



Reference no: 006-2/2020-22

Date: 18 November 2021

Subject: Conduct and restrictions in relation to the accepting of gifts

Re: new Rules on the restrictions on and duties of officials in relation to the accepting of gifts (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 106/21 and 110/21 – corrigendum)

As we have already reported, the Act amending the [Integrity and Prevention of Corruption Act](#) (hereinafter: ZIntPK-C) was published in Official Gazette of the Republic of Slovenia No 158/2020 of 2 November 2020. It introduced new elements regarding restrictions on and the duties of civil servants in relation to the accepting of gifts. ZIntPK-C standardised procedures relating to gifts by regulating the prohibition on the receiving of gifts for officials and civil servants in the same way and from one place. On the day it entered into force (17 November 2020), the provisions on the Civil Servants Act relating to the accepting of gifts and the Decree on the restrictions on and duties of civil servants in relation to the accepting of gifts ceased to apply to all civil servants, and therefore all UL employees, and the amended Article 30 of the Integrity and Prevention of Corruption Act entered into force (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 69/11 and 158/20). With the entry into force of the ZIntPK-C, civil servants may accept protocol gifts, which shall become the property of the employer regardless of value, and gifts that are traditionally or customarily given at certain events (cultural, ceremonial, events marking the end of education or training, holidays, etc.), provided their value does not exceed EUR 100, regardless of the form of the gift or the number of givers.

When receiving any gift over EUR 50 in value, the recipient shall complete a form to log the gift (see the annex) as soon as possible and no later than within eight days, sign it electronically, and send it to the employee authorised to maintain the list and store gifts. The person responsible for maintaining the list shall issue the recipient, at their request, with written confirmation that the gift has been logged and given into the possession of the public sector entity (in the annex). The forms for logging gifts received and confirmation of gifts received shall be completed and stored

electronically. The authorised officer shall store the form in a file opened for the purpose in the document system under reference no 006

“Integrity and prevention of corruption” and then, by 31 March for the previous calendar year, submit a list of gifts received by employees, their family members, as well as a list of protocol gifts, using an electronic form available on the website of the Commission for the Prevention of Corruption.

The new [Rules on the restrictions on and duties of officials in relation to the accepting of gifts](#) (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 106/21 and 110/21 – corrigendum, hereinafter: the Rules), which regulate in detail the obligations of officials in relation to the accepting of gifts in the public sector, entered into force on 21 July 2021. The Rules replace the provisions of the Rules on the restrictions on and duties of officials in relation to the accepting of gifts and of the Decree on the restrictions on and duties of civil servants in relation to the accepting of gifts, which were previously applied by analogy.

The Rules set out in law a new way of handling gifts, with the method of handling of gifts being determined by the head of the public sector entity or a person authorised by them, or by an internal bylaw issued by the head of the public sector entity. The Rules also provide that when the recipient receives a gift by post or in another indirect manner, they shall mention this in the form for the logging of a gift received. If a gift is offered in the form of a service and is not a gift of lesser value, the recipient may not receive that service. When appraising the value, due regard shall be paid to the market price of the gift. If that price cannot be ascertained, a lay assessment of the price from the person responsible for maintaining the list of gifts shall suffice. If the item is of historical value or a work of art, the value shall be appraised by the relevant expert.

Please observe all the above provisions in the course of your work.

With kind regards,

Mihaela Bauman Podojsteršek,
UL Chief Secretary

Annexes:

- Registration of a gift received in the course of official duties
- Confirmation of submission of the form logging a gift received and the handing-over the gift