THE EMPLOYMENT,
SELF-EMPLOYMENT AND WORK OF ALIENS ACT

Chapter I: GENERAL PROVISIONS

Article 1
(Contents of the Act)

This Act determines the conditions for the employment, self-employment and work of aliens and the related tasks of the Republic of Slovenia in regulating and protecting the labour market.

Article 2
(Tasks of the Republic of Slovenia)

(1) The Republic of Slovenia shall conclude international treaties by which it determines the conditions for the employment, self-employment and work of aliens and shall adopt measures to protect its labour market determined by this Act.

(2) In accordance with international treaties binding on the Republic of Slovenia and governing the free movement of workers and the provision of services between the Member States of the European Union (hereinafter: the EU), the states of the European Economic Area (hereinafter: the EEA), and the Swiss Confederation, the Government of the Republic of Slovenia (hereinafter: the Government) proposed that the National Assembly of the Republic of Slovenia introduce and eliminate measures as provided for by international treaties (e.g. transitional periods or protection clauses).

Article 3
(European Union regulations)

This Act shall partly transpose the following European Union Directives into the legislation of the Republic of Slovenia:


– Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L no. 212, 7 August 2001, p. 12);


– Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities (OJ L no. 261, 6 August 2004, p. 19);


– Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L no. 337, 20 December 2011, p. 9);

Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (OJ L no. 343, 23 December 2011, p. 1);


Article 4

(Definitions)

For the purposes of this Act, the following definitions shall apply:
1. ‘employer’ shall mean a legal entity or an individual registered to pursue an activity, or entered in the Register of Agricultural Holdings of the Republic of Slovenia, or any other entity specified by the law governing labour relations that employs an alien on the basis of a contract of employment;

2. ‘single permit’ shall mean a combined residence and work permit issued by a competent authority pursuant to the act governing the entry and residence of aliens allowing an alien to enter, reside and work in the Republic of Slovenia;

3. ‘capital ties’ shall be deemed to exist between the companies under the majority ownership of one company or between the companies when one company, directly or indirectly, exercises a controlling influence over the other on the basis of its ownership, equity holding therein, or management rules. A controlling influence shall be deemed to exist where one company holds a direct or indirect majority of another company’s subscribed capital, holds the majority of the voting rights of shares it issued, or has the right to appoint more than half of another company’s administrative, managerial or supervisory board members;

4. ‘EU Blue Card’ shall mean a temporary residence permit for the purpose of highly qualified employment issued in accordance with the law governing the entry and residence of aliens that allows holders to enter, reside and take up employment in the Republic of Slovenia;

5. ‘posted worker’ shall mean an alien temporarily carrying out work in the Republic of Slovenia on the basis of an employment contract with an employer established or residing outside the Republic of Slovenia;

6. ‘hirer’ shall mean a legal entity or an individual registered to pursue an activity or entered in the Register of Agricultural Holdings of the Republic of Slovenia for whom an alien is to carry out specific work on the basis of a concluded civil law contract;

7. ‘written authorisation’ shall mean a decision issued by a competent authority pursuant to the act governing the entry and residence of aliens that allows an alien to change jobs within the same employer, to change employers, to take up employment with two or more employers or to conclude a new civil law contract for work during the period of validity of a single permit or an EU Blue Card;

8. ‘consent’ shall mean a certificate of compliance with the conditions determined by this Act granted, at the request of the authority competent under the act governing the entry and residence of aliens, by the Employment Service of the Republic of Slovenia (hereinafter: the Employment Service) with regard to a single permit, an EU Blue Card or a written authorisation for a particular purpose of employment or work;

9. ‘third country’ shall mean any country other than an EU Member State, an EEA state or the Swiss Confederation.

10. ‘alien’ shall mean a person who is not a citizen of the Republic of Slovenia;

11. ‘foreign employer’ shall mean a legal entity or an individual registered to pursue an activity and residing or established in a third country that employs an alien on the basis of a contract of employment;

12. ‘representative’ shall mean a third-country national entered into the relevant register as a person authorised to provide representation.
Article 5

(Scope)

(1) The provisions of this Act shall apply to all aliens unless otherwise provided by this Act or an international treaty binding on the Republic of Slovenia.

(2) The provisions of this Article shall not apply to an alien:

1. entitled to privileges and immunities under international law holding a specific document to that effect issued or registered by the competent ministry for foreign affairs;

2. carrying out work on the basis of relevant agreements with international organisations, agreements between competent institutions or within international projects relating to expert technical assistance, education, training or research;

3. engaged as a foreign correspondent accredited to the Republic of Slovenia and other correspondents and reporters for foreign media when pursuing their professional journalistic activities;

4. engaged as a priest, nun, or monk within a registered religious community and an alien who organises or runs charitable and humanitarian activities in the framework of a recognised humanitarian organisation or a registered religious community;

5. engaged under a contract with the ministry responsible for defence or the ministry responsible for internal affairs to provide services required for the defence and security of the state and persons in professional training in these areas;

6. providing emergency services when the urgent services of a foreign legal entity or appropriately trained alien are required to save lives or implement measures to prevent health risks to the citizens or to remedy or prevent damage to the economy caused by natural disasters;

7. employed by a foreign employer and engaged as a member of the crew of a ship or aircraft or in road or railway transport;

8. registered, in accordance with the law, in the court register of the Republic of Slovenia as a founder, company member or member of the supervisory board of a company to carry out work in such position and not registered in the Court Register as a representative;

9. not generating income in the Republic of Slovenia and not carrying out direct sales or providing services who only participates in business meetings, establishes business contacts, including negotiations regarding the provision of services or activities, as well as those services and activities that relate to a foreign employer's preparations for establishing a market presence in the Republic of Slovenia. These activities in the territory of the state shall be limited to 90 days within the six-month period following the alien’s first entry into the Republic of Slovenia;

10. participating as a lecturer in organised expert meetings, presenting scientific achievements or occasionally participating in the implementation thereof, or an alien who is a member of the associated technical personnel, or an alien temporarily carrying out research work (during a sabbatical year);
11. personally providing services in the culture sector as a participant in art workshops, meetings, colonies or other cultural events or as a reporter thereon; as a collaborator, creator, or interpreter in the fields of music, musical performance, dance, ballet, the literary arts, photography, video, film, electronic media art, visual arts, architecture and design, inter-media art, or the performing arts, or as an expert in the fields of cultural heritage preservation, library science, archival science, or as accompanying teaching, reporting, organisational or technical staff;

12. taking part in sports or chess competitions;

13. engaged in research work in the Republic of Slovenia under a hosting agreement with a research institution in the Republic of Slovenia or an alien carrying out a research project in the Republic of Slovenia for a period of up to three months who holds a residence permit as a researcher in another EU Member State, or an alien holding the status of an early stage researcher granted in the Republic of Slovenia;

14. who is a professional athlete or private sports worker with a contract on cooperation concluded in the Republic of Slovenia with a Slovenian sports club or sports organisation established in the Republic of Slovenia provided that the alien concerned is entered in the register of professional athletes or in the register of private sports workers within 90 days of the alien's first entry into the Republic of Slovenia;

15. accompanying or guiding foreign guests or groups of guests in the territory of the Republic of Slovenia and who is a tourist guide or tour leader carrying out activities in accordance with the law governing the promotion of tourism development, or a mountain guide pursuing his or her activity in accordance with the law governing mountain guiding;

16. carrying out work involving the assembly, fitting, or disassembly of equipment and display items at fairs or exhibition events in the Republic of Slovenia;

17. engaged as a circus artist, a worker in a visiting amusement park, or as a similar worker;

18. exercising the right to the free movement of workers under international treaties binding on the Republic of Slovenia or under EU law;

19. holding the status of a secondary school or university student in the Republic of Slovenia and carrying out temporary and occasional work in accordance with the regulations governing temporary or occasional work carried out by secondary school and university students, and an alien covered by agreements on secondary school or university student exchanges engaged in temporary and occasional work in accordance with the regulations governing temporary or occasional work carried out by secondary school and university students;

(3) Where there is doubt about whether a particular instance falls under the preceding paragraph, a 15-day time limit from the receipt of a request from an alien, administrative unit or competent supervisory authority under this Act shall be observed by the competent ministry, i.e.:

1. the ministry responsible for foreign affairs in the case referred to under point 1 of the preceding paragraph;
2. the ministry responsible for education, science and sport in the cases referred to under points 2, 10, 12, 13 and 14 of the preceding paragraph;

3. the ministry responsible for culture in the cases referred to under points 3, 4 and 11 of the preceding paragraph;

4. the ministry responsible for defence or internal affairs in the case referred to under point 5 of the preceding paragraph;

5. the ministry responsible for internal affairs, for defence, for health or for the environment in the case referred to under point 6 of the preceding paragraph;

6. the ministry responsible for transport in the case referred to under point 7 of the preceding paragraph;

7. the ministry responsible for the economy in the cases referred to under points 8, 9, 15 and 16 of the preceding paragraph;

8. the ministry responsible for labour in the cases referred to under points 17, 18 and 19 of the preceding paragraph.

(4) Aliens referred to in the second paragraph of this Article shall be entitled to take up employment, self-employment or work if they have arranged residency in accordance with the regulations governing the residence of aliens.

Article 6

(Free access to the labour market)

(1) The right to free access to the labour market shall mean the right of an alien to take up employment, self-employment or work in the Republic of Slovenia without a consent to a single permit or an EU Blue Card or a seasonal worker permit.

(2) The right to free access to the labour market shall apply to:

1. aliens residing in the Republic of Slovenia on the basis of a temporary residence permit for family reunion with a Slovenian citizen;

2. aliens residing in the Republic of Slovenia on the basis of a permanent residence permit;

3. aliens residing in the Republic of Slovenia on the basis of a temporary residence permit issued to aliens of Slovenian origin;

4. aliens residing in the Republic of Slovenia on the basis of a temporary residence permit issued to victims of trafficking in human beings;

5. aliens residing in the Republic of Slovenia on the basis of a temporary residence permit issued to victims of illegal employment;

6. aliens granted the right to international protection in the Republic of Slovenia and their family members residing in the Republic of Slovenia on the basis of a residence permit for family reunion;
7. aliens granted temporary protection status evidenced by the identity card of a person granted temporary protection;

8. aliens whose identity has been established beyond doubt and who have been granted the status of an applicant for international protection in the Republic of Slovenia; the aforementioned aliens shall be granted this right nine months after filing the application for international protection, provided that no decision of the competent authority was served thereon in that period through no fault of his or her own. The fulfilment of the aforementioned conditions shall be evidenced by a certificate of the ministry responsible for internal affairs.

(3) The aliens referred to in the preceding paragraph shall also have the right to free access to the labour market during their residence in the Republic of Slovenia on the basis of a certificate evidencing that the application for a residence permit or status extension was submitted in due time.

Article 7

(Employment, self-employment, work and temporary agency work)

(1) An alien shall be deemed employed in the Republic of Slovenia when in an employment relationship under an employment contract concluded with an employer in the Republic of Slovenia. The employment contract shall comply with the law governing employment relationships and with collective labour agreements binding on the employer.

(2) An alien shall be deemed self-employed in the Republic of Slovenia when independently engaged in a gainful or other permitted activity.

(3) An alien shall be deemed to carry out work in the Republic of Slovenia when working on its territory for a limited period of time as a posted worker or on the basis of a concluded civil law contract.

(4) It shall be prohibited to work or to allow work other than work for which a consent has been granted in the procedure for issuing or extending a single permit or an EU Blue Card, or a written authorisation or for which a seasonal worker permit has been issued. Aliens holding a single permit issued or extended on the basis of a consent to employment, self-employment or work, a written authorisation issued on the basis of a consent to employment, self-employment or work, a single permit for work as a self-employed person and aliens enjoying free access to the labour market in accordance with the provisions of this Act shall have the right to carry out any work within the scope of the registered employer’s or business entity’s activities and other tasks required for its existence and operations not deemed to be the direct performance of such activities.

(5) Employers involved in the supply of temporary agency work in accordance with the act regulating the labour market may, within the scope of this activity, only conclude employment contracts with aliens residing in the Republic of Slovenia on the basis of an EU Blue Card, with aliens for whom a consent to employment, self-employment or work was granted in the procedure for issuing or extending a single permit or a written authorisation, or with aliens with free access to the labour market in accordance with this Act.
(6) Individuals residing in the Republic of Slovenia not registered to carry out an activity or not entered in the Register of Agricultural Holdings may only conclude a contract of employment or a civil law contract with aliens with free access to the labour market or aliens for whom a consent to employment, self-employment or work was granted in the procedure for issuing or extending a single permit or a written authorisation.

(7) Aliens who are employed, self-employed or working in the Republic of Slovenia must have regularised their residence in accordance with the regulations governing the residence of aliens in the Republic of Slovenia.

Article 8

(Time limits for commencing work and the obligation to register for social insurance)

(1) Registration for compulsory disability and pension insurance, compulsory health insurance, parental protection and unemployment insurance (hereinafter: compulsory social insurance schemes) for aliens in the Republic of Slovenia shall be arranged in accordance with the regulations governing compulsory insurance scheme registration and deregistration.

(2) Aliens served with a single permit, an EU Blue Card or a written authorisation in the Republic of Slovenia shall commence work not later than 10 days from the service of the single permit, EU Blue Card or written authorisation.

(3) Aliens served with a single permit or an EU Blue Card outside the Republic of Slovenia shall commence work not later than 15 days from the service of the single permit or EU Blue Card.

(4) Aliens who have been issued a seasonal worker permit or visa, where applicable, shall commence work not later than 15 days from the service of the seasonal worker permit or visa.

Article 9

(Prior labour market test)

(1) Prior to submitting an application for a single permit, an EU Blue Card, a written authorisation or a seasonal worker permit, employers may obtain a depersonalised notice from the Employment Service indicating whether there are any suitable unemployed persons registered.

(2) Employers shall obtain the notice referred to in the preceding paragraph on the basis of a job vacancy notice submitted to the Employment Service. The Employment Service shall provide the notice referred to in the preceding paragraph to the employer within five working days of receipt of a job vacancy notice.

(3) The Employment Service’s notice indicating that no suitable unemployed persons are registered shall be deemed evidence of compliance with the conditions specified in point 1 of the first paragraph of Article 17, point 1 of the first paragraph of Article 29 and point 3 of the first paragraph of Article 30 of this Act, provided that the application for a single permit, an EU Blue Card, a written authorisation or a seasonal worker permit is submitted within 30 days of the issuance of the notice.
Article 10

(Accommodation of aliens)

(1) Employers and hirers who provide accommodation to aliens in the Republic of Slovenia shall ensure compliance with the minimum housing and hygiene standards.

(2) The minimum housing and hygiene standards referred to in the preceding paragraph shall be specified in an implementing regulation issued jointly by the minister responsible for labour, the minister responsible for spatial planning and the minister responsible for health.

(3) The minimum housing standards referred to in the first paragraph of this Article shall apply to premises furnishings, maintenance, heating and lighting, the maximum number of persons accommodated in one room and the minimum floor area per person.

(4) The minimum hygiene standards referred to in the first paragraph of this Article shall specify the maximum number of users relative to the furnishings of the sanitary facilities, the separation of such facilities from the living quarters, and their ventilation and lighting.

(5) The amount of rent for accommodation shall be specified in a contract. Disputes relating to the amount of rent for accommodation rented out in accordance with this Act shall be decided on by a competent court, whereby the provisions of the regulation determining the highest recognised market rents shall apply, mutatis mutandis.

Article 11

(Competent authorities)

(1) The Employment Service shall be responsible for conducting procedures related to issuing, extending and revoking seasonal worker permits, for granting and withdrawing a consent to a single permit, an EU Blue Card or a written authorisation, for issuing the notices referred to in Article 9 of this Act and certificates evidencing that a request for the extension of seasonal worker permit was submitted in due time, in accordance with the act governing the general administrative procedure unless particular issues are otherwise regulated by the act governing the entry and residence of aliens or by this Act.

(2) Appeals against decisions issued at the first instance by the Employment Service shall be decided on by the ministry responsible for labour.

Chapter II CONSENT OF THE EMPLOYMENT SERVICE AND SEASONAL WORKER PERMITS

Article 12

(General provision)

(1) A consent to a single permit, an EU Blue Card or a written authorisation shall be granted by the Employment Service at the request of the authority competent under the act governing the entry and residence of aliens (hereinafter: the administrative unit). When serving a single permit, an EU Blue Card or a written authorisation to an alien, the administrative unit shall attach an official informative document specifying all
(2) The Employment Service shall grant a consent provided that the conditions related to a specific purpose under this Act are met, which shall be evidenced by applicants in their applications for the issuance or extension of a single permit or an EU Blue Card.

(3) During the period of validity of a single permit or an EU Blue Card, the Employment Service shall grant a consent to a written authorisation provided that the conditions for granting a consent under this Act are met.

(4) Aliens may continue their employment or work while residing in the Republic of Slovenia on the basis of a certificate evidencing that a request for the extension of a single permit, an EU Blue Card or a seasonal worker permit was submitted in due time, but only under the conditions and in the scope specified in the previous single permit, EU Blue Card, written authorisation or seasonal worker permit.

(5) For the purpose of granting a consent, formal qualifications obtained abroad shall be evidenced by a copy of an authenticated certificate of education and its translation into Slovenian. The original of the aforementioned certificate of education shall be authenticated by an apostille on the basis of the Convention Abolishing the Requirement of Legalisation for Foreign Public Documents (U. l. FLRJ[Official Gazette of the Federal People’s Republic of Yugoslavia], no. 10/62) or pursuant to the Verification of Documents in International Law Act (Uradni list RS, no. 64/01) where a foreign State is not a signatory to this Convention.

(6) For the purpose of granting a consent, formal qualifications obtained in the Republic of Slovenia shall be evidenced by a copy of an authentic instrument, i.e. the education certificate, while a national vocational qualification obtained in the Republic of Slovenia shall be evidenced by a copy of the national vocational qualification certificate.

(7) For the purpose of granting a consent to pursue a regulated profession, the appropriateness of the required qualifications obtained abroad shall be evidenced by a decision or opinion of the authority competent to recognise or assess education.

1 Consent to employment, self-employment or work

Article 13

(General provision)

(1) Aliens holding a single permit issued or extended on the basis of a consent to employment, self-employment or work or a written authorisation issued on the basis of a consent to employment, self-employment or work shall be granted free access to the labour market during the period of validity of the aforementioned documents. On such basis, aliens shall be allowed to carry out work under a civil law contract, take up employment with any employer, take up employment with several employers or pursue self-employment; the aforementioned documents shall not allow aliens to carry out work as posted workers of an employer established or residing outside the Republic of Slovenia.

(2) In the procedure for extending or issuing a new single permit or a written authorisation for the same alien, no new consent shall be required for three years after
the issuance or extension of a single permit on the basis of a consent to employment, self-employment or work, or after the issuance of a written authorisation on the basis of a consent to employment, self-employment or work.

Article 14

(Conditions for granting a consent to employment, self-employment or work)

(1) In the procedure for issuing or extending a single permit, except for the purpose of posting a worker, and for issuing a written authorisation, at the request of the administrative unit the Employment Service shall grant a consent to employment, self-employment or work, provided that the alien concerned meets the following conditions:

1. the alien has at least a vocational education degree or a national vocational qualification obtained in the Republic of Slovenia, was employed or self-employed in the Republic of Slovenia for at least 20 months during the 24 months preceding the submission of the application, and was registered in the compulsory social insurance schemes on such basis; or

2. the alien was employed or self-employed in the Republic of Slovenia for at least 30 months during the 3 years preceding the submission of the application and was registered in the compulsory social insurance schemes on such basis; or

3. the alien obtained at least a higher education degree in the Republic of Slovenia in the last 2 years and intends to take up employment or pursue self-employment; or

4. the alien concluded a programme of research work in the Republic of Slovenia in the last 2 years and intends to take up employment or pursue self-employment.

(2) A consent to employment, self-employment or work granted with regard to a written authorisation pursuant to points 1 and 2 of the preceding paragraph shall substitute for a previously granted consent to a single permit.

2 Consent to self-employment

Article 15

(Conditions for self-employment)

(1) A consent granted by the Employment Service shall not be required in the procedure for issuing or extending a single permit for the self-employment of an alien.

(2) Aliens may take up self-employment after one year of uninterrupted legal residence in the Republic of Slovenia.

(3) The condition of having one-year of residence referred to in the preceding paragraph shall not apply to aliens entered in the Business Register as persons pursuing a professional activity in a self-employed capacity.

3 Consent to employment

Article 16

(General provision)
(1) A single permit issued or extended on the basis of a consent to employment and a written authorisation granted on the basis of a consent to employment shall be connected to the employment needs of an employer. Aliens may only take up employment on this basis with employers that meet the conditions for the employment of aliens under this Act when a single permit or a written authorisation has been issued or extended.

(2) An alien may only be employed in the Republic of Slovenia on a full time basis, except when the alien has at least a higher education degree or in cases where part-time employment is required in accordance with the pension and disability insurance regulations or regulations governing parental protection.

Article 17

(Conditions for granting a consent to employment)

(1) In the procedure for issuing a single permit for employment, the Employment Service shall grant a consent at the request of the administrative unit provided that the following conditions are met:

1. there are no suitable unemployed persons in the register of unemployed persons;

2. the employer has been appropriately registered or entered in the Register of Agricultural Holdings or in the Business Register to pursue the activity in which the alien concerned is to carry out work;

3. the employer is not in a winding-up or bankruptcy procedure;

4. the employer is actively pursuing its business operations, which shall mean that:
   – the employer had at least one person in full-time employment and registered in the compulsory social insurance schemes for at least six months prior to submitting the application; or
   – the employer was registered in the compulsory social insurance schemes as an individual registered to pursue an activity or entered in the Register of Agricultural Holdings for at least six months before submitting the application; or
   – receipts from business operations amounting to at least EUR 10,000 were recorded in the employer’s transaction account in the Republic of Slovenia in each month during the six-month period before the application was submitted;

5. the employer filed monthly withholding tax returns for income from the employment relationship or payslips, if the employer employed workers, over the last six months prior to the month in which the application was submitted or during the period of operation, if shorter than six months, and had no outstanding tax liabilities as of the date of the submission of the application;

6. the quota determined in Article 41 of this Act has not been reached;

7. the alien fulfils the conditions required by the employer;

8. the employment contract signed by the employer in accordance with this Act has been submitted;
(2) Where an employer has been registered for a period shorter than six months, the condition under point 4 of the preceding paragraph shall be deemed to have been met, provided that prior to submitting the application the employer invested at least EUR 50,000 in the activity in which the alien is to carry out work.

(3) Where an alien holds at least a higher education degree, a consent to employment shall be granted without verifying the condition referred to in point 4 of the first paragraph of this Article and the condition referred to in the preceding paragraph.

(4) Aliens receiving an unemployment allowance and referred to employment by the Employment Service shall be granted a consent to a single permit for the purpose of employment without verification of the conditions referred to in the first paragraph of this Article.

(5) Where the employer’s obligation regarding the filing of a monthly withholding tax return for income from the employment relationship was not applicable in the month preceding that in which the application was submitted, the fulfilment of the conditions referred to in point 5 of the first paragraph of this Article shall be established on the basis of the data for the last six months or for the period of operation, if shorter than six months, prior to submitting the application and in respect of which the obligation to file a withholding tax return for income from the employment relationship was incurred.

(6) The minister responsible for labour may specify cases where, due to the nature of the work and/or particular circumstances on the side of the employer or the alien, the employment of the alien shall not be tied to the labour market and a consent to a single permit or a written authorisation for employment purposes may be granted without verification of compliance with the condition referred to in point 1 of the first paragraph of this Article.

(7) The minister responsible for labour may – based on the conclusion that the employment of aliens will have no detrimental effects on the labour market, taking into account the situation regarding unemployment, the structure of employment, and the regional needs for new jobs within particular industries, and in agreement with the social partners – identify professions in respect of which a consent to a single permit or a written authorisation for employment purposes shall be granted without verification of compliance with the condition referred to in point 1 of the first paragraph of this Article.

Article 18

(A consent to the extension of a single permit for employment purposes)

(1) The Employment Service shall grant a consent to the extension of a single permit for the employment purposes of an alien with the same employer and for the same job, provided that:

– the conditions referred to in points 5 and 8 of the first paragraph of the preceding Article are met;

– the alien has been continuously registered in the compulsory social insurance schemes from the date of the commencement of his or her work.

(2) In the procedure for granting a consent to the extension of a single permit for employment purposes, the universal legal successor of an employer shall be deemed the same employer in cases of universal legal succession.
Article 19

(A consent to a written authorisation on the basis of employment)

(1) The Employment Service shall grant a consent to a written authorisation, which replaces a previously granted consent, in the event of a change in jobs with the same employer, provided that the conditions referred to in point 1 of the first paragraph of Article 17 of this Act are met.

(2) In cases where disability is established during employment in the Republic of Slovenia in accordance with the act governing pension and disability insurance and the Pension and Disability Insurance Institute of the Republic of Slovenia, or a court in the Republic of Slovenia issues a decision granting disability rights to the alien concerned, the consent of the Employment Service to a change in jobs with the same employer shall not be required for the remaining period of validity of the single permit.

(3) The Employment Service shall grant a consent to a written authorisation, which replaces the previously granted consent, in the event of a change in employer, provided that the conditions referred to in Article 17 of this Act are met.

(4) The Employment Service shall grant a consent to a written authorisation for employment with two or more employers provided that the alien concerned holds at least a higher education degree and subject to the following conditions:

- at least one month has passed since the date of registration in the compulsory social insurance schemes on the basis of employment;
- the conditions under Article 17 of this Act are met;
- an agreement is concluded between the new employer, the alien and the employer with whom the alien is already employed.

4 Consent to an EU Blue Card

Article 20

(Conditions for granting a consent)

(1) In the procedure for issuing an EU Blue Card, the Employment Service shall grant a consent at the request of the administrative unit, provided that the following conditions are met:

1. the alien concerned holds at least a higher education degree;

2. an employment contract of at least one year is signed by the employer ensuring a salary of at least 1.5 times the average gross salary in the Republic of Slovenia calculated on the basis of the average gross monthly salary in the Republic of Slovenia as last published in Uradni list RS (Official Gazette of the Republic of Slovenia);

3. the conditions referred to in points 1, 2, 3, 5 and 7 of the first paragraph of Article 17 of this Act are met.

(2) During the first two years of employment and at the request of the administrative unit, the Employment Service shall grant a consent to the extension of the EU Blue
Card provided that the conditions referred to in point 2 of the preceding paragraph and in point 5 of the first paragraph of Article 17 of this Act are met.

(3) During the first two years of employment and at the request of the administrative unit, the Employment Service shall grant a consent to a written authorisation to change jobs with the same employer, provided that the conditions referred to in point 2 of the first paragraph and in points 1 and 7 of the first paragraph of Article 17 of this Act are met.

(4) During the first two years of employment and at the request of the administrative unit, the Employment Service shall grant a consent to a written authorisation to change employers, provided that the conditions referred to in point 2 of the first paragraph of this Article and in points 1, 2, 3, 4, 5 and 7 of the first paragraph of Article 17 of this Act are met.

(5) After the first two years of employment and at the request of the administrative unit, the Employment Service shall grant a consent to the extension of an EU Blue Card, provided that the conditions referred to in point 2 of the first paragraph of this Article are met.

5 Consent to posted workers

Article 21

(General provision)

(1) Foreign employers may post workers to the Republic of Slovenia in accordance with the regulations of the Republic of Slovenia and international treaties binding on the Republic of Slovenia.

(2) Foreign employers may post workers in order to:

1. provide transnational services on their own behalf and for their own account under a contract concluded with a client from a Member State of the EU, a member state of the EEA or the Swiss Confederation ordering services, or under a contract concluded with a service provider that has a contract concluded with a client from a Member State of the EU, a member state of the EEA or the Swiss Confederation ordering services;

2. carry out particular tasks in an organisational unit in the Republic of Slovenia linked to it by capital ties;

3. undertake training in a company established in the Republic of Slovenia and linked to it in one of the ways defined in the first paragraph of Article 24 of this Act.

(3) A consent to posted workers may only be granted for those workers already employed for at least nine consecutive months, or in the case referred to in point 3 of the third paragraph of Article 23 of this Act, for at least six consecutive months by the foreign employer or by a company established in a third country and linked by capital ties.

(4) In the procedure for issuing or extending a single permit, a consent to posted workers shall be granted provided that the quota determined in Article 41 of this Act has not been reached.
Article 22

(Transnational provision of services)

(1) A consent to the issuance of a single permit to a worker posted to carry out services within the transnational provision of services shall be granted under the conditions referred to in the preceding Article once or more than once, whereby the total duration of providing service shall not exceed 90 days in a calendar year.

(2) A consent to the extension of a single permit of a posted worker shall be granted when the contract is extended for a maximum of one month and the service provider and the client produce evidence that the services could not be provided in the stipulated period for objective reasons (force majeure, a delay in the implementation of work related to the work specified in the contract, etc.).

(3) Notwithstanding the provision of the first paragraph of this Article, a service of particular importance to the state may be provided over a longer period. Decisions on a service of particular importance to the state shall be taken by the ministry responsible for labour on the basis of a positive opinion of the ministry responsible for the relevant area of activity, and at the request of the client, which shall include therewith the relevant service contract and a written explanation describing the particular importance to the state and specifying the period of the provision of services and the number of posted workers needed to provide the service.

Article 23

(The movement of persons within companies linked by capital ties)

(1) In the procedure for issuing or extending a single permit, a consent to a worker posted in the framework of the movement of persons within companies linked by capital ties shall be granted under the conditions referred to in this Article and Article 21 of this Act.

(2) The workers referred to in the preceding paragraph may carry out work for a maximum of one year.

(3) In order to carry out particular tasks in an organisational unit, a foreign employer may post the following workers:

1. an alien who will assume a managerial position in the company to which he or she is posted, whereby a managerial position shall mean a job of managing a company or a part thereof and supervising the work of other supervisory, professional or management staff, which enables him or her to have a direct or indirect influence on personnel matters;

2. an alien with at least a vocational degree and special knowledge of vital importance to the field of activity of the company to which he or she is posted;

3. an alien with at least a higher education degree who has been transferred for professional development purposes or training in business techniques or methods.

Article 24

(The training of posted and Slovenian workers in associated companies)
(1) Training in companies may be carried out provided that the company established in the Republic of Slovenia and the company established in a third country are linked by capital ties, or in cases of business and technical cooperation or the transfer of technology. For the purpose of granting a consent under this Article, companies shall be deemed to be linked by capital ties when they are in the majority ownership of one company or when one of the companies has at least a 10% share in the other company amounting to a minimum of EUR 10,000. A contract on business and technical cooperation or the transfer of technology shall be deemed appropriate when a company established in the Republic of Slovenia and a company established in a third country are registered in accordance with their respective national legislation to pursue activities in the areas in which they are to cooperate under such contract and demonstrate at least EUR 40,000 in annual turnover between the company established in the Republic of Slovenia and the company established in a third country.

(2) The training of alien posted workers and the training of Slovenian workers shall be provided in a company established in the Republic of Slovenia on the basis of a contract on training concluded by the company established in the Republic of Slovenia and the company established in a third country.

(3) The contract on training shall contain provisions on the payment, accommodation and meals for posted alien workers and the training programme.

(4) The training programme shall include the following information:

1. the posted workers and an indication of their respective jobs with the foreign employer and level of education;

2. the method of training, which can be individual or group training;

3. the area of training (the expert field, occupation or job with regard to which training is to be conducted);

4. the objectives of the training (the knowledge and skills to be mastered by the workers, e.g. introduction to work with new technologies, standards, environmental requirements, functional education);

5. the mentor (name, education level, job) and his or her duties;

6. the location of the training (for example production premises, instructional workshops at a company established in the Republic of Slovenia, participation in seminars) and the duration of such training at the individual locations.

(5) An application for the issuance or extension of a single permit shall include a statement of agreement that the contract corresponds to the training programme and that has been issued, pursuant to the criteria referred to in the third and fourth paragraphs of this Article, by the association of employers or the competent chamber established in accordance with the act governing chambers of commerce or some other act that has been recognised as representative.

(6) Companies established in a third country may send an individual worker to participate in the training of the company’s workers or the training of Slovenian workers more than once, but for a maximum of six months in two years.
(7) The Employment Service shall grant a consent to the issuance or extension of a single permit for training in associated companies under the conditions referred to in this Article and Article 21 of this Act.

6 Consent to the training or further training of aliens

Article 25

(Conditions for granting a consent)

(1) The Employment Service shall grant a consent to the issuance of a single permit for the purpose of the training or further training of aliens provided that the following conditions are met:

1. an employment contract concluded for the purpose of training or further training signed by the employer or a civil law contract where other regulations allow that training or further training is carried out without a contracted employment relationship is submitted;

2. a positive opinion on the training or further training programme given by an economic association, the competent chamber or the ministry responsible for the relevant area of activity is submitted;

3. the alien has hitherto not attended a training or further training programme with similar content;

4. the employer or hirer filed withholding tax returns for income from the employment relationship or payslips, if the employer employed workers, over the last six months prior to the month in which the application was submitted or during the period of operation, if shorter than six months, and had no outstanding tax liabilities as of the date of the submission of the application;

(2) Where training or further training is organised by an economic association, the competent chamber or the ministry responsible for the relevant area of activity (hereinafter: the organiser), the opinion referred to in point 2 of the preceding paragraph shall not be required. In such case, the organiser and the employer providing training or further training to be attended by an alien shall conclude a written contract to arrange a mutual relationship regarding the obligations and responsibilities of the parties in the implementation of the training or further training programme.

(3) In the event the employer’s obligation regarding the filing of a monthly withholding tax return for income from the employment relationship was not applicable in the month preceding that in which the application was submitted, the fulfilment of the conditions referred to in point 4 of the first paragraph of this Article shall be established on the basis of data for the last six months or for the period of operation, if shorter than six months, prior to submitting the application and in respect of which the obligation to file the withholding tax return for income from the employment relationship was incurred.

(4) A training or further training programme for aliens shall not exceed one year. If it is not possible to conclude the training or further training programme in one year, it may be extended for a maximum of six months. A training or further training programme in the area of health care (e.g. a specialisation), may be extended up to the conclusion of the specialisation.
(5) The Employment Service shall only grant a consent to the extension of a single permit on the basis of justified reasons that prevented the conclusion of the training or further training programme, and the submitted relevant contract of employment or civil law contract for the period in question.

(6) Aliens holding a valid single permit issued on the basis of a consent to the training or further training of aliens shall have the right to change jobs with the same employer, to change employers, or to conclude a new civil law contract on the basis of a new single permit. The Employment Service shall grant a consent to a written authorisation for employment with two or more employers under the conditions referred to in the fourth paragraph of Article 19 of this Act.

7 Consent to the provision of individual services by aliens

Article 26
(Conditions for granting a consent)

(1) A consent to the provision of individual services by an alien shall be granted for work requiring the specific expert skills of an alien not registered to pursue an activity.

(2) The Employment service shall grant a consent to the issuance or extension of a single work permit or to a written authorisation for work requiring specific expert skills provided that the alien and the hirer have concluded a civil law contract and that the alien has the specific expert skills required for the work under the contract.

(3) In the areas of science, culture, sport, health care and education, aliens may carry out work for a maximum of one year, while in the other areas the work may not extend beyond three months in a calendar year.

(4) In the event of doubt as to the specific expert skills of the alien, the Employment Service shall grant a consent on the basis of an opinion obtained from the competent chamber, a professional association or the ministry responsible for the area of activity.

8 Consent to a representative

Article 27
(Conditions for granting a consent)

(1) A consent to a representative shall be granted for the purpose of representing a sole trader, a legal entity established pursuant to the act governing companies, or a Slovenian branch of a foreign undertaking with which the alien wishes to take up employment or carry out work.

(2) The Employment Service shall grant a consent to the issuance or extension of a single permit for a representative by taking into account the limitations referred to in the fifth, sixth and seventh paragraphs of this Article and provided the following conditions are met:

1. the employer or hirer is operational, which shall mean that:
– at least one person in full-time employment and registered in the compulsory social insurance schemes was employed for six months prior to the submission of the application; or

– the employer as an individual is registered to pursue an activity and was registered in the compulsory social insurance schemes for at least six months prior to the submission of the application; or

– receipts from the business activities of the company amounting to at least EUR 10,000 per month were recorded in its transaction account in the Republic of Slovenia during the six-month period prior to the submission of the application;

2. the employer filed monthly withholding tax returns for income from the employment relationship or payslips, if the employer employed workers, over the last six months prior to the month in which the application was submitted or during the period of operation, if shorter than six months, and had no outstanding tax liabilities as of the date of the submission of the application;

3. the representative is entered in the relevant register;

4. an employment contract signed by the employer or a civil law contract signed by the hirer is submitted;

5. the quota determined in Article 41 of this Act has not been reached;

(3) Where an employer has been registered for a period shorter than six months, the condition under point 1 of the preceding paragraph shall be deemed to be fulfilled provided that prior to submitting the application the employer invested at least EUR 50,000 in the activity in which the alien is to carry out work.

(4) In the event the employer’s obligation regarding the filing of a monthly withholding tax return for income from the employment relationship was not applicable in the month preceding that in which the application was submitted, the fulfilment of the conditions referred to in point 2 of the second paragraph of this Article shall be established on the basis of data for the last six months or for the period of operation, if shorter than six months, prior to submitting the application and in respect of which the obligation to file a withholding tax return for income from the employment relationship was incurred.

(5) For the purpose of employment or work with a legal entity or sole trader employing up to ten workers, the Employment Service may issue one consent to a representative of the legal entity or sole trader.

(6) For the purpose of employment or work with a legal entity or sole trader employing between 11 and 50 workers, the Employment Service may issue two consents to representatives of the legal entity or sole trader.

(7) For the purpose of employment or work with a Slovenian branch of a foreign undertaking, the Employment Service shall grant a consent to a representative by taking into account the limitations referred to in the fifth and sixth paragraphs of this Article.

(8) When granting a consent to the extension of a single permit for the purpose of employment with the same employer or work with a legal entity, a sole trader, a Slovenian branch of a foreign undertaking for which the alien worked or was employed when the application was submitted, the Employment Service shall grant a consent to a
representative under the conditions referred to in points 1, 2, 3 and 4 of the second paragraph of this Article.

(9) Aliens holding a valid single permit issued on the basis of a consent to a representative shall have the right to change jobs with the same employer, to change employers or to conclude a new civil law contract on the basis of a new single permit. The Employment Service shall grant a consent to a written authorisation for employment with two or more employers under the conditions referred to in the fourth paragraph of Article 19 of this Act.

9 Consent to seasonal work and a seasonal worker permit

Article 28

(General provision)

(1) Seasonal work may be carried out in agriculture and forestry and shall be inherently linked to a season characterised by a significant increase in demand for labour in the activity concerned.

(2) Aliens may be engaged in seasonal work for up to 90 days in a calendar year on the basis of a seasonal worker permit, while a single permit issued on the basis of a consent to seasonal work shall enable its holder to engage in seasonal work for more than 90 days in a calendar year.

(3) The Employment Service may grant an alien one or more consents to seasonal work for different periods with the same or a different employer or hirer, whereby the total duration of the work shall not exceed six months in a calendar year. When in the procedure for issuing a single permit the Employment Service grants one consent covering different periods, no new consent by the Employment Service shall be required when new single permits for the periods concerned are issued.

(4) The total period of validity of one or more seasonal worker permits issued to one alien for seasonal work with the same or a different employer or hirer shall not exceed 90 days in a calendar year.

(5) Notwithstanding the third paragraph of this Article, a single permit may be extended in the case of further seasonal work with the same employer provided that the application for an extension includes an opinion of a chamber responsible for agriculture and forestry stating that extraordinary conditions of production have arisen (prolongation of the growing period) and the employment contract or the civil law contract for the period in question. No consent of the Employment Service shall be required in the procedure for extending a single permit for this purpose.

Article 29

(Conditions for granting a consent)

(1) In the procedure for issuing a single permit for the purpose of seasonal work, the Employment Service shall grant a consent at the request of the administrative unit provided that the following conditions are met:

1. no suitable unemployed persons are found in the register of unemployed persons;
2. the hirer or employer is appropriately registered or entered in the Business Register to pursue the activities in which the alien is to carry out work, or is entered in the Register of Agricultural Holdings as the head of an agricultural holding or a member of a farm household;

3. the hirer or employer is not in a winding-up or bankruptcy procedure;

4. the employer or hirer filed monthly withholding tax returns for income from the employment relationship or payslips, if the employer or hirer employed workers, over the last six months prior to the month in which the application was submitted or during the period of operation, if shorter than six months, and had no outstanding tax liabilities as of the date of the submission of the application;

5. the quota determined in Article 41 of this Act has not been reached;

6. an employment contract signed by the employer or a civil law contract signed by the hirer is submitted.

(2) Notwithstanding the provision of the preceding paragraph, a consent shall be granted without verification of the condition referred to in point 1 of the preceding paragraph in the event an alien works on the basis of a civil law contract.

(3) In the event the employer’s obligation regarding the filing of a monthly withholding tax return for income from the employment relationship was not applicable in the month preceding that in which the application was submitted, the fulfilment of the condition referred to in point 4 of the first paragraph of this Article shall be established on the basis of data for the last six months or for the period of operation, if shorter than six months, prior to submitting the application and in respect of which the obligation to file the withholding tax return for income from the employment relationship was incurred.

(4) In the procedure for issuing a single permit for the purpose of seasonal work, the Employment Service shall grant a consent at the request of the administrative unit provided that the conditions referred to in points 4 and 6 of the first paragraph of this Article are met.

Article 30

(Conditions for the issuance and extension of a seasonal worker permit)

(1) The Employment Service shall issue a seasonal worker permit following the submission of an application by an employer or hirer provided that the following conditions are met:

1. the alien concerned holds a valid travel document with an expiry date at least three months beyond the intended period of residence in the Republic of Slovenia;

2. the alien is covered by appropriate health insurance;

3. there are no suitable unemployed persons in the register of unemployed persons;

4. the hirer or employer is appropriately registered or entered in the Business Register to pursue the activities within which the alien is to carry out work or is entered in the Register of Agricultural Holdings as the head of an agricultural holding or a member of a farm household;
5. an employment contract signed by the employer or a civil law contract signed by the hirer is submitted;

6. the hirer or employer is not in a winding-up or bankruptcy procedure;

7. the hirer or employer filed monthly withholding tax returns for income from the employment relationship or payslips, if the hirer or employer employed workers, over the last six months prior to the month in which the application was submitted or during the period of operation, if shorter than six months, and had no outstanding tax liabilities as of the date of the submission of the application;

8. the quota determined in Article 41 of this Act has not been reached.

(2) Notwithstanding the provision of the preceding paragraph, a consent shall be granted without verification of the condition referred to in point 3 of the preceding paragraph in the event the alien carries out seasonal work on the basis of a civil law contract.

(3) In the event the employer’s obligation regarding the filing of a monthly withholding tax return for income from the employment relationship was not applicable in the month preceding that in which the application was submitted, the fulfilment of the condition referred to in point 7 of the first paragraph of this Article shall be established on the basis of data for the last six months or for the period of operation, if shorter than six months, prior to submitting the application and in respect of which the obligation to file the withholding tax return for income from the employment relationship was incurred.

(4) The seasonal worker permit shall be extended provided that an application for its extension is submitted prior to the expiry date of the previous seasonal worker permit and if the conditions under points 1, 2, 5 and 7 of the first paragraph of this Article are met and the total duration does not exceed 90 days in a calendar year.

Article 31

(The time limit for returning seasonal worker permits)

When, for any reason, an employment contract or a civil law contract with an alien is not concluded or when an employment contract or a civil law contract expires prior to the expiry date of the seasonal worker permit, the employer or hirer shall return the seasonal worker permit to the Employment Service by the following time limits:

1. within 15 days after the seasonal worker permit is served if the alien concerned fails to take up employment or work;

2. within 3 working days after the termination of the employment or other contractual relationship with the alien.

Chapter III THE EMPLOYMENT, SELF-EMPLOYMENT AND WORK OF ALIENS WITH TEMPORARY RESIDENCE PERMITS NOT ISSUED FOR THE PURPOSE OF EMPLOYMENT, SELF-EMPLOYMENT OR WORK

Article 32

(General provision)
Aliens holding temporary residence permits not issued for the purpose of employment, self-employment or work and who are not prohibited from employment, self-employment or work in accordance with Article 42 of this Act shall have the right to take up employment, self-employment or work in accordance with the provisions of this Chapter, with the exception of aliens granted the right to free access to the Slovenian labour market on the basis of this Act.

Article 33

(Employment)

(1) Aliens holding a temporary residence permit not issued for the purpose of employment, self-employment or work may only take up employment when there are no suitable unemployed persons for the job in question in the register of unemployed persons.

(2) Where there are no suitable unemployed persons registered in this register, the Employment Service shall send a written notice thereof to the employer, the administrative unit and the competent supervisory body within five working days of receipt of a notice of vacancy; an official informative document specifying all conditions and elements of employment defined by the employer in its vacancy notice shall also be enclosed therewith.

(3) Where there are suitable unemployed persons registered, the Employment Service shall send a written notice thereof to the employer within five working days of receipt of its notice of vacancy.

(4) Aliens holding a temporary residence permit not issued for the purpose of employment, self-employment or work may only take up employment on the basis of a valid residence permit card indicating the right to work, which when served on the alien is to include the official informative document enclosed by the administrative unit.

(5) The written notice referred to in the second paragraph of this Article shall be deemed evidence of compliance with the condition under the first paragraph of this Article provided that the alien takes up work within 30 days of the issuance of the written notice. All conditions and elements of the employment specified in the official informative document shall be complied with throughout the employment relationship.

(6) Notwithstanding the provision of the first paragraph of this Article, aliens holding a temporary residence permit not issued for the purpose of employment, self-employment or work may take up employment in the cases specified by the minister responsible for labour on the basis of the sixth or seventh paragraph of Article 17 of this Act.

(7) For the purpose of issuing temporary residence cards indicating the right to access the labour market issued pursuant to the act governing the entry and residence of aliens, no special decision of the Employment Service regarding the right to access the labour market shall be required in the case referred to in the second paragraph of this Article.

Article 34

(Self-employment and work)

(1) Aliens holding a temporary residence permit not issued for the purpose of employment, self-employment or work shall have the right to take up self-employment
after one year of uninterrupted legal residence in the Republic of Slovenia. The condition of having one year of previous residence shall not apply to aliens entered in the Business Register as persons pursuing an independent professional activity.

(2) Aliens holding temporary residence permits not issued for the purpose of employment, self-employment or work shall carry out work under the same conditions as citizens of the Republic of Slovenia.

(3) For the purpose of issuing temporary residence cards indicating the right to access the labour market issued pursuant to the act governing the entry and residence of aliens, no special decision of the Employment Service regarding the right to access the labour market shall be required in the cases referred to in the first and second paragraphs of this Article.

Chapter IV THE PROVISION OF SERVICES WITH POSTED WORKERS ON THE BASIS OF THE REGISTRATION OF THE COMMENCEMENT OF THE PROVISION OF SUCH SERVICE AND REGISTRATION OF THE WORK OF REPRESENTATIVES

Article 35

(Services provided by undertakings established in a Member State of the EU or a member state of the EEA or the Swiss Confederation)

(1) An employer which is a legal entity or individual registered to pursue an activity and established or residing in a Member State of the EU, a member state of the EEA or the Swiss Confederation may, on the basis of the registration of the commencement of the provision of services, provide services with posted workers regardless of their citizenship and without the consent of the Employment Service.

(2) Posted workers may carry out work in the territory of the Republic of Slovenia provided that the employer referred to in the preceding paragraph:

1. posts the worker on its own behalf and for its own account under a contract concluded with a client ordering services;

2. posts the worker on its own behalf and for its own account but with no contract concluded with a client ordering services when providing services for which it is registered and which require no client due to their nature;

3. posts the worker to a company linked to it by capital ties;

4. supplies temporary agency work to a user established or residing in the territory of the Republic of Slovenia, provided there is an employment relationship between the employer involved in the supply of temporary agency work and the worker during the period of posting and the employer is entered in the register of foreign legal entities or foreign natural persons involved in the supply of temporary agency work in accordance with the act governing the labour market.

(3) The employer referred to in the first paragraph of this Article shall register the commencement of the provision of services with the Employment Service prior to the start thereof. The Employment Service shall issue a certificate of registration.
The registration of the commencement of the provision of services referred to in the preceding paragraph shall contain the following information:

1. the name and registered office or address of the employer;
2. the name and date of birth of the employer's responsible person;
3. the name, date of birth, nationality and temporary residence in the Republic of Slovenia of each posted worker;
4. the type of service;
5. the location and duration of the provision of services;
6. the name and date of birth of the posted worker appointed to act as the contact between the foreign employer and the competent supervisory bodies; and
7. the client referred to in points 1 and 4 of the second paragraph of this Article.

Article 36

(Short term services by third-country providers)

(1) A foreign employer may post workers to provide services connected to the supply of goods and maintenance in the Republic of Slovenia on the basis of the registration of the commencement of the provision of services.

(2) The provision of services referred to in the preceding paragraph shall be allowed in the following cases:

1. when the services provided by the posted workers are connected to the supply and assembly of machinery, devices or equipment, the training of the client’s staff or the dismantling of machinery, devices or equipment;

2. when regular maintenance services as agreed upon in the contract on the purchase of machinery, devices or equipment are provided by posted workers employed with the manufacturer; or

3. when under the contract on the purchase of machinery, devices or equipment abroad, its supplier is required to repair machinery, device or equipment malfunctions at its own expense.

(3) The employer referred to in the first paragraph of this Article shall register the commencement of the provision of services with the Employment Service prior to the start thereof. The Employment Service shall issue a certificate of registration.

(4) The registration document shall contain the following information:

1. the name and registered office or address of the client;
2. the name and registered office or address of the foreign employer;
3. the name and date of birth of the responsible person of the client and of the service provider;
4. the name, date of birth, nationality and temporary residence in the Republic of Slovenia of each posted worker;

5. the type of service;

6. the location and duration of the provision of services.

(5) The provision of services referred to in the first paragraph of this Article may not exceed a period of 14 uninterrupted days and a total duration of 90 days in a calendar year. The same posted worker may be again posted to work in the Republic of Slovenia after an interim break of a duration equal to the time required for the previously provided service.

Article 37

(Registration of the short-term work of a representative)

(1) An alien entered, in accordance with the law, in the court register of the Republic of Slovenia as a representative of a legal entity may be engaged to represent a legal entity, to conclude legal transactions, and to supervise and give instructions, and may also perform other similar tasks which can only be carried out by a representative on the basis of the registration of the work of a representative.

(2) The alien shall register the commencement of such work with the Employment Service prior to commencing work as a representative. The Employment Service shall issue a certificate of registration.

(3) The registration document of the work of a representative shall contain the data on:

1. the entry of the representative in the register referred to in the first paragraph of this Article;

2. the undertaking and registered office or address of the legal entity where the representative is to perform his or her work;

3. the duration of the work;

4. the name, date of birth and nationality of the representative.

(4) The work of the representative referred to in the first paragraph of this Article may not exceed 90 days in a calendar year.

Chapter V WITHDRAWAL OF A CONSENT TO A SINGLE PERMIT, AN EU BLUE CARD OR A WRITTEN AUTHORIZATIONAL

Article 38

(Withdrawal of a consent)

(1) The Employment Service shall withdraw a consent to a single permit, an EU Blue Card or a written authorisation in the period of validity of the single permit, EU Blue Card or written authorisation if:
– the employer, hirer or foreign employer is imposed a final fine under Articles 50 or 58 of this Act with respect to work subject to the consent concerned;

– the employer or hirer is imposed a final fine in accordance with indent 1 or 2 of the first paragraph of Articles 23 of the Prevention of Illegal Work and Employment Act (Uradni list RS, no. 32/14; hereinafter: ZPDZC-1) or point 3 of the first paragraph of Article 217 of the Employment Relationships Act (Uradni list RS, nos 21/13 and 78/13 – as amended; hereinafter: ZDR-1) with respect to work subject to the consent concerned, except where the alien holds a valid single permit or written authorisation issued on the basis of a consent to employment, self-employment or work;

– the competent authority establishes by a final decision that the single permit, the EU Blue Card or the written authorisation was issued on the basis of a consent granted on the basis of falsified evidence submitted by the alien.

(2) Where an alien is deregistered from the compulsory social insurance schemes because his or her employment contract has terminated but still holds a valid single permit or written authorisation not issued on the basis of a consent to employment, self-employment or work, the Employment Service shall send the alien a written notice indicating its intention to withdraw the consent; the aforementioned notice shall be served on the alien in person. If the alien fails to collect the notice in 15 days, the service shall be deemed effected on the date of expiry of this time limit; on that date, the notice shall be delivered to such person’s letterbox or other suitable place. Where this is not possible, the letter shall be returned to the Employment Service and displayed on its notice board; the service shall be deemed effected after 8 days of the date of its display. If no new registration of the alien with the compulsory social insurance schemes on the basis of an employment contract with the same employer and for the same job is made within 15 days of the service of the aforementioned notice, the Employment Service shall withdraw the consent.

(3) The Employment Service shall withdraw the consent to an EU Blue Card during its validity period if its holder is not registered in the compulsory social insurance schemes for more than three consecutive months or the conditions under point 2 of the first paragraph of Article 20 of this Act are no longer satisfied.

(4) The Employment Service shall withdraw the consent to the single permit, the EU Blue Card or the written authorisation where the alien fails to take up work or is not registered in the compulsory social insurance schemes within the time limits specified in Article 8 of this Act.

(5) When due to objective reasons (e.g. the illness of the alien, death of an immediate family member) an alien referred to in the third paragraph of Article 8 of this Act is prevented from coming to the Republic of Slovenia and taking up work within 15 days of the service of the single permit or the EU Blue Card, the Employment Service shall be informed thereof by the aforementioned time limit and in writing, accompanied by evidence of the reasons for the delay and its duration. After considering the explanation and evidence, the Employment Service may decide not to withdraw the consent for as long as the aforementioned objective reasons persist.

(6) The Employment Service shall withdraw the consent to a single permit, EU Blue Card or written authorisation not later than within three working days of being informed of the reasons for withdrawing a consent referred to in the first, second, third or fourth paragraphs of this Article and shall inform the administrative unit accordingly.
(7) In the case of withdrawing a consent to a single permit of an alien holding a valid written authorisation, the authority competent to issue a single permit shall not initiate the procedure to revoke the single permit.

(8) Where a consent to a single permit or a written authorisation has been withdrawn in accordance with the second paragraph of this Article and the subsequent administrative or court proceedings establish the existence of an employment relationship for the period following the withdrawal of the consent and the ensuing conditions for registration in the compulsory social insurance schemes, the single permit or written authorisation shall be deemed valid for the purpose of registration in the aforementioned schemes in the period concerned.

Chapter VI THE EXPIRY AND REVOKATION OF A SEASONAL WORKER PERMIT

Article 39
(Expiry)

A seasonal worker permit shall expire:

1. upon the expiry of the period for which it was issued;
2. upon returning it before the expiry of the period for which it was issued;
3. when the alien who was issued the seasonal worker permit acquires the right to free access to the Slovenian labour market;
4. in the event it is revoked;
5. in the event of the death of the alien who was issued the seasonal worker permit.

Article 40
(Revocation of a seasonal worker permit)

(1) The Employment Service shall revoke a seasonal worker permit:
– if the employer or hirer is imposed a final fine for a minor offence under Articles 50 and 55 of this Act;
– if the employer is imposed a final fine for a minor offence under indent 1 or 2 of the first paragraph of Article 23 of the ZPDZC-1 or point 3 of the first paragraph of Article 217 of the ZDR-1;
– if it is established by a final decision that the seasonal worker permit was issued on the basis of a consent granted on the basis of falsified evidence submitted by the alien.

(2) The Employment Service shall revoke a seasonal worker permit if the alien fails to take up work or is not registered in the compulsory social insurance schemes by the time limit specified in the fourth paragraph of Article 8 of this Act.

(3) When due to objective reasons (e.g. the illness of the alien, the death of an immediate family member) an alien referred to in the fourth paragraph of Article 8 of
this Act is prevented from coming to the Republic of Slovenia and taking up work within 15 days of the service of the seasonal worker permit or visa, the Employment Service shall be informed thereof by the aforementioned time limit and in writing, accompanied by evidence of the reasons for the delay and its duration. On the basis of the explanation and evidence, the Employment Service shall not revoke the seasonal worker permit for as long as the aforementioned objective reasons persist.

(4) The Employment Service shall revoke a seasonal worker permit not later than within three working days of being informed of the reasons referred to in the first or the third paragraph of this Article.

Chapter VII LIMITATIONS AND PROHIBITIONS OF THE EMPLOYMENT, SELF-EMPLOYMENT AND WORK OF ALIENS

Article 41

(The determination of quotas)

(1) Given the situation and the projected labour market developments, the Government may determine a quota of consents to be granted with regard to single permits and a quota of seasonal worker permits to be issued with a view to limiting the number of aliens in the labour market.

(2) The quotas shall be proposed to the Government by the minister responsible for labour, following the prior opinion of the Economic and Social Council.

(3) The Government may determine the quota with a view to limiting the employment and work of aliens who have not obtained the right to residence in the Republic of Slovenia.

(4) In addition to determining the quota, the Government may also limit or prohibit the employment, self-employment or work of aliens in terms of regions, industries, undertakings and occupations and can also limit or prohibit new aliens from entering for the purpose of employment or work in full or in part or with regard to particular regions when justified on grounds of public policy, public security or public health, general economic interest or the situation and projected developments in the labour market.

(5) In the case of international calls for applications by public authorities, the Government may decide that consents to single permits be granted outside the quota or without examining the labour market situation.

Article 42

(Prohibitions of the employment, self-employment and work of aliens)

(1) Employers, foreign employers, the employers referred to in the second paragraph of Article 35 of this Act or hirers shall not be allowed to employ aliens or engage them in work or the provision of services if:

1. a final fine was imposed on them under Articles 52, 56 or 58 of this Act or for committing an offence under Article 21 of the ZPDZC-1 or under indents 1, 2 or 3 of the first paragraph of Article 23 of the ZPDZC-1; this prohibition shall apply for two years after the decision becomes final;
2. a final fine was imposed on them under Articles 54, 55, 59 or 65 of this Act; this prohibition shall apply for one year after the decision becomes final;

3. a final fine was imposed on them under points 1, 3, 8, 9, 12, 23, 27, 29 or 31 of the first paragraph of Article 217 of the ZDR-1 or under its second or third paragraph; this prohibition shall apply for two years after the decision becomes final;

4. a final fine was imposed on them under points 14, 17, 19, 24, 25, 26 or 28 of the first paragraph of Article 217 of the ZDR-1 or under points 8, 9, 11, 13, 15 or 16 of the first paragraph of Article 218 or under its second or third paragraph; this prohibition shall apply for one year after the decision becomes final;

5. a final fine was imposed on them under indent 5 of the first paragraph of Article 23 of the ZPDZC-1; this prohibition shall apply for five years after the decision becomes final;

(2) The employment or work of aliens with employers or hirers imposed a final fine under Article 50 of this Act, or with foreigners imposed a final fine under Article 51 of this Act or under the third paragraph of Article 23 of the ZPDZC-1 shall be prohibited for two years after the decision becomes final.

(3) Employers, hirers and foreign employers finally convicted of the criminal offence of exploitation through prostitution, enslavement, trafficking in human beings, a violation of the fundamental rights of employees, or a violation of rights relating to social insurance shall be prohibited from employing aliens or engaging them in work for five years after the judgment becomes final.

(4) Aliens finally convicted of submitting falsified evidence shall be prohibited from employment, self-employment and work for five years after the judgment becomes final.

(5) The prohibitions referred to in this Article shall apply to the employment, self-employment and work of aliens who do not have the right to free access to the labour market in the Republic of Slovenia or do not reside in its territory on the basis of a single permit issued on the basis of a consent to employment, self-employment or work.

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Article 43

(Absence of a consent to a single permit, EU Blue Card or written authorisation and refusal to issue a seasonal worker permit)

In the cases referred to in the preceding Article, the Employment Service shall not grant a consent to a single permit, EU Blue Card or written authorisation and shall refuse to issue a seasonal worker permit.

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Chapter VIII: SUPERVISION

Article 44

(Competent supervisory authorities)

(1) Supervision over the implementation of this Act shall be exercised by the Labour Inspectorate of the Republic of Slovenia (hereinafter: the Labour Inspectorate).
(2) For the purpose of supervision over the implementation of this Act, the Labour Inspectorate shall have the right to direct access to the electronic records of the Employment Service and the administrative units concerning data on single permits, EU Blue Cards, written authorisations, seasonal worker permits and registrations of the commencement of the provision of services or the work of representatives.

(3) Supervision over the implementation of the provisions of this Act shall also be exercised by the police within supervision over the legality of residence under the act governing the entry and residence of aliens in the Republic of Slovenia. The police shall promptly report any suspicion and established violations of the provisions of this Act to the authority referred to in the first paragraph of this Article.

(4) When the authority referred to in the first paragraph of this Article establishes the suspicion of the illegal residence of aliens during the supervision exercised under this Act, it shall promptly inform the police thereof, who shall act in accordance with their authorisations.

Article 45

(Obligations towards supervisory authorities)

(1) Employers and hirers shall co-operate with the competent supervisory authorities and provide them access to all available evidence on the basis of which the documents allowing employment, self-employment or work in the Republic of Slovenia were issued.

(2) Aliens shall keep their official informative document, if served thereon, or their seasonal worker permit at their place of work and shall submit it as evidence in a procedure at the request of the competent supervisory authority.

(3) Throughout the period of posting workers to the Republic of Slovenia, an employer referred to in the first paragraph of Article 35 of this Act shall keep the following documents at the place of the provision of services: a copy of the contract between the client and the service provider, a certificate of the registration of the commencement of the provision of services, copies of the contracts of employment (and their translations into Slovenian), certificates concerning the social security legislation that applies to the holder (the A1 form), copies of payslips, attendance records and evidence of wages paid or copies of equivalent documents for all posted workers, which it shall make available at the request of a supervisory authority.

(4) Throughout the period of posting workers to the Republic of Slovenia, a foreign employer referred to in the first paragraph of Article 36 of this Act shall keep the following documents at the place of the provision of services: the contract between the client and service provider, a certificate of the registration of the commencement of the provision of services, copies of the contracts of employment (and their translations into Slovenian) for all posted workers and certificates of their registration in social insurance schemes on the basis of employment in the country in which the foreign employer has its head office, which it shall make available at the request of a supervisory authority.

(5) While performing their work as representatives, aliens referred to in the first paragraph of Article 37 of this Act shall keep the civil law contract on the basis of which they perform their work as representatives, and a certificate of the registration of their work at the place where the work is performed, and make such available at the request of a supervisory authority.
Chapter IX: FEES AND COMPENSATION FOR SPECIAL COSTS

Article 46

(Fees)

(1) In accordance with the act governing administrative fees, fees shall be paid for applications, documents and actions for issuing seasonal worker permits.

(2) Fees shall be paid by applicants.

Chapter X: RECORDS

Article 47

(Type and purpose)

(1) The types of records under this Act shall be as follows:

– records of consents granted;

– records of seasonal worker permits issued;

– records of the written notices referred to in the second paragraph of Article 33 of this Act;

– records of the registrations referred to in the fourth paragraph of Article 35 of this Act;

– records of the registration documents referred to in the fourth paragraph of Article 36 of this Act;

– records of the registration documents referred to in the third paragraph of Article 37 of this Act.

(2) The Employment Service shall manage the records referred to in the preceding paragraph for the purposes of granting or withdrawing consents, deciding upon the issuance or revocation of seasonal worker permits, monitoring the situation in the labour market, exercising supervision, and for scientific research and statistics.

Article 48

(The content of records)

(1) The Employment Service's records of consents granted shall contain the data on:

1. aliens in accordance with points 1, 2, 3, 4, 5, 6, 7, 9, 11 and 13 of the first paragraph, points 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12 of the second paragraph, and points 1 and 2 of the seventh paragraph of Article 111 of the Aliens Act (Uradni list RS, nos 45/14 – official consolidated text and 90/14; hereinafter: the Aliens Act);

2. employers (company name or name, head office or address, registration number or personal registration number, tax number);
3. foreign employers (company name or name, head office or address, registration number);

4. hirers (company name or name, head office or address, registration number or personal registration number);

5. jobs (occupation code, job title and description);

6. the number of hours of working time of the alien;

7. the number of hours of full working time with the employer;

8. consent (date of issue, type and number, date and reason for withdrawal);

9. seasonal worker permits (number, date of issue, period of validity, date and reason for expiry);

10. single permits (number, type, date of issue, period of validity, date and reason for expiry);

11. EU Blue Cards (number, date of issue, period of validity, date and reason for expiry);

12. insurance for workers with the employer (commencement date, date and reason for expiry);

13. written authorisations (type, date of issue, period of validity, date and reason for expiry);

14. certificates evidencing that a request for the extension of the single permit or EU Blue Card was submitted in due time;

15. registration or deregistration of employers and hirers, and their principal and secondary activities;

16. shareholders’ shares in the company;

17. heads of agricultural holdings and members of farm households entered in the Register of Agricultural Holdings;

18. aliens registered in compulsory health insurance on the basis of employment or self-employment and deregistration from compulsory social insurance schemes in the period of validity of a single permit, EU Blue Card, written authorisation or seasonal worker permit, or during the employment of aliens holding a temporary residence permit not issued for employment, self-employment or work;

19. withholding tax returns and the payslips of employers or hirers;

20. cash inflows into employers’ or hirers’ transaction accounts;

21. employers’ or hirers’ settled tax obligations.

(2) The Employment Service's records of seasonal worker permits shall contain data on:
1. aliens (name, gender, date of birth, personal registration number, if applicable, place and country of birth, nationality);

2. last permanent or temporary residence abroad or in the Republic of Slovenia (country, municipality, street and house number);

3. current permanent or temporary residence in the Republic of Slovenia (municipality, street and house number);

4. type and number of travel documents, date and place of issue, period of validity;

5. employers (company name or name, head office or address, registration number, tax number, name and personal registration number of the representative, consents to single permits, EU Blue Cards, written authorisations, seasonal worker permits and certificates of the registration of work, and date of issue);

6. hirers (company name or name, head office or address, registration number, tax number, name and personal registration number of representatives, registered independent activity);

7. seasonal worker permits (number, date of issue, period of validity, date and reason for expiry);

8. date of commencement of work;

9. insurance (commencement date, date and reason for expiry);

10. number of certificate evidencing that a request for the extension of a seasonal worker permit was submitted in due time.

(3) The Employment Service's records of written notices referred to in the second paragraph of Article 33 shall contain data on:

1. residence permits (number, type, period of validity);

2. aliens in accordance with points 1, 2, 3, 4, 5, 6, 7, 9, 11 and 13 of the first paragraph, points 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12 of the second paragraph, and points 1 and 2 of the seventh paragraph of Article 111 of the Aliens Act;

3. employers (company name or name, head office or address, registration number or personal registration number, tax number, consents to single permits);

4. the conditions and elements of employment specified in the official informative document;

5. date of the Employment Service’s notice on the conditions of employment.

(4) The Employment Service's records of the registration of the commencement of the provision of services referred to in the fourth paragraph of Article 35 shall contain data on:

1. the name and registered office or address of the employer;

2. the name and date of birth of the employer's responsible person;
3. the name and date of birth of the posted worker appointed as the contact between the foreign employer and the competent supervisory authorities;

4. the name, date of birth, nationality and temporary residence in the Republic of Slovenia of each posted worker;

5. the type of service;

6. the location and duration of the provision of services;

7. the name of the company or the name and head office or address of the client; and

8. the location where the documents referred to in the third paragraph of Article 45 of this Act shall be kept.

(5) The Employment Service's records of the registration documents on the commencement of the provision of services referred to in the fourth paragraph of Article 36 shall contain data on:

1. the company name and registered office or address of the client;

2. the name and registered office or address of the foreign employer;

3. the name and date of birth of the responsible person of the client and of the service provider;

4. the name, date of birth, nationality and temporary residence in the Republic of Slovenia of each posted worker;

5. the type of service;

6. the location and duration of the provision of services;

7. the location where the documents referred to in the fourth paragraph of Article 45 of this Act shall be kept.

(6) The Employment Service's records of aliens referred to in the first paragraph of Article 37 of this Act shall contain data on:

1. the name, date of birth and nationality of the representative;

2. the company name or name and head office or address of the legal entity where the representative performs his or her work;

3. the duration of the work.

(7) The data from the records referred to in this Article shall be kept for two years after the expiry of the single permit, EU Blue Card, written authorisation or seasonal worker permit, and for two years after the registration of the commencement of the provision of services or the work of a representative and shall be archived thereafter.

(8) The minister responsible for labour shall prescribe the method of processing and submitting data from the records referred to in this Article.

Article 49
In order to implement its competences in accordance with this Act, the Employment Service shall receive free-of-charge data from the records of the following data managers:

1. the administrative units shall furnish the data referred to in points 1, 2, 3, 4, 5, 10, 11, 13 and 14 of the first paragraph of Article 48 of this Act;

2. The Agency of the Republic of Slovenia for Public Legal Records and Related Services shall furnish the data referred to in points 15 and 16 of the first paragraph of Article 48 of this Act;

3. The ministry responsible for agriculture shall furnish the data referred to in point 17 of the first paragraph of Article 48 of this Act;

4. The Health Insurance Institute of Slovenia shall furnish the data referred to in points 12 and 18 of the first paragraph of Article 48 of this Act;

5. The Labour Inspectorate shall furnish the data on final minor offence orders or decisions issued to employers or hirers and their responsible persons or aliens that, pursuant to the provisions of this Act, affect the decisions of the Employment Service adopted in the procedures that it carries out under this Act;

6. the Financial Administration of the Republic of Slovenia (hereinafter: the Financial Administration) shall furnish the data referred to in points 19, 20 and 21 of the first paragraph of Article 48 of this Act on final minor offence orders or decisions issued to employers or hirers and their responsible persons or aliens that, pursuant to the provisions of this Act, affect the decisions of the Employment Service in the procedures that it carries out under this Act;

7. the ministry responsible for justice shall furnish data on employers, foreign employers and hirers finally convicted of committing the offences of prostitution, enslavement, trafficking in human beings, a violation of the fundamental rights of employees, illegal employment or a violation of social security rights that, pursuant to the provisions of this Act, affect the decisions of the Employment Service in the procedures that it carries out under this Act.

The Employment Service shall link the records it manages under this Act with the records of the data managers referred to in the preceding paragraph, with the exception of the records of the Labour Inspectorate and the Financial Administration on final minor offence orders or the decisions and records of the ministry responsible for justice.

The Employment Service shall have the right to directly access the data related to final minor offence orders or decisions that, pursuant to this Act, affect the decisions of the Employment Service in individual procedures that it carries out under this Act and kept by the Labour Inspectorate, while those kept by the Financial Administration shall be available on the basis of a specific request.

The Employment Service shall be granted access to the data referred to in point 7 of the first paragraph of this Article required for decision-making in particular procedures from criminal records on the basis of a specific request submitted electronically.
Chapter XI: PENAL PROVISIONS

Article 50

(1) A fine of EUR 3,000 to EUR 30,000 shall be imposed on an employer or hirer who allows an alien to carry out work for which a consent was not granted in the procedure for issuing or extending a single permit or an EU Blue Card or a written authorisation or for which no seasonal worker permit was issued (the fourth paragraph of Article 7).

(2) A fine of EUR 3,000 to EUR 30,000 shall be imposed on an employer who allows an alien holding a temporary residence permit not issued for employment, self-employment or work to carry out work in contravention of the conditions and elements of employment stated in the official informative document (the fifth paragraph of Article 33).

(3) A fine of EUR 500 to EUR 5,000 shall also be imposed on the responsible person of an employer or hirer for committing an offence referred to in the preceding two paragraphs.

Article 51

A fine of EUR 500 to EUR 5,000 shall be imposed on an alien for carrying out work for which a consent was not granted in the procedure for issuing or extending a single permit or an EU Blue Card or a written authorisation or for which no seasonal worker permit was issued (the fourth paragraph of Article 7).

Article 52

(1) A fine of EUR 10,000 to EUR 75,000 shall be imposed on an employer legally engaged in the supply of temporary agency work for concluding a contract of employment with an alien not residing in the Republic of Slovenia on the basis of an EU Blue Card, or who was not granted a consent to employment, self-employment or work in the procedure for issuing or extending a single permit or issuing a written authorisation, or who does not have free access to the Slovenian labour market (the fifth paragraph of Article 7).

(2) A fine of EUR 500 to EUR 5,000 shall also be imposed on the responsible person of an employer for committing the offence referred to in the preceding paragraph.

Article 53

A fine of EUR 500 to EUR 5,000 shall be imposed on a person residing in the Republic of Slovenia not registered to pursue an activity or not entered in the Register of Agricultural Holdings who concludes a contract of employment or a civil law contract with an alien who does not have free access to the labour market, or who was not granted a consent to employment, self-employment or work in the procedure for issuing or extending a single permit or issuing a written authorisation (the sixth paragraph of Article 7).
Article 54

(1) A fine of EUR 3,000 to EUR 30,000 shall be imposed on an employer or hirer who fails to ensure minimum housing or hygiene standards (the first paragraph of Article 10).

(2) A fine of EUR 500 to EUR 2,500 shall also be imposed on the responsible person of an employer or hirer for committing the offence referred to in the preceding paragraph.

(3) A fine of EUR 500 to EUR 1,500 shall be imposed on an individual for committing the offence referred to in the first paragraph of this Article.

Article 55

(1) A fine of EUR 3,000 to EUR 30,000 shall be imposed on a hirer or employer who fails to return, by the prescribed time limit, the seasonal worker permit of an alien when an employment contract or a civil law contract with the alien concerned is not concluded or when the employment contract or the civil law contract expires prior to the expiry of the seasonal worker permit (Article 31).

(2) A fine of EUR 500 to EUR 2,500 shall also be imposed on the responsible person of an employer or hirer for committing the offence referred to in the preceding paragraph.

(3) A fine of EUR 500 to EUR 5,000 shall be imposed on a natural person entered in the Register of Agricultural Holdings as the head of an agricultural holding or a member of a farm household for committing the offence referred to in the first paragraph of this Article.

Article 56

(1) A fine of EUR 10,000 to EUR 75,000 shall be imposed on an employer established in a Member State of the EU, a member state of the EEA or in the Swiss Confederation for providing services in the Republic of Slovenia with workers not employed by it or for providing services despite the prohibitions of the work of aliens (the first paragraph of Article 35 or the first paragraph of Article 42).

(2) A fine of EUR 500 to EUR 5,000 shall be imposed on the responsible person of an employer for committing the offence referred to in the preceding paragraph.

Article 57

(1) A fine of EUR 3,000 to EUR 30,000 shall be imposed on an employer liable for registration established in a Member State of the EU, a member state of the EEA or in the Swiss Confederation for failure to register the commencement of the provision of services in the Republic of Slovenia (the third paragraph of Article 35).

(2) A fine of EUR 500 to EUR 1,500 shall be imposed on the responsible person of an employer for committing the offence referred to in the preceding paragraph.

Article 58

(1) A fine of EUR 10,000 to EUR 75,000 shall be imposed on a foreign employer for providing services in the Republic of Slovenia with workers not employed by it or for
providing services despite the prohibitions on the work of aliens (the first paragraph of Article 36 and the first paragraph of Article 42).

(2) A fine of EUR 500 to EUR 5,000 shall also be imposed on the responsible person of a foreign employer for committing the offence referred to in the preceding paragraph.

Article 59

(1) A fine of EUR 3,000 to EUR 30,000 shall be imposed on a foreign employer liable for registration for failure to register the commencement of the provision of services in the Republic of Slovenia or for providing services not linked with the delivery of goods and maintenance (the second and third paragraphs of Article 36).

(2) A fine of EUR 500 to EUR 1,500 shall also be imposed on the responsible person of a foreign employer for committing the offence referred to in the preceding paragraph.

Article 60

A fine of EUR 500 to EUR 5,000 shall be imposed on an alien liable for registration for failure to register the commencement of work as a representative in the Republic of Slovenia (the second paragraph of Article 37).

Article 61

A fine of EUR 500 to EUR 5,000 shall be imposed on an alien employed, self-employed or working in contravention of the prohibitions referred to in the second and fourth paragraphs of Article 42 of this Act.

Article 62

(1) A fine of EUR 3,000 to EUR 30,000 shall be imposed on an employer or hirer for failure to provide the competent supervisory authorities access to all available evidence on the basis of which documents permitting the employment, self-employment or work of an alien were issued (the first paragraph of Article 45).

(2) A fine of EUR 500 to EUR 1,500 shall also be imposed on the responsible person of an employer or hirer for committing the offence referred to in the preceding paragraph.

Article 63

A fine of EUR 500 to EUR 1,500 shall be imposed on an alien for failure to submit the official informative document or the seasonal worker permit at the request of a supervisory authority (the second paragraph of Article 45).

Article 64

(1) A fine of EUR 3,000 to EUR 30,000 shall be imposed on a foreign employer for committing the offence referred to in the first paragraph of Article 35 for failure to keep the documents referred to in the third paragraph of Article 45 of this Act throughout the posting period or for failure to submit them at the request of a supervisory authority (the third paragraph of Article 45).
(2) A fine of EUR 500 to EUR 2,500 shall be imposed on the responsible person of an employer referred to in the first paragraph of Article 35 for committing the offence referred to in the preceding paragraph.

Article 65

(1) A fine of EUR 3,000 to EUR 30,000 shall be imposed on a foreign employer for failure to keep the documents referred to in the third paragraph of Article 45 of this Act throughout the posting period or for failure to submit them at the request of a supervisory authority (the third paragraph of Article 45).

(2) A fine of EUR 500 to EUR 2,500 shall be imposed on the responsible person of a foreign employer for committing the offence referred to in the preceding paragraph.

Article 66

(1) A fine of EUR 500 to EUR 5,000 shall be imposed on an alien for failure to keep the documents referred to in the fifth paragraph of Article 45 of this Act throughout the period of performing the work of a representative or for failure to submit them at the request of a supervisory authority (the fifth paragraph of Article 45).

Article 67

A fine in an amount exceeding the minimum fine under this Act may be imposed in an expedited procedure for the offences referred to in this Act.

Chapter VIII: SPECIAL PROVISIONS

Article 68

(The Labour Market Regulation Act)

In the Labour Market Regulation Act (Uradni list RS, nos 80/10, 40/12 – ZUJF, 21/13, 63/13, 100/13 and 32/14 – ZPDZC-1)

1. the second paragraph of Article 8 shall be amended to read as follows: "(2) An unemployed person hereunder shall also be an alien with citizenship of a state which is not a Member State of the EU, a member state of the EEA or the Swiss Confederation who has free access to the Slovenian labour market, an alien holding a valid single residence and work permit issued on the basis of a consent to employment, self-employment or work, an alien holding an EU Blue Card, and an alien residing in the Republic of Slovenia with a temporary residence permit or a certificate evidencing that an application for the extension of a residence permit was submitted in due time who is, on the basis of employment or self-employment, eligible to receive an unemployment allowance in the Republic of Slovenia, throughout the period of receiving it."

2. the third paragraph of Article 167 shall be amended to read as follows: "(3) An employer engaged in the supply of temporary agency work and duly entered in registers or records shall pursue the activity of supplying temporary agency work to the citizens of the Republic of Slovenia and to aliens who do not have citizenship of a Member State of the EU, a member state of the EEA or the Swiss Confederation and:

1. have free access to the Slovenian labour market in accordance with the act governing the employment, self-employment and work of aliens;
2. hold a single residence and work permit issued on the basis of a consent to employment, self-employment or work; or

3. an EU Blue Card.

Article 69

(The Employment Relationships Act)

In the Employment Relationships Act (Uradni list RS, nos 21/13 and 78/13 – as amended)

1. the fourth indent of the first paragraph of Article 54 shall be amended to read as follows: "– employment of an alien or a person without citizenship holding a single permit as defined by the act governing the entry and residence of aliens and a seasonal worker permit as defined by the act governing the employment, self-employment and work of aliens, unless the single permit is issued on the basis of a consent to employment, self-employment or work,.");

2. the second paragraph of Article 119 shall be amended to read as follows: "(2) A contract of employment concluded by an alien or a person without citizenship shall expire on the date of the expiry of the single permit as defined by the act governing the entry and residence of aliens and the seasonal worker permit as defined by the act the governing employment, self-employment and work of aliens.").

Article 70

(The Health Care and Health Insurance Act)

In the Health Care and Health Insurance Act (Uradni list RS, nos 72/06 – official consolidated text, 114/06 - ZUTPG, 91/07, 76/08, 62/10 - ZUPJS, 87/11, 40/12 - ZUJF, 21/13 - ZUTD-A,91/13, 99/13 – ZUPJS-C, 99/13 – ZSVarPre-C, 111/13 – ZMEPIZ-1 and 95/14 – ZUJF-C)

1. a new sixth indent shall be inserted after the fifth indent of Article 79a that reads as follows: "– a permanent or temporary residence permit,"; the current sixth to twelfth indents shall be renumbered as the seventh to thirteenth indents;

2. a new sixth indent shall be inserted after the fifth indent in the second paragraph of Article 79b that reads as follows: "– a permanent or temporary residence permit,"; the current sixth to twenty-second indents shall be renumbered as the seventh to twenty-third indents.

Article 71

(The Aliens Act)

In the Aliens Act (Uradni list RS, nos 45/14 – official consolidated text, 90/14 and 19/15)

1. a new second paragraph shall be inserted after the first paragraph of Article 56 that reads as follows: "(2) The competent authority issuing a written authorisation or the authority competent for the territory where the alien resides shall revoke the written authorisation if the authority authorised to grant consents to written authorisations under
the act governing the employment and work of aliens withdraws the consent to the written authorisation. There shall be no appeal against a decision to revoke a written authorisation."; the current second to seventh paragraphs shall be renumbered as the third to eighth paragraphs;

2. Point 1 of the seventh paragraph of Article 111 shall be amended to read as follows: "1. Name, address, personal identification number and tax number of an alien entered in the Business Register to pursue independent professional activities."

Chapter XII: TRANSITIONAL AND FINAL PROVISIONS

Article 72

(Submitted applications and acquired rights)

(1) Applications submitted prior to the entry into force of this Act shall be decided on in accordance with the Employment and Work of Aliens Act (Uradni list RS, nos 26/11, 21/13 – ZUTD-A and 100/13 – ZUTD-C, hereinafter: ZZDT-1).

(2) Work permits issued under the ZZDT-1 shall remain in force until their dates of expiry.

(3) In the procedure for issuing or extending a single permit or issuing a written authorisation to an alien holding a valid three-year personal work permit issued under the ZZDT-1, a consent shall be deemed granted for the period of validity of the personal work permit concerned.

Article 73

(Prohibitions of work and employment)

Prohibitions of work and employment of aliens imposed under the ZZDT-1 shall remain in force until their respective termination.

Article 74

(Implementing regulations under this Act)

(1) The ministers responsible for labour, spatial planning and health shall issue the implementing regulation referred to in the second paragraph of Article 10 of this Act within three months of the date of entry into force of this Act.

(2) The minister responsible for labour shall issue the implementing regulation referred to in the eighth paragraph of Article 48 of this Act within three months of the date of entry into force of this Act.

Article 75

(Transitional provision with regard to the Labour Market Regulation Act)

(1) Notwithstanding the provision of the second paragraph of Article 8 of this Act, an alien holding a valid personal work permit issued under the ZZDT-1 shall be deemed an unemployed person until the date of expiry of the personal work permit.
(2) Notwithstanding the provision of the third paragraph of Article 167 of this Act, an employer engaged in the supply of temporary agency work and duly entered in registers or records shall also supply temporary agency work to an alien holding a valid three-year personal work permit issued under the ZZDT-1a until the date of expiry of the personal work permit.

Article 76

(Transitional provision with regard to the Employment Relationships Act)

(1) Notwithstanding the fourth indent of the first paragraph of Article 54 of this Act, a fixed-term contract of employment may also be concluded in the case of the employment of an alien or stateless person with a work permit issued under the ZZDT-1 (except in the case of a personal work permit) until the date of expiry of the work permit.

(2) Notwithstanding the second paragraph of Article 119 of this Act, an employment contract concluded by an alien or a stateless person shall expire on the date of the expiry of the work permit issued under the ZZDT-1.

Article 77

(Prevention of Illegal Work and Employment Act)

The fifth indent of the first paragraph of Article 5 and the fourth indent of the first paragraph of Article 23 of the Prevention of Illegal Work and Employment Act (Uradni list RS, no. 32/14) shall cease to be in force.

Article 78

(Media Act)

The third paragraph of Article 124 of the Media Act (Uradni list RS, nos 110/06 – official consolidated text, 36/08 – ZPOmK-1, 77/10 – ZSFCJA, 90/10 – Constitutional Court, 87/11 – ZAvMS and 47/12) shall cease to be in force.

Article 79

(The right of bearers of public authority to collect data)

The bearers of public authority entitled to obtain the data on work permits under the regulations applicable on the day of the entry into force of this Act shall also have the right to obtain the data on single permits, Blue Cards, written authorisations, consents or seasonal worker permits under this Act and the act governing the entry and residence of aliens.

Article 80

(Cessation of implementing regulations)

(1) On the date of the entry into force of this Act, the following shall cease to be in force:

– The Rules on criteria for training in companies (Uradni list RS, no. 73/11);
– The Rules on applications and supporting documents as regards the employment and work of aliens and employment of aliens not tied to the labour market (Uradni list RS, nos 45/11 and 11/15);

– The Rules on the processing and communication of information on aliens who take up employment and work in the territory of the Republic of Slovenia (Uradni list RS, no. 83/11);

– The Rules laying down minimum standards for accommodation of aliens employed and working in the Republic of Slovenia (Uradni list RS, no. 71/11); and

– the Decision on specifying the amount of compensation for special expenses (Uradni list RS, no. 8/01).

(2) Notwithstanding the preceding paragraph, the implementing regulations referred to in the first and second indents of the preceding paragraph shall apply until the date of the entry into force of this Act, while the implementing regulations referred to in the third and fourth indents of the preceding paragraph shall apply until the date of the entry into force of the implementing regulations unless such are in contravention of this Act.

Article 81

(The Cessation of the Employment and Work of Aliens Act)

On the date of the entry into force of this Act, the Employment and Work of Aliens Act (Uradni list RS, nos 26/11, 21/13 – ZUTD-A and 100/13 – ZUTD-C) shall cease to be in force but shall remain applicable until the date of the entry into force of this Act, except the provisions of the first, second and third paragraphs of Article 57 and in the first, second and third paragraphs of Article 58, which shall remain applicable for the purpose of establishing grounds for the termination of the validity and revocation of work permits issued under the Employment and Work of Aliens Act (Uradni list RS, nos 26/11, 21/13 – ZUTD-A and 100/13 – ZUTD-C) until the date of expiry of the work permits issued under the aforementioned Act.

Article 82

(Entry into force)

This Act shall enter into force on the fifteenth day following its publication in Uradni list Republike Slovenije and shall apply as of 1 September 2015.

No. 101-08/15-8/16

Ljubljana, 16 June 2015

EPA 426-VII

National Assembly of the Republic of Slovenia

Milan Brglez, m.p.

The President