

Annex to the OSCE/ODIHR Urgent Opinion on the Draft Amendments to the Integrity and Prevention of Corruption Act of the Republic of Slovenia

II. THE TEXT OF THE ARTICLES

Article 1

The text of Article 4 of the Integrity and Prevention of Corruption Act (Official Gazette of the Republic of Slovenia, No. 69/11 – official consolidated version) shall be amended to read as follows:

“The terms used herein shall be defined as follows:

1. “Corruption” means any violation of due conduct by official and responsible persons in the public or private sector, as well as the conduct of persons initiating such violations or of persons benefiting from it, for the purpose of undue benefit promised, offered or given, directly or indirectly, or for the purpose of undue benefit demanded, accepted or expected for one's own advantage or to the advantage of any other person;
2. “International corruption” means corruption involving at least one natural or legal person from abroad;
3. “Integrity” means the conduct and responsibility expected of individuals and organisations in the prevention and elimination of risks related to the use of any authority, office, mandate or any other decision-making power contrary to the law, legally admissible objectives and codes of ethics;
4. “Public sector” means the State bodies and self-governing local communities (hereinafter: local communities), public agencies, public funds, public institutes, public utility institutes, the Bank of Slovenia, other entities governed by public law which are indirect users of the government budget or the local community budget, legal persons established either by the State or a local community, public undertakings, companies and other legal persons, in which a controlling interest or a dominant influence is held either by the State or a local community;
5. “Holders of public office” means deputies of the National Assembly, members of the National Council, the President of the Republic, the Prime Minister, ministers, state secretaries, Constitutional Court judges, other judges, state prosecutors, the Secretary-General of the Government, the Secretary-General of the President of the Republic, Head of the Cabinet of the President of the Republic, the Deputy Secretary-General of the President of the Republic, the Adviser to the President of the Republic, the Secretary-General of the National Assembly, the Secretary of the National Council, holders of public office in other State bodies and local communities, members of the European Parliament from the Republic of Slovenia, unless their rights and obligations are stipulated otherwise by the regulations of the European Parliament, and other holders of public office from the Republic of Slovenia working in European and other international institutions if seconded by the Republic of Slovenia, and members of the Governing Board of the Bank of Slovenia, unless their rights and obligations are stipulated otherwise by the act governing the Bank of Slovenia and other regulations binding on the Bank of Slovenia;
6. “Family members” means spouses, children, parents, brothers, sisters, persons living with an individual at the same address, and cohabitants;
7. “Officials in a managerial position” means directors-general, secretaries-general of ministries, heads of ministerial bodies, heads of government offices, persons with special authorisation in the Bank of Slovenia, heads of administrative units, and directors or secretaries of municipal administrative bodies;
8. “Managers” means the directors and members of the collegiate management bodies of the following: public agencies, public funds, public institutes, public utility institutes, other entities governed by public law which are indirect users of the government budget or the local community budget, legal persons established either by the State or a local community, public undertakings, companies and other legal persons, in which a controlling interest or a dominant influence is held either by the State or a local community;

9. "Official persons" means holders of public office, officials in a managerial position, other public employees, employees of the Bank of Slovenia, managers, and members of the management and supervisory boards of public sector entities;
10. "Persons responsible for public procurement" means persons who are appointed by the contracting authorities to an expert commission responsible for the awarding of public contracts, and persons who decide upon, adopt and propose the contents of tender documentation, evaluate bids or submit proposals to the contracting authorities on the selection of bidders for public contracts, which, pursuant to the act governing public procurement, require the completion of a public procurement procedure and provided that the estimated value of the individual contract is equal to or exceeds EUR 100,000, exclusive of VAT, regardless of whether or not these contracts or parts of public contract documentation are marked with a security classification marking pursuant to the act governing classified information. Persons responsible for public procurement shall also include those persons, who, under this definition, participate in public procurement but do not have an employment relationship with the contracting authority;
11. "Conflict of interest" means circumstances in which the private interest of an official person or a person designated by a public sector entity as an external member of a commission, council, working group or other comparable body influences or appears to influence the impartial and objective performance of his public duties;
12. "Private interest of a person" referred to in the preceding point means a pecuniary or non-pecuniary benefit which is either to his advantage or to the advantage of his family members or other natural or legal persons with whom he maintains or maintained personal, business or political relations;
13. "Interest groups" means legal persons governed by private law, and other legally regulated forms of association of natural or legal persons, on behalf and for the account of which a lobbyist performs a lobbying activity;
14. "Lobbying" means the activities carried out by lobbyists who, on behalf of interest groups, exercise non-public influence on decisions made by State bodies, the Bank of Slovenia, local community bodies, and holders of public authority in discussing and adopting regulations and other general documents, and on decisions made by State bodies, the Bank of Slovenia, the bodies and administrations of local communities, and holders of public authority on matters other than those which are subject to judicial proceedings and administrative procedures, procedures carried out according to the regulations governing public procurement, and procedures in which the rights and obligations of individuals are decided upon. Lobbying means any non-public contact made between a lobbyist and a lobbied person for the purpose of influencing the content or the procedure for adopting the aforementioned decisions;
15. "Lobbyist" means any person who is engaged in lobbying and who is entered in the register of lobbyists or a person who is engaged in lobbying and is employed in an interest group and lobbies on its behalf or a person who is an elected or otherwise legitimate representative of such an interest group;
16. "Lobbied persons" means holders of public office and public employees who are employed in State bodies, the Bank of Slovenia, local community bodies and administration, who work with the holders of public authority responsible for decision-making, or who participate in the discussion and adoption of regulations, other general documents and decisions referred to in point 14 of this Article and with whom lobbyists communicate for lobbying purposes;
17. "Authorities responsible for measures" means bodies or organisations which, under the action plan for the implementation of the resolution, have been appointed as being responsible for the implementation of measures to meet the objectives of the resolution."

Article 2

Article 7 shall be amended to read as follows:

"Article 7 (The Commission)

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

(2) The office of Chief Commissioner or Deputy Commissioner shall not be compatible with holding office or working in any other entity governed by public or private law that operates in areas where the Commission exercises its powers pursuant to this Act.

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

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

(5) The official of the Commission whose term of office has expired or who has resigned shall perform the duties of his office with full authority until a new official has assumed office, except in the case of dismissal due to other reasons referred to in indents two to six of paragraph one of Article 22 of this Act.”.

Article 3

A new Article 7a shall be introduced after Article 7 and shall read as follows:

“Article 7a

(Exclusion of an official or employee of the Commission)

(1) An official or employee of the Commission may not take part in the proceedings under this Act when a case is being examined or decided upon in which he himself is involved or has the following relationship with a person involved in the case, his statutory representative or his legal representative in the specific case:

- a lineal or collateral family relationship up to and including the third degree,
- a relationship by marriage or affinity up to and including the second degree, if he cohabits or cohabitated with any of them, lives or lived in a formal or non-formal civil union with any of them, or has a guardian-ward relationship or a foster parent-foster child relationship with any of them.

(2) An official or employee of the Commission may not take part in the examination of the case or decide on a case where there are other circumstances in which his private interest influences, appears to influence or could influence the impartial and objective performance of his public duties and the conduct of the official proceedings relating to the case in question.

(3) The exclusion of an official of the Commission shall be determined by the other two officials of the Commission by means of a procedural decision, and the exclusion of an employee of the Commission shall be determined by the Chief Commissioner or a person authorised by the Chief Commissioner to do so. The request for exclusion can be made by an official or employee of the Commission, the reporting person, the person in question or the person who is subject to supervision under this Act, for the reasons referred to in paragraph one or two of this Article.

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

Article 4

Article 9 shall be amended to read as follows:

“Article 9

(Conditions for the appointment of the officials of the Commission)

(1) A person can be appointed as an official of the Commission, if:

- he is a citizen of the Republic of Slovenia and proficient in the Slovenian language;

- he has attained a level of education not below a second cycle study programme, or a level of education which, in accordance with the act governing higher education, corresponds to a second cycle study programme;
 - he has at least ten years of professional experience in performing the tasks for which the education referred to in the preceding indent is required, of which not less than three years have been gained in the area in which he is standing as a candidate or in a related field, in the public or private sector, the fulfilment of the condition of professional experience being assessed according to the act governing public employees;
 - he is not the subject of a final indictment or, based on a bill of indictment, the subject of a main hearing relating to a criminal offence committed with intent for which the offender is prosecuted *ex officio*;
 - he has not been convicted by a final judgement of a criminal offence committed with intent;
 - he is not a member of a political party body nor has served in the executive or legislative branch of the central or local government during the last two years before running for the office;
 - he demonstrates a high level of knowledge according to the European language scale of at least one foreign language, which is the working language of international organisations active in the areas in the Commission's remit;
 - in the course of the selection procedure, he demonstrates that he is suitable in personal and professional terms to perform the duties of the office.
- (2) The candidate shall be obliged to inform the nomination committee of any past and present personal circumstances, which could influence or appear to influence the impartial and objective performance of the duties of the office or could damage the reputation of the Commission.
- (3) Persons for whom it may reasonably be concluded, based on their previous work, conduct or behaviour, that they will not discharge the duties of the office in a professional, fair and diligent manner, or protect the reputation, impartiality and independence of the Commission shall not be deemed suitable in personal terms.
- (4) A candidate must attach to the application and present to the nomination committee in person a professionally grounded strategy for the development and work of the Commission as well as the strategy's usefulness and feasibility for the duration of his term of office.
- (5) In its Rules of Procedure, the nomination committee shall determine its method of work, the standards of competence, the selection criteria and competence verification methods, by applying, *mutatis mutandis*, the standards, criteria and methods of the Council of Officials.”.

Article 5

A new Article 9a shall be introduced after Article 9 and shall read as follows:

“Article 9a (Nomination procedure and the procedure for appointing officials)

- (1) The officials of the Commission shall be appointed by the President of the Republic.
- (2) No later than six months prior to the expiry of the terms of office of the Chief Commissioner or Deputy Commissioners, the Chief Commissioner shall notify the President of the Republic accordingly, and the latter shall in turn invite entities proposing members of the nomination committee to appoint members in question within 15 days of receipt of the notice from the President of the Republic. Along with the invitation to appoint members of the nomination committee, the President of the Republic shall carry out two calls for applications, one for the post of Chief Commissioner and the other for the posts of Deputy Commissioner. The period for collecting applications to be stipulated by the President of the Republic shall be not shorter than 14 days. The applications submitted on time shall be forwarded to the nomination committee by the Secretary-General of the Office of the President of the Republic.

- (3) The nomination procedure for the selection of appropriate candidates for the posts of Chief Commissioner and Deputy Commissioners shall be carried out by the nomination committee, which shall comprise five members. The nomination committee members shall be appointed as follows:
- one member by the ministry responsible for public administration from among officials working in the field of strengthening integrity and limiting corruption risks in the public sector;
 - two members by non-profit private sector organisations active in the protection of human rights, integrity, ethics, lobbying or corruption prevention;
 - one member by the Judicial Council and the State Prosecutorial Council, respectively, from among the members of the Ethics and Integrity Commission,
- which shall communicate the appointments to the Office of the President of the Republic.
- (4) A person who is a member of a political party body or has served in the executive or legislative branch of the central or local government during the last two years, or who has a relationship with a candidate as provided for in paragraph one of Article 7a of this Act cannot be appointed member of the nomination committee.
- (5) Members of the nomination committee shall be autonomous and independent in their work and shall not be bound by any guidance or instruction, they shall act according to their conscience, responsibly, in accordance with the Constitution and the law, and in an ethical and transparent manner. In determining the conditions and verifying the personal and professional suitability of candidates, the nomination committee shall take into account the provisions of this Act as well as the standards of competence, the selection criteria and competence verification methods defined in the Rules of Procedure referred to in paragraph five of Article 9 of this Act.
- (6) The first session of the nomination committee shall be convened by the Secretary-General of the Office of the President of the Republic within seven days following the expiry of the period referred to in sentence three of paragraph two of this Article.
- (7) The nomination committee shall conduct the procedure in such a way as to maintain, keep and archive a traceable record for each candidate. Interviews with candidates by the nomination committee shall be recorded.
- (8) Within 30 days of the expiry of the period referred to in sentence three of paragraph two of this Article, the nomination committee shall forward to the President of the Republic an alphabetical list of candidates for the office of Chief Commissioner or, as the case may be, the candidates for the two offices of Deputy Commissioner, who meet the conditions laid down in indents one to seven of paragraph one of Article 9 of this Act, together with a short reasoned opinion on the personal and professional suitability of each candidate for the office, and the alphabetical list of those candidates who do not meet the conditions laid down in indents one to seven of paragraph one of Article 9 of this Act.
- (9) Prior to the appointment of the Chief Commissioner or a Deputy Commissioner, the Office of the President of the Republic shall invite the candidate or candidates to present a professionally grounded strategy for the development and work of the Commission and to provide any further explanation regarding his or their application. The hearing shall be open to the public.
- (10) The President of the Republic shall appoint the Chief Commissioner or the Deputy Commissioner within 15 working days following receipt of the list of the candidates referred to in paragraph eight of this Article.
- (11) In the event that the President of the Republic does not appoint any candidate from among the candidates proposed for the posts of the Chief Commissioner and Deputy Commissioners, he shall repeat the call for applications procedure without delay.
- (12) The tasks under this Article that are required in order to carry out the collection of applications, the selection of suitable candidates and the administrative and technical tasks for the work of the nomination committee shall be performed by the Office of the President of the Republic.

- (13) The documentation on the nomination and appointment procedures shall be kept in accordance with the rules governing the storage of documents in the public administration.”.

Article 6

Sentence two of paragraph four of Article 10 shall be amended to read as follows: “Where the Chief Commissioner is relieved of his duties for reasons stated in Article 22 of this Act, except for the reason stated in indent one of paragraph one of Article 22 of this Act, his tasks shall be carried out by the first deputy until the appointment of a new Chief Commissioner.

Article 7

Article 11 shall be amended to read as follows:

“ (1) In cases laid down by this Act and the Rules of Procedure referred to in paragraph eleven of this Article, the Commission shall operate and decide as a collegiate body comprised of the officials referred to in paragraph one of Article 7 of this Act.

(2) As a collegiate body, the Commission shall:

- decide on the initiation and implementation of the proceedings under paragraph one of Article 13 of this Act and take decisions in these proceedings,
- decide on the introduction of systemic supervision in accordance with Article 13a of this Act, and adopt the draft and final reports on such supervision,
- decide on a request for the implementation of measures in accordance with Articles 13a, 13b and 13c of this Act,
- take measures to protect the reporting person in accordance with Articles 23 and 25 of this Act,
- decide on the existence of a conflict of interest in the official conduct of the official persons referred to in paragraph five of Article 38 of this Act,
- order the elaboration, implementation and complementation of the integrity plan referred to in paragraph two of Article 47 of this Act,
- set out the priorities and guidelines for the Commission’s work, its policies in individual areas of work, work programmes, financial and establishment plans, and monitor their implementation,

-
- adopt the Commission's annual reports, the Rules of Procedure and a regulation concerning internal organisation and staffing structure, and
- decide on other matters within the competence of the Commission, if so requested by an official of the Commission, who considers that in view of the importance of the matter a decision should be adopted by the Commission as a collegiate body.
- (3) The matters referred to in the preceding paragraph shall be discussed at Commission sessions. A quorum shall be present at a Commission session if at least two of its members are present. When it meets in full composition, the Commission shall adopt decisions by a majority vote of its members and, where it meets in a composition of two members, it shall adopt decisions unanimously. A member of the Commission may not abstain from voting. The information on votes cast shall form an integral part of the decision.
- (4) In their decision-making, the members of the Commission shall not be bound by any guidance or instruction and shall decide on the basis of the Constitution and the law.
- (5) In addition to the persons referred to in Article 15a of this Act, the Commission may invite to its sessions, subject to their consent, representatives of non-profit private sector organisations engaged in the Commission's area of work, representative public sector trade unions (hereinafter: trade unions) and other organisations and individuals that the Chief Commissioner deems could contribute with their expertise to a successful discussion of the specific items on the agenda.
- (6) The Commission may publish its findings and other decisions concerning proceedings conducted under this Act and relating to a holder of public office, official in a managerial position, manager, member of a management or supervisory board of a public sector entity, or a legal person on its website and make them publicly available by other appropriate means.
- (7) The Commission shall publish the documents referred to in the preceding paragraph after the expiry of the time limit for filing an action in an administrative dispute referred to in paragraph four of Article 15 of this Act if an action has not been filed, or after the court has decided on the administrative dispute.
- (8) Notwithstanding the preceding paragraph, the Commission may issue a press release on the completion of the proceedings conducted by the Commission, which shall mention the entity referred to in paragraph six of this Article, the type of proceedings conducted, and information on an action filed in the administrative dispute.
- (9) The Commission shall publish the documents referred to in paragraph six of this Article in such a way as to pseudonymize the personal data of other persons and prevent the identification of data protected by the provisions of other acts.
- (10) Where a public announcement of the Commission's decision would jeopardise the Commission's further proceedings, it shall be deferred for an appropriate period of time. Where, based on the opinion of the competent authority, the publication of the Commission's decision would jeopardise the interests of the pre-trial, criminal or any other judicial, supervisory or audit procedure, the Commission shall hold prior consultations with the competent authority on the date and contents of the publication.
- (11) The Commission shall regulate its operation in its Rules of Procedure and other general legal acts. The Rules of Procedure shall be published in the Official Gazette of the Republic of Slovenia."

Article 8

Article 12 shall be amended to read as follows:

- "(1) The Commission shall:
- exercise supervision over the provisions of this Act concerning the incompatibility of offices, prohibition of membership and activities, restrictions and prohibition of the acceptance of gifts,

-

- restrictions on business activities, obligation to avoid conflicts of interest, obligation to declare assets, obligations concerning integrity plans, lobbying and the anti-corruption clause;
- carry out systemic supervision;
- apply measures for the protection of reporting persons;
- prepare expert groundwork for strengthening integrity and for training programmes, provide training for the persons responsible for integrity plans and for other persons with obligations under this Act, and develop, together with the representatives of equivalent public law entities or their associations, good practices for the identification and management of the violation of integrity, restriction and prevention of corruption and conflicts of interest;
- provide advice on strengthening integrity and preventing and eliminating the risks of corruption in the public and private sectors, and in this context advise on or establish systems, applications or other mechanisms to increase the transparency of operation of the public sector, including through the use of modern technology;
- conduct system-level analyses and publish the results, including personal data, in accordance with the act governing access to public information;
- acquire, use, process and publish data on cash flows of public sector entities, in order to ensure the transparency of operation of the public sector;
- monitor and analyse data on the development and accomplishment of tasks aimed at preventing corruption in the Republic of Slovenia, data on the number of criminal offences of corruption in the Republic of Slovenia, as well as monitor and analyse cases in the field of international corruption;
- issue recommendations and explanations in respect of issues related to the contents of this Act;
- ensure the implementation of the resolution regulating the prevention of corruption in the Republic of Slovenia, draft the resolution and amendments to it and propose that they be discussed by the Government, which in turn submits them to the National Assembly for adoption;
- make recommendations to individual authorities defined in the resolution on the activities necessary for the implementation of the resolution on the prevention of corruption in the Republic of Slovenia;
- call on the competent authorities in the Republic of Slovenia to meet the obligations arising from international instruments relating to the prevention of corruption and provide them with proposals regarding the method of implementation of these obligations;
- cooperate with the competent State bodies in drafting regulations on the prevention of corruption, monitor the implementation of these regulations and propose initiatives for amendments to them;
- give preliminary opinions on the compatibility of the provisions of proposed statutory and implementing acts with the statutory and implementing acts governing the area of integrity and the prevention of corruption;
- submit initiatives to the National Assembly and the Government to regulate a particular area in accordance with its tasks and powers;
- cooperate with the corresponding authorities of other countries and international organisations and with international non-profit private sector organisations engaged in the Commission's area of work;
- cooperate with scientific, professional, media and non-profit organisations from the private sector engaged in the Commission's area of work;
- prepare starting points for codes of conduct;
- keep records pursuant to this Act;
- perform other tasks set out by this Act and other relevant acts.

(2) Within the context of the implementation of the task referred to in indent eight of the preceding paragraph, the Police, the State Prosecutor's Office and the competent court shall notify the Commission of completed proceedings related to criminal offences of corruption in respect of which the Slovenian and foreign citizens or legal entities established in the Republic of Slovenia and abroad have been simultaneously suspected, denounced, accused or convicted, which shall be done within 30 days following the conclusion of the relevant case. The police shall do this by way of a notification on the manner in which the case was completed, the State Prosecutor's Office by way of a legal act on the

dismissal of a criminal complaint or the abandonment of the prosecution, and the court by way of a judgment or decision. The duty to notify shall also apply in cases where, within the framework of international cooperation, the aforementioned bodies are informed by foreign police or judicial authorities of a concluded case in a foreign country in which a citizen of the Republic of Slovenia has been denounced, accused or convicted.

(3) Within the context of the implementation of the task referred to in indent fourteen of paragraph one of this Article, the proposers of laws and regulations shall forward to the Commission proposed acts and other regulations no later than at the time of interministerial coordination.

(4) No later than by the end of March of the current year, the Police, the State Prosecutor's Offices and the courts shall provide the Commission with the statistical data on procedures related to criminal offences of corruption, namely:

- the Police shall provide data on the number of criminal offences of corruption dealt with, the number of suspects, and the number of criminal complaints filed or reports submitted to the State Prosecutor's Office;
- the Supreme State Prosecutor's Office of the Republic of Slovenia shall provide data on the number of indictments, the number of criminal complaints dismissed following completed settlement proceedings or suspended criminal prosecution, data on the legal classification of the criminal offence and the number of the accused;
- the courts shall provide information on the number of first-instance decisions issued (convictions, acquittals, other decisions), the number of defendants and convicted persons per individual case, the number of concluded cases that have become final (convictions, acquittals, other decisions), as well as the number of defendants and convicted persons per individual case and with regard to concluded cases that have become final: the number of sentences of imprisonment and the number of suspended sentences.

(5) Where there is an international element to an offence, the authorities referred to in the preceding paragraph shall also indicate this information. A criminal offence shall be deemed to have an international element where the conditions set out in paragraph two of this Article have been met.

(6) At the beginning of the year, the Commission shall, for the purpose of the provision of statistical data in the following calendar year, communicate a list of criminal offences of corruption for which data need to be provided.

(7) At the request of the Commission, the Police, the State Prosecutor's Office and the competent court shall also provide other statistical data necessary for the fulfilment of the Commission's tasks referred to in indent six of paragraph one of this Article, insofar as they have such data at their disposal."

Article 9

Article 13 shall be amended to read as follows:

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

1. the suspicion of corruption, which does not include the violations referred to in points 2 to 14 of this paragraph;
2. the suspicion of the violation of the integrity of an official person;
3. the suspicion of the violation of the obligation to include an anti-corruption clause in a contract;
4. the suspicion of the violation of the obligation to obtain a declaration or information on the participation of natural and legal persons in the ownership of the bidder, and on economic operators who, according to the provisions of the act regulating companies, are deemed to be affiliated companies with the bidder;
5. the suspicion of the violation of the provisions on the protection of reporting persons;
6. the suspicion of engaging in an incompatible office, activity or membership;
7. the suspicion of the violation in acceptance of gifts;
8. the suspicion of the violation of the provisions on the prohibition of or restrictions on business activities;
9. the suspicion of the violation of the provisions on the conflict of interest;

10. the suspicion of the violation of the obligation to declare assets;
11. the suspicion of a disproportionate increase in assets;
12. the suspicion of the violation of the provisions on lobbying;
13. the suspicion of the violation of duties related to the drawing up of an integrity plan;
14. the suspicion of other violations of this Act.

(2) In its Rules of Procedure the Commission shall lay down more specific rules for considering reports filed, including the criteria for the receipt of a report for consideration or for the rejection, dismissal or referral of a report to another body for consideration (preliminary examination of a report). The Rules of Procedure shall also lay down the criteria for determining the priority order for considering the reports filed or initiating proceedings on the Commission's own motion, the method of deciding on whether to consider a case, and detailed rules for the conduct of proceedings under this Article.

(3) Where the Commission, within the procedure resulting from the suspicion of corruption as referred to in point one of paragraph one of this Article, detects elements of a criminal offence, it shall without delay file a criminal complaint. Upon filing a criminal complaint, the Commission may close the proceedings relating to the suspicion of corruption or it may issue and publish a principled opinion in which it states its position in principle on the conduct established and on any systemic shortcomings or inconsistencies that make such conduct possible, and proposes measures for improving the situation. If the Commission does not detect any elements of a criminal offence, it may issue its findings on a specific case or a principled opinion. The principled opinion of the Commission shall not represent any decision- making on the criminal, minor offence, compensation, disciplinary or any other accountability of a legal or natural person and shall not take the form of an administrative decision. In the principled opinion the Commission shall not publish any personal data of legal and natural persons from the specific case. When necessary for the purpose of the description of and taking a position on the conduct established, the Commission may only make pseudonymised personal data public.

(4) In the event of the suspicion of corruption from point one of paragraph one of this Article in which the Commission does not detect any elements of a criminal offence, and in the event of the violation of the integrity of the official person referred to in point two of paragraph one of this Article, the Commission shall issue its findings on the specific case that shall include a statement of facts, an assessment of the official person's conduct from the legal point of view and from the perspective of corruption prevention and strengthening integrity, and, in the event of any irregularities that are established an explanation as to what conduct would be expected. The Commission shall send the draft findings related to a specific case to the official person in question, who may submit his observations on the statements of facts within the time limit set by the Commission depending on the circumstances of the violation in question, but which shall be no less than three days. Upon sending the draft findings to the person in question, the person is also informed that his response will be published together with the findings on the specific case.

(5) In the event of the suspicion of violations referred to in points 3 to 14 of paragraph one of this Article, for which sanctions for minor offences are prescribed by this Act, the authorised official person of the Commission acting as a minor offence authority shall initiate and carry out minor offence proceedings.

(6) In order to prevent and deter conduct which constitutes a violation of this Act, the Commission may publish a minor offence decision relating to a holder of public office on its website and make it publicly available by other appropriate means, once the decision has become final. The publication comprises the data on the offender (the personal name for natural persons or the name and head office for legal persons), the violation (the description of circumstances that constitute a minor offence) and the imposed sanction. The published decision shall be made publicly available on the website for a period of five years after publication.

(7) In the event of a suspicion of violations referred to in points 3 to 14 of paragraph one of this Article for which sanctions for a minor offence are prescribed by this Act, the Commission shall carry out fact-finding proceedings and take measures provided for by law/by this Act. Prior to the final adoption of the decision, the Commission shall, within a period which it shall determine depending on the circumstances of the violation in question, but which shall not be less than three days, obtain a

statement from the person in question on the allegations and findings regarding violations. The person in question shall be informed that, in the event of a public announcement of the Commission's findings, his response shall also be published.

(8) Upon receipt of the response from the person in question under paragraphs four and seven of this Article, the Commission may:

- adopt findings or a decision corresponding to the draft findings or the draft decision, in which it takes a position on the statements in the response of the person in question and closes the proceedings for the consideration of the case and informs the person in question of this;
- adopt findings or a decision different from the draft findings or draft decision and re-perform the proceedings under this Article, if the facts and legal circumstances differ substantially;
- invite the person in question, who has sent his response, to a Commission session with a view to clarifying any additional circumstances and taking any further actions necessary to clarify the case.

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

(10) Where during the consideration of the violation referred to in paragraph one of this Article it is revealed that there are systemic corruption risks in a particular area, the Commission shall issue a recommendation for the proper conduct of the entities operating in this field.

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

(12) The Commission shall not consider cases if more than five years have elapsed since the event concerned.”.

Article 10

A new Article 13a shall be introduced after Article 13 and shall read as follows:

“Article 13a (Systemic supervision)

(1) With a view to verifying the compliance with the provisions of this Act, the Commission may conduct systemic supervision of public sector entities comprising one or several of the following areas:

- supervision of compliance with the provisions on the prohibition of engaging in an incompatible office, activity or membership;
- supervision of compliance with the provisions on the acceptance of gifts;
- supervision of compliance with the provisions on the restriction of business activities;
- supervision of compliance with the provisions on due avoidance of conflicts of interest and on prohibited conduct in a conflict of interest;
- supervision of compliance with the provisions on the obligation to declare assets;
- supervision of compliance with the provisions on lobbying;
- supervision of compliance with the provisions on the inclusion of an anti-corruption clause in a contract, provision on obtaining a statement or information on the participation of natural and legal persons in the bidder's ownership, and on business entities that are considered to be companies affiliated with the bidder under the provisions of the act governing companies;
- supervision of compliance with the provisions on the protection of reporting persons;
- supervision of compliance with the provisions related to the drawing up of an integrity plan which shall also include a performance assessment of the integrity plan implementation in the supervised entity from the point of view of corruption risks, risks of other illegal or unethical conduct and other risks of the violations of this Act, due to which the integrity of public authorities, public interest or trust into the rule of law institutions may be at stake;

- supervision of compliance with other provisions of this Act related to strengthening integrity and transparency and the prevention of corruption.
- (2) The Commission shall carry out systemic supervision in one or more public sector entities (hereinafter: supervised entities) in relation to one or several areas referred to in the preceding paragraph.
 - (3) Systemic supervision shall comprise a comprehensive review and an assessment of the implementation of all or selected provisions and measures referred to in this Act, which shall be assessed first individually and then also in systemic terms from the point of view of the transparency of operation, strengthening integrity and prevention of risks of violations in a supervised entity.
 - (4) The Commission shall decide on the systemic supervision under this Article by adopting a procedural decision, which shall be served on the supervised entity. The procedural decision on the systemic supervision shall include the scope and a short justification of the reasons for supervision, the areas covered by supervision and the names and roles of the members of the supervisory group.
 - (5) The supervised entity shall be obliged to act in accordance with the procedural decision and provide everything necessary for the performance and completion of systemic supervision. If the supervised entity fails to cooperate in the performance of systemic supervision, the Commission may inform the public thereof.
 - (6) The Commission shall draw up a draft report on supervision that is forwarded to the supervised entity, inviting it to submit, within a period of no less than 30 days, a response opinion in which it presents its position on the draft report findings or proposes a conciliation meeting. The draft report and the conciliation shall be confidential.
 - (7) After having assessed that all relevant circumstances are sufficiently clear, the Commission shall adopt the final report on supervision which shall also identify the necessary measures and recommendations, and serve it to the supervised entity.
 - (8) Other supervisory State bodies may be included in the systemic supervision, on their own motion or at the invitation of the Commission, which shall, in the context of supervision, check the supervised entity's compliance with the regulations in their respective areas of work. The participating bodies shall draw up a single report on supervision.
 - (9) The methodology for the implementation of systemic supervision shall be laid down by the Commission in greater detail in its Rules of Procedure.”.

Article 11

New Articles 13b and 13c shall be introduced after Article 13a and shall read as follows:

“Article 13b

(Proposal for dismissal and initiative to the superior for action)

- (1) In the event that a serious or repeated violation referred to in points 2 to 14 of paragraph one of Article 13 of this Act is committed by a holder of public office, official in a managerial position or manager, the Commission may submit to the competent authority a proposal for the dismissal of the person in question. The competent authority shall adopt a decision on the Commission's proposal for dismissal within 30 days.
- (2) The Commission may, during or after the completion of the proceedings relating to the violations referred to in paragraph one of Article 13 of this Act concerning an official person inform the head or the person responsible of the body where the official person is employed of the findings or other decisions, and propose appropriate measures to be taken for the purpose of ensuring the legality of the operation of the body, eliminating corruption risks, ensuring the integrity of the body and of the public sector, and protecting reporting persons.

(3) The proposal referred to in the preceding paragraph shall be made by the Commission if it assesses that, in the case in question or in relation to the person in question, corruption risks or risks of unlawful use of public funds are involved or that the integrity of the body or the public sector or the protection of reporting persons are at stake.

(4) In applying this Article, the Commission shall have the duty to ensure that its activities do not jeopardise the interests of the pending Commission proceedings or those of a pre-trial, criminal, or other judicial, supervisory or audit procedure pending before another competent authority.

Article 13c
(Powers to propose an audit)

Where there are facts and circumstances giving rise to a suspicion of corruption or a conflict of interest by holders of public office, officials in a managerial position, managers and members of the management and supervisory boards of public sector entities, and the Commission assesses that the protection of the use of public funds requires an audit of the operation of users of public funds, the Commission may, either during the proceedings or after their completion, adopt a reasoned procedural decision proposing to the Court of Audit to initiate an audit of a particular business transaction or transactions concluded by the public sector entity.”.

Article 12

Article 15 shall be amended to read as follows:

“Article 15
(Types of procedure and rules governing the procedure)

- (1) With regard to the exercise of its powers, the Commission shall conduct administrative procedures, expedited minor offence proceedings and other public law proceedings pursuant to the provisions of this Act. Other public law proceedings are procedures conducted for the purpose of exercising powers under paragraph one of Articles 13 and 13a of this Act.
- (2) For other public law proceedings, the provisions of the act governing the general administrative procedure shall apply *mutatis mutandis* to issues that are not regulated by this Act.
- (3) In an administrative case, the procedure up to the decision-making stage may be conducted by an employee of the Commission authorised by the Commission to do so. In these procedures, the decision shall be taken by the Commission.
- (4) The person in question shall have the right to file an action in an administrative dispute against the findings or other decisions from the proceedings under paragraph two of this Article. The administrative court shall rule on the action within three months of the filing of the action. An administrative dispute against a principled opinion referred to in paragraph three of Article 13 of this Act shall not be admissible.
- (5) An administrative dispute against a decision or a procedural decision by the Commission in administrative procedure shall be admissible.

Article 13

New Articles 15a, 15b and 15c shall be introduced after Article 15 and shall read as follows:

“Article 15a
(Interview at the session of the Commission and collecting information from individuals)

- (1) The Commission may, for the purpose of clarifying the facts and circumstances relating to a specific case it is considering, invite persons to an interview during a Commission session.
- (2) The Commission may invite to an interview:
 - official persons,

- - heads of or persons responsible in organisations vested with public authority, other persons employed in public sector entities, persons referred to in paragraph two of Article 40 of this Act.
- (3) At the request of the Commission, the persons referred to in the preceding paragraph shall appear at the interview and respond personally and truthfully to questions under the responsibility of the Commission. A person who, at the time of the invitation, no longer has the status referred to in the preceding paragraph, shall also appear at the session after the termination of the status he held at the time of the event or conduct considered by the Commission.
- (4) In addition to the persons referred to in paragraph two of this Article, the Commission may also interview other persons, subject to their consent.
- (5) An invitation to an interview shall contain at least the following information:
- the name and surname of the invited person,
 - the date, time and place of the interview,
 - an indication as to which event, his own conduct or the conduct of other persons, data or documentation will be the subject of the interview,
 - clarification that the invited person may bring additional documentation,
 - the time limit for submitting a valid justification of absence,
 - clarification that the invited person has the right to legal representation by counsel of his choice for whom he himself bears the costs of representation, and a warning of the legal consequences of the failure to appear.
- (6) A person who, without valid reasons, fails to appear at an interview to which he has been duly invited may not be brought in forcibly, but may be sanctioned in accordance with this Act.
- (7) The Commission shall, as a rule, serve the invitation to an invited person by personal delivery at the address of his employer. The Commission shall send an invitation by post, through its official person, through a natural or legal person serving documents by letter, or by email that enables the recipient to be actually informed of the invitation in question. Where the Commission considers it to be more appropriate, the invitation can be served at the address of the permanent or temporary residence of the invited person in accordance with the provisions of the act governing the general administrative procedure.
- (8) Where the invited person gives justified reasons for non-appearance on the date and at the time proposed, he shall be invited again on another date and/or time.
- (9) The invitation shall be served on the invited person no later than three working days before the commencement of the Commission session. For justified reasons this time limit may also be shorter, but in that case the invited person may not suffer any legal consequences resulting from his non-appearance at the session.
- (10) The Commission may decide, either on its own motion or at a proposal from the invited person, to interview an invited person using modern technical means of transmitting image and/or sound (a teleconference or a video conference).
- (11) The sessions of the Commission at which the interview is conducted shall be audio-recorded. The invited person shall have the right to an electronic copy of the audio recording, which shall become part of the minutes and of the file.
- (12) In the minutes of the interview conducted it shall be noted that the interview was recorded using appropriate technical means for audio-recording and by whom, that the invited person was informed in advance of the audio-recording and that the recording was reproduced.
- (13) An interview with an invited person shall, as a rule, be conducted individually and without the presence of other invited persons, unless the Commission decides otherwise for justified reasons. If the statements of each of the persons invited to attend the proceedings in the same case on the same circumstance differ, or if there are other reasonable grounds, the Commission may invite

several persons to attend the same session and hold a confrontation among the invited persons during the session.

- (14) Where, in the interview of an invited person regarding the conduct of other persons, the Commission determines that the person in question is to be interviewed about his own conduct, the interview shall be terminated and the person shall be informed that he will be invited again in accordance with paragraph five of this Article. In the case referred to in the preceding sentence, the minutes, the audio recording and the documentation handed over by the invited person shall be removed from the file and may not be reviewed or used later in these proceedings.

Article 15b
(Conduct of an interview)

- (1) An interview with the invited person shall be conducted by a Chairperson, who shall give the floor to the participants and ensure that the Commission session runs smoothly. His duty and the right are to ensure an effective, smooth and lawful conduct of the session, maintain order at the session and protect the dignity of the Commission and the invited person.
- (2) Prior to the commencement of the interview the Chairperson shall inform the invited person that the interviews before the Commission are audio-recorded and that the invited person has the right to an electronic copy of the audio-recording.
- (3) Prior to the commencement of the interview the Chairperson shall instruct the invited person that:
- the Commission may forward a part of or full interview record to the competent authorities if it identifies violations within their jurisdiction in the course of its proceedings;
 - he is obliged to speak the truth, that he may not withhold any information, that he is obliged to give all explanations and answers to questions raised by the Commission that are relevant to the performance of its tasks in the specific case, and that
 - he shall have the right to refuse to reply to a specific question where an answer may cause him or a member of his family great shame, considerable property damage or give rise to criminal prosecution.
- (4) The Chairperson shall then inform the invited person of the reasons for the invitation.
- (5) The questions shall be addressed to the invited person by the Chairperson and two members of the Commission and, with the permission of the Chairperson, can also be raised by the employees of the Commission present at the meeting.
- (6) During the interview the invited person may, of his own accord or at the request of the Chairperson, add into the file additional documentation or written explanations on the case in question for which he has been invited.
- (7) Those present at the Commission session shall be obliged to protect the data and information which have come to their knowledge during the interview. At the end of the session, the Chairperson shall point out to everyone present that no non-public information and data communicated to them during the session may be disclosed to the public or to unauthorised third parties, and explain the legal consequences of such an act.

Article 15c
(Access to a file)

- (1) In the case of other public law proceedings, the person in question or the person against whom the report has been filed shall have the right of access to the file following the prior examination of the report.
- (2) Other persons shall have the right of access to the file if they prove their legal interest, after the proceedings before the Commission have been completed.

- (3) In the case of access to the file the Commission may not reveal the identity of the reporting person or the data based on which he can be identified.
- (4) The right of access to the file or to a copy of an individual document or all documents shall be limited or withheld as appropriate, if the Commission, based on the opinion of the competent authority, assesses that it is likely to jeopardise the interests of the pre-trial, criminal, or any other judicial or supervisory proceedings, prejudice the interests of the proceedings under this Act, or in order to protect personal data.
- (5) The Commission shall adopt a decision on the right of access to the file no later than within 15 days of the submission of the request. In cases where the Commission decides to limit or refuse the right of access it shall issue a procedural decision. An administrative dispute against the Commission's procedural decision shall be admissible.
- (6) The procedure for access to the file shall be laid down in detail in the Commission's Rules of Procedure.”.

Article 14

Article 16 shall be amended to read as follows:

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

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

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

(4) Paragraphs one and three of this Article shall not apply to data obtained by an attorney, a physician, a social worker, a psychologist or a priest during the course of their work within a confidential relationship or by any other person obliged by an act to protect data resulting from a confidential relationship. In the event that the Commission requests data obtained by the competent authorities through special methods of obtaining data under the act governing intelligence and security activities, or where there is a reasonable risk that the implementation of the Commission's powers with regard to the access to or the communication of these data is likely to jeopardise or substantially impair the implementation of pre-trial or criminal proceedings or endanger the lives of people or the security of the State, the Police, the State Prosecutor's Office or the Intelligence and Security Service may deny access to the entirety or part of the data required or restrict access to certain premises. The notification of the denial or restriction shall include a statement of reasons. A final decision on a repeat request made by the Commission to be permitted access to or communicate data shall be taken by the Director-General of the Police, the State Prosecutor-General or the Government of the Republic of Slovenia for the areas of the Police, State prosecution, and intelligence and security respectively.

(5) In the event that proceedings have been initiated based on the suspicion of corruption and for the purpose of establishing factual indications of corruption under this Act, in respect of which the Commission requires data falling within the competence of the office responsible for the prevention of

money laundering and terrorist financing, the Commission shall send to the office responsible a reasoned written initiative to collect and analyse data, information and documents pursuant to the act governing the prevention of money laundering and terrorist financing. The office shall notify the Commission of its findings at the earliest opportunity.

(6) In respect of a case before the Commission, the Commission and its employees may conduct interviews with or collect information from persons who could provide useful information for the clarification of the circumstances of the case, including out of session or outside of the Commission's premises, if the person so agrees. The interviews under this paragraph may be audio-recorded only with the prior consent of the person interviewed. If the person interviewed by an authorised person so agrees, he may also put his statement on the record to be signed by the authorised person of the Commission and the person making the statement. The electronic copy of the audio recording shall become part of the minutes or the file.”.

Article 15

Article 17 shall be amended to read as follows:

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

(2) Once a year, the Commission shall launch a call for project proposals by non-profit private sector organisations engaged in the Commission's area of work related to training, informing, and raising the awareness of the public and of public sector bodies, as well as disseminating good practices in implementing the objectives of this Act.

(3) The projects referred to in the preceding paragraph shall be funded from the budget of the Republic of Slovenia from the allocation set aside for the Commission.

Article 16

Article 18 shall be amended to read as follows:

The Commission shall pay particular attention to providing regular, full and objective information on its work to the general and professional public, taking into account not only the interests of the public but also the protection of the integrity of the body, the interests of the proceedings before the Commission and other competent authorities, the protection of reporting persons, as well as the dignity and the rights of persons in the Commission's proceedings.

(2) In addition to the documents referred to in paragraph six of Article 11 of this Act, the Commission shall publish on its website the information referred to in paragraph eight of Article 11 and paragraph five of Article 13a of this Act, its annual reports and other documents of a general nature relating to integrity and transparency, corruption prevention and reduction and the conflict of interest. The Commission shall also publish on its website the convocations of its sessions and their minutes, in such a way that no personal data and data protected by the provisions of other acts can be deduced from them.

(3) The publication of the data which could disclose the identity or jeopardise the security of the person who has filed a report in good faith or is otherwise involved in the disclosure of corruption, or of the data obtained as a result of the Commission's proceedings and the disclosure of which would be prejudicial to the conduct of proceedings, shall not be permitted. The Commission shall not disclose or confirm the data on the person who has filed a report or has participated in the disclosure of corruption or other illegal or non-ethical conduct in good faith without his personal consent.

(4) After the completion of proceedings referred to in paragraph one of Article 13 and Article 13a of this Act, the Commission shall also inform the public of cases where no violations of this Act have been found when the public is already aware of the opening of proceedings.

- (5) The detailed arrangements for informing the public shall be laid down in the Commission's Rules of Procedure.”.

Article 17

Article 21 shall be amended to read as follows:

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

(2) The Chief Commissioner and Deputy Commissioners shall record information on their obligations arising from their position as officials under this Act in the Commission's official records of assets, restrictions on business activities, accepted gifts, conflicts of interest and the incompatibility of holding office with the pursuit of gainful activity. The officials of the Commission shall notify the National Assembly of the fulfilment of these obligations within three days. The Commission shall publish the notification referred to in the preceding sentence on its website.

(3) For the purpose of carrying out the supervision referred to in paragraph one of this Article, the Commission shall, at the request of the National Assembly, forward the requested information on the Chief Commissioner and both Deputy Commissioners kept in its official records to the National Assembly. Other information required by the National Assembly to carry out supervision, the keeping of which falls outside the powers of the Commission, shall be obtained by the National Assembly itself.

Article 18

Article 22 shall be amended to read as follows:

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

- if the Chief Commissioner or a Deputy Commissioner resigns,
- if he fails to perform the duties of his office in accordance with the Constitution or the law,
- if he has been convicted by a final judgment of a criminal offence committed with intent;
- if he has permanently lost the capacity to perform the duties of his office;
- if he fails to act in accordance with paragraph three of Article 7 of this Act.

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

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

(4) If it has been established that the Chief Commissioner or a Deputy Commissioner has failed to act in accordance with paragraph three of Article 7 of this Act, the President of the Republic shall relieve the Chief Commissioner or Deputy Commissioner of his duties upon the proposal of the National Assembly.

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

Article 19

Article 30 shall be amended to read as follows:

“Article 30

(Prohibition and restrictions with regard to the acceptance of gifts in the public sector)

- (1) Official persons may not accept gifts or other benefits (hereinafter: gifts) in connection with the discharge of the duties of the office or public service or in connection with their position. Gifts in connection with the discharge of the duties of the office or public service or in connection with an official person's position may neither be accepted by the official person's family members.
- (2) Notwithstanding the preceding paragraph, an official person or his family member may, acting on behalf of the body in which he works, accept a protocol gift, which, regardless of the value, shall become the property of the person's employer. Protocol gifts are gifts presented by foreign or domestic legal or natural persons in the course of official events.
- (3) Notwithstanding paragraphs one and two of this Article, an official person may accept a gift, traditionally or commonly handed over at certain events (cultural or celebratory events, completion of education, training, etc.) or in relation to the execution of diplomatic activities, the value of which, however, may not exceed EUR 60, whatever the form of the gift or the number of people presenting the same gift.
- (4) If the gift presented does not fall under paragraphs two or three of this Article, the official person is obliged to draw the giver's attention to the prohibition of the acceptance of gifts and to reject the offered item, and the same shall apply to an official person's family member. If the giver insists on presenting the gift, the official person or his family member shall be obliged to hand it over to the official person's employer.
- (5) Notwithstanding the provisions of this Article, an official person or his family member may not accept a gift:
 - where the handing over or acceptance of such a gift would constitute a criminal offence;
 - where this is prohibited by any other act or regulations issued on its basis;
 - where money, securities, gift vouchers and precious metals are handed over as a gift;
 - where the acceptance of a gift would influence or appear to influence the impartial and objective performance of the official person's public duties.
- (6) A public sector entity shall keep a list of gifts received, containing information on the type and estimated value of the gift, the giver and other circumstances of the presentation of the gift. Gifts shall be included on the list, when their value exceeds EUR 25. A public sector entity shall forward the list of gifts presented to official persons, their family members and protocol gifts to the Commission by 31 March for the previous year by means of an electronic form which is available on the Commission's website.”.
- (7) The manner in which the gifts are handled, their value is assessed and the gift lists are kept as well as other issues relating to the implementation of this Article shall be determined by the Commission in its Rules of Procedure.
- (8) The provisions of this Article shall not apply to companies in which a controlling interest or a dominant influence is held either by the State or a local community, except for those established by law.”.

Article 20

Articles 31, 32, 33 and 34 shall be deleted.

Article 21

Article 35 shall be amended to read as follows:

“(1) A public sector body or organisation which is obliged to conduct a public procurement procedure in accordance with the regulations on public procurement or which carries out a procedure for granting concessions or other forms of public–private partnership may not order goods, services or construction works, enter into public–private partnerships, or grant special and exclusive rights to entities in which

-

the holder of public office who holds office in the body or organisation concerned or his family member has the following role:

- participating as a manager, management member or legal representative; or
- having more than a 5% share in the founders' rights, management or capital, either by direct participation or through the participation of other legal persons.

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

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

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

(5) The natural person or the responsible person of the business entity shall provide a written declaration that he is not affiliated with the holder of public office or his family member in the manner laid down in paragraph one of this Article. The declaration shall be provided during the course of the procedure for granting concessions, entering into a public-private partnership or a public procurement procedure, and where such procedure has not been carried out, it shall be provided prior to the conclusion of a contract with the public sector body or organisation referred to in paragraph one of this Article.

(6) If the circumstances referred to in paragraph one of this Article are met, holders of public office shall, within one month of taking up office, and subsequently no later than within eight days of each change, submit in writing to the public sector body or organisation in which they hold office the following information:

- personal name;
- personal registration number (EMŠO);
- address of permanent residence;
- information on the body in which the holder of public office holds office;
- date of imposition and termination of the restriction,
- name, head office, registration number and tax identification number of the business entity,
- manner of participation of the holder of public office or his family members in a business entity.

(7) The public sector body or organisation shall communicate the information referred to in the preceding paragraph to the Commission by means of an electronic form which is available on the Commission's website no later than within 15 days of receipt of the information or any change in the information. Every month, the Commission shall publish the list of business entities referred to in the preceding paragraph on its website. A business entity subject to restrictions on business activities shall stay on the Commission's publicly available list of business entities with restrictions on business activities for a further year after the office of the holder of the public office has terminated.

(8) The restrictions under the provisions of this Article do not apply to business activities on the basis of contracts concluded before the holder of public office assumed office.

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

Article 22

Article 36 shall be amended to read as follows:

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

(2) The public sector body or organisation in which the holder of public office held office may not do business with an entity in which the former holder of public office has a 5% share in the founders' rights, management or capital, either by direct participation or through the participation of other legal persons, or with the holder of public office as a natural person, until one year has elapsed from the termination of his office.

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

Article 23

Article 37 shall be amended to read as follows:

“(1) An official person shall pay due attention to any conflict of interest related to his office or post and shall make every effort to avoid such.

(2) An official person who, upon taking up a post or office or in the course of the performance of the duties of the post or office, finds the existence of circumstances which could influence or appear to influence the impartial and objective performance of his public duties, shall disclose such circumstances to his immediate superior or the person duly authorised by his superior.

(3) An official person may not use his office or post or the information obtained while carrying out his office or post to advance his personal interests or the personal interests of another person.”.

Article 24

Article 38 shall be amended to read as follows:

“Article 38

(Manner of avoiding a conflict of interest)

(1) As soon as an official person has established the existence of circumstances of a conflict of interest he shall cease to work on the case, unless this would lead to significant damage, and notify his superior or head of his exclusion and the circumstances of the conflict of interest no later than within three working days.

(2) A reasoned decision by the superior or the head on whether the official person is to be excluded from the procedure of considering and deciding on the case or he is to continue work shall be taken as soon as possible and no later than within five days of receipt of the notification referred to in the preceding paragraph. There shall be no judicial remedy against this decision.

(3) Where the official person is a member of a collegiate body, his exclusion shall be determined by that body within the period and in the manner referred to in the preceding paragraph. An official person shall not participate in deciding on his own exclusion.

(4) Where the official person's superior, head or collegiate body decides that the official person is to continue work on the case despite the conflict of interest, they may give him binding, reasoned guidelines for conduct and decision making, while pursuing the public interest. The superior, head or the collegiate body shall forward the decision taken to the Commission within five days of its adoption.

(5) Where the superior, head or the collegiate body have not taken a decision on exclusion within the time limit set in paragraph two of this Article or if the official person does not have a superior or a head, the official person shall notify the Commission of the existence of the circumstances of the conflict of interest within five days. Within five days of receipt of the notification, the Commission shall decide on the existence or absence of a conflict of interest and on the manner of avoiding a conflict of interest.”.

Article 25

Article 39 shall be amended to read as follows:

“Article 39

(Procedure for establishing a conflict of interest and consequences of an actual conflict of interest)

(1) In the event of a suspicion that there was an actual conflict of interest in the official conduct of an official person, the Commission may, within a period of two years of performance of the official acts, initiate a procedure for establishing the existence of an actual conflict of interest and its consequences.

(2) Where on the basis of the procedure conducted the existence of a conflict of interest is established, the Commission shall inform the official person’s employer of the findings in the specific case and set the time limit within which the employer is obliged to inform the official person of the measures taken to remedy the consequences of the conflict of interest.

(3) The Commission may also bring the findings referred to in the preceding paragraph and the suspension of measures for due avoidance of a conflict of interest referred to in the preceding Article to the attention of the supervisory authority of the public sector entity in which the official person serves, and invite the supervisory authority to take or order measures to prevent a repeated violation and, depending on the circumstances of the specific case, also measures for enforcing the liability of the official person, his superior or head.”.

Article 26

Article 40 shall be amended to read as follows:

“Article 40

(Validity of provisions on a conflict of interest)

(1) The provisions of Articles 37 to 39 of this Act shall apply to all official persons under this Act, except where the exclusion of an official person is governed by the act governing criminal proceedings, the act governing contentious civil procedure, the act governing the general administrative procedure or any other act governing exclusion from decision-making in legal proceedings.

(2) The provisions of Articles 37 to 39 of this Act that apply to official persons shall also apply to persons designated by a public sector entity as external members of commissions, councils, working groups or other comparable bodies when performing public duties or tasks in that public sector entity’s area of work.”.

Article 27

Article 41 shall be amended to read as follows:

“(1) Persons with the obligation to declare assets shall include professional holders of public office, members of the National Council, non-professional mayors and deputy mayors, officials in a managerial position, managers, members of the supervisory boards in public undertakings and companies in which a controlling interest or a dominant influence is held either by the State or a local community, persons responsible for public procurement, civil servants of the National Review Commission for Reviewing Public Procurement Award Procedures (hereinafter: the National Review Commission), and citizens of the Republic of Slovenia who hold office in EU institutions, other EU bodies and other international institutions to which they have been appointed or elected on the basis of secondment or a proposal from the Government of the Republic of Slovenia or the National Assembly and whose obligation to

declare their assets is not otherwise regulated by the documents of EU institutions, EU bodies or other international institutions for which they perform duties.

(2) A person with obligations shall no later than within one month after assuming or ceasing to hold the office or post communicate the information on his assets to the Commission. Persons with obligations shall also communicate the information on their assets to the Commission a year after ceasing to hold the office or post.

(3) Notwithstanding the preceding paragraph, persons responsible for public procurement shall communicate the information on their assets as at 31 December to the Commission by 31 January for the previous year if, in the previous calendar year, they participated in a public procurement procedure as defined in point 10 of Article 4 of this Act.

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

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

Article 28

Article 42 shall be amended to read as follows:

“(1) The following personal data must be provided by the person with obligations on the asset declaration form:

- personal name,
- personal registration number (EMŠO),
- address of permanent residence,
- tax ID number,
- information concerning the office or work performed by him and on the basis of which he has the status of a person with obligations, information relating to an office or work performed directly before becoming a person with obligations, and, any other information on any other office held or activities performed by him.

(2) The following information on assets in the Republic of Slovenia and abroad must be provided by the person with obligations on the asset declaration form:

- information on immovable property: type, size, year of construction, cadastral municipality, ownership share, plot number, building number and individual building part number,
- information on rights to immovable property and other property rights,
- information on movable property if the value of an individual movable property exceeds EUR 10,000,
- information on monetary assets deposited in banks, savings banks and savings and loan undertakings if the total value in the accounts exceeds EUR 10,000,
- information on the total value of cash if it exceeds EUR 10,000,
- information on the ownership or stakes, shares the total value of which exceeds EUR 10,000, or management rights in a company or other private law entity indicating the company name of the legal person or the name of the entity, and information on the types and values of securities if their total value exceeds EUR 10,000,

- information on debts, obligations or assumed guarantees and loans given the value of which exceeds EUR 10,000,
- any other information in relation to assets that the person with obligations wishes to provide or is laid down in this Act.

(3) The assets referred to in indents one to seven of the preceding paragraph shall be declared by the person with obligations if he is the legal owner of the declared units of assets. Beneficial ownership and shares of joint ownership in an individual unit of declared assets shall be stated by the person with obligations as referred to within the context of indent eight of the preceding paragraph.”.

Article 29

Article 43 shall be amended to read as follows:

Any change to personal data referred to in indents one, five and seven of paragraph one of the preceding Article and any change to his assets shall be notified by the person with obligations to the Commission within 30 days of the occurrence of the change. For units of assets to be declared in accordance with paragraph two of the preceding Article only if they exceed a certain value, the person with obligations shall be obliged to declare, as a change, the increase in assets with which the threshold for the declaration of an individual type of assets is reached and, in the case of units of assets already declared, the change when the assets have increased or decreased by more than EUR 10,000.

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

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

Article 30

New Articles 44a and 44b shall be introduced after Article 44 and shall read as follows:

“Article 44a

(Supervision and establishing a disproportionate increase in assets)

(1) The Commission shall supervise the correctness, timeliness and completeness of the declaration of the information on assets and changes to assets. In the event of the suspicion of the violation of the obligation to declare assets, suspicion of a disproportionate increase in assets and, in the context of the implementation of systemic supervision over the compliance with the duty to declare assets, the Commission shall compare the data declared by persons with obligations with the information in the official records, records of the central securities depositories, banks and other financial institutions.

(2) If, on the basis of a comparison of the data referred to in the preceding paragraph, any inconsistency is found, the Commission shall request the person with obligations to explain the inconsistency in writing within 15 days and to enclose relevant evidence, and may conduct an interview with the person with obligations for the purpose of clarifying the facts.

(3) If the information obtained in the course of the procedure under this Article or other information available to the Commission gives rise to the suspicion that, since the last declaration was made by the person with obligations, his assets have increased disproportionately compared to his income derived from the performance of his duties of office or an activity otherwise performed in accordance with the provisions and limitations laid down in this Act and other acts, or that the value of the person's actual assets, serving as a basis for the assessment of tax liabilities, considerably exceeds the declared value (i.e. a disproportionate increase in assets), or that the person with obligations has assets of unknown origin, the Commission shall conduct the proceedings on the grounds of the suspicion of a disproportionate increase in assets. In the context of establishing facts, the Commission may request

the competent law enforcement and supervisory authorities, including the authority responsible for the prevention of money laundering, to establish, within their powers, the facts regarding assets and property in the Republic of Slovenia and abroad and submit their findings to the Commission.

(4) The Commission shall draw up draft findings on a specific case which shall contain a list of assets which, according to the findings of the Commission, exceed the declared assets, the official known income of the person with obligations, or for which the Commission has been unable to identify the source or origin in its proceedings. The Commission shall forward the draft findings to the person with obligations and invite him to provide a written explanation of the increase in assets or the sources of assets and to enclose relevant evidence within a period fixed by the Commission depending on the circumstances of the violation in question, but not less than eight days. With regard to this, the Commission, either on its own motion or at the proposal of the person with obligations, may conduct an interview with the latter.

(5) If the person with obligations fails to explain the increase in assets or fails to do so in a convincing, credible and understandable manner, the Commission shall act in accordance with Article 45 of this Act.

(6) If during the proceedings the Commission considers that there is reasonable risk that the person with obligations will dispose of, conceal or appropriate the assets of unknown or unexplained origin, the Commission may propose that the State Prosecutor's Office or the competent authority in the area of money laundering prevention, taxes or financial supervision take all necessary steps within their legal powers to temporarily stop transactions and secure the money and assets for the purpose of confiscating unlawfully obtained proceeds or money and assets of illicit origin. In the proposal, the Commission shall communicate all collected information necessary for the exercise of the legal powers of the authorities referred to in the preceding sentence.

(7) The State Prosecutor's Office or other bodies referred to in the preceding paragraph shall inform the Commission in writing of the measures taken in this regard or explain why no action will be taken no later than within 72 hours.

(8) A person with obligations shall be subject to supervision under this Article throughout the performance of the duties of his office, position or work and for a further year following termination of his office, position or work.

Article 44b

(Extension of supervision to other persons)

(1) Where, in the proceedings referred to in the preceding Article, the suspicion arises that the person with obligations is concealing his assets by transferring them to his family members or that such persons obtain units of assets which in any way derive from the office or work of the person with obligations directly from third parties, the Commission may extend supervision to the assets of family members of the person with obligations. The suspicion referred to in the preceding sentence exists in particular where the information obtained reveals the transfer of assets to family members, where the expenditure of the person with obligations significantly exceeds his officially known income, or where the information indicates that other persons cover a significant part of the costs of living of the person with obligations.

(2) The provisions of the preceding Article shall apply, *mutatis mutandis*, to the procedure for the supervision of assets of persons referred to in the preceding paragraph.”.

Article 31

Article 45 shall be amended to read as follows:

“Article 45

(Measures in the event of a disproportionate increase in assets)

(1) If, in the procedure referred to in Article 44a of this Act, the person with obligations fails to explain the increase in assets, the sources of the assets or the difference between the actual and declared value of assets, or fails to do so in a convincing, credible and comprehensible manner, the Commission shall immediately refer the case to the Public Prosecutor's Office to verify the possibility of taking action under the act governing the confiscation of assets of illicit origin, or to the competent authority in the area of taxation in order to verify the possibility of taking action under the tax rules. If the Commission finds that this would not compromise the interests of the proceedings of other competent authorities, it may also notify the public sector body or organisation in which the person with obligations holds office or performs work, or the authority responsible for the election or appointment of the person with obligations.

(2) On the basis of the Commission's notification referred to in the preceding paragraph, the public sector body or organisation in which the person with obligations holds office or performs work or the authority responsible for the election or appointment of the person with obligations, must verify the constitutional and legal possibilities for carrying out the procedure for the termination of the term of office of the person with obligations or his dismissal, or for the enforcement of another form of liability of the person with obligations in accordance with the law, and communicate its findings, measures and decisions to the Commission within a period of three months of receipt of the notification.

(3) After the procedure has been concluded, the Public Prosecutor's Office receiving the case referred to in paragraph one of this Article shall inform the Commission of the decisions and measures taken.”.

Article 32

Article 46 shall be amended to read as follows:

“Article 46

(Public availability of data for a specified circle of persons with obligations)

(1) With a view to enhancing transparency and public trust in holders of public office, the information on changes to assets of deputies of the National Assembly, the President of the National Council, the President of the Republic, the Prime Minister, ministers, state secretaries, professional and non-professional mayors and deputy mayors, members of the Governing Board of the Bank of Slovenia, holders of public office in autonomous and independent State bodies acting as head of the body or his deputy, and of the Constitutional Court judges shall be made publicly available on the website of the Commission for their entire term of office and for a further year after termination of office.

(2) The publication referred to in the preceding paragraph shall comprise the information supplied by the person with obligations by means of an electronic form referred to in paragraph two of Article 43 of this Act. At the time of the publication of the form, the Commission may also publish its findings on the regularity, completeness and timeliness of the declaration referred to in paragraph one of Article 44a of this Act.

(3) The Commission shall make the data publicly available no later than 30 days after receiving the declaration on the change to assets.

(4) The data on assets and the changes to assets of other persons with obligations shall not be public.

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

Article 33

New paragraphs three and four shall be introduced after paragraph two of Article 63 and shall read as follows:

“(3) An interest group for which the person referred to in paragraph four of Article 58 of this Act is lobbying shall also promptly or by no later than 31 January of the current year for the previous year

report on lobbying to the Commission, and shall do this in writing by means of an electronic form available on the Commission's website. The report shall include the name and surname of the lobbyist and the data from indents four, five and six of Article 64 of this Act.

(4) Notwithstanding the provisions of the preceding paragraph, a private sector non-profit interest group with no employees shall not report on lobbying.”.

Article 34

Article 68 shall be amended to read as follows:

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

(2) At every contact with the lobbyist, the lobbied person shall make a record containing the following data: the personal name of the lobbyist, information on whether the lobbyist has identified himself in accordance with the provisions of this Act, the area of lobbying, the purpose and objective, the name of the interest group or any other organisation for which the lobbyist is lobbying, any possible enclosures, and the date and place of the visit by the lobbyist. The person lobbied shall forward a copy of the record to his superior and the Commission within eight days. The obligation of lobbied persons to keep a record shall also apply in the event of contacts arising as referred to in paragraph three of Article 69 of this Act. The Commission shall keep lobbying records for a period of five years.

(3) Notwithstanding the preceding paragraph, the lobbied person shall not make a record in the event that a lobbyist attempts to establish contact in writing and not all data referred to in paragraph one of Article 69 of this Act are mentioned, and if the letter is filed without delay and in the absence of any further contact with the sender in the documents archive.

(4) Notwithstanding paragraph two of this Article, in the case of an e-mail addressed to several representatives of the same body, only the lobbied person who is the first addressee shall report such communication and inform the other addressees thereof.

(5) The Commission may request the lobbied person to complete the lobbying record within eight days.

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

Article 35

New Articles 75a and 75b shall be introduced after Article 75 and shall read as follows:

“Article 75a

(Acquisition, use, processing and linkage of data on cash flows of public sector entities)

(1) For the purpose of implementing indent seven of paragraph one of Article 12 of this Act and implementing measures and methods to strengthen integrity and prevent corruption, the Commission may, in an automated manner, free of charge and where possible, obtain, use, process and link data contained in the following records:

1. the financial transactions database with data from payment orders debited to the transaction accounts of public sector entities managed by the Public Payments Administration of the Republic of Slovenia,
2. the analytical accounting records of public sector entities regarding liabilities and payment transactions by public sector entities managed by the Ministry of Finance and other public sector entities,
3. the record of e-invoices received, as prescribed by the act governing the provision of payment services to budget users,

-
4. the business register, court register, transaction account register, register of beneficial owners and register of annual reports of business entities kept or published by the Agency of the Republic of Slovenia for Public Legal Records and Related Services (hereinafter: Ajpes),
 5. the register of insolvency proceedings announcements which is kept by the Supreme Court of the Republic of Slovenia and published by Ajpes on its website,
 6. the central registers of central securities depositories, as provided for by the act governing book-entry securities,
 7. the public procurement portal managed by the ministry responsible for public procurement,
 8. the record of cash transactions and remittances to risk countries managed by the Office of the Republic of Slovenia for the Prevention of Money Laundering,
 9. the records of tangible property of public sector entities as stipulated by the act governing tangible property of the State and self-governing local communities, which are managed by the Ministry of Public Administration, local communities and other public sector entities,
 10. the real-estate market record managed by the Surveying and Mapping Authority of the Republic of Slovenia insofar as it relates to transactions in which the Republic of Slovenia or a local community is acting in any capacity, and insofar as it relates to transactions in which a public sector entity is acting as a buyer or seller,
 11. any other records which do not contain personal data or the public availability of which is prescribed by special rules, unless these rules prescribe a specific arrangement for their access or use.
- (2) From the records referred to in point one of the preceding paragraph, the Commission shall obtain the following information from the record administrators:
- date of payment, amount and currency code,
 - account debited, name, address and place of the originator,
 - debit reference model and debit reference,
 - purpose of a transaction, including personal data, and purpose code,
 - account of authorisation, including personal data,
 - name of the recipient, including personal data, place and country of the recipient,
 - authorisation reference model and authorisation reference including personal data,
 - e-invoice identifier.
- (3) From the records referred to in paragraph two of this Article and with respect to them, the Commission shall obtain the following data from the record administrators:
- the chart of accounts in force at the relevant time,
 - date of the event and accounting entry,
 - the book-keeping document code supporting the accounting entry,
 - the amount and the account, including the analytical sub-accounts to which the event was entered (both as debit and credit),
 - description of the event, including personal data,
 - purpose of the transfer from a code table, where it exists.
- (4) From the record referred to in point three of paragraph one of this Article, the Commission shall obtain the following data:
- data from the e-invoice envelope and the e-invoice as stipulated by the act governing the provision of payment services to budget users, including personal data,
 - identifier and status of an e-invoice.
- (5) From the records referred to in point four of paragraph one of this Article, the Commission shall obtain the following data:
- information on persons affiliated to an individual business entity: name, tax ID number and registration number of the founders, current and former company members and their business interest; name, tax ID number and registration number of the members of the supervisory and management bodies or other representatives and their positions in the business entity, date of granting authorisation or date of election or appointment and date of expiry of the authorisation,
 - information on beneficial owners: personal name, address and nationality, amount of ownership interest or an indication of another method of supervision,

- information on the name and surname, tax ID number and transaction account of natural persons who are holders of transaction accounts and recipients of transactions referred to in point one of paragraph one of this Article, where the purpose code of the transaction shows that the payment relates to donor, sponsorship or advisory contracts or other copyright or intellectual services, and the same information on natural persons holding transaction accounts, who are recipients of transactions exceeding the monthly gross salary of the President of the Republic,
 - other information relating to business entities that is not personal data.
- (6) From the record referred to in point five of paragraph one of this Article, the Commission shall obtain the data published by Ajpes on its website.
- (7) From the records referred to in point six of paragraph one of this Article, the Commission shall obtain the following data:
- personal name and tax ID number (in the case of a natural person) or name or company name, tax ID number, registration number and address (in the case of a business entity) of the holders of securities and the number of individual securities,
 - securities identification codes, the number of securities issued and other information on securities held in the central register of book-entry securities.
- (8) From the procurement portal referred to in point seven of paragraph one of this Article, the Commission shall obtain the data contained in notices published by the public contracting authorities in relation to the implementation of public procurement, concession and public-private-partnership procedures, on contracts concluded, including links to the substance of contracts.
- (9) From the record referred to in point eight of paragraph one of this Article, the Commission shall obtain data on cash transactions and remittances to risk countries which are published under the act governing the prevention of money laundering and terrorist financing.
- (10) From the records referred to in point nine of paragraph one of this Article, the Commission shall obtain the following data:
- plot number and code of the cadastral municipality,
 - building number, building part number and code of the cadastral municipality,
 - owner, including personal data,
 - manager, including personal data,
 - ownership interest,
 - a notation of a public good,
 - rights in rem,
 - plot area,
 - building part surface area,
 - address of the building or the building part, and
 - type of use of the building part.
- (11) From the record referred to in point ten of paragraph one of this Article the Commission shall obtain the following data:
- the personal name and address of the contracting party which is a natural person, or the name or company name, head office and registration number of the contracting party which is a legal person, and the country of establishment and legal form of the contracting parties,
 - date of the conclusion of the legal transaction, and in the case of rental legal transactions also commencement and termination dates of rental,
 - type of legal transaction,
 - type of immovable property and, for rental legal transaction also type and size of the rented surface area,
 - identification codes of plots, buildings and building parts,
 - information on immovable property that is subject of legal transactions,
 - price or rent, and
 - other information affecting price or rent.

- (12) The Commission may obtain data from the records referred to in point eleven of paragraph one of this Article if the public availability of data is prescribed by law and no specific arrangement for access to or use of such data is prescribed.
- (13) Where the Commission obtains data on a legal or natural person from an existing personal data filing system, it shall not be obliged to inform the data subject thereof. The right of access to personal data of the data subject shall be exercised directly with the controller of the filing system referred to in paragraph one of this Article. The controllers of filing systems shall be obliged to communicate to the Commission, at its request, the information required for the carrying out of tasks under this Act. The modalities for forwarding and communicating changes to the data already provided, in particular as regards changes to the data published under the next Article, shall be subject to an agreement concluded between the Commission and individual controllers.
- (14) The provisions of this Article shall not apply to the data protected by the provisions of the act governing classified information.
- (15) A data link in the case of a natural person shall be: tax ID number, personal registration number (EMŠO) or transaction account; in the case of a business operator: tax ID number, registration number or transaction account; in the case of a budget user: budget user code, tax ID number, registration number or transaction account; in the case of e-invoices: e-invoice identifier, and in the case of immovable property: property identification code. The Commission may also use other identifiers contained in individual records to link the databases.
- (16) The Commission may also obtain the data referred to in this Article directly from the record administrators referred to in paragraph one of this Article for the period of preceding 10 years.

Article 75b

(Publication of data on cash flows of public sector entities)

- (1) In order to ensure transparency of the use of public funds and financial resources of public sector business entities, strengthen integrity, limit corruption risks and ensure public supervision over the effective use of public funds, the Commission shall publish on its website the data referred to in the preceding Article, subject to the conditions laid down in this Article.
- (2) The data referred to in paragraphs four, six, eight, nine and twelve of the preceding Article shall be published in full.
- (3) The data referred to in paragraph two of the preceding Article concerning the transaction account, address and tax ID number of the recipient who is a natural person shall not be published. The data on the personal name of the recipient and the transaction purpose shall also not be published, except where the purpose code indicates that the payment refers to donor, sponsor or advisory contracts or other copyright or intellectual services and to transactions exceeding the monthly gross salary of the President of the Republic.
- (4) The data referred to in paragraph three of the preceding Article on the textual description of an event shall not be published, except where the transaction purpose code to which the accounting entry relates shows that the event relates to donor, sponsorship or advisory contracts or other copyright or intellectual services and to transactions exceeding the monthly gross salary of the President of the Republic.
- (5) Only the data referred to in paragraph five of the preceding Article which is published by Ajpes pursuant to the law and in the manner or within the limitations laid down by law shall be published.
- (6) The data referred to in paragraph seven of the preceding Article concerning the tax ID number of natural persons and the data on the personal name of those natural persons whose share of securities held in an individual entity does not exceed five percent shall not be published.
- (7) Online publication and the enabling of web search of personal data of an individual company member, founder, representative, supervisor, holder or beneficial owner shall be subject to the

limitations set out in the act governing the court register, the act governing the business register and the Act on the Prevention of Money Laundering and Terrorist Financing.

- (8) Personal data referred to in paragraph ten of the preceding Article concerning natural persons shall not be published.
- (9) Personal data referred to in paragraph eleven of the preceding Article concerning natural persons shall not be published.
- (10) The data contained in the record of assets referred to in paragraph two of Article 46 of this Act, the record of contacts with lobbyists referred to in paragraph two of Article 68 of this Act, and the record of business entities referred to in Article 35 of this Act shall be published.
- (11) The Commission shall regularly update and publish the data to be published pursuant to this Article. In the event of an error found in the published data maintained by the Commission, a corrigendum shall be published together with the rectified data.
- (12) A person having a legitimate legal interest may request that an error in the published information maintained by the Commission be rectified. The Commission shall decide on the rectification of an error by means of a decision issued in accordance with the act governing the general administrative procedure. Where the Commission grants the request in its entirety, it shall make an official note to that effect. Where the Commission rejects the request, the data subject may demand that his explanation of the disputed data as well as the Commission's decision and other relevant documents be published in an appropriate manner next to the published disputed data. An appeal against the Commission's decision shall not be admissible.
- (13) The Commission shall keep and ensure the availability of data for 10 years from their publication. The Commission shall hand over the data from the record of transactions older than 10 years to the Archives of the Republic of Slovenia, and remove them from its website. The data published by the Commission must also be available in a machine-readable format, together with metadata defining their structure and facilitating re-use. The data published on the Commission's website, other than the data referred to in paragraphs five, six and nine of this Article, shall also be published on the Open Data Portal Slovenia.
- (14) Notwithstanding the provisions of the act governing access to public information, the data referred to in the preceding Article shall only be made available to applicants by controllers or administrator of records referred to in paragraph one of the preceding Article upon a request to re-use these data.”.

Article 36

Article 76 shall be amended to read as follows:

The Commission shall keep the data, information and documentation obtained pursuant to this Act for a period of ten years. The documentation shall be handled in accordance with the regulations governing the protection of documents.

- (2) The Commission shall keep the following data records:
- a record of reported suspicions of corruption and violations of this Act containing the name, surname, and address of the permanent or temporary residence of the reporting person and reported persons and other data relating to the prevention and investigation of reported acts of corruption for the purposes of establishing instances of corruption and exercising the powers of the Commission and other State bodies in the area of corruption prevention,
 - a record of holders of public office, officials in a managerial position, managers, and persons responsible for public procurement referred to in Article 4 of this Act (personal name, personal registration number (EMŠO), tax ID number of the person, office or position, and address of permanent residence) for the purposes of establishing persons with obligations and their identity, verifying data, and making decisions under this Act,

-
- a record of cases involving international corruption in accordance with indent eight of paragraph one of Article 12 of this Act (personal name of the suspected, denounced, accused or convicted person, personal registration number (EMŠO), the type of criminal offence, and the manner in which the case was concluded) for the purposes of establishing the causes of international corruption, drawing up measures, reporting to international organisations, detecting cases of international corruption in accordance with the powers under this Act, and cooperating with other competent State bodies,
- a record of cases involving the protection of persons who report acts of corruption referred to in paragraphs four, five and six of Article 23 of this Act (personal name of the reporting person or his pseudonym, any decision on whether the report has been made in good faith, and a record of whether the protection of the reporting person or his family members has been secured under the act governing witness protection) for the purposes of implementing the protection of persons who report acts of corruption, monitoring the effectiveness of the protection provided and offering assistance to reporting persons,
- a record of cases involving the protection of official persons who are requested to engage in the illegal or unethical conduct referred to in Article 24 of this Act (personal name of the reporting person, personal name of the person who requests illegal or unethical conduct, name of the body, and the list of instructions issued by the Commission on further action to be taken) for the purposes of implementing the protection of official persons, monitoring the effectiveness of protection and offering assistance to official persons,
- a record of the existence of a causal link referred to in paragraph three of Article 25 of this Act and a record of requests for transfer referred to in paragraph four of Article 25 of this Act (personal name of the reporting person, personal name of the person who requests illegal or unethical conduct, name of the body, and content of the assessment or the request for transfer) for the purposes of establishing the existence of retaliatory measures, taking action against retaliatory measures and monitoring the effectiveness of the measures taken by the Commission,
- a record of the gift lists referred to in paragraph six of Article 30 of this Act (name of the body that accepted a gift, personal name of the person who was given the gift and his office, position or post, and type of gift) for the purposes of establishing and deciding on violations of the prohibition of and restrictions with regard to the acceptance of gifts and the Commission exercising supervision over the management and publication of gift lists,
- a record of business entities referred to in Article 35 of this Act (name of the holder of public office, personal registration number (EMŠO), address of permanent residence, public sector body or organisation in which the holder of public office holds office, date of imposition and termination of the restriction, name, head office, registration number and tax identification number of the business entity, manner of participation of the holder of public office or his family members in a business entity),
- a record of the official persons referred to in paragraph two of Article 40 of this Act, designated by a public sector entity as external members, with regard to whom the Commission has established the existence of a conflict of interest under paragraph five of Article 38 and paragraph two of Article 39 of this Act (personal name, office, position, post or information on membership, address of permanent residence, and content of the Commission's decision) for the purposes of establishing and deciding on the conflict of interest and cooperating with the competent State bodies,
- a record of persons with obligations referred to in paragraph one of Article 41 of this Act containing the data referred to in paragraphs one and two of Article 42 of this Act, with data on assets kept separately, for the purposes of determining the persons with obligations and their identity, verifying data and decision-making under this Act, publishing information, and exercising the powers of the Commission and other State bodies in the prevention of corruption,
- a record of cases involving a disproportionate increase in assets referred to in Article 44a of this Act (personal name, office or position of persons with obligations referred to in paragraph one of Article 41 of this Act, list of notifications referred to in paragraph one of Article 45 of this Act, list of notifications referred to in paragraph two of Article 45 of this Act, list of decisions taken referred to in paragraph six of Article 44a of this Act, and list of measures taken referred to in paragraph seven of Article 44a of this Act) for the purposes of establishing the assets of persons with obligations, deciding on violations and cooperating with the competent State bodies,

- a record of persons referred to in indent two of paragraph three of Article 47 of this Act (personal name, post and body) for the purposes of the effective implementation of the integrity plan and the training of persons responsible for the integrity plan,
- a record of holders of public office with regard to whom the Commission proposed that they be called to account owing to their failure to implement the measures contained in the resolution (paragraph three of Article 53 of this Act), this containing the information referred to in indent one of this paragraph, for the purposes of implementing the resolution and proposing measures in the event that the measures contained in the resolution are not implemented,
- a record/register of lobbyists containing information referred to in paragraph three of Article 58 of this Act for the purposes of ensuring legality of and establishing, deciding on and supervising lobbying activities,
- a record of the sole traders, companies or interest groups for which lobbyists carry out lobbying activities (name and tax ID number) referred to in Article 58 of this Act for the purposes of ensuring legality of and establishing, deciding on and supervising lobbying activities,
- a record of lobbying contacts referred to in Article 68 of this Act (name and surname of the lobbied person, his position or office, name of the body, name of the political party, deputy group or institution, date of contact, area and interest group on behalf of which the lobbyist lobbied, purpose and objective of the lobbying, name, surname and tax ID number of the lobbyist entered in the register of lobbyists in the Republic of Slovenia, of the legal representative or elected representative of the interest group) for the purposes of exercising supervision over lobbying activities and strengthening the transparency of influences on decision-making in the public sector; the record shall be kept by the Commission in an electronic form and shall be publicly available,
- a record of the sanctions imposed on lobbyists referred to in Articles 73 and 74 of this Act (personal name of the lobbyist, tax ID number, type of violation and type of sanction) for the purposes of ensuring the legality and transparency of lobbying and the security of legal transactions, monitoring of causes and violations, and the drawing up of measures.

(3) The data contained in the record of lobbying contacts shall constitute public information available to the public and shall be published by the Commission on its website, their re-use shall be permitted free of charge and without restriction, provided that the source of the data is indicated.”.

Article 37

Article 77 shall be amended to read as follows:

- (1) An individual shall be fined from EUR 400 to EUR 1,200 for the minor offences of:
- in contravention of the provision of paragraph six of Article 15 of this Act, failing to appear at an interview at a Commission session without a valid reason or failing to respond to the questions posed by the Commission that lie within its competence, with the exception of the cases referred to in indent three of paragraph three of Article 15b of this Act,
 - in contravention of the provision of paragraph two of Article 16a of this Act, disclosing or publishing data or information which he has obtained or become familiar with during the course of or in connection with the performance of his work for the Commission, or communicating this data or information to unauthorised third parties, without the prior written consent of the Commission,
 - in contravention of the provision of paragraph four of Article 23 of this Act, attempting to establish the identity of the reporting person who has made the report in good faith or has reasonably believed that his information is true,
 - in contravention of the provision of paragraph two of Article 26 of this Act, failing to inform the Commission that he is carrying out a professional or other activity,
 - in contravention of the provision of paragraph three of Article 26 of this Act, failing to comply with the Commission's decision on the prohibition of the performance of an additional activity or with the conditions or restrictions imposed on him by the Commission's decision,
 - in contravention of the provisions of Article 30 of this Act, accepting a gift in connection with the discharge of the duties of his office or public service or in connection with his position,

-

- in contravention of the provision of paragraph six of Article 35 of this Act, failing to submit information in writing to the public sector body or organisation in which he holds office,
- in contravention of the provision of paragraph one of Article 36 of this Act, acting as a representative of a legal person that has established or is about to establish business contacts with a public sector body or organisation within two years of the termination of his term of office at the latter,
- in contravention of the provision of paragraph one of Article 38 of this Act, failing to exclude himself from the procedure of considering and deciding on a case, and to inform his superior or head, or in contravention of the provision of paragraph five of Article 38 of this Act, failing to inform the Commission,
- in contravention of the provisions of paragraphs two or three of Article 41 of this Act, failing to communicate information on his assets to the Commission,
- failing to provide the necessary data, or providing false data, in the declaration of assets referred to in Articles 42 and 43 of this Act or its supplements,
- in contravention of the provision of paragraph one of Article 43 of this Act, failing to communicate a change of information to the Commission;
- in contravention of the provision of paragraph three of Article 56 of the Act, performing lobbying activities before two years have elapsed from the date of termination of his office,
- performing lobbying activities despite not being entered in the register of lobbyists in accordance with paragraph one of Article 58 of this Act and being exempt from the obligation to register under paragraph four of Article 58 of this Act,
- in his capacity as a lobbied person, failing to communicate to the Commission a lobbying record in accordance with the provision of paragraph two of Article 68 of this Act,
- in contravention of the provision of paragraph five of Article 68 of this Act, failing to complete a lobbying record within eight days,
- in contravention of the provision of Article 69 of this Act, in his capacity as a lobbied person, failing to refuse contact with a lobbyist who is not entered in the register of lobbyists or contact where a conflict of interest would arise,
- in contravention of the provision of paragraph three of Article 70 of this Act, acting in contravention of regulations on the prohibition of the acceptance of gifts in connection with the discharge of the duties of the office or public duties of the persons lobbied, when carrying out lobbying activities,
- in his capacity as a lobbied person, failing to report to the Commission, within the time limit referred to paragraph one of Article 71 of this Act, a lobbyist who acts in contravention of Article 70 of this Act or is not entered into the register of lobbyists in accordance with Article 58 of this Act.

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

- in contravention of the provision of paragraph four of Article 23 of this Act, disclosing the identity of the reporting person who has made the report in good faith or has reasonably believed that his information is true or making a malicious report,
- in contravention of the provision of paragraph five of Article 26 of this Act, failing to cease to perform a professional or other activity after the decision made on revocation of permission has become final,
- in contravention of the provision of Article 28 of this Act, failing to cease to hold an incompatible office, perform an incompatible activity or revoke his membership,
- carrying out lobbying activities in contravention of Article 70 of this Act.

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

- in contravention of the provisions of paragraphs two and five of Article 14 of this Act, failing to include the content referred to in paragraph one of Article 14 of this Act in a contract concluded by the public sector body or organisation,
- after being notified by the Commission or other bodies of the alleged existence of the facts referred to in paragraph one of Article 14 of this Act, in contravention of paragraph three of Article 14 of this Act, failing to initiate a procedure for establishing the nullity of the contract or

-
- to take other appropriate measures in accordance with the regulations of the Republic of Slovenia,
- in contravention of the provision of paragraph four of Article 14 of this Act, failing to submit the required contracts and documents to the Commission,
 - in contravention of the provision of paragraph six of Article 14 of this Act, failing to obtain a statement or information on the participation of natural and legal persons in the bidder's ownership, including the participation of silent partners, and on business entities that are considered to be companies affiliated with the bidder under the provisions of the act governing companies, or, in contravention of the provision of paragraph six of Article 14 of this Act, failing to submit the aforementioned statement to the Commission at its request.
- (4) A responsible person of a State body, local community, holder of public authority, legal person governed by public or private law and a sole trader or an individual who performs an independent activity shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of the provision of paragraph one of Article 16 of this Act, failing to submit to the Commission free of charge any data, including personal data, and documents required by the Commission to perform its statutory tasks.
- (5) A responsible person of a public sector entity shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of the provision of paragraph three of Article 16 of this Act, failing to enable the Commission to access data and documents that the entity has at its disposal or failing to submit an extract or copy of these data and documents to the Commission.
- (6) A responsible person of a State body, local community, holder of public authority, or legal person governed by public or private law shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of the provision of paragraph four of Article 23, initiating a procedure for the establishment or disclosure of the identity of the reporting person due to the report having been filed by this person.
- (7) A responsible person of a State body, local community, holder of public authority, or other legal person governed by public or private law shall be fined from EUR 400 to EUR 4,000 for the minor offence of acting in a manner that has adverse consequences for the reporting person or exposing the reporting person to retaliatory measures, in contravention of the provision of paragraph one of Article 25 of this Act.
- (8) A responsible person of a State body, local community, holder of public authority, or other legal person governed by public or private law shall be fined from EUR 400 to EUR 4,000 for the minor offence of failing to immediately cease imposing retaliatory measures, in contravention of the demand of the Commission referred to in paragraph three of Article 25 of this Act.
- (9) A responsible person of a State body, local community, holder of public authority, or other legal person governed by public or private law shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of paragraph four of Article 25 of this Act, failing to transfer a public employee to another equivalent post without justification or failing to transfer a public employee within the time limit referred to in paragraph six of Article 25 of this Act.
- (10) A responsible person of a public sector entity shall be fined from EUR 400 to EUR 4,000 for the minor offence of failing to forward to the Commission a list of gifts received, in contravention of paragraph six of Article 30 of this Act.
- (11) A responsible person of a public sector body or organisation or a smaller part of a municipality shall be fined from EUR 400 to EUR 4,000 for the minor offence of acting in contravention of paragraphs one, two or four of Article 35 of this Act.
- (12) A responsible person of a public sector body or organisation in which a former holder of public office has held office shall be fined from EUR 400 to EUR 4,000 for the minor offence of doing business with the former holder of public office as a natural person or with his business entity, in contravention of the provision of paragraph two of Article 36 of this Act.

- (13) A responsible person of a public sector body or organisation in which the holder of public office has held office shall be fined from EUR 400 to EUR 4,000 for the minor offence of failing to inform the Commission of conduct by the holder of public office referred to in paragraph one of Article 36 of this Act, in contravention of the provision of paragraph three of Article 36 of this Act.
- (14) A public sector body or organisation shall be fined from EUR 400 to EUR 4,000 for the minor offence of, in contravention of paragraph two of Article 38 of this Act, failing to exclude an official person from the procedure of considering and deciding on a case or failing to submit to the Commission a decision according to which the official person may continue work on the case in accordance with paragraph four of Article 38 of this Act.
- (15) A responsible person of a public sector body or organisation or contracting authority shall be fined from EUR 400 to EUR 4,000 for the minor offence of failing to submit a list of persons with obligations to the Commission, in contravention of paragraph four of Article 41 of this Act.
- (16) A responsible person of an entity obliged to draw up an integrity plan shall be fined from EUR 400 to EUR 4,000 for the minor offence of acting in contravention of paragraphs one or two of Article 47 of this Act or failing to implement the integrity plan, as established by the Commission under paragraph two of Article 48 of this Act.
- (17) A responsible person of a State body, local community or holder of public authority as an authority responsible for the implementation of measures contained in the action plan for the implementation of the resolution shall be fined from EUR 400 to EUR 4,000 for the minor offence of failing to report to the Commission on activities undertaken to implement these measures, in contravention of paragraph one of Article 53 of this Act.”.

Article 38

Article 78 shall be amended to read as follows:

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

Article 39

A new paragraph two shall be introduced after paragraph one of Article 79 and shall read as follows:

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

The existing paragraph two shall become paragraph three.

TRANSITIONAL AND FINAL PROVISIONS

Article 40

(The Rules of Procedure of the Commission)

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

Article 41

(The Rules on the manner in which gifts are handled)

The Commission shall adopt the rules on the manner in which gifts are handled as referred to in paragraph seven of the amended Article 30 within six months of the entry into force of this Act.

Article 42

(Restriction on business activities)

(1) A public sector body or organisation referred to in paragraph seven of the amended Article 35 shall submit to the Commission by means of an electronic form all data referred to in paragraph six of the amended Article 35 within two months of the entry into force of this Act.

(2) A responsible person of a public sector body or organisation shall be fined from EUR 400 to EUR 4,000 for the minor offence of failing to submit information in contravention of the preceding paragraph.

Article 43 (Declaring assets)

(1) Persons with obligations referred to in paragraph one of the amended Article 41 who according to the regulations to date have not been obliged to declare assets to the Commission shall be obliged to submit their first declaration of assets by means of an electronic form within two months of the entry into force of this Act.

(2) An individual who is a person with obligations shall be fined from EUR 400 to EUR 1,200 for the minor offence of failing to communicate information on his assets to the Commission in contravention of the preceding paragraph.

Article 44 (Communicating change to assets)

Until an electronic application is established, persons with obligations referred to in paragraphs one and three of the amended Article 41 shall communicate any change to personal data or assets as referred to in paragraph one of the amended Article 43 of the Act by 31 January for the previous year.

Article 45 (Establishing an information system for publication of data)

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

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

(3) An individual who is a person with obligations shall be fined from EUR 400 to EUR 1,200 for the minor offence of failing to declare his assets to the Commission in contravention of the preceding paragraph.

Article 46 (Establishment of records)

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

Article 47 (Financing of non-profit private sector organisations)

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

Article 48

(Completion of proceedings)

The proceedings that were initiated based on the Integrity and Prevention of Corruption Act (Official Gazette of the Republic of Slovenia, No. 69/11 – official consolidated version) shall be completed based on the provisions of this Act.

Article 49

(Termination of validity and application of regulations)

(1) On the day this Act enters into force the following shall cease to be valid:

- Article 38a of the Companies Act (Official Gazette of the RS, No. 65/09 – official consolidated version, 33/11, 91/11, 32/12, 57/12, 44/13 – Constitutional Court Decision, 82/13, 55/15, 15/17 and 22/19 – ZPosS), if referring to managers and members of management or supervisory boards of public undertakings and companies in which a controlling interest or a dominant influence is held either by the State or a local community;
- Article 11 of the Public Employees Act (Official Gazette of the RS, No. 63/07 – official consolidated version, 65/08, 69/08 – ZTFI-A, 69/08 – ZZavar-E and 40/12 – ZUJF), Decree on restrictions and duties of public employees as regards acceptance of gifts (Official Gazette of the RS, No. 58/03 in 56/15) and the Rules on restrictions and duties of public employees as regards acceptance of gifts (Official Gazette of the RS, No. 53/10 and 73/10), which shall be applied until the manner in which the gifts are handled is determined as referred to in paragraph seven of Article 30 of this Act, unless they collide with this Act.

(2) As of the date of the entry into force of this Act, point eight of paragraph two of Article 123 of the Public Employees Act (Official Gazette of the RS, No. 63/07 – official consolidated version, 65/08, 69/08 – ZTFI-A, 69/08 – ZZavar-E and 40/12 – ZUJF) shall cease to be in force.

Article 50

(Entry into force)

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