

Opozorilo: Neuradno prečiščeno besedilo predpisa predstavlja zgolj informativni delovni pripomoček, glede katerega organ ne jamči odškodninsko ali kako drugače.

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Neuradno prečiščeno besedilo Zakona o društvih obsega:

- Zakon o društvih – ZDru-1 (Uradni list RS, št. 61/06 z dne 13. 6. 2006),
- Zakon o spremembah in dopolnitvah Zakona o društvih – ZDru-1A (Uradni list RS, št. 58/09 z dne 27. 7. 2009),
- Zakon o spremembah in dopolnitvah Zakona o društvih – ZDru-1B (Uradni list RS, št. 39/11 z dne 25. 5. 2011),
- Zakon o društvih – uradno prečiščeno besedilo – ZDru-1-UPB2 (Uradni list RS, št. 64/11 z dne 12. 8. 2011).

The unofficial consolidated version of the Societies Act comprises:

- Societies Act – ZDru-1 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 61/06 of 13 June 2006),
- Act Amending the Societies Act – ZDru-1A (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 58/09 of 27 July 2009),
- Act Amending the Societies Act – ZDru-1B (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 39/11 of 25 May 2011),
- Societies Act – Official consolidated version – ZDru-1-UPB2 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 64/11 of 12 August 2011).

## **ZAKON O DRUŠTVIH (ZDru-1)**

**(neuradno prečiščeno besedilo št. 3)**

### **I. SPLOŠNE DOLOČBE**

#### **1. člen (pojem in načela delovanja društva)**

(1) Društvo je samostojno in nepridobitno združenje, ki ga ustanoviteljice oziroma ustanovitelji (v nadaljnjem besedilu: ustanovitelji),

## **SOCIETIES ACT (ZDru-1)**

**(Unofficial consolidated version No. 3)**

### **I. GENERAL PROVISIONS**

#### **Article 1 (Concept and principles of operation of societies)**

(1) A society is an autonomous and not-for-profit union initiated by its creators (hereinafter: founders) in accordance with this Act, for the

skladno s tem zakonom, ustanovijo zaradi uresničevanja skupnih interesov.

(2) Društvo si samo določi namen in cilje, dejavnost oziroma naloge ter način delovanja, odločitve o upravljanju društva pa neposredno ali posredno sprejemajo članice oziroma člani društva (v nadaljnjem besedilu: člani društva).

(3) Namen ustanovitve in delovanja društva ni pridobivanje dobička. Presežke prihodkov nad odhodki iz vseh dejavnosti in drugih virov društvo trajno namenja za uresničevanje svojega namena in ciljev in jih ne deli med člane.

(4) Delovanje društva je javno.

## **2. člen (pravica do združevanja v društva)**

(1) Združevanje v društva je prostovoljno.

(2) Vsakdo lahko postane član društva in v društvu deluje pod pogoji, ki jih društvo določi v temeljnem aktu.

(3) Delovanje v društvu temelji na enakopravnosti članstva.

## **3. člen (omejitve)**

(1) Ni dovoljeno ustanoviti društva, katerega namen, cilji ali dejavnost merijo na nasilno spremembo ustavne ureditve, na izvrševanje kaznivih dejanj ali spodbujajo k narodni, rasni, verski ali drugi neenakopravnosti, razpihovanju narodnega, rasnega, verskega ali drugega sovraštva in nestrpnosti oziroma spodbujajo k nasilju ali vojni.

(2) Prav tako ni dovoljeno ustanoviti društva, katerega namen je ustvarjanje dobička ali društva, katerega izključna dejavnost je pridobitna dejavnost, niti ni dovoljeno delovanje takšnega društva.

purpose of pursuing common interests.

(2) Societies shall independently determine their purpose, objectives, activities and tasks and the manner of their operation, while decisions regarding their management shall be made directly or indirectly by the members (hereinafter: society members).

(3) Societies shall not be established and operated for profit. Societies shall consistently use any surplus income obtained from all their activities and other sources for the realisation of their purpose and objectives and shall not distribute surplus income among their members.

(4) Societies shall operate publicly.

## **Article 2 (Right to form a society)**

(1) The formation of a society shall be voluntary.

(2) Any individual may become a member of a society and play an active role therein under the conditions defined in the society's charter.

(3) The functioning of societies shall be founded on the equality of all members.

## **Article 3 (Restrictions)**

(1) The establishing of any society whose purpose, objective and activities are intended to bring about a forcible change to the constitutional order, the commission of criminal offences or the incitement of nationalistic, racial, religious or other forms of inequality, or the propagation of nationalistic, racial, religious or other forms of hatred and intolerance and incitement to violence and war, shall be prohibited.

(2) Similarly, the establishing of any society for profit-making purposes or solely for the performance of gainful activity shall not be permitted, and the operation of such society shall be prohibited.

**4. člen  
(temeljni akt)**

Društvo mora imeti temeljni akt, ki mora biti v skladu s tem zakonom in s pravnim redom Republike Slovenije.

**5. člen  
(pravna osebnost in zastopanje)**

(1) Društvo je pravna oseba zasebnega prava. Pravno osebnost društvo pridobi z vpisom v register društev (v nadaljnjem besedilu: registracija društva).

(2) Društvo zastopa oseba, določena s temeljnim aktom (v nadaljnjem besedilu: zastopnik društva). Zastopnik društva je lahko le poslovno sposobna fizična oseba. Društvo ima lahko dva zastopnika, če tako določa temeljni akt društva. Društvo v temeljnem aktu določi tudi način zastopanja (skupno ali samostojno) in meje pooblastil za zastopanje.

**6. člen  
(odgovornost)**

(1) Če temeljni akt ne določa drugače, za zakonito poslovanje društva odgovarjata društvo in zastopnik društva.

(2) Društvo odgovarja za svoje obveznosti z vsem svojim premoženjem.

(3) Ne glede na določbo prejšnjega odstavka, za obveznosti društva odgovarjajo solidarno in z vsem svojim premoženjem tudi njegove odgovorne osebe, ki so v svojo korist ali korist koga drugega zmanjšale premoženje društva ali s preusmeritvijo poslovanja oziroma finančnih tokov na drugo obstoječo ali novoustanovljeno pravno osebo ali fizično osebo preprečile povečanje premoženja, čeprav so vedele, da društvo ne bo moglo poravnati obveznosti tretjim osebam. Odgovorne osebe

**Article 4  
(Charter)**

Societies shall have a charter in accordance with this Act and the legal order of the Republic of Slovenia.

**Article 5  
(Legal personality and representation)**

(1) A society shall be a legal person under private law. Societies shall acquire the status of a legal person upon entry into the register of societies (hereinafter: registration of a society).

(2) A society shall be represented by the person specified in its charter (hereinafter: society representative). Only a natural person of contractual capacity may act as the representative of a society. A society may be represented by two representatives if so specified by its charter. A society shall prescribe in its charter the manner of its representation (joint or independent) and the limits of its powers of representation.

**Article 6  
(Responsibility)**

(1) Unless otherwise provided by its charter, the society and the society representative shall be liable for the lawful operation of the society.

(2) A society shall guarantee liability for its obligations with all its assets.

(3) Notwithstanding the provision of the preceding paragraph, the responsible persons of the society shall, with all their assets, also carry joint liability for the obligations of the society if, for their own benefit or for the benefit of another person, they reduce the assets held by the society or if they redirect operations and cash flows to another existing or newly created legal person or natural person, thereby preventing an increase in the assets held despite being aware that the society would not

odgovarjajo do višine oškodovanja društva, ki so ga povzročile s svojim ravnanjem.

(4) Za obveznosti društva v primerih iz prejšnjega odstavka solidarno odgovarja tudi fizična ali pravna oseba, ki je z ravnanji odgovornih oseb pridobila premoženjsko korist, do višine pridobljene premoženjske koristi.

#### **7. člen (uporaba zakona)**

(1) Določbe tega zakona se smiselno uporabljajo tudi za zveze društev in društva, ki imajo po tujem pravu status pravne osebe in delujejo na območju Republike Slovenije (v nadaljnjem besedilu: tuja društva), če ta zakon ne določa drugače.

(2) Tuje društvo lahko opravlja v Republiki Sloveniji pridobitno dejavnost v skladu z določbami tega zakona in pod pogoji, ki jih določajo predpisi za tuja podjetja.

## **II. USTANOVITEV IN UPRAVLJANJE DRUŠTVA**

#### **8. člen (ustanovitev društva)**

(1) Društvo lahko ustanovijo najmanj tri poslovno sposobne fizične osebe oziroma pravne osebe.

(2) Ne glede na določbo prejšnjega odstavka, gospodarske družbe ne morejo ustanoviti društva, ki ima v temeljnem aktu določeno dejavnost, katero gospodarska družba opravlja kot svojo dejavnost.

(3) Ustanovitelji na ustanovnem zboru sprejmejo sklep o ustanovitvi in temeljni akt društva ter izvolijo zastopnika društva.

be able to meet its obligations to third parties. The responsible persons shall be liable for the amount of damage caused to the society through their actions.

(4) With regard to the obligations of the society referred to in the preceding paragraph, the natural or legal person that profited from the actions of the responsible persons shall be liable for an amount equivalent to the profit acquired.

#### **Article 7 (application of the Act)**

(1) The provisions of this Act shall apply *mutatis mutandis* to federations of societies and societies operating in the Republic of Slovenia that hold the status of a legal person under foreign law (hereinafter: foreign societies), unless otherwise provided by this Act.

(2) A foreign society may perform gainful activities in the Republic of Slovenia in accordance with the provisions of this Act and under the conditions laid down by the regulations concerning foreign companies.

## **II. ESTABLISHMENT AND MANAGEMENT OF A SOCIETY**

#### **Article 8 (Establishment of a society)**

(1) A society may be founded by at least three natural persons of contractual capacity or three legal persons.

(2) Notwithstanding the provision of the preceding paragraph, commercial enterprises may not establish a society which defines, in its charter, an activity performed by the commercial enterprise.

(3) The founders shall draw up a resolution on the establishment of the society, adopt the charter of the society and elect the society representative.

**9. člen  
(temeljni akt)**

- (1) Temeljni akt društva mora določati:
- ime in sedež društva (izbrani kraj poslovanja društva);
  - namen in cilje delovanja društva;
  - dejavnost oziroma naloge društva;
  - pogoje in način včlanjevanja ter prenehanja članstva;
  - pravice in obveznosti članov;
  - način upravljanja društva;
  - zastopanje društva;
  - financiranje društva in način izvajanja nadzora nad razpolaganjem s premoženjem društva ter nad finančnim in materialnim poslovanjem društva;
  - način zagotavljanja javnosti dela društva;
  - način sprejemanja sprememb in dopolnitev temeljnega akta;
  - način prenehanja društva in razpolaganje s premoženjem v takem primeru.

(2) Dejavnost društva iz tretje alineje prejšnjega odstavka, ki je pridobitna, mora biti opredeljena v skladu s predpisi, ki urejajo standardno klasifikacijo dejavnosti.

(3) S temeljnim aktom lahko društvo uredi tudi druga vprašanja, pomembna za upravljanje in delovanje društva.

**10. člen  
(ime društva)**

(1) Ime društva mora biti v slovenščini. Če ima društvo sedež na območju, kjer živita narodni skupnosti, je ime društva v obeh uradnih jezikih. Ime se mora razlikovati od imen drugih društev in ne sme biti zavajajoče ali žaljivo.

(2) Če zakon ne določa drugače, mora ime društva vsebovati

**Article 9  
(Charter)**

- The charter shall determine the following:
- the name and head office of the society (selected location of operation of the society);
  - the purpose and objectives of the society's operation;
  - the activities and tasks of the society;
  - the criteria and procedure for gaining and terminating membership;
  - the rights and obligations of members;
  - the method of managing the society;
  - the representation of the society;
  - the funding of the society and the manner of supervising the disposal of the society's assets and the financial and material business operations of the society;
  - the way in which the activities of the society are made open to the public;
  - the method of adopting amendments to the charter;
  - the dissolution of the society and the disposal of its assets in the event of such dissolution.

(2) The gainful activities of the society, as referred to in the third indent, shall be specified in accordance with the applicable regulations governing the standard classification of activities.

(3) The charter may also regulate other matters which are important for the management and functioning of the society.

**Article 10  
(Name of society)**

(1) The name of a society shall be in the Slovenian language. If the society has its head office in an area inhabited by ethnic minority communities, then the society's name shall be stated in both official languages. The name shall differ from the names of other societies and not be misleading or offensive.

(2) Unless otherwise provided by statute, the name of a society

besedo društvo, združenje, družina ali klub. V imenu društva mora biti označba, ki nakazuje na dejavnost društva.

(3) Ime društva ima lahko tudi dodatno sestavino, ki društvo podrobneje označuje. Za dodatno sestavino imena ne velja določba prvega odstavka tega člena, ki se nanaša na uporabo jezika, če:

- je v slovenščini ali jeziku narodne skupnosti;
- gre za ime ali del imena mednarodne zveze društev, katere član je društvo, oziroma tujega društva, ki je ustanovitelj podružnice tujega društva v Republiki Sloveniji;
- gre za osebno ime osebe iz petega odstavka tega člena;
- gre za tuje besede, ki označujejo dejavnost društva, pa slovenski jezik zanje nima ustreznega izraza;
- gre za domišljijско poimenovanje, ali
- gre za mrtvi jezik.

(4) Ime društva ne sme vsebovati besedne zveze Republika Slovenija.

(5) Če želi društvo kot sestavni del svojega imena uporabljati ime ali del imena državnega organa, lokalne skupnosti, gospodarske družbe ali druge pravne osebe oziroma osebno ime zgodovinske ali znamenite osebnosti, si mora predhodno pridobiti njihovo dovoljenje. Če je oseba umrla, je za uporabo njenega osebnega imena potrebna privolitev njenega zakonca in otrok, če teh ni, pa staršev in potomcev zgodovinske ali znamenite osebnosti do tretjega kolena.

(6) Društvo mora v pravnem prometu uporabljati le svoje registrirano ime.

(7) Društvo, ki meni, da se ime drugega društva ne razlikuje od njegovega registriranega imena, kar povzroča ali bi utegnilo povzročiti nejasnosti v pravnem prometu, ima pravico s pritožbo izpodbijati odločbo o registraciji kasneje registriranega društva. Rok za vložitev pritožbe je

shall include the word "society", "union", "society" or "club" (in Slovenian: društvo, združenje, družina or klub). The name of the society must contain a designation indicating the activity carried out by the society.

(3) The name of the society may also include an additional component describing the society in more detail. The provision of paragraph one of this Article referring to the use of the language shall not apply to the additional component of the name in the following circumstances:

- if it is stated in the Slovenian language or the language of an ethnic minority community;
- if it is the name or part of the name of an international union of societies of which the relevant society is a member, or of a foreign society that is the founder of a foreign society branch in the Republic of Slovenia;
- if it is the personal name of a person referred to in paragraph five of this Article;
- if the activity carried out by the society is indicated using foreign words, and there is no suitable expression in the Slovenian language;
- if it refers to an imaginary name;
- if it is a dead language.

(4) The name of a society shall not include the phrase "Republika Slovenija" (Republic of Slovenia).

(5) If a society wishes to use, in whole or in part, the name of a state authority, local community, commercial enterprise, legal person or the name of an historical or prominent personality, it must secure the prior consent of the persons or entities concerned. In the event that such a person is dead, the use of this person's name shall be subject to the consent of the person's spouse and children; if there are none, consent may be obtained from the parents and descendants of the dead person to the third genealogical degree.

(6) A society shall use only its registered name in legal relations.

(7) A society which believes that another society's name does not differ from its own already registered name and that this fact causes, or may cause, ambiguity in legal transactions, shall be entitled to file a complaint against the decision that allowed the subsequent entry of the

šest mesecev od registracije društva.

(8) Društvo lahko uporablja tudi skrajšano ime. Za skrajšano ime veljajo določbe tega zakona, ki se nanašajo na ime društva.

(9) Ne glede na določbo prejšnjega odstavka označba, ki nakazuje na dejavnost društva, ni obvezna sestavina skrajšanega imena društva.

#### **11. člen (članstvo v društvu)**

(1) Članstvo v društvu je osebno. Pravno osebo v društvu zastopa pooblaščen oseba.

(2) Če se v društvo včlani mladoletna oseba do dopolnjenega sedmega leta starosti ali oseba, ki nima poslovne sposobnosti, podpiše pristopno izjavo njen zakoniti zastopnik. Za osebo od sedmega leta do dopolnjenega 15 leta starosti mora zakoniti zastopnik pred njenim vstopom v društvo podati pisno soglasje.

#### **12. člen (upravljanje društva)**

(1) Člani društva ter pooblaščen osebe pravnih oseb, članic društva, sodelujejo pri upravljanju društva neposredno ali posredno po predstavnikih, izvoljenih organih oziroma zastopniku društva na način, določen s temeljnim aktom.

(2) S temeljnim aktom društvo določi način sodelovanja članov društva iz drugega odstavka prejšnjega člena pri upravljanju društva ter njihove posebne pravice in dolžnosti.

society in question into the register of societies. The deadline for filing a complaint shall be six months from the registration of the society in question.

(8) A society may take an abbreviated name. The abbreviated name shall be subject to the provisions of this Act that are applicable to the name of a society.

(9) Notwithstanding the provision from the preceding paragraph, a designation suggesting the activities carried out by the society shall not be an obligatory element of the society's abbreviated name.

#### **Article 11 (Membership of a society)**

(1) Membership of a society shall be on an individual basis. A legal person in a society shall be represented by an authorised person.

(2) In cases where a minor of less than seven years of age or a person with no contractual capacity becomes a member of a society, his legal representative shall sign the application for membership on his behalf. For a person aged between seven and fifteen years, his legal representative shall submit his written consent prior to the minor becoming a member of a society.

#### **Article 12 (Management)**

(1) Members of a society and the authorised representatives of legal persons who are members shall participate in the management of the society, either directly or indirectly through representatives, elected bodies or the society representative in a manner specified by the charter.

(2) The charter of the society shall determine the manner in which the members of the society referred to in paragraph two of the preceding Article shall participate in the management of the society as well as their special rights and obligations.

### **13. člen (organi društva)**

(1) Temeljni akt in njegove spremembe, ki se nanašajo na določbe iz prvega odstavka 9. člena tega zakona ter druge najpomembnejše odločitve v društvu, sprejema zbor članov, ki ga sestavljajo vsi člani.

(2) Če temeljni akt ne določa drugače, zbor članov skliče zastopnik društva enkrat letno, lahko pa ga kadarkoli skliče tudi petina vseh članov društva.

(3) Če si društvo v temeljnem aktu določi tudi druge organe, mora določiti tudi njihovo sestavo, pristojnosti, odgovornosti, način sprejemanja odločitev, medsebojna razmerja, mandatno dobo ter način izvolitve oziroma imenovanja in razrešitve članov.

(4) Če temeljni akt ne določa drugače, se šteje, da je organ društva sklepčen, če je navzoča več kot polovica vseh članov, odločitve pa so veljavno sprejete, če je zanje glasovala večina navzočih članov.

(5) Če temeljni akt ne določa drugače, o pritožbah zoper odločitve organov društva oziroma zastopnika društva odloča zbor članov.

### **14. člen (spori)**

(1) Vsak član društva ima pravico v roku enega leta od sprejetja dokončne odločitve pred sodiščem izpodbijati odločitve organov društva, ki so bile sprejete v nasprotju z zakonom ali temeljnim ali drugim splošnim aktom društva. Enako pravico ima tudi oseba, ki ji je bila prošnja za sprejem v članstvo društva zavrnjena.

(2) Izpodbijanje odločitev organov društva pred sodiščem ni dopustno, če pred tem ni bilo izkoriščeno pravno sredstvo iz petega

### **Article 13 (Society bodies)**

(1) The charter and amendments to the charter concerning the provisions of paragraph one of Article 9 of this Act and other decisions of fundamental importance made by the society shall be adopted by the general assembly constituted of all the members of the society.

(2) Unless otherwise provided by the charter, the general assembly shall be convened by the society representative once a year, but may also be convened at any time by one-fifth of all the members of the society.

(3) If the charter of a society also makes reference to other bodies, it must define their composition, competences, responsibilities, decision-making methods, mutual relationships, terms of office and methods of election or appointment and dismissal of their members.

(4) Unless otherwise provided by the charter, a society body shall be deemed to have a quorum if more than half its members are present, and decisions shall be considered valid if voted for by a majority of the members present.

(5) Unless otherwise provided by the charter, complaints filed against decisions made by the society bodies or by the society representative shall be decided on by the general assembly.

### **Article 14 (Disputes)**

(1) Each member of a society shall have the right to file a complaint before a court against a decision of a society body adopted contrary to the law or the charter or other general act of the society within one year of the adoption of the final decision. The same right shall apply to a person whose application to join the society has been rejected.

(2) Complaints against decisions of the society bodies shall be dealt with by the court only after the legal remedies referred to in

odstavka prejšnjega člena. Če društvo o pritožbi ne odloči v roku treh mesecev od prejema pritožbe, se šteje, da je pritožba zavrnjena.

(3) Razveljavitev odločitve organov društva ne pomeni prenehanja pravic, ki so jih na podlagi teh odločitev v dobri veri pridobile tretje osebe.

#### **15. člen (statusno preoblikovanje društva)**

(1) Društvo se lahko spoji z drugimi društvi oziroma pripoji k drugemu društvu.

(2) Odločitev o spojitvi oziroma pripojitvi morajo sprejeti zbori članov vseh društev.

(3) Društvo, ki je nastalo s spojitvijo, oziroma društvo, h kateremu se je drugo društvo pripojilo, je pravni naslednik spojenih oziroma pripojenih društev.

#### **15.a člen (podružnice društev)**

(1) Društvo ima lahko podružnice, če tako določa temeljni akt. Ime podružnice mora poleg imena društva vsebovati tudi besedo podružnica.

(2) Podružnice niso pravne osebe.

#### **16. člen (zveza društev)**

(1) Najmanj dve društvi lahko ustanovita zvezo društev.

(2) Odločitev o ustanovitvi zveze društev morajo sprejeti zbori članov vseh društev.

paragraph five of the preceding Article have been exhausted. If the society fails to take a decision on the complaint within three months of receipt of the complaint, the complaint shall be deemed rejected.

(3) A revocation of the decisions of the society body shall not result in the cessation of the rights acquired in good faith by third parties.

#### **Article 15 (Transformation of the status of a society)**

(1) A society may merge with other societies or join another society.

(2) The resolution to merge with or join another society shall be adopted by the general assemblies of all the societies.

(3) A society resulting from a merger, or a society which has been joined by another society, shall be the legal successor to the merged or joined societies.

#### **Article 15 a (Society's affiliates)**

(1) A society may have affiliates if so specified in the society's charter. The name of an affiliate shall also include the word "affiliate" (in Slovenian: podružnica) next to the name of the society.

(2) Affiliates are not legal persons.

#### **Article 16 (Federation of societies)**

(1) Two or more societies may establish a federation of societies.

(2) The resolution to establish a federation of societies shall be adopted by the general assemblies of all the societies.

### III. REGISTRACIJA DRUŠTVA

#### **17. člen (pristojnost za odločanje)**

(1) Za registracijo društev in podružnic, pisarn ali drugih teritorialnih enot (v nadaljnjem besedilu: podružnica) tujih društev je pristojna upravna enota, na območju katere je sedež društva oziroma sedež podružnice tujega društva v Republiki Sloveniji (v nadaljevanju: pristojni organ).

(2) O pritožbah zoper odločbe pristojnega organa odloča ministrstvo, pristojno za notranje zadeve.

#### **18. člen (zahteva za registracijo)**

(1) Zahtevi za registracijo društva mora društvo priložiti:

- zapisnik ustanovnega zbora;
- temeljni akt;
- seznam s podatki ustanoviteljev (osebno ime, EMŠO oziroma datum rojstva in spol, državljanstvo in naslov stalnega prebivališča oziroma ime pravne osebe, identifikacijska številka, sedež in naslov sedeža ter osebno ime zastopnika pravne osebe) in njihovimi lastnoročnimi podpisi;
- dokazilo o pridobitvi pravne osebnosti za tuje pravne osebe, ustanoviteljice društva;
- odločitev pristojnega organa pravne osebe, ustanoviteljice društva, o ustanovitvi društva;
- naslov sedeža društva;
- podatke o zastopniku (osebno ime, EMŠO, državljanstvo in naslov stalnega prebivališča oziroma naslov začasnega prebivališča, če v Republiki Sloveniji nima stalnega prebivališča), načinu zastopanja ter mejah pooblastil za zastopanje;

### III. REGISTRATION OF A SOCIETY

#### **Article 17 (Competences for decision-making)**

(1) The registration of societies and their affiliates, offices or other territorial units (hereinafter: affiliates) shall fall within the competence of local administrative units in whose area of jurisdiction a society has its head office or where an affiliate of a foreign society has its head office in the Republic of Slovenia (hereinafter: competent authority).

(2) The ministry responsible for the interior shall decide on complaints filed against the decisions of the competent authority.

#### **Article 18 (Application for registration)**

(1) The following documents must be enclosed with an application for the registration of a society:

- the minutes of the founding assembly;
- charter of the society;
- personal data on the founders (personal name, unique personal identification number (EMŠO) or date of birth and gender, nationality and address of permanent residence or the name of the legal person, identification number, head office and address of the head office and the personal name of the representative of the legal person) with their certified signatures;
- proof of legal personality for foreign legal persons establishing a society;
- the resolution establishing a society drawn up by the competent body of the legal person establishing a society;
- the address of the head office of the society;
- personal information on the representative (full name, unique personal identification number (EMŠO), citizenship and permanent or temporary residence in cases where the representative does not have a permanent address in Slovenia), the manner of representation and the limits of the powers of representation;

- podatke o dejavnostih, ki jih bo opravljalo;
- predlog za glavno dejavnost društva.

(2) Zahtevi za registracijo zveze društev je treba priložiti tudi odločitve zborov članov vseh društev o ustanovitvi zveze društev.

(3) Podatek o pridobitvi pravne osebnosti za domače pravne osebe, ustanoviteljice društva, si pristojni organ pridobi po uradni dolžnosti.

### **19. člen (odločanje o zahtevi)**

(1) Pristojni organ mora o zahtevi za registracijo društva odločiti v roku 30 dni od njenega prejema.

(2) Če pristojni organ ugotovi, da vloga ni popolna oziroma da temeljni akt ni v skladu z določbami tega zakona, društvo na to opozori in mu določi rok, v katerem mora zahtevo dopolniti oziroma uskladiti temeljni akt. Ta rok ne sme biti krajši od 15 dni in ne daljši od treh mesecev.

(3) Če društvo v roku iz prejšnjega odstavka vloge ne dopolni, se šteje, da je zahteva za registracijo umaknjena.

(4) Kadar je odločitev pristojnega organa o registraciji odvisna od rešitve predhodnega vprašanja, ki je med udeleženci v postopku registracije sporno, pristojni organ postopek registracije društva prekine in napoti udeleženca postopka, ki ugovarja registraciji, oziroma tistega, katerega pravico šteje kot manj verjetno, da v roku 30 dni začne pravdni oziroma drug ustrezen postopek za odločitev o predhodnem vprašanju.

(5) Pritožba zoper odločbo o registraciji društva ne zadrži vpisa v register društev.

- information on its envisaged activities;
- an indication of the society's main activity.

(2) The application for the registration of a federation of societies shall also be accompanied by a resolution on the establishment of a federation of societies adopted by the general assemblies of all the societies.

(3) The competent authority shall obtain *ex officio* data on the legal personality of a domestic legal person establishing a society.

### **Article 19 (Deciding on an application)**

(1) The competent authority shall be obliged to decide on applications for the registration of a society within 30 days of their receipt.

(2) In the event that the competent authority establishes that an application is incomplete or that the charter of the society does not conform to the provisions of this Act, the applicant shall be notified of this and a deadline set by which time the application must be completed or the charter corrected accordingly. This deadline shall not be less than 15 days and shall not exceed three months.

(3) Should the society fail to complete the application by the deadline referred to in the preceding paragraph, the application for registration shall be deemed to have been withdrawn.

(4) If the competent authority's decision on registration depends on the prior resolution of an issue which is under dispute between the parties in the registration procedure, the competent authority shall suspend the registration procedure and direct the party that objects to the registration or the party whose right the authority deems to be less probable to initiate, within 30 days, civil or other appropriate procedures for reaching a decision on the disputed issue.

(5) A complaint against a decision on the registration of a society shall not preclude entry in the register of societies.

**20. člen**  
**(registracija sprememb)**

(1) Če društvo spremeni ime, skrajšano ime, sedež ali druge določbe temeljnega akta, zastopnika ali naslov sedeža društva, mora vložiti zahtevo za registracijo spremembe v 30 dneh od nastale spremembe.

(2) Zahtevi iz prejšnjega odstavka mora društvo priložiti zapisnik seje organa, na kateri so bile sprejete spremembe. Če je bil spremenjen temeljni akt, mora zahtevi priložiti izvod sprememb temeljnega akta ali prečiščenega besedila temeljnega akta.

**21. člen**  
**(registracija statusnega preoblikovanja društva)**

(1) Zahtevo za registracijo društva, ki je nastalo s spojitvijo, oziroma registracijo pripojitve društva, je društvo oziroma njegov pravni naslednik dolžan vložiti v roku 30 dni po sprejetih statusnih spremembah.

(2) Vlogi za registracijo društva, ki je nastalo s spojitvijo društev, je treba priložiti sklepe zborov članov vseh društev z odločitvijo o spojitvi in zapisnik ustanovnega zbora društva, ki je nastalo s spojitvijo, iz katerega je razvidno, da je društvo sprejelo temeljni akt in izvolilo zastopnika društva. Vlogi za registracijo pripojitve društva je treba priložiti odločitve zborov članov vseh društev o pripojitvi.

**22. člen**  
**(uporaba določb)**

Za registracijo sprememb iz 20. in 21. člena tega zakona se smiselno uporabljajo tudi določbe 18. in 19. člena tega zakona.

**Article 20**  
**(Registration of changes)**

(1) Where a society changes its name, its abbreviated name, its head office or any provision of its charter, or where it changes its designated representative or head office address, it must lodge an application for amendment of its registration within 30 days of making the change.

(2) The application referred to in the preceding paragraph shall be accompanied by the minutes of the session at which the changes were adopted. If the charter was amended, the application shall be accompanied by a copy of the amendments made to the charter or of its consolidated text.

**Article 21**  
**(Registration of the transformation of status of a society)**

(1) Applications for the registration of a society resulting from a merger, or the registration of a society which was joined by another society, should be lodged by the society or its legal successor within 30 days of the change in status being adopted.

(2) The application for the registration of a society resulting from a merger of societies shall be accompanied by the resolutions of all the general assemblies involved, including the decision on the merger, and the minutes of the founding assembly of the society resulting from the merger, indicating that the society adopted a new charter and elected the society's representative. The decisions on joining taken by the general assemblies of all the societies involved shall be enclosed with the application for the registration of joining societies.

**Article 22**  
**(Application of provisions)**

For the registration of changes referred to in Articles 20 and 21 of this Act, the provisions of Articles 18 and 19 of this Act shall also be

applied *mutatis mutandis*.

### **23. člen (registracija podružnice tujega društva)**

(1) Tuje društvo lahko deluje na območju Republike Slovenije preko podružnice, če je podružnica vpisana v register podružnic tujih društev. Registrirana podružnica tujega društva nastopa v pravnem prometu v Republiki Sloveniji v imenu in za račun tujega društva.

(2) Zahtevi za vpis v register mora tuje društvo priložiti:

- dokazilo o registraciji v državi ustanovitve, iz katerega mora biti razvidno ime, sedež in zastopnik tujega društva, če po pravu države ustanovitve ni predpisan vpis v register, pa pri notarju overjen sklep o ustanovitvi z zahtevanimi podatki in z dokazilom, da ima društvo status pravne osebe po tujem pravu;
- temeljni ali drug akt, iz katerega so razvidni namen, cilji, dejavnost, način upravljanja, zastopanje, financiranje tujega društva in način delovanja ter dejavnost društva v Republiki Sloveniji;
- odločitev pristojnega organa o ustanovitvi podružnice v Republiki Sloveniji in o imenovanju osebe, pooblaščne za zastopanje tujega društva v Republiki Sloveniji (v nadaljnjem besedilu: zastopnik tujega društva v Republiki Sloveniji);
- ime, sedež in naslov sedeža podružnice tujega društva v Republiki Sloveniji;
- osebno ime, EMŠO oziroma datum rojstva in spol, državljanstvo in naslov stalnega prebivališča oziroma začasnega prebivališča zastopnika tujega društva v Republiki Sloveniji, če v Republiki Sloveniji nima stalnega prebivališča.

(3) Listine, sestavljene v tujem jeziku, je treba predložiti v overjenem prevodu v uradni jezik.

(4) Za vpis v register podružnic tujih društev se smiselno

### **Article 23 (Registration of an affiliate of a foreign society)**

(1) A foreign society may operate in the territory of the Republic of Slovenia through an affiliate provided the affiliate is registered in the register of affiliates of foreign societies. A registered affiliate of a foreign society shall participate in legal relations in the Republic of Slovenia on behalf and on the account of the foreign society.

(2) A foreign society shall enclose the following documents with its application for registration:

- proof of registration in the country of establishment, indicating the name, head office and foreign society representative or, in the event that entry in a register is not prescribed under the regulations of the country in question, a resolution on establishment certified by a notary public, including all the required data and proof that the society has the status of a legal person under foreign law;
- a charter or other act outlining the purpose, objectives, activities, method of management, representation and funding of the foreign society and its manner of functioning, as well as the activities carried out by the society in the Republic of Slovenia;
- the decision of the competent authority on the establishment of an affiliate in the Republic of Slovenia and on the appointment of a person authorised to represent the foreign society in the Republic of Slovenia (hereinafter: representative of a foreign society in the Republic of Slovenia);
- the name, head office and address of the head office of the affiliate of a foreign society in the Republic of Slovenia;
- the personal name, unique personal identification number (EMŠO) or date of birth and gender, nationality and address of permanent residence or temporary residence of a representative of a foreign society in the Republic of Slovenia if the representative does not have permanent residence in the Republic of Slovenia.

(3) Documents drawn up in a foreign language shall be submitted with a certified translation into the official language.

(4) The provisions of Articles 19 and 20 of this Act shall be

uporabljajo določbe 19. in 20. člena tega zakona.

applied *mutatis mutandis* for entry into the register of affiliates of foreign societies.

#### IV. PREMOŽENJE DRUŠTVA IN FINANČNO POSLOVANJE

#### IV. SOCIETY ASSETS AND FINANCIAL TRANSACTIONS

##### **24. člen (premoženje društva)**

##### **Article 24 (Society assets)**

(1) Premoženje društva sestavljajo denarna in druga sredstva, ki jih društvo pridobi s članarino, darili in volili, prispevki donatorjev, iz javnih sredstev, z opravljanjem dejavnosti društva in iz drugih virov, njegove nepremične in premične stvari ter materialne pravice.

(1) The assets of a society shall comprise monetary and other resources obtained by a society through membership subscriptions, gifts and legacies, donor contributions, public funding, the performance of the society's activities and from other sources, its real estate and movable property as well as substantive rights.

(2) Društvo ne sme deliti svojega premoženja članom. Vsaka delitev premoženja društva med njegove člane je nična.

(2) A society shall not distribute its assets among its members. Any distribution of the assets of a society among its members shall be deemed void.

(3) Če društvo pri opravljanju svoje dejavnosti ustvari presežek prihodkov nad odhodki, ga mora porabiti za uresničevanje svojega namena ter ciljev oziroma za opravljanje nepridobitne dejavnosti, določene v temeljnem aktu.

(3) If a society generates a surplus income during the performance of its activities, this surplus shall be used to fulfil the purpose and objectives of the society and for the performance of the non-gainful activities defined in its charter.

##### **25. člen (pridobitna dejavnost)**

##### **Article 25 (Gainful activity)**

(1) Društvo lahko opravlja pridobitno dejavnost pod pogoji, ki jih za opravljanje te dejavnosti določa zakon. Pridobitna dejavnost mora biti določena v temeljnem aktu in mora biti povezana z namenom in cilji, kot dopolnilna dejavnost nepridobitni dejavnosti društva ter se lahko opravlja le v obsegu, potrebnem za uresničevanje namena in ciljev, oziroma za opravljanje nepridobitne dejavnosti.

(1) A society may perform a gainful activity under the conditions prescribed by law for the performance of such an activity. The gainful activity shall be specified in the charter and connected with the purpose and objectives of the society as a supplementary activity to its non-gainful activities and may be performed solely to the extent necessary in order to fulfil the society's purpose and objectives, or for the performance of other non-gainful activities.

(2) Šteje se, da je pridobitna dejavnost povezana z namenom in cilji društva, če lahko neposredno pripomore k uresničevanju namena oziroma ciljev društva, pri čemer doprinos ni izključno v zagotavljanju prihodkov društva. Kot dopolnilna dejavnost nepridobitni dejavnosti

(2) A gainful activity shall be deemed to be connected with the purpose and objectives of the society if it may directly contribute to the fulfilment of its purpose and objectives, whereby such contribution shall not aim exclusively to secure income for the society. A gainful activity

društva se šteje tista pridobitna dejavnost, ki skupaj z nepridobitno dejavnostjo sestavlja določeno storitev ali dosežek oziroma zagotavlja boljše izkoriščenost osnovnih sredstev društva.

(3) Za doseganje namena in ciljev lahko društvo ustanovi gospodarsko družbo ali poveri opravljanje pridobitne dejavnosti drugim osebam na temelju zakupne ali sorodne pogodbe.

## **26. člen (računovodstvo)**

(1) Društvo mora zagotavljati podatke o svojem finančnem in materialnem poslovanju na način in v obliki, ki ju določi s temeljnim ali posebnim aktom, v skladu s tem zakonom in računovodskim standardom za društva. Društvo, ki opravlja pridobitno dejavnost, mora podatke o finančnem in materialnem poslovanju iz te dejavnosti voditi in izkazovati ločeno.

(2) Društvo vodi poslovne knjige po sistemu dvostavnega knjigovodstva, prirejenega za njegove potrebe.

(3) Ne glede na določbo prejšnjega odstavka, lahko društvo s temeljnim aktom ali posebnim aktom določi, da bo vodilo knjige po sistemu enostavnega knjigovodstva, če izpolnjuje vsaj dve izmed naslednjih meril:

- da povprečno število redno zaposlenih preteklega poslovnega leta ne presega dva;
- da letni prihodki preteklega poslovnega leta ne presegajo 30.000 eurov;
- da povprečna vrednost sredstev (aktive) na začetku poslovnega leta ne presega 50.000 eurov.

(4) Društvo, ki ne opravlja pridobitne dejavnosti ali jo opravlja le občasno in čigar prihodki preteklega poslovnega leta so manjši od 10.000 eurov, lahko vodi le knjigo prejemkov in izdatkov (blagajniški dnevnik), preostale podatke za letno poročilo pa zagotovi z letnim popisom in ocenitvijo.

which, together with the non-gainful activity, constitutes a particular service or achievement or which ensures better use of the capital assets of the society shall be deemed a supplementary activity to a non-gainful activity carried out by a society.

(3) In order to achieve its purpose and objectives, a society may create a business enterprise or entrust the performance of the gainful activity to other persons, on the basis of a lease or similar contract.

## **Article 26 (Accounting)**

(1) A society shall provide data relating to its financial and material transactions in the manner and form defined by the charter or a special act, in accordance with this Act and pursuant to the accounting standards applicable to societies. A society performing a gainful activity shall keep records and prepare statements on financial and material transactions in this activity separately.

(2) A society shall keep its accounts according to the double entry accounting system, adapted to its own needs.

(3) Notwithstanding the provision of the preceding paragraph, a society may decide, by charter or special act, to keep its accounts in accordance with the simple account system, provided that at least two of the following criteria are fulfilled:

- the average number of permanent employees in the preceding fiscal year does not exceed two persons;
- the annual income for the preceding fiscal year does not exceed EUR 30 000;
- the average value of assets at the beginning of the fiscal year does not exceed EUR 50 000.

(4) A society that does not perform gainful activities or performs such activities only occasionally and whose income from the past fiscal year amounts to less than EUR 10 000 may keep only a ledger and provide other data for the annual report through the annual inventory and assessment.

(5) Društvo mora za poslovno leto, ki je enako koledarskemu letu, izdelati letno poročilo, ki vsebuje bilanco stanja in izkaz poslovnega izida s pojasnili k izkazu ter poročilo o poslovanju društva. Poročilo mora obsegati resnični prikaz premoženja in poslovanja društva. Ob statusnih spremembah oziroma prenehanju društva mora izdelati letno poročilo tudi med letom, po stanju na dan statusne spremembe ali prenehanja.

(6) Vodenje poslovnih knjig in sestava letnega poročila morata biti v skladu z računovodskim standardom za društva. Poslovne knjige in letno poročilo morajo omogočiti ocenjevanje, ali so presežki prihodkov nad odhodki porabljeni za namene, določene v tretjem odstavku 24. člena tega zakona.

(7) Letno poročilo sprejme zbor članov društva. Poročilo je veljavno sprejeto, če je bil pred sprejetjem opravljen notranji nadzor nad finančnim in materialnim poslovanjem društva, ki mora zajemati zlasti ugotavljanje, ali so izpolnjene zahteve iz petega in šestega odstavka tega člena.

## **27. člen (revidiranje izkazov)**

(1) Računovodske izkaze društva, čigar prihodki oziroma odhodki so v preteklem poslovnem letu presegli 1 milijon eurov, mora pred sprejetjem letnega poročila revidirati revizijska družba ali samostojni revizor (v nadaljnjem besedilu: revizor), na način in pod pogoji, določenimi z zakonom, ki ureja revidiranje.

(2) Revizor ugotavlja tudi, ali je poročilo o poslovanju društva skladno z revidiranimi računovodskimi izkazi in zahtevami tega zakona. Revizorjevo poročilo mora vsebovati tudi pojasnjevalni odstavek, iz katerega je razvidna ocena iz šestega odstavka prejšnjega člena.

(3) Revizija mora biti opravljena v roku šestih mesecev po koncu poslovnega leta.

(5) In cases where a fiscal year is the same as the calendar year, societies shall prepare an annual report including the balance sheet and financial statement, together with notes to the statement and a report on the society's business transactions. The report shall include the actual statement of assets and the society's operations. In the event of changes being made to its status or in the event of dissolution, the society shall also prepare an annual report during the year with a balance as at the day on which the dissolution occurred or the status changes were made.

(6) Accounts shall be kept and annual reports prepared pursuant to the rules on accounting standards which are applicable to societies. The accounts and annual reports must facilitate an assessment as to whether surplus income was used for the purposes defined in paragraph three of Article 24 of this Act.

(7) The annual report shall be adopted by the general assembly of the society. The report shall be deemed adopted subject to a prior internal audit conducted to establish, in particular, whether the requirements under paragraphs five and six of this Article have been fulfilled.

## **Article 27 (Auditing of statement of accounts)**

(1) Prior to the adoption of an annual report, the statement of accounts of a society whose income or expenditure exceeded EUR 1 million during the previous fiscal year, shall be audited by an auditing company or an independent auditor (hereinafter: auditor) in a manner and under the conditions provided by act law governing audits.

(2) The auditor shall also establish whether the report on the business transactions of the society is in accordance with the audited statement of accounts and the requirements of this Act. The auditor's report shall also include a commentary providing an assessment referred to in paragraph six of the preceding Article.

(3) The audit shall be performed within six months of the end of the fiscal year.

**28. člen**  
**(računovodski standard za društva)**

(1) Računovodski standard za društva izdela Slovenski inštitut za revizijo.

(2) K računovodskemu standardu da soglasje minister, pristojen za finance.

(3) Slovenski inštitut za revizijo po sprejemu soglasja iz prejšnjega odstavka objavi računovodski standard v Uradnem listu Republike Slovenije.

**29. člen**  
**(predložitev letnega poročila)**

(1) Letno poročilo za preteklo poslovno leto mora društvo za namen državne statistike in javne objave do 31. marca tekočega leta, v primeru statusne spremembe ali prenehanja društva pa v roku dveh mesecev po spremembi oziroma prenehanju, predložiti Agenciji Republike Slovenije za javnopravne evidence in storitve (v nadaljnjem besedilu: AJPES).

(2) Ne glede na določbo prejšnjega odstavka, mora društvo, čigar računovodske izkaze mora revidirati revizor, posredovati letno poročilo AJPES do 31. avgusta tekočega leta. Letnemu poročilu mora priložiti tudi oceno revizorja.

(3) AJPES ravna s podatki skladno s predpisi o računovodstvu.

V. DRUŠTVO V JAVNEM INTERESU

**30. člen**  
**(pogoji)**

(1) Društvu se lahko podeli status društva, ki deluje v javnem

**Article 28**  
**(Accounting standards for societies)**

(1) The accounting standards for societies shall be drawn up by the Slovenian Auditing Institute.

(2) The minister responsible for finance shall approve the accounting standards.

(3) After obtaining the approval referred to in the preceding paragraph, the Slovenian Auditing Institute shall publish the accounting standards in the Official Gazette of the Republic of Slovenia.

**Article 29**  
**(Submission of annual report)**

(1) For national statistical and publication purposes, societies shall submit to the Agency of the Republic of Slovenia for Public Records and Services (hereinafter: ARSPRS) their annual report for the past fiscal year by 31 March of the current year or, in the event that changes are made to the status of a society or it is dissolved, within two months of its dissolution or the changes being made.

(2) Notwithstanding the provision of the preceding paragraph, a society whose statement of accounts requires external auditing shall submit the annual report to the ARSPRS by 31 August of the current year. The auditor's findings shall be enclosed in the annual report.

(3) The ARSPRS shall handle data pursuant to the regulations concerning accounting.

V. A SOCIETY OPERATING IN THE PUBLIC INTEREST

**Article 30**  
**(Conditions)**

(1) A society may confer upon itself the status of a society that

interesu, če deluje na področju kulture, vzgoje in izobraževanja, zdravstvenega varstva, socialnega varstva, izvajanja družinske politike, varstva človekovih pravic, varstva okolja, varstva živali, športa, obrambe ter varstva pred naravnimi in drugimi nesrečami, gospodarstva, kmetijstva, gozdarstva, veterinarstva ali prehrane, zunanjih zadev, razvoja demokracije ali na drugih področjih, če njihovo delovanje presega interese njegovih članov in je splošno koristno (v nadaljnjem besedilu: društvo v javnem interesu).

(2) Društvu se podeli status iz prejšnjega odstavka, če izpolnjuje naslednje splošne pogoje:

- da njegovi ustanovitelji in člani niso pravne osebe javnega prava;
- da ima dejavnost, ki je v javnem interesu, opredeljeno v temeljnem aktu;
- da je registrirano in deluje najmanj dve leti pred vložitvijo vloge za pridobitev statusa;
- da je sredstva zadnji dve leti pretežno uporabljalo za opravljanje te dejavnosti ter da je redno izvajalo programe, projekte ali druge aktivnosti za uresničevanje namena in ciljev, ki so v javnem interesu;
- da ima izdelane programe bodočega delovanja;
- da lahko izkaže pomembnejše dosežke svojega delovanja.

(3) Ministri, pristojni za področja, na katerih društva delujejo, s podzakonskim aktom podrobneje določijo kriterije za izpolnjevanje splošnega pogoja iz šeste alineje prejšnjega odstavka, če kriteriji niso določeni s posebnim zakonom ali na podlagi posebnega zakona.

(4) S posebnim zakonom se lahko podrobneje opredeli področje delovanja oziroma dejavnosti, ki so v javnem interesu, in lahko določijo tudi posebni pogoji za pridobitev tega statusa.

### **31. člen (podelitev statusa)**

(1) O podelitvi statusa društva v javnem interesu odloči ministrstvo, pristojno za področje, na katerem društvo deluje (v nadaljnjem besedilu: pristojno ministrstvo).

operates in the public interest if it operates in the field of culture, education and training, healthcare, social care, the implementation of family policy, protection of human rights, protection of the environment, protection of animals, sport, defence and protection against natural and other disasters, the economy, agriculture, forestry, veterinary activity or nutrition, foreign affairs, the promotion of democracy or in other fields, provided its operations extend beyond the interests of its members and they are of general benefit (hereinafter: society operating in the public interest).

(2) A society shall be granted the status referred to in the preceding paragraph if it fulfils the following conditions:

- its founders and members are not legal persons under public law;
- it has the activity of public interest defined in its charter;
- it is registered and has been in operation for at least two years prior to submitting an application for such status;
- it has spent a considerable amount of funds during the last two years on the performance of this activity and if it has regularly conducted programmes, projects or other activities aimed at fulfilling purposes and objectives that are of public interest;
- it has laid out programmes of future operations;
- it can provide evidence of major achievements in its operations.

(3) Ministers responsible for the fields of operation of the societies concerned shall, through an implementing regulation, specify in detail the criteria for compliance with the general conditions referred to in the sixth indent of the preceding paragraph where these criteria have not been defined or based on a special law.

(4) The field of operation or the activities of public interest may be defined in detail by a special law which may also define the special conditions to be met for acquiring such status.

### **Article 31 (Granting of status)**

(1) The granting of the status of a society operating in the public interest shall be decided upon by the ministry responsible for the field in which the society operates (hereinafter: competent ministry).

(2) Če društvo prosi za podelitev statusa iz prejšnjega odstavka na več področjih, ki so v pristojnosti več ministrstev, o podelitvi statusa iz prejšnjega odstavka odloči ministrstvo, ki je pristojno za pretežni del dejavnosti društva, po predhodnem soglasju ostalih pristojnih ministrstev.

(3) Če društvo prosi za podelitev statusa na področju, za katerega ni pristojno nobeno ministrstvo, o podelitvi statusa društva iz prvega odstavka tega člena kot pristojno ministrstvo odloči ministrstvo, pristojno za notranje zadeve.

(4) O pritožbah zoper odločbe pristojnega ministrstva odloča Vlada Republike Slovenije.

### **32. člen (vloga)**

(1) Vlogo za podelitev statusa društva v javnem interesu društvo poda pri pristojnem ministrstvu.

(2) Vlogi mora priložiti:

- osebno ime, EMŠO oziroma datum rojstva in spol, državljanstvo in naslov stalnega prebivališča oziroma začasnega prebivališča zastopnika društva, ki je vpisan v register društev, če v Republiki Sloveniji nima stalnega prebivališča;
- poročilo o delu, iz katerega mora biti razvidno izvajanje programov, projektov in drugih aktivnosti, ki jih je društvo izvajalo v javnem interesu v zadnjih dveh letih, in o porabi sredstev za njihovo doseganje;
- sprejet program prihodnjega delovanja na teh področjih;
- dokazilo o rezultatih svojega delovanja;
- morebitna druga dokazila o izpolnjevanju pogojev, ki jih določa posebni zakon.

(3) Pristojno ministrstvo si v postopku podelitve statusa društva v javnem interesu iz uradne evidence pridobi podatek o registraciji

(2) In the event of a society applying for the status referred to in the preceding paragraph in several fields which fall within the competences of various ministries, the granting of the status referred to in the preceding paragraph shall be decided upon by the ministry competent for the majority of the activities of the society, with the prior consent of the other competent ministries.

(3) In the event that a society applies for status in a field for which there is no competent ministry, the granting of the status referred to in paragraph one of this Article shall be decided upon by the ministry of the interior in the capacity of the competent ministry.

(4) Any complaints made against the decisions of the competent ministry shall be decided upon by the Government of the Republic of Slovenia.

### **Article 32 (Application)**

(1) Societies shall submit applications for the status of a society operating in the public interest to the competent ministry.

(2) Applications shall be accompanied by the following:

- the personal name, unique personal identification number (EMŠO), or date of birth and gender, nationality and address of permanent residence, or temporary residence, in the event the representative, who is registered in the register of societies, does not have permanent residence in the Republic of Slovenia;
- a report on operations providing evidence of the execution of programmes, projects and other activities that were performed by the society in the public interest during the previous two years, and on the use of funds for these purposes;
- the programme of future action adopted in these fields;
- evidence of the results of the society's operations;
- any other proof that the conditions provided by the special law have been fulfilled.

(3) During the procedure for granting the status of a society operating in the public interest, the competent ministry shall obtain from

društva, ustanoviteljih in zastopniku društva ter kopijo veljavnega temeljnega akta društva, ki je v zbirki listin registra društev, od AJPES pa letni poročili društva za zadnji dve leti, za društvo iz 27. člena tega zakona pa tudi oceno revizorja.

### **33. člen (obveščanje)**

(1) Društvo v javnem interesu mora pristojnemu ministrstvu predložiti poročilo iz druge alineje drugega odstavka prejšnjega člena za preteklo leto, po poteku starega pa tudi nov program prihodnjega delovanja, vse do 31. marca tekočega leta.

(2) Pristojno ministrstvo si od AJPES po uradni dolžnosti pridobi letno poročilo društva za preteklo leto, za društvo iz 27. člena tega zakona pa tudi oceno revizorja.

### **34. člen (odvzem statusa)**

(1) Pristojno ministrstvo društvu odvzame status društva v javnem interesu, če:

- ne izpolnjuje več pogojev, določenih v 30. členu tega zakona in v posebnih predpisih oziroma ne opravlja več dejavnosti v javnem interesu;
- kljub opozorilu pristojnega ministrstva tudi v naknadnem roku 30 dni ne izpolni obveznosti iz prejšnjega člena;
- se podeljenemu statusu pisno odreče.

(2) Za odvzem statusa se smiselno uporabljajo določbe 31. člena tega zakona.

### **35. člen (pridobitev statusa s posebnim zakonom)**

public records data on the registration of the society, its founders and representatives, and a copy of the valid charter of the society which is recorded in the collection of documents of the register of the societies, and from the ARSPRS annual reports of the society for the previous two years and, in the case of a society referred to in Article 27 of this Act, also the auditor's report.

### **Article 33 (Notification)**

(1) A society operating in the public interest shall, by 31 March of the current year, submit to the competent ministry the reports for the previous year referred to in the second indent of paragraph two of the preceding Article, as well as the new programme of future operations after the expiry of the old programme.

(2) The competent ministry shall obtain *ex officio* the official annual report from the previous fiscal year from the ARSPRS for societies referred to in Article 27 of this Act, as well as the auditor's report.

### **Article 34 (Withdrawal of status)**

(1) The competent ministry shall withdraw the status of a society operating in the public interest in the following circumstances:

- if the society no longer fulfils the conditions provided in Article 30 of this Act and in special regulations or if it no longer performs activities in the public interest;
- if the society fails to fulfil the obligations provided in the preceding Article within the subsequent 30 day-deadline, despite a warning issued by the competent ministry;
- if the society waives the status granted in writing.

(2) The provisions of Article 31 of this Act shall be applied *mutatis mutandis* to the withdrawal of status.

### **Article 35 (Acquisition of status by a special law)**

Če je društvu s posebnim zakonom ali na podlagi posebnega zakona, zaradi njegove splošno koristne dejavnosti, priznan poseben status ali je določeno, da je njegova dejavnost humanitarne narave, ali mu zakon na drug način neposredno ureja opravljanje in financiranje dejavnosti, ki je v javnem interesu, se šteje, da je tako društvo društvo v javnem interesu na podlagi tega zakona.

### **36. člen (prednosti)**

(1) Pri javnih razpisih za pridobivanje sredstev iz državnega proračuna, namenjenih društvom, se v merilih, s pomočjo katerih se izberejo prejemniki sredstev, upošteva tudi status društva v javnem interesu, pri čemer upoštevanje statusa ne sme presegati 20% vrednosti ostalih meril.

(2) S posebnim zakonom se lahko določijo tudi druge prednosti, ki jih društvom daje pridobljeni status.

## **VI. PRENEHANJE DRUŠTVA**

### **37. člen (prenehanje)**

Društvo preneha po volji članov, s spojitvijo z drugimi društvi, s pripojitvijo k drugemu društvu, s stečajem, na podlagi sodne odločbe o prepovedi delovanja ali po samem zakonu.

### **38. člen (prenehanje po volji članov)**

(1) Društvo preneha, če zbor članov sprejme sklep o prenehanju društva.

(2) V sklepu mora določiti društvo, zavod, ustanovo ali drugo nepridobitno pravno osebo s podobnimi cilji, na katero se po poravnavi

If a society is granted special status by a special law or on the basis of a special law for the performance of generally beneficial activities or if its activities are defined as of a humanitarian nature or if the law directly regulates its management and the funding of an activity of public interest in a different manner, such society shall be deemed to be a society operating in the public interest under this Act.

### **Article 36 (Advantages)**

(1) During public calls for applications for national budget funding earmarked for societies, the status of a society operating in the public interest shall also be included as one of the criteria used to help in selecting beneficiaries, whereby the level of consideration of such status shall not exceed 20% of the value of other criteria.

(2) Other advantages enjoyed by a society that has acquired such status may also be provided by special statute.

## **VI. DISSOLUTION OF A SOCIETY**

### **Article 37 (Dissolution)**

A society shall be dissolved at the behest of its members when merged with other societies, when joining another society, when declaring bankruptcy, on the basis of a court order banning its operation, or in accordance with the law.

### **Article 38 (Dissolution by the will of society members)**

(1) A society shall be dissolved if the general assembly adopts a resolution on its dissolution.

(2) The resolution shall include the name of the society, institute, foundation or other not-for-profit legal person with related

vseh obveznosti prenese premoženje društva. Če društvo v sklepu ne določi naslednika premoženja in ga tudi na podlagi določb temeljnega akta ni mogoče določiti, premoženje društva pripade lokalni skupnosti, na območju katere je imelo društvo svoj sedež. Nekorabljeni sredstva, pridobljena iz proračuna, se vrnejo proračunu, preostanek premoženja pa prenese na prevzemnika premoženja z dnem izbrisa društva iz registra društev.

(3) Ne glede na določbo prejšnjega odstavka, premoženja društva ni mogoče prenesti na politično stranko.

(4) O sklepu iz prvega odstavka tega člena mora zastopnik društva v 30 dneh obvestiti pristojni organ in zahtevati izbris društva iz registra društev. Zahtevi in sklepu mora priložiti poročilo o razpolaganju s premoženjem društva, iz katerega je razviden obseg sredstev in drugega premoženja društva, način poravnave vseh obveznosti društva, višina neporabljenih javnih sredstev, način njihove vrnitve proračunu ter način prenosa preostanka premoženja društva na prevzemnika premoženja.

### **39. člen (objava prenehanja)**

(1) Pristojni organ objavi sklep o prenehanju društva na oglasni deski organa in v informacijskem sistemu za sprejem vlog, vročanje in obveščanje državnih organov, lahko pa tudi na drug običajen način. V objavi mora biti navedeno, da lahko upniki obvestijo pristojni organ o svojih terjatvah, ki jih imajo do društva, v roku 30 dni od dneva objave, sicer bo izdana odločba o izbrisu društva iz registra društev.

(2) V primeru, da upnik pristojni organ obvesti o svojih terjatvah, ta prekine postopek, upniku pa s sklepom naloži, da pred pristojnim sodiščem v roku 30 dni predlaga uvedbo postopka likvidacije društva in mu o tem predloži dokazilo. Če upnik v določenem roku tega ne stori, pristojni organ izda odločbo o izbrisu društva iz registra društev.

objectives to which the property of the dissolved society shall be allocated after the settlement of all obligations. If the resolution does not name the successor of the society's property and if the successor cannot be determined on the basis of the provisions of the charter, the society's property shall be allocated to the local community in whose area the society had its head office. Unexpended budget funds shall be returned to the budget while the remaining assets shall be transferred to the successor as of the day of deletion of the society from the register of societies.

(3) Notwithstanding the provision of the preceding paragraph, the property of a society shall not be allocated to a political party.

(4) The society representative shall inform the competent authority of the resolution referred to in paragraph one of this Article within 30 days and shall request the deletion of the society from the register of societies. A report on the disposal of the property of the society, outlining the extent of the society's funds and other assets, the method of settlement of the society's obligations, the amount of unexpended public funds, the method of their return to the budget and the method of allocation of the society's remaining property to the successor shall be enclosed with the request and resolution.

### **Article 39 (Announcement of dissolution)**

(1) The competent authority shall announce the resolution on the dissolution of a society on its notice board and in the information system for receiving applications, servicing and informing state authorities or by some other appropriate method. The announcement must state that creditors may communicate their claims on the society to the competent authority within 30 days of the day of the announcement; otherwise an order on the removal of the society from the register of societies shall be issued.

(2) In the event that a creditor communicates its claim to the competent authority, the authority shall suspend the procedure and impose on the creditor, by means of a resolution, the obligation to propose to the competent court of law the instigation, within 30 days, of proceedings for the liquidation of the society, and submit evidence thereof

**40. člen**  
**(prisilna poravnava in stečaj)**

(1) Če je društvo trajnejše nelikvidno ali postane dolgoročno plačilno nesposobno, se nad njim lahko opravi stečajni postopek po predpisih, ki urejajo insolventnost in prisilno prenehanje.

(2) Pred začetkom stečajnega postopka lahko društvo upnikom predlaga sklenitev prisilne poravnave.

(3) Nad društvom v javnem interesu se lahko opravi stečajni postopek le po predhodnem soglasju pristojnega ministrstva.

(4) Pristojno ministrstvo poda soglasje iz prejšnjega odstavka, če ugotovi, da s stečajem društva ne bo huje ogroženo izvajanje dejavnosti, ki je v javnem interesu.

**41. člen**  
**(prepoved delovanja društva)**

(1) Društvu, ki izvaja dejavnost iz 3. člena tega zakona, se delovanje s sodno odločbo prepove.

(2) Upravni organi in nosilci javnih pooblastil, ki za razloge iz prejšnjega odstavka izvedo pri izvrševanju svojih pooblastil, morajo državnemu tožilcu podati prijavo o takem delovanju društva.

(3) Če državni tožilec na podlagi prijave organov oziroma nosilcev javnih pooblastil iz prejšnjega odstavka, fizičnih ali pravnih oseb oziroma po uradni dolžnosti oceni, da so razlogi dejansko podani, vloži pri

to the competent authority. Should a creditor fail to act accordingly by the deadline provided, the competent authority shall issue a decision on the removal of the society from the register of societies.

**Article 40**  
**(Compulsory composition and bankruptcy)**

(1) Bankruptcy procedures may be instituted against a society that has been insolvent for an extended period or becomes permanently insolvent, in accordance with the regulations governing insolvency and compulsory dissolution.

(2) Prior to the commencement of the bankruptcy procedure, a society may propose to the creditors the conclusion of compulsory composition.

(3) Bankruptcy procedures shall be instituted against a society operating in the public interest only with the prior consent of the competent ministry.

(4) The competent ministry shall grant the consent referred to in the preceding paragraph if it establishes that the bankruptcy of the society does not pose a serious risk to the performance of an activity in the public interest.

**Article 41**  
**(Banning a society)**

(1) A society performing activities defined in Article 3 of this Act shall be banned by a court decision.

(2) Administrative authorities and persons with public authorisations who, in the course of their duties, discover the reasons referred to in the preceding paragraph shall be obliged to report such conduct to the state prosecutor.

(3) If, on the basis of a report made by administrative authorities or persons with public authorisations referred to in the preceding paragraph, or by natural or legal persons, the state prosecutor

Upravnem sodišču Republike Slovenije tožbo za prepoved delovanja društva.

(4) Postopek za prepoved delovanja društva je nujen.

(5) Določbe prejšnjih odstavkov tega člena ne veljajo za primere, ko je podana odgovornost društva za kaznivo dejanje po določbah predpisov, ki urejajo odgovornost pravnih oseb za kazniva dejanja.

#### **42. člen (prenehanje po zakonu)**

(1) Društvo preneha po samem zakonu, če dejansko preneha delovati oziroma če je bilo v razdobju petih let dvakrat pravnomočno kaznovano za prekršek iz 3. točke prvega odstavka 52. člena tega zakona.

(2) Prenehanje društva po prejšnjem odstavku ugotovi pristojni organ z odločbo.

(3) Za pravnomočno odločbo iz prejšnjega odstavka smiselno velja določba prvega odstavka 39. člena tega zakona.

(4) Če upnik obvesti pristojni organ o svojih terjatvah, ta pa nima podatkov o tem, da bi društvo imelo premoženje, mora upnik v nadaljnjih 30 dneh pristojnemu organu predložiti dokazilo, da je predlagal uvedbo postopka iz 43. člena tega zakona, v nasprotnem primeru pristojni organ izda odločbo o izbrisu društva iz registra društev.

#### **43. člen (prisilna likvidacija)**

(1) V primeru iz drugega odstavka 39. člena tega zakona ter v

decides or concludes *ex officio* that such reasons actually exist, the state prosecutor shall bring an action with the Administrative Court of the Republic of Slovenia to ban the society.

(4) The procedure for banning a society shall be carried out as a matter of priority.

(5) The provisions of the preceding paragraphs of this Article shall not apply to cases where the liability of a society for a criminal offence is laid down by the provisions of the regulations governing the liability of legal persons for criminal offences.

#### **Article 42 (Dissolution by law)**

(1) A society shall be dissolved under the law if it actually ceases operation or if it has been served, over a five-year period, with two enforceable rulings for the minor offence defined in point 3 of paragraph one of Article 52 of this Act.

(2) The dissolution of a society under the preceding paragraph shall be established by the competent authority by written order.

(3) The provision of paragraph one of Article 39 of this Act shall apply *mutatis mutandis* to the final order referred to in the preceding paragraph.

(4) In the event of a creditor communicating its claims to the competent authority and the authority not possessing information on the society owning any property, the creditor shall be required to submit evidence to the competent authority within 30 days that the commencement of the procedure referred to in Article 43 of this Act has been proposed; otherwise the competent authority shall issue an order on the removal of the society from the register of societies.

#### **Article 43 (Compulsory liquidation)**

(1) In the event of the failure of a society referred to in

primeru prenehanja društva po 41. in 42. členu tega zakona, pristojno sodišče izvede postopek prisilne likvidacije, skladno s predpisi, ki urejajo insolventnost in prisilno prenehanje. Odločitev nadomesti sklep iz drugega odstavka 38. člena tega zakona.

(2) Kadar pristojni organ razpolaga s podatki o premoženju društva, pa prisilne likvidacije ne predlaga upnik, jo sodišču predlaga pristojni organ.

#### **44. člen (izbris iz registra)**

(1) Društvo, ki je prenehalo zaradi spojitve ali pripojitve, se iz registra društev izbriše na podlagi odločbe o registraciji novega društva oziroma odločbe o registraciji pripojitve društva.

(2) V primerih iz 38., 40., 41. in 42. člena tega zakona pristojni organ izbriše društvo iz registra društev na podlagi pravnomočne odločbe.

(3) Podružnica tujega društva se iz registra podružnic tujih društev izbriše tudi, če tuje društvo po tujem pravu izgubi status pravne osebe.

#### **45. člen (pravica upnikov)**

Upniki, katerih terjatve do društva pred izbrisom društva iz registra društev niso bile poplačane, lahko v roku enega leta od izbriša društva iz registra društev zahtevajo poplačilo od pravne osebe, na katero je bilo premoženje preneseno, do višine tega premoženja.

VII. EVIDENCE

paragraph two of Article 39 of this Act, and in cases of the dissolution of a society under Articles 41 and 42 of this Act, the competent court of law shall institute a compulsory liquidation procedure pursuant to the regulations governing insolvency and compulsory dissolution. The resolution referred to in paragraph two of Article 38 of this Act shall be superseded by this decision.

(2) Where the competent authority possesses information concerning the property of the society and the creditors fail to propose the commencement of compulsory liquidation proceedings, the competent authority shall propose to a court of law that proceedings be commenced.

#### **Article 44 (Removal from the register)**

(1) A society which is dissolved by merging or joining with another society shall be removed from the register of societies on the basis of a resolution on the registration of a new society or a resolution on the registration of joined societies.

(2) In the cases defined in Articles 38, 40, 41 and 42 of this Act, the competent authority shall remove a society from the register of societies on the basis of a final decision.

(3) An affiliate of a foreign society shall also be removed from the register of affiliates of foreign societies if the foreign society loses the status of a legal person under foreign law.

#### **Article 45 (Creditors' right)**

Creditors whose claims against a society were not settled prior to the removal of the society from the register of societies may, within a period of one year from the date of removal of the society from the register of societies, file a request for the settlement of the claims with the legal person to whom the property was allocated.

VII. RECORDS

**46. člen**  
**(register društev)**

(1) Društva se vpisuje v register društev. Register sestavljata registrska knjiga in zbirka listin. Registrska knjiga se vodi tudi kot centralna informatizirana zbirka podatkov za območje Republike Slovenije (v nadaljnjem besedilu: centralni register društev).

(2) Za vodenje registra je pristojen organ, določen v prvem odstavku 17. člena tega zakona, za vodenje centralnega registra društev pa tudi ministrstvo, pristojno za notranje zadeve.

(3) V registru se obdelujejo naslednji osebni podatki:

- osebno ime, EMŠO oziroma datum rojstva in spol, državljanstvo ter naslov stalnega oziroma začasnega prebivališča zastopnika društva (registrska knjiga);
- osebno ime, EMŠO oziroma datum rojstva in spol, državljanstvo in naslov stalnega prebivališča ustanoviteljev društva oziroma osebno ime zastopnika pravne osebe, kadar je ustanovitelj pravna oseba (zbirka listin).

(4) Za potrebe registra se osebni in drugi podatki zbirajo neposredno od društva in iz že obstoječih zbirk podatkov ministrstva, pristojnega za notranje zadeve.

**47. člen**  
**(register podružnic tujih društev)**

(1) Podružnice tujih društev se vpisuje v register podružnic tujih društev. Register sestavljata registrska knjiga in zbirka listin. Registrska knjiga se vodi tudi kot informatizirana zbirka podatkov za območje Republike Slovenije (v nadaljnjem besedilu: centralni register podružnic tujih društev).

**Article 46**  
**(Register of societies)**

(1) Societies shall be registered in the register of societies. The register shall comprise a registration book and a collection of documents. The registration book shall also be kept as a central computerised database for the whole of the Republic of Slovenia (hereinafter: the central register of societies).

(2) The authority referred to in paragraph one of Article 17 of this Act shall be responsible for administering the register while the ministry responsible for the interior shall also be responsible for administering the central register of societies.

(3) The register shall include the following personal data:

- the personal name, unique personal identification number (EMŠO) or date of birth and gender, nationality and address of permanent residence or temporary residence of the society representative (registration book).
- the personal name, unique personal identification number (EMŠO) or date of birth and gender, nationality and address of permanent residence of the founders of the society or the personal name of the representative of the legal person if the founder is a legal person (collection of documents).

(4) Personal and other data shall be collected for the register directly from the society, as well as from pre-existing databases held by the ministry of the interior.

**Article 47**  
**(Register of affiliates of foreign societies)**

(1) Affiliates of foreign societies shall be registered in the register of affiliates of foreign societies. The register shall comprise a registration book and a collection of documents. The registration book shall also be kept as a central computerised database for the entire Republic of Slovenia (hereinafter: central register of affiliates of societies).

(2) Za vodenje registra podružnic tujih društev je pristojen organ, določen v prvem odstavku 17. člena tega zakona, za vodenje centralnega registra podružnic tujih društev pa tudi ministrstvo, pristojno za notranje zadeve.

(3) V registru podružnic tujih društev se obdelujejo naslednji osebni podatki:

- osebno ime, EMŠO oziroma datum rojstva in spol, državljanstvo in naslov stalnega oziroma začasnega prebivališča zastopnika tujega društva v Republiki Sloveniji (registrska knjiga);
- osebno ime zastopnika tujega društva (zbirka listin).

(4) Za potrebe registra se osebni in drugi podatki zbirajo neposredno od podružnice tujega društva in iz že obstoječih zbirk podatkov ministrstva, pristojnega za notranje zadeve.

#### **48. člen** **(evidenca društev v javnem interesu)**

(1) Evidenco društev, ki jim je podeljen status društva v javnem interesu na podlagi tega zakona, vodi pristojno ministrstvo. Evidenco sestavljata evidenčna knjiga in zbirka listin. Evidenčna knjiga se vodi tudi kot informatizirana zbirka podatkov.

(2) V evidenci se obdelujejo naslednji osebni podatki: osebno ime, EMŠO oziroma datum rojstva in spol, državljanstvo in naslov stalnega oziroma začasnega prebivališča zastopnika društva.

(3) Za potrebe evidence se osebni in drugi podatki zbirajo neposredno iz centralnega registra društev in centralnega registra podružnic tujih društev.

#### **49. člen**

(2) The authority referred to in paragraph one of Article 17 of this Act shall be responsible for administering the register of affiliates of foreign societies, while the ministry responsible for the interior shall also be responsible for administering the central register of affiliates of foreign societies.

(3) The register of affiliates of foreign societies shall include the following personal data:

- the personal name, personal identification number (EMŠO) or date of birth and gender, nationality and address of permanent residence or temporary residence of the foreign society representative in the Republic of Slovenia (registration book);
- the personal name of the foreign society representative (collection of documents).

(4) Personal and other data shall be collected for the register directly from the affiliate of the foreign society and from pre-existing databases held by the ministry of the interior.

#### **Article 48** **(Records of societies operating in the public interest)**

(1) The records of societies that have been granted the status of a society operating in the public interest under this Act shall be administered by the competent ministry. These records shall comprise a records book and a collection of documents. The records book shall also be kept in the form of a computerised database.

(2) The records shall include the following personal data: the personal name, personal identification number (EMŠO) or date of birth and gender, nationality and address of permanent residence or temporary residence of the society representative.

(3) For the records, personal and other data shall be collected directly from the central register of societies and the central register of subsidiaries of foreign societies.

#### **Article 49**

### **(izključnost vodenja informatiziranih zbirk podatkov)**

(1) Minister, pristojen za notranje zadeve, lahko določi, da se registrski knjigi iz 46. in 47. člena tega zakona vodita izključno kot informatizirani zbirki podatkov.

(2) Za evidenčno knjigo iz prejšnjega člena lahko takšno odločitev sprejme pristojni minister.

### **50. člen (namen zbiranja in javnost podatkov)**

(1) Register društev, register podružnic tujih društev ter evidenca društev v javnem interesu so namenjeni vpisu in javni objavi podatkov o pravno pomembnih dejstvih o družtvih.

(2) Vsi podatki, vpisani v register društev in podružnic tujih društev ter evidenco društev v javnem interesu, so javni in jih sme vsakdo pregledovati, prepisovati ali zahtevati njihov izpis.

(3) Ne glede na določbo prejšnjega odstavka veljajo določbe predpisov, ki urejajo varstvo osebnih podatkov, za:

- podatek o EMŠO zastopnika društva oziroma podružnice tujega društva, vpisan v centralni register društev, centralni register podružnic tujih društev oziroma evidenco društev v javnem interesu;
- druge osebne podatke zastopnika, vpisane v evidenco društev v javnem interesu, razen podatka o osebnem imenu;
- podatke zbirk listin.

(4) Kdor v pravnem prometu vestno ravna in se pri tem zanese na podatke, vpisane v registra iz prvega odstavka tega člena, ga ne prizadenejo škodljive pravne posledice. Nihče se ne more sklicevati na to, da ni poznal vpisanih podatkov, razen če zakon določa drugače.

### **(Exclusiveness of administration of computerised databases)**

(1) The minister responsible for the interior may decide that the registration books referred to in Articles 46 and 47 of this Act are to be kept exclusively as computerised databases.

(2) With regard to the records book referred to in the preceding Article, such a decision shall be taken by the competent minister.

### **Article 50 (Purpose of gathering and public accessibility of data)**

(1) The register of societies, the register of affiliates of foreign societies and the records of societies of public interest shall be used for the purpose of registering and providing information to the public on legally salient facts on societies.

(2) All data entered in the register of societies and affiliates of foreign societies and records on societies of public interest shall be open to the public and may be reviewed or copied or a request may be submitted for an excerpt.

(3) Notwithstanding the provision from the preceding paragraph, the provisions of the regulations governing personal data protection shall apply to the following:

- the unique personal identification number (EMŠO) of a representative of a society or a subsidiary of a foreign society entered in a central register of societies, a central register of foreign societies, or records of societies in the public interest;
- other personal data of the representative entered in the records of societies in the public interest, with the exception of data concerning personal names;
- data from document collections.

(4) Anyone who conducts legal relations in good faith, thereby relying on data entered in the register referred to in paragraph one of this Article, shall not suffer any adverse legal consequences. No person may claim that they did not have knowledge of the data registered unless otherwise provided by law.

## VIII. NADZORSTVO

### **51. člen (nadzor)**

(1) Nadzor nad izvajanjem posameznih določb tega zakona izvajajo:

- nad določbami tretje alinee prvega odstavka 9. člena, šestega odstavka 10. člena, prvega odstavka 20. člena, prvega odstavka 21. člena, prvega odstavka 23. člena, drugega in tretjega odstavka 24. člena tega zakona, Inšpektorat Republike Slovenije za notranje zadeve;
- nad določbami od prvega do šestega odstavka 26. člena tega zakona, Davčna uprava Republike Slovenije;
- nad določbami prvega in drugega odstavka 29. člena tega zakona, AJPES.

(2) Nadzor nad izvajanjem določbe tretje alinee prvega odstavka 9. člena tega zakona izvaja tudi Tržni inšpektorat Republike Slovenije, če je po posebnem predpisu pristojen za inšpekcijsko nadzorstvo nad opravljanjem dejavnosti v društvu.

(3) Inšpektorat Republike Slovenije za notranje zadeve in AJPES izvršujeta pristojnosti iz prvega in drugega odstavka tega člena le kot prekrškovna organa.

(4) Inšpekcijski in drugi državni organi in nosilci javnih pooblastil, ki pri izvrševanju svojih nalog ugotovijo kršitve določb zakona iz prve alineje prvega odstavka tega člena, morajo prekrškovnemu organu podati predlog za uvedbo postopka o prekršku.

## IX. KAZENSKÉ DOLOČBE

## VIII. SUPERVISION

### **Article 51 (Supervision)**

(1) The implementation of individual provisions of this Act shall be monitored by the following:

- the Internal Affairs Inspectorate of the Republic of Slovenia with regard to the provisions of the third indent of paragraph one of Article 9, paragraph six of Article 10, paragraph one of Article 20, paragraph one of Article 21, paragraph one of Article 23 and paragraphs two and three of Article 24 of this Act;
- the Tax Administration of the Republic of Slovenia with regard to the provisions of paragraphs one to six of Article 26 of this Act;
- the ARSPRS with regard to the provisions of paragraphs one and two of Article 29 of this Act.

(2) The implementation of the third indent of paragraph one of Article 9 of this Act shall also be supervised by the Market Inspectorate of the Republic of Slovenia, insofar as its competence for the inspection supervision of the performance of activities by a society is based on a special order.

(3) The Internal Affairs Inspectorate of the Republic of Slovenia and the ARSPRS shall exercise the competences defined in paragraphs one and two of this Article only in the capacity of minor offence authorities.

(4) The inspectorate and other state bodies and persons with public authorisation which, in the course of their duties, establish a violation of the provisions of the first indent of paragraph one of this Article shall be obliged to submit a proposal to the minor offence authority for the initiation of minor offence proceedings.

## IX. PENALTY PROVISIONS

## 52. člen

(1) Z globo od 420 do 16.500 eurov se za prekršek kaznuje društvo, ki:

1. opravlja dejavnost, ki ni določena s temeljnim aktom (prvi odstavek 9. člena);
2. kot tuje društvo deluje v Republiki Sloveniji preko podružnice, ki ni vpisana v register podružnic tujih društev (prvi odstavek 23. člena);
3. premoženje društva deli med člane oziroma presežka prihodkov nad odhodki ne porabi za uresničevanje namena ter ciljev oziroma opravljanje nepridobitne dejavnosti, določene v temeljnem aktu (drugi in tretji odstavek 24. člena);
4. poslovnih knjig ne vodi skladno z določbami drugega, tretjega, četrtega ali šestega odstavka 26. člena ali neresnično prikazuje podatke o finančnem in materialnem poslovanju (peti odstavek 26. člena).

(2) Z globo od 42 do 1.000 eurov se za prekršek iz prejšnjega odstavka kaznuje tudi odgovorna oseba društva.

## 53. člen

(1) Z globo 420 eurov se za prekršek kaznuje društvo, ki:

1. v pravnem prometu ne uporablja registriranega imena (prvi in šesti odstavek 10. člena);
2. spremeni ime, sedež ali druge določbe temeljnega akta, zastopnika ali naslov sedeža društva in v roku 30 dni od nastale spremembe ne vloži zahteve za registracijo spremembe (prvi odstavek 20. člena);
3. v roku 30 dni po sprejetih statusnih spremembah pri registrskem organu ne vloži zahteve za registracijo društva, ki je nastalo s spojitvijo, oziroma registracijo pripojitve društva (prvi odstavek 21. člena);
4. je v temeljnem aktu določilo, da bo način zagotavljanja podatkov o svojem finančno-materialnem poslovanju uredilo v posebnem aktu,

## Article 52

(1) A fine of EUR 420 to EUR 16 500 shall be imposed for a minor offence on a society that:

1. performs an activity not defined in its charter (paragraph one of Article 9);
2. operates as a foreign society in the Republic of Slovenia through an affiliate which is not registered in the register of affiliates of foreign societies (paragraph one of Article 23);
3. distributes among its members the property of the society or fails to spend surplus income for the pursuit of the society's purpose and objectives or for the performance of the non-gainful activities defined in the society's charter (paragraphs two and three of Article 24);
4. fails to keep accounts in accordance with the provisions of paragraph two, three, four and six of Article 26 or presents false data relating to financial and material transactions (paragraph five of Article 26);

(2) A fine of between EUR 42 and EUR 1 000 shall be imposed on the society's responsible person for a minor offence referred to in the preceding paragraph.

## Article 53

(1) A fine of EUR 420 shall be imposed for a minor offence on a society that:

1. uses a name in legal transactions other than its registered name (paragraphs one and six of Article 10);
2. amends its name, head office or any other provision of its charter or changes its representative or the address of the society's head office and fails to lodge, within 30 days of such changes, an application for the amendment of registration (paragraph one of Article 20);
3. fails to lodge an application with the registration body within 30 days of the adoption of statutory amendments for the registration of a society resulting from a merger, or the registration of a society which has been joined by another society (paragraph one of Article 21);
4. fails to regulate by a special act the manner of presenting data on its financial and material transactions if this is provided in its charter (

- pa tega ne uredi (prvi odstavek 26. člena);
5. letnega poročila ne predloži v roku AJPES oziroma letnemu poročilu ne priloži oceno revizorja, kadar je to potrebno (prvi in drugi odstavek 29. člena).

(2) Z globo 125 eurov se za prekršek iz prejšnjega odstavka kaznuje tudi odgovorna oseba društva.

## X. PREHODNE IN KONČNE DOLOČBE

### **54. člen** **(podzakonski akt)**

Minister, pristojen za notranje zadeve, v šestih mesecih od uveljavitve tega zakona izda predpis, s katerim določi vsebino, obliko in način vodenja registra društev, registra podružnic tujih društev in evidence društev v javnem interesu.

### **55. člen** **(soglasje k računovodskemu standardu)**

(1) Slovenski inštitut za revizijo v šestih mesecih od uveljavitve tega zakona predloži računovodski standard iz 28. člena tega zakona v soglasje ministru, pristojnemu za finance.

(2) Minister, pristojen za finance, o soglasju odloči v enem mesecu.

(3) Do objave računovodskega standarda v Uradnem listu Republike Slovenije se za društva uporabljajo določbe slovenskega računovodskega standarda 33, če niso v nasprotju z določbami tega zakona.

### **56. člen** **(registrirana in evidentirana društva po uveljavitvi zakona)**

- paragraph one of Article 26);
5. fails to submit to the ARSPRS, within the deadline, the annual report or fails to enclose the auditor's report with the annual report when required (paragraphs one and two of Article 29).

(2) An additional fine of EUR 125 shall be imposed on the society's responsible person for a minor offence referred to in the preceding paragraph.

## X. TRANSITIONAL AND FINAL PROVISIONS

### **Article 54** **(Implementing regulation)**

Within six months of the entry into force of this Act, the minister responsible for the interior shall issue a regulation defining the content, form and method of administering the register of societies, the register of affiliates of foreign societies and the records on societies operating in the public interest.

### **Article 55** **(Approval of accounting standards)**

(1) Within six months of the entry into force of this Act, the Slovenian Auditing Institute shall submit the proposed accounting standards referred to in Article 28 of this Act to the minister responsible for finance for approval.

(2) The minister responsible for finance shall decide on such approval within one month of submission.

(3) Until the publication of the accounting standards in the Official Gazette of the Republic of Slovenia, the provisions of Slovenian Accounting Standard 33 shall apply to societies, provided they are not contrary to the provisions of this Act.

### **Article 56** **(Registered and recorded societies after the entry into force of the**

## **Act)**

(1) Društva, registrirana po predpisih, ki so veljali do uveljavitve tega zakona, nadaljujejo delo po določbah tega zakona.

(2) Mednarodna društva in zveze mednarodnih društev, vpisane v evidenci iz 13. in 14. člena Zakona o društvih (Uradni list RS, št. 60/95, 49/98 – odločba US in 89/99), se vpišejo v register podružnic tujih društev po uradni dolžnosti.

### **57. člen (vpis podatkov o zastopniku)**

(1) Manjkajoče podatke iz sedme alineje prvega odstavka 18. člena in pete alineje drugega odstavka 23. člena tega zakona o zastopnikih društev morajo društva posredovati pristojnemu organu v roku šestih mesecev od uveljavitve tega zakona.

(2) Pristojni organ podatke iz prejšnjega odstavka vpiše v register društev. O vpisu se ne izda odločba.

### **58. člen (razveljavitev določb drugih zakonov)**

Z dnem, ko začne veljati ta zakon, prenehajo veljati:

- peti odstavek 1. člena Zakona o vojnih invalidih (Uradni list RS, št. 63/95, 62/96 – sklep US, 2/97 – odločba US, 19/97, 21/97 – popravek, 75/97 in 19/00 – sklep US);
- 3. in 4. točka drugega odstavka 34. člena, tretji odstavek 35. člena in prvi odstavek 36. člena Zakona o zaščiti živali (Uradni list RS, št. 98/99 in 126/03);
- zadnji stavek enajstega odstavka 2. člena Zakona o žrtvah vojnega

(1) Societies registered pursuant to the regulations in force prior to the entry into force of this Act, shall continue to function, in accordance with the provisions of this Act.

(2) International societies and federations of international societies registered in the records referred to in Articles 13 and 14 of the Societies Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 60/95, 49/98 – Decision of the CC and 89/99), shall be entered in the register of affiliates of foreign societies *ex officio*.

### **Article 57 (Registration of data on representatives)**

(1) Within six months of the entry into force of this Act, societies shall submit to the competent authority the missing data on the representatives of societies referred to in the seventh indent of paragraph one of Article 18 and the fifth indent of paragraph two of Article 23 of this Act.

(2) The competent authority shall enter the data referred to in the preceding paragraph in the register of societies. No decision shall be issued on such entry.

### **Article 58 (Abrogation of the provisions of other laws)**

The following shall cease to apply on the date of entry into force of this Act:

- paragraph five of Article 1 of the War Disability Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 63/95, 62/96 – Order of the CC, 2/97 – Dec. of the CC, 19/97, 21/97 – corr., 75/97 and 19/00 – Order of the CC);
- points 3 and 4 of paragraph two of Article 34, paragraph three of Article 35, and paragraph one of Article 36 of the Protection of Animals Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 98/99 and 126/03);
- the last sentence of paragraph eleven of Article 2 of the Victims of

nasilja (Uradni list RS, št. 63/95, 8/96, 44/96, 68/96, 70/97, 39/98 – odločba US, 43/99, 51/99 – odločba US, 19/00 – odločba US, 28/00, 64/01, 32/02 – odločba US, 110/02, 3/03 in 62/04);

- v drugem odstavku 1. člena Zakona o vojnih veteranih (Uradni list RS, št. 63/95, 108/99, 47/02 – odločba US in 76/03) besedilo »za obdobje petih let« in tretji odstavek 1. člena;
- drugi odstavek 137. člena, razen določbe 5. točke, tretji odstavek 138. člena in 139. člen Zakona o ohranjanju narave (Uradni list RS, št. 56/99, 31/00 – popravek, 119/02 in 41/04);
- prvi, tretji in četrti odstavek 44. člena Zakona o varstvu podzemnih jam (Uradni list RS, št. 2/04)
- 2., 4. in 5. alineja drugega odstavka 69. člena, prvi in tretji odstavek 70. člena in 71. člen Zakona o zdravstvenem varstvu rastlin (Uradni list RS, št. 23/05 – uradno prečiščeno besedilo);
- drugi in tretji odstavek 22. člena, prvi in drugi odstavek 23. člena in 24. člen Zakona o raziskovalni in razvojni dejavnosti (Uradni list RS, št. 96/02);
- v drugem odstavku 30. člena Zakona o invalidskih organizacijah (Uradni list RS, št. 108/02) besedilo »posreduje letno poročilo o poslovanju organizaciji, pooblaščenim za obdelovanje in objavljanje podatkov, do zadnjega dne v mesecu februarju tekočega leta,«, beseda »pa« ter besedi »invalidska organizacija«;
- v 37. členu Zakona o humanitarnih organizacijah (Uradni list RS, št. 98/03), besedilo »je dolžna vsako leto do konca februarja za preteklo leto sprejeti letno poročilo o poslovanju in ga predložiti organizaciji, pooblaščenim za obdelovanje in objavljanje podatkov,« in beseda »tudi«.

#### **59. člen (razveljavitev zakona)**

(1) Z dnem, ko začne veljati ta zakon, preneha veljati Zakon o društvih (Uradni list RS, št. 60/95, 49/98 – odločba US in 89/99). Do

War Aggression Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 63/95, 8/96, 44/96, 68/96, 70/97, 39/98 – Dec. of the CC, 43/99, 51/99 – Dec. of the CC, 19/00 – Dec. of the CC, 28/00, 64/01, 32/02 – Dec. of the CC, 110/02, 3/03 and 62/04);

- the wording "for a period of five years" in paragraphs two and three of Article 1 of the War Veterans Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 63/95, 108/99, 47/02 – Dec. of the CC, and 76/03);
- paragraph two of Article 137, with the exception of the provisions of point 5, paragraph three of Article 138, and Article 139 of the Nature Conservation Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 56/99, 31/00 – corr., 119/02 and 41/04);
- paragraphs one, three and four of Article 44 of the Underground Cave Protection Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 2/04)
- indents 2, 4 and 5 of paragraph two of Article 69, paragraphs one and three of Article 70 and Article 71 of the Plant Health Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 23/06 – official consolidated version);
- paragraphs two and three of Article 22, paragraphs one and two of Article 23, and Article 24 of the Research and Development Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 96/02);
- the wording "shall submit an annual report to the organisation authorised to process and publish the data, by the last day of February of the current year", the word "and" and the words "disabled persons organisation" in paragraph two of Article 30 of the Disabled People's Organizations Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 108/02);
- the wording "shall be obliged to adopt, by the end of February every year, an annual report for the previous year and submit it to the organisation authorised to process and publish the data", and the word "also", in Article 37 of the Humanitarian Agencies Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 98/03).

#### **Article 59 (Abrogation of law)**

(1) On the day this Act enters into force, the Societies Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 60/95,

izdaje predpisa iz 54. člena tega zakona se uporabljajo določbe pravilnika o registru društev (Uradni list RS, št. 22/96 in 4/00).

(2) Za zahteve za registracijo društva, vložene na podlagi določb Zakona o društvih (Uradni list RS, št. 60/95, 49/98 – odločba US in 89/99) do uveljavitve tega zakona, se uporabljajo določbe Zakona o društvih (Uradni list RS, št. 60/95, 49/98 – odločba US in 89/99).

### **60. člen (razveljavitev določb podzakonskih aktov)**

(1) Z dnem, ko začne veljati ta zakon, prenehajo veljati:

- pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu na področju zdravstvenega varstva (Uradni list RS, št. 30/96), razen 2. in 3. člena;
- pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu na področju žrtev vojnega nasilja (Uradni list RS, št. 89/98), razen 3. člena;
- pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu na področju gospodarstva (Uradni list RS, št. 71/97);
- pravilnik o podelitvi statusa društva, ki deluje v javnem interesu na področju športa (Uradni list RS, št. 80/01), razen 5. in 6. točke 6. člena;
- pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu (Uradni list RS, št. 33/97);
- pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu na področju izvajanja družinske politike (Uradni list RS, št. 27/01), razen prvega odstavka 2. člena in 1., 3., 4., 5., 6. in 7. točke 3. člena, v napovednem stavku 3. člena pa se za besedo »izpolnjuje« doda beseda »še«;

49/98 – Dec. of the CC and 89/99) shall cease to be in force. Until the adoption of the regulation provided in Article 54 of this Act, the provisions of the Rules on Keeping the Register of Societies (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 22/96 and 4/00) shall apply.

(2) In the case of applications for the registration of a society submitted pursuant to the provisions of the Societies Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 60/95, 49/98 – Dec. of the CC and 89/99) the provisions of the Societies Act shall apply until the entry into force of this Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 60/95, 49/98 – Dec. of the CC and 89/99).

### **Article 60 (Abrogation of the provisions of implementing regulations)**

(1) On the day of the entry into force of this Act, the following shall cease to be in force:

- the Rules on the criteria for granting the status of a society operating in the public interest in the field of health care (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 30/96), with the exception of Articles 2 and 3;
- the Rules on the criteria for granting the status of a society operating in the public interest in the field of victims of war aggression (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 89/98), with the exception of Article 3;
- the Rules on the criteria for granting the status of a society operating in the public interest in the field of the economy (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 71/97);
- the Rules on the criteria for granting the status of a society operating in the public interest in the field of sport (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 80/01, with the exception of points 5 and 6 of Article 6);
- the Rules on the criteria for granting the status of a society operating in the public interest (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 33/97);
- the Rules on the criteria for granting the status of a society operating in the public interest in the field of family policy (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 27/01), with the exception of paragraph one of Article 2 and points 1, 3, 4, 5, 6 and 7 of Article 3, whereby the word "also" shall be added before the word "fulfils" in

- navodilo o pridobitvi statusa društva, ki deluje v javnem interesu na področju obrambe ter varstva pred naravnimi in drugimi nesrečami (Uradni list RS, št. 11/97), razen druge alineje 2. člena, s tem, da se besedilo »in zakonom o gasilstvu (Uradni list RS, št. 71/93)«, črta;
  - pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu na področju socialnega varstva (Uradni list RS, št. 37/97);
  - pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu na področju vojnih veteranov in urejanja vojnih grobišč (Uradni list RS, št. 68/96), razen 3. člena;
  - pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu na področju vzgoje in izobraževanja (Uradni list RS, št. 95/99), razen sedme do vključno sedemnajste alineje 6. člena;
  - pravilnik o podelitvi statusa društva, ki deluje v javnem interesu na področju raziskovalne dejavnosti (Uradni list RS, št. 24/05 in 42/05), razen drugega odstavka 5. člena;
  - pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu na področju zunanjih zadev (Uradni list RS, št. 11/03), razen šeste, sedme in devete alineje 4. člena;
  - pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu na področju kmetijstva, gozdarstva, lovstva, ribištva, veterinarstva ali prehrane (Uradni list RS, št. 52/98, 60/98, 98/99 – ZZZiv in 45/01-ZZVR1);
  - pravilnik o kriterijih za podelitev statusa društva, ki deluje v javnem interesu na področju vojnih invalidov (Uradni list RS, št. 89/98), razen določbe 3. člena.
- the introductory sentence;
  - the Instructions on acquiring the status of a society operating in the public interest in the field of defence and protection against natural and other disasters (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 11/97), with the exception of the second indent of Article 2, but the wording "and the Fire Service Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 71/93)" shall be deleted;
  - the Rules on the criteria for granting the status of a society operating in the public interest in the field of social care (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 37/97);
  - the Rules on the criteria for granting the status of a society operating in the public interest in the field of war veterans and the regulation of war cemeteries (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 68/96), with the exception of Article 3;
  - the Rules on the criteria for granting the status of a society operating in the public interest in the field of education and schooling (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 95/99), with the exception of indents 7 to 17 of Article 6;
  - the Rules on the criteria for granting the status of a society operating in the public interest in the field of research activities (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 24/05 and 42/05), with the exception of paragraph two of Article 5;
  - the Rules on the criteria for granting the status of a society operating in the public interest in the field of foreign affairs (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 11/03), with the exception of indents 6, 7 and 8 of Article 4;
  - the Rules on the criteria for granting the status of a society operating in the public interest in the field of agriculture, forestry, fisheries, veterinary services or nutrition (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 52/98, 60/98, 98/99 – ZZZiv and 45/01 – ZZVR-1);
  - the Rules on the criteria for granting the status of a society operating in the public interest in the field of the war disabled (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 89/98), with the exception of Article 3.

(2) Določbe podzakonskih aktov, ki po določbah prejšnjega odstavka niso razveljavljene, ostanejo v veljavi še največ dve leti po uveljavitvi tega zakona. Do izdaje predpisa iz 54. člena tega zakona se uporabljajo tudi evidence, vzpostavljene na podlagi teh predpisov.

(2) The provisions of implementing regulations which have not ceased to be in force under the provisions of the preceding paragraph shall continue to be in force for a period not exceeding two years after the entry into force of this Act. The records created pursuant to these

regulations shall also apply until the adoption of the regulation referred to in Article 54 of this Act.

**61. člen**  
**(uveljavitev zakona)**

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

**Article 61**  
**(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.