THE ENVIRONMENTAL PROTECTION ACT

CONTENTS:

I. BASIC PROVISIONS
   2. Basic Principles

II. PROTECTION OF A NATURAL PUBLIC GOOD
   2. Concession to a Natural Public Good

III. PUBLIC SERVICES IN THE FIELD OF ENVIRONMENTAL PROTECTION

IV. SPECIFIC MEASURES OF ENVIRONMENTAL PROTECTION
   1. Regulations
   2. Licenses
   3. Restrictions, Orders, and Prohibitions
   4. Officer for Environmental Protection and Ecological Accounting
   5. Incentives

V. RESEARCH, PROGRAM, AND PLANNING OF ENVIRONMENTAL PROTECTION
   1. Research
   2. National Environmental Protection Program
   3. Environment Vulnerability
   4. Comprehensive Assessment of Environmental Impact

VI. INTERVENTIONS IN THE ENVIRONMENT AND ENVIRONMENTAL REHABILITATION PROGRAMS
   1. Environmental Impact Assessment
   2. Environment Rehabilitation Programs

VII. MONITORING ENVIRONMENTAL AND THE ENVIRONMENTAL PROTECTION INFORMATION SYSTEM
   1. Environment Monitoring
   2. Environmental Protection Information System
   3. Environmental Report

VIII. FINANCING OF ENVIRONMENTAL PROTECTION
   1. Financial Obligations of the Party Responsible
   2. Tax Relief and Incentives
   3. Public Expenditure for Environmental Protection
   4. Funds

IX. ENVIRONMENTAL PROTECTION COUNCIL

X. PUBLIC ADMINISTRATION RESPONSIBILITIES

XI. CHAMBER OF EXECUTORS

XII. CRIMINAL OFFENCES

XIII. TRANSITIONAL AND CONCLUDING PROVISIONS
   I. BASIC PROVISIONS
I. Basic provisions


Article 1  
(Purpose of the Law)

(1) This Law comprises the basic provisions regulating the protection of human existence and the inseparably linked natural environment (hereinafter "environmental protection") as a constituent part of regulation of development in the Republic of Slovenia (hereinafter "Republic").

(2) To satisfy the environmental needs of present and future generations, the aim of environmental protection is the preservation, improvement, and development of the integrity, diversity, and quality of natural elements, natural ecosystems, natural resources, and the natural treasure they represent.

(3) The regulation of development, the exploitation and use of space, and other activities affecting the environment must represent a balance between developmental and environmental needs as a basic condition of healthy and enduring development (i.e., sustainable development).

Article 2  
(Management of Environmental Protection)

(1) Environmental protection is the responsibility of the Republic, except in matters of local character and significance which affect only a local population and can be managed independently by local authorities or in cases which the law designates as appertaining to municipal development.

Article 3  
(Aims of Environmental Protection)

(1) The basic aims of environmental protection are:

1. the continuing preservation of the vitality of nature, biological diversity and autochthonous biological species, and ecological balance;

2. preservation of the diversity and quality of natural resources, the natural genetic pool, and productive soil;

3. preservation and restoration of the diversity and the cultural and esthetic worth of the landscape and natural assets; and

4. preservation of the biological living conditions of all forms of life.

(2) The operative aims of environmental protection are:

1. reducing consumption of natural resources and energy;

2. gradual transition to the use of renewable natural resources;

3. prevention of threats to the environment and reduction of environmental strain; and

4. remedying of environmental damage and the reestablishment of the regenerative capacity of the environment.

(3) In order to guarantee sustainable development, the aims of environmental protection also include:

1. adoption of patterns of production and consumption which contribute to minimizing the consumption of natural resources and the production of waste; and

2. development and application of such technologies which reduce or avoid environmental strain.

(4) Environmental protection derives from the principle that the measure of all means and norms of environmental protection is human health, well-being, and quality of life and the survival, health, and well-being of all living organisms.

Article 4  
(Guarantees of Environmental Protection)

(1) Environmental protection shall be guaranteed by:

1. the Republic;

2. Districts and Municipalities (hereinafter "local authorities");

3. Citizens and other members of the population as individuals or organized in associations, professional and other organizations, and other non-governmental organizations for environmental protection;

4. Officials of public services, specific departments in the domain of public services, and public authorities in the domain of environmental protection; and

5. Parties responsible for environmental strain.

Article 5  
(Definitions)

(1) For this Law, the following definitions apply:

1. The environment is that part of nature which is or could be influenced by human activity. The natural environment comprises primordial nature and nature that has been transformed by man. The human environment is that part of the environment which influences man directly. Within this Law, developed or other technological environments are part of the environment only as factors of environmental change.

1.1. Nature is the whole of the material world and the structure of natural laws governing its mutually linked and interdependent elements and processes.

1.2. Natural elements are the soil, water, air, flora, and fauna which comprise the lithosphere, pedosphere,
hydrosphere, atmosphere, and biosphere. Man is a constituent part of nature.

1.3. Natural factors are physicochemical processes, relief, climate, hydrographical and biological conditions, and other factors which cause changes in the environment. Environmental factors also include the influences of human activity.

2. An ecosystem is a dynamic system of biotope and biocoenosis which appears as a combination of natural elements and natural factors which react reciprocally as a functional unit.

2.1. A habitat is the usual biotope of an individual organism or population.

3. Natural goods are those components of nature essential for the satisfaction of human needs and interests and may include or be a natural public good, a natural resource, or a natural asset. Rare, precious, or more valuable natural goods are natural treasure.

3.1. A natural public good is an undeveloped part of the landscape, underground, water, sea, and air public good which is equally accessible to all.

3.2. Natural resources are renewable or non-renewable natural elements which are directly or indirectly economically exploitable.

3.3. Natural assets are, in addition to a natural heritage, other valuable phenomena, components, or parts of living or non-living nature, natural regions or parts of natural regions, plant and animal species and their biotopes, ecosystems, parts of the natural and cultural landscape, and objects of developed nature.

4.1. An activity affecting the environment (hereinafter "activity") is any permanent or temporary human action or discontinuation of such action which results in an artificial change in the environment, an environment strain, or the restriction of natural change, and pertains in particular to the following:
   - exploitation and use of natural goods;
   - exploitation and use of space;
   - production and other activities;
   - distribution and use of materials;
   - emissions into water, air, or soil, the disposal and collection of waste, and other environmental impacts.

4.2. A prohibited activity is an activity which causes excessive strain, threat, or damage to the environment.

5.1. Emission is the release of substances (solid, liquid, or gas) or energy (noise, vibration, radiation, heat, light) from an individual source into the environment.

5.2. Immission is the concentration of substances and other phenomena in the environment as a result of emissions and the working of natural and anthropogenic factors.

5.3. Waste is any object or substance in solid, liquid, or gas form which a producer or holder cannot or does not wish to use himself or does not need, which inconveniences or harms him, or which in the interest of environmental protection or other public interest must be processed, transformed, or disposed of according to regulations.

5.3.1. Municipal waste is household waste and other similar waste produced by the manufacturing or service industries, in residential areas, and in areas and objects in public use which is predominantly solid and heterogeneous in content. Because of the diffusion of its sources of origin and the quantities produced, the treatment of municipal waste shall be ensured at the local level.

5.3.2. Municipal sewage is waste with the characteristics of municipal waste which is predominantly liquid and therefore requires special technology for collection and purification.

6. Environmental strain, regardless of whether the strain itself or its consequences are involved, is any activity or effect of an activity which exclusively or in concert with others has caused or is causing environmental pollution, the depreciation of the environment, risk or damage to the environment, and the use or exploitation of natural goods.

6.1. An allowable environmental strain is a strain which does not exceed the prescribed norms or framework of a licensed activity.

6.2. An excessive environmental strain is a strain which exceeds the prescribed norms or framework of a licensed activity.

6.3. A total strain is the sum of the impact and effects of several similar components. An integral strain is the sum of the impact and effects of all existing heterogeneous components.

6.4. The warning limit value is the limit value prescribed by law at which harmful effects are probable if exposure is repeated. This value is the basis for warnings and recommendations.

6.5. A critical environmental strain is a strain which exceeds the critical values prescribed by law and is the basis for the imposition of special measures necessary for the prevention of harmful impact even during brief exposure.

7.1. Environmental pollution, regardless of whether the act of polluting or the pollution itself is involved, is an harmful impact or effect of an activity which reduces the neutralizing and regenerative capacity of the environment and the possibility for its use and exploitation and causes material damage.

7.2. Depreciation of the environment is the harmful impact and effects of activities which cause the degradation of natural assets and natural conditions for the quality of life.

7.3.1 Environmental risk is the possibility that an activity will directly or indirectly harm the environment or human life or health.
7.3.2. A danger to the environment is an excessive risk which in view of the high degree of probability of an event happening or the extent of possible damage is no longer acceptable, except through the fulfillment of particularly exacting security measures.

8. Environmental damage is the result of an activity which exceeds the regenerative capacity of the environment and the framework of a licensed activity and means the larger scale degradation or destruction of the environment or a part of the environment.

9.1 An ecological accident is an extraordinary event or sequence of events which are no longer under control or which occurs because of an controlled impact or an activity and results in a threat to human life and health, destruction, environmental damage, or critical environmental strain.

9.2. Abuse of the environment is an intentional or negligent act or omission of a mandatory procedure which results in an ecological accident, environmental damage, or the destruction of a natural treasure.

10. A party responsible for an environmental strain is any legal or physical person, regardless of whether he acts according to private or public law, directly or indirectly, who exclusively or in concert with others pollutes the environment (polluter), degrades the environment (agent of environmental degradation), causes risk to the environment (agent of environmental risk), or uses, exploits, or in any other manner encroaches upon elements of the environment (user of natural goods).

11. The environmental burden is everything connected with the use of property or prescribed by law and unpaid costs of a party responsible for an environmental strain.

12.1. A protected natural treasure is a geographically distinct region (protected area) or another distinct part of nature set aside for special protection due to its remarkableness and rarity and to preserve its ecological and other functions. The status of protected natural treasure is the basis for an individual or collective special management regime and the mode and degree of protection (protection regime).

12.2. The status of endangered environment is the basis for a special regime, prescribed in accordance with this Law, for a rehabilitation program, the establishment of a new state, or the restoration of a previous state of an individual area, individual ecosystem, or another part of the natural goods (rehabilitation regime).

13. Environment monitoring is the continuous observation and supervision of the state of the environment through the systematic measurement of specific parameters of environmental elements at selected places and related supervisory procedures intended for the discovery of changes in the environment from the viewpoint of these parameters.

2. Basic principles

Article 6
(The Principle of Unity)

(1) The unity of the system of environmental protection shall be guaranteed by the Republic and the local authorities through planning and programs, through regulations and a system of licenses, incentives and tax relief, taxation and public finance policy, supervision, and other measures.

(2) The Republic and the local authorities guarantee those collective measures which are necessary to achieve the aims of environmental protection.

(3) The Republic and the local authorities are obliged to provide public services in the field of environmental protection when negative environmental impact can not be avoided by action of the party responsible himself or by services provided by the private sector.

Article 7
(Principle of Cooperation)

(1) The prior cooperation of those parties cited in Article 4 must be provided for in any institutionalized approach to environmental protection.

(2) The Republic guarantees cooperation and solidarity in the solution of global and international questions of environmental protection by adopting international agreements, by informing other states of ecological disasters and threats to the environment, and by the international exchange of information.

(3) The local authorities guarantee cooperation and solidarity in the solving of regional environmental issues.

Article 8
(Principle of Prevention)

(1) Every activity must be planned and implemented in a way which will cause the least possible change in the environment; present the least environmental risk; minimize the consumption of space, raw materials, and energy during construction, production, distribution, and utilization to the greatest extent possible; include consideration of the principles of recycling and regeneration; and forestall or limit environmental impact from the start.

(2) The implementation of the preceding paragraph stresses the use of the highest developed level of tested and proven concepts, equipment, and production methods.

(3) Non-compliance with the application of concepts, equipment, and production methods cited in the preceding paragraph is not permissible in cases of activities if it can be reasonably assumed that the nature and magnitude of long-term effects can not be foreseen.
(4) Where there is the danger of serious and irreparable damage to the environment, lack of scientific certainty may not be used as a reason for postponing necessary action.

Article 9
(Principle of Liability of Party Responsible)
(1) The party responsible shall be held criminally and financially liable in accordance with the law.
(2) The liability cited in the preceding paragraph also pertains to a party who through his illegal or incorrect actions enabled or allowed the pollution of the environment.
(3) The party responsible or his legal successor is obliged to clean up the source of pollution and the effects of its direct or indirect pollution of the environment.
(4) Ownership changes to companies and other legal persons or other forms of property transfer must include an assessment of and determination of responsibility for the environmental pollution. Any transfer of ownership must also include settlement of existing liability claims.

Article 10
(Principle of Restitution for Environmental Damage)
(1) The party responsible shall cover the entire cost emanating from an environmental strain according to the regulations. The cost shall not be assessed in such a way as to generate profit for the party responsible at the expense of the society or the quality of the environment.
(2) The provisions of the preceding paragraph also apply to imported commodities (dumping of imported commodities).
(3) Depending on the type and form of an environmental strain, the costs cited in Paragraph 1 include the regular cost of environmental protection, the cost of compensation for the depreciation of and danger to the environment, damage to health, the cost of cleaning up environmental damage, taxes, and indemnities.
(4) To encourage the reduction of environmental strains, an environmental tax may be prescribed concerning the level of a environmentally harmful constituents of raw materials, fuels, or products; the harmfulness of their use; the harmfulness of certain industrial processes or services; or the production of waste.

Article 11
(Principle of Mandatory Insurance)
(1) In accordance with the law, a party responsible for an environmental risk must be insured against responsibility for damage to third parties, the Republic, or the local authorities which might result from an ecological accident.
(2) The Government may prescribe conditions and security bonds for compensation for possible damages due to the contamination of the environment.

Article 12
(Principle of Mandatory Subsidiary Measures)
(1) In accordance with Article 65, the Republic or the local authority must eliminate the consequences of an environmental strain and bear the costs of mitigating damage which can not be attributed to particular or identifiable responsible parties, or if these are questionable, or when certain critical conditions can not be otherwise eliminated or ameliorated.
(2) If in a case cited in the preceding paragraph, the party responsible is subsequently identified, the Republic and the local authority which covered the costs of mitigating the damage are entitled to repayment.
(3) The provisions stated in Paragraphs 1 and 2 also apply in cases where no legal basis exists for the imposition on the party responsible of liabilities arising from the consequences of environmental damage.
(4) The Republic must also act in accordance with the principle of mandatory subsidiary measures in cases when the source of environmental damage is beyond its borders and when the issue of environmental damage to the territory of Slovenia caused by a source in another state has not been settled.

Article 13
(Principle of Incentives)
(1) Within their jurisdiction, the Republic and the local authorities are obliged to encourage those activities which reduce the depletion of the productive potential of the environment, primarily the consumption of material and energy and prevent or restrict environmental pollution below permissible pollution levels.
(2) The Republic encourages through tax relief activities which prevent or minimize environmental pollution. For provision of tax relief, the principle applies that environmentally sound installations, technologies, equipment, products, services and activities shall receive greater privileges than those less environmentally sound.

Article 14
(Principle of Freedom of Information)
(1) Information shall be open to the public on the state of and changes to the environment, the procedures and activities of bodies of the Republic and the local authorities, executors of public services, and bearers of public authority in the field of environment.
(2) The parties cited in the preceding paragraph are obliged to inform the public and to provide information to interested individuals, organizations, and institutions in the prescribed manner.
(3) All parties who in the conduct of their business strain the environment in any way or in any form must provide public information about the environmental strain caused.

Article 15
(Principle of Protection of Rights)

(1) To exercise their right to a healthy and clean environment, individual citizens, their associations, unions and organizations may file a suit with the court demanding the termination of an activity if that activity poses or will pose an immediate threat to the environment, a critical environmental strain or damage, or a direct danger to the life and health of people, or that the commencement of such an activity be prohibited if the likelihood of the above-mentioned effects can be demonstrated with great certainty.

(2) The suit cited in the preceding paragraph may only be filed if all other available legal means have been exhausted. The court will only decree the measures contained in the preceding paragraph if it is not possible to prevent the consequences by other means.

(3) To exercise their right to a healthy and clean environment, the parties cited in Clause 6 of Paragraph 1 of Article 56 of this Law have the right to be a party in consent procedures for activities if the decision on the matter may encroach upon this right.

(4) The Minister appointed for the protection of human rights and basic freedoms shall be responsible for the protection of the right of citizens to a healthy and clean environment.

II. PROTECTION OF A NATURAL PUBLIC GOOD


Article 16
(A Natural Public Good)

(1) A natural public good comprising ecosystems of arable lands, forests, the underground world, water systems, the sea, and infertile land is the property of the Republic or the local authorities. The distinction between a natural public good belonging to the Republic and a natural public good belonging to a local authority and the general conditions for its exploitation shall be established by law.

(2) A natural public good may be exploited only in ways which do not threaten its substance or impair its natural role.

(3) The principle cited in the preceding paragraph applies in setting conditions for the acquisition of special rights for the use of a natural public good and in the case of the regulation of other conditions prescribed for its use (secondary uses).

(4) The status of natural public good for a particular area shall be assigned, annulled, or reinstated by government or local authority regulation. The regime of use shall be defined with the proclamation of the status.

(5) The status cited in the preceding paragraph may only be reinstated or cancelled on the basis of planning laws.

Article 17
(Natural Resources)

(1) Water, minerals or mineral ores, wild animals such as deer and fish, and other wild economically exploitable water flora and fauna in open waters and fishing seas are the property of the Republic. The Republic and the local authorities are responsible for the protection of the air.

(2) The acquisition and enjoyment of property rights to land and forests may not threaten their ecological function.

(3) Categories of natural resources which are considered natural treasure, their protection, and conditions for economic exploitation of natural resources shall be prescribed by law.

(4) In prescribing the conditions cited in the preceding paragraph under which qualitative or quantitative economic exploitation may encroach on natural resources, their scarcity, endangerment, and ability to regenerate must be taken into consideration.

Article 18
(Natural Assets)

(1) Categories of natural assets and natural assets which are considered to be natural heritage and are natural treasure, are defined by law. The law defines criteria for classification of a natural asset as a heritage of the Republic or of local significance.

(2) General conditions for the exploitation of a natural asset, the establishment of the status of natural public good for a natural asset, and general regulations for use, methods, and conditions of enjoyment and exploitation which shall guarantee the protection of the natural assets and natural heritage shall be defined by law.

(3) Defining the conditions and regulations cited in the preceding paragraph must derive from the protection of the valuable qualities of natural assets.

Article 19
(Protection of Natural Treasure)

(1) The status of protected natural treasure shall be proclaimed by a law or in cases of a natural treasure of local significance by a regulation adopted by the local authority in accordance with the law on natural treasure in general or on specific examples, groups, or categories of natural treasure.
(2) The laws or regulations cited in the preceding paragraph shall contain provisions determining:

1. the purpose of the protection;

2. the borders of a protected area or the extent and the components of other protected natural treasure;

3. the regime of protection and eventual imposition of a more specific protection regime with a special act; and

4. the administrator, his rights, obligations, and specific duties until the adoption of a detailed protection regime.

(3) The protection regime cited in the preceding paragraph specifically includes:

1. defining the level of significance of a natural treasure or its parts;

2. defining the degree and method of protection;

3. defining the conditions and measures for maintaining the integrity, diversity, and quality of a natural treasure or its parts; and

4. other specific conditions and measures.

(4) Tax relief, incentives, compensation, or indemnities relating to the seizure or restriction of rights emanating from the prohibition or restriction of use or exploitation of a natural treasure shall be defined by an act.

Article 20
(Right of Expropriation and Preemption)

(1) Property rights on real estate situated on territory which has the status of a protected natural treasure may be seized or restricted in the interest of the Republic or the local authority according to procedures and in accordance with compensation standards prescribed by law for the following reasons:

1. to enable the public use of a natural public good;

2. to prevent the exploitation of specific rare and difficult to renew natural resources;

3. to enable the protection and public use and enjoyment of a natural heritage; and

4. to enable the ecological, protective, and other legally defined public functions of natural goods.

(2) In the event of the sale of real estate situated on the territory of a protected natural treasure, the Republic and the local authority have the right of preemption.
2. Concession to Natural Goods

Article 21
(Form and Payment of a Concession)

(1) The Republic or a local authority may grant against payment a concession to natural goods which are their property to a legal or private party (hereinafter "concessionaire").

(2) Payment for a concession granted to natural goods which are the property of the Republic shall be allotted to the Republic and to the local authority in proportions defined on the basis of criteria prescribed by the Government.

(3) A concession may be granted to natural goods if all environmental protection conditions defined by this Law for activities and for the protection of a natural treasure are fulfilled. A concession may only be granted on the basis of public tender, except in cases when public tender is meaningless because of the dependence of the concession on the locality.

(4) The form of a concession to a natural public good may be only the right to its management or to specific and subsidiary use.

(5) The form of a concession to a natural resource is the right to its economic exploitation when the exploitation is an activity of the concessionaire or when the natural resource is a dominant component of the concessionaire's activity.

(6) The form of a concession to a natural treasure may be the right to its management, use, or exploitation.

(7) In the acquisition of a concession on the basis of public tender, priority rights may be recognized. The criteria and method for the recognition of priority rights are prescribed by the Government and give particular consideration to the needs of the local population, the demographic threat to the area, and past or existing rights of concessionary character.

Article 22
(Licenses)

(1) In cases not cited in Paragraphs 4, 5, and 6 of the preceding Article of this Law, it is necessary to obtain a license from the Minister responsible for particular natural goods for their use and exploitation if the law does not provide otherwise.

Article 23
(Concession Act)

(1) The basis for granting a concession to natural goods is a Concession Act.

(2) A Concession Act is a ruling by the Government or a local authority. A Concession Act granting a concession to a foreign legal or private person may only be a law. In cases when according to this Law a public tender is not necessary for granting a concession, a Concession Act shall be a ruling by the Minister responsible for specific natural goods.

(3) A Concession Act specifically contains the following:

1. a definition of natural goods for which the concession is given;

2. the form of the concession and a definition of the extent and possible exclusive character of the concession;

3. the definition of conditions of environmental protection, conditions of the protective regime, and the method of management, use, or exploitation of natural goods;

4. a description of the activity which may be undertaken by the concessionaire in connection with the rights which are the subject of the concession;

5. conditions which must be fulfilled by the concessionaire;

6. possible public authorization of the concessionaire;

7. the commencement and duration of the concession;

8. the area to which the concession appertains;

9. payment for the concession and the share allotted to the Republic and to the local authority;

10. authorization for supervision of the execution of the concession;

11. grounds and methods for the cessation of the concession;

12. obligations of the concessionaire regarding rehabilitation, restoration, or compensation of the previous state of the environment; and

13. authorizations and conditions for making a concessionary contract and the commencement of its validity.

Article 24
(Other Questions Regarding Concessions)

(1) Regarding the acquisition and selection of concessionaires, public tenders, questions related to a concessionary contract, the protection of concessionaires and resolving of disputes, the cessation of a concessionary relationship, the transfer of a concession, a mandatory concession, a force majeure, and a concessionaire's responsibility for actions of employees, the regulations contained in the law governing the administration of public services shall be appropriately applied if this Law does not provide otherwise.
III. PUBLIC SERVICES IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 25
(Republic Public Services)

(1) Services for the protection of forests, farm land, waters and water regulation, the sea, the underground world, and the protection of a natural public good, natural resources, and natural assets shall be regulated by law.

(2) Mandatory Republic public services in the field of handling special, dangerous, and radioactive wastes, the dumping of their remains, the protection of the soil and the karst, and other activities of environmental protection shall be determined and regulated by law.

Article 26
(Mandatory Local Public Services)

(1) Mandatory local public services are:
1. the supply of drinking water;
2. the disposal and purification of municipal waste and precipitation water;
3. the handling of municipal waste;
4. the dumping of the remains of municipal waste;
5. public hygiene and cleaning of public areas; and
6. maintenance of public ways and sabulous and green areas.

(2) The public services cited in Paragraph 1 are provided independently, directly, and mandatorily by a district if they are not provided by a wider local authority or by several districts together.

(3) If a mandatory public service is not provided according to the preceding paragraph, it shall be provided by the Republic on the territory of the local authority and at its expense. The manner of implementation shall be determined by the Government by an act executed by the Minister responsible for environmental protection (hereinafter "Minister").

(4) Standards of supply, classification of buildings and facilities, technical, maintenance, and organizational standards, standards of management, methodologies for establishing prices, for keeping registers of executors and cadasters of buildings and facilities, and other standards and norms for the execution of services cited in Paragraph 1 shall be set by the Minister.
IV. SPECIFIC MEASURES FOR THE ENVIRONMENTAL PROTECTION

1. Regulations

Article 27
(Permissible Emission Levels)

(1) The Government shall classify and regulate permissible emission levels for substances and energy into the ground, water, and air as well as related mandatory measures.

(2) In addition to the permissible levels cited in the preceding paragraph, warning and critical levels shall be prescribed as well.

(3) For its territory, a municipality may prescribe more stringent levels and related measures than those cited in the preceding paragraph.

(4) For an area having endangered environment status, a local authority may prescribe more stringent warning emission levels than those cited in Paragraph 2.

(5) Setting the levels cited in the preceding paragraphs must derive from the entire and integral environmental strain.

Article 28
(Status of Endangered Environment)

(1) The status of endangered environment and the regime of rehabilitation shall be determined by the Minister.

(2) The regulation contained in the preceding paragraph shall contain particular mandatory conditions, provisions, measures, and standards for the realization of the rehabilitation program and the mandatory restoration of or compensation for the former state of the environment. The regime of rehabilitation shall stem primarily from the criteria of the entire and integral environmental strain.

(3) If the provisions of Paragraph 1 relate to matters of local significance, the status of endangered environment shall be determined by a regulation of the local authority.

(4) The status of endangered environment and the regime of rehabilitation shall be determined according to kind and class of environmental threat and measures prescribed by the Government.

Article 29
(Regulations of Protection and Order)

(1) The classification and protection of wild animal and plant species and their habitats from the perspective of preserving biological diversity and the natural balance and related regulations shall be prescribed by the Government.

(2) In matters relating to environmental protection, a local authority shall regulate by special order:

1. conditions and manner of use, behaviour on, and other management of public areas of local significance; and

2. areas which must be specially protected from environmental strain, time limits of operation, and other measures of protection.

Article 30
(Rules of Action)

(1) In cooperation with other competent Ministers, the Minister may prescribe rules of action in production, trade, and consumption relating to the minimization and accumulation of substances, emissions, energy, packaging, wastes and risks; the substitution of substances, energy, and packaging; recycling, transportation, storage, warnings, labelling, and security; and other types of mandatory action.

(2) The Minister shall prescribe the classification of wastes, mandatory actions, and other conditions for:

1. collection, classification, storage, and transport of wastes;

2. import, transit, and export of wastes;

3. recycling, composting, and other methods of reusing wastes;

4. destruction and other methods of waste treatment; and

5. disposal of waste.

(3) In cases cited in the preceding paragraph, the Minister may issue recommendations.

(4) For mandatory local public services defined by this Law, a local authority may prescribe more stringent rules of action than those prescribed according to Paragraph 2.

Article 31
(Consent and Prohibition for Import)

(1) The Minister shall determine cases in which the ecological inspection of permanently or temporarily imported goods is mandatory; cases in which the permanent or temporary import and export and the transit of certain goods through the territory of the Republic shall be prohibited; and cases in which it is necessary to obtain the prior consent of the Ministry responsible for environmental protection (hereinafter “Ministry”).

(2) The Minister shall determine the manner of execution of the ecological inspection of permanently or temporarily imported goods.
2. Licenses

Article 32
(Licenses for Mobile Facilities and Tests)

(1) For environmental protection, a license must be obtained for the use of mobile facilities from the Minister. A complaint may be lodged in the event a license is denied.

(2) A component part of a petition for the issuing of a license is a projection of the operation and a report on the environmental impact of the operation.

(3) For the elaboration of the report cited in the preceding paragraph, the provisions contained in Article 56 of this Law shall apply. For the procedure of issuing a license, the provisions contained in Articles 60 and 63 shall apply.

(4) If the exploitation or use of space for the operation of mobile facilities is necessary, a license must be obtained according to the regulations which govern the exploitation or use of space. In the case of activities in areas having the status of natural heritage, a license may be issued only with the consent of the Minister responsible for the protection of the natural heritage.

(5) The provisions cited in the preceding paragraphs shall also apply in cases of temporary, limited trials of other facilities and procedures for environmental protection.

(6) A list of facilities and procedures cited in Paragraphs 1 and 5 shall be prescribed by the Minister.

Article 33
(Licenses for Exceptions)

(1) In urgent or occasional cases, the Minister may issue the party responsible for an environmental strain a license for the temporary or occasional extraordinary environmental strain.

(2) In cases of the licenses cited in the preceding paragraph relating to natural heritage areas, licenses may only be issued with the consent of the Minister responsible for the protection of the natural heritage.

(3) In cases of local responsibility, the licenses cited in the preceding paragraphs shall be issued by the competent local authority.

3. Restrictions, Regulations, and Prohibitions

Article 34
(Temporary Protection)

(1) In accordance with his official duty or after an initiative by an organization or an individual, the Minister may temporarily protect all or part of individual natural goods and define the conditions and method of that protection if it is justifiably considered to have the characteristics of a natural treasure.

(2) In addition to the extent, conditions, and measures of protection applied according to Paragraph 3 of Article 19 of this Law, an order of temporary protection shall also establish the time period for which the temporary protection status shall be in force, which may not be longer than two years.

Article 35
(Exceptional Measures)

(1) In accordance with the principle of mandatory action, in times of ecological accident or damage to the environment, the Minister may demand from the party responsible or the competent authority the mandatory rehabilitation, reestablishment, or the restitution of previous conditions, urgent intervention, and the introduction of exceptional measures for protection, with the consent of the Minister responsible for the protection of individual natural goods, the Minister responsible for health, and in cases requiring civil defense and rescue measures the consent of the Minister responsible for civil defense and rescue.

(2) If in the process of issuing a license for an activity to a party responsible for an environmental strain, the restitution for the devaluation of or danger to the environment has not been specified but the criteria cited in Paragraph 2 of Article 78 of this Law have been fulfilled, the Minister shall require at the request of the affected population the mandatory preparation of the materials cited in Clause 6 of Paragraph 1 of Article 56 and at his discretion require a contract according to Paragraph 3 of Article 78 of this Law.

(3) The provision cited in the preceding paragraph shall be applied with changes to the criteria cited in Paragraph 2 of Article 78 of this Law.

Article 36
(Inspection Measures)

(1) The Republic inspector responsible for the supervision of environmental protection shall decide on measures necessary for the elimination of sources and consequences of excessive environmental strain in time limits which he shall impose.

(2) If in cases cited in the preceding paragraph the inspector estimates that a rehabilitation program is necessary for their elimination, he shall recommend to the Minister the preparation and execution of a rehabilitation program.

(3) If the party responsible for an environmental strain does not act according to the decisions cited in the preceding paragraph, the Republic inspector shall prohibit:

1. the operation of the facility or equipment;

2. the use of a substance;

3. the use of a technological process, machine, means of transport, or product; and
Article 37
(Temporary Restriction of Activity)

(1) If the regulations contained in Articles 27 and 30 of this Law do not clearly restrict an activity or operation, the Minister may restrict by decree for a specified period for the whole or part of the territory of the Republic the execution of an activity or operation which is the cause of critical environmental strain which can not be eliminated through other measures.

(2) In accordance with the provisions cited in Paragraphs 3 and 4 of Article 27 and Paragraph 4 of Article 30, the restriction cited in the preceding paragraph may also be invoked by a local authority.

Article 38
(Warnings to the Population)

(1) In cooperation with the Ministers responsible for health and for civil defense and rescue, the Minister shall prescribe warnings, recommendations, and exceptional measures for cases of the exceeding of maximum levels cited in Paragraph 2 of Article 27.

(2) A district or municipality may prescribe the warnings and recommendations in cases cited in Paragraphs 3 and 4 of Article 27, and a municipality may prescribe the exceptional measures cited in the preceding paragraph.

(3) In the license for an activity, the obligation to warn, instruct, and advise the population shall be stipulated if the environmental impact report suggests that the intended activity represents an environmental risk.

Article 39
(Manufacturer's Warning)

(1) A manufacturer or seller may not market raw materials, semi-processed goods, or finished products without a visible label stating the environmental strain which a product or its packaging causes or might cause. The label shall also carry instructions for the use or handling of a product and its packaging in production, marketing, consumption, and disposal in accordance with the standards and regulations for handling in force.

Article 40
(Obligation of Notification and Cooperation)

(1) Anyone aware of the existence of a threat to the environment, a critical environmental strain, or damage to the environment is obliged to notify the environmental inspectorate or other body of the Republic or the local authority immediately.

(2) The obligation cited in the preceding paragraph applies to anyone aware of an ecological accident.

(3) In the execution of their duties, the police and other authorized official persons are obliged to report immediately to the environmental inspectorate information which pertains to acts, occurrences, new sources, and appearances of environmental strain.

(4) Administrative and other bodies of the Republic and of local authorities are obliged to cooperate with and assist the environmental inspectorate in the discovery of phenomena damaging to the environment and information about the party responsible for an environmental strain.

4. Environmental Protection Officers and Ecological Record Keeping

Article 41
(Environmental Protection Officer)

(1) A legal person directly responsible for an environmental strain is obliged to appoint an environmental protection officer.

(2) An environmental protection officer may be an employee of the party responsible for an environmental strain or another person who satisfies conditions prescribed by the Minister.

(3) An environmental protection officer:

1. provides for the implementation of environmental protection regulations by the party responsible for an environmental strain;

2. recommends measures for the prevention or elimination of the effect of an environmental strain to the party responsible for the strain;

3. provides information in accordance with Article 14 of this Law;

4. cooperates with competent bodies of the Republic and of local authorities in matters of environmental protection; and

5. executes other tasks in the field of environmental protection according to his authorization.

(4) The party responsible for an environmental strain must guarantee suitable working conditions and the professional independence of the environmental protection officer.
(5) The party responsible for an environmental strain must inform the Minister and the local authority of the area where he is based of whom he has appointed as environmental protection officer and of his mandate.

Article 42
(Ecological Record Keeping)

(1) Persons engaged in a commercial or non-commercial activity must as part of its operation conduct ecological record keeping which shall contain energy and material consumption records together with the nature and characteristics of an environmental strain. Records must be kept in the prescribed manner.

(2) A producer or holder of waste must keep records on the nature, characteristics, and quantities of waste in the prescribed manner.

(3) The Minister, after obtaining the opinion of other competent Ministers, shall prescribe the extent, content, and manner of ecological record keeping and evidence for specific types of activities as well as the content and manner of presentation of the data to the Ministry.

5. Incentives

Article 43
(Environmental Labelling)

(1) The manufacturer of a product intended for general consumption may be awarded an environmental label if the production, distribution, consumption, and final disposal of the product if compared to similar products it places substantially less strain on the environment than the applicable regulations allow.

(2) The conditions and procedures for the acquisition and the use of the label shall be prescribed by the Minister.

(3) The selection procedure shall be carried out on the basis of public competition by the Republic Institute for Environmental Protection in cooperation with the Republic Institute for Health, the Republic Institute for Standardization and Metrology, and consumer protection organizations.

(4) The environmental label shall be awarded by the Minister.

Article 44
(Recognitions and Awards)

(1) Recognitions and awards for achievements in the field of environmental protection shall be awarded in the manner and under conditions specified in the preceding Article for the following:

1. technological solutions and achievements;
2. research and development projects;
3. achievements in the field of education;
4. contributions by organizations, professional associations, other non-governmental environmental protection organizations, and individuals; and
5. the prevention of negative effects of environmental strains.

V. RESEARCH, PROGRAM, AND PLANNING OF ENVIRONMENTAL PROTECTION

1. Research

Article 45
(Environmental Protection Research and Projects)

(1) The mandatory components of the National Research Program shall be the directives for basic and applied research and development projects in the field of environmental protection.

(2) The Ministry will contribute to the preparation of the program cited in the preceding paragraph by:

1. providing suggestions and recommendations for the content of the National Research Program on environmental protection;
2. mandatory provision of views on research and development programs pertaining to environmental protection;
3. defining other research programs from the viewpoint of environmental protection; and
4. cofinancing development projects pertaining to environmental protection.

(4) After prior coordination with the Ministry responsible for research activity, the Ministry may independently finance research and development projects in the field of environmental protection.

Article 46
(Institute for Environmental Protection)

(1) Research in the field of environmental protection shall be undertaken by research organizations and other legal and physical persons that fulfill the conditions prescribed for research activities.

(2) As a guarantee of complex research and a comprehensive approach to research into environmental protection, the Institute for Environmental Protection of Slovenia shall be established as a public research institute according to the regulations governing research activities.

(3) The Institute cited in the preceding paragraph shall undertake the functions of a citizens' service for environmental protection, a professional service for the body responsible for the protection of human rights and
basic freedoms in matters of environmental protection, an independent information service, and a functioning link with related foreign non-governmental organizations.

2. National Environmental Protection Program

Article 47
(Preparation of a National Environmental Protection Program)
(1) Parliament shall adopt a National Environmental Protection Program at the recommendation of the Government.

(2) The National Environmental Protection Program shall contain the goals, guidelines, and strategy for environmental protection and the use of natural goods for a period less than ten years. The program shall be coordinated with national programs and plans in other fields.

Article 48
(Contents of the National Environmental Protection Program)
(1) The National Environmental Protection Program shall specifically include:

1. the state of the environment, environmental strains, and their impact on the health of the population;
2. the assessment of the state of the environment, individual natural goods, and their endangerment;
3. long-term projections of environmental trends and conditions;
4. attainable goals and methods of their realization;
5. necessary financial means and their sources;
6. priority tasks and projects; and
7. analysis of expected costs and benefits.

(2) The National Environmental Protection Program shall be divided into global, national, regional, and local levels.

Article 49
(Operating Programs)
(1) The goals and tasks of the National Environmental Protection Program shall be clearly assigned to operating programs for periods of two to five years.

(2) The operating programs cited in the preceding paragraph shall be prepared by the Ministry in cooperation with other competent Ministries and shall be adopted by the Government.

3. Vulnerability of the Environment

Article 51
(Environment Vulnerability Study)
(1) Planning, programs, and projecting of activities and the provision of guidelines for development planning must be based on an environmental vulnerability study.

(2) An environmental vulnerability study for the entire territory of the Republic, specified for individual regions according to the regulations governing development planning, shall be prepared by the Ministry in cooperation with other Ministries.

(3) An environmental vulnerability study shall be prepared by a local authority for its territory if a study is not prepared under a wider local authority or in cooperation with other local authorities.

Article 52
(Contents of an Environmental Vulnerability Study)
(1) An environmental vulnerability study shall be based on ecosystem divisions and shall involve the qualitative and quantitative analysis of the environment and its components, its sensitivity to activities, the regenerative and neutralizing abilities of the environment, the levels reached of total and integral environmental strain and endangerment, the assessment of acceptable levels of environmental strain and suggested levels of protection against environmental strain including areas in which new activities are not allowed due to excessive environmental strain.

(2) The principles for the determination of the ecosystem divisions and the methodology for the preparation of environmental vulnerability studies on the Republic and local levels shall be prescribed by the Minister in coordination with the Ministers responsible for health, for the protection of individual natural goods, and for civil defense and rescue.
Article 53
(Levels of Environmental Protection)

(1) On the basis of the environmental vulnerability study, Parliament or the local authorities shall determine the levels of environmental protection from environmental strains which shall be the mandatory basis for:

1. development planning acts of the Republic and local authorities;
2. sector plans for the administration of natural goods defined by the law;
3. consents for specific activities; and
4. the preparation of rehabilitation programs.

(2) Within the framework of environmental protection levels, areas shall be defined on which new activities may be allowed only if collective and other measures are adopted to prevent the rise of total and integral environmental strains above or to guarantee their reduction below the levels stipulated in Paragraph 4 of Article 28 of this Law.

(3) Parliament or a local authority shall examine any decision passed in accordance with Paragraph 1 of this Article at least every five years and modify or supplement it as necessary.

VI. ACTIVITIES AND REHABILITATION

1. Assessment of Environmental Impact

Article 55
(Assessment of Environmental Impact)

(1) To realize the principle of prevention and to assess the compatibility of an envisaged activity with technical and other regulations and environmental characteristics of the location, an environmental impact assessment shall be carried out to determine the acceptability of the intended activity relative to its direct and indirect long and short term effects on the environment.

(2) An assessment of environmental impact must be carried out for those intended activities which are subject to a consent procedure and which could significantly affect the environment and which involve:

1. the exploitation and use of soil, water, forests, minerals or mineral ores, or other natural goods;
2. the construction, modification, operation, or decommissioning of facilities and equipment;
3. technological and other changes related to the extraction, production, storage, transport, and use of raw materials, semi-processed goods, finished products, and energy;
4. the introduction or marketing of new products; and
5. the trail introduction of new products and technologies.

(3) The assessment of environmental impact shall be based on the environmental impact report which is a constituent part of the application to obtain a license for an activity.

Article 56
(Contents of an Environmental Impact Report)

(1) An environmental impact report shall include:

1. a description of the existing state of the environment which could be affected by a project, including the measurement of existing environmental strain (the zero state of the environment);
2. a description of the characteristics of the project;
3. a description and assessment of the anticipated effects of a project on the environment, including a description of the methods of evaluation;
4. a description and assessment of environmental protection measures, of the selected technologies and materials, including grounds for such selection, attestations, and certificates;
5. a description and assessment of environmental strains on and changes in the state of the environment which are
the result of the impact of the project, including an assessment of the potential total and integral environmental strain;

6. a description of the location and a list of all parties involved in cases when special measures and stipulated restitution are prescribed for the danger to or depreciation of the environment, including an assessment of their suitability;

7. warnings regarding the completeness of the project and the report and problems connected with their preparation; and

8. a summary of the environmental impact report containing a final appraisal comprehensible to the general public.

(2) The environmental impact report must include all the necessary technical and graphical components in a form suitable for public representation, except in cases when these components are part of the project itself

(3) The environmental impact report must be prepared by an authorized legal or physical person.

(4) Categories of environmental strain which must be assessed, categories and scope of assessments, the methodology for the preparation of an environmental impact report, and conditions for obtaining the authorization cited in the preceding paragraph shall be prescribed by the Minister after consultations with Ministers cited in Paragraph 3 of Article 54.

Article 58
(Preliminary Consultation Procedure)

(1) When the Law prescribes a preliminary consultation procedure for the granting of a license for an activity, the competent Ministry or a competent body within its jurisdiction shall determine the obligation to prepare an assessment and the scope of the environmental impact report for cases cited in the preceding Article.

(2) If in the execution of the regulations contained in Article 57 of this Law it is not clear whether the initiative has been given on the basis of Paragraph 2 of Article 57, the Ministry or body cited in the preceding paragraph shall ask the Minister for an opinion or decision.

(3) If the procedure cited in Paragraph 1 of this Article is not prescribed, the party responsible for the planned activity may ask the Ministry to define the environmental protection conditions and the scope of the environmental impact report in accordance with the provisions contained in Article 56 of this Law.

(4) To satisfy the requirements of the procedure cited in Paragraphs 1 and 3 of this Article, a request for the definition of environmental protection conditions must include information about the type, size, and nature of the intended activity and about the environmental characteristics of the location.

Article 59
(Enviromental Consent)

(1) When it is necessary to carry out an environmental impact assessment according to Article 57 to obtain a license for an activity, the competent body must draw up a decision which before its implementation must be forwarded together with the project and all other documentation to the Ministry for consent.

(2) The Ministry must grant or deny the consent by a special confirmation of the decision or by a special act (hereinafter "environmental consent") within two months of the day the consent is requested if an investigation procedure or the resolution of a prior issue for an environmental impact report is unnecessary. In other cases, the Ministry must give a decision on an environmental consent within three months.

(3) If the Ministry denies an environmental consent, it must give reasons why it believes the proposed activity is not acceptable or it must demand the completion or modification of the project.

(4) If no special consent is necessary in cases of activities in the domains of the protection of health of humans, animals, and plants, safety at work, other forms of protection against danger, and the protection of natural goods, the competent Ministries must give opinions to the Minister at his request within a reasonable time which shall be defined by the Minister before an environmental consent is issued.

(5) A license for an activity issued contrary to the provisions contained in Paragraph 2 of this Article shall be null and void.
Article 60
(Participation of the Public)

(1) If the Ministry does not deny an environmental consent because of incompatibility of the project with the regulations, before the consent is issued the Ministry must guarantee the public presentation of the report cited in Article 56 of this Law or of the complete project if the report does not contain all the relevant information cited in Paragraph 2 of the same Article and guarantee its public discussion and a public hearing for the party responsible for the activity.

(2) A public announcement including a citation of the affected persons, the places and the times of the presentation, the public discussion, and the hearing cited in the preceding paragraph shall be published in the public media and announced in the usual local manner. The public notice shall contain a summary of the environmental impact report with the concluding assessment and the method of public contribution of opinions and comments. The public presentation must last at least 15 days.

(3) Irrespective of the regulations cited in the preceding paragraphs, a public presentation, discussion, and hearing are not necessary in a renewed decision making procedure which is the result of an adjustment to opinions and comments given in the initial procedure.

(4) The Ministry shall announce its decision on an environmental consent in the public media within eight days of issuing the consent. The decision must include a statement that the opinions and comments made in the public presentation, discussion, and hearing have been considered.

(5) The costs of realizing the public presentation, discussion, and hearing shall be borne by the party responsible for an intended activity.

Article 61
(Assessment of Fulfillment of Environmental Protection Conditions)

(1) When a technical inspection, a trial operation, or any other preliminary process is prescribed for the issuing of an operating or other license for an activity for which an environmental consent has been issued, the Ministry must be included in its execution in order to establish the congruence of the executed activity with the components of the project that have been subject to an environmental impact assessment.

(2) In cases when a trial run is prescribed, the congruence cited in the preceding paragraph shall be ascertained on the basis of the environmental monitoring procedure which has been set for the project.

(3) A license cited in Paragraph 1 issued contrary to the provisions contained in this Article shall be null and void.

Article 62
(changed conditions)

(1) If upon the issuing of an environmental consent but prior to the issuing of the license cited in the preceding Article conditions have changed significantly due to the law or the regulations adopted on its basis and the environmental protection conditions that they prescribe which were the basis of the consent, the Ministry shall require from the party responsible for an activity the completion of the project and the report and on the basis of these and with his consent the change of the provisions of the license for an activity.

(2) If the change of the scope or type of an operation allowed by an operating license would cause a change of environmental impact, prior to operation an operator must obtain an operating license which has been changed in the light of the changed environmental protection conditions.

(3) In the procedure for changing the provisions cited in Paragraph 1, the provisions of Article 60 of this Law shall not be applied.

Article 63
(Notification of Neighbouring Countries)

(1) When an intended activity could directly influence the environment of neighbouring countries, to fulfill the conditions of reciprocity the Ministry shall through the Ministry for Foreign Affairs inform these countries about the intended activity and send them the project of the intended activity and the environmental impact report.

2. Rehabilitation Programs

Article 64
(Obligation for Preparation and Execution)

(1) Within a time period determined by the Minister, a party responsible for an excessive environmental strain shall be required to prepare a rehabilitation program for the elimination of the sources and consequences of the excessive strain.

(2) A party responsible for an excessive strain must obtain the consent of the Minister prior to the commencement of a rehabilitation program. At the request of the Minister, the competent Ministries must give their opinions before the issue of a consent.

(3) In accordance with the preceding paragraph, the execution deadlines in the time schedule of the rehabilitation program may be shortened or extended.

(4) During the execution of a rehabilitation program, the Minister may extend individual deadlines set in the time schedule of the rehabilitation program at the request of the party responsible for the excessive environmental strain if reasonable grounds exist for such an extension.
Article 65
(Subsidiary Responsibility of the Republic)

(1) If the party responsible for an excessive environmental strain, the depreciation of the environment, an environmental threat, or damage to the environment can not be determined or remains questionable, or if a comprehensive rehabilitation plan must be prepared for an area which has the status of endangered environment, or in other cases in which the Republic is responsible for an environmental strain, a rehabilitation program shall be drawn up and executed by the Ministry.

(2) The order of priority of rehabilitation programs cited in the preceding paragraph shall be determined by the Government.

(3) If environmental effects are of local significance, the preparation and execution of rehabilitation programs and their order of priority shall be determined by the local authority.

(4) In cases cited in Paragraph 1, a municipality must ensure the preparation and execution of rehabilitation programs for its territory.

Article 66
(Content of Rehabilitation Programs)

(1) A rehabilitation program shall specifically contain:

1. an analysis of environmental strains and the total level of environmental strain;
2. alternative technological and other solutions;
3. a calculation of the long term rationale for the solutions selected in the light of the environmental impact;
4. a time schedule for the implementation of the program; and
5. a financial plan including the presentation of the cost for the depreciation and threat to the environment.

(2) A rehabilitation program shall also contain the introduction of a new state of the environment or the restoration of the previous state of the environment.

(3) The mandatory technical basis for a rehabilitation program shall be a study which includes the content of the environmental impact report cited in Article 56 of this Law.

(4) Categories of rehabilitation programs, their scope and more detailed content, and the methodology for the preparation of a rehabilitation program shall be prescribed by the Minister after obtaining opinions from the Ministers responsible for the protection of individual natural goods.

VII. MONITORING ENVIRONMENTAL AND THE ENVIRONMENTAL PROTECTION INFORMATION SYSTEM

1. Environmental Monitoring

Article 67
(Environmental Monitoring)

(1) The monitoring of natural phenomena, pollution, and emissions into the environment (hereinafter “environmental monitoring”) shall be carried out in the Republic.

(2) Environmental monitoring of natural phenomena shall include the observation and supervision of meteorological, hydrological, erosional, seismological, radiological, and other geophysical natural phenomena (monitoring of natural phenomena).

(3) Monitoring of environmental pollution shall include the observation and supervision of immissions in the soil, water, air, the animal and plant worlds, and the health of ecological conditions (immission monitoring).

(4) Monitoring of environmental pollution shall include the observation and supervision of emissions into the soil, water, and air (emission monitoring).

Article 68
(Responsibilities of the Republic and Local Authorities)

(1) The establishment and operation of a Republic monitoring network to monitor natural phenomena and immissions shall be provided by the Republic directly or as a public service. In this framework, regular information about the results of the monitoring and related warnings shall be made available to the public through the public media and other means. In this framework the Republic shall provide early warning of potential dangers.

(2) In the context of the tasks cited in Paragraph 1, intervention monitoring and monitoring of diffuse sources of pollution is also provided.

(3) If more detailed or special monitoring in cases cited in the preceding paragraph is in the interest of other parties or local authorities, it shall be provided after discussion with the Ministry responsible for the particular type of monitoring.

(4) Municipalities are required to establish and operate more detailed and special networks for immission monitoring and the monitoring of emissions from diffuse sources of pollution on their territory.

Article 69
(Responsibility for Republic Environmental Monitoring)

(1) Monitoring of natural phenomena shall be provided by the Ministry in cooperation with the Ministry responsible for civil defense and rescue.
(2) Immission monitoring shall be provided:

1. for soil, water, and air (including noise and radiation) by the Ministry in cooperation with the Ministry responsible for agriculture and forestry and the Ministry responsible for health;

2. for flora and fauna by the Ministry in cooperation with the Ministry responsible for agriculture and forestry and the Ministry responsible for the natural heritage; and

3. for environmentally healthy conditions by the Ministry in cooperation with the Ministry responsible for health.

(3) The classification of phenomena subject to monitoring and common methodological starting points shall be prescribed by the Government.

(4) The monitoring scheme, methodology for the operation, conditions for the qualification of executors of the monitoring cited in Paragraphs 1 and 2, the quality of the equipment, and the necessary accreditation and manner of regular provision of information to the public shall be prescribed in statutes by the Ministers according to their responsibilities as cited in the preceding paragraphs.

Article 70
(Obligations of Other Persons)

(1) Monitoring procedures which must be provided for an activity by a party responsible himself or through other persons include:

1. monitoring of individual sources of emission; and

2. monitoring of immissions caused by his straining of the environment, and when necessary the monitoring of natural phenomena influenced by his activity.

(2) A party responsible for an environmental risk must provide preventive monitoring for the prevention of excessive environmental strain or endangerment.

(3) A party responsible for an environmental strain must provide all the necessary monitoring of the effects of rehabilitation measures. In cases cited in this Law in which the Republic or a local authority carries out a rehabilitation program, the necessary monitoring of the effects of a rehabilitation program must also be provided.

(4) In cooperation with other competent Ministers, the Minister shall prescribe categories of emission, immission, and phenomena subject to the monitoring cited in the preceding paragraphs as well as the methodology of sampling, measuring, and recording the data.

(5) Along with regulations cited in the preceding paragraph, cases shall be determined for which, because of the specificity of the monitoring, monitoring shall be prescribed by order of the Minister.

(6) The Minister shall determine the conditions which must be fulfilled by the executor of the monitoring, the quality of the equipment, and the necessary accreditation.

Article 71
(Monitoring Data)

(1) The persons cited in the preceding Article must report the data from emission and preventive monitoring to the Ministry and data from immission monitoring and the monitoring of effects of rehabilitation measures to the competent Ministries in accordance with Article 69 of this Law.

(2) The manner and form of reporting the data cited in the preceding paragraph shall be prescribed for individual categories of monitoring by the competent Ministers.

(1) Data cited in Paragraph 1 and from Article 69 of this Law shall be kept by the competent Ministries and are official.

Article 72
(Verification of the Quality of Monitoring)

(1) As a public service, the Republic shall guarantee the verification of the quality of environmental monitoring including verification of the quality of measurements, the execution of methodologies, the qualifications of staff, and the quality of equipment used.

(2) The provider of the public service cited in the preceding paragraph must be a person with officially recognized qualifications for the verification of quality according to regulations pertaining to accreditation and certification in the field of standardization.

(3) The assessment of the public service cited in Paragraph 1 shall be the basis for the acquisition or loss of authorization or accreditation by executors of environmental monitoring.

2. Environmental Protection Information System

Article 73
(Purpose and Holders)

(1) The Ministries shall ensure the operation and maintenance of an environmental protection information system.

(2) The environmental protection information system shall specifically include information on:

1. natural elements, phenomena, factors, and ecosystems;

2. natural goods;

3. environmental strains;
Slovenia: Environmental Protection Act (1993)

4. use of material and energy;
5. dangerous substances;
6. origin and distribution of waste;
7. emissions according to their sources;
8. parties responsible for environmental strain;
9. parts of the environment with protected or endangered status;
10. environmental damage, ecological accidents, and abuse of the environment;
11. health and ecological conditions of the population;
12. facilities and equipment intended for environmental protection;
13. financial means and costs of environmental protection;
14. public services, organizations, and institutions engaged in environmental protection and their authority;
15. regulation, standards, and norms for environmental protection; and
16. the state of techniques, technology, and metrology in the field of environmental protection.

(3) The contents, executors, and holders of cadasters, registers, records, and other databases cited in the preceding paragraph, reporting units, methodology of data collection, storage, treatment, and distribution of data, and their official and mandatory inclusion in international information systems shall be prescribed by the competent Ministers.

(4) The reporting units cited in the preceding paragraph must provide data which are necessary for the environmental protection information system in the prescribed manner.

(5) The Minister shall prescribe the structure, common basis and categories, and levels of aggregation of data contained in the environmental protection information system.

Article 74
(Environmental Statistics)

(1) In cooperation with other competent Ministers, the Minister shall determine the environmental statistics which shall be kept in the framework of the national program of statistical research.

3. Environmental Report

Article 75
(Environmental Report)

VIII. FINANCING OF ENVIRONMENTAL PROTECTION

1. Financial Obligations of the Party Responsible

Article 77
(Regular Costs)

(1) To reduce and maintain environmental strain below permitted levels, a party responsible for an environmental strain shall bear the following costs:

1. costs of his own measures (investment and operating costs, costs of monitoring cited in Article 70, costs of informing the public, etc.);
2. costs of public services and other environmental protection activities;

(2) A party responsible for an environmental strain shall bear the costs of establishing a new state or the restoration of the previous state of the environment in cases of the exploitation of natural goods, including the costs of monitoring and supervising their effects.

Article 78
(Compensation for Causing Depreciation of or Danger to the Environment)

(1) A party responsible for the depreciation of or a danger to the environment shall pay compensation for:

1. losses to the practical value of real estate;
2. losses in the quality of the living environment; and
3. losses to the value of real estate and lost profit.

(2) Categories of activities, criteria for determining their environmental impact, and criteria for determining the minimum compensations cited in the preceding paragraph shall be prescribed by the Government.

(3) In an application for a license for an activity cited in the preceding paragraph, a party responsible for the depreciation of or a danger to the environment must include a contract with those negatively affected regarding compensation or proof that a suit for its determination has been entered before the court.

(4) In cases of violation of the stipulations cited in the preceding paragraphs, the license for the activity shall be null and void.

(5) The stipulations cited in this Article do not exclude contracts regarding compensation between a party responsible for an environmental strain and the affected persons in other cases.

Article 79
(Costs of Eliminating Effects of Environmental Damage)

(1) A party responsible for environmental damage shall bear all the costs of its elimination, specifically:

1. costs of urgent intervention at the time of the damage necessary for the limiting and prevention of damaging effects on the environment and health of the population;
2. his own and indirect costs of rehabilitation, establishing a new state of the environment or the restoration of the previous state of the environment, and the monitoring of the effects of rehabilitation and effects of the environmental damage;
3. costs of preventing the formation of the same or similar environmental damage;
4. costs of compensation to persons directly affected by the environmental damage.

(2) If several parties are responsible for environmental damage and the share of individual parties responsible is not possible to determine, they shall bear the costs jointly.

Article 80
(Taxes and Compensation)

(1) A polluter must pay a tax for environmental strain to water, soil, air, and the production of waste.

(2) A user of natural goods which are the property of the Republic or a local authority shall pay compensation for their exploitation and use.

(3) The basis for determining the tax shall be the category and quantity of pollution and for determining compensation, the category and scope of the exploitation and use of the natural goods.

(4) The levels of the tax and compensation, the manner of their payment, and the criteria for their reduction or exemption shall be determined by the Government. In cases of excessive environmental strain, the level of the tax shall be increased depending on the quantity and duration of the pollution.

(5) For natural goods of local significance, the compensation cited in Paragraph 2 shall be determined by the local authority. If the pollution concerns only the local population, the local authority may also prescribe taxes cited in Paragraph 1.

2. Tax Relief and Incentives

Article 81
(Provisions)

(1) The reduction of the tax rate or exemption from payment of the tax for an environmental strain during the execution of a rehabilitation program shall be determined by the Minister after an application from the party responsible who must include with the application a rehabilitation or other program for the minimization of pollution. The reduction of or exemption from payment of the tax for an environmental strain shall not last longer than the average time span necessary for the execution of similar investment work. A complaint may be lodged against the decision to reduce or exempt the payment of taxes.

(2) The Government may prescribe a deposit or other forms of security for manufacturers who guarantee in an organized fashion for the return of exhausted or unusable devices, technologies, products, or packaging or in other organized fashion minimize the negative effects of their activity, and for the consumers who return used or unusable devices, technologies, products, or packaging to the manufacturer.

3. Public Expenditure for Environmental Protection
Article 82
(General Expenditure)

(1) The Republic shall finance the following:

1. administrative, professional, and supervisory tasks of the Republic in the field of environmental protection;

2. the monitoring cited in Paragraphs 1 and 2 of Article 68 of this Law;

3. the environmental protection information system;

4. measures to encourage activities which contribute to perceptible reductions in the use of material and energy and to the prevention and minimization of environmental strain;

5. tax incentives, compensation, and indemnities connected with the seizure or limitation of rights due to the protection of all or part of a natural treasure;

6. subsidies and incentives for local public services, devices, and technology for environmental protection and for technologies and products which are environmentally sound;

7. research and development projects in the field of environmental protection;

8. special forms of environmental education and the stimulation of environmental awareness;

9. aid for associations, interest groups, and other non-governmental environmental protection organizations;

10. Republic public services for environmental protection which provide services for users who are not identifiable or the use of which can not be measured; and

11. other environmental protection activities provided by the Republic to benefit the public in the field of environmental protection.

(2) Local authorities shall finance the activities cited in the preceding paragraph for environmental protection matters of local significance.

Article 83
(Costs of Management and Mandatory Measures)

(1) The Republic and the local authorities shall ensure the financing for the protection, preservation, and management of natural goods which are their property.

(2) The Republic and the local authorities shall ensure the financial means for cover the costs of mandatory measures.

(3) The costs cited in the preceding paragraph shall be divided between the Republic and a local authority depending on the scope, category, and form of an environmental strain and its effects. In cases cited in Paragraph 4 of Article 65 of this Law, the costs shall be borne by the municipality.
4. Funds

Article 84
(Environmental Fund of the Republic of Slovenia)

(1) The Environmental Fund of the Republic of Slovenia (hereinafter "Fund") shall be constituted as a financial institution for the purpose of providing loans at favourable interest rates for investments in the field of environmental protection.

(2) The Fund shall be a public legal person with rights, duties, and responsibilities determined by law and by the regulations of the Fund.

(3) The Fund shall function in its own name and on its own account.

Article 85
(Bodies of the Environmental Fund)

(1) The Fund shall be administered by an Administrative Board consisting of a president and four members. They shall be appointed or dismissed by the Government from a list of recognized experts.

(2) The work of the Fund shall be supervised by a Supervisory Board consisting of a president and two members. They shall be appointed or dismissed by Parliament on the recommendation of the Government.

(3) The Fund shall be represented and its operation led by the Director of the Fund who shall be appointed on the basis of a public competition or dismissed by the Administrative Board.

Article 86
(Regulations of the Fund)

(1) The Administrative Board shall adopt regulations of the Fund which shall determine:

1. the manner of the operation of the Fund;
2. internal organization;
3. the authorization to deputize;
4. the duties and mandate of members of the Director and the Administrative and Supervisory Boards; and
5. other important questions concerning the operation of the Fund.

(2) The adoption of the regulations of the Fund, the loan policy and financial plan of the Fund, the final accounting and report on the Fund's operation, and the appointment or dismissal of the Director of the Fund shall require Government approval.

Article 87
(Financial Resources of the Fund)

(1) The financial resources of the Fund shall be provided by:

1. income acquired on the basis of the law regulating the property transformation of enterprises;
2. dotations and donations from domestic and foreign persons and foreign countries;
3. loans from domestic and foreign persons, foreign countries, and international financial institutions in accordance with the law;
4. income acquired by the issue of bonds; and
5. income acquired from transactions and loans by the Fund.

(2) Any decision to incur a loan cited in Clause 3 of the preceding paragraph shall be taken by the Government.

(3) The Fund may acquire financial resources on the basis of the law governing the Republic budget.

(4) Financial resources for administering the Fund shall be provided in the Republic budget.

Article 88
(Use of the Financial Resources of the Fund)

(1) The financial resources of the Fund shall be used for the granting of loans for investment in:

1. Republic public services for environmental protection;
2. mandatory local public services for environmental protection;
3. devices and technologies intended for environmental protection; and
4. environmentally sound technologies and products.

(2) The financial resources of the Fund may be used to secure the funds lacking for investments by the Republic related to mandatory measures and the execution of the National Environmental Protection Program.

(3) The procedures for public tender and more detailed conditions for the acquisition of financial resources and their use shall be determined by the Administrative Board of the Fund by special regulation in accordance with the provisions of this Law.

(4) The Administrative Board shall report to the Government and the Supervisory Board to Parliament on the operation of the Fund annually or at their request.
Article 89
(Environmental Funds of Local Authorities)
(1) If a local authority establishes an Environmental Fund to encourage environmental protection activities of a local nature, the provisions contained in Articles 84 and 88 of this Law shall apply appropriately.

IX. ENVIRONMENTAL PROTECTION COUNCIL

Article 90
(Role and Status)
(1) Parliament shall establish an Environmental Protection Council (hereinafter "Council") to oversee the state of environmental protection.

(2) The Council shall have eleven members appointed by Parliament from the ranks of environmental protection experts. A member of the Council may not be a representative of an administrative or other state body.

(3) The Council shall be independent and autonomous in its work.

Article 91
(Tasks)
(1) The Council shall deal with, adopt positions on, give opinions and suggestions on, and inform the public regarding the following:

1. the state and trends in the field of environmental protection;
2. the strategy of national environmental protection policy and its coordination with international trends;
3. the harmonization of development interests of the Republic;
4. the normative regulation of environmental protection;
5. the activities of the Republic and the local authorities in the field of environmental protection;
6. individual urgent questions of environmental strain;
7. public initiatives; and
8. other tasks determined by the act of its constitution.

X. PUBLIC ADMINISTRATION RESPONSIBILITIES

Article 92
(General Tasks of Environmental Protection)
(1) general professional and related administrative tasks of environmental protection in the Republic include:

1. preparation of a national strategy of environmental protection;
2. preparation and supervision of realizing the National Environmental Protection Program and operative environmental protection plans;
3. preparation of regulations, directives, and recommendations in the field of environmental protection;
4. preparation of environmental vulnerability studies;
5. assessment of environmental impact of planned activities;
6. determination of environmental protection conditions for the exploitation, use, and administration of natural goods, if the law does not provide otherwise;
7. preparation of environmental protection measures;
8. preparation of the professional groundwork in relation to public expenditure, deductions, incentives, and tax relief in the field of environmental protection;
9. preparation of proposals for research and development projects related to environmental protection;
10. preparation of proposals for the inclusion of environmental protection material in education programs at all levels of education and for the development of public environmental awareness;
11. operation of an environmental protection information system; and
12. other matters determined by this Law or other laws or a regulation adopted on its basis.

(2) The tasks cited in the preceding paragraph shall be carried out by the Institute for Environmental Protection of the Ministry.

(3) In matters of environmental protection of local significance, the tasks cited in Paragraph 1 shall be undertaken by the competent services of local authorities.

Article 93
(Tasks of the Geological, Seismological, and Geophysical Services)
(1) The professional and related administrative tasks of the geological, seismological, and geophysical services include monitoring and recording geophysical phenomena, districting and categorization, and analytical, research, prognostic, and other professional tasks pertaining specifically to:

1. ensuring geological research of national significance;
2. supervision and verification of geological research which is not of national significance;
3. comprehensive geological survey of the structure of the lithosphere;

4. earthquakes and other dynamic phenomena of natural or artificial character;

5. erosion and other geological processes which occur in the upper layers of the earth's crust and influence its development and composition;

6. characteristics and composition of the soil and its pollution; and

7. gravitation and other fields of natural and artificial origin.

(2) In the framework of the services cited in the preceding paragraph, tasks shall be undertaken pertaining to safety and protection against geological, earthquake, and other dangers, early warning, prevention and rehabilitation, the safety of facilities and devices, recording in this field, opinions and consents defined by Law, and the exchange of information including international exchanges.

(3) The tasks cited in the preceding paragraph and related administrative tasks shall be undertaken by the Geophysical Institute of the Ministry.

Article 94
(Meteorological and Hydrological Tasks)

(1) General professional tasks of the meteorological and hydrological services include monitoring and other recording of meteorological and hydrological conditions and their districting, the execution of analytical, research, prognostic, and other professional tasks primarily pertaining to:

1. phenomena and processes in the atmosphere and hydrosphere;

2. climatology and the reciprocal influence of hydrosphere and atmosphere;

3. operation of the public meteorological information service in the framework of the world meteorological network;

4. meteorological and hydrological tasks of energy and environmental protection significance;

5. monitoring the quality of air, precipitation, and water; and

6. ionizing radiation in the atmosphere and its movement.

(2) In the framework of the services cited in the preceding paragraph, tasks shall be undertaken deriving from the demands of environmental protection, water management, defence, transport and communication, agriculture and forestry, industry, construction, health, tourism, and other activities as well as tasks pertaining to safety and protection against harmful activities of meteorological and hydrological phenomena, to the meteorological safety of air and sea transport, to user prognoses, and to providing, recording, and exchanging information.

(3) The tasks cited in the preceding paragraph and related administrative tasks shall be undertaken by the Hydrometeorological Institute of the Ministry.

(4) The Institute cited in the preceding paragraph shall undertake the role of national meteorological and hydrological center and related tasks deriving from international commitments.

Article 95
(Administrative and Promotional Tasks)

(1) Administrative tasks of public services for environmental protection in the Republic and promotional tasks in the field of environmental protection:

1. planning the development, organization, and operation of the public services for environmental protection cited in Paragraph 2 of Article 25;

2. preparation of professional groundwork for the granting of concessions for the operation of the public services for environmental protection cited in Paragraph 2 of Article 25;

3. professional supervision of executors of public services or other matters of environmental protection from Paragraph 2 of Article 25;

4. investment planning, maintenance, and management of Republic facilities and devices for the execution of activities and matters in the field of environmental protection;

5. promotion of environmental protection investments;

6. professional tasks for the Fund;

7. preparation and execution of rehabilitation programs for environmental protection; and

8. other tasks determined with this or another act or a regulation issued on their basis.

(2) The tasks cited in the preceding paragraph shall be carried out by the Directorate for Environmental Protection of the Ministry.

(3) Tasks cited in Paragraph 1 of this Article which relate to mandatory local public services for environmental protection shall be carried out by the appropriate local service.

Article 96
(Inspectorial Supervision)

(1) Inspectorial supervision in matters of environmental protection includes the supervision of the implementation of the provisions of this Law and other acts and regulations in the field of environmental protection and
the supervision of the carrying out of prescribed or ordered measures of environmental protection.

(2) The supervision cited in the preceding paragraph specifically includes the following:

1. supervision of the execution of activities and their operation, of environmental strain, and of the parties responsible for environmental strain in view of their emissions and resulting immissions and the possibility for their occurrence;
2. supervision of the state of soil, water, air, waste, immission, and general ecological conditions;
3. supervision of the management and exploitation of natural goods from the viewpoint of environmental protection conditions;
4. supervision of the activities of public services for environmental protection;
5. ecological inspection of imports and temporary imports; and
6. supervision of the execution of environmental protection measures and related avoidance of prohibitions.

(3) In accordance with the regulations cited in Paragraph 1 of Article 27 and Paragraphs 1 and 2 of Article 30 of this Law, cases shall be determined in which it is necessary to obtain the prior consent of the inspectorate for the issuing of a license prescribed for an activity.

(4) The tasks cited in the preceding paragraphs shall be carried out by the Inspectorate for Environmental Protection of the Ministry if not prescribed otherwise for specific tasks.

XI. CHAMBER OF EXECUTORS

Article 99
(Status and Membership)

(1) Legal and physical persons who carry out concessionary public services and other parties who carry out activities in the field of environmental protection, excluding public institutes and public enterprises, shall be incorporated in the General Chamber of Economy.

(2) If an independent branch organization for the field of environment protection is not organized within the framework of the General Chamber of Economy, the chamber cited in Paragraph 1 shall be organized as an independent professional and business association which is a legal person.

(3) If the Chamber is established as an independent professional and business association in accordance with the preceding paragraph, its tasks, the competence of its bodies, the composition and manner of appointment or election of members, representation, methods of adopting decisions, the rights and obligations of members, manner of financing, publication of its work, and other questions important for the functioning of the Chamber shall be determined by its own rules in accordance with the law regulating chambers.

XII. PENALTY PROVISIONS

Article 100.
(offence)

(1) A minimum 70.000 SIT fine will be imposed on a company or any other legal entity or individual committing an offence connected with the carrying out of an independent activity in the event they:

1. fail to insure against liability for damage caused by an ecological accident (11. article);
2. fail to ensure public access to the data on their own environmental strain (3. paragraph of article 14.);
3. fail to ensure the carrying out of the prescribed rehabilitation regime (2. paragraph of article 28.);
4. fail to ensure the implementation of the prescribed protection rules or rules of conduct (1. paragraph of article 29. and 1. and 2. paragraph of the article 30.);
5. operate a mobile device for environmental protection or perform a test operation or process without the necessary permit (1. and 5. paragraph of article 32.);
6. act contrary to the decision of temporary protection of an individual environmental good or its part (1. paragraph of article 34.).
7. act contrary to the temporary exceptional measures (1. paragraph of article 35.);

8. fail to ensure the adherence to the measures prescribed by the inspectorate or act contrary to them (1. paragraph of article 36.);

9. act contrary to the operational prohibition, prohibition of the use of a certain substance, technological process or product or contrary to the prohibition of the performance of an activity (3. and 4. paragraph of article 36.);

10. act contrary to the limitation of the performance of certain activities or operation (1. paragraph of article 37);

11. act contrary to the prescribed warnings, recommendations or exceptional measures (1. paragraph of article 38.);

12. act contrary to the prescribed duty to give warnings, recommendations and advice to the public (3. paragraph of article 38.);

13. introduce into circulation raw materials, semi products or products without the information of the burden to the environment they cause (article 39.);

14. do not appoint an officer for environmental protection or if they appoint a person, who does not fulfil the prescribed conditions, or if they do not report who has been appointed and what authorizations he has (1., 3. and 5. paragraph of article 41.);

15. do not keep ecological accounts or do not keep records of waste and do not forward information in prescribed manner (1. and 2. paragraph of article 42.);

16. when carrying out an activity affecting the environment, act contrary to the elements of a project which are subject to the environmental protection consent (article 59.);

17. do not elaborate the rehabilitation programme in the prescribed time (1. paragraph of article 64.);

18. start the implementation of the rehabilitation program before acquiring the necessary consent (2. paragraph of article 64.);

19. do not carry out the obligatory concession according to the order with which it has been imposed (5. paragraph of article 68.);

20. as polluters, agents of risk or agents of environmental burden do not ensure the operational monitoring, preventive monitoring or the monitoring of the effects of the rehabilitation measures (1., 2. and 3. paragraph of article 70.);

21. as performers of the monitoring, violate the prescribed conditions or do not use equipment of prescribed quality (7. paragraph of article 70.);

22. as polluters, agents of risk or agents of environmental strain do not provide monitoring data or do not provide them in the prescribed way and in the prescribed form (1. and 2. paragraph of article 71.);

23. as reporting units do not report or do not report in time the data necessary for the Environmental protection information system (4. paragraph of article 73.);

(2) A minimum 7.500 SIT fine will be imposed on the responsible person in the company or any other legal person which has committed any of the offence mentioned in the previous paragraph.

(3) A minimum 7.500 SIT fine will be imposed on the responsible person in the ministry, organ or organisation in its composition or any other state organ or local government service which commits any of the offence mentioned in the first paragraph.

(4) A minimum 7.500 SIT fine will be imposed on an individual committing any of the offences referred to in paragraph 3., 4., 5., 6., 8., 11., or 16. of this article.

(5) If the offence mentioned in the paragraph 3. to 13., 15., 16., or 18. to 22. resulted in a threat to the health an life of people, destruction or damage or critical strain of the environment or abuse of the environment, the minimum 400.000 SIT fine imposed on the legal person committing the offence or an individual committing the offence in connection with the carrying out of an independent activity, and a minimum 50.000 SIT fine shall be imposed on the responsible person of the legal person, who commits such an offence.

(6) If the offence referred to paragraph 3., 4., 5., 6., 8., 11. or 16. results in the threat to health and life of people, destruction or damage or critical environmental strain or abuse of the environment, the individual, committing such an offence shall be imposed a minimum 50.000 SIT fine.

XIII. TRANSITIONAL AND CONCLUDING PROVISIONS

Article 101

(1) The Government shall, in 9 month time following the coming into force of this Act at the latest, determine:

1. the criteria for the determination of the payment of a concessions (2. paragraph of article 21.);

2. criteria and mode of assertion of the priority right when acquiring a concession (paragraph 7. of article 21.);

3. categories, classes and criteria for the determination of the status of an endangered part of the environment and the rehabilitation regime (4. paragraph of article 28.);

4. classification and protection of the freeliving animal species and free growing plant species and their habitats
and the rules of action which are connected with them (1. paragraph of article 29.);

5. categories of activities affecting the environment for which the environmental impact assessment is necessary and other categories of environmental impact assessment (1. paragraph of article 57.);

6. classification of occurrences which are subject to monitoring and common methodological basis (3. paragraph of article 69);

7. categories of activities affecting the environment, the criteria for the determination of their impact sphere and for the determination of the compensations (2. paragraph of article 78);

8. levels of tax and compensation, the mode of their settlement, determination and payment and the criteria for their reduction or exemption form of their payment (4. paragraph of article 80);

(2) The Government shall, in 15 month time after the coming into force of this Act, adopt regulations mentioned in the 1. and 2. paragraph of article 27.

Article 102.
(Regulations of the Ministry for Environmental Protection)

(1) The Minister shall, in 9 month time after coming into force of this Act, harmonize the existing regulations or adopt:

1. methodology, standards and normative for obligatory public services (4. paragraph of article 26.);

2. classification of waste, treatment and conditions (2. paragraph of article 30.);

3. cases in which an ecological control of imported or temporary imported goods is necessary; cases in which the export, import, temporary import or export and the transit of certain goods over the territory of the Republic is forbidden; and cases in which a previous consent of the Ministry is necessary (1. paragraph of article 31.);

4. mode of implementation of ecological control of imported or temporary imported goods (2. paragraph of article 31.);

5. list of mobile devices and processes for environmental protection for the use or trial use of which a permit is necessary (6. paragraph of article 32.);

6. warnings, recommendations and exceptional measures (1. paragraph of article 38.);

7. conditions for the Officer for Environmental Protection ((2. paragraph of article 41.);

8. content and mode of keeping ecological accounts and records of waste (3. paragraph of article 42.);

9. conditions and mode of acquisition and use of the environmental label (2. paragraph of article 43.);

10. principles of ecosystem division and the methodology for the preparation of the environmental vulnerability study (2. paragraph of article 52.);

11. the details of the content and the methodology for the preparation of the comprehensive environmental impact assessment (4. paragraph of the article 54.);

12. categories of environmental strains, categories and extent of the assessment and the methodology for the preparation of the environmental impact report and the conditions for the acquiring of the authorization for its preparation (4. paragraph of the article 56.);

13. categories of rehabilitation programmes, extent, a detailed content and methodology for the preparation of the rehabilitation program (4. paragraph of article 66.);

14. categories of emissions, immissions and occurrences which are subject of monitoring, the methodology for sampling, measurements and making of evidences and the conditions for the performers of the monitoring, the quality of the equipment and the necessary accreditives (5., 6. and 7. paragraph of article 70.);

15. structure, common basis and categories and levels of data aggregation of the environmental protection system (5. paragraph of article 73.);

16. special conditions related to qualifications (article 98.).

Article 103.
(Regulations of the Ministers)

(1) Competent ministers shall, in 9 month time after the coming into force of this Act, harmonize existing regulations or prescribe:

1. project of the monitoring and the methodology for the execution of the monitoring and the conditions of the qualification of the performers of the monitoring of natural occurrences and the imission monitoring, quality of the equipment and the necessary accreditives and the mode of the regular information for the public (4. paragraph of article 69.);

2. manner and form of reporting monitoring data (2. paragraph of article 71.);

3. content, performers and holders of data bases, reporting units, methodology of gathering, storing, processing and distribution of data, their officiality and the mandatory inclusion in international information systems (3. paragraph of article 71.);

Article 104.
(National Program)

(1) The ministry competent for environmental protection shall, in 12 month time after the coming into force of this Act, prepare a draft of the national program of environmental protection.
Article 105.
(expiring of validity)

(1) With the day this Act comes into force the following laws expire:

1. Law on air protection (Official Gazette of SRS, no 13/75);
2. Law on protection against noise in the natural and residential environments (Official Gazette of SRS, no 15/76 and 29/86);
3. Law on the provision and use of instruments for environmental protection (Official Gazette of SRS, no 2/90);
4. Law on treatment of waste (Official Gazette of SRS, no 8/78 and 29/86);
5. 3. article, except 5. paragraph in the part which relates to the keeping of public parking places, and sentence 7. of 1. and 3. paragraph of this article, 4., 5., 6., first paragraph of article 7., 11. and 14. article of the Law on municipal activities (Official Gazette of SRS, no 8/82);
6. Law on hidrometeorological activities important for the whole country (Official Gazette of SFRJ, no 18/88 and 63/90);

(2) Regulations based on the laws from the preceding paragraph shall apply until new regulations have been adopted.

Article 106.
(Harmonization)

(1) The regulations of local communities shall be harmonized with the provisions of this Act in 9 month time after the coming into force of this Act.

Article 107.
(Establishment of the Inspection and the Change of Name)

(1) Until the establishment of the Environmental protection Inspectorate the tasks mentioned in article 96. of this Act shall be performed by the Republican water management inspectorate, Republican sanitary inspectorate and other inspectorates in accordance with their competencies.

(2) The Hydrometeorological agency of the Republic of Slovenia shall continue its work in the field of work prescribed by this Act and shall be renamed the Geophysical agency as an administrative agency in the composition of the ministry.

Article 108.
(The Organisation of the Fund)

(1) The Fund for environmental protection of the Republic of Slovenia shall be established and shall start to carry out its function on 1.1. 1993 or on the date, when the Republic of Slovenia pays in the financial assets from the republican budget.

(2) Until the establishment and the taking up of its functions the tasks mentioned in the article 88. are performed by the ministry.

(3) On the basis of the final account of the Fund cofinancing of programmes for environmental protection, established on the basis of the Law for the provision and use of financial means for environmental protection (Official Gazette of SRS, no 2/90) the means and obligations of the mentioned found shall be transferred to the Fund for environmental protection.

(4) To the fund still standing demands for loans, approved for environmental protection purposes in the composition of the amount of budgetary means of the ministry on the day of the establishment of the Fund, shall also be transferred.

Article 109.
(Harmonisation of Obligations)

(1) The agents of environmental aggravations shall harmonise their activities with the obligations which are set by this Law in the time-limit which shall be prescribed by regulations, necessary for the implementation of the provisions of this Act which set the obligations of the agents of environmental aggravations, if article 105. of this Act or other legally binding regulations do not provide otherwise.

(2) Rehabilitation programs which are being carried out during the coming into force of this Act, shall be carried out according to the valid regulations, and shall obtain the consent mentioned in the 2. paragraph of article 64., if they have not yet being started.

(3) The provisions of this Act relating to the environmental impact assessment shall come into force in the time-limit which shall be determined by the regulation related to in Article 57.. In cases of already started application proceedings, they can only be used with the consent of the applicant.
Article 110.
(Cessation of Membership)

(1) Public trading agencies and public companies which perform activities of environmental protection, cess to be members of the general chamber of commerce with the date of their reorganisation according to the Law on public trading services.

Article 111.
(Transferral into Ownership)

(1) Water, minerals or mineral resources, wild animals such as deer and fish, and other wild economically exploitable water flora and fauna in open waters and fishing seas shall be transferred into the property of the Republic on the date of coming into force of this Act and shall be made evident in the accounts, prepared by the competent ministries in collaboration with the ministry of finance in the time of the first year after coming into force of this Act.

Article 112.
(The Coming into Effect of this Act)

(1) This Act comes into effect on the 15 day after its publication in the Official Gazette of the Republic of Slovenia.