working groups on an ad hoc basis to discuss selected questions that are of mutual interest.

d) podpirata posvetovanje gospodarskih subjektov pogodbenikov glede možnosti sodelovanja med uresničevanjem poslovnih projektov na tretjih trgih;

e) podpirata regionalno sodelovanje;

f) organizirata in uresničujeta programe izmenjave, seminarje in stike med strokovnjaki partnerskih ministrstev;

g) podpirata udeležbo slovenskih in čeških subjektov na razstavah in trgovskih sejmi v obeh državah, organizirata simpozije ter druge izobraževalne in promocijske dogodke;

h) se obveščata o:

– vseh spremembah, ki se pripravljajo v politiki ministrstev, zlasti glede industrije, proizvodnje električne energije, spodbujanja izvoza ter podpore malim in srednje velikim podjetjem;

– opravljenih ekonomskih analizah, analitičnemu gradivu ministrstev in gradivu, ki določa gospodarsko strategijo obeh držav, na katero lahko vplivata pogodbenika;

– načinu uresničevanja načel trajnostnega razvoja na gospodarskem področju;

– vseh problematičnih vprašanjih v zvezi z notranjim trgovom in varstvom potrošnikov;

– dejavnostih institucij, ki podpirajo razvoj trgovine, industrije in vlaganj;

– dejavnostih agencij, ki podpirajo razvoj malih in srednje velikih podjetij;

– izkušnjah pri porabi sredstev strukturnih skladov;

– programih prestrukturiranja in državni pomoči za reševanje in prestrukturiranje podjetij v težavah;

– dejavnostih institucij za presojo kakovosti na usklajenih in neusklajenih področjih, tehnično standardizacijo ter mero-slovje;

– sistemih za spodbujanje naložb;

– izkušnjah, pridobljenih pri pripravah na predsedovanje Svetu Evropske unije in med njim;

i) podpirata sodelovanje teles in institucij Republike Slovenije in Češke republike na zgoraj omenjenih področjih.

3. člen

Pogodbenika izvajata dejavnosti iz 2. člena tega memoranduma ali jih sporazumno razširita na druga področja s poslovnimi stiki, izmenjavo ustreznega gradiva in rednimi srečanji ministrskega posvetovalnega odbora, ustanovljenega na podlagi 4. člena tega memoranduma.

4. člen

1. Oblikuje se ministrski posvetovalni odbor (v nadaljevanju »odbor«), ki ga sestavljajo predstavniki pogodbenikov. Predstavniki Ministrstva za gospodarstvo Republike Slovenije je državni sekretar na tem ministrstvu, predstavnik Ministrstva za industrijo in trgovino Češke republike pa namestnik ministra tega ministrstva. V upravičenih primerih in sporazumno se lahko namesto predstavnikov obeh ministrstev zasedanj odbora udeležita predstavnika, ki ju ta imenujeta. Vodji delegacij na podlagi programa pogajanj imenujeta vsakokratne predstavnike ministrstev v odbor. Na zasedanja so lahko vabljeni predstavniki drugih organizacij in ustanov, ki se udeležujejo razprave.

2. Odbor se redno sestaja enkrat letno izmenično v Republiki Sloveniji in Češki republiki. En ali drug pogodbenik lahko zahteva izredno zasedanje. Na svojih zasedanjih odbor obravnava zadeve, določene v 2. členu.

3. Odbor lahko oblikuje vsakokratne specializirane delovne skupine za obravnavo izbranih vprašanj obojestranskega interesa.

Article 5

1. This Memorandum shall enter into force on the first day of the second month after the day of receiving the last of the notes by which the Contracting Parties inform each other of the fulfilment of internal legal procedures required for this Memorandum to enter into force and shall be valid for one (1) year and automatically extended for equal periods.

2. On the date of entry into force of this Memorandum, validity of the Arrangement on the Cooperation between the Ministry of the Economy of the Republic of Slovenia and the Ministry of Industry and Trade of the Czech Republic, signed on 18 October 2002 in Prague shall be terminated.

3. Either of the Contracting Parties may terminate the validity of this Memorandum by informing the other Contracting Party of its intention to do so in writing three (3) months prior to the expiration of any 1-year period.

Done in duplicate in Krško on 19 May 2006 in the English language.

On behalf of the Ministry
of the Economy
of the Republic of Slovenia
Andrej Vizjak (s)

On behalf of the Ministry
of Industry and Trade
of the Czech Republic
Martin Tlapa (s)

5. člen

1. Ta memorandum začne veljati prvi dan drugega meseca po dnevu prejema zadnje od not, s katerima se pogodbenika obvestita o končanju notranjepravnih postopkov, potrebnih za začetek veljavnosti tega memoranduma, in velja eno (1) leto ter se samodejno podaljšuje za enaka obdobja.

2. Z dnem začetka veljavnosti tega memoranduma preneha veljati Dogovor o sodelovanju med Ministrstvom za gospodarstvo Republike Slovenije in Ministrstvom za industrijo in trgovino Češke republike, podpisan 18. oktobra 2002 v Pragi.

3. En ali drug pogodbenik lahko odstopi od memoranduma tako, da o svoji nameri tri (3) mesece pred iztekom vsakega 1-letnega obdobja pisno obvesti drugega pogodbenika.

Sestavljeno v dveh izvornikih v Krškem dne 19. maja 2006 v angleškem jeziku.

V imenu Ministrstva za
gospodarstvo
Republike Slovenije
Andrej Vizjak l.r.

V imenu Ministrstva za
industrijo in trgovino
Češke republike
Martin Tlapa l.r.

3. člen

Za izvajanje memoranduma skrbi Ministrstvo za gospodarstvo.

4. člen

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

Št. 00724-33/2007
Ljubljana, dne 20. junija 2007
EVA 2007-1811-0006

Vlada Republike Slovenije

Janez Janša l.r.
Predsednik

76. Uredba o ratifikaciji Memoranduma o sodelovanju med Ministrstvom za gospodarstvo Republike Slovenije in Ministrstvom za gospodarstvo in trgovino Romunije

Na podlagi petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo in 20/06 – ZNOMCMO) izdaja Vlada Republike Slovenije

U R E D B O**O RATIFIKACIJI MEMORANDUMA O SODELOVANJU MED MINISTRSTVOM ZA GOSPODARSTVO REPUBLIKE SLOVENIJE IN MINISTRSTVOM ZA GOSPODARSTVO IN TRGOVINO ROMUNIJE****1. člen**

Ratificira se Memorandum o sodelovanju med Ministrstvom za gospodarstvo Republike Slovenije in Ministrstvom za gospodarstvo in trgovino Romunije, podpisan v Ljubljani 21. oktobra 2005.

2. člen

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

M E M O R A N D U M**ON CO-OPERATION BETWEEN THE MINISTRY OF THE ECONOMY OF THE REPUBLIC OF SLOVENIA AND THE MINISTRY OF ECONOMY AND COMMERCE OF ROMANIA**

The Ministry of the Economy of the Republic of Slovenia and the Ministry of Economy and Commerce of Romania (hereinafter referred to as "the Contracting Parties"),

- confirming friendly relations between their states and their inhabitants;
 - wishing to promote the development of their economic co-operation in fields of mutual interest on the basis of equality, mutual benefit and reciprocity;
 - considering the mutual benefit arising from increased trade and the wish to strengthen relations further, especially through the promotion of bilateral trade, economic ties and closer co-operation; and
 - considering the obligations of their states arising from international agreements,
- have agreed as follows:

Article 1

The Contracting Parties, within the framework of their laws, regulations and other provisions and considering their international obligations and agreements, shall make their best efforts to develop and strengthen economic co-operation on the widest possible basis and in all the fields they deem to be of their mutual interest and benefit.

Article 2

1. The Contracting Parties shall strive to create favourable conditions to strengthen economic co-operation, especially by:
- facilitating and supporting exchange and contacts between their economic operators,
 - creating a favourable atmosphere for investments,
 - facilitating the exchange of business and economic information,
 - helping each other in the organisation of fairs, exhibitions, symposiums etc.,
 - facilitating the exchange of information on activities in the domestic market, including rules regarding consumer protection,
 - creating a favourable climate for cooperation in the field of small and medium size enterprises and development of entrepreneurship,
 - encouraging co-operation and activities in the field of tourism.

M E M O R A N D U M**O SODELOVANJU MED MINISTRSTVOM ZA GOSPODARSTVO REPUBLIKE SLOVENIJE IN MINISTRSTVOM ZA GOSPODARSTVO IN TRGOVINO ROMUNIJE**

Ministrstvo za gospodarstvo Republike Slovenije ter Ministrstvo za gospodarstvo in trgovino Romunije (v nadaljevanju »pogodbenika«) sta se

- ob potrditvi prijateljskih odnosov med državama in njunimi prebivalci;
 - v želji, da bi spodbujali razvoj gospodarskega sodelovanja na področjih obojestranskega interesa na podlagi enakopravnosti, obojestranske koristi in vzajemnosti;
 - ob upoštevanju obojestranske koristi, ki izhaja iz povečanega trgovanja in želje po nadaljnji krepitvi odnosov, zlasti s spodbujanjem dvostranske trgovine, gospodarskih vezi in tesnejšega sodelovanja, in
 - ob upoštevanju obveznosti svojih držav, ki izhajajo iz mednarodnih sporazumov,
- sporazumela o naslednjem:

1. člen

Pogodbenika si v okviru svojih zakonov, predpisov in drugih določb ter ob upoštevanju svojih mednarodnih obveznosti ter sporazumov kar najbolj prizadevata za razvoj in krepitev gospodarskega sodelovanja na čim širši podlagi in na vseh področjih, za katera menita, da so v njunem obojestranskem interesu in njuno korist.

2. člen

1. Pogodbenika si prizadevata ustvarjati ugodne razmere za krepitev gospodarskega sodelovanja, zlasti s tem da:
- omogočata in podpirata izmenjavo in stike med svojimi gospodarskimi subjekti,
 - ustvarjata ugodno ozračje za naložbe,
 - omogočata izmenjavo poslovnih in gospodarskih informacij,
 - si pomagata pri organiziranju sejmov, razstav, simpozijev itd.,
 - omogočata izmenjavo informacij o dejavnostih na domačem trgu, vključno s pravili o varstvu potrošnikov,
 - ustvarjata ugodno ozračje za sodelovanje na področju malih in srednje velikih podjetij ter za razvoj podjetništva,
 - spodbujata sodelovanje in dejavnosti na področju turizma.

Article 3

To this end the Contracting Parties hereby establish a Slovene-Romanian Joint Commission which shall deal with the fields covered by this Memorandum and:

- identify fields to which co-operation between the Contracting Parties should be extended, propose measures and make recommendations for their implementation;
- prepare proposals for improving the possibilities of co-operation between economic operators of the two states;
- exchange information on the economic situation in the two states, on regulations, economic programmes and other information of mutual interest;
- identify problems that hinder bilateral trade and economic co-operation and propose measures for their solution.

Article 4

The Joint Commission shall be composed of representatives of the Contracting Parties and, where necessary, representatives of other establishments of the private or public sector may also be invited to participate.

Article 5

1. The Joint Commission shall meet as a rule once a year or as required at the request of either of the Contracting Parties.
2. The dates of meetings and the agenda of the Joint Commission shall be agreed by both Contracting Parties.
3. The host Contracting Party shall take minutes of the course and the conclusions of the meeting of the Joint Commission, which shall be signed by the leaders of both delegations at the end of the meeting.

Article 6

Either of the Contracting Parties may at any time request an amendment to this Memorandum through diplomatic channels.

Article 7

1. This Memorandum shall enter into force on the first day of the second month after the day of receiving the last of the notes by which the Contracting Parties inform each other on the fulfilment of internal legal procedures required for this Memorandum to enter into force and shall be valid for one (1) year and shall be automatically extended for equal periods.
2. Either of the Contracting Parties may withdraw from the Memorandum by informing the other Contracting Party of its intention to do so in writing three (3) months prior to the expiration of any 1-year period.

Done in duplicate on the twenty-first of October 2005 in Ljubljana in the English language, both texts being equally authentic.

Andrej Vizjak (s)
Minister
of the Economy of the
Republic of Slovenia

Ioan-Codrut Seres (s)
Minister
of Economy and Commerce
of Romania

Andrej Vizjak l.r.
Minister
za gospodarstvo
Republike Slovenije

Ioan-Codrut Seres l.r.
Minister
za gospodarstvo in trgovino
Romunije

3. člen

Za izvajanje memoranduma skrbi Ministrstvo za gospodarstvo.

4. člen

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

Št. 00724-34/2007
Ljubljana, dne 20. junija 2007
EVA 2007-1811-0019

Vlada Republike Slovenije

Janez Janša l.r.
Predsednik

3. člen

S tem namenom pogodbenika ustanovita slovensko-romunsko skupno komisijo, ki obravnava področja tega memoranduma in:

- opredeljuje področja za razširitev sodelovanja med pogodbenikoma, predlaga ukrepe in daje priporočila za njihovo uresničevanje;
- pripravlja predloge za izboljšanje možnosti sodelovanja med gospodarskimi subjekti obeh držav;
- izmenjuje informacije o gospodarskem položaju v obeh državah, predpisih, gospodarskih programih ter druge informacije v obojestranskem interesu;
- ugotavlja težave, ki ovirajo dvostransko trgovinsko in gospodarsko sodelovanje, ter predlaga ukrepe za njihovo rešitev.

4. člen

Skupno komisijo sestavljajo predstavniki pogodbenikov, po potrebi pa so k sodelovanju lahko povabljeni tudi predstavniki drugih ustanov zasebnega ali javnega sektorja.

5. člen

1. Skupna komisija se praviloma sestaja enkrat letno ali po potrebi na zahtevo enega ali drugega pogodbenika.
2. Pogodbenika se dogovorita o datumu in dnevnem redu zasedanj skupne komisije.
3. O poteku in sklepih zasedanja skupne komisije pogodbenik gostitelj sestavi zapisnik, ki ga ob koncu zasedanja podpišeta vodji delegacij.

6. člen

En ali drug pogodbenik lahko kadar koli po diplomatski poti predlaga spremembo tega memoranduma.

7. člen

1. Ta memorandum začne veljati prvi dan drugega meseca po dnevu prejema zadnje od not, s katerima se pogodbenika obvestita o končanju notranjepravnih postopkov, potrebnih za začetek veljavnosti tega memoranduma, in velja eno (1) leto ter se samodejno podaljšuje za enaka obdobja.
2. En ali drug pogodbenik lahko odstopi od memoranduma tako, da o svoji nameri tri (3) mesece pred iztekom vsakega 1-letnega obdobja pisno obvesti drugega pogodbenika.

Sestavljeno v dveh izvornikih dne 21. oktobra 2005 v Ljubljani v angleškem jeziku, pri čemer sta besedili enako verodostojni.

77. Uredba o ratifikaciji Dogovora med Vlado Republike Slovenije in Svetom Evrope o statusu informacijskega urada Sveta Evrope v Republiki Sloveniji

Na podlagi prve in tretje alineje petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo in 20/06 – ZNOMCMO) izdaja Vlada Republike Slovenije

U R E D B O**O RATIFIKACIJI DOGOVORA MED VLADO REPUBLIKE SLOVENIJE IN SVETOM EVROPE O STATUSU INFORMACIJSKEGA URADA SVETA EVROPE V REPUBLIKI SLOVENIJI****1. člen**

Ratificira se Dogovor med Vlado Republike Slovenije in Svetom Evrope o statusu Informacijskega urada Sveta Evrope v Republiki Sloveniji, podpisan v Strasbourgu 13. aprila 2007.

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 COUNCIL OF EUROPE
AND THE GOVERNMENT
OF THE REPUBLIC OF SLOVENIA
CONCERNING
THE STATUS OF THE COUNCIL OF EUROPE
INFORMATION OFFICE
IN THE REPUBLIC OF SLOVENIA**

With reference to Resolution (99) 9 of the Committee of Ministers of the Council of Europe to create an Information Office of the Council of Europe to succeed the present Information and Documentation Centre (IDC) of the Council of Europe established under the aegis of the National and University Library in Ljubljana;

Taking into consideration that the Information Office of the Council of Europe (IOCE) is an institution of the Council of Europe and thus the General Agreement on Privileges and Immunities of the Council of Europe to which the Republic of Slovenia is a Contracting Party is to apply to it accordingly;

Considering that it is necessary to conclude an Arrangement to regulate certain issues linked to the establishment of the Office in Ljubljana;

Have reached the following arrangement:

Article 1

The IOCE, as an institution of the Council of Europe, shall possess juridical personality. It shall have the capacity to conclude contracts, to acquire and dispose of movable property (equipment) and to institute legal proceedings. In such matters, the Director of the IOCE will act on behalf of the Secretary General of the Council of Europe.

Article 2

The IOCE may hold a bank account in foreign currency.

Article 3

1) The IOCE shall be exempt from customs duties, prohibitions and restrictions imposed on articles imported or exported for its official use. Articles imported under such exemption may be used for purposes other than those on the basis of which they were exempt from customs duties only under conditions stipulated in the regulations applicable.

2) The IOCE shall be exempt from all import duties and other taxes imposed on the import or export, and from prohibitions and restrictions in respect of the import or export of its publications and documentation received from the Council of Europe.

**D O G O V O R
MED VLADO REPUBLIKE SLOVENIJE
IN SVETOM EVROPE
O STATUSU
INFORMACIJSKEGA URADA SVETA EVROPE
V REPUBLIKI SLOVENIJI**

Glede na Resolucijo (99)9 Odbora ministrov Sveta Evrope o ustanovitvi Informacijskega urada Sveta Evrope, ki bo nasledil sedanji Informacijski in dokumentacijski center Sveta Evrope, ustanovljen pod okriljem Narodne in univerzitetne knjižnice v Ljubljani,

ob upoštevanju, da je Informacijski urad Sveta Evrope (IUSE) ustanova Sveta Evrope ter se tako zanj uporablja Splošni sporazum o privilegijih in imunitetah Sveta Evrope, katerega pogodbenica je Republika Slovenija,

glede na to, da je treba skleniti dogovor, ki ureja nekatera vprašanja, povezana z ustanovitvijo urada v Ljubljani,

je bil dosežen naslednji dogovor:

1. člen

IUSE ima kot ustanova Sveta Evrope pravno osebnost. Pristojen je za sklepanje pogodb, pridobivanje premičnin (opreme) in razpolaganje z njimi ter za nastopanje pred sodiščem. V takih zadevah direktor IUSE deluje v imenu generalnega sekretarja Sveta Evrope.

2. člen

IUSE ima lahko bančni račun v tuji valuti.

3. člen

1) IUSE je oproščen carinskih dajatev, prepovedi in omejitev za izdelke, uvožene ali izvožene za njegove službene namene. Izdelki, uvoženi ob takih oprostitvah, se lahko uporabijo za druge namene kot za tiste, za katere so bili oproščeni carinskih dajatev, samo pod pogoji, določenimi v veljavnih predpisih.

2) IUSE je oproščen vseh uvoznih in drugih dajatev, ki se plačujejo ob uvozu ali izvozu, ter prepovedi in omejitev v zvezi z uvozom ali izvozom svojih publikacij in dokumentacije, ki jo prejme od Sveta Evrope.

3) As a Council of Europe Institution the IOCE shall benefit from the provisions of the General Agreement on Privileges and Immunities of the Council of Europe, concluded in Paris on 2 September 1949 and ratified by Slovenia on 8 November 1994.

Article 4

The IOCE is permitted to display the Council of Europe's emblem on premises used by the Centre.

Article 5

1) The staff of the IOCE will essentially be made of individuals employed under the Staff Regulations and rules of the Council of Europe, deemed IOEC officials, posted to the Office.

2) IOEC officials shall be exempt from social security regulations in force in the Republic of Slovenia.

3) The exemptions provided for under Paragraph 2 hereof shall not preclude voluntary participation in the social security system of the Republic of Slovenia, provided that such participation is permitted by the respective Slovene legislation.

4) Notwithstanding the provisions of Paragraph 1, the IOCE may propose contracts under Slovenian law for the performance of auxiliary services or functions. Individuals employed under such contract will not be deemed IOEC officials. By employing on this basis, nationals or permanent residents of the Republic of Slovenia, the IOCE shall observe the obligations imposed upon employers under the social security regulations of the Republic of Slovenia.

Article 6

1) IOCE officials shall enjoy the following privileges and immunities:

a) immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity and within the limit of their authority;

b) exemption from taxation on the salaries and emoluments paid to them by the Council of Europe.

2) The Secretary General of the Council of Europe shall inform the Government of the names of the IOCE officials, to whom the privileges and immunities provided for in Article 18 of the General Agreement on Privileges and Immunities of the Council of Europe shall apply.

3) IOCE officials shall not violate the legislation of Slovenia and shall refrain from acts incompatible with the performance of their official functions.

4) Privileges and immunities are granted to IOCE officials in the interests of the Council of Europe and not for the personal benefit of the individuals themselves. The Secretary General shall have the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the Council of Europe.

Article 7

Questions concerning the interpretation, implementation and application of this Arrangement shall, where necessary, be resolved through the diplomatic channel with consultations and negotiations.

Article 8

1) The newly created IOCE will benefit of all resources, equipment and documentation previously at the disposal of the former IDC these assets remain the property of the Council of Europe.

3) Za IUSE kot ustanovo Sveta Evrope, veljajo določbe Splošnega sporazuma o privilegijih in imunitetah Sveta Evrope, sklenjenega v Parizu 2. septembra 1949, ki ga je Republika Slovenija ratificirala 8. novembra 1994.

4. člen

IUSE je dovoljeno, da na stavbi, ki jo uporablja center, namesti emblem Sveta Evrope.

5. člen

1) Zaposleni IUSE so večinoma osebe, ki so zaposlene v skladu s predpisi in pravilniki o zaposlenih Sveta Evrope ter se štejejo za funkcionarje IUSE, napotene v urad.

2) Funkcionarji IUSE so izvzeti iz predpisov za področje socialne varnosti, ki veljajo v Republiki Sloveniji.

3) Izjeme iz drugega odstavka tega člena ne izključujejo prostovoljne vključitve v sistem socialne varnosti Republike Slovenije pod pogojem, da tako vključitev dopušča slovenska zakonodaja.

4) Ne glede na določbe prvega odstavka lahko IUSE predlaga pogodbe o opravljanju pomožnih storitev ali nalog v skladu s slovensko zakonodajo. Osebe, zaposlene po taki pogodbi, se ne štejejo za funkcionarje IUSE. Pri zaposlovanju državljanov ali oseb s stalnim prebivališčem v Republiki Sloveniji na tej podlagi IUSE spoštuje vse obveznosti, ki jih delodajalcem nalagajo predpisi s področja socialne varnosti Republike Slovenije.

6. člen

1) Funkcionarji IUSE uživajo naslednje privilegije in imunitete:

a) imuniteto pred sodnim postopkom za izgovorjene ali napisane besede in vsa svoja dejanja, storjena v skladu z njihovimi uradnimi pristojnostmi in v mejah njihovih pooblastil;

b) oprostitve plačila davkov na plače in nagrade, ki jim jih izplačuje Svet Evrope.

2) Generalni sekretar Sveta Evrope sporoči vladi imena funkcionarjev IUSE, ki uživajo privilegije in imunitete iz 18. člena Splošnega sporazuma o privilegijih in imunitetah Sveta Evrope.

3) Funkcionarji IUSE ne smejo kršiti slovenske zakonodaje in se vzdržijo vseh dejanj, ki niso združljiva z opravljanjem njihovih uradnih dolžnosti.

4) Privilegiji in imunitete so funkcionarjem IUSE zagotovljeni v interesu Sveta Evrope in ne zaradi osebnih koristi posameznikov. Generalni sekretar ima pravico in dolžnost odvzeti imuniteto vsakemu funkcionarju v vsakem primeru, kjer bi po njegovem mnenju imuniteta ovirala uresničevanje pravice in jo je mogoče odvzeti brez škode za interese Sveta Evrope.

7. člen

Vprašanja glede razlage, izvajanja ali uporabe tega dogovora se po potrebi rešujejo po diplomatski poti s posvetovanji in pogajanji.

8. člen

1) Novoustanovljeni IUSE uporablja vsa sredstva, opremo in dokumentacijo, s katerimi je prej razpolagal nekdanji informacijski in dokumentacijski center, ta sredstva ostanejo v lasti Sveta Evrope.

2) This Arrangement will enter into force on the date on which the Government of the Republic of Slovenia notifies the Secretary General of the Council of Europe by a Diplomatic Note of the completion of its internal procedures required for its entry into force.

3) The Arrangement can be modified by mutual agreement of both contracting Parties. The amendments to the Arrangement shall be drawn up in the form of a separate Protocol, which will enter into force in accordance with the procedure stipulated in the second paragraph of this article.

4) This Arrangement will cease to be in force six months after either of the contracting Parties gives notice in writing to the other of its decision to terminate the Arrangement, except as regards the normal cessation of the activities of the IOCE in the country.

5) In this latter case, the present Arrangement shall be terminated at the date of closing the IOCE. The Secretary General of the Council of Europe shall communicate to the Government of the Republic of Slovenia the official date of the closing of the IOCE and such privileges and immunities that are necessary for the proper winding up of the IOCE shall continue to apply till the communicated date of closing.

Done in Strasbourg, on 13 April 2007, in two copies in English.

For the Government
of the Republic of Slovenia
Marjetica Bole (s)

For the Council of Europe
Jean-Louis Laurens (s)

2) Dogovor začne veljati na dan, ko Vlada Republike Slovenije z diplomatsko noto obvesti generalnega sekretarja Sveta Evrope o dokončanju vseh notranjepravnih postopkov za začetek njegove veljavnosti.

3) Dogovor se lahko spremeni z medsebojnim dogovorom pogodbenikov. Spremembe dogovora se sestavijo v obliki posebnega protokola, ki začne veljati v skladu s postopkom iz drugega odstavka tega člena.

4) Dogovor preneha veljati šest mesecev po tem, ko eden od pogodbenikov pisno obvesti drugega o svoji odločitvi, da odpoveduje ta dogovor, razen v primeru prenehanja dejavnosti IUSE v državi.

5) V zadnjem primeru dogovor preneha veljati na dan zaprtja IUSE. Generalni sekretar Sveta Evrope Vlado Republike Slovenije obvesti o uradnem datumu zaprtja IUSE, privilegiji in imunitete, ki so potrebni za pravilno prenehanje IUSE, pa veljajo do sporočenega datuma zaprtja.

Podpisano v Strasbourgu 13. aprila 2007 v dveh izvodih v angleškem jeziku.

Za Vlado
Republike Slovenije
Marjetica Bole l.r.

Za Svet Evrope
Jean-Louis Laurens l.r.

3. člen

Za izvajanje dogovora skrbijo Ministrstvo za zunanje zadeve, Ministrstvo za finance, Ministrstvo za delo, družino in socialne zadeve ter Ministrstvo za zdravje.

4. člen

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

Št. 00724-35/2007
Ljubljana, dne 12. julija 2007
EVA 2007-1811-0014

Vlada Republike Slovenije

Janez Janša l.r.
Predsednik

Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb

- 78. Obvestilo o začetku veljavnosti Sporazuma med Republiko Slovenijo in Republiko Madžarsko o čezmejnem policijskem sodelovanju organov za zatiranje kriminalitete in prenehanje veljavnosti Dogovora med Vlado Republike Slovenije in Vlado Republike Madžarske o sodelovanju v boju proti terorizmu, ilegalnemu prometu z mamili in organiziranemu kriminalu**

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo in 20/06 – ZNOMCMO) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 15. junija 2007 začel veljati Sporazum med Republiko Slovenijo in Republiko Madžarsko o čezmejnem policijskem sodelovanju organov za zatiranje kriminalitete, podpisan na Brdu pri Kranju 25. oktobra 2006 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 4/07 (Uradni list Republike Slovenije, št. 19/07). Z dnem uveljavitve tega sporazuma je prenehal veljati Dogovor med Vlado Republike Slovenije in Vlado Republike Madžarske o sodelovanju v boju proti terorizmu, ilegalnemu prometu z mamili in organiziranemu kriminalu, podpisan 19. maja 1993 v Budimpešti in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 1/94 (Uradni list Republike Slovenije, št. 2/94).

Ljubljana, dne 26. junija 2007

Ministrstvo za zunanje zadeve
Republike Slovenije

- 79. Obvestilo o začetku veljavnosti Evropske konvencije za zaščito vretenčarjev, ki se uporabljajo v poskusne in druge znanstvene namene**

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo in 20/06 – ZNOMCMO) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 1. julija 2007 začela za Republiko Slovenijo veljati Evropska konvencija za zaščito vretenčarjev, ki se uporabljajo v poskusne in druge znanstvene namene, sestavljena v Strasbourgu 18. marca 1986 in objavljena v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 20/06 (Uradni list Republike Slovenije, št. 114/06).

Ljubljana, dne 2. julija 2007

Ministrstvo za zunanje zadeve
Republike Slovenije

- 80. Obvestilo o začetku veljavnosti Memoranduma o sodelovanju med Ministrstvom za gospodarstvo Republike Slovenije in Ministrstvom za gospodarstvo, trgovino in energijo Republike Albanije**

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo in 20/06 – ZNOMCMO) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 1. julija 2007 začel veljati Memorandum o sodelovanju med Ministrstvom za gospodarstvo Republike Slovenije in Ministrstvom za gospodarstvo, trgovino in energijo Republike Albanije, podpisan v Tirani 20. junija 2006 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 5/07 (Uradni list Republike Slovenije, št. 30/07).

Ljubljana, dne 4. julija 2007

Ministrstvo za zunanje zadeve
Republike Slovenije

- 81. Obvestilo o začetku veljavnosti Konvencije, pripravljene na podlagi člena K.3 Pogodbe o Evropski uniji, o zaščiti finančnih interesov Evropskih skupnosti, Protokola, pripravljenega na podlagi člena K.3 Pogodbe o Evropski uniji, h Konvenciji o zaščiti finančnih interesov Evropskih skupnosti in Protokola, pripravljenega na podlagi člena K.3 Pogodbe o Evropski uniji, o razlagi Konvencije o zaščiti finančnih interesov Evropskih skupnosti s predhodnim odločanjem Sodišča Evropskih skupnosti**

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo in 20/06 – ZNOMCMO) Ministrstvo za zunanje zadeve

s p o r o č a,

da so 16. julija 2007 za Republiko Slovenijo začeli veljati Konvencija, pripravljena na podlagi člena K.3 Pogodbe o Evropski uniji, o zaščiti finančnih interesov Evropskih skupnosti, sklenjena 26. julija 1995 v Bruslju, Protokol, pripravljen na podlagi člena K.3 Pogodbe o Evropski uniji, h Konvenciji o zaščiti finančnih interesov Evropskih skupnosti, sklenjen 27. septembra 1996 v Dublinu, in Protokol, pripravljen na podlagi člena K.3 Pogodbe o Evropski uniji, o razlagi Konvencije o zaščiti finančnih interesov Evropskih skupnosti s predhodnim odločanjem Sodišča Evropskih skupnosti, sklenjen 29. novembra 1996 v Bruslju, ki so bili objavljeni v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 4/07 (Uradni list Republike Slovenije, št. 19/07).

Ljubljana, dne 16. julija 2007

Ministrstvo za zunanje zadeve
Republike Slovenije

VSEBINA

70.	Zakon o ratifikaciji Izbirnega protokola h Konvenciji o varnosti osebja Združenih narodov in spremljevalnega osebja (MIPKVOZN)	989
71.	Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Bolgarije o medsebojni pomoči pri carinskih zadevah (BBOPCZ)	992
72.	Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Ruske federacije o sodelovanju in medsebojni pomoči pri carinskih zadevah (BRUPCZ)	1000
73.	Zakon o spremembi Zakona o ratifikaciji Evropske konvencije o izročitvi, Dodatnega protokola k Evropski konvenciji o izročitvi in Drugega dodatnega protokola k Evropski konvenciji o izročitvi (MEKIDP-A)	1008
74.	Uredba o ratifikaciji Memoranduma o sodelovanju med Vlado Republike Slovenije in Vlado Italijanske republike	1009
75.	Uredba o ratifikaciji Memoranduma o sodelovanju med Ministrstvom za gospodarstvo Republike Slovenije in Ministrstvom za industrijo in trgovino Češke republike	1011
76.	Uredba o ratifikaciji Memoranduma o sodelovanju med Ministrstvom za gospodarstvo Republike Slovenije in Ministrstvom za gospodarstvo in trgovino Romunije	1014
77.	Uredba o ratifikaciji Dogovora med Vlado Republike Slovenije in Svetom Evrope o statusu informacijskega urada Sveta Evrope v Republiki Sloveniji	1016
	<i>Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb</i>	
78.	Obvestilo o začetku veljavnosti Sporazuma med Republiko Slovenijo in Republiko Madžarsko o čezmejnem policijskem sodelovanju organov za zatiranje kriminalitete in prenehanje veljavnosti Dogovora med Vlado Republike Slovenije in Vlado Republike Madžarske o sodelovanju v boju proti terorizmu, ilegalnemu prometu z mamili in organiziranemu kriminalu	1019
79.	Obvestilo o začetku veljavnosti Evropske konvencije za zaščito vretenčarjev, ki se uporabljajo v poskusne in druge znanstvene namene	1019
80.	Obvestilo o začetku veljavnosti Memoranduma o sodelovanju med Ministrstvom za gospodarstvo Republike Slovenije in Ministrstvom za gospodarstvo, trgovino in energijo Republike Albanije	1019
81.	Obvestilo o začetku veljavnosti Konvencije, pripravljene na podlagi člena K.3 Pogodbe o Evropski uniji, o zaščiti finančnih interesov Evropskih skupnosti, Protokola, pripravljenega na podlagi člena K.3 Pogodbe o Evropski uniji, h Konvenciji o zaščiti finančnih interesov Evropskih skupnosti in Protokola, pripravljenega na podlagi člena K.3 Pogodbe o Evropski uniji, o razlagi Konvencije o zaščiti finančnih interesov Evropskih skupnosti s predhodnim odločanjem Sodišča Evropskih skupnosti	1019