

## Postal Services Act (ZPSto-2)

Postal Services Act (Official Gazette of the Republic of Slovenia, no. 51/09, 77/10, 40/14 – ZIN-B and 81/15)

Address Eng. Postal Services Act

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Warning: The unofficial revised text of the regulation is only an informative work tool, in respect of which the authority does not guarantee compensation or otherwise.

The unofficial consolidated text of the Postal Services Act includes: - Postal Services Act - ZPSto-2 (Official Gazette of the RS, No. 51/09 of 3 July 2009) and - Act on Amendments to the Postal Services Act - ZPSto-2A ( Official Gazette of the Republic of Slovenia, No. 77/10 of 4 October 2010), - Act on Amendments to the Act on Inspection Control - ZIN-B (Official Gazette of the Republic of Slovenia, No. 40/14 of 3 June 2014) , - Act on Amendments to the Postal Services Act - ZPSto-2B (Official Gazette of the Republic of Slovenia, No. 81/15 of 30 October 2015).

### LAW on postal services (ZPSto-2)

(unofficial consolidated text #3)

#### I. GENERAL PROVISIONS

##### Article 1 (content and purpose of the law)

(1) This Act determines the conditions and procedure for the provision of postal services, regulates the provision, implementation and financing of the universal service, introduces the conditions for accessibility to the postal network and the issuance of postal values of the Republic of Slovenia, determines the powers, organization and operation of the Agency for Posts and Electronic Communications of the Republic of Slovenia (hereinafter: the agency), as an independent regulatory authority in the part that relates to postal services, determines the rights and obligations of operators and users of postal services and regulates other issues related to postal activity.

(2) With this law, Directive 97/67/EC of the European Parliament and the Council of 15 December 1997 on common rules for the development of the internal market of postal services in the Community and for improving the quality of the service is transposed into the legal system of the Republic of Slovenia (OJ L no. 15 of 21 January 1998, p. 14), as last amended by Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 amending Directive 97/67/EC regarding the complete creation of the internal market of postal services in the Community (OJ L No. 52 of 27 February 2008, p. 3).

##### Article 2 (meaning of terms)

The terms used in this Act mean:

- "essential requirements" are general non-economic reasons that dictate the determination of additional conditions for the offer of postal services. These reasons are the confidentiality of correspondence, the security of networks with regard to the transport of dangerous goods, the respect of the conditions of employment and social security systems determined by the regulations governing labor law and social security or applicable collective agreements, when justified, as well as data protection, environmental protection and regional planning. Data protection may include the protection of personal data, the confidentiality of transmitted or stored information and the protection of privacy; 2. "cross-border postal traffic" is the transfer of postal items from or to another member state, or from or to a third country; 3. "direct mail" is an advertising, marketing and other message that is the same in terms of content, but differs in the addressee's name, address and identification number, and is sent to at least ten addressees. Invoices, financial statements and other messages of different contents are not direct mail. A postal item that is combined with other items in the same envelope is not direct mail;
- "distribution" is the process from including routing in the distribution center to including delivery of postal items to addressees; 5. "delivery" is the transfer of postal items from the delivery point to the delivery of the items to the addressees and includes delivery to the postal address or service of the items; 6. "delivery person" (hereinafter: delivery person) is a person who delivers a postal item in accordance with the law; 7. "document exchange" is a service with which a third party provides resources to a closed group of subscribers together with premises and means of transport, with the help of which these subscribers exchange postal items with each other; 8. "postal service provider" (hereinafter: postal service provider) is a natural or legal person that performs one or more postal services service;
- "universal service provider" (hereinafter: universal service provider) is a postal service provider that, in accordance with this law, provides universal service or its parts in the Republic of Slovenia and is notified to the European Commission in accordance with the third paragraph of Article 5 of this law;
- "contact point" is intended for direct work with users of postal services and can be organized as a post office, a contract post office or a special organizational form of a contact point determined by the provider of the universal service, for example, an exposed window, letter carrier station or

- mobile mail;
- notification** 11. "addressee" (hereinafter: addressee) is a natural or legal person to whom a postal item is addressed; 12. "payment to the agency" under this Act means reimbursement for the operating costs of the agency for postal services; 13. "individual permission" (hereinafter: permission) is the permission granted by the agency to the postal service provider by issuing a decision that gives the postal service provider special rights or subjects its operation to special obligations supplementing the general authorization, when appropriate, where the postal service provider may not exercise the corresponding rights until it receives the agency's decision;
14. "sender" (hereinafter: sender) is a natural or legal person who initiates the process of sending a postal item; 15. "correspondence shipment" is a type of communication in written form on any physical medium that must be transferred and delivered to the address indicated by the sender in the correspondence shipment itself or on the envelope. Books, catalogues, newspapers and periodicals are not considered correspondence;
16. "postal shipment" is a shipment that is addressed in the final form in which it will be transferred by the postal service provider. In addition to items of correspondence, such items may include, for example, books, catalogs, newspapers, periodicals, postal packages containing goods with or without commercial value;
17. "postal parcels" are stationery and envelopes that have a printed stamp or, instead of a stamp, a text as a confirmation that the postage has been paid for the corresponding price level of stationery or cover;
18. "postal services" are services that include the reception, routing, transport and delivery of postal items in domestic or cross-border postal traffic. Postal services do not include: - delivery of the shipment to the addressee by the sender himself; - transfer of the shipment in cases where the addressee and the sender are the same person and the transfer is not performed by the postal service provider; - transfer of a shipment that is not addressed with the full name of the addressee, but only with a partial indication of the address, such as post area, settlement, street (with unaddressed advertising, marketing and other messages); - transportation as an independent service;
19. "postal values" are postage stamps and postal parcels; 20. "postal network" is a system of organization and all types of resources used by universal service providers, in particular for: - acceptance of postal items that fall under the universal service obligation from access points throughout the territory of the Republic of Slovenia, - transfer of these items and their handling from the access points to the distribution center, - delivery to the addressees marked on the items; 21. "registered mail" is a postal service that, in accordance with this law, provides a guarantee for the payment of compensation in the event of loss at a uniform rate, theft or damage and enables the sender to obtain proof of delivery of this shipment upon request;
22. "reserved postal services" are the transfer of postal items of correspondence in internal traffic and of postal items of correspondence arriving in the Republic of Slovenia in international postal traffic, if the weight of these postal items is less than 50 g and the price is lower than two and a half times the price of the transfer of a postal item of correspondence of standard category of the first degree of severity, which is specified in the general act of the agency. Exchange of documents and direct mail are not considered reserved postal services; 23. "reception" is the process by which the postal service provider collects postal items for delivery; 24. "general permit" is a provision of this law that allows a postal service provider to provide postal services on the basis of a notification without obtaining an express decision of the agency;
25. "services according to the tariff for one piece" are postal services for which the tariff is determined by the general terms and conditions of the providers of the universal service for individual postal items;
26. "terminal costs" are payments to providers of the universal service for the distribution of arrived cross-border mail containing postal items from another country Member States or from a third country;
27. "access points" are physical facilities, including mailboxes along public roads or on the premises of postal service providers, which are intended public and through which senders can submit postal items to the postal network;
28. "user of postal services" (hereinafter: user of postal services) is any natural or legal person who uses postal services services as sender or addressee;
29. "valued postal item" is a postal service that insures a postal item in the event of loss, theft or damage up to the value specified by the sender himself, and enables the sender to obtain proof of its service at his request;
30. "Delivery" is the delivery of a postal item to the addressee as a special form of delivery, when acceptance must be confirmed.

## II. UNIVERSAL SERVICE

### 1. Universal service and interchangeable services

#### Article

#### 3 (universal service)

(1) Universal service is the permanent, regular and uninterrupted provision of one or more postal services defined by this Act with the prescribed quality in the entire territory of the Republic of Slovenia or part of it at prices accessible to all users of postal services.

(2) The following postal services are provided as a universal service: 1. reception, routing, transport and delivery of postal items weighing up to 2 kg, 2. reception, routing, transport and delivery of postal packages up to 10 kg, 3. registered and value-added services postal items and 4. transfer of postal items for the blind and partially sighted.

(3) The Agency may, by means of a general act, increase the mass limit of postal packages in the universal service to a weight not exceeding 20 kg, depending on the state of the postal services market and the identified needs of users, and may prescribe special arrangements for the delivery of such packages. Regardless of the above, as part of the universal service from the previous paragraph, the delivery of postal packages received from other member states of the European Union up to a weight not exceeding 20 kg must be guaranteed throughout the entire territory of the Republic of Slovenia.

(4) The universal service is provided in domestic and cross-border postal traffic.

(5) The size, equipment and other characteristics of the postal items referred to in the second paragraph of this article must correspond to the provisions of the acts of the Universal Postal Union, which are in force in the Republic of Slovenia.

(6) The Agency, by means of a general act, prescribes the quality of the provision of the universal service and also ensures independent control over its provision quality at least once a year. The findings of the control are also stated in the relevant reports, which are published at least once a year.

#### Article

#### 4 (interchangeable services)

(1) Interchangeable services are postal services that can be considered from the user's point of view as services belonging to the set of universal services, since are sufficiently interchangeable with the universal service (hereinafter: interchangeable services).

(2) Interchangeable services primarily include all services from the second paragraph of the previous article.

(3) In individual cases, applying the rules of competition law, the Agency assesses whether these are interchangeable services and takes into account the characteristics of the services, including the characteristics of added value, as well as their intended use and pricing. In doing so, the Agency can also obtain a preliminary opinion from the authority for the protection of competition.

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## 2. Provision of universal service

### Article

#### 5 (providing universal service)

(1) In the public interest, the Republic of Slovenia provides postal services to all users on its entire territory under the same conditions permanent, regular and uninterrupted provision of the universal service, which may only be interrupted due to force majeure or in situations dangerous for the delivery person.

(2) The Agency may appoint one or more universal service providers for the entire territory of the Republic of Slovenia. The Agency may appoint different providers of the universal service to provide different parts of the universal service and to cover different parts of the territory of the Republic of Slovenia, and must ensure that the obligations of the universal service do not overlap.

(3) With the universal service, all users of postal services are guaranteed at least one reception and one delivery per day to the home or premises of each natural or legal person for at least five working days a week. The weekly frequency of reception and delivery decreases proportionally with the increased number of working days off in each week.

(4) By means of a general act, the Agency determines exceptions to the provision of the universal service from the previous paragraph, depending on the circumstances and geographical conditions, as well as the conditions for deviating from delivery to the home or to the premises of a natural or legal person with one delivery to the appropriate place. Any exception or deviation from the requirements arising from the provisions of the previous paragraph shall be communicated by the agency to the European Commission and all competent state authorities of the member states of the European Union.

(5) The universal service provider must meet the following requirements:

- to offer a service that ensures compliance with essential requirements; - to offer users the same service under comparable conditions; - that the service is available without any form of discrimination, especially without discrimination due to political, religious or ideological concerns; - that the service is not interrupted or stopped, except due to force majeure; - that the service is performed in accordance with the technical, economic and social environment and the needs of the users.

(6) The Government of the Republic of Slovenia (hereinafter referred to as: the Government) may, in view of the state of the postal services market and in order to ensure equal treatment of all users of postal services, determine by regulation additional services to which the same conditions apply as for universal services. If financing of these additional services is necessary, the funds are provided by the ministry responsible for the post office (hereinafter referred to as: the ministry) from the state budget, taking into account the rules on state aid.

### Article

#### 6 (notification)

(1) The universal service provider must publish sufficiently accurate and up-to-date information on the individual features and quality of the universal service at least once a year. Information on general conditions and prices must be published at least seven days before their implementation. The universal service provider must publish this information on its websites and in business premises intended for direct work with users of postal services. When the universal service provider refers to technical standards in this information, it must refer to the postal service standards published in the Official Journal of the European Communities.

(2) The Agency shall publish in the Official Gazette of the Republic of Slovenia and on its website the providers of universal services, the extent of their rights and obligations.

(3) The Agency informs the European Commission about the method of publishing the information referred to in the first paragraph of this Article and the identity of the providers of the universal service referred to in the first and second paragraphs of Article 7 of this Act and informs the Ministry thereof.

## 3. Appointment of the universal service provider

### Article

#### 7 (appointment of universal service provider)

(1) The Agency appoints a universal service provider and imposes on him the obligation to provide a universal service when it judges that this is necessary for the quality provision of a universal service in an individual part of the territory of the Republic of Slovenia. The Agency may appoint a universal service provider for each postal service that is provided as part of the universal service or for several of these services together. The Agency can appoint a provider of universal service for an individual part of the territory of the Republic of Slovenia or for the entire territory of the Republic of Slovenia.

(2) The Agency appoints the universal service provider from the previous paragraph with a decision based on an analysis of the situation or with a decision based on a public tender.

(3) By means of a decision based on the analysis of the situation, the agency appoints a provider of universal service when it judges that only one provider of postal services can ensure the required quality of the provision of universal service. In doing so, the agency primarily assesses the availability of financial resources and its current cost effectiveness, reliability and achievement of quality in the provision of postal services.

(4) Before issuing a decision, based on the analysis of the situation, the agency publishes in the Official Gazette and on its websites a public call for opinions of the interested public regarding the interest in implementing the universal service and ensuring the quality of its implementation. In the public call, the Agency sets the deadline for obtaining the opinions of the interested public, which must not be shorter than 30 days, and the issues on which it wishes to obtain the opinions of the interested public. The Agency maintains the level of confidentiality of the information received, which is marked as a business secret.

(5) The Agency shall initiate the procedure for issuing a decision for the appointment of a universal service provider on the basis of a public tender, when it judges that at least two postal service providers can ensure the required quality of universal service implementation.

### Article

#### 8 (appointment of universal service provider with prior use of public tender)

(1) In the public tender referred to in the fifth paragraph of the previous article, the various components covered by the universal service in a certain part or in the entire territory of the Republic of Slovenia are determined. In doing so, the agency can publish several public tenders or one public tender that is divided into several lots.

(2) When formulating the criteria for the selection of the provider of the universal service, the agency must take into account the objectives of reliability, quality and cost-effectiveness of the implementation of the universal service.

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(3) The Agency must observe the principles of efficiency, objectivity, transparency and non-discrimination in procedures based on this article.

## **Article 9 (Commission)**

(1) The public tender procedure for the selection of a universal service provider is led by a committee appointed by a written decision by the director (in hereinafter: the director) of the agency (hereinafter: the commission).

(2) The commission consists of a president (hereinafter: the president) and at least two members (hereinafter: members of the commission).

(3) The chairman and members of the commission must have at least a university education. The composition of the commission must provide knowledge in the fields of accounting, law, finance and postal logistics.

(4) The chairman and members of the commission may not be related to the bidders in the sense of a business connection or family relationship.

In particular, the following are considered

to be such persons: 1. persons who are employed by one of the providers of postal services or who are members of the supervisory board or board of directors of one of the providers postal services;

2. persons who have ownership shares in the amount of more than 100,000 euros in at least one company that provides postal services, or in a company that has at least 25% ownership stake in companies providing postal services;

3. persons whose spouse or person with whom he lives in a long-term cohabitation, which according to the law governing marriage and family relations has the same legal consequences as marriage, or with whom he lives in a registered same-sex partnership or a relative in up to and including the second generation, is a member of the supervisory board or board of directors in companies that provide postal services, or has ownership shares in the amount of more than EUR 100,000 in at least one company that provides postal services, or in a company that has at least 25% ownership stake in companies that provide postal services.

## **Article 10 (public tender)**

(1) The public tender for the selection of a universal service provider must be published in the Official Gazette of the Republic of Slovenia and on the website agencies. The publication of the public tender must contain, in particular: 1.

name and headquarters of the

agency; 2. the legal basis for the implementation of the public

tender; 3. the subject of a public tender;

4. a statement of the basic conditions for candidacy at the public tender and the criteria used to select contractors from among those who meet the conditions universal services;

5. deadline by which applications for the selection of a universal service provider must be delivered; 6. date of opening of

applications for the selection of a universal service provider or dates of opening of applications, if the public tender provides for their consecutive opening;

7. the deadline in which potential providers of the universal service will be notified of the outcome of the public tender; 8. place, time and person from whom interested parties can pick up tender documentation.

(2) In addition to the information from the previous paragraph, the Agency may also publish other necessary information in the public tender.

## **Article 11 (tender documentation)**

(1) The Agency must allow interested parties for a universal service provider to inspect the tender documentation and, upon their request, hand over a copy of the tender documentation to them.

(2) The tender documentation must contain all the necessary information that enables a complete application for the implementation of the universal postal service to be compiled.

(3) In the tender documentation, the Agency must specify all the conditions that the application must meet in order to be considered complete.

(4) The Agency must indicate in the tender documentation which proofs of fulfillment of the conditions must be attached in order for the offer to be considered perfect.

(5) Before deciding on the publication of a public tender, the Commission must confirm in the minutes that the content of the tender documentation has been prepared in such a way that a successful public tender can be expected.

## **Article 12 (application)**

(1) The application for the selection of a universal service provider must be delivered by the deadline specified in the announcement of the public tender. Deadline for submission deposits must be at least 90 days.

(2) The application must be delivered in a sealed envelope, and the envelope must be marked "do not open - application" and indicate the public tender to which it refers.

## **Article 13 (opening of applications)**

(1) The commission manages the opening of the received applications for the selection of the universal service provider. The opening is carried out within the deadline or deadlines provided for in to the public call for applications.

(2) The opening of received applications is public.

(3) Only envelopes containing applications delivered on time, correctly filled in and marked, shall be opened, namely in the order in which they were delivered.

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**Article 14  
(minutes)**

(1) The Commission must keep a record of the opening of applications, which contains in particular: 1. address, place and time of opening of due applications; 2. the subject of a public tender; 3. names of the commission representatives present; 4. names of applicants (hereinafter referred to as: applicants) of applications in the order in which they were opened; 5. findings on the completeness of applications; 6. listing those applicants who have not submitted a complete application.

(2) At the opening, the commission determines the completeness of applications based on whether all required documents have been submitted (formal completeness). The minutes are signed by the president and members of the commission.

**Article 15  
(supplementation of applications)**

(1) Within five days of the opening of applications, the Commission shall request in writing applicants whose applications were incomplete to complete them. The deadline for replenishment must not be shorter than eight days and longer than 15 days.

(2) Incomplete applications, which are not completed by the applicants within the deadline from the previous paragraph, are discarded.

**Article 16  
(evaluation of applications)**

(1) The Commission expertly examines complete applications and evaluates them based on the conditions and criteria stated in the public tender and the tender documentation. The Commission must draw up a report on the implementation of the expert review of complete applications and their evaluation.

(2) Based on the evaluation of the applications, the commission prepares a proposal for the selection of a universal service provider, which is signed by the president and members of the commission.

(3) A reasoned proposal for the selection of a universal service provider shall be submitted to the director of the agency or a person authorized by him to make a decision on the selection of a universal service provider.

(4) After receiving the reasoned proposal from the previous paragraph, decision-making continues according to the law governing the general administrative procedure, with whereby all bidders who have submitted correctly marked bids within the deadline specified in the public tender have the status of customer.

**Article 17  
(restriction of evidence)**

In the administrative procedure initiated after the public tender, it is not permissible to propose or provide evidence that should be an integral part of the complete offer or that would change the offer in any way.

**Article 18  
(selection of providers)**

The Agency decides on the offers by issuing a decision on the selection of the universal service provider. The Agency must issue and serve decisions to all bidders within the deadlines specified in the public tender, and at the same time inform the public about its decision.

**III. FINANCING THE NET COST OF THE UNIVERSAL SERVICE**

**Article 19  
(compensation for the obligation to provide a universal service)**

(1) If the obligation to provide a universal service causes net costs and represents an unfair financial burden for the provider of the universal service, the provider is entitled to compensation for the provision of the universal service.

(2) The net cost of the universal service obligation from the previous paragraph is any cost that is necessary for the implementation of the universal service and is related to this service. It is calculated as the difference between the net costs of a designated universal service provider operating with universal service obligations and the net costs of the same provider operating without universal service obligations. Based on the calculation of the net costs of universal service obligations, the Agency determines whether they really represent an unfair burden.

(3) On the basis of his request and under the conditions referred to in the first paragraph of this article, compensation for implementation of the universal service from the compensation fund established and managed by the agency.

**Article 20  
(procedure for calculating the net cost of the universal service obligation)**

(1) A provider of a universal service who wishes to assert the right to compensation for the provision of a universal service must send the request, together with the calculation of the actual net costs of the universal service obligation and substantiated by financial statements and other accounting information, to the agency according to the audited business report for the previous year, but no later than June 30 of the current year. In doing so, accounting methods in accordance with Articles 21 and 36 of this law, which are previously approved by the agency, are taken into account.

(2) The Agency, by means of a general act, prescribes the content, form and structure of the accounting information from the previous paragraph.

(3) The Agency, based on a review of the calculation of the net costs of universal service obligations of individual universal service providers, shall: confirm or change the calculations if it finds that the calculations are not appropriate.

(4) The providers of the universal service must, at its request, deliver to the agency all the data and information necessary to clarify the net costs of the universal service obligation.

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(5) The Agency, on the basis of confirmed or amended calculations of the net costs of universal service obligations for the previous year, when it determines that cookies that these represent an unfair burden, the decision determines the amount of compensation, which may not exceed the calculated net costs.

#### Article 21

##### (components of the calculation of the net cost of the universal service obligation)

(1) When calculating the net cost of the universal service obligation, it must be taken into account that: - it can only be based on the costs associated with the provision of the universal service with the prescribed quality; - only the components of universal services are taken into account in the calculations: a) in which the provider of this service incurs a loss or b) are performed under cost conditions that do not correspond to normal commercial standards;

- the calculations take into account the provision of a universal service for specific users or groups of users in which the provider of this service has a loss or is performed under cost conditions that do not correspond to normal commercial standards, and these net costs must be calculated separately from other net costs; - separate net costs should be added up in such a way as to avoid double counting of direct and indirect costs and benefits; - whenever possible, the universal service is provided with the prescribed quality and in accordance with this law in several different ways, the method that ensures the implementation of the universal service of the prescribed quality with the least costs is taken into account for the calculation, even when the provider of the universal service has decided to do otherwise manner; the provider of the universal service has the right to generate a reasonable profit by providing the universal service, which maintains the level of profitability of the assets that it would have had without the provision of the universal service;

- the reduction of the net cost of the universal service must be taken into account for all tangible and intangible benefits of the provider of the universal service, which he has due to the implementation of the universal service.

(2) The tangible and intangible benefits of the universal service provider from the seventh indent of the previous paragraph are: - revenues from services that are not universal services and which the provider could not generate if it did not provide the universal service; - increasing the value of brands due to the implementation of a universal service; - reduction of the costs of the provision of other services due to synergistic effects arising from the provision of a universal service; - other tangible and intangible benefits that, on the basis of financial statements and other accounting information and the use of auditing procedures are determined by the agency.

(3) The Agency regulates the manner of implementation of this Article in more detail in a general act.

#### Article 22

##### (compensation fund and its operation)

(1) The compensation fund referred to in the third paragraph of Article 19 of this Act is established by the agency by opening a special bank account and managing separate accounting records.

(2) All providers of universal service and providers of interchangeable services must contribute to the compensation fund from the previous paragraph (in hereinafter: committed postal service providers).

(3) The income of the compensation fund is the contributions of the committed providers of postal services, while the expenses are the compensation paid for the implementation of the universal service to the providers of the universal service.

(4) The universal service provider, whose calculated contribution to the compensation fund is less than the calculated compensation for the performance of universal service obligations, does not pay the contribution to the compensation fund. Only the difference between the calculated compensation and the calculated contribution is paid to him as compensation.

#### Article 23

##### (revenues of the compensation fund)

(1) The amount of contributions of committed postal service providers to the compensation fund is determined by the agency by calculating:

- the entire obligation to finance the implementation of the universal service;

- the amount of the contribution of each committed postal service provider in proportion to the share of its revenues generated by interchangeable services, together with the universal service, so that the contributions of all committed postal service providers cover the entire obligation to finance the implementation of the universal service.

(2) **(deleted)**

(3) The obligated provider of postal services shall contribute the calculated obligation to the compensation fund based on the agency's decision. In the decision, the Agency also determines the payment deadline, which must not be shorter than 30 days.

(4) Every year by March 31, the obliged provider of postal services must inform the agency of the amount of income from the previous year, which he has on the basis of the provision of postal services. If the committed provider of postal services does not do so by this deadline, the agency takes into account his entire income from the previous year, obtained on the basis of data from the Agency of the Republic of Slovenia for Public Legal Records and Services.

(5) If there is reason to suspect the veracity of the data provided by the committed postal service provider, the agency or, at the option of the agency, an authorized auditor may review the data and assess the revenue of this provider. If the estimated income differs significantly from the reported income from the fourth paragraph of this article, the agency takes the estimated income into account in the calculation.

(6) Every year, the Agency checks the business results, determines the actually paid contributions of individual contractors and their actual obligations.

#### IV. CONDITIONS FOR PROVIDING POSTAL SERVICES AND ACCESS TO THE POSTAL NETWORK

#### Article 24

##### (provision of postal services)

(1) Postal services, unless this law provides otherwise, may be provided by any natural or legal person (in hereinafter: the applicant), who informs the agency about this in advance in writing or by e-mail.

(2) If, on the basis of the notification from the previous paragraph and after the assessment from the third paragraph of Article 4 of this law, the agency determines that the applicant wants to provide interchangeable services, it shall issue a declarative decision to this effect, in which it also states the essential requirements and obligations that the applicant has according to the notification. The Legal Information System website uses GoogleAnalytics cookies, necessary to improve the user experience - change settings - more about cookies

(3) In the cases referred to in Article 7 of this Act, the universal service is implemented on the basis of the agency's decision.

#### Article 25

##### (Notice)

(1) In the notice referred to in the first paragraph of the previous article, the applicant must state the name of the company, the address or headquarters, the status form of the company in which he will provide postal services, and details of the types of postal services he will provide, and attach a statement on the type of activity, which he will perform in accordance with the valid standard classification of activities.

(2) The provider of postal services must notify the agency in writing or by e-mail of any change in the data from the previous paragraph in 30 days from its creation, and at least 15 days in advance of any planned change or termination of postal services.

(3) The Agency shall, within 15 days of receipt of the notification on the termination of the provision of exchangeable services, issue a decision on this, in which, among other things, it shall determine any outstanding obligations of the exchangeable services provider to the compensation fund and determine which of its obligations under this Act shall cease.

#### Article 26

##### (decision on the appointment of a universal service provider)

(1) The Agency issues a decision on the appointment of a universal service provider (hereinafter: the decision) in the manner specified in Article 7 of this law.

(2) The decision is issued for a minimum of five and a maximum of 20 years.

(3) Transfer of the decision to another natural or legal person is not permitted. Contractual provision of contact information is not considered transfer of the decision points.

#### Article 27

##### (content of the decision)

(1) The decision contains in particular:

1. a provision on the right and obligation to provide part or all of the universal service in part or all of the territory of the Republic of Slovenia; 2. data on the holder of the decision; 3. the period of validity of the decision; 4.

special rights and obligations that

must be fulfilled by the holder of the decision when performing the universal service, such as e.g. postal network, points

access and quality of transmission of postal items, as well as other requirements and commitments from the public tender.

(2) The holder of the decision must notify the agency of all status changes within 30 days of their occurrence.

#### Article 28

##### (amendment of the decision)

(1) Taking into account Article 7 of this Act, the decision may be changed at the proposal of the holder of the decision.

(2) The Agency may change the decision ex officio, namely:

1. if this is necessary for the efficient implementation of the universal service; 2. if this is required by international legal acts established in the Republic of Slovenia.

(3) In the cases referred to in the first and second paragraphs of this article, the Agency may issue a new decision, with which the issued decision is partially or completely changed. In the cases from the previous paragraph, the agency can also cancel the validity of the decision in accordance with the provisions of Article 29 of this law, taking into account the principle of proportionality.

#### Article 29

##### (cancellation of the validity of the decision)

(1) The validity of the decision may be revoked in whole or in part.

(2) The decision revoking the validity of the previous decision is issued by the agency ex officio or at the proposal of the permit holder.

(3) The Agency may revoke the validity of the decision at the proposal of its holder, only after he has fulfilled his obligations arising from the law or other regulations, decisions and contracts with users of postal services.

(4) The Agency revokes the validity of the decision ex officio if:

1. the holder of the permit no longer meets the conditions from Article 7 of this Act, 2. the holder provided false information during the selection process and this affected his appointment; 3. the holder of the decision does not start providing services from the decision within one year after its issuance, unless otherwise specified in the decision; 4. despite repeated warnings to the agency, the holder of the decision has not settled his obligations; 5. in the event of serious violations from Article 68 of this Act or repeated violations found in the control procedure in the fulfillment of the provisions specified in the decision obligations, if these violations were not remedied with milder measures in the control procedure;

6. despite the warning, the holder of the decision does not establish an adequate system to prevent intrusions into the confidentiality of postal shipments.

(5) If the provision of universal service would be threatened, the agency shall revoke the validity of the decision based on this article only after the decision appoints another universal service provider.

#### Article 30

##### (decision cancellation procedure)

(1) When the procedure for revoking the validity of a decision is started ex officio, the agency must immediately inform the owner of the decision about this and the reasons for starting the procedure.

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(2) In the event of a violation of obligations specified by law or a decision, for which it is stipulated that the decision shall be annulled ex officio, the agency must, prior to its validity, warn its owner in writing to stop the violations identified in the control procedure, and set a deadline for him, in which he must eliminate them. If, even after the expiry of the deadline, the holder of the decision has not stopped the violations, the agency revokes the validity of the decision, taking into account the last paragraph of the previous article.

(3) The validity of the decision may be revoked in part or in full, taking into account the principle of proportionality.

(4) Revocation of the validity of the decision takes effect from the date of finality of the decision by which the previous decision was revoked.

#### **Article 31**

##### **(termination of validity of the decision)**

(1) The decision ceases to be valid:

1. upon expiry of the period for which it was issued, 2. if the holder of the decision ceases to exist, 3. upon revocation of the validity of the decision in accordance with Article 29 of this Act.

(2) In the case referred to in point 2 of the previous paragraph of this article, the agency shall issue a decision establishing the termination of the validity of the decision.

#### **Article 32**

##### **(access of providers of interchangeable services to postal infrastructure or services from the universal service set)**

(1) On access to parts of the postal infrastructure or services covered by the universal service set, such as the postal code system, address databases, mailboxes, mailboxes for the delivery of parcels, information on the change of address, services for redirecting postal parcels and services for returning parcels to the sender, the universal service provider must enter into an agreement with another exchangeable service provider at his request, which regulates the method and conditions for access to the postal network, the price of access, which must be based on costs, the method of billing and payment and other access issues, all taking into account provisions on the confidentiality of postal shipments and the protection of personal data from Chapter X of this Act. The universal service provider must send a copy of this contract and its possible additions or changes to the agency within eight days of its conclusion.

(2) The provider of the universal service must publish transparent and non-discriminatory conditions for access from the first paragraph of this article together with the price and method of access.

(3) When determining the price and conditions for access referred to in the first paragraph of this article, the universal service provider may not discriminate between different providers of interchangeable services.

(4) If an access agreement is not concluded within four months from the request of the provider of interchangeable services, the provider of interchangeable services may request the agency to decide on access.

(5) The provider of the universal service may refuse access from the first paragraph of this article only if this would jeopardize the implementation of the universal service or the confidentiality of postal shipments and the protection of personal data, and shall notify the agency thereof within 30 days.

(6) The Agency shall decide on the request from the previous paragraph upon meaningful application of Article 62 of this Act. In doing so, the Agency only resolves those issues which cannot be agreed between the parties and are not contrary to the law.

(7) The Agency may, by decision, impose on the universal service provider measures related to the fulfillment of the obligations from this article, which must be transparent, proportionate and non-discriminatory.

#### **Article 33**

##### **(strike)**

(1) The provider of postal services must ensure the transmission of:

- postal items used in court proceedings, administrative proceedings and proceedings due to a misdemeanor, as well as registered mail items for defense, protection and rescue;
- registered and value mail items that were received before the start of the strike.

(2) The provider of postal services must ensure the transfer of all postal items that were sent before the start of the strike, immediately after the end of strikes.

(3) The strike committee or the body that organizes the strike must ensure that during the strike the consignments delivered are not destroyed, lost or damaged and that all postal items sent during the strike are transferred with a maximum delay of two days after the end of the strike.

#### **Article 34**

##### **(obligation to pay the agency)**

(1) Every provider of postal services referred to in the second and third paragraphs of Article 24 is liable to pay the agency.

(2) The method of calculation and settlement of payments to the agency is prescribed by the minister responsible for the post office (hereinafter: the minister), taking into account the agency's operating costs in relation to the tasks performed by the agency under this Act. Postal services for the blind and partially sighted are not taken into account when calculating the amount of payment.

(3) Payment to the agency is settled annually.

(4) The Agency determines the amount of payments referred to in this article by means of a tariff, which is a general act of the Agency. When issuing the tariff, the agency takes into account the coverage of the work costs incurred by the agency in implementing the provisions of this law, taking into account the planned goals and tasks related to postal services specified in the agency's work program. The tariff contains a special explanation, which states the reasons for adopting or changing the tariff, as well as the goals that would be achieved in this way. The tariff is published in the Official Gazette of the Republic of Slovenia together with its explanation and comes into force the day after this publication.

(5) Before issuing or changing the tariff, it is necessary to foresee the costs incurred by the agency in enforcing the provisions of this Act and to set a deadline, which must not be shorter than 15 days and not longer than two months, during which the taxpayers from the first paragraph of this article are invited to give their opinion, comments and suggestions regarding the planned release or change of the tariff. Mutual interviews can also take place during this time. The prior approval of the government is required to issue or change the tariff.

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### Article 35 (universal service prices)

(1) Services from the set of universal services must be provided by universal service providers at prices that: - are affordable and enable all users to access the offered services regardless of their geographical location; - cost-oriented and promote the effective provision of a universal service; - for services of the same type throughout the entire territory of the Republic of Slovenia.

(2) The use of the uniform tariff from the last indent of the previous paragraph does not exclude the right of universal service providers to conclude individual contracts with users regarding the price.

(3) Tariffs must be transparent and non-discriminatory.

(4) When universal service providers use special tariffs, for example for services for companies, for mass mail senders or for mail consolidators of different users, they must respect the principle of transparency and non-discrimination in tariffs and related conditions. Tariffs, together with related terms, apply equally between different third parties and between third parties and universal service providers providing equivalent services. Such tariffs are also available to users, especially individual users and small and medium-sized companies that send mail under similar conditions.

(5) With the exception of services which, in accordance with the ratified acts of the Universal Postal Union, are exempt from payment of postage (literature for blind and partially sighted persons), universal services must be accessible to blind and partially sighted persons at the same prices as other users for the same type of services. In this case, this price already includes any additional services that the provider of the universal service must provide for the smooth implementation of the universal service for the blind and partially sighted. The universal service provider can also offer more favorable conditions for the blind and partially sighted.

### Article

#### 36 (separate accounting records and prohibition of subsidies)

(1) Obligated providers of postal services who must contribute to the compensation fund must provide appropriate separate accounting to the operation of this fund is ensured.

(2) Universal service providers keep separate accounting records in their accounting systems, which clearly distinguish between services and products that are part of the universal service and those that are not. This separate accounting serves as the data source for calculating the net cost of the universal service. Such internal accounting systems must operate on the basis of consistently applied and objectively justified principles of cost accounting.

(3) Without prejudice to the fourth paragraph of this article, the accounting systems from the previous paragraph assign costs in the following way: a) costs directly attributable to a particular service or product shall be attributed to that service or product; b) total costs that cannot be directly attributed to a specific service or product:

- whenever possible, they are distributed on the basis of a direct analysis of the source of the costs themselves; - when direct analysis is not possible, common cost categories are distributed based on an indirect connection with another cost category or group of cost categories for which direct transfer or assignment is possible; the indirect link is based on comparable cost structures;
- when it is not possible to distribute the costs with direct and also with indirect measures, the cost category is distributed on the basis of a general distribution factor, which is calculated using the coefficient of all expenditures that are directly or indirectly attributed or allocated to each service from the second paragraph of Article 3 of this of the law, which is performed as a universal service, on the one hand, and to other services on the other hand; - the total costs necessary for the implementation of universal and non-universal services are distributed accordingly; the same cost drivers are used for universal and non-universal service.

(4) Other cost accounting systems may be used only if they are compatible with the provisions of the previous paragraph and have been approved by the agency. The Agency must inform the European Commission about this before using them.

(5) The universal service provider may not use universal services to subsidize the remaining postal services and other services that performs.

(6) The Agency shall ensure that an auditor or professional institution, which are independent of the universal service provider, checks compliance with one of cost accounting systems from the second or third paragraph of this article. The Agency periodically publishes compliance reports.

(7) The provider of the universal service must ensure to the agency that it has at its disposal sufficiently detailed information about the cost accounting systems it uses. The Agency must submit this information to the European Commission at its request. At the explicit request of the agency, the universal service provider must also make available the precise accounting information derived from these systems, and the agency must also make it available to the European Commission if it requests it, taking into account the level of confidentiality of this information as determined by it universal service provider.

(8) The Agency may regulate the implementation of this Article in more detail in a general act.

### Article

#### 37 (general conditions and prices)

(1) Providers of postal services referred to in the second and third paragraphs of Article 24 of this Act must publish the general conditions for the implementation of postal services and the prices of these services.

(2) The Agency may, by means of a general act, determine in more detail what the content of the general conditions for the provision of postal services from the previous paragraph must include.

(3) Before the general conditions and prices of the universal service come into force, the provider of the universal service must obtain the consent of the agency for them and publish them on their websites and in business premises intended for direct work with users of postal services at least seven days before their coming into force.

(4) The Agency issues its consent to the general conditions and prices of postal services from the previous paragraph within 30 days from the date of receipt. If they necessary additional data and calculations, may extend this deadline by 15 days after prior notification to the universal service provider.

(5) The Agency does not issue consent to the general conditions and prices of postal services from the third paragraph of this article, if: 1. the general terms and conditions would not satisfy the needs of users of postal services and the market or effective competition would not be guaranteed; 2. the proposed general conditions and prices are contrary to the principles of transparency, non-discrimination and ensuring competition; 3. the proposed prices are formulated in violation of Article 35 of this Act.

given. (6) If the agency does not issue and deliver the consent to the provider of universal services within the deadline referred to in the fourth paragraph of this article, the consent shall be considered given. **Hide notification**

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## VI. QUALITY OF SERVICES AND PROTECTION OF USERS OF POSTAL SERVICES

### Article

#### 38 (payment of postal services)

(1) The postal service is paid according to the valid price list, an extract of which must be available to users of postal services in a visible and accessible place on the premises of the postal service provider, and at the request of the user of postal services, he must be allowed to view the entire price list of postal services.

(2) Payment for the postal service is marked on the shipment with: - valid postage stamps, - imprints of franking machines, - imprints of printing machines or other printing methods, - a mark that the postage has been paid.

(3) The Minister may determine another way of marking the payment of postage.

### Article

#### 39 (right to use postal services and right to object)

(1) Everyone has the right to use postal services in accordance with the published general conditions and prices.

(2) Every user of postal services has the right to object to the decision or conduct of the postal service provider in relation to access to services or the provision of services, which he can file with this postal service provider within 30 days from the day he learned of the contested decision or the conduct of the postal service provider.

(3) Postal service providers must publish the procedure for resolving objections of users of postal services as an integral part of the general terms and conditions.

(4) If the provider of postal services does not comply with the user's objection or does not decide on it within 15 days of its receipt, the user of postal services may submit a proposal for resolving the dispute before the agency within 15 days of the expiration of this deadline. If the user of postal services is a consumer, he can submit a proposal for the resolution of the dispute also before the provider of out-of-court resolution of consumer disputes, which meets the conditions and provides the procedure in accordance with the law governing the out-of-court resolution of consumer disputes, if the provider of postal services recognizes such competence of providers for the resolution of consumer disputes. In the event that the postal service provider does not recognize any provider of out-of-court consumer dispute resolution as competent for the resolution of the consumer dispute, it must specifically warn the consumer of this in the legal instruction.

(5) If the procedure before the provider of out-of-court resolution of consumer disputes does not end with a binding decision in accordance with the law governing the out-of-court resolution of consumer disputes, the consumer may, regardless of the deadlines from the previous paragraph of this article, within 15 days from the date on which this procedure was completed, submit a proposal to resolve the dispute before the agency.

(6) Organizations that can file a lawsuit under the law governing consumer protection can file an objection due to a violation of the general conditions and prices of postal service providers when dealing with users and consumers, and file a request for resolution of the dispute to the agency according to the previous paragraph, whereby exempted from payment of administrative fees.

(7) Providers of the universal service, in cases where the provider of the universal service has not been appointed as well as the providers of interchangeable services, also maintain records with data on the number of objections and the manner of their handling, which are published together with the annual control report, in order to control the quality of the implementation of the universal service over the provision of these services from the sixth paragraph of Article 3 of this Act.

### Article 40

#### (public influence)

(1) When formulating postal policy and adopting regulations and general acts, state authorities and agencies must: obtain public opinion.

(2) State bodies and agencies must publish draft regulations and acts from the previous paragraph and invite users of postal services, experts, providers of postal services and other interested persons to contribute information, comments and suggestions within a period that must not be shorter than 30 days.

(3) After the expiration of the deadline from the previous paragraph and before the adoption of the regulation or act from the first paragraph of this article, the agency or other state body must publish the obtained opinions and comments on its website and indicate in the publication how they were taken into account. In doing so, confidential information and data are not published.

## VII. MAIL DELIVERY

### Article 41

#### (delivery and service of postal items)

(1) Postal items are delivered to a house mailbox or letter box in the business premises of the postal service provider or, as agreed between the user and the postal service provider, if this is not possible, directly in the business premises of the postal service provider. If service is required, postal items are delivered personally to the addressee or to a person authorized to accept postal items or to an adult member of the household or to a person employed in the addressee's household or in his business premises.

(2) Registered and valuable postal items are delivered to the addressee personally at the address. If this is not possible, it is recommended and valuable deliver the parcel to one of the adult members of the household or to a person authorized to accept postal parcels.

(3) If the postal items from the previous paragraph cannot be delivered to the persons from the previous paragraph due to absence, the delivery person leaves the to the house mailbox, a notification indicating the place of collection and the deadline in which the postal item can be collected.

(4) If the addressee does not collect the postal item within the time limit specified in the notification from the previous paragraph, the postal item is returned to the sender.

(5) If the addressee or the persons referred to in the second paragraph of this article refuse to accept the registered and valuable postal item, the service agent (hereinafter: the service agent) shall write the date and reason for refusal of acceptance on the postal item or the service desk and return the postal item to the sender. **Hide notification**

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(6) If the postal item cannot be delivered to the addressee, and it is also not possible to determine who the sender is, the postal service provider writes an official note on the mail item and stores it for one year from the date of the note. After the expiration of the specified period, such mail is sealed and destroyed by the commission.

(7) If the recipient is illiterate or if he cannot sign, the delivery person writes down his first and last name and the date of service with a note, why the recipient did not sign.

#### **Article 42 (other methods of delivery and service)**

(1) Regardless of the provisions of the previous article, postal items may also be delivered to another appropriate place, under the conditions and in the manner, determined in the general act from the fourth paragraph of Article 5 of this Act.

(2) If a special law regulates the delivery of certain postal items differently from what is stipulated in this law, the provider of postal services must deliver such postal items in the manner and under the conditions specified by the special law.

#### **Article 43 (house drawer)**

(1) The owner (hereinafter: owner) of an apartment or business premises must ensure the installation, labeling and maintenance of a house drawer at the entrance to the building. The user of postal services in an individual apartment or business premises must ensure that the house mailbox is emptied.

(2) House mailboxes in multi-apartment buildings must be marked with the surname or company name of the users of the postal services in the individual apartment or business premises. They must be installed on the ground floor, and unhindered access must be enabled. If the entrance to the building is locked, the owner or its manager must provide the delivery person with access to the lockers. The owner or manager of the building and the postal service provider agree on the method of access.

(3) If the persons referred to in the first paragraph of this article do not fulfill their obligations, the provider of the universal service must warn them in writing and set an appropriate deadline for them to remedy the violations.

(4) If the persons referred to in the first paragraph of this article do not remedy the violation within the period referred to in the previous paragraph, the contractor referred to in the previous paragraph is not obliged to deliver postal items to them, but must notify the agency in advance in writing.

#### **Article 44 (installation of drawers)**

Drawers must be designed and installed in such a way that they enable safe delivery to the delivery person and ensure the confidentiality of postal items.

#### **Article 45 (prohibition of delivery to a mailbox)**

(1) The user of postal services may prohibit the delivery of unaddressed advertising, marketing and other advertising messages to his mailbox by affixing a label issued by the agency to it. The prohibition of delivery to such a mailbox applies to all natural or legal persons, including those who are not providers of postal services in accordance with this law.

(2) The prohibition from the previous paragraph also applies if unaddressed advertising, marketing and other advertising messages are filed in other types of unaddressed shipments, the delivery of which is not prohibited by a label.

(3) Newspapers, magazines, official newsletters of municipalities and local communities, invitations from institutions, political propaganda messages during the election campaign, unaddressed shipments with informative, educational or humanitarian content and other printed forms of editorially designed content are not considered shipments from the first paragraph of this article .

(4) The Agency, by means of a general act, shall determine in more detail the appearance and method of issuing the sticker referred to in the first paragraph of this article.

### VIII. POSTAL VALUES

#### **Article 46 (issuance of postal vouchers)**

(1) The economic company Pošta Slovenije, doo has the exclusive right to issue postal value certificates. For this purpose:

1. issues postal values, 2. registers postage stamps with the Universal Postal Union and its member states, 3. sells and exchanges international reply coupons, 4. exports postal values.

(2) The Minister approves the annual program of issuing occasional postage stamps submitted by the business company from the previous paragraph.

(3) The Minister shall determine in more detail the method and procedure for issuing postal value vouchers.

#### **Article 47 (invalid trademarks)**

(1) Invalid postage stamps are those: 1. issued in violation of this Act; 2. which are so damaged that the name of the country "SLOVENIA" cannot be seen, the nominal value marked with numbers or letters, and an indication or sign that indicates the issuer;

3. which have already been used to mark the payment of postal services; 4. which were not issued by the business company referred to in the first paragraph of the previous article; 5. whose validity has ceased.

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(2) If an invalid postage stamp is affixed to the postal item, it is considered that the postal service has not been paid.

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## IX. CONTENTS OF MAILS AND LIABILITY FOR DAMAGES

### Article 48

#### (prohibited content of postal items)

(1) It is prohibited to send in postal shipments:

1. narcotics and psychotropic substances, unless the sender or addressee is a person authorized by law to trade in them or to use them; 2. explosive, flammable, radioactive or other dangerous substances; 3. live animals; 4. items whose import and circulation are prohibited in the country of address; 5. items that are dangerous for employees of the postal service provider; 6. other substances or objects, the sending of which is prohibited by law.

(2) Regardless of points 2 and 3 of the previous paragraph, dangerous substances may be sent in postal shipments, which are exchanged between the competent institutions in the manner and under the conditions prescribed by law.

(3) Notwithstanding point 3 of the first paragraph of this article, it is permitted to send in postal items, with the exception of valuable postal items bees, leeches and silkworms.

(4) Postal shipments containing substances or objects from points 1 and 2 of the first paragraph of this article must be handled by the postal service provider in accordance with hand over their nature and level of danger to competent state authorities, holders of public authority or public service providers.

(5) The Minister prescribes in more detail the manner of handling postal shipments containing substances or objects from this article.

### Article 49

#### (internal protection of postal contents)

(1) The sender must take care of the internal protection of the contents of the postal shipment in such a way that the postal service provider during normal handling of it it cannot harm postal personnel, postal items, devices or facilities.

(2) If damage occurs because the postal item did not have internal protection of its content in accordance with the provisions of the previous paragraph, it indemnified sender.

### Article 50

#### (liability for caused damage)

(1) The provider of postal services is responsible for damage that occurs during the transfer of registered and valuable postal items and postal packages due to: 1. loss, damage, theft or robbery, 2. exceeding the transfer deadline, 3. non-executed, incomplete or incorrectly executed postal services.

(2) Regardless of the previous paragraph, the postal service provider is not liable for the damage caused if it proves that:

1. the transfer of the postal item was carried out in accordance with the general conditions; 2. it happened due to force majeure; 3. the damage was caused by the fault or negligence of the sender or by the contents of the mail; 4. the damage occurred because, in accordance with the fourth paragraph of Article 48 of this Act, the postal item was handed over to competent state authorities, public authority holders or public service providers; 5. the postal service user intentionally insured the contents of the postal shipment for a higher value than its actual value; 6. the user of postal services did not file a complaint within the specified period; 7. was caused by the lawful conduct of the competent authorities.

(3) Regardless of point 2 of the previous paragraph, the sender is entitled to a refund of the fees paid (except the insurance premium).

### Article 51

#### (Complaint)

(1) The user of postal services has the right to file a complaint within three months after delivery of the postal item in cases from the first and second paragraph of the previous article.

(2) The user of postal services has the right to file a complaint immediately upon delivery or within 30 days of delivery at the latest, if the defects are not immediately visible.

(3) If the user of postal services does not file a complaint within the deadlines specified in the previous paragraphs of this article, he loses the right to compensation.

(4) The provider of postal services must respond to the complaint within 15 days for postal items in domestic postal traffic and within two months for postal items in international postal traffic, otherwise the user of postal services may submit a proposal for dispute resolution to the agency within 15 days of the expiry of the deadline. If the user of postal services is a consumer, he can submit a proposal for the resolution of the dispute also before the provider of out-of-court resolution of consumer disputes, which meets the conditions and provides the procedure in accordance with the law governing the out-of-court resolution of consumer disputes, if the provider of postal services recognizes such competence of providers for the resolution of consumer disputes. In the event that the postal service provider does not recognize any provider of out-of-court consumer dispute resolution as competent for the resolution of the consumer dispute, it must specifically warn the consumer of this in the legal instruction.

(5) If the procedure before the provider of out-of-court resolution of consumer disputes does not end with a binding decision in accordance with the law governing the out-of-court resolution of consumer disputes, the consumer may, regardless of the deadlines from the previous paragraph of this article, within 15 days from the date on which this procedure was completed, submit a proposal to resolve the dispute before the agency.

(6) Providers of universal service, in cases where the provider of universal service has not been appointed, as well as providers of interchangeable services, to control the quality of the provision of universal service, also keep records with data on the number of complaints and the method of their handling, which are published together with the annual report on the provision of these services from the sixth paragraph of Article 3 of this Act.

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**Article 52**  
**(amount of compensation)**

(1) The provider of postal services must pay compensation to the user of postal services in the amount of the damage incurred, but no more than the amount specified in the second paragraph of this article.

(2) The maximum compensation for: 1. loss, damage, theft or robbery of a valuable shipment is the marked value of the postal shipment; 2. loss or theft of a postal package and a registered postal shipment is 15 times the price paid for the postal service provided; 3. robbery or damage to a postal package or a registered postal shipment is 10 times the price paid for the postal service provided; 4. non-performed, incomplete or incorrectly performed postal service of the transfer of registered and valuable postal items and postal parcels is the price, paid for postal service provided; 5. Exceeding the deadline for the transfer of a registered and valuable postal shipment and a postal package is the price paid for the postal service provided; 6. the loss of a postal shipment with a receipt is the price paid for the postal service provided.

(3) In the cases referred to in points 1, 2 and 3 of the previous paragraph, the user of postal services also has the right to a refund of the price paid for the transfer postal items, except for that part of the price that was paid for the insurance of the item.

(4) Notwithstanding the second paragraph of this article, the maximum possible compensation for postal items in international postal traffic shall be determined in accordance with the provisions of the acts of the Universal Postal Union, which are in force in the Republic of Slovenia.

(5) The provider of postal services is under no circumstances liable for indirect damage and lost profit.

**X. MAIL CONFIDENTIALITY AND PROTECTION OF PERSONAL DATA**

**Article 53**  
**(confidentiality of postal items)**

(1) Postal service providers must protect the confidentiality of postal shipments in accordance with the law governing the protection of personal data.

(2) Postal service providers may not obtain information about the content of postal shipments and information about the facts and circumstances of postal traffic. If postal service providers need to obtain data on facts or circumstances related to transferred postal items due to the very performance of postal services and the resolution of claims and complaints, they may only obtain them to the extent and for as long as is necessary for the performance of postal services and the resolution of complaints and claims. Postal service providers may, with the individual's consent, provide information they have obtained about that individual. Consent is considered to be the express written consent of the individual.

(3) Legal and natural persons who provided postal services must protect the confidentiality of postal shipments even after the end of the activity, within which were obliged to protect her.

(4) Postal service providers must establish appropriate systems to prevent intrusions into the confidentiality of postal shipments.

(5) Notwithstanding the provisions of this article, the obligation to protect the confidentiality of postal items may be waived in accordance with Article 55 of this Act.

**Article 54**  
**(data on users of postal services)**

(1) Postal service providers may collect and process personal data of users of postal services, which are an integral part of the address of a postal shipment, if they need this data for the provision of postal services or for marketing and market research.

(2) The provider of postal services must process the data from the previous paragraph in accordance with the law governing the protection of personal data.

**Article 55**  
**(legal supervision)**

(1) When, in accordance with the law governing criminal proceedings or the law governing the Slovenian Intelligence and Security Agency, legal supervision is necessary due to the initiation or conduct of criminal proceedings or the security of the country, postal service providers must report to the competent authority on the basis of the order of the competent authority to provide access to the content of postal shipments at their own expense and to provide information on the facts and circumstances of postal traffic.

(2) The competent authority must hand over to the postal service provider a copy of that part of the pronouncement of the order before inspecting the contents of the postal shipment of the competent authority relating to the user of a particular postal service. The transcript of the pronouncement of this order is made by the authority that issued the order.

(3) For legal and independent control, postal service providers must, at their own expense, provide an indelible record of interventions that were carried out on the basis of this article, and information about it shall be protected as an official secret.

(4) Postal service providers must keep data on records of interventions from the previous paragraph for at least 10 years and in accordance with the the level of secrecy of the transcript of the order of the competent authority to be treated and protected as classified information in accordance with the regulations on classified information.

**XI. AGENCY**

**Article 56**  
**(general provision)**

(1) Unless this law provides otherwise, the law governing electronic communications and the agency's internal acts shall apply to the management, operations and operation of the agency.

(2) The Agency conducts the procedure and issues individual acts in accordance with the law governing the general administrative procedure, unless otherwise stipulated by this law.

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Agency (3) Individual acts of the agency are final, unless this law provides otherwise. cookies (4) The

itself carries out the administrative enforcement of its enforceable decisions and, in doing so, imposes appropriate penalties and applies coercive measures prescribed by the Act on General Administrative Procedure. Administrative enforcement of monetary obligations is carried out by the tax authority according to the procedure prescribed for the enforcement of tax obligations.

(5) Judicial protection in administrative disputes is guaranteed against definitive individual acts of the agency.

#### **Article 57** **(goals of the agency)**

(1) In carrying out its tasks, the Agency pursues the goals of providing a universal service, protecting users' rights and promoting competition on the market of postal services. In order to realize these goals, the agency takes measures proportionate to the goals it wants to achieve. In doing so, the agency operates transparently and ensures that there is no discrimination between postal service providers in similar circumstances.

(2) In carrying out its tasks, the Agency cooperates with other state authorities and institutions, especially with the authority responsible for the protection of competition, and in matters of common interest with the authority responsible for consumer protection. The Agency also cooperates with the competent regulatory bodies of the member states of the European Union and the European Commission, as well as relevant bodies in other countries and bodies of international organizations.

(3) The Agency may, by means of a general act, regulate in more detail issues that arise in the implementation of individual provisions of this Act.

#### **Article 58** **(financing of the agency)**

Funds for work within the framework of authorizations based on this law are generated by the agency with revenues from the annual payments of taxpayers based on Article 34 of this law, which they transfer to its account.

#### **Article 59** **(official records of the agency)**

(1) The Agency keeps official records of postal service providers.

(2) The following information is kept in the official records of postal service providers:

1. company name or title of a sole trader; 2. name and surname of the responsible person of the legal entity; 3. registration number, tax number and registered office or address of a natural or legal person; 4. data on the issued decision, types of postal service, other data from the decision and data on its termination; 5. information on notifications, types of postal service; 6. data on the fulfillment of the obligations of postal service providers originating from this Act; 7. information on convictions for offenses specified by this Act.

#### **Article 60** **(payment of financial obligations)**

(1) Those liable to pay the contribution for compensation for the provision of universal service on the basis of the second paragraph of Article 22 of this Act and those liable to pay the payment to the agency on the basis of Article 34 of this Act and other monetary obligations from this Act must settle their monetary obligations within the deadlines, which are determined by an individual act of the agency.

(2) If the taxpayer referred to in the previous paragraph does not settle the obligation within the specified period, it shall be forcibly recovered in the manner and according to the procedure applicable to the forced recovery of tax liabilities.

### **XII. PROVISION OF INFORMATION**

#### **Article 61** **(collection and provision of data, information and opinions)**

(1) The provider of postal services must make available to the agency, at its request, to the extent and with all the details it requests, all data and information, including financial information and information on the implementation of the universal service, that the agency needs to exercise its powers, and for clearly defined statistical purposes and for reporting to the European Commission and international organizations in accordance with international legal acts established in the Republic of Slovenia.

(2) In the request from the previous paragraph, the Agency shall state the reasons justifying this request. In doing so, it takes into account that the information and data it requests must be proportionate to the performance of its tasks.

(3) Postal service providers shall submit information and data upon request from the first paragraph of this article immediately or within the time limit and with the details as required by the agency. If necessary, the contractors submit the required information or data marked as confidential or business secret in accordance with the law governing commercial companies.

(4) The provider of postal services must communicate personal and other data only if the law expressly stipulates so.

(5) The Agency publishes reports on the situation in the area of its competence together with statistical, financial and other data of organizations that operate in these areas, and in accordance with the law must protect business secrecy and other commercially sensitive data.

(6) The agency must notify the minister of the processed information from the first paragraph of this article.

(7) The Agency must communicate to the European Commission, at its request, relevant and appropriate information that it needs to carry out its tasks in the postal field. The agency communicates data and information to international organizations that the Republic of Slovenia must provide on the basis of international legal acts established in the Republic of Slovenia. A degree of confidentiality and commercial secrecy must be maintained.

(8) In terms of cooperation with relevant bodies in other countries and bodies of international organizations, the Agency may be the competent body of the countries sends data to members of the European Union, taking into account business confidentiality.

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## XIII. CONFLICT SOLVING

### Article 62 (dispute resolution)

(1) When so determined by this Act, the agency resolves in an administrative procedure disputes between participants in the postal activity, such as disputes between providers of postal services and between providers of postal services and users of postal services, if the disputes relate to rights and obligations that are determined by this law, the regulations issued on its basis and general acts, which does not interfere with possible judicial jurisdiction.

(2) The Agency endeavors to resolve the dispute first by introducing the mediation procedure referred to in Article 63 of this Act.

(3) If one of the parties opposes the intervention of the agency or if this does not lead to a settlement or agreement between the parties, and no court proceedings have been initiated on the same matter, the agency, at the proposal of any party or ex officio, continues the dispute resolution process and decides on the dispute with a decision .

(4) The Agency shall issue the decision from the previous paragraph in the shortest possible time, but no later than four months from its introduction mediation procedure.

(5) The Agency must decide on the basis of the law, by-laws and general acts and in accordance with the goals of providing a universal service, protecting the rights of users of postal services and promoting competition in this area.

### Article 63 (mediation)

(1) After examining the request to resolve the dispute, the Agency shall initiate a mediation procedure, the purpose of which is for the parties to mutually settle by agreement.

(2) Within eight days of receiving a proposal for the resolution of a dispute by one of the conflicting parties, the Agency shall notify the conflicting parties in writing of the initiation of mediation the procedure and the conditions for resolving the dispute with the agency's decision from the third paragraph of the previous article, if there is no agreement.

(3) The Agency plays the role of a mediator in the mediation procedure and conducts the entire procedure in such a way that it takes into account the principles of impartiality, equality, justice and confidentiality, as well as the goals pursued in accordance with Article 57 of this Act.

(4) If the agency sends a proposal for an amicable solution prepared by the opposing party to the applicant for dispute resolution, and the applicant does not respond to this proposal within the deadline set for this, it is considered that he agreed to the proposed solution and withdrew the claim.

(5) The mediation process is confidential, which must be respected by everyone who participates in it in any way.

(6) The agency defines the rules for mediation more precisely in a general act.

## XIV. CONTROL AND DECISION ON OFFENSES

### Article 64 (supervisory powers)

(1) The authorized persons of the agency supervise the implementation of the provisions of this law, which relate to the implementation and quality of the universal service, access to the postal network, the general conditions and pricing of the universal service provider, the prohibition of subsidies and the accounting management of universal service providers, and the implementation of all individual acts , which are issued by the agency within the scope of its powers.

(2) The inspectors responsible for the post office supervise the implementation of the provisions of this Act and the regulations issued on its basis, which are not supervised by authorized persons of the agency on the basis of the previous paragraph.

(3) The supervisory tasks referred to in the first paragraph of this article, which are within the competence of the agency, are performed by persons who are employed by the agency and are authorized by the minister to perform these tasks (hereinafter: authorized persons of the agency). Authorized persons of the agency independently carry out the tasks of supervision according to this law, manage the administrative procedure and issue decisions and conclusions in the administrative procedure.

(4) The authorization to perform control tasks is demonstrated by an official card issued by the Minister.

(5) The agency's authorized persons must meet the conditions prescribed by the law governing inspection control for inspectors.

(6) In the control procedure under this Act, the provisions of the Act governing inspection control shall apply mutatis mutandis, if this Act does not otherwise specified.

### Article 65 (measures)

(1) If an inspector or an authorized person of the agency determines that a law or other regulation or act, the implementation of which he supervises, has been violated, he has the right and duty to: 1. order measures to eliminate irregularities and deficiencies within the time limit he determines ; 2. to act as a misdemeanor authority in accordance with the law governing misdemeanors, and to propose the initiation of a procedure due to a misdemeanor; 3. impose a fine for a misdemeanor; 4. propose the adoption of measures to the competent authority; 5. temporarily prohibit the further implementation of the activity if it is not carried out in accordance with the law.

(2) When an inspector or an authorized person of the agency finds violations of the law or other regulation or act, the implementation of which he supervises, issue a written decision no later than eight days after the inspection.

### Article 66

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(2) An appeal to the Ministry is allowed against the inspector's decision within 15 days of its service. An appeal does not delay its execution.

#### Article 67 (criminal authorities)

(1) The Agency and the competent inspectorate decide on misdemeanors established by this Act as a misdemeanor authority in accordance with the law regulating misdemeanors, each in their own area that they control.

(2) According to this Act, the offense authority may also impose a fine in an expedited procedure in an amount that is higher than the minimum prescribed fine, determined with this law. Unless otherwise stipulated by this law, the misdemeanor authority applies the provisions of the law governing misdemeanors.

### XV. PENAL PROVISIONS

#### Article 68 (misdemeanors)

(1) A fine of between 100,000 and 400,000 euros shall be imposed for a misdemeanor on a legal entity that is considered a medium-sized or large company under the law governing commercial companies, if:

1. it does not provide a universal service in domestic and cross-border postal traffic in accordance with the fourth paragraph of Article 3 of this Act;
2. when providing a universal service for at least nine consecutive months or 12 months in two years, it does not reach the quality referred to in the sixth paragraph of Article 3 of this law;
3. does not provide a universal service under the same conditions for all users of postal services on a permanent, regular and uninterrupted basis in accordance with the first paragraph of Article 5 of this Act;
4. does not provide a universal service to all users of postal services at least five working days a week, at least one reception and one delivery per home or to the premises of any natural or legal person in accordance with the third and fourth paragraphs of Article 5 of this Act;
5. does not meet the requirements from the fifth paragraph of Article 5 of this Act;
6. transfer the decision to another natural or legal person (paragraph three of Article 26);
7. does not respect the rights and obligations specified in the decision (first paragraph of Article 27);
8. does not formulate universal service prices in accordance with Article 35 of this Act;
9. does not maintain an appropriate separation at the accounting level in accordance with the first and second paragraphs of Article 36 of this Act;
10. does not comply with the prohibition of subsidies in accordance with the fifth paragraph of Article 36 of this Act;
11. fails to provide the agency with sufficiently detailed information on cost accounting systems in accordance with the seventh paragraph of Article 36 of this of the law.

(2) A fine of between 10,000 and 40,000 euros shall be imposed on a legal entity and an individual entrepreneur who commits an offense from the previous paragraph.

(3) A fine of between 2,000 and 8,000 euros shall be imposed on the responsible person of a legal entity and the responsible person of an independent individual entrepreneur who commits an offense from the first paragraph of this article.

#### Article 69 (misdemeanors)

(1) A fine of between EUR 20,000 and EUR 80,000 shall be imposed on a legal entity that is considered a medium-sized or large enterprise according to the law governing commercial companies, if:

1. when providing a universal service for three consecutive months or four months in does not reach the quality referred to in the sixth paragraph of Article 3 of this Act within one year;
2. does not publish information in accordance with the first paragraph of Article 6 of this Act;
3. intentionally or negligently submits false information in the request from the first paragraph of Article 20 or the notification from the fourth paragraph of Article 23 hereof of the law;
4. does not contribute to the compensation fund in accordance with the second paragraph of Article 22 and the first and third paragraphs of Article 23 of this Act;
5. does not notify the agency in writing about the provision of postal services in accordance with the first paragraph of Article 24 of this Act;
6. fails to notify the agency of a change in the provision of postal services or of a change in data in accordance with the second paragraph of Article 25 of this Act;
7. fails to enter into a contract for access to the postal network in accordance with the first paragraph of Article 32 of this Act for an unjustified reason;
8. enforce general conditions and prices without the consent of the agency (third paragraph of Article 37);
9. does not publish as an integral part of the general conditions of the procedure for solving objections of users of postal services (paragraph three of Article 39);
10. issuance of postage stamps in violation of Article 46 of this Act;
11. deliberately or negligently carries out the transfer of a postal item, the transfer of which is prohibited (Article 48);
12. does not guarantee the confidentiality of postal shipments and the protection of personal data in accordance with Article 53 of this Act.

(2) A fine of between 2,000 and 8,000 euros shall be imposed on a legal person and an individual entrepreneur who commits an offense from the previous paragraph.

(3) A fine of between 400 and 2,000 euros shall be imposed on the responsible person of a legal entity and the responsible person of an individual entrepreneur who commits the offense referred to in the first paragraph of this article.

#### Article 70 (misdemeanors)

(1) A fine of between 2,000 and 8,000 euros shall be imposed for a misdemeanor on a legal entity that is considered a medium-sized or large company under the law governing commercial companies, if:

1. it does not send the data and information referred to in the fourth paragraph of Article 23 of this law;
2. fails to notify status changes in accordance with the second paragraph of Article 27 of this Act;
3. does not send the agency a copy of the contract, its possible amendment or supplement in accordance with the first paragraph of Article 32 of this Act;
4. does not publish the conditions for access in a transparent and non-discriminatory manner in accordance with the second paragraph of Article 32 of this Act;
5. fails to ensure the transfer of postal items in accordance with the first and second paragraphs of Article 33 of this Act;
6. fails to pay the agency in accordance with Article 34 of this Act;
7. does not publish general conditions and prices in accordance with the first and third paragraphs of Article 37 of this Act;

8. does not ensure that the extract of the valid price list is in a visible and accessible place or, at the request of the user, does not provide access to the entire price list of postal services in accordance with the first paragraph of Article 38 of this Act; 9. delivers a postal item in violation of Articles 41 and 42 of this Act, despite a warning, does not ensure the installation, marking, maintenance and emptying of the house deposit box in accordance with the third paragraph of Article 43 of this law;
11. ceases to deliver postal items to the mailbox without prior written notification to the agency in accordance with the fourth paragraph of Article 43 of this law;
12. files unaddressed advertising, marketing and other messages in a mailbox marked with an agency sticker prohibiting the delivery of such mail to the mailbox (Article 45);
13. collects personal data of users of postal services for a purpose other than that specified in Article 54 of this Act; 14. does not provide an indelible record of interventions in accordance with the third paragraph of Article 55 of this Act; 15. fails to provide the agency with data, information, financial reports and other reports in accordance with the first paragraph of Article 61 of this Act.

(2) A fine of between 200 and 800 euros shall be imposed on a legal entity and an individual entrepreneur who commits an offense from the previous paragraph.

(3) The responsible person of a legal entity and the responsible person of an individual entrepreneur who commits the offense referred to in the first paragraph of this article shall be fined between 75 and 300 euros.

#### Article 71 (misdemeanors)

If, without the authorization of the user of postal services or the owner of the apartment or business premises where the mailbox is located, he affixes, changes or removes a sticker issued by the agency, which prohibits the delivery of unaddressed advertising, marketing and other messages to the mailbox (Article 45), the following shall be fined for the misdemeanor: 1. a legal entity that is considered a medium-sized or large business according to the law governing commercial companies, in the amount of 5,000 to 20,000 euros; 2. a legal entity and an individual entrepreneur in the amount of 500 to 2,000 euros; 3. an individual in the amount of 400 to 1,000 euros.

DISPLAY PASSED INDEFINITELY INDEFINITELY

Postal Services Act - ZPSto-2 (Official Gazette of the Republic of Slovenia, No. 51/09) contains the following transitional and final provisions:

#### "XVI. TRANSITIONAL AND FINAL PROVISIONS

##### Article 72

(1) The deadline for issuing by-laws and general acts of the agency, which are mandatory under this Act based on the provisions of the sixth paragraph of Article 3, the fourth paragraph of Article 5, the second paragraph of Article 20, the third paragraph of Article 21, the second paragraph of Article 23, Article, the second and fourth paragraphs of Article 34, the fourth paragraph of Article 45, the third paragraph of Article 46, the fifth paragraph of Article 48 and the sixth paragraph of Article 63 of this Act, is one year from its entry into force.

(2) Until the issuance of relevant by-laws and general acts on the basis of this Act, the regulations and general acts from another and the third paragraph of Article 77 of this Act, if they do not conflict with it.

(3) Until the issuance of the general act referred to in the fourth paragraph of Article 5 of this Act, for installation and delivery via exposed cash drawers applies Article 36 of the Postal Services Act (Official Gazette of the Republic of Slovenia, no. 42/02, 52/02 – ZJA and 37/04).

##### Article 73

The provider of the universal service on the date of entry into force of this law has the exclusive right to provide reserved services until December 31, 2010.

##### Article 74

(1) After the entry into force of this Act, the current provider of the universal service continues to provide the universal service on the basis of a permit issued in accordance with the Postal Services Act (Official Gazette of the Republic of Slovenia, no. 42/02, 52/02 – ZJA and 37/04), until the agency adapts it to this law by issuing a decision under this law.

(2) The Agency must adapt the permit from the previous paragraph to this law no later than one year after its entry into force. In doing so, with the decision appoints the universal service provider for the period until the expiration of which the permit from the previous paragraph would otherwise be valid.

(3) The Agency may, no later than one year from the entry into force of this Act, decisions issued in accordance with the Postal Services Act (Official Gazette of the Republic of Slovenia, no. 42/02, 52/02 – ZJA and 37/04) and which obligations were imposed on taxpayers ex officio, partially or completely annuls or amends and adapts them to the provisions of this law, if it considers that this is consistent with the principle of proportionality and the goals of providing a universal service, protecting users' rights and promoting competition on the postal services market.

##### Article 75

When financing the potential net costs of the obligation to provide a universal service in the period from the entry into force of this law until December 31, 2010, the agency takes into account that the calculated net costs of the obligation to provide a universal service from Article 21 of this law are reduced by the amount of potential profit from reserved services.

(1) Natural and legal persons who have notified the agency in writing about the provision of postal services on the basis of the first paragraph of Article 10 of the services ( Official Gazette of the Republic of Slovenia, No. 42/02, 52/02 – ZJA and 37/04) continue to carry out their activities in the scope, manner and under the conditions by specified in this law.

(2) The Agency may ask the persons referred to in the previous paragraph to complete the necessary information and evidence if it deems this necessary for the implementation of this Act.

(3) Within one year from the entry into force of this Act at the latest, the Agency adapts the declarative conclusions from the second paragraph of Article 13 of the Postal Services Act (Official Gazette of the Republic of Slovenia, No. 42/02, 52/02 – ZJA and 37/04) to this Act, or if they are no longer needed, cancel them and inform the postal service providers about this.

## Article 77

(1) The Postal Services Act (Official Gazette of the Republic of Slovenia, no. 42/02, 52/02 – ZJA and 37/04) ceases to be valid on the date of entry into force of this Act.

(2) On the date of entry into force of this Act, the following by-laws cease to apply:

1. Rulebook on Issuing Postal Valuation Cards (Official Gazette of the RS, No. 83/02 and 87/05), 2. Rulebook on the Quality and Method of Providing Universal Postal Services (Official Gazette of the RS, No. 80/03, 118/04 and 37 /06), 3. Rulebook on the content of the general conditions for the provision of postal services (Official Gazette of the RS, no. 88/03 and 49/07), 4. Rulebook on the content of the application and conditions for issuing a permit for the provision of universal postal services (Official Gazette of the RS , no. 89/03 and 39/07), 5. Rulebook on the method of calculating the payment of fees for the provision of postal services (Official Gazette of the RS, no. 134/03), 6. Rulebook on the official ID card and badge of an authorized person of the Postal Agency and electronic communications of the Republic of Slovenia (Official Gazette of the Republic of Slovenia, no. 61/06),
7. Rules on the handling of postal items with prohibited content (Official Gazette of the RS, No. 85/06).

(3) The following general acts cease to apply on the date of entry into force of this Act:

1. General act on the nomenclature of postal services (Official Gazette of the RS, no. 54/03), 2. General act on the method of managing and checking the adequacy of the accounting of the provider of the universal postal service (Official Gazette of the RS, no. 91/04), 3. General act on the sticker for the prohibition of delivery to the mailbox (Official Gazette of the RS, No. 91/04), 4. General act on the affordable price level of the universal postal service (Official Gazette of the RS, No. 91/04).

## Article 78

This law enters into force on the thirtieth day after its publication in the Official Gazette of the Republic of Slovenia."

**Act on Amendments to the Postal Services Act - ZPSto-2A (Official Gazette of the Republic of Slovenia, No. 77/10) amends Article 72 of the Act to read:**

## "72. Article

(1) The deadline for issuing by-laws and general acts of the agency, which are mandatory under this Act based on the provisions of the sixth paragraph of Article 3, the fourth paragraph of Article 5, the second paragraph of Article 20, the third paragraph of Article 21, the second and fourth paragraphs Article 34, the fourth paragraph of Article 45, the third paragraph of Article 46, the fifth paragraph of Article 48 and the sixth paragraph of Article 63 of this Act, is one year from its entry into force.

(2) Until the issuance of relevant by-laws and general acts on the basis of this Act, the regulations and general acts from another and the third paragraph of Article 77 of this Act, if they do not conflict with it.

(3) Until the issuance of the general act referred to in the fourth paragraph of Article 5 of this Act, for installation and delivery via exposed cash drawers applies Article 36 of the Postal Services Act (Official Gazette of the Republic of Slovenia, no. 42/02, 52/02 – ZJA and 37/04).";

**and contains the following final provision:**

## "FINAL PROVISION

## Article 3

This law enters into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia."

**Act on Amendments to the Inspection Control Act - ZIN-B (Official Gazette of the Republic of Slovenia, No. 40/14) contains the following final provision:**

## "25. Article

This law enters into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia."

**Act on Amendments to the Postal Services Act - ZPSto-2B (Official Gazette of the Republic of Slovenia, No. 81/15) contains the following transitional and final provision:**

## "TRANSITIONAL AND FINAL PROVISIONS

Article 3

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(1) The provider of postal services harmonizes the general conditions of business with the provisions of the Act on Out-of-Court Resolution of Consumer Disputes of the Republic of Slovenia, No. 81/15) within six months of the entry into force of this law. (Official Gazette

(2) Until the general terms of business are harmonized in accordance with the previous paragraph, the out-of-court resolution of consumer disputes is ensured according to the procedure for resolving end-user disputes in accordance with the Postal Services Act (Official Gazette of the Republic of Slovenia, no. 51/09, 77/10 and 40/14 – ZIN-B).

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Article 4

This law enters into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia."