



SIGMA

**Support for Improvement in Governance and
Management in Central and Eastern European Countries**

**PUBLIC MANAGEMENT PROFILES OF
CENTRAL AND EASTERN EUROPEAN COUNTRIES:
SLOVENIA**

SLOVENIA

(AS OF SEPTEMBER 1999)

Political Background

Until 25 June 1991, Slovenia was a constituent republic of the former Socialist Federal Republic of Yugoslavia. The first multiparty elections in Slovenia took place in the spring of 1990. On 23 December 1991, a new constitution was adopted. It created a modern democratic constitutional order and established the basis for a parliamentary system of government. The first parliamentary elections following independence took place in December 1992.

The most recent presidential elections took place in November 1997. Milan Kucan was re-elected as president in the first round with more than 55 per cent of the vote. The next presidential elections are scheduled for November 2001.

The most recent parliamentary elections took place in November 1996. Approximately thirty political parties fielded candidates in the elections. Following the elections, the Liberal Democrats entered into a coalition with the Slovenian People's Party and the DeSUS Party. The leader of the Liberal Democrats, Janez Drnovšek, was re-elected as prime minister. The following table shows the composition of the National Assembly after the parliamentary elections:

Political Party	Number of Seats in the National Assembly
Liberal Democrats	25 seats (out of 90)
Slovenian People's Party	19 seats
Social Democrats	16 seats
Slovenian Christian Democrats	10 seats
Single list Social Democrats	9 seats
Pensioners (DeSUS)	5 seats
Slovenian National Party	4 seats
Italian national minority	1 seat
Hungarian national minority	1 seat

The next parliamentary elections are scheduled for November 2000.

During the last few years, Slovenia has taken important steps towards achieving its major political and economic goals, which include, in particular, membership in institutions of Western integration, notably the European Union, NATO, and the OECD.

1. The Constitutional Framework

1.1. Constitutional Bases

The new Slovenian constitution was adopted at a joint session of all three houses of the former legislative assembly of the Republic of Slovenia on 23 December 1991. According to Article 174 of the new constitution, the special constitutional law necessary for the adoption of the new constitution had to be passed with a qualified (two-thirds) majority. The most recent major amendment to the constitution was adopted on 14 July 1997. This amendment concerned Article 68 of the constitution. The article had prevented foreign citizens from acquiring full property rights of land, except through inheritance and with the additional condition of reciprocity. The amendment was a precondition for the ratification of the Europe Agreement by the National Assembly on the following day.

The Slovenian constitution was published in the Official Journal of the Republic of Slovenia No. 33/1991-I. It is also available on the homepage of the Constitutional Court in both Slovenian and English (www.sigov.si/us/eus-ds.html).

1.2. Nature of the State

Slovenia is a unitary state with a parliamentary system of government. According to the constitution, Slovenia is a democratic republic, based on the rule of law, and social welfare.

1.3. Division of Power

Under the constitution, power belongs to the people. They exercise this power directly and through elections. The authority of the state follows the principle of the separation of powers into legislative, executive and judicial branches.

The bicameral parliament consists of the National Assembly and the National Council. The National Assembly has 90 members who are elected for a four-year term under a proportional electoral system. The National Assembly exercises legislative power. It shares the right to initiate legislation with the government and the National Council. Popular legislative initiatives, requiring the support of at least 5 000 citizens, are also permitted. The National Council represents the interests of the major socio-economic and professional groups and of the local self-governments. The National Council has 40 members who are elected for a five-year term.

The president of the republic is the head of state. The president represents the Republic of Slovenia and is the supreme commander of the armed forces. The president is elected for a renewable five-year term of office by direct, free, universal elections and secret ballot with an absolute majority. He may serve no more than two consecutive terms. If the president acts contrary to the constitution or the law, the National Assembly may call on the Constitutional Court to strip him of his mandate with a two-thirds majority of the court's judges.

The president may pass acts with the force of law in the event of war, a state of emergency or if the National Assembly cannot convene, provided that such acts are transmitted to the National Assembly as soon as possible. Upon consultation with the leaders of the parliamentary groups in the National Assembly, the president proposes a candidate for the post of prime minister. He has to dissolve the National Assembly if, during the formation of a government, the assembly twice fails to elect a prime minister (Article 111 of the constitution). He may also dissolve the National Assembly if, as part of a constructive vote of no

confidence in the government, the assembly does not elect a new prime minister and, in a subsequent vote of confidence, the incumbent prime minister does not receive a majority.

At the request of the National Assembly, the president must state his views on a given issue. If the president wishes to present his views to the National Assembly, he may demand the right to speak. He may also demand that an extraordinary session of the assembly be called for this purpose.

The prime minister is elected by the National Assembly upon a proposal by the president of the republic, after consultations with the major political parties. Ministers are also appointed by the National Assembly, upon a proposal by the prime minister. Both the government and individual ministers are answerable to the National Assembly.

The government leads, directs and co-ordinates the implementation of public policy as determined by the National Assembly. It ensures the implementation of laws, other regulations and general acts of the assembly by proposing and adopting political, legal, economic, financial, organisational and other measures that are necessary for the execution of the tasks of the state.

The government possesses autonomous regulatory power, which enables it to issue regulations even if the law does not give prior authorisation. It cannot, however, issue regulations that affect the rights of individuals or legal persons. However, according to Article 26, paragraph 1, of the Law on the Government of the Republic of Slovenia, the government can only regulate the manner and method in which a right may be protected. The Constitutional Court exercises strict controls to ensure that any delegation of powers by the National Assembly is explicit rather than implied and that the exercise of delegated regulatory authority corresponds to the legislature's intentions.

At the local level, elected representatives include mayors and the members of municipal councils.

2. Legislative Authority

2.1. Electoral Rules

The Law on Elections to the National Assembly was published in the Official Journal of the Republic of Slovenia, No. 60/1995. The Constitutional Court of the Republic of Slovenia took the decision in 1998 (Official Journal of the Republic of Slovenia, No. 82/98) that on the basis of a referendum (which took place in 1996), the Parliament has to adjust the Law on Elections to the National Assembly. According to this decision of the Constitutional Court, the new electoral system will no longer be proportional but will be the so-called "two-round" majority system.

Elections to the National Assembly are based on universal and equal suffrage and are direct, free and secret. All Slovenian citizens who have reached the age of 18 have the active and passive right to vote, that is they can vote and be voted for.

The 90 members of the National Assembly are elected for a four-year term. Deputies of the assembly are elected in eight multi-member constituencies; in each constituency, eleven deputies are elected. The two deputies who respectively represent the Hungarian and Italian ethnic minorities are elected in special electoral constituencies that are solely composed of members of these minorities. The members of the Hungarian and Italian minorities also take part in the election of other deputies.

Candidate lists are put forward by the political parties. Lists may also be proposed directly by the voters. For this, the signatures of at least 100 voters in the constituency concerned are required. The eight

constituencies are further divided into electoral districts where the citizens vote for a candidate list, indicating their choice amongst the candidates, or for an individual candidate. All the votes received by candidates on the same candidate list are added and awarded to this candidate list.

The distribution of seats is still proportional. The seats are first divided among the candidate lists of each constituency using the voting quotient system. Any remaining seats are distributed at the national level using the d'Hondt system.

The members of the second chamber, the National Council, are elected indirectly by a simple majority for a five-year term. They are elected by electoral bodies that are composed of representatives of the major interest groups and elected representatives of the local self-governments respectively. Foreign residents have the right to vote for members of the National Council, except those representing local interests. Foreign residents may not be elected to the National Council.

2.2. *Main Powers of Parliament*

The National Assembly has the exclusive power to pass laws. It decides on amendments to the constitution, the declaration of a state of war or emergency, and the use of the armed forces. It elects certain holders of state and public offices, including, for example, the judges of the Constitutional Court and judges of some other courts, members of the Court of Audit, and the human rights ombudsman. It may impeach the president of the republic, the prime minister and ministers before the Constitutional Court to answer charges relating to violations of the constitution and the law.

The National Assembly may set up parliamentary inquiries. It must do so if at least one-third of the members of the National Assembly or the (entire) National Council demands such an inquiry (Article 93 of the constitution). A parliamentary inquiry committee is appointed to carry out the inquiry. The process of parliamentary inquiry is governed by law (Law on Parliamentary Inquiry, Official Journal of the Republic of Slovenia, No. 63/1993).

The National Assembly elects the prime minister on the proposal of the president of the republic by an absolute majority. If the president's first candidate is not elected, the president may propose, within 14 days of the first vote, a new candidate or re-nominate the same candidate. Candidates may also be proposed by parliamentary groups or with the support of at least ten members of the National Assembly. If more than one candidate is nominated, the assembly first votes on the president's nominee. If this candidate is not elected, the National Assembly proceeds to vote on each of the other candidates in the order of their nomination. If, following this procedure, still no candidate has been elected, the president of the republic dissolves the National Assembly and calls parliamentary elections, unless the assembly decides to execute repeated elections in 48 hours with the majority of declared votes of present MP's. In this case, a simple majority is sufficient to elect a prime minister. If even following this election no candidate has obtained the necessary majority, the president of the republic dissolves the National Assembly and calls parliamentary elections.

Upon the proposal of the prime minister, the National Assembly appoints and dismisses ministers. Before being appointed, ministers-designate must appear for a hearing before the competent body of the National Assembly.

The National Assembly oversees the work of the government. The government and individual ministers are responsible to the assembly for their actions. The National Assembly may pass a vote of no confidence in individual ministers. If such a vote is passed, the minister is dismissed. On the proposal of at least ten deputies, the National Assembly may also decide on a constructive vote of no confidence in the prime minister through which a new prime minister is elected.

The prime minister may demand that the hold a vote of confidence in the government. If the government does not obtain a vote of confidence, the National Assembly must elect a new prime minister within 30 days or it must, in a new vote, express confidence in the incumbent. If neither of these two actions takes place, the president must dissolve the National Assembly and call parliamentary elections.

Turning to the second chamber of parliament, the National Council, it acts mainly as an advisory body. Its legal base is the constitution (Articles 96-101) and the Law on the National Council (Official Journal of the Republic of Slovenia, No. 44/1992). The National Council is the representative body for socio-economic and professional groups and local interests. The council comprises 40 councillors, including four representatives of employers; four representatives of employees; four representatives of farmers, small business and the self-employed; six representatives of non-profit making organisations; and 22 representatives of local self-government.

The National Council may propose the adoption of laws to the National Assembly. Before a law is promulgated, and within seven days after being passed by the assembly, the National Council may exercise a suspensive veto by demanding that the National Assembly reconsider the law. The suspensive veto can only be overturned by a majority of the National Assembly's deputies, except in cases where the constitution requires a qualified majority.

2.3. *Internal Organisation*

The National Assembly meets in regular and extraordinary sessions, which are convened by the president of the assembly, who heads and represents the assembly. Regular sessions are held each month during the assembly's two legislative terms in spring and autumn.

The political parties represented in the National Assembly are organised into parliamentary groups. They play an important role in organising the assembly's work. A parliamentary group can be formed by at least three deputies. Deputies from the same party may form only a single parliamentary group. The two deputies of the Hungarian and Italian minorities have the status of a parliamentary group. Deputies who are not members of a parliamentary party may form an independent parliamentary group.

The working bodies of the National Assembly are committees and commissions. They are either permanent or temporary. Only deputies may be members of these working bodies. At present, there are the following permanent committees:

- Agriculture and Forestry
- Culture, Education and Sports
- Defence
- Economics
- Finance and Loan/Monetary Policies
- Foreign Affairs
- Health, Labour, Family and Social Policies
- Infrastructure and Environment
- Interior and Justice
- Overview of the Implementation of National Security
- Science, Technology and Development
- Supervision of the Budget and Other Public Finances

Permanent committees closely reflect the ministerial organisation of the government. The following permanent committees are considered amongst the most influential: Defence, Finance and Loan/Monetary Policies, Interior and Justice, Foreign Affairs, and Supervision of the Budget and Other Public Finances.

Permanent commissions are established for other fields of parliamentary activity. At present, they include commissions for:

- Elections, Designations and Administrative Matters
- Ethnic Minorities
- Issues Regarding Disabled Persons
- Local Self-government
- Mandate/Immunity
- Monitoring and Supervision of the Ownership Transformation of State-owned Property
- Petitions
- Standing Orders
- Supervision of the Implementation of the Law on the Incompatibility of Public Service and Profit-Making Activities
- Supervision of the Work of the Security and Intelligence Services
- Women's Issues

Temporary commissions are set up to carry out parliamentary investigations. At present, there are six such temporary commissions.

The composition of committees and commissions reflects the relative strength of the parliamentary groups. The presidents, deputy-presidents and members of the committees and commissions are appointed by the National Assembly on the proposal of the parliamentary groups. Representatives of parliamentary groups belonging to the opposition lead the committees and commissions overseeing the security and intelligence services and the national budget and public finances.

The working bodies of the National Council include permanent and temporary commissions, which have between five to ten members. Each of the constituent interests in the National Council is represented in each commission by at least one member. According to the Ordinance on the Establishment and Tasks of Commissions of the National Council of the Republic of Slovenia (Official Journal of the Republic of Slovenia, No. 5/1998), the permanent commissions include those for Agriculture, Forestry and Food; Economics, Small Businesses and Tourism; Foreign and European Affairs; Local Self-government and Regional Development; Political System; and Social Affairs.

2.4. *The Legislative Process*

The legal tradition of the Republic of Slovenia is founded on written law. The highest legal source is the constitution.

Other legal norms include, in hierarchical order:

- laws passed by the National Assembly;
- ordinances (*uredba*) issued by the government for the implementation of laws;
- regulations (*pravilnik*), instructions (*navodilo*) and orders (*odredbe*) issued by ministries for the implementation of laws; and
- statutes passed by local self-government bodies to determine affairs under their jurisdiction.

To be valid, lower-level legal norms must be in accordance with higher-level norms. All norms must conform to the generally valid principles of international law. Ratified and promulgated international agreements are applied directly in the Republic of Slovenia.

According to Article 88 of the constitution, a Bill may be initiated by the government, any deputy of the National Assembly. A Bill may also be initiated by the National Council (Article 97 of the constitution). There are also provisions for popular legislative initiatives. They must be supported by at least 5 000 citizens with the right to vote. The Standing Orders of the National Assembly (Official Journal of the Republic of Slovenia, No. 40/93) regulate all phases of the legislative procedure.

The regular legislative procedure consists of three readings. In the case of government-sponsored legislation, a Bill is first sent to the National Assembly to be discussed in the relevant parliamentary committees. Representatives of the government are obliged to take part in the meetings of the committees. The government is usually represented by ministers, but state secretaries and high civil servants may represent the executive.

After first committee consideration, the Bill is submitted for its first reading at a plenary session of the National Assembly. The first reading establishes the reasons for the proposed Bill and its main principles and objectives. At this stage, it is not possible to amend the Bill.

During the second reading, the National Assembly discusses each article of the Bill and also the Bill's title. During this stage, amendments may be proposed by deputies of the assembly, one of its committees, or the Bill's sponsor.

Finally, during the third reading, the National Assembly discusses the Bill as a whole. At this stage, discussion of individual articles is only allowed if the article in question has been amended during the second reading. In the course of the third reading, the Bill may be further amended. This may be proposed by at least ten members of the National Assembly, a parliamentary group, a committee, the sponsor of the Bill, or the government if it is not the sponsor of the Bill.

After deliberations of the Bill are concluded, the National Assembly votes on the Bill as a whole. A Bill is approved by a simple majority on the condition that the assembly is quorate, i.e. a majority of members of the National Assembly are present. In some cases, the constitution or law requires a qualified majority for the passing of legislation. This is the case for amendments to the constitution, which require a two-thirds majority, and some legislative Acts with major constitutional implications, such as the Law on Elections, the Standing Orders of the National Assembly, the Law on Defence, and laws authorising the organisation of referenda.

Such extensive possibilities for amending Bills can cause problems, since it can be difficult to preserve the coherence of the Bills. The responsible commission of the National Assembly is, therefore, at present considering some amendments to the assembly's standing orders.

The National Council can, in its area of competence, ask the National Assembly to reconsider a Bill after its adoption (suspensive veto). If the National Council uses this right, the National Assembly has to vote on the Bill again. The Bill is passed if an absolute majority of deputies of the assembly vote in favour.

The majority of Bills are proposed by the government. In the first legislative period from 1992-1996, the National Assembly adopted 375 laws. In 1997, 63 new laws were adopted.

3. The Central Executive

3.1. Legal Bases of Executive Authority and Administration

There are numerous legal Acts relating to the operation of the executive. The most important include the:

- Constitution, especially Articles 110-119, regulating the government, and Articles 120-122 concerning state administration;
- Law on the Government of the Republic of Slovenia, regulating the functions, relations and composition of the government (Official Journal of the Republic of Slovenia, No. 4/1993);
- Law on the Organisation and Responsibilities of Ministries, regulating the tasks of, and division of responsibilities amongst, ministries (Official Journal of the Republic of Slovenia, No. 71/1994);
- Law on Administration, regulating the functions, organisational structures and other questions concerning state administration (Official Journal of the Republic of Slovenia, No. 67/1994);
- Law on Administrative Disputes, regulating judicial control over administrative decision-making (Official Journal of the Republic of Slovenia, No. 50/1997);
- General Administrative Procedures Act, regulating the relationship between administrative authorities and citizens (currently in the second reading in parliament); and
- Law on Employment in State Bodies, regulating work relations of civil servants (Official Journal of the Republic of Slovenia, No. 15/90).

These legislative Acts cover most of the major areas of general public administration. However, some areas, such as the civil service, have still to be regulated in a comprehensive way.

With the adoption of the Law on the Organisation and Responsibilities of Ministries of 1994, ministerial responsibility for public administration, including the responsibility for administrative reform, was transferred from the Ministry of Justice to the Ministry of the Interior. The continuous process of administrative reform is expected to lead to many legislative, organisational, and functional changes in Slovenian public administration over the coming years.

3.2. Composition and Powers of the Government (Council of Ministers)

The government is composed of the prime minister (the president of the government), 16 ministers heading ministerial departments (see 3.5) and four ministers without portfolio who are responsible for areas determined by law. In addition to the deputy prime minister, they include, at present, the ministers without portfolio with responsibility respectively for local government, European affairs, and social affairs.

The prime minister is elected by the National Assembly upon the proposal of the president of the republic, who consults with the political parties. Ministers are appointed by the National Assembly upon the proposal of the prime minister and after passing a special hearing procedure before the appropriate parliamentary committee. They are dismissed by the National Assembly upon the proposal of the prime minister.

The prime minister's term ceases when a new National Assembly is formed following parliamentary elections. His term of office can also be terminated if the assembly passes a vote of no confidence in the

government, or if the Constitutional Court dismisses the prime minister for violating the constitution or the law.

The prime minister may demand a vote of confidence in the government linked to the vote on a Bill or some other decision in the National Assembly.

3.3. *Division of Executive Power*

The prime minister leads and guides the work of the government, ensures unity in the political and administrative direction of the government, co-ordinates the work of the ministers, represents the government, and calls and chairs government meetings. The prime minister may give ministers obligatory directives arising from the guidelines of the government.

The government is the central policy-making body of the Republic of Slovenia. The government proposes laws, other legal norms and policies to the National Assembly, and directs and co-ordinates their implementation.

The government usually meets once a week (generally on Thursdays) but convenes more frequently if necessary. The prime minister chairs government meetings. If the prime minister cannot attend a meeting, it is chaired by the deputy prime minister. Government meetings are closed to the public and are attended by the prime minister, ministers, the secretary-general, a representative of the Government Office for Legislation, and other invited persons.

Only members of the government have the right to vote. Government decisions require a majority of all its members, not just the members present at a meeting. A majority of the government's members must be present to take decisions. The government may also take decisions through a circular. Government decisions that constitute legal norms are signed by the prime minister and published in the Official Journal of the Republic of Slovenia. Other decisions are signed by the secretary-general of the government.

The government conducts state administration through ministers. The government as a collegiate body oversees the work of ministers, issues political guidelines for implementing policies, laws, and other legal norms, and ensures that ministers co-ordinate the exercise of their functions. The government can stop the implementation of regulations, instructions and orders by a minister if their implementation would violate the constitution, the law, or other legal norms adopted by the National Assembly or the government.

Each minister is responsible for implementing the decisions of the government and for representing the position of the government. The minister heads and represents the ministry, issues political directives for the work of the ministry and administrative bodies within its responsibility, and supervises their implementation. The minister issues regulations, instructions and orders concerning the competencies of the ministry and administrative bodies within its responsibility. The minister is responsible for his decisions in leading the ministry.

Bills prepared by individual ministries must be discussed and approved by the government before being submitted to the National Assembly. Ministries may not independently propose Bills to the National Assembly.

3.4. *The Office of the Government/Office of the Head of Government*

The prime minister is not the head of a ministry. The institutional structure to support the prime minister in the exercise of his functions consists of the Prime Minister's Office (*urad predsednika vlade*), the Government Joint Services (*vladne sluzbe*) and some cabinet committees.

The Prime Minister's Office was established on the basis of Article 27 of the Law on the Government of the Republic of Slovenia. Its chief tasks include to:

- co-ordinate the meetings of the government and its working bodies;
- ensure co-operation between the government and the National Assembly, the president of the republic, other state bodies, other states and international organisations;
- provide opinions and other materials to support decision-making of the government and its working bodies;
- monitor the implementation of the government's decisions;
- assist the prime minister in ensuring the rational and effective organisation and work of the state administration, public services, and local self-governing bodies insofar as the latter execute tasks that fall within the state's jurisdiction;
- organise interministerial co-operation and prepare guidelines for the resolution of interministerial disputes; and
- perform other specialised and co-ordination tasks that allow the prime minister to fulfil his constitutional responsibilities.

The Prime Minister's Office is headed by a secretary-general, who may be substituted by a deputy secretary-general. The secretary-general is responsible to the government, and is appointed and dismissed on the proposal of the prime minister. The secretary-general is responsible for preparing government meetings, for implementing the government's decisions, and for any other tasks connected with organisation of the work of the government and the governmental services. As regards the latter, Article 27 of the Law on the Government confers upon the secretary-general the same powers that ministers exercise over their departments.

The tasks of the Prime Minister's Office are performed by government employees, in co-operation with the ministries and government services. Research organisations and specialists may be invited for consultations or even to perform some tasks on a contractual basis, but this is exceptional and on an *ad hoc* basis.

3.5. *Line Ministries*

The structure of the Slovenian government covers three main areas: (i) the area of sovereign or power functions, including defence, finance, foreign affairs, interior, justice, and public property; (ii) the area of economic functions, including communications, economic activities, economic relations and development, environment and territorial management and transport; (iii) the area of social functions, including culture, education, family and social affairs, health, labour, science and technology, and sports.

Ministries are established by the Law on the Government. At present, there are 16 ministries:

- Agriculture, Forestry and Food
- Culture
- Defence

- Economic Affairs
- Economic Relations and Development
- Education and Sport
- Environment and Territorial Planning
- Finance
- Foreign Affairs
- Health
- Interior
- Justice
- Labour, Family and Social Affairs
- Science and Technology
- Transport and Communications
- Small Business and Tourism

There is considerable variation in the internal organisation of ministries. For example, there is no uniform pattern as regards the number of hierarchical levels or of minimum units. The organisational power of the National Assembly is restricted to the hierarchical levels envisaged in Articles 17 to 24 of the Law on Administration. Below these levels — *uprava, urad, inšpektorat* — the organisational structure is determined by ministerial regulations (*pravilnik*). They may also determine the structure of the deconcentrated ministerial field administration.

Articles 8 to 14 of the Law on Administration define the purposes of administration and its basic functions. State administration promotes economic, social, cultural, environmental and social development, adopts relevant measures within its field of responsibility, and prepares measures to be adopted by the government and other bodies. The state administration supports the work of the government, prepares Bills, drafts legal norms, reports and other materials. Under the guidance of the government, the state administration performs professional work and other tasks associated with the management of state-owned real estate and other property. A second major task is the supervision of local authorities. Article 8 of the Law on Administration reflects the classical notion of public administration as the “implementation of regulations and other decisions of the government”. This is the primary function of the state administration. This function is performed by means of administrative regulations (*upravni predpisi*), administrative decisions (*upravni akti*) and material actions (*materialna dejanja*). These means must be employed in accordance with law. State administration controls the performance of public services for which the state is responsible. The law defines rationality, lawfulness, and the respect of individual rights as standards of performance. The administration is independent in its work (Article 2 of the Law on Administration).

3.6. *Inter-ministerial Co-ordination*

Inter-ministerial co-ordination is governed by the Law on Administration (Official Journal of the Republic of Slovenia, No. 67/94) and the Standing Orders of the Government of the Republic of Slovenia (Official Journal of the Republic of Slovenia, No. 13/1993). According to Article 49 of the Law on Administration, ministries are obliged to co-operate in matters that are of interest to more than one ministerial department. For this purpose, ministries have to set up joint working bodies. Article 50 provides for the co-operation of ministries and other administrative bodies in the preparation of regulations and legal Acts.

The Standing Orders of the Government prescribe, *inter alia*, the procedures governing the work of the government, the ministries and other administrative bodies and the preparation of meetings of the government and its working bodies. Matters to be submitted for consideration by the government must first be discussed in the relevant permanent working bodies of the government. After discussion in a working body, proposals are normally sent to the government within one week (if additional adjustments or

clarifications were not requested at that level). Proposals submitted to the government must contain the following information: the title of the document or material; the names of persons who were responsible for its preparation; the working body responsible; confirmation that the proposal falls within the responsibility of the minister submitting the proposal; a statement concerning unresolved issues; measures proposed; and a schedule for their adoption. The proposal is signed by the responsible minister.

There are several interministerial co-ordination committees, some of them permanent, some *ad hoc* bodies with the special mandate. By government ordinance of 28 February 1997, two permanent working bodies have been formalised as cabinet committees (*odbori*). Their major task is to co-ordinate the initiatives of the ministries before they are submitted for approval to the government. The Committee of Economic Affairs is formally composed of 12 members, namely ministers and state secretaries; usually, some high-ranking civil servants also attend its meetings. Its purpose is to discuss matters to be considered by government in connection with economic decisions, basic principles of development, infrastructure, agriculture, fisheries, food industries, tourism, nuclear security, insurance policy, environment protection and regional development, and water management. The other permanent committee consists of 15 members and deals with state and public affairs. This includes issues relating to the constitutional order, human rights protection, the electoral system, justice, interior, defence, public administration, taxation, international co-operation — in particular the European Union and NATO, education, health, social protection, social security, and labour relations.

Interministerial committees are established by government ordinance. Their members are ministers, state secretaries and top civil servants, such as state under-secretaries and government counsellors. The committees operate in working meetings. The permanent committees meet every Tuesday, i.e. two days before the regular government meetings on Thursdays. There are also *ad hoc* committees and *ad hoc* sub-committees that hold occasional meetings. Examples of such *ad hoc* sub-committees include the Sub-committee for Legal Harmonisation and the Sub-committee for Administrative Reform.

Within the framework of the government, the obligation to prepare legislative proposals lies with ministries and other governmental bodies. After preparation of a draft proposal, the relevant ministry (or governmental body) must normally reach agreement with other responsible ministries and another state institutions. The Standing Orders of the Government state which ministries must be consulted on different important topics. For example, the Ministry of Finance must be consulted on all proposals with financial implications, and the Ministry of Justice, if a proposal affects the penal code. Following this initial consultation stage, the working draft proposal must be submitted to the relevant permanent interministerial committees. All governmental organs participating in these committees may put forward comments and proposals at this stage of the legislative procedure. The institution responsible for the proposal is required to comply with such comments. Only then is the proposal allowed to go forward to the government for approval.

3.7. Central Non-Ministerial Bodies

To carry out technical tasks relating to the exercise of its powers and duties, the government may establish certain services and offices on the basis of laws or ordinances. At present, the following government services and offices exist, which are responsible to the government or the prime minister:

- Government Centre for Electronic Data Processing
- Government Joint Services
- Government Office for the Disabled
- Government Office for European Affairs
- Government Office for Immigration and Refugees

- Government Office for Legislation
- Government Office for Local Self-government
- Government Office for Nationalities
- Government Office for Religious Communities
- Government Office for Women's Policy
- Government Personnel Office
- Government Protocol Service
- Government Public Relations and Media Office
- Government Statistical Office
- Prime Minister's Office
- Slovenian Intelligence and Security Agency

Certain tasks are performed directly for the government by the Intelligence and Security Agency, the Statistical Office and the Government Office for Legislation. The heads of these services are directly responsible to the prime minister, not to the secretary-general of the government, who heads all the other government services.

In addition, several special bodies have been created as independent legal entities. Their tasks, powers, duties and responsibilities are determined by law. They are not responsible to the government, but directly to the National Assembly. These bodies are formed as funds or agencies and include the Agency for Payment Transactions, Control and Information, the Agency for Restructuring and Privatisation, the Bank Rehabilitation Agency, the Development Fund, the Slovenian Damages Fund, and the Succession Fund.

Other bodies have been created to perform specialised and developmental tasks. They have no administrative jurisdiction and their legal status varies. The majority are independent legal entities, financed partly by the national budget and partly by revenue generated from the sale of their services, the investment of capital and in other ways. These bodies include the Agency for the Securities Market, the Ecological Fund, the Fund for Promoting Regional Development and the Preservation of the Slovenian Countryside, and the Technological Development Fund.

3.8. *Executive Budgeting Processes*

The Ministry of Finance prepares a draft state budget (the annual budget law) based on the proposals and recommendations of ministers and other budgeted institutions (i.e. other state bodies, public institutions and public enterprises authorised by law). The state budget consists of a general part, which contains a balance sheet of revenues and expenditure and the financial accounts; and a special part, which shows expenditure according to individual budgeted institutions and specific purposes. The budget year is the calendar year.

The government must approve and submit a draft state budget to the National Assembly at least three months before the start of the budget year. At this time, the government must also submit a comprehensive report on its work of the previous year and a budget memorandum. The budget memorandum presents the basic aims of government's economic, social and budgetary policies, the general framework of public finance for the budget year, and the general aims of government's public finance policy for the coming year.

If the state budget has not been adopted by the start of the budget year, the financing of public expenditure continues temporarily according to the previous year's budget (1/12 of the previous year's budget for one month).

The state budget is implemented according to monthly plans determined by the Ministry of Finance on the basis of monthly financial plans proposed by the budgeted institutions. Budget funds may only be used for the purposes determined in the state budget. During the year, the government may propose changes to the national budget. They require the approval of the National Assembly.

No later than five months after the start of a new budget year, the government must submit to the National Assembly a draft final account of how the government and other budgeted institutions have implemented the previous year's state budget.

The execution of the state budget is regulated by the Law on the Execution of the Budget of the Republic of Slovenia (Official Journal of the Republic of Slovenia, No. 5/96 and 78/97). According to this law, the Ministry of Finance has an important supervisory role over payments from the state budget. There is also secondary legislation regulating procedures for the execution of the state budget, for example the Ordinance on the Procedure for Payments from the State Budget (Official Journal of the Republic of Slovenia, No. 1/1998).

3.9. *Advisory and Consultative Arrangements*

Consultative bodies can be formed by the government and by individual ministries. Their composition depends on the task that the authority in question performs. Some specialised consultative bodies are founded by law, including, e.g. the Council for Education, the Council for Statistics, and the Health Council. Others are founded by the government, often with the agreement of other institutions.

For example, in 1994, the Economic and Social Council was founded by the social partners — the government and representatives of employees and employers — as a tripartite, consultative body for the discussion of issues and measures connected with economic and social policies. The council's decisions, which have to be adopted unanimously, are binding on the organs and working bodies of all three social partners. The Economic and Social Council participates in the preparation of legislation and provides opinions on legal Acts within its sphere of competence. These issues include, in particular, social rights, employment, collective bargaining, prices and taxes, the economic system and economic policy, legal security, co-operation with the International Labour Organisation and the Council of Europe, workers' co-management and trade union rights. The council communicates its proposals, recommendations and opinions to the National Assembly, the National Council and the public.

Other consultative bodies formulate positions and make recommendations to ministers or the government. However, ministers and the government are not obliged to follow these proposals.

4. *Executive Linkages*

4.1. *The Executive and the Presidency*

The president of the republic plays an executive role in several functions determined by the constitution. In particular, the president represents the Republic of Slovenia; he is the commander in chief of the armed forces; he promulgates the laws, appoints some high state officials, appoints and dismisses ambassadors, and makes decisions concerning amnesty. If the National Assembly is unable to convene, the president may decide on the declaration of a state of war or emergency, on emergency measures and their cessation, and on the use of the defence forces. The president must submit these decisions to the National Assembly for ratification as soon as the assembly reconvenes.

The president proposes to the National Assembly candidates for the position of judges of the Constitutional Court, members of the Court of Audit, the human rights ombudsman and five members of the Judicial Council.

The president of the republic and the government communicate through formal channels. On the part of the government, the secretary-general of the government is responsible for ensuring communication. According to Article 80 of the Standing Orders of the Government, “the Government co-operates with the President of the Republic concerning issues from the field of his competence, and informs him about issues that are important for his work.” Representatives from the President's Office may be invited to attend meetings of the government.

The President's Office is organised on the basis of the Ordinance on the Organisation and Functioning of the Office of the President of the Republic (Official Journal of the Republic of Slovenia, No. 20/1993). Organisational work for the President's Office is performed by the secretary-general. In addition, the president has a chief of cabinet and several advisers, who cover a range of policy areas, including constitutional and legal matters, defence, external relations, economic issues, cultural and social matters. The president may appoint advisers for other policy areas. In addition, there is a special security service within the President's Office and some other technical services for information and documentation, amnesty and petitions, decorations, and general matters.

4.2. *The Executive and Parliament*

The government communicates with parliament — primarily the National Assembly — through formal channels. The co-ordination remit of the secretary-general of the government includes relations with the parliament. Individual ministries are not allowed to communicate directly with parliament.

The government has the right to propose to the National Assembly the inclusion of items on its agenda that are deemed important by the government and to state its opinion before the assembly. The government also has the right to state its opinions on laws and other legal norms that have not been proposed by the government.

The government influences the agenda of the National Assembly through the consultations intended to co-ordinate the governmental and parliamentary agendas. Since the government proposes more than 90 per cent of all legislative measures, it has a formative influence on the parliamentary timetable. There are also some informal channels of communication between the government and parliament, such as visits of members of the National Assembly to the government and ministries, and attendance at seminars and professional conferences.

As concerns the control possibilities of parliament, the government is, according to the Law on the Government, obliged to submit regular reports on its actions to the National Assembly. The government and each of its members has to report to the assembly on the execution of laws and other legal norms approved by the National Assembly and decisions approved by the government. The government must co-operate in the work of the assembly and its working bodies during the deliberations of Bills and other legal instruments that have been proposed by the government.

The government and ministers are obliged to answer questions raised by the members of the National Assembly. The answers of individual ministers are transferred to the assembly via the Prime Minister's Office. If the National Assembly decides to call for specific information concerning the actions of the government or a particular ministry through an interpellation, the government may within 15 days before the debate of the issue submit its statement. It also has the right to participate in the debate on the issue in the National Assembly.

4.3. *The Executive and Political Parties*

The coalition agreement is a document concluded among the main coalition partners, including, at present, the Liberal Democrats, the People's Party, and the DeSUS. There is no formal constitutional or statutory basis for such an agreement. The document contains the main economic and political priorities of the coalition partners. Formal means to synchronise decision-making between the coalition parties are coalition meetings in which the governing parties reconcile their views on the most important tasks of the government.

According to Article 2 of the Law on Political Parties (Official Journal of the Republic of Slovenia, No. 62/1994), the financial and material operation of political parties must be transparent and public. This regulates the permissible sources of revenues of political parties and forbids financial income from foreign physical and legal persons. The highest permissible individual financial contribution to a political party is limited to ten times the average annual income of employed persons in Slovenia. Political parties have the right to financial support from the state budget, amounting to 30 Slovenian tolar (SIT) for each vote they have received at the last general parliamentary elections. Political parties that receive funds from the state budget must present an annual financial report to the National Assembly. This financial report has to be published in the Official Journal of the Republic of Slovenia. Political parties must not receive funds from state and other public bodies in which the public share exceeds 50 per cent of the total capital.

4.4. *The Executive and Organised Civil Society*

Interests groups or other associations are not separately consulted during the pre-parliamentary stages of the legislative process, but the National Council ensures that the major interests groups are heard, as each piece of legislation must be submitted to the National Council. According to Article 91 of the constitution, the National Council has the right to ask the National Assembly to reconsider the passed law (suspensive veto).

However, over the last years, informal consultations with different interests groups have taken place during the preparation of major piece of legislation. One example is the preparation of the Civil Service Act during which the main stakeholders were invited to a special conference to discuss the Bill before the formal government procedures.

4.5. *The Executive and the Media*

According to Article 83 of the Standing Orders of the Government of the Republic of Slovenia, the work of the government is public. Publicity is ensured through press conferences and official statements in the form of press releases. As a rule, journalists do not attend government meetings.

After each government meeting, the government Public Relations and Media Office holds a press conference during which the most important decisions of the government are presented to the press. The prime minister, the secretary-general of the government, the government spokesperson, ministers and high civil servants participate in the press conferences and present the decisions taken by the government.

The Government website is at <http://www.ijs.si/slo/country/economy/govern.html>. Several ministries and other governmental institutions also maintain their own websites.

5. Subnational Government

5.1. *Decentralised State Administration*

In general, deconcentrated administrative bodies of the ministries are organised in regions with one or more local communities to perform administrative tasks determined by law. At present, there are 58 administrative units that have been set up on the basis of the Law on Administration (Articles 33-45). These administrative units manage affairs within their ministry's field of activities under the supervision of the ministry. Deconcentrated administrative bodies (units) are authorised by law (Article 57 of the Law on Administration) to supervise also the legality of the actions of local self-governing bodies, even in the sphere of their own competence.

The government appoints and dismisses heads of the deconcentrated administrative units on the proposal of the minister responsible for the state administration and after consulting the municipal councils in the region where the administrative unit is organised. The head of the unit must act in accordance with the directives and the instructions of the relevant ministry.

Special joint councils have been created for the co-operation between the administrative units and local communities. These joint councils discuss questions relating to the tasks of the administrative units and may issue non-binding opinions and proposals.

5.2. *Regional Government*

There is no regional government in Slovenia.

5.3. *Local Government*

On 1 January 1995, a new system for organising public administration and local self-government came into force. New municipalities were created and council and mayoral elections took place on 4 December 1994. There are several legal Acts regulating the area of local self-government, notably the Law on Local Self-government (Official Journal of the Republic of Slovenia, No. 72/1993) and the Law on Local Elections (Official Journal of the Republic of Slovenia, No. 72/1993).

Slovenia has introduced a single-tier system of local self-government that differs greatly from the former organisation of local government in which municipalities typically performed both state and local functions. In the new system, a municipality usually performs only local tasks. It only performs state tasks if it consents to do so. An exception applies to cities and towns that have the status of a "city municipality". The procedures and conditions for attaining this status are defined by law. The constitution (Article 141) requires city municipalities to perform specific tasks that fall under the jurisdiction of the state and are related to the development of the city or town.

A municipality is created by law after a referendum with the participation of the residents in the area. At present, there are 192 municipalities, but this number may rise in future. Municipalities can join and form provinces or other larger self-governing communities.

Municipalities are, in principle, self-financed from local taxes and other duties, and from revenues received from municipal property. Economically underdeveloped municipalities that cannot ensure the execution of their tasks from their own financial resources receive additional funding from the state budget. The

activities of provinces or other larger self-governing communities are financed by the municipalities that created these communities.

The bodies of the municipality are the municipal council, the mayor, and, if necessary, one or more municipal committees and a supervisory committee. The municipal council is a representative body which takes the basic decisions falling under the jurisdiction of the municipality. The number of council members is determined by the municipality itself, and may vary between 7 and 45. In regions inhabited by Hungarian and Italian ethnic minorities, these ethnic minorities must have at least one representative serving on the municipal council.

Councillors are elected directly for four-year terms, on the basis of universal and equal suffrage, in free and secret ballots. Voting rights are the same as for the national elections, with the additional requirement that voters must be permanent residents in the municipality. In smaller municipalities, the majority system for assigning seats is used. In medium and larger municipalities, a proportional system is used whereby the electors vote for lists of candidates and preferential voting is possible.

Municipal committees are executive bodies of the municipal council. They are elected by the municipal council from among its members and the municipality's citizens. The supervisory committee oversees the financial management of the municipality. Its members are appointed by the municipal council from among the local citizenry.

The mayor represents the municipality and heads the municipal administration. The mayor is elected for four years in direct elections on the basis of the same voting rights that apply to municipal council elections. The candidate who receives the absolute majority of votes is elected. If no candidate is elected in the first round, a second round of elections is held. In the second round, the voters decide between the two candidates who received most votes in the first round.

Direct forms of citizen participation in municipal decision-making include referenda (obligatory and consultative), people's initiatives and a citizen assembly. A citizen assembly may be called by the mayor at his or her own initiative, at the initiative of the municipal council or at the request of 5 per cent of the municipality's voters.

The independence of municipalities vis-à-vis the state is protected by the Constitutional Court. It decides on the compliance of local legal instruments with the constitution and law and on disputes between the state and the municipalities concerning their respective areas of competence.

6. Personnel Management

6.1. *Legal Bases and Principles of the Public Service*

The employment of personnel in state authorities is governed by the Law on Employees in the State Organs (Official Journal of the Republic of Slovenia, No. 15/90). In addition to requiring general conditions such as the physical capacity to work, this law requires that staff of state bodies be Slovenian citizens and at least 18 years old. Moreover, the law states that all staff who are in direct contact with the public must have an active command of the Slovene language. State employees working in areas inhabited by members of the Hungarian and Italian minorities are required to have a working knowledge of Hungarian or Italian.

The Law on Employees in the State Organs defines the rights and duties of employees of state bodies. In addition, some of their rights (for example, the right to information and the right of professional

education), and conditions for the operations of the trade unions, are defined in the relevant collective agreement.

Executives and administrative staff, and technical and expert staff appointed by the government, must not be part of the leadership of any political party. Employees in state bodies have the right to join trade unions and to strike under conditions defined by law. For some categories of employees, for example, the police, customs, air flight controllers and also senior administrative executives and administrative staff, the right to strike is limited.

The salaries of employees in state bodies, as well as of employees in local authorities, are governed by the Law on Salaries in Public Institutions and State and Local Community Bodies of 1994.

In the present personnel structure of the central government, two major groups of employees can be distinguished: executives and civil servants. The first group is smaller and comprises the heads of different central administrative bodies (for example, the directors of government agencies). The group of civil servants can be also divided into different levels according to the hierarchical positions, such as top civil servants (e.g. state under-secretaries, councillors to the government), administrative staff (such as advisers and collaborators) and clerical staff (such as controllers and operators).

6.2. *Personnel Management*

In accordance with the law, the government regulates the internal organisation of the state administration, the grading of positions, and working hours. It also approves the recruitment of staff to work for the government, ministries and the administration.

The government has created a special Commission for Personnel and Administrative Affairs. This commission is responsible for specific tasks, such as job classification, appointment and promotion of civil servants (upon the proposal of a minister), general personnel measures, and the appointment of ambassadors. In addition, the commission also decides on the appointment of representatives in public enterprises and similar institutions. The commission also operates as an appeal body in personnel matters. The members of the commission are top civil servants.

To make personnel management more efficient, the government has created the Government Personnel Office. It is in charge of executing the operational work in this area. For example, it prepares the necessary documentation for new appointments, provides data on the number and qualifications of civil servants and may propose personnel policy measures. According to new government regulations of 1998, personnel policy is fully centralised. Each ministry and other governmental office must obtain the agreement of the Government Personnel Office before any appointment.

There is no centralised training budget at the central level of government; budget resources for training are allocated to each ministry individually. On 1 January 1997, a new training institution was established, the Academy of Administration. It is responsible for the development of training seminars and for organising state proficiency exams for newly recruited trainees.

7. Administrative Oversight and Control

7.1. Internal Oversight and Control

There are several forms of internal control, including control by the higher administrative authority; the power of the head of an administrative body to issue decisions; the (strictly limited) supervisory powers of state authorities over administrative decisions of local self-government bodies; and inspection-related supervision.

By its very nature, the control carried out by a higher administrative authority represents a formal, internal control mechanism. The higher administrative authority directly supervises an administrative body of the first instance. In doing so, it has very broad powers. It may abolish, invalidate or even change the administrative act of a first instance body. It may verify not only the legality and professional nature of the action, but also the appropriateness of the administrative decision of a body of the first instance. This competence also concerns the use of discretionary powers.

The power of the head of an administrative body to issue instructions and to change decisions of lower administrative bodies represents direct, internal supervision.

Local self-government bodies must act according to the General Administrative Procedure Act when they take decisions concerning the rights, obligations and legal benefits of individual parties. Insofar as they perform delegated tasks, local self-government bodies act as state organs and are subject to the supervisory authority of central administrative bodies.

Inspection-related supervision as a control mechanism within the public administration is not limited to the financial domain, but is broad and covers the entire domain of the implementation of laws and other legal regulations. It is a mechanism for the direct supervision over the legality of the functioning of state bodies, other public organs and institutions, and private organisations and individuals. An inspectorate may be set up to supervise the execution of laws and other legal norms in a ministry's area of competence.

There are several arrangements for ensuring the financial probity of public administration, including internal financial controls, control by a special supervisory department of the Ministry of Finance, and also control by the Court of Audit.

7.2. External Audit and Control

The constitution provides for the establishment of a court of audit. The court's administration and powers are determined in the Law on the Court of Audit, which was adopted in July 1994 (Official Journal of the Republic of Slovenia, No. 48/1994). The Court of Audit functions independently and is subject only to the constitution and the law that determines its administration and powers. The Court of Audit is responsible for auditing state finances, the state budget and funds spent for public purposes, including funds spent by the constitutionally independent and autonomous local self-government bodies.

The members of the Court of Audit are appointed by the National Assembly on the proposal of the president of the republic. There is no separate auditing office for local government.

The Parliamentary Reporter (No. 19/1999) contains the report of the Court of Audit for the fiscal year 1998.

7.3. *Public Redress*

Citizens have the possibility to have an administrative decision reviewed by the administration itself, the courts and, under certain circumstances, by the ombudsman.

The Constitutional Court decides on the compatibility of laws with the constitution; laws and other legal norms with ratified international agreements and with the general principles of international law; and executive regulations with the constitution and the law. The Constitutional Court may invalidate unconstitutional laws (effect *ex tunc*) and invalidate or set aside (effect *ex nunc*) unconstitutional or illegal norms. The Constitutional Court also decides on disputes between parliament, the president, the government and other state bodies and local self-government bodies. In addition, the Constitutional Court decides on individual complaints arising from violations of human rights and basic freedoms. However, citizens may only appeal to the Constitutional Court after having exhausted all other available legal remedies. More detailed rules concerning this question are laid down in Article 160 of the constitution and the Law on the Constitutional Court.

The constitution enshrines the right to appeal against the actions taken by public administration. In 1997, the National Assembly passed the new Law on Administrative Disputes (Official Journal of the Republic of Slovenia, No. 50/1997). This law regulates the procedure for the judicial review of administrative decisions. If a citizen is not satisfied with an administrative decision, he or she may appeal before a higher administrative authority. If the authority of the second instance confirms the decision of the lower-level authority, the citizen may initiate a judicial review. Judicial review of an administrative decision means that a court, upon the demand of an individual party, examines the decision's legality. This type of review is performed by administrative courts. Illegal administrative acts may be annulled or substituted by the material decision of an administrative court. The courts check the legality, not of the appropriateness of an administrative decision.

Since 1 January 1998, the administrative court has been in operation. It has four deconcentrated offices. Its decisions can be reviewed before the supreme court. In addition to the ordinary courts, the Law on Labour and Social Courts provides for setting up labour and social courts. Labour courts decide labour disputes, while social courts have jurisdiction over pensions and disability insurance, health insurance, unemployment insurance, and disputes over family and social benefits.

Citizens also possess the right to appeal to the ombudsman as "the guardian of citizens' rights." The office of the ombudsman was created in September 1994 (constitution and Law on the Ombudsman, Official Journal of the Republic of Slovenia, No. 71/1993). The ombudsman is elected by the National Assembly. The ombudsman is responsible for the protection of human rights and fundamental freedoms in matters involving state and local government bodies and statutory authorities. The ombudsman is authorised to monitor the work and procedures of public administration with regard to citizens' rights and freedoms. In this sense, the ombudsman can provide advice as both a supervisor and an adviser to authorities and to the citizens. However, the ombudsman can only exceptionally influence legal procedure, as, for example, in the case of unjustified delays or if an "obvious abuse of power" occurs. The ombudsman has few powers to change or directly influence the acts of an administrative body. The ombudsman submits an annual report of his activities to the National Assembly. The report is published in the Official Journal of the Republic of Slovenia.

The constitution also calls for the establishment of special ombudsmen for specific areas of public administration. This constitutional provision opens up the possibility, for example, of appointing an ombudsman in the area of environmental protection.

The freedom of information is regulated by the constitution (Articles 34-41) and the Law on the Protection of Personal Data (Official Journal of the Republic of Slovenia, No. 8/90).

8. Administering European Integration

8.1. *The Institutional Framework of EU-Related Policy-Making*

EU-related policy-making involves several governmental and parliamentary committees and sub-committees. The major task of these committees is to co-ordinate policy-making in European affairs.

In addition, there is the special Government Office for European Affairs. Its is headed by the minister without portfolio for European Affairs. An inter-ministerial Committee for European Affairs at the state secretary level was established in 1995. The main responsibility of this body is to co-ordinate the most important pre-accession activities of the ministries. The tasks and responsibilities of the office are determined in the Ordinance on the Organisation and Responsibilities of the Government Office for European Affairs (Official Journal of the Republic of Slovenia, No. 84/1997).

8.2. *Managing the Approximation of Laws*

The Government Office for Legislation oversees the compatibility of new or amended legislation with regulations and directives of the EU. A special committee to co-ordinate the approximation of national legislation with EU law was established some years ago. This Sub-committee for Legislative Harmonisation is serviced by the Government Office for Legislation. All ministries and the other major government agencies are represented on this body. It functions as an interministerial body to discuss problems of legal harmonisation and proposes appropriate steps to promote the approximation of laws.

8.3. *Implementing the *Acquis Communautaire**

Several institutions are involved in improving administrative capacities for applying the *acquis*. The Government Office for European Affairs and the Government Office for Legislation co-ordinate work for the improvement of administrative capacities; the Interministerial Sub-committee for Administrative Reform was established in 1998 and is expected to co-ordinate activities in the field of institution-building. A host of working groups has been established in 1997 and 1998 to address specific issues.

The government submitted the National Programme for the Adoption of the *Acquis communautaire* (NPAA) to the European Commission on 31 March 1998. This also marked the official start of Slovenia's negotiations for EU membership. The NPAA is a response to the Partnership for Accession document, which represents a framework of short- and medium-term policies set by the European Commission as priorities for Slovenia's preparations for membership. The NPAA sets out policy directions and measures Slovenia has to implement. It is an operative document which defines the areas of reform, macro- and micro-economic policy measures, developments in the judicial system, administrative reform, the development of local administration, and estimates of staff and financial requirements for the realisation of those reforms.

9. Plans for Reform and Modernisation

Administrative reform is overseen by the Directorate for the Organisation and Development of Administration (DODA). This is a new institution in the framework of the Ministry of the Interior; the latter has been responsible for public administration since 1995.

In November 1997, the government approved a special Strategic Plan for Administrative Reform in Slovenia. With reference to public sector reform processes in OECD Member countries, the following principal targets for administrative reform have been defined:

- decentralisation of decision-making processes and devolution of authority to lower administrative levels, resulting in a more flexible operation of the administrative system;
- better task performance and appropriate control mechanisms, resulting in improved accountability of civil servants;
- introduction of competitive elements and of possibilities for choice between different administrative service providers;
- providing professionally managed and responsive public services, focused on the end-users;
- improving the status of civil servants through the development of modern human resources management;
- optimal utilisation of information technology in the public sector; and
- improving the quality of legal norms.

Reform activities encompass state administration; local self-government; public services; the protection of citizens' rights; administrative methods and techniques; the civil service, including training; and public finance.

Initiatives are under way to bring the Slovenian administrative system in line with the standards of EU countries. For instance, the government is preparing a Bill to define the legal status of civil servants and introduce a civil service system. It can be reasonably expected that the Civil Servants Act will be accepted in 1999. A draft law on regions has also been prepared and the pre-parliamentary debate is in progress.

10. Key Statistics

10.1. Budgetary Data

Central Institutions	Annual Budget in Thousands of SIT Data for 1998: 1 ECU=185 SIT
I. Ministries	
1. Ministry of Agriculture, Forestry and Food	27 322 261
2. Ministry of Culture	18 614 747
3. Ministry of Defence	41 439 431
4. Ministry of Economic Affairs	17 702 173
5. Ministry of Economic Relations and Development	8 193 038
6. Ministry of Education and Sport	141 323 776
7. Ministry of Environment and Territorial Planning	14 102 369
8. Ministry of Finance	235 918 897
9. Ministry of Foreign Affairs	8 131 242
10. Ministry of Health	5 896 468
11. Ministry of Interior	35 115 031
12. Ministry of Justice	6 615 809
13. Ministry of Labour, Family and Social Affairs	152 964 331
14. Ministry of Science and Technology	22 403 626
15. Ministry of Transport and Communications	77 611 024
16. Ministry of Small Business and Tourism	3 360 897
II. Governmental Agencies	
1. Government Personnel Office	304 837
2. Government Office for Legislation	144 019
3. Government Office for Local Self-government	107 311
4. Government Statistical Office	1 205 637
5. Government Protocol Service	468 158
6. Government Public Relations and Media Office	808 650
7. Government Office for Nationalities	224 653
8. Government Office for Women's Policy	63 494
9. Government Office for Immigration and Refugees	862 327
10. Government Joint Services Office	4 314 585
11. Government Centre for Electronic Data Processing	3 506 852
12. Government Office for Religious Communities	242 713
13. Government Office for the Disabled	48 038
14. Slovenian Intelligence and Security Agency	2 280 972
15. Prime Minister's Office	1 329 529
16. Government Office for European Affairs	432 927
Total	833 059 822

Funds outside the general budget in thousands of SIT:

Annual budget 1998: 833 059 822

Pension fund: 126 346 000

Payments to the public services (health, social insurance, others): 52 534 666

10.2. Personnel Data

Articles 14 to 27 of the Law on Employees in the State Organs (Official Journal of the Republic of Slovenia, No. 15/90) determine the vertical structure of the civil service. It includes three career categories. Each career category consists of a hierarchy of grades. This structure is not limited to the state administration, but also applies to local government. Articles 20 to 27 define the organisation level and the basic responsibilities of each grade and the positions to which the employees of each grade may be assigned. The career categories and grade structure are applicable in the entire civil service, including the diplomatic and consular services.

The higher category includes the senior administrative employees (*višji upravni delavci*). Employees included in this career category perform management tasks or especially difficult work. Under-secretaries of state and secretaries-general belong to this category. These two positions involve a relationship of close confidence with the minister, but office holders are nevertheless appointed by the government on the proposal of a minister. Members of this career category are grouped in the following hierarchical structure:

- secretary-general (*generalni sekretar*)
- under-secretary of state (*državni podsekretar*)
- adviser to the government (*svetovalec vlade*)
- under-secretary (*podsekretar*)
- assistant to the minister (*pomočnik predstojnika*)
- adviser to the minister (*svetovalec predstojnika*)
- senior adviser (*višji svetovalec*)
- adviser (*svetovalec*) (only for parliamentary services' positions).

Local government grades are:

- assistant to the minister (*pomočnik predstojnika*)
- adviser to the minister (*svetovalec predstojnika*)
- senior adviser (*višji svetovalec*).

Employees in the second category (*upravni delavci*) perform professional work required for the exercise of managerial tasks. This category includes the following grades:

- adviser (*svetovalec*)
- senior rapporteur (*višji referent*)
- senior collaborator (*višji sodelavec*)
- collaborator (*sodelavec*)
- rapporteur (*referent*).

The third category includes professional employees who perform common technical and other tasks. They are grouped in the following grades:

- senior professional collaborator (*višji strokovni sodelavec*)
- independent professional collaborator (*samostojni strokovni sodelavec*)
- professional collaborator (*strokovni sodelavec*)
- financial rapporteur (*financni referent*)
- office rapporteur (*pisarniški referent*)
- administrative collaborator (*administrativni sodelavec*)
- controller (*administrator*)
- operator (*manipulant*).

The total number of civil servants at central and deconcentrated levels of administration in Slovenia is as follows:

Civil Service Figures as of 1 January 1999

Source: Government Personnel Office
(data provided)

A) Ministries

<u>Ministry of Finance</u>	5 067
• Ministry	341
• Tax administration	2 398
• Customs administration	2 279
• Office for insurance audit	9
• Office for prevention of the money laundering	12
• Foreign currency inspection of the RS	14
• Office for auditing gambling	14
<u>Ministry of Interior</u>	8 069
<u>Ministry of Foreign Affairs</u>	388
• Ministry	382
• Office of Slovenia in the world	6
<u>Ministry of Justice</u>	845
• Ministry	68
• Administration of justice	777
<u>Ministry of Defence</u>	6 049
<u>Ministry of Labour, Family and Social Affairs</u>	233
• Ministry	130
• Work inspection	97
• Office for security and health	6

<i>Ministry of Economic Relations and Development</i>	324
• Ministry	103
• Office of macroeconomic analysis	52
• Office for protection of consumers	3
• Office for protection of competition	6
• Office for economic promotion and investments	9
• Market inspection	151
<i>Ministry of Economic Activities</i>	140
• Ministry	79
• Direction for energy supply	1
• Agency for effective use of energy	4
• Direction for ore wealth	1
• Direction - Business information centre	3
• Energy inspection	41
• Ore inspection	7
• Construction inspection	4
<i>Ministry of Agriculture, Fisheries and Food</i>	356
• Ministry	105
• Veterinary Administration	120
• Office for promotion of agriculture	11
• Agriculture inspection	120
<i>Ministry of Small Economy and Tourism</i>	28
<i>Ministry of Culture</i>	167
• Ministry	58
• Administration of cultural heritage	31
• Archives of the Republic of Slovenia	75
• Inspection for cultural heritage	3
<i>Ministry of Environment and Territorial Planning</i>	1 339
• Ministry	139
• Administration of nature protection	117
• Office for geophysics	23
• Office of territorial planning	51
• Administration of geodesics	604
• Office for nuclear safety	35
• Environment inspection	155
• Hydro-meteorological institute	215
<i>Ministry of Transports and Communications</i>	412
• Ministry	101
• Office for maritime affairs	38
• Administration of air navigation	148
• Office for telecommunication	26
• Direction of roads	54
• Transportation inspection	45

<i>Ministry of Education and Sport</i>	182
• Ministry	156
• Office of education	12
• Office for youth	7
• Inspection of education and sport	7
<i>Ministry of Health</i>	220
• Ministry	58
• Office for co-operation with WHO	2
• Health inspection	150
• Office of the RS for medicaments	10
<i>Ministry of Science and Technology</i>	239
• Ministry	101
• Office of standards	85
• Office of intellectual property	52
• Office of the Slovenian National Commission of UNESCO	1
Total Ministries	24 058

B)	Government Services	
	• Prime Minister's Office	157
	• Personnel office	35
	• Office of statistics	347
	• Protocol	13
	• Service of protocol affairs	171
	• Service of joint services	136
	• Office of information	30
	• Governmental centre of informatics	57
	• Office of legislation	25
	• Office for nationalities	3
	• Office for women's policy	7
	• Office of immigration and refugees	9
	• Office for local self-government	13
	• Office for religious communities	5
	• Office for disabled persons	5
	• Governmental Office of European Affairs	67
	• Office for drugs	2
	Total Government Services	1 082
C)	Total Administrative Units	3 164
	Grand Total (A+B+C)	28 304

More detailed data can be found in the Statistical Yearbook of the Republic of Slovenia, which is issued annually by the Statistical Office of the Republic of Slovenia.