

## Aliens Act

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### CHAPTER I: GENERAL PROVISIONS

#### Article 1 Content of the Act

This Act shall set out the conditions for and methods of the entry into, departure from and residence of aliens in the Republic of Slovenia.

#### Article 2 Definition of terms

The terms used in this Act shall have the following meanings:

An alien shall be any person who does not have citizenship of the Republic of Slovenia.

A stateless person shall be an alien who is not deemed to be a citizen of any country in accordance with the legal acts of individual countries.

Entry shall be arrival in the territory of the Republic of Slovenia; departure shall be departure from the territory of the Republic of Slovenia.

Transit shall be passage across the national territory of the Republic of Slovenia.

Border control shall be control at the state border exercised by competent bodies in relation to an alien's intended entry into, transit through and departure from the national territory of the Republic of Slovenia.

A travel document shall be a passport, or a document equivalent to a passport if so determined by an international agreement.

A valid travel document shall be a document issued by a competent international entity, if the document

clearly shows the identity of the holder and the period of validity of the document.

Daily migrant workers shall be aliens with permanent residence in a neighbouring country to which they return and who enter into the Republic of Slovenia on a daily basis for work or for the performance of a lucrative activity.

A carrier shall be a natural or legal person involved on a professional basis in the transportation of passengers by air, sea or land.

A worker on secondment shall be a person employed by an alien employer during the implementation of contractual work in the territory of the Republic of Slovenia, where the employer is not obliged to pay social insurance contributions in the place where the services are implemented.

### **Article 3 Scope of application**

1. The provisions of this Act shall apply to all aliens, unless otherwise determined by law.
2. When this is more favourable for them, the provisions of the Convention on the Legal Status of Stateless Persons (Ur. l. RS-MP, 9/92) shall apply to stateless persons.
3. In the event that the principle of reciprocity is required to be exercised by law with respect to aliens/citizens of other countries, stateless persons may be exempted from this principle if they have resided in the Republic of Slovenia for a minimum of three years.
4. This Act shall not apply to aliens who have applied for asylum (asylum applicants) and to aliens who have been granted refugee status by the Republic of Slovenia, unless otherwise determined by law.
5. This Act shall not apply to persons who have been granted temporary refuge by the Republic of Slovenia in accordance the act governing temporary refuge, unless otherwise determined by law.
6. The provisions of this Act shall not apply to persons who enjoy privileges and immunity in accordance with international law.
7. Notwithstanding the provision of the preceding paragraph, the provisions of this Act may, exceptionally and after prior consent is obtained from the ministry responsible for foreign affairs, apply to persons who enjoy privileges and immunity under international law if the application of this Act does not contravene adopted international obligations and the principle of reciprocity. In such cases this Act may be applied only to the extent that it does not contravene adopted international obligations and the principle of reciprocity.
8. In the event of doubts as to the existence and extent of privileges, immunity and reciprocity, an explanation shall be given by the ministry responsible for foreign affairs. Other state administration bodies shall be obliged to comply with the explanation given by the ministry responsible for foreign affairs.

### **Article 4 Rights and obligations of aliens**

1. Aliens against whom criminal or civil law proceedings have been initiated must be allowed contact with the competent bodies of the country of which they are citizens by the Slovene body conducting these proceedings.
2. While staying in the Republic of Slovenia, aliens must observe the Constitution, laws and other general legal acts of the Republic of Slovenia, and comply with measures passed by competent state bodies.

## **Article 5 Migration policy**

1. At the proposal of the Government of the Republic of Slovenia, the National Assembly of the Republic of Slovenia shall adopt every two years a resolution on migration policy in which it shall set out the economic, social and other measures and activities that the Republic of Slovenia is planning to adopt in this area, as well as the Republic of Slovenia's co-operation with other countries and international organisations in this area.
2. In accordance with the resolution specified in the preceding paragraph of this Article, the Government of the Republic of Slovenia shall determine annually the number (quota) of residence permits which may be issued to aliens in the current year.
3. As part of the number (quota) specified in the preceding paragraph of this Article, the Government of the Republic of Slovenia shall separately determine the number of residence permits which shall be issued to aliens in relation to employment and work, to the performance of an independent professional or other lucrative activity, to seasonal work and to the provision of cross-border services. In relation to this, the Government shall take into account the situation and fluctuations on the labour market, and the Republic of Slovenia's requirements for and interest in labour in individual areas.

## **CHAPTER II: ENTRY OF ALIENS INTO THE REPUBLIC OF SLOVENIA**

### **Article 6 Entering and leaving the country**

1. Entry into and departure from the country shall only be permitted at border crossings and times specifically determined for this purpose.
2. The Government of the Republic of Slovenia shall issue a regulation determining all exceptions regarding the crossing of the state border for cross-border traffic, and regarding special categories of naval transport, tourist transport by sea, and coastal fishing.
3. The stay of aliens in the transit area of airports, as well as their stay on ships anchored in harbours and ports, shall not be deemed to be entry into the country.

### **Article 7 Obligation to possess a travel document**

1. For the purpose of entering and staying in the Republic of Slovenia, aliens must be in possession of a valid travel document, unless otherwise determined by law or by an international agreement.
2. Aliens who are additionally entered in a travel document may enter and leave the Republic of Slovenia only together with the person in whose travel document they are entered.
3. Aliens in possession of a group passport may enter and leave the Republic of Slovenia only in a group, where the persons included in the group passport must be in possession of a document with a photograph which shall serve as the basis for proving their identity. The group leader must be in possession of a personal travel document.
4. The Government of the Republic of Slovenia may, under conditions of reciprocity, determine that citizens of specific countries may enter and leave the country with a personal identity card or other suitable document which is prescribed by their country of origin and which can serve as the basis for proving their identity.

5. The Republic of Slovenia shall admit persons without a valid travel document but who it is obliged to admit on the basis of an international agreement or pursuant to adopted international acts.

6. The Republic of Slovenia may, on the basis of an international agreement, also admit persons without a valid travel document in the case of the transit of exiled aliens who are citizens of a country with which no such agreement has been concluded.

## **Article 8 Permit to enter the Republic of Slovenia**

In addition to the valid travel document specified in Article 7 of this Act and in order to enter the Republic of Slovenia, aliens must be in possession of a visa or residence permit, unless otherwise determined by law or by an international agreement.

## **Article 9 Refusal of entry into the Republic of Slovenia**

1) Aliens shall be refused entry into the country if:

they are not in possession of a valid travel or other suitable document in accordance with Article 7 of this Act;

they are not in possession of a permit to enter the country in accordance with Article 8 of this Act;

they do not have sufficient funds to support themselves during their stay in the Republic of Slovenia and to return to the country from which they came, or to travel to a third country;

they pose a threat to public order and peace, and to the security and international relations of the Republic of Slovenia, or if there is a suspicion that their presence is associated with the carrying-out of terrorist and other violent activities, illegal intelligence activities, drug possession and trafficking, or other criminal activities;

their re-entry into the country has been prohibited because of a previous annulment of residence (second paragraph of Article 49);

the period for which an additional sentence of expulsion, a security measure of deportation or a refusal of entry was passed has not yet expired;

at the request of the competent bodies, they cannot justify the purpose or circumstances of their intended stay (arrival) in the country;

they are in transit and it is not clear whether they fulfil the conditions for entry into the country to which they are travelling.

2) The decision to refuse entry shall be taken by the border control body on the basis of an instruction which, with respect to the existence of the reasons specified in the first paragraph of this Article, shall be issued by the minister responsible for the interior.

3) The refusal of entry shall be entered in the alien's travel document in the cases and in the manner determined in the instruction specified in the second paragraph of this Article, and shall be entered in the record of persons who have been refused entry.

## **Article 10 Border control**

1. Aliens must submit themselves to border control when they enter and leave the country.
2. In addition to personal, vehicle and item checks in accordance with the act governing control of the state border, the border control of aliens entering the country shall consist of a thorough examination of whether there are reasons for refusing entry into the country on the basis of Article 9 of this Act.
3. The border control of aliens leaving the country shall, in particular, comprise control required for protecting public peace and order, and other domestic and international interests of the Republic of Slovenia.
4. The bodies of the Republic of Slovenia responsible for exercising border control shall co-operate and ensure mutual assistance with the competent bodies of neighbouring and other countries and with international organisations, in accordance with adopted international acts.

## **Article 11 Illegal entry into the Republic of Slovenia**

Entry into the Republic of Slovenia shall be deemed to be illegal if aliens:

enter the country even though they have been refused entry on the basis of Article 9 of this Act;

evade border control;

use another person's, a forged or an otherwise modified travel or other document required for entry upon entry, or if they give false information to border control bodies.

## **Article 12 Movement of aliens in the Republic of Slovenia**

Aliens who, in accordance with the law, are not required to be in possession of a permit to enter the country may stay in Slovenia for no longer than 90 days within a period of six months, starting from the day of first entry.

## **Article 13 Leaving the country**

1. Aliens who have been permitted to enter Slovenia must leave the country by the day on which the validity of their permit expires.
2. If, during the stay of an alien who has been permitted to enter the country, reasons emerge for which the alien would otherwise have been refused entry into the country, this alien must leave the country immediately.

## **CHAPTER III: VISAS**

### **Article 14 Visas and types of visa**

1. A visa shall be a permit issued by the competent body of the Republic of Slovenia to an alien which serves as the basis, if there are no reasons for refusal, for an alien to enter the country and stay for as long as is determined by law or by the visa, or which ensures transit through the national territory of Slovenia, if the alien concerned fulfils the conditions applying to transit.
2. Visas may only be issued to aliens who are in possession of a valid travel document, where the validity of the travel document must exceed the validity of the visa by at least three months.

3. A visa shall not provide an alien with the right to employment and work, or to perform a professional or any other lucrative activity. The Government of the Republic of Slovenia shall issue a regulation determining the cases in which this prohibition shall not apply.

4. The possible types of visa shall be:

a single- or multiple-entry visa;

a transit visa;

an airport transit visa;

a group visa.

## **Article 15 Single- and multiple-entry visas**

1. A visa shall be issued for a single entry or for multiple entries into the country where neither a single uninterrupted stay nor the collective duration of a number of successive stays may exceed 90 days within a period of six months, starting from the day of first entry.

2. A multiple-entry visa may be issued for a period of one year.

3. A multiple-entry visa may exceptionally be issued for more than one year if this is in the interests of the Republic of Slovenia, which shall be determined by the minister responsible for foreign affairs, at the proposal of the competent sectoral body.

4. A single- or multiple-entry visa shall be issued for tourist, business, personal or other types of visit, or for entry into Slovenia whose purpose is similar to those listed above.

5. The purpose for which a visa has been issued must be clearly specified in the visa.

6. The Government of the Republic of Slovenia may determine the cases in which the visa specified in the first paragraph of this Article may exceptionally be issued for a longer stay, but in no case may this period exceed six months in any one year.

## **Article 16 Transit visas**

1. Aliens shall be issued with a transit visa for one, two or (exceptionally) more journeys through the national territory of the Republic of Slovenia from a specific foreign country to a specific third country, where they may, on each occasion, remain in Slovenia for no more than five days.

2. A transit visa may only be issued if the alien provides evidence that he/she is permitted to enter the country of destination.

## **Article 17 Airport transit visas**

1. Aliens who do not leave the airport transit area or the aircraft at an airport in the Republic of Slovenia shall not be required to possess a visa.

2. In cases where it believes that this is in the interests of the country, for the purpose of suppressing organised crime, or for the purpose of maintaining good relations with other countries, the Government of the

Republic of Slovenia may exceptionally issue a regulation determining that citizens of specific countries or passengers on specific routes shall be required to be in possession of an airport transit visa for their transit.

3. At their request, aliens may be issued with an airport transit visa for a specific number of transit journeys through the international area of an airport, on the basis of which they may remain in Slovenia for no more than 24 hours.

## **Article 18 Group visas**

1. A group visa shall be issued as a single-entry or transit visa for a group of aliens consisting of no fewer than five and no more than 50 persons.

2. A group visa shall be issued for a stay which may last no longer than 30 days, or in the form of a transit visa.

## **Article 19 Issuing of visas**

1. A visa shall be issued at the request of an alien if he/she is in possession of a valid travel document and if there are no legally-prescribed reasons for refusing his/her entry into the country.

2. Aliens must acquire a visa prior to their entry into the country.

3. Visas shall be issued by diplomatic/consular representative offices of the Republic of Slovenia based abroad.

4. Under conditions prescribed by the minister responsible for the interior, border control bodies may exceptionally also issue single-entry or transit visas.

5. Under conditions prescribed by the minister responsible for foreign affairs, the ministry responsible for foreign affairs may exceptionally also issue single-entry or transit visas.

6. In the request specified in the first paragraph of this Article, aliens must specify the purpose of their arrival in the country, and enclose a valid travel document into which the visa can be attached and, if necessary, documentation to prove the purpose and conditions of their visit, and a guarantee that they possess sufficient funds to support themselves and for their return.

7. At the request of the competent body specified in the third paragraph of this Article, aliens must report to the competent body in person.

## **Article 20 Refusal to issue visas**

1. An alien shall not be issued with a visa if:

there are reasons for refusing entry in accordance with Article 9, excluding the second indent of the first paragraph of Article 9;

he/she fails to enclose a valid travel or other suitable document in the request for a visa, or if he/she fails to produce any other necessary documentation at the request of the competent body;

if he/she fails to report in person at the request of the competent body.

2. Aliens may be issued with a transit visa irrespective of the existence of reasons for refusal if their transit does not contravene the interests of the Republic of Slovenia and if all the conditions specified in the second paragraph of Article 16 have been fulfilled.
3. Irrespective of the existence of reasons for refusing to issue a visa, a visa may be issued for humanitarian reasons, or if this is in the interests of the Republic of Slovenia, or on the basis of adopted international obligations. The conditions and manner of issuing a visa for humanitarian reasons shall be prescribed by the minister responsible for the interior.
4. If a visa is issued on the basis of the second or third paragraphs of this Article, the competent body may decide that the alien involved may enter the country only at a specifically-determined border crossing.

## **Article 21 Form and content of visas**

1. A visa must, in particular, contain data on:
  - the type of visa;
  - the period of validity;
  - the period during which the holder is permitted to enter;
  - the duration of stay in the country;
  - the number of entries;
  - the purpose of the visit.
2. A visa shall be a permit or decision issued in the form of a sticker which is attached to the travel or other document and which grants the holder the right to cross the state border.
3. The minister responsible for the interior shall issue instructions on the form and content of visas, in agreement with the minister responsible for foreign affairs.
4. It shall not be possible to modify data entered in a visa which has already been issued.

## **Article 22 Annulment of visas**

1. A visa may be annulled if:
  - it is determined subsequently that at the time the visa was issued the alien did not fulfil the legally-prescribed conditions;
  - it is established that the alien no longer fulfils the conditions for the issuing of a visa;
  - the alien intentionally gave incorrect data on his/her identity or any other inaccurate data, or if he/she intentionally concealed specific circumstances which have a bearing on the issuing of a visa;
  - the alien is no longer in possession of a valid travel or other suitable document;
  - expulsion or deportation from the country has been ordered against the alien.



2. A visa shall be annulled by the ministry responsible for the interior. In the event that the alien has not yet entered the Republic of Slovenia, the visa may also be annulled by the diplomatic/consular representative office which issued the visa.
3. The annulment of the visa shall be clearly marked in the travel document in which the alien is entered.
4. An alien whose visa has been annulled and who is located in the Republic of Slovenia must immediately leave the country.

### **Article 23 Leaving the country**

1. Aliens may leave the Republic of Slovenia freely in accordance with the law.
2. Aliens shall not be permitted to leave the country if criminal or misdemeanour proceedings have been initiated against them and if this is requested by the body in charge of these proceedings.
3. An official person of the body specified in the second paragraph of this Article may confiscate an alien's travel document in order to ensure his/her presence at proceedings, and must issue a receipt for the confiscated travel document.

### **Article 24 Obligations of carriers**

1. A carrier may bring an alien into the national territory of the Republic of Slovenia by land, air or sea only if this alien has the suitable travel documents and entry permits which they are required to have as citizens of a specific country.
2. If an alien is refused entry into the Republic of Slovenia, the carrier which brought this alien by air, sea or land to the state border in contravention to the preceding paragraph must immediately accept this alien and take him/her out of the country at its own expense.

## **CHAPTER IV: RESIDENCE OF ALIENS**

### **Article 25 Residence permits**

1. Aliens who wish to stay in the Republic of Slovenia for a longer period of time on the basis of a visa or who wish to enter and stay in the Republic of Slovenia for reasons other than those possible on the basis of a visa must have a residence permit.
2. A residence permit shall mean a permit to enter the Republic of Slovenia and to reside for a definite period of time and for a specific purpose, or to reside for an indefinite period of time.
3. A permit for residence in the Republic of Slovenia shall not be required for those aliens and in those cases for which the law or international agreements so determine.

### **Article 26 Types of residence permit**

1. A residence permit shall be issued as:
2. a permit for temporary residence;

3. or a permit for permanent residence.
4. A permit for temporary residence shall be issued for a specific purpose and for a specific period of time.
5. A permit for temporary residence without reference to a specific purpose may be issued to certain aliens as an unrelated permit for temporary residence under the conditions determined by this Act.
6. A permit for permanent residence shall be issued without any restrictions regarding the duration and purpose of stay in Slovenia.

## **Article 27 Conditions for issuing residence permits**

1. Aliens may be issued with a residence permit if, in addition to the special conditions set out for individual types of permit, for a specific purpose or for specific aliens, they fulfil other legally-prescribed conditions and there are no reasons for refusing to issue a permit.
2. The law or an international act may stipulate that specific aliens shall have the right to reside in the Republic of Slovenia if they fulfil the conditions determined by law or by an international act.
3. The law or an international act may stipulate that citizens of specific countries shall have the right to residence in the Republic of Slovenia irrespective of the conditions otherwise determined for aliens.

## **Article 28 Issuing of permits for first residence**

1. A permit for first residence in the Republic of Slovenia may only be issued as a permit for temporary residence.
2. Aliens must acquire a permit for first residence in the Republic of Slovenia prior to their entry into the country, unless otherwise determined by law.
3. The application for the permit specified in the first paragraph of this Article shall be filed with a diplomatic/consular representative office of the Republic of Slovenia based abroad.
4. For the permit specified in the first paragraph of this Article, a valid travel document and other documents and evidence required for justifying the issuing of a permit must be enclosed with the application.

## **Article 29 Procedure for issuing residence permits**

1. The application for a residence permit must include the purpose of residence in the Republic of Slovenia; the applicant may not change the stated purpose of residence during the procedure.
2. Aliens must attach to the application specified in the first paragraph of this Article all the evidence and documentation required for determining the actual situation regarding the purpose and justification of residence in Slovenia. If, despite warnings by the competent body, an alien fails to submit the required evidence and documentation, or if he/she fails to respond to an invitation by the competent body, the application for a permit shall be rejected.
3. A residence permit shall be clearly entered in the alien's travel document, or be issued in the form of an independent document. The manner and form of the issuing of the permit shall be prescribed by the minister responsible for the interior.

4. A permit for residence in the Republic of Slovenia may only be issued in the form of an independent document in the event that a specific alien does not have or cannot acquire a travel document from his/her home country. In these cases an alien shall be issued with a personal identity card for aliens *ex officio*.

### **Article 30 Issuing of permits for temporary residence**

1. Aliens shall be issued with a permit for temporary residence if they intend to reside in the Republic of Slovenia for the purpose of:

employment and work, and the performance of independent professional or other lucrative activities;

study, education, specialisation or advanced professional training, practical training, cooperation or participation in international volunteer exchange programmes and other programmes for young people which are not deemed to be part of formal education;

seasonal work;

reuniting of a family;

settlement;

other legitimate reasons justified by law, international acts, or international principles and practice.

2. A permit for temporary residence shall be issued for the period of time required to achieve the purpose of residence. A permit for temporary residence shall be issued to aliens in possession of a valid travel document, whose period of validity must exceed the period of time for which the permit is issued by at least three months.

3. A first permit for temporary residence may not be issued for a period exceeding one year.

4. Aliens who are in possession of a permit for temporary residence may reside in the Republic of Slovenia until the expiry of the validity of the issued permit.

5. Aliens who are issued with a permit for temporary residence for a specific purpose may reside in the Republic of Slovenia only in accordance with the purpose for which the permit was issued.

### **Article 31 Extension of residence permits and the issuing of further permits**

1. A permit for temporary residence may be extended under the same conditions under which it was issued. Aliens must file an application for an extension of the permit with the competent body in the Republic of Slovenia prior to the expiry of the validity of the permit.

2. Aliens who are in possession of a permit for temporary residence in Slovenia for a specific purpose or of an unrelated permit may, prior to the expiry of the period for which the permit was issued, file an application with the competent body in the Republic of Slovenia for a further residence permit for a different purpose.

3. The applications referred to in the first and second paragraphs of this Article shall be decided upon by the administrative unit in whose territory the alien has registered residence.

4. If the body referred to in the third paragraph of this Article rejects the application for the extension of an old permit or refuses to issue a further permit, the alien must leave the country within 15 days of the decision.

being handed down.

5. Aliens shall have the right to appeal against the decision specified in the fourth paragraph of this Article within 15 days of the decision being handed down. The ministry responsible for the interior shall decide upon appeals. An appeal shall not withhold the execution of the decision.

## **Article 32 Residence permits for employment and work purposes**

1. A permit for temporary residence may be issued to aliens who wish to settle in the Republic of Slovenia for employment, self-employment and work reasons, for the performance of work, or for the performance of any independent professional or other lucrative activity if:

the permit is issued within the framework of the number (quota) of permits that may be issued to aliens in accordance with the second and third paragraphs of Article 5 of this Act;

they are in possession of a work permit or any other permit required in accordance with the act governing the employment of aliens, or if they fulfil the conditions which are prescribed by laws and other regulations of the Republic of Slovenia for the performance of specific activities.

2. Aliens shall be issued with the permit for first residence in the Republic of Slovenia specified in the preceding paragraph of this Article for the same period for which the work permit or other appropriate permit is valid, but for no longer than one year.

3. Once it expires, the permit specified in the preceding paragraph of this Article may be extended if the conditions specified in the first paragraph of this Article are fulfilled, but for no longer than two years.

4. Aliens who reside in the Republic of Slovenia uninterruptedly for three years on the basis of the permit specified in the first paragraph of this Article may be issued with a permit for a period exceeding two years by the competent body if the conditions specified in the first paragraph of this Article are fulfilled.

5. The Government of the Republic of Slovenia shall issue a regulation setting out the cases in which the quota specified in the second and third paragraphs of Article 5 of this Act need not be observed in the process of issuing the permit specified in the first paragraph of this Article.

6. In the filing of an application for the permit for first residence specified in the first paragraph of this Article, an alien must specify whether he/she intends to exercise the right to the immigration of his/her spouse and unmarried children (minors), otherwise he/she may not exercise the right to the reuniting of a family. If they fulfil other legally-prescribed conditions, the spouse and children of an alien shall be issued with a permit for first residence as an unrelated permit, on the basis of which they shall not be permitted to perform lucrative activities.

7. The act governing the employment of aliens shall set out those cases in which the residence permit specified in the first paragraph of this Article may be issued even if the alien is not in possession of a work permit.

## **Article 33 Permits for temporary residence for study purposes**

1. Aliens accepted as students for study, education, specialisation or advanced professional training purposes in suitable educational institutions in the Republic of Slovenia shall have the right to reside in the Republic of Slovenia for the duration of their study, education, specialisation, advanced professional or

practical training.

2. The aliens specified in the preceding paragraph of this Article shall be issued with a permit for temporary residence for the duration of their study, education, specialisation or advanced professional training, but for no longer than one year. In the event that the study, education, specialisation or advanced professional training lasts longer than one year, the permit shall be extended annually.

3. The conditions for issuing the permit specified in the preceding paragraph of this Article shall be evidence of:

acceptance into the study, education, specialisation or advanced professional training course issued by the educational institution which accepted the alien as a student, or confirmation from the state body which is responsible for the implementation of international or bilateral agreements or which is the grant-awarding body, or confirmation issued by the state-authorized organisation responsible for the implementation of a specific course;

sufficient funds for support during the alien's stay in the Republic of Slovenia;

health insurance.

4. The spouse and unmarried children (minors) of an alien specified in the first paragraph of this Article shall also have the right to temporary residence in the Republic of Slovenia. The spouse and minor children shall be issued with a permit for temporary residence in the form of an unrelated permit.

5. The permit specified in the second paragraph of this Article shall be issued exclusively on the basis of the evidence specified in the third paragraph of this Article and of a valid travel document.

### **Article 34 Permits for temporary residence for seasonal work and for the cross-border provision of services involving workers on secondment**

1. Aliens shall be issued with a permit for temporary residence for seasonal work for no more than six months, or exceptionally for nine months in areas which require this amount of time.

2. Aliens shall be issued with the permit for temporary residence specified in the preceding paragraph if the conditions specified in the second and third paragraphs of Article 5 of this Act are fulfilled.

3. The permit specified in the first paragraph of this Article may also be issued on the basis of an application filed by an employer.

4. A work permit for a specific type of work or for the seasonal activity in question, as well as evidence of suitable accommodation, must be enclosed with the application for the permit specified in the first paragraph of this Article.

5. In cases where the act governing the employment of aliens requires a work permit for the provision of foreign services, aliens may be issued with a permit for temporary residence for the duration of the contractual work; however, the validity of this permit may not exceed one year, unless otherwise determined by an international agreement.

6. If there are justified reasons why the contractual work cannot be completed by the prescribed deadline, the permit shall be extended until the completion of the work, on the basis of the prior acquisition of the extension of validity of the work permit of the alien in question.

7. The following must be enclosed with the application in order for the permit specified in the preceding paragraph to be issued:

evidence of the approval of the implementation of the contract with workers on secondment, issued by the office responsible for employment;

a confirmed list of workers on secondment, including all data on a prescribed form, which shall be issued and confirmed by the office responsible for employment;

evidence that an alien sent by an alien employer to the Republic of Slovenia on a contractual basis is in possession of social and health insurance in the country from which the alien has been seconded.

### **Article 35 Daily migrant workers**

1. Daily migrant workers may be issued with a cross-border identity card instead of a permit for temporary residence.
2. The persons specified in the preceding paragraph of this Article shall be issued with a cross-border identity card for a period of two years if they fulfil the conditions for a permit for temporary residence for employment purposes or for the performance of other lucrative activities, and if they submit evidence that they are daily migrant workers.
3. If a person specified in the first paragraph of this Article still fulfils the conditions specified in the second paragraph of this Article after the two years have expired, the body which issued the cross-border identity card shall issue a new identity card with the same period of validity.

### **Article 36 Reuniting of families and right to family integrity**

1. Aliens who are in possession of a permit for permanent residence or a permit for temporary residence for the purposes of employment, the performance of independent or other lucrative activities, study, education, advanced professional training or specialisation, or who have refugee status in the Republic of Slovenia shall, under the conditions of and in accordance with this Act, be recognised the right to the preservation or re-acquisition of family integrity with immediate family members who are aliens.
2. In accordance with this Act, immediate family members shall be deemed to be spouses, unmarried children (minors), and parents of minors. The responsible body may, exceptionally and at its own discretion, deem other close relatives to be immediate family members if there are any special circumstances in favour of the reuniting of the family in the Republic of Slovenia.
3. A residence permit for the reuniting of a family shall be issued at the request of an alien specified in the first paragraph of this Article, who must submit evidence of sufficient funds to support those immediate family members who intend to reside in the country and of his/her ability to provide them with accommodation which meets the minimum standards laid down in the Republic of Slovenia.
4. A residence permit for the reuniting of a family or the preservation of family integrity shall be issued to a member of the alien's family for a period of time equal to that granted to the alien who is exercising the right to family integrity, and may be extended in parallel with that alien's permit.
5. The competent body may extend the residence permit of an immediate family member of an alien specified in the first paragraph of this Article even in the event of the death of the alien concerned or the end

of the marriage, where the duration of the marriage in the Republic of Slovenia must be at least three years.

### **Article 37 Alien immediate family members of Slovene citizens and aliens of Slovene origin**

1. Alien immediate family members of Slovene citizens shall have the right to reside in the Republic of Slovenia under the conditions of and in accordance with this Act.
2. Slovene citizens who have registered residence in the Republic of Slovenia may file an application for the issuing of a residence permit for their immediate family members.
3. A residence permit shall be issued to alien family members of Slovene citizens as an unrelated permit for a period of three years, and may be extended under the conditions set out by this Act until the conditions for the issuing of a permit for permanent residence are fulfilled.
4. Aliens of Slovene origin shall have the right to reside in the Republic of Slovenia if:
  - they have sufficient funds to support themselves or if they have otherwise secured sufficient funds to support themselves in the Republic of Slovenia;
  - they have housing or have secured suitable accommodation for themselves;
  - they have secured health insurance for themselves.

### **Article 38 Aliens' children born in the Republic of Slovenia**

1. Aliens' children born in the Republic of Slovenia who do not acquire Slovene citizenship shall not be required to have a residence permit in their first three months of life.
2. After the three months have expired, the competent state body shall issue a residence permit for the children referred to in the preceding paragraph of this Article *ex officio*, which shall be valid or shall be extended for as long as the children's mother or father, or the guardian in charge of bringing up the child have a permit of residence or extend this permit.

### **Article 39 Residence permits for settlement purposes**

1. The competent body may, at its own discretion, issue a permit for temporary residence to an alien who wishes to settle in the Republic of Slovenia if:
  - he/she has sufficient funds to support him/herself or has secured sources of support;
  - he/she has suitable accommodation;
  - he/she has health insurance.

The permit shall be issued for one year and may be extended.

1. A residence permit for settlement purposes shall not allow the performance of lucrative activities.
2. The competent body which decides on the issuing of the permit specified in the first paragraph of this Article shall not be obliged to explain why it is refusing to issue a permit.

## **Article 40 Permits for residence for other well-founded reasons**

Aliens who, in accordance with the law, with international acts or with international principles or practice, demonstrate well-founded reasons which justify their stay in the Republic of Slovenia may be issued with a permit for temporary residence by the competent body for the period of time for which their presence in the country is indispensable, but for no longer than one year.

## **Article 41 Permits for permanent residence**

1. A permit for permanent residence may be issued to an alien who has resided in the Republic of Slovenia uninterrupted for eight years on the basis of a permit for temporary residence if there are no reasons for refusal on the basis of Article 43 of this Act, and if the alien fulfils all other legally-prescribed conditions.
2. Aliens of Slovene origin, aliens whose stay in Slovenia is in the interests of the Republic of Slovenia, immediate family members of Slovene citizens and aliens who have a permit for permanent residence or have refugee status in the Republic of Slovenia may be issued with a permit for permanent residence even prior to the expiry of the period specified in the preceding paragraph.
3. A permit for permanent residence shall not be issued to aliens who have been given a prison sentence of a total duration exceeding one year in the last three years. The time that the alien spends in prison shall not be included in the period of time required for an alien to be issued with a permit for permanent residence.
4. Aliens who apply for a permit for permanent residence must, at the request of the competent body, enclose with the application evidence of the funds required to support themselves, evidence demonstrating their entitlement to contributions from pension or other suitable insurance, and other evidence or documentation which demonstrates well-founded reasons for their application for the permit.

## **Article 42 Jurisdiction of bodies responsible for issuing permits**

1. A permit for temporary residence in the Republic of Slovenia shall be issued and extended by the administrative unit in whose territory the alien intends to reside, or by the administrative unit in whose territory the alien is already residing.
2. Permits for permanent residence and permits for temporary residence for humanitarian reasons shall be issued by the ministry responsible for the interior.

## **Article 43 Refusal to issue a residence permit**

1. A permit for residence in the Republic of Slovenia shall not be issued to an alien if

there are reasons for refusing entry into the Republic of Slovenia pursuant to Article 9 of this Act, or if there are reasons for refusing to issue a visa pursuant to Article 20 of this Act;

he/she does not have suitable health insurance covering all risks, if he/she does not have sufficient funds to support him/herself, or if he/she has not secured any other means of support in the country;

his/her stay would pose a threat to public order and peace or to national security;

he/she has not secured suitable accommodation for him/herself



there are reasons for believing that the alien involved will not voluntarily leave the Republic of Slovenia after the expiry of the validity of his/her permit;

there are reasons for revoking their residence;

there are no well-founded reasons for which residence in the Republic of Slovenia would be required in accordance with the law or an international act.

## **Article 44 Annulment of residence permits**

1. A residence permit may be annulled by the body which issued this permit if:

it is subsequently determined that there were reasons for refusing to issue a permit;

reasons subsequently arise for refusing to issue a permit;

the alien concerned intentionally submitted incorrect data on their identity or other inaccurate data, or if he/she intentionally concealed circumstances which have a bearing on the issuing of a permit.

2. The competent body shall issue a decision on the annulment of a residence permit. An alien may file an appeal against the decision with the ministry responsible for the interior within eight days of the decision being handed down. An appeal shall not withhold the execution of the decision.

## **Article 45 Expiry of residence permits**

1. A permit for temporary residence shall expire if:

the validity of the permit expires or if the permit is annulled;

the alien's residence is revoked;

a sentence of expulsion from the country or the security measure of deportation from the country has been passed on the alien concerned;

the alien concerned relinquishes the permit, from the day the statement on the relinquishment of the permit for temporary residence is submitted;

the alien concerned acquires citizenship of the Republic of Slovenia.

2. A permit for permanent residence shall cease validity if:

the permit is annulled;

the alien's residence is revoked;

a sentence of expulsion from the country or the security measure of deportation from the country has been passed on the alien concerned;

the alien concerned relinquishes the permit, from the day the statement on the relinquishment of the permit for permanent residence is submitted;

the alien acquires citizenship of the Republic of Slovenia;

the alien moves abroad or remains abroad uninterruptedly for one year and does not notify the body which issued the permit.

## **Article 46 Manner of issuing, form, content and annulment of residence permits**

1. The competent body which issues a residence permit to an alien shall clearly enter this permit in the alien's travel document in the form of a sticker or as a special document.
2. A residence permit must contain data on:
  - the type of permit;
  - the purpose for which it was issued;
  - the period of validity;
  - the permits and documents required for the permit to be issued;
  - the person to whom the permit was issued.
3. The competent body must clearly mark the cancellation or expiry of the residence permit in the travel document.
4. The minister responsible for the interior shall prescribe the form, content and manner of issuing of a residence permit, and the manner and marking of the annulment or expiry of a residence permit.

## **CHAPTER V: DEPARTURE FROM THE COUNTRY AND ANNULMENT OF RESIDENCE**

### **Article 47 Illegal residence**

1. Aliens who reside in the Republic of Slovenia illegally must leave the country immediately or by an appointed deadline.
2. It shall be deemed that an alien is residing in the Republic of Slovenia illegally if:
  - he/she entered the country in a prohibited manner (Article 11 of this Act);
  - his/her visa is annulled or if the period of validity of the visa has expired;
  - he/she is not in possession of a residence permit, or if the permit has expired or been annulled;
  - his/her residence is annulled.
3. Aliens who do not leave the territory of the Republic of Slovenia in accordance with the first paragraph of this Article shall be deported from the country in accordance with the law.
4. An alien who has filed an application for an extension of his/her residence permit or for a further permit in due time shall be permitted to remain in the country until his/her application has been decided upon, and shall be issued with a special receipt, which shall serve as a permit for temporary residence until the application has been decided upon.

5. In determining the deadline by which an alien must leave the country, the body which issues the decision must take into account the deadline by which the alien is able to leave the country, whereby the deadline may not exceed three months.

## **Article 48 Annulment of residence**

1. Residence may be annulled with respect to an alien who is in possession of a permit for permanent residence in the Republic of Slovenia if:

he/she was convicted in a court of law of a criminal offence and given an unconditional prison sentence of more than three years;

there are well-founded reasons for believing that the alien concerned may pose a threat to national security or to public security and peace.

2. With the exception of the reasons specified in the preceding paragraph of this Article, residence with respect to an alien who is legally residing in the Republic of Slovenia may be annulled if:

he/she is residing in Slovenia in contravention of the purpose for which the permit was issued;

he/she poses a threat to public order and peace;

he/she refuses to comply with decisions issued by state bodies;

he/she has been convicted of a criminal offence and given an unconditional prison sentence of more than three months;

he/she runs out of funds to support him/herself and does not secure any other means of support for the duration of his/her stay in the Republic of Slovenia.

## **Article 49 Decisions on the annulment of residence**

1. The decision on the annulment of residence specified in the first paragraph of Article 48 shall be issued by the ministry responsible for the interior. The decision on annulment specified in the second paragraph of Article 48 shall be issued by the administrative unit in whose territory the alien is residing.

2. The decision on the annulment of residence specified in the preceding paragraph shall specify a deadline by which the alien must leave the Republic of Slovenia, and the period of time during which the alien shall not be permitted to re-enter the country, where this period of time may not be less than one year and not more than five years.

3. In reaching a decision on the annulment of residence, the body referred to in the first paragraph of this Article shall take into account the length of stay of the alien concerned in the country, the personal, family, economic and other ties linking him/her to Slovenia, and the effect that the annulment of residence would have on the alien or his/her family.

4. An alien may file an appeal against the decision specified in the first paragraph of this Article within three days.

5. In judging how long an alien should be prohibited from re-entering the country, the body which issues the decision on the annulment of residence shall take into account the type and gravity of the circumstances by

reason of which the alien's stay in Slovenia is undesirable.

6. The decision on the annulment of residence shall be clearly marked in the travel document of the alien concerned. The minister responsible for the interior shall prescribe the manner of marking.

## **CHAPTER VI: DEPORTATION OF ALIENS**

### **Article 50 Deportation of aliens**

1. An alien who fails to leave the territory of the Republic of Slovenia pursuant to the first paragraph of Article 47 of this Act shall be deported from the country.
2. An alien against whom the additional sentence of expulsion from the country or the security measure of deportation from the country has been passed shall be deported from the country.
3. An alien may be deported from the country only if the decision on the basis of which the alien is obliged to leave the country is executable.
4. An alien who has to be deported from the country shall be brought to the state border by the police and directed across the border.
5. The police shall also bring to and direct across the state border an alien who is being deported on the basis of an international agreement.

### **Article 51 Prohibition of deportation of an alien**

1. The deportation or expulsion of an alien to a country in which his/her life or freedom would be endangered on the basis of race, religion, nationality, membership of a special social group or political conviction, or to a country in which the alien would be exposed to torture or to inhumane and humiliating treatment or punishment, shall not be permitted.
2. The prohibition of deportation or expulsion of an alien referred to in the preceding paragraph of this Article shall not apply to an alien in relation to whom there are well-founded reasons for believing that they might threaten national security, or to an alien who has been convicted in a court of law of an exceptionally severe criminal offence and therefore poses a threat to the Republic of Slovenia.

### **Article 52 Permission to remain**

1. In accordance with this Act, remaining in the country shall mean permission granted to an alien who has been given a deadline by which to leave the country, or to an alien who must be deported, to remain temporarily in the Republic of Slovenia.
2. Permission to remain in the Republic of Slovenia shall be granted if:
  - deportation would contravene Article 51 of this Act;
  - deportation is not possible or the conditions are in place for the alien to remain in the Republic of Slovenia on the basis of other regulations or an international agreement.
3. Permission to remain shall be issued by the competent body at the request of the alien, or *ex officio*, for a

period of six months. Permission may be extended for as long as the conditions specified in the preceding paragraph exist.

4. In the decision with which it permits an alien to remain in the Republic of Slovenia, the competent body shall determine the alien's place of residence at a specific address.

5. Permission to remain shall not cancel or in any way change the alien's obligation to leave the country.

### **Article 53 Cessation of permission to remain**

Permission to remain in the Republic of Slovenia shall cease to be valid:

with the expiry of the period of time for which permission to remain was granted;

with the alien's departure from the Republic of Slovenia;

if the alien obtains a permit for residence in the Republic of Slovenia on the basis of an international agreement.

### **Article 54 Revocation of permission to remain**

Permission to remain may be revoked immediately after the cessation of the reasons prohibiting deportation, irrespective of the period of time for which the alien was permitted to remain.

### **Article 55 Rights of aliens who have been permitted to remain temporarily**

An alien who has been permitted to remain temporarily in the Republic of Slovenia shall have the right to healthcare in accordance with the act governing healthcare and health insurance, the right to the basic requirements for survival, and the right to legal assistance.

### **Article 56 Restriction of movement of aliens who are obliged to leave the country**

1. Until the time they are deported but for no longer than six months, aliens who do not leave the country by the specified deadline and whom it is not possible to deport immediately for any reason shall be ordered by the police to move to the Centre for the Deportation of Aliens at the Ministry of the Interior (hereinafter: Centre), until their removal from the country, where special rules regarding accommodation and movement shall apply.

2. The provision of the preceding paragraph shall also be applied in cases where the identity of the alien is not known.

3. An alien specified in the first paragraph of this Article whom it is not possible to accommodate at the Centre due to special reasons or needs may, in agreement with the social security office and with the costs borne by the Centre, be accommodated at a social security facility or provided with other appropriate institutional care.

### **Article 57 Stricter police supervision**

1. Accommodation under stricter police supervision may be ordered at the Centre for aliens who were not permitted to enter the country, against whom an additional sentence of expulsion from the country or the

security measure of deportation from the country has been passed, or whose identity has not been determined.

2. Accommodation under stricter police supervision may be ordered by the police if there is a suspicion that the alien is attempting to avoid a measure, and shall apply for the time required for the alien to be deported but for no longer than six months.
3. Stricter police supervision shall mean the restriction of movement to the premises of the Centre.

## **Article 58 Procedure regarding restriction of movement**

1. An alien's accommodation at the Centre and accommodation under stricter police supervision shall be ordered by the police with a resolution, against which the alien may file an appeal with the minister responsible for the interior within eight days of the receipt of a written copy of the resolution.
2. An appeal shall not withhold the execution of the resolution.
3. An appeal shall be decided upon by the minister within eight days. An administrative dispute may be initiated against the decision on the appeal.
4. If for objective reasons it is not possible to deport an alien even after six months have passed, the police may:

extend accommodation and accommodation under stricter police supervision at the Centre for a further six months if it is realistic to expect that it will be possible to deport the alien within this time and, in particular, if the procedure for determining identity or the acquisition of documents for the deportation of the alien are still in progress, or if the extension is necessary for security reasons;

determine another place of accommodation for the alien outside the Centre until his/her deportation, where he/she must observe the rules on accommodation outside the Centre; the alien may otherwise be accommodated at the Centre again.

5. The police may adopt measures in accordance with the second indent of the preceding paragraph of this Article even before six months have passed if, for objective reasons, it is not realistic to expect that the alien will be deported from the country within that time.

## **Article 59 More lenient measures**

1. The police may, at any point in time, replace the measure of the obligatory accommodation of an alien at the Centre with more lenient measures if they believe that they will thereby accomplish their purpose.
2. On the basis of the preceding paragraph of this Article, the police may allow an alien to reside outside the Centre, where it may determine the place of residence.
3. In the event of the measure referred to in the preceding paragraph of this Article, the police may restrict the movement of an alien to his/her place of residence, and impose on him/her the obligation to report regularly to the nearest police station.
4. The conditions and procedures for the measures specified in the first paragraph of this Article shall be set out by the minister responsible for the interior.

## **Article 60 Measures relating to minors**

1. Alien minors who have entered the Republic of Slovenia illegally and who were not accompanied by their parents or other legal representatives, or who remained without the persons who accompanied them after they arrived in Slovenia, shall be temporarily accommodated by the police at the special department responsible for minors at the Centre if the body which apprehended them cannot return them immediately to the country from which they came or deliver them to representatives of the country of which they are citizens. The police shall notify the social work centre of this.
2. An alien minor specified in the preceding paragraph of this Article may not return to his/her country of origin or to a third country which is willing to accept him/her until suitable reception is provided; in no case may unaccompanied minors be returned in violation of the European Convention on Human Rights and Basic Freedoms, adopted with Protocols 3, 5 and 8 and supplemented with Protocol 2 and its protocols 1, 4, 6, 7, 9, 10 and 11 (Ur. l. RS-MP, 7/94), the European Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Ur. l. RS-MP, 1/94), or the Convention on the Rights of the Child (Ur. l. RS-MP, 9/92).
3. Alien minors shall, as a rule, be provided with accommodation at the Centre together with their parents or legal representatives, unless it is assessed that other solutions may be better for them.
4. In the case of minors under 16 years of age, stricter police supervision may be ordered only exceptionally, whereby they must be accompanied by both or at least one of their parents.

## **Article 61 Cessation of accommodation at the Centre**

1. The accommodation of an alien at the Centre shall cease when all reasons for it cease to exist or when its purpose has been achieved.
2. The competent body may, with the decision by which it permits an alien to remain in the Republic of Slovenia, determine that the order which placed the alien at the Centre shall cease to be valid, and shall determine a new place of residence in accordance with this Act.
3. Accommodation at the Centre may also be cancelled at the request of an alien if the police determine that the conditions are in place for more lenient measures in accordance with this Act.

## **Article 62 Costs of deportation**

1. Aliens who have their own funds shall be obliged to refund the costs of accommodation at the Centre and other costs incurred in relation to their deportation.
2. If an alien has no funds, the costs referred to in the preceding paragraph of this Article shall be covered from the budget of the Republic of Slovenia.

## **CHAPTER VII: PROCEDURES AND BODIES**

### **Article 63 Application of the act governing the general administrative procedure**

Provisions of the act governing the general administrative procedure shall be applied in procedures carried out in accordance with this Act, unless otherwise determined by this Act.

## **Article 64 Bodies**

1. In foreign countries, issues relating to visas and other issues relating to aliens shall be dealt with by diplomatic/consular representative offices of the Republic of Slovenia, authorised by the ministry responsible for foreign affairs of the Republic of Slovenia.
2. Measures, decisions and procedures relating to the residence of an alien in the Republic of Slovenia shall, in the first instance, be the responsibility of the administrative unit in whose territory the alien is residing or intends to reside, unless otherwise determined by this Act.
3. The police shall be responsible for exercising border control, refusing entry to aliens at the border, issuing visas at the border and deporting aliens, and for other measures and decisions set out by this Act in relation to aliens at the border and inside the country.
4. The ministry responsible for foreign affairs shall adopt decisions and measures in relation to aliens in the first instance, if so determined by law.

## **Article 65 Appeals and proceedings in the second instance**

1. Appeals against decisions and measures issued in the first instance by the bodies specified in the second and third paragraphs of Article 64 shall be decided upon by the ministry responsible for the interior.
2. An appeal against the refusal to issue or the annulment of a visa shall not be permitted. The competent body shall not be obliged to give an explanation for the refusal to issue a visa.
3. An appeal against decisions and measures issued by the ministry responsible for the interior in the first instance shall only be permitted in specific cases determined by this Act.
4. An appeal against the rejection of an application for a permit for first residence in the Republic of Slovenia shall be permitted only in cases where an alien exercises his/her right to be issued with a permit on the basis of Articles 33, 36 and 37 of this Act. In cases where an appeal against the rejection of an application for a permit for first residence is not permitted, the competent body shall not be obliged to give an explanation for the rejection.
5. An appeal shall not be permitted against a decision with which an alien's application for a permit to remain temporarily in the Republic of Slovenia is rejected.

## **Article 66 Co-operation between bodies**

1. With respect to issues and questions regarding the entry, residence and departure of aliens, and other issues and questions regarding aliens, national and local community bodies in the Republic of Slovenia must co-operate with bodies responsible for aliens in accordance with this Act.
2. Aliens against whom criminal or misdemeanours proceedings have been initiated may be deported from the country only in agreement with the body which initiated the proceedings against the alien concerned.

## **Article 67 Obligations of aliens in proceedings**

1. Aliens must co-operate with the competent bodies throughout proceedings and must comply with their measures. Aliens must enable access by the competent bodies to all available evidence, submit all documents



and confirmations which they possess and which may be relevant to proceedings, and respond to invitations by the competent bodies. The competent bodies may set a suitable deadline by which aliens must submit all documents, confirmations and other evidence required; otherwise they shall not be obliged to take this evidence into account.

2. If proceedings in accordance with this Act are initiated at the demand or request of an alien and cannot be completed without his/her co-operation, his/her failure to respond shall be deemed to be a withdrawal of the request if, despite warnings by the competent bodies, he/she fails to carry out any action for the continuation or completion of proceedings by the deadline set, or if it is possible to infer from the failure to act that the alien concerned is no longer interested in continuing proceedings.

## **Article 68 Execution of decisions**

1. An appeal against a decision to reject the extension of a residence permit, against a decision on the annulment of residence, against a decision on accommodation at the Centre, against a decision on stricter police supervision, and against a decision on the refusal to issue a permit for an alien to remain temporarily in the Republic of Slovenia shall not withhold the execution of the decision.

2. An appeal against a decision by the ministry responsible for the interior issued in the first instance shall not withhold execution.

## **Article 69 Adoption of decisions**

The body responsible for the proceedings shall decide on the basis of the facts and circumstances known in the Republic of Slovenia and, if so required in individual cases, on the basis of facts and data from bodies of the Republic of Slovenia based abroad.

## **Article 70 Obligation to provide information**

1. National and other bodies and organisations must, without delay, inform the competent body of any aliens residing in the Republic of Slovenia illegally, or those for whom reasons for annulment of residence exist.

2. The state body which initiated criminal or misdemeanours proceedings against an alien, or the body which proposed such proceedings, must inform the body responsible for aliens without delay.

## **CHAPTER VIII: COLLECTION AND PROTECTION OF PERSONAL DATA AND THE ESTABLISHMENT OF THE IDENTITY OF AN ALIEN**

### **Article 71 Collection of personal data**

1. Bodies responsible for the implementation of this Act may, for the purpose of implementing this Act, other laws and the regulations issued on the basis of this Act in relation to aliens, collect personal data on an alien.

2. The bodies referred to in the preceding paragraph of this Article may also collect personal data on an alien, even without the co-operation of the alien concerned, from other bodies and organisations, and from foreign bodies:

if this is in the interests of the alien concerned and if he/she gives consent;

if this is permitted by law or by regulations issued on the basis thereof;

if this is required for the purpose of checking the data of the alien concerned.

3. National and other bodies and organisations which hold data referring to the aliens specified in the first paragraph of this Article shall be obliged to forward this data to competent bodies at their request.
4. The collection and forwarding of the personal data specified in the first, second and third paragraphs of this Article must be in accordance with the act governing personal data protection.

## **Article 72 Rights of aliens in relation to personal data**

In addition to the rights which they have in relation to the protection of personal data on the basis of the law and other regulations, aliens shall also have the right to check personal data entered in a residence permit or a visa, as well as the right to request their modification or deletion if required.

## **Article 73 Determination of the identity of aliens**

The police may determine the identity of an alien, even against his/her will, if:

he/she is based at the Centre;

his/her residence in the Republic of Slovenia has been annulled or he/she has been refused entry into the country;

there is a suspicion that the measure of prohibition of entry into the Republic of Slovenia is still in force for the alien concerned under a different name;

a travel or other document for aliens is to be issued to an alien;

he/she cannot demonstrate or prove his/her identity;

this is necessary in order to determine nationality;

he/she attempted to enter or has entered the country with a forged travel document or that of another person;

if there are other reasons determined by law.

## **Article 74 Personal name**

1. Aliens must, during their stay in the territory of the Republic of Slovenia, use the personal name which they were given in accordance with the regulations of their country, unless otherwise determined by the law or an international agreement.

2. If the personal name entered in the copy from the birth certificate register is not identical to the personal name entered in the alien's travel document, the name which shall be entered in the official records kept in the Republic of Slovenia shall be the personal name entered in the alien's travel document.

## **Article 75 Proof of identity of aliens**

1. Aliens shall prove their identity by means of a foreign travel document, personal identity card or other suitable document which is prescribed in the alien's country and which proves the identity of the alien, a personal identity card for aliens, a cross-border identity card, or another public document issued by a state body which includes a photograph and on the basis of which it is possible to prove the identity of the alien.
2. At the request of a police officer, aliens must prove their identity in the manner determined in the preceding paragraph of this Article.
3. At the request of a police officer, aliens must also produce a permit demonstrating that they have entered and are residing in the Republic of Slovenia legally.
4. Aliens may not lend a document specified in the first paragraph of this Article to other persons nor use another person's document as their own.
5. An alien's travel or other documents specified in the first and third paragraphs of this Article may be temporarily confiscated only by a police officer or person authorised by the competent body, and if:
  - there is a suspicion that the alien has committed a criminal offence prosecutable *ex officio* or a misdemeanour;
  - this is necessary for the purpose of securing the alien's presence at proceedings.
6. Aliens shall be issued with a receipt for the temporarily-seized document.
7. Aliens must report missing, lost, stolen or otherwise misappropriated travel and other documents specified in the first paragraph of this Article to the police immediately, or at the latest within 24 hours of discovering it. Aliens shall be issued with a receipt by the police.
8. Aliens who lose their travel or other documents issued by a competent body of the Republic of Slovenia while abroad must report this immediately to the nearest body of the Republic of Slovenia responsible for diplomatic/consular affairs based abroad.

## **CHAPTER IX: TRAVEL AND OTHER DOCUMENTS AND PERMITS**

### **Article 76 Issuing of travel and other documents**

1. An alien who is in possession of a permit for residence in the Republic of Slovenia may be issued with a travel document for aliens if:
  - the person concerned is stateless;
  - the person does not have and cannot acquire a valid travel document from his/her country of origin.
2. A travel document for aliens may also be issued to other aliens who do not have a valid travel document, if well-founded reasons exist for this.
3. An application for a travel document for aliens shall be filed by an alien in person with the competent body. The application may be filed an alien who has reached the age of 18 and by an alien who has not yet reached the age of 18 but who has entered into marriage.

### **Article 77 Travel documents for minors**

1. Aliens who have not yet reached the age of 18 shall be issued with their own travel document, or may be entered in their lawful representative's travel document.
2. A travel document for aliens under 18 years of age or for aliens do not have the capacity to conduct business shall be applied for by their lawful representative.

## **Article 78 Validity of travel documents for aliens**

1. A travel document for aliens may be issued with a validity of two years, unless:  
the alien applies for a travel document with a shorter period of validity;  
a shorter period of validity is sufficient for achieving the purpose for which the travel document is being issued.
2. Travel documents for aliens who are in the country shall be issued by the competent body in the country. Travel documents for aliens who are abroad shall be issued by the authorised diplomatic/consular representative office of the Republic of Slovenia based abroad.
3. Travel documents for aliens shall be valid for all countries, except for the country of which the alien is a citizen. Travel documents for aliens may also be issued with validity in only certain countries.
4. A person who has not yet reached the age of 15 may be entered in a travel document for aliens; if such a person is over five years of age, his/her photograph must also be included in the travel document.

## **Article 79 Refusal to issue travel documents for aliens and their seizure**

1. A travel document for aliens shall not be issued to aliens:  
against whom criminal proceedings are in progress, if so requested by the competent court;  
who have been given an unconditional prison sentence, until the sentence has been served;  
they have not settled their maintenance liabilities arising from marriage or from relations between parents and children to entitled persons who have permanent residence in the Republic of Slovenia, if so requested by the competent body;  
they have not settled their tax liabilities, if so requested by the competent body.
2. A travel document for aliens shall be seized if:  
the reasons specified in the preceding paragraph of this Article are determined subsequently, or if such reasons subsequently emerge;  
the travel document does not contain a photograph or if it is no longer possible to determine the identity of the alien;  
the travel document is forged, incomplete or damaged in some other way.
3. A travel document for aliens shall be seized with a decision. The alien may file an appeal against such a decision within three days. An appeal shall not withhold the execution of the decision.

4. Aliens must return their travel documents for aliens if they acquire citizenship of the Republic of Slovenia, if they acquire a travel document from the country of which they are citizens or of which they became citizens, or if their residence permit expires or is annulled.

## **Article 80 Personal identity cards for aliens**

1. Personal identity cards for aliens may be issued to aliens who have a permit for permanent residence in Slovenia and who have reached the age of 18. Aliens must apply for a personal identity card within 30 days of their acquisition of a permit for permanent residence.

2. A personal identity card may also be issued to aliens who have a permit for temporary residence, if this is requested by the alien or is in accordance with the fourth paragraph of Article 29 of this Act.

3. A personal identity card may also be issued to aliens who have a residence permit and who have reached the age of 15, if so requested by the alien. Aliens below the age of 16 may be issued with a personal identity card with a validity of no more than five years.

4. Personal identity cards for aliens who have a permit for permanent residence shall be issued with a validity of ten years. For those aliens who have a permit for temporary residence, personal identity cards shall be issued with the same validity as that of their permit for temporary residence, but for no more than one year.

5. A personal identity card for aliens shall be seized:

in the event of the early expiry of a permit for residence in the Republic of Slovenia;

if the alien's residence in the Republic of Slovenia is annulled;

if an additional sentence of expulsion from the country or the security measure of deportation from the country has been passed;

if the personal identity card does not include a photograph, or if it is no longer possible to determine the identity of the alien;

if the personal identity card is forged, incomplete, damaged or has become unusable for other reasons.

6. Aliens must return their personal identity card for aliens to the competent body:

if they acquire citizenship of the Republic of Slovenia;

if they relocate from the territory of the Republic of Slovenia.

## **Article 81 Identity cards indicating permission to remain in the Republic of Slovenia**

A person who has been permitted to remain temporarily in the Republic of Slovenia shall be issued with an identity card indicating permission to remain in the Republic of Slovenia.

## **CHAPTER X: INTEGRATION OF ALIENS**

### **Article 82 Assistance in the integration of aliens**

1. The Republic of Slovenia shall ensure conditions for the inclusion of aliens who have a permit for residence in the Republic of Slovenia in the cultural, economic and social life of the country. In relation to this, it shall, in particular:

organise courses in the Slovene language for aliens;

organise courses and other forms of further education and professional training for aliens;

provide information necessary for the inclusion of aliens in Slovene society, particularly with regard to their rights and obligations, and opportunities for personal and social development;

acquaint aliens with Slovene history, culture and constitutional order;

organise joint events with Slovene citizens for the purpose of promoting mutual recognition and understanding.

2. National and other bodies, organisations and associations shall co-operate in particular with:

competent bodies - for the purpose of promoting the more rapid inclusion of aliens in the cultural, economic and social life of Slovenia;

international organisations - for the purpose of addressing issues relating to the migration and integration of aliens.

3. Within their overall operations, national and other bodies, organisations and associations shall ensure protection against any type of discrimination against aliens based on racial, religious, national, ethnic or other types of difference.

## **CHAPTER XI: REGISTRATION AND RENUNCIATION OF RESIDENCE**

### **Article 83 Registration and renunciation of residence of aliens**

1. Aliens who have a permit for residence in the Republic of Slovenia must register their permanent or temporary residence with the competent body.

2. Aliens must register their temporary residence within three days of their arrival at the place of residence or of the change in address of their residence, and renounce their residence prior to departure from it. If it is not possible to register with the competent body (if the body is not operating) by the specified deadline, aliens must register their temporary residence with the police by the same deadline.

3. Aliens must register their permanent residence with the competent body within eight days of settlement, and must renounce it prior to departure.

### **Article 84 Registration and renunciation by aliens**

1. The registration and renunciation of residence by aliens shall be carried out in the manner and under the conditions prescribed by the regulations applying to the registration and renunciation of residence of citizens of the Republic of Slovenia, unless otherwise determined by law.

2. Healthcare institutions which receive aliens for treatment must notify the competent body within 24 hours of receipt.

## CHAPTER XII: RECORDS

### Article 85 Types of record

1. For the purpose of ensuring data on the situation and movement of aliens and on documents issued to them, records shall be kept on:

permits for temporary residence;

permits for permanent residence;

aliens with registered temporary residence;

aliens with registered permanent residence;

visas;

travel documents for aliens;

personal identity cards for aliens, and identity cards indicating permission to remain in the Republic of Slovenia;

aliens staying at the Centre;

the expulsion of an alien from the country;

security measures of deportation from the country;

measures relating to the annulment of the residence of an alien;

reservations regarding the issuing of a travel document to an alien;

aliens for whom stricter police supervision has been ordered;

aliens who have been given accommodation outside the Centre;

aliens who have been refused entry into the country;

records kept in accordance with Article 84 of this Act.

2. The ministry responsible for the interior shall keep the records specified in indents 2, 8, 9, 10, 13, 14 and 16 of the first paragraph of this Article and the record specified in indent 11 of the first paragraph of this Article when the permanent residence of an alien has been annulled. For the needs of its work it may also use other records specified in the first paragraph of this Article.

3. The competent body shall keep the records specified in indents 1, 3, 4, 5, 6, 7 and 12 of the first paragraph of this Article and the record specified in indent 11 of the first paragraph of this Article when the residence of an alien has been annulled in accordance with Article 48 of this Act. For the needs of its work it may also use other records specified in the first paragraph of this Article.

4. The body responsible for control of the state border crossings shall keep the records specified in indents 5 and 15 of the first paragraph of this Article. For the needs of its work it may also use other records

specified in the first paragraph of this Article.

5. The ministry responsible for foreign affairs or the body of the Republic of Slovenia based abroad authorised to conduct consular affairs shall keep the records specified in indents 5 and 6 of the first paragraph of this Article. For the needs of their work they may also use other records specified in the first paragraph of this Article.

6. The bodies under the third, fourth and fifth paragraphs of this Article must forward the data referred to in Articles 87, 90, 91, 92, 93, 94 and 95 of this Act to the ministry responsible for keeping the central record. Bodies whose computer equipment is linked to the ministry's computer must carry out their forwarding tasks in such a way as to keep the records on the ministry's computer.

## **Article 86 Data required for the issuing of residence permits**

1. Aliens shall be obliged to give the following data to the competent body in their application for a permit for temporary or permanent residence:

2. the standardised personal registration number of an alien, if one has been allocated to them;
3. first name and family name;
4. maiden name;
5. sex;
6. date of birth (day/month/year);
7. place of birth (country, town);
8. nationality;
9. marital status;
10. profession;
11. last permanent or temporary residence abroad or in the Republic of Slovenia (country, town, street and house number);
12. current temporary or permanent residence in the Republic of Slovenia (town, street and house number);
13. date of entry into the territory of the Republic of Slovenia;
14. reasons for and purpose of stay in the Republic of Slovenia;
15. method of ensuring (sources of) funds to support themselves;
16. evidence of secured (suitable) housing;
17. type and number of the travel or other document on the basis of which they have crossed the state border, the date and place of issue, and the period of validity;
18. date of submission of the application.



19. The competent body shall keep the data referred to in the preceding paragraph in the record specified in indents 1 and 2 of the first paragraph of Article 85 of this Act. The competent body shall, in the record on residence permits, also keep data on the number and date of issue, on the finality of a decision, and on the validity of the permit for temporary residence, as well as data on the expiry of a residence permit.

### **Article 87 Data on registration and renunciation**

Upon registering, renouncing or changing their temporary or permanent residence (records under indents 3 and 4 of the first paragraph of Article 85 of this Act), aliens shall be obliged to give the competent body the data under points 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15 and 16 of the first paragraph of Article 86 of this Act, and data on issued residence permits. The record shall also include data on the registration and renunciation of residence. In the event of the renunciation of residence, aliens shall be obliged to give data on whether they are leaving the Republic of Slovenia.

### **Article 88 Data for the issuing of visas**

1. In order to be issued with a visa, aliens shall be obliged to give the competent body the data under points 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 16 of the first paragraph of Article 86 of this Act, and data on the type of visa for which they are applying, the period for which the visa should be valid, and the reason why they are applying for the visa.

2. The body shall, in the record of visas, keep data on the type of visa, the number and date of issue of a decision, the period of validity, and the date of issue and annulment of the visa.

### **Article 89 Data for the issuing of travel documents for aliens**

1. In applying for a travel document for aliens (the record under indent 6 of the first paragraph of Article 85 of this Act), an alien must give the competent body or the body of the Republic of Slovenia based abroad which is authorised to conduct consular affairs the data under points 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of the first paragraph of Article 86 of this Act, and attach two photographs of the prescribed size showing a faithful image of the alien concerned.

2. The body shall, in the record of travel documents for aliens, keep data on the number and date of issue of a decision, the type of travel document, the registration and serial numbers of the travel document, the period of validity and date of issue of the travel document, and data on stolen and missing travel documents.

### **Article 90 Data for the issuing of personal identity cards for aliens**

1. In applying for a personal identity card for aliens (the record under indent 7 of the first paragraph of Article 85 of this Act), an alien must give the competent body or the body of the Republic of Slovenia based abroad which is authorised to conduct consular affairs the data under points 1, 2, 3, 4, 5, 6, 7, 8, 11 and 16 of the first paragraph of Article 86 of this Act, and attach two photographs of the prescribed size showing a faithful image of the alien concerned.

2. The body shall, in the record of personal identity cards for aliens, keep data on the number and date of issue of a decision, the registration and serial numbers of a personal identity card, the period of validity, date of issue and date of extension of a personal identity card for aliens, and data on stolen and missing personal identity cards.

## **Article 91 Data in records**

1. The records on passed sentences of expulsion from the country (the record under indent 9 of the first paragraph of Article 85 of this Act), on security measures of deportation from the country (the record under indent 10 of the first paragraph of Article 85 of this Act) and on measures of the annulment of an alien's residence (the record under indent 11 of the first paragraph of Article 85 of this Act) shall contain the data under points 1, 2, 3, 4, 5, 6, 7, 8, 10, 11 and 16 of the first paragraph of Article 86 of this Act, the duration of the pronounced measure, the body which pronounced the measure, and the number and date of issue and of the entry into force and finality of the decision in the event of an annulment of residence.
2. The record shall also contain data on the deadline by which the alien must leave the country.
3. The record on deported aliens shall contain the data under points 1, 2, 3, 4, 5, 6, 7, 8, 10, 11 and 16 of the first paragraph of Article 86 of this Act, and the reason, date and country to which the alien is being deported.
4. The record on reservations regarding the issuing of a travel document for aliens (the record under indent 12 of the first paragraph of Article 85 of this Act) shall contain the data under points 1, 2, 3, 4, 5, 6, 7, 8, 11 and 16 of the first paragraph of Article 86 of this Act, and on the type of reservation, the body which expressed the reservation, and the duration of and legal basis for the reservation.
5. The record under indent 15 of Article 85 of this Act shall contain the data under points 1, 2, 4, 5, 6, 7 and 16 of the first paragraph of Article 86, the reasons for, date and hour of the refusal of entry, and the border control body which refused entry to the alien.

## **Article 92 Basic data from the records**

1. Data from the records on issued permits for temporary residence and on issued visas shall be stored for two years after the expiry of the validity of a permit or visa, and shall then be archived. Data from the records on aliens with registered temporary residence shall be stored for two years after the renunciation or expiry of temporary residence, and shall then be archived.
2. Data from the records on issued permits for permanent residence and data which, in accordance with the second paragraph of Article 86 of this Act, is related to permits for permanent residence shall be stored for 50 years starting from the expiry of the permit for permanent residence, and shall then be archived. Data from the records on aliens with registered permanent residence shall be stored for 50 years after the renunciation or expiry of permanent residence, and shall then be archived.
3. Data from the records on passed sentences of expulsion from the country, security measures of deportation from the country, annulment of residence and deported aliens shall be stored for five years after the expiry of the period for which sentences or measures were pronounced, or for five years after the deportation of an alien from the Republic of Slovenia.

## **Article 93 Use of data from the records**

1. Personal data from the records specified in Article 85 of this Act may only be used for the execution of legally-prescribed tasks.
2. At the request of individuals, state bodies, legal persons, businesspersons, and other bodies, organisations and groups, the bodies responsible for keeping the records must give them the data from the records under

Article 85 of this Act if they are entitled to use this data on the basis of the law or of the written consent of the individual to whom the data refers.

3. Users of the personal data referred to in the preceding paragraph may not forward this personal data to other users and may only use it for the purposes for which they received it.

## **CHAPTER XIII: PENAL PROVISIONS**

### **Article 94 Penal provisions**

Legal persons shall be liable to a fine of between SIT 200,000 and 1,000,000 for the following offences:

1. failing to report aliens whom they accept for accommodation or aliens whom they accept for medical treatment to the competent body by the prescribed deadline;
2. failing to keep a record (book of aliens), failing to keep the record in the proper manner, or failing to store the record for two years;
3. refusing access to the record (book of aliens) to a police officer.

The responsible person of a legal person shall be liable to a fine of between SIT 20,000 and 100,000 for committing an offence specified in the preceding paragraph.

### **Article 95**

Individuals shall be liable to a fine of between SIT 20,000 and 50,000 for accepting aliens for accommodation against payment if:

1. they fail to register the alien with the competent body by the prescribed deadline;
2. they fail to keep a record (book of aliens), fail to keep the record in the proper manner or fail to store the record for two years;
3. they refuse access to the record (book of aliens) to a police officer.

### **Article 96**

Aliens shall be liable to a fine of between SIT 10,000 and 50,000 for the following offences:

1. not possessing a valid travel document (Article 7);
2. not having a permit to enter the Republic of Slovenia (Article 8);
3. remaining in the Republic of Slovenia for longer than they are permitted to remain (Article 12);
4. not leaving the country once their residence permit has expired (Article 13);
5. using a personal name in violation of the law (Article 74);
6. failing to report the loss, theft or other misappropriation of travel or other documents (seventh paragraph of Article 75);

7. lending their travel or other documents to other persons, or using another person's documents as their own (fourth paragraph of Article 75).

## **Article 97**

Aliens shall be liable to an on-the-spot fine of SIT 20,000 for the following offences:

1. entering or leaving the country in violation of Article 16 of this Act;
2. failing to leave the country immediately after their visa has been annulled (fourth paragraph of Article 22);
3. failing to produce, at the request of a police officer, a document which proves that they are legally entitled to enter and stay in the country (third paragraph of Article 75);
4. failing to produce, at the request of a police officer, proof of their identity (second paragraph of Article 75).

## **Article 98**

Aliens shall be liable to a fine of between SIT 20,000 and 100,000 for the following offences:

1. entering the Republic of Slovenia illegally (Article 11);
2. residing in the Republic of Slovenia in contravention of the purpose for which their residence permit was issued (fifth paragraph of Article 30);
3. residing in the Republic of Slovenia illegally (Article 47).

## **Article 99**

Persons who allow or assist aliens to enter or reside in the Republic of Slovenia illegally, or to reside in the Republic of Slovenia in violation of the purpose for which the aliens were issued with a residence permit, shall be liable to a fine of between SIT 50,000 and 150,000 for an offence.

## **CHAPTER XIV: TRANSITIONAL AND FINAL PROVISIONS**

### **I.**

#### **Article 100 Special provisions applying to citizens of EU member states**

1. Notwithstanding the provision of the second paragraph of Article 25, a residence permit shall, under conditions of reciprocity, represent a permit for multiple entry into the Republic of Slovenia for citizens of EU member states.
2. On the day the Republic of Slovenia enters the European Union as a full member, the provisions of this Act shall cease to apply to citizens of EU member states, unless they are more favourable for them.
3. On the same day the Republic of Slovenia shall commence the enforcement of all EU regulations governing the free movement, entry and residence of citizens of EU member states in the Republic of Slovenia.

4. In accordance with the preceding paragraph, citizens of EU member states shall be guaranteed the right to free entry and residence in the Republic of Slovenia.

5. The citizens referred to in the preceding paragraph who do not have sufficient funds to support themselves or to pay for comprehensive health insurance covering all risks shall have the right to residence only if they can provide the competent body with the following:

- a statement from their employer relating to their employment or a contract of employment;
- or proof that they are performing an independent lucrative activity;
- or proof that in the six-month period since entering the country they have good prospects of commencing the performance of an independent lucrative activity;
- or proof that, as an immediate family member of a citizen of an EU member state, they will be provided with sufficient funds to support themselves.

6. Residence in the Republic of Slovenia may be refused for citizens of EU member states only if:

- they pose an actual threat to public order and peace, or to national security;
- if they represent a financial burden on the state.

7. The Government of the Republic of Slovenia shall determine in greater detail the method and conditions applying to the issuing of the residence permits under the fifth paragraph of this Article.

## **II. Other Provisions**

### **Article 101**

Within one year of the day this Act enters into force, the Government of the Republic of Slovenia shall adopt the regulations referred to in the second paragraph of Article 6, the fourth paragraph of Article 7, the third paragraph of Article 14, the sixth paragraph of Article 15, the second paragraph of Article 17, the fifth paragraph of Article 32, and the seventh paragraph of Article 100 of this Act.

### **Article 102**

Within one year of the day this Act enters into force, the minister responsible for the interior shall issue the regulations for its implementation referred to in the second and third paragraphs of Article 9, the fourth paragraph of Article 19, the third paragraph of Article 20, the third paragraph of Article 21, the third paragraph of Article 22, the third paragraph of Article 29, the fourth paragraph of Article 46, the sixth paragraph of Article 49 and the fourth paragraph of Article 59 of this Act.

With regard to issues which fall under the area of work of the ministry responsible for labour, family and social affairs or of the ministry responsible for foreign affairs, the minister shall issue regulations, in agreement with the ministry responsible for labour, family and social affairs and the ministry responsible for foreign affairs.

Within six months of the day this Act enters into force, the minister responsible for the interior shall prescribe:

the application forms for documents issued in accordance with this Act;

the procedure for and manner of issuing individual documents;

the prices for individual application forms.

### **Article 103**

On the day this Act enters into force, the Aliens Act (Ur. l. RS, 1/91-1, 44/97, 50/98 Constitutional Court Decision, 14/99 Constitutional Court Decision) shall cease to apply.

### **Article 104**

Procedures initiated on the basis of the provisions of the Aliens Act referred to in the preceding Article shall be continued in accordance with this Act if this is more favourable for the persons concerned.

### **Article 105**

Visas and residence permits issued on the basis of the previous Act shall remain in force.

### **Article 106**

Until the issuing of regulations on the basis of this Act, regulations issued on the basis of the previous Aliens Act shall continue to be applied, unless they contravene this Act.

### **Article 107**

On the day this Act enters into force, the Transit Centre for Aliens shall cease operation. Its tasks relating to the implementation of this Act shall be assumed by the Centre. Tasks relating to the implementation of the act governing asylum shall be assumed by the Asylum Centre.

### **Article 108**

On the day this Act enters into force, other laws and the regulations issued on the basis thereof and governing the same issues must be co-ordinated with this Act.

### **Article 109**

This Act shall enter into force on the fifteenth day after its publication in the Uradni list Republike Slovenije.

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