

# PROVISION OF FOSTER CARE ACT (*ZIRD*)

## I. INTRODUCTORY PROVISIONS

### Article 1

(1) This Act shall govern the conditions to be fulfilled by a person who wishes to provide foster care, procedure to obtain a licence to provide foster care, manner of providing foster care and its funding, as well as other issues related to the provision of foster care.

(2) The terms used in this Act: foster carer, foster child, candidate, relative, social worker and other terms are written in the masculine and shall refer to both genders.

### Article 2

(1) Foster care shall mean a special form of care and upbringing for children placed in foster homes based on the law governing family relations or other law and shall be intended for children temporary unable to live in their birth families.

(2) Foster care shall mean an activity of a foster family providing foster care. Provision of foster care shall be uniformly regulated for all foster carers, unless otherwise provided by this Act.

(3) A foster carer shall mean a person providing foster care under conditions stipulated by this Act and in accordance with the Act governing family relations.

(4) A foster family shall mean a family providing foster care. It is composed of a foster carer and all persons living with the foster carer.

(5) A foster child shall mean a child placed in the foster family pursuant to the decision to place a child in foster care issued by a social work centre according to the child's permanent or temporary residence (hereinafter referred to as: a child's centre).

(6) Foster care payment shall include the reimbursement of costs for the foster child care (hereinafter referred to as care allowance) and remuneration for foster carer's work (hereinafter referred to as payment for work).

### Article 3

(1) The Ministry responsible for family (hereinafter referred to as the Ministry) shall keep the list of candidates for the appointment of various boards under this Act. The list shall include all specialised staff members from social work centres in the Republic of Slovenia, engaged in the field of foster care; they shall be divided to six sub-groups according to the territorial principle. Each sub-group shall choose from its area one foster carer and one person who is trained to work with children; both persons shall be put on the list.

(2) The following boards shall be set up from the list referred to in the previous paragraph: a selection board for candidates for foster carers, a board for awards and a board to set out lower standard and higher payment for work.

(3) The detailed criteria regarding the composition of boards, appointment of their members and method

of work of boards referred to in the previous paragraph shall be laid down by the Minister responsible for family (hereinafter referred to as the Minister).

#### Article 4

Funds for foster care shall be earmarked in the budget of the Republic of Slovenia.

## **II. CONDITIONS TO BE FULFILLED BY A PERSON WHO WISHES TO PROVIDE FOSTER CARE**

#### Article 5

(1) Any person wishing to be engaged in foster care must:

- permanently reside in the Republic of Slovenia;
- have completed at least technical or vocational training;
- be of full age.

(2) In exceptional cases and where a definite benefit to the foster child is established, account taken of all the circumstances, the foster care may be provided by a person who has acquired a level of education lower than stipulated in the previous paragraph.

#### Article 6

A foster carer may not be a person:

- whose parental rights have been withdrawn;
- who lives with a person whose parental rights have been withdrawn;
- without capacity to contract.

#### Article 7

(1) Foster care may be provided by a child's relative, provided that in view of the circumstances of a particular case the centre establishes that this will be to the benefit to the child.

(2) For the purposes of this Act, child's relatives shall include: grandmother, grandfather, uncle, aunt, brother and sister.

## **III. PROCEDURE TO OBTAIN A LICENCE TO PROVIDE FOSTER CARE**

#### Article 8

(1) Any person who wishes to engage in foster care shall file an application accompanied with appropriate supporting evidence with the social work centre having territorial competence according to the applicant's permanent residence (hereinafter referred to as foster carer's centre).

(2) The candidate who wishes to provide foster care shall file the application referred to in the previous paragraph on a special form.

#### Article 9

(1) Following the receipt of the application referred to in the previous Article, the foster carer's centre

shall establish whether the candidate fulfils the conditions laid down in Article 5 of this Act and whether there are any impediments as to Article 6 of this Act.

(2) The foster carer's centre shall draw up an assessment of the candidate's suitability to engage in foster care (hereinafter referred to as the assessment), taking account of criteria laid down in Article 31 of this Act.

#### Article 10

Each year, not later than by the end of September, the Ministry shall determine the required number of new foster carers depending on the need for foster care and informs all social work centres thereof.

#### Article 11

The foster carer's centre shall, not later than by the end of the year, submit to the Ministry the applications and assessments for individual candidates who wish to engage in foster care.

#### Article 12

(1) The selection board for candidates wishing to engage in foster care referred to in Article 3 of this Act shall out of all submitted applications select a certain number of candidates in compliance with the needs under Article 10 of this Act.

(2) The board referred to in the previous paragraph shall direct selected candidates to training programmes for foster care.

(3) The Minister shall lay down the content, provider and duration of such training.

(4) Funds for training shall be earmarked in the budget of the Republic of Slovenia.

#### Article 13

On the basis of successfully completed training, the Ministry shall issue licences to candidates to provide foster care (hereinafter referred to as the licence) and enter them into the records of issued licences.

#### Article 14

(1) The child's relative referred to in Article 7 of this Act shall not be required to apply as a foster care candidate under the provisions of this Act.

(2) The Ministry shall issue the licence to child's relative solely on the basis of written and reasoned finding of the child's centre stating that such foster care will be to the benefit of the child; the Ministry shall enter the child's relative into the records of issued licences.

#### Article 15

The Ministry shall keep records of issued licences containing personal data of foster carers.

## Article 16

(1) The licence shall cease if:

- the foster carer gives notice on the termination of foster care activity;
- the foster carer does not engage in foster care within three years following the acquisition of the licence;
- the foster carer dies.

(2) The licence shall be withdrawn if:

- the foster carer's centre proposes a withdrawal of the licence because the foster care provided by the foster carer is contrary to the child's best interest;
- the existence of one of the grounds referred to in Article 6 of this Act is found;
- the foster carer fails to conclude compulsory supplementary training pursuant to Article 28 of this Act;

(3) In cases mentioned in the previous two paragraphs, the foster carer shall be deleted from the records of issued licences.

## Article 17

The contents of the application referred to in Article 8 of this Act, types of evidence supporting the application and criteria for the work of the selection board for candidates wishing to engage in foster care shall be laid down by the Minister.

## **IV. CONDITIONS AND PROCEDURE FOR CARRYING OUT FOSTER CARE AS AN OCCUPATION**

### Article 18

(1) The foster carer may engage in foster care as his sole occupation (hereinafter referred to as professional fostering) provided he fulfils conditions stipulated in this Act and is entered into the register referred to in Article 19 of this Act.

(2) The foster carer wishing to engage in professional fostering shall file an application with the foster carer's centre, stating his wish to be engaged in professional fostering.

(3) The foster carer wishing to engage in professional fostering shall have the licence, shall not be employed or be a partner who is at the same time a manager in a private company or institute in the Republic of Slovenia, shall not, as a sole or main occupation, pursue any other activity which provides basis for his compulsory pension and disability insurance coverage in accordance with regulations governing pension and disability insurance.

### Article 19

(1) The foster carer's centre shall send the application for professional engagement in fostering together with the enclosures to the Ministry.

(2) Following the examination of the application and supporting evidence referred to in the previous paragraph, the Ministry shall establish whether the foster carer meets requirements to pursue professional fostering.

(3) The Ministry shall enter the foster carers who meet the requirements into the register of professional fostering (hereinafter referred to as the register) and shall issue them a certificate of registration.

#### Article 20

The register shall be kept by the Ministry; it shall contain personal data of the foster carer, date of the beginning and ending professional fostering.

#### Article 21

Deletion from the register shall be made if:

- the foster carer no longer wishes to pursue professional fostering, on the last day on which he still pursues professional fostering;
- the foster carer enters employment, becomes a partner who is at the same time a manager in a private company or institute in the Republic of Slovenia, starts to pursue, as a sole or main occupation, any other activity providing basis for his compulsory pension and disability insurance coverage in accordance with regulations governing pension and disability insurance, on the day before entering employment or pursuing other activity;
- the foster carer fails to comply with standards laid down in this Act, on the day of expiration of the right under Article 59 of this Act;
- the foster carer's licence to provide foster care expires or is withdrawn, on the day of expiration or withdrawal of the licence.

#### Article 22

The contents of the application to pursue professional fostering shall be laid down by the Minister.

### **V. STANDARDS FOR PROVIDING FOSTER CARE**

#### Article 23

(1) At any one time, not more than three foster children shall be placed with the foster carer.

(2) By way of exemption, a greater number of foster children may be simultaneously placed with the foster carer if placement entails brothers and sisters or where placing a child with a particular foster carer is in child's best interest.

#### Article 24

(1) At any one time, three foster children must be placed with the foster carer pursuing professional fostering.

(2) The standard referred to in the preceding paragraph may be set at a lower level. The standard shall be set at a lower level given specific needs of a child, such as fostering a child suffering serious illness, physical or mental development disorders, abuse, harassment, or child with behavioural or emotional disorder.

(3) The lowered standard and its duration shall be set by the board for setting lower standard and higher payment for work, based on the joint written proposal from the child's and foster carer's centres.

## **VI. OBLIGATIONS OF THE FOSTER CARER**

### Article 25

Basic foster carer's obligations shall be to:

- prepare himself and his family for the arrival of a foster child;
- enable swift accommodation of a foster child to a foster home and appropriate treatment of the foster child by all members of foster family;
- support the foster child in his adaptation to a new environment;
- provide proper care, upbringing, accommodation, nutrition, clothing and footwear, school and personal requisites to the foster child;
- offer the foster child appropriate toys, basic sport requisites and other items of lower value for various activities;
- maintain and improve the health of the foster child and provide, if necessary, appropriate medical care by the attending physician;
- see to the foster child's proper attitude to learning and work and to encourage the development of working habits;
- provide for the foster child's vocational training or appropriate employment;
- stimulate the foster child's sense of his own identity;
- prepare the foster child to leave the foster family.

### Article 26

The foster carer shall be obliged to enable and encourage contacts between the foster child and his parents, except in case where contacts are restricted or prohibited pursuant to the decision of the competent body.

### Article 27

(1) The foster carer shall settle any important issues concerning the foster child's care and upbringing in agreement with the foster child's parents or guardian and with the child's centre. To his end, he shall participate in the individual project group appointed by the child's centre to consider individual foster children.

(2) The foster carer shall take account of the instructions provided by the child's centre, the foster carer's centre, as well as of the conclusions of the individual project group.

(3) The foster carer shall also participate in activities concerning the provision of foster care organized by the foster carer's centre.

### Article 28

(1) While pursuing fostering, the foster carer shall participate in trainings at least once every five years; the contents, provider and duration of such training shall be laid down by the Minister.

(2) The obligation of additional training referred to in the previous paragraph shall also apply to child's relative providing foster care.

(3) Funds for training shall be earmarked in the budget of the Republic of Slovenia.

## **VII. TASKS OF THE SOCIAL WORK CENTRES IN PROVIDING FOSTER CARE**

### **Task relating to selection of candidates for foster carers**

#### Article 29

- (1) The social work centres shall actively participate in recruitment of new foster families within the territory of their competence.
- (2) They shall present to all interested parties the aim of foster care, requirements to be fulfilled by the foster carers, procedures to obtain a licence to provide foster care, manner of work in fostering and rights and obligations of foster carers.

#### Article 30

- (1) The social work centre shall give each person interested to engage in foster care an application form referred to in Article 8 of this Act and inform him on the procedure to obtain a licence.
- (2) Following the receipt of the application, the foster carer's centre shall act in accordance with Article 11 of this Act.

#### Article 31

- (1) When drawing up the assessment referred to in Article 9 of this Act, the foster carer's centre shall examine candidate's motives for the decision to pursue foster care and shall take account of all factors likely to have either positive or negative effects to psychosocial development of a foster child.
- (2) When drawing up the assessment, the foster carer's centre shall establish the suitability of housing conditions regarding the entire family, and in particular of premises and equipment intended for a child or children to be accepted into foster care.
- (3) In addition to its own findings, the foster carer's centre shall also take account of possible certificates or opinions or recommendations of other institutions when drawing up the assessment.

### **Tasks relating to the provision of foster care**

#### Article 32

- (1) Following the decision to place a particular child into a foster family, the child's centre shall have a task to select from among foster carers holding a licence a foster family that would meet the needs of a child.
- (2) If no suitable foster carer may be found at that time in the area of the child's centre or the placement of the child within its area would not be to the child's best interest, the child's centre shall find a foster carer within a wider area and shall be obliged to cooperate with the foster carer's centre.

#### Article 33

A child, his parents and a foster carer and his family shall have to be prepared for the placement of the child to a foster family.

#### Article 34

(1) The child's centre shall monitor the development of a child placed in foster care and the fulfilment of obligations agreed upon in a foster care contract.

(2) If necessary, the child's centre shall take measures to achieve the purpose of fostering in all cases and in the best possible way.

#### Article 35

Following the placement of a child in a foster family, the child's centre shall set up an individual project group comprising a social worker from the child's centre, a social worker from the foster carer's centre, a foster carer, birth family and a foster child. The work of the individual project group shall be co-ordinated by the social worker from the child's centre. If necessary, the individual project group may be enlarged.

#### Article 36

(1) The individual project group shall plan and propose appropriate treatment and discuss professional issues concerning a foster child and shall directly monitor a foster child in a foster family. To this end, it shall prepare an individual plan for each foster child (hereinafter referred to as the plan) that shall be suitable to the age or development level of a child and to his needs and shall be drawn up so as to ensure integral treatment and monitoring of a child.

(2) The plan shall be in writing and shall contain reasonable goals.

(3) The plan shall be updated and modified if necessary.

#### Article 37

(1) The individual project group shall meet in accordance with the plan and respective arrangements.

(2) At least once a year, the individual project group shall submit a written report to the child's centre in which it shall propose further measures in respect of the child.

#### Article 38

In addition to activities within the individual project group, the child's centre shall monitor a foster child by conducting home visits, conversations at the Centre, visits to school and cooperation with other institutions.

#### Article 39

The foster carer's centre shall have the obligation to monitor the provision of foster care.

#### Article 40

If, upon reaching 18 years of age, the foster child remains in the foster family due to the continuation of education, the child's and the foster carer's centres shall establish, together with the foster child and the foster carer, that further stay of the foster child in the foster family would be in the foster child's best interest; they shall do so prior to the prolongation of the foster care contract in accordance with this Act.

#### Article 41

Following the decision to terminate foster care for a particular foster child, the child's centre shall have the obligation to prepare the foster child, the foster and birth family for his departure.

#### **Other tasks in providing foster care**

#### Article 42

Within the territory of their competence, the social work centres shall organize shorter trainings for all foster carers at least once a year, they shall promote and organize teamwork with foster care stakeholders and afford support by providing forms of community work.

#### Article 43

Should the foster carer's centre establish that the foster care provided by the foster carer is contrary to the foster child's best interest, it shall submit a written proposal with appropriate explanation to the Ministry to withdraw the licence.

### **VIII. FOSTER CARE CONTRACT**

#### Article 44

A foster care contract shall mean a written contract concluded by a competent child's centre and a foster carer in respect of an individual foster child following the enforceability of a decision to place a child in foster care.

#### Article 45

The foster care contract shall specify, in particular:

- scope of care provided to a foster child;
- rights and obligations of the contracting parties;
- amount and method of payment of the foster care payment;
- method and period for the termination of the foster care contract;
- any particularities of the foster care provided in individual cases.

#### Article 46

The child's centre may extend the validity of the foster care contract with the foster carer after the foster child reaches full age if:

- due to physical or mental development disorder the child is unable to live and work independently;
- the child stays in the foster family due to the continuation of education, but in no case after reaching 26 years of age, provided the foster child gives his consent.

#### Article 47

The foster care contract shall terminate:

- if fostering has terminated;
- if the foster carer is deleted from the records of issued licences;
- on the date of the contract expiry if a fixed-term contract is concluded, unless extended;

- by waiving;
- by divorce;
- by the death of a foster carer or foster child.

#### Article 48

- (1) A foster care contract may be terminated by at least three months notice, unless otherwise provided by the contract.
- (2) The notice shall be submitted to the child's centre in writing or orally for the record.

#### Article 49

The child's centre shall cancel the foster care contract if reasons set out in Article 6 of this Act arise, if the foster carer does not attend training mentioned in Article 28 of this Act, if the foster carer does not comply with obligations set out in the foster care agreement, or if the foster carer requires cancellation of the contract and reasonable grounds for such request are established.

### **IX. FOSTER CARE PAYMENT**

#### Article 50

- (1) For every foster child the foster carer shall be entitled to monthly foster care payment, which includes care allowance and payment for work.
- (2) If the foster carer pursues professional fostering, the Republic of Slovenia shall ensure the payment of his social security contributions.

#### Article 51

- (1) Care allowance shall include an amount for material costs incurred by the foster child and a cash benefit in the amount of child allowance as fixed for the lowest income bracket for the first child in accordance with the special regulation governing family benefits.
- (2) Material costs for a foster child shall amount to SIT 48,586.
- (3) The amount of care allowance shall be proportionate to the duration of child's placement in the foster family.

#### Article 52

- (1) The amount of care allowance shall be reduced if the foster carer does not have to cover foster child's clothing and footwear costs. The care allowance shall be reduced by the amount of 25 % of material costs.
- (2) When extra expenditure is incurred in respect of foster child's needs, the care allowance shall be increased. The care allowance shall be increased by the amount of 25 % of material costs.
- (3) The decrease or increase of care allowance shall be determined in the foster care contract.
- (4) Conditions for the increase of care allowance shall be laid down by the Minister.

#### Article 53

- (1) The payment for foster carer's work shall amount to SIT 22,000 per foster child.
- (2) Considering the complexity of foster child's care and upbringing (fostering a child suffering serious illness, physical or mental development disorders, abused child, harassed child, or child with behavioural or emotional disorder), the payment for work referred to in the previous paragraph may be temporary increased by maximum 50 %.
- (3) The board for setting lower standard and higher payment for work, referred to Article 3 of this Act, shall decide on the percentage of increase in payment for work and on the duration of the right to increased payment for work, on the basis of criteria set by the Minister.
- (4) The right to increased payment may be granted for a period not exceeding one year. This right may be extended throughout a period corresponding to the existence of grounds for increased payment for work.
- (5) The amount of payment for work shall be proportionate to the duration of child's placement in the foster family.

#### Article 54

The foster carer shall not be entitled to the payment for work if in respect of the particular child he receives parental compensation under regulations governing parental protection or parental allowance under regulations governing family benefits.

#### Article 55

A foster carer who is a foster child's relative shall not be entitled to the payment of work.

#### Article 56

- (1) Payment of social security contributions for the foster carer engaged in professional fostering shall be ensured in accordance with special regulations governing payment of social security contributions.
- (2) Social security contributions shall be paid on the basis of the minimum pension rating base increased by taxes and contributions, according to regulations governing pension and disability insurance.

#### Article 57

- (1) The right to foster care payment shall commence on the date on which the foster child is placed in the foster family; this date shall be specified in the foster care contract. For the calculation, a month shall be deemed to have 30 days.
- (2) The entitlement to payment of social security contributions for the foster carer engaged in professional fostering shall commence on the date on which he takes up professional fostering.

#### Article 58

- (1) The right to foster care payment shall cease on the date of termination of the foster care contract.

(2) Upon the cancellation of the foster care contract, the foster carer shall be entitled to payment for work until the expiry date of the notice period; the entitlement to foster care payment shall cease on the date on which the foster child no longer lives in the foster family.

(3) In cases of extended foster care contract referred to in Article 46 of this Act, the foster carer shall be entitled to the total amount of foster care payment.

#### Article 59

If the foster carer pursues professional fostering but does not adhere, through no fault of his, to the standard referred to in Article 24 of this Act, he shall be entitled to the payment of social security contributions for a period not exceeding six months.

#### Article 60

The Ministry shall make foster care payments for the current month by the 15 of the month at the latest.

#### Article 61

(1) Material costs and payment for work shall be adjusted to the consumer price index once a year. The adjustment shall be made in January and the cumulative rise in consumer prices in the previous year shall be taken into account. Adjustment shall be decided on by the Minister.

(2) Such adjustment shall apply from the first day of the month in which the adjustment is made.

(3) Adjusted amounts shall be rounded to the nearest tens.

(4) The Minister shall publish the adjusted amounts in the *Uradni list Republike Slovenije* (Official Gazette of the Republic of Slovenia).

### **X. AWARDS**

#### Article 62

(1) The Republic of Slovenia shall grant foster carers awards for sustained and successful pursuit of fostering.

(2) Upon the proposal submitted by the board for awards referred to in Article 3 of this Act, the Minister may grant up to three awards each year.

(3) Funds for awards shall be earmarked in the budget of the Republic of Slovenia.

#### Article 63

Detailed conditions for granting awards and the procedure for granting awards shall be laid down by the Minister.

## XI. RECORDS AND PROTECTION OF PERSONAL DATA

### Article 64

(1) For the purpose of providing, monitoring, planning and developing foster care and for the purpose of scientific research and statistics, the Ministry shall keep a central data collection.

(2) Social work centres shall keep data collections for the purpose of providing foster care in the territory of their competence.

### Article 65

(1) The Ministry and the social work centres shall keep records on:

- foster carers;
- foster families;
- concluded foster care contracts;
- foster children;
- birth families of foster children;
- foster care payments.

(2) In addition to records mentioned in the previous paragraph, the Ministry shall also keep records on:

- issued licences;
- withdrawn licences;
- foster carers pursuing professional fostering;
- payment of social security contributions.

### Article 66

(1) Data collected for the purpose of keeping records referred to in the previous Article of this Act shall be:

- name and surname;
- birth data (date and place of birth);
- single personal identification code (*EMŠO*);
- gender;
- data on citizenship;
- data on residence;
- information concerning schooling;
- health information;
- information regarding social situation;
- information on extended parental right;
- information on the education level attained;
- information on clean criminal record;
- employment information;
- tax number.

(2) The Ministry shall process data from the collection of data on provision of foster care in the same way as social work centres and establish, manage, administer, keep and supervise the central data collection on provision of foster care.

## Article 67

(1) Data concerning an individual and his family members shall be provided directly by the respective individual and gathered from the following official collections kept in the Republic of Slovenia by authorised bodies and organisations:

- The Ministry of the Interior – data on the number of family members and common household from the central registry of the population (name and surname, information on birth, single personal identification code, citizenship, residence);
- The Ministry of Education, Science and Sport and providers of education and schooling – data on enrolment in education institutions;
- The Ministry of Justice – personal data on perpetrators; data on sentences, safety measures (disqualifications), suspended sentences, judicial admonitions and judgements of acquittal of perpetrators in respect of which criminal records are kept and on their legal consequences; subsequent changes to sentences entered into criminal records; data on enforced punitive sanction and on erasure of unjustified judgement from the register.
- Pension and Disability Insurance Institute of Slovenia – data on insured persons covered by the pension and invalidity insurance;
- Health Insurance Institute of Slovenia – data on insured persons covered by the health insurance;
- health service providers – health information;
- Public Guarantee and Maintenance Fund of the Republic of Slovenia – data on paid maintenance compensation;
- social work centres – data on paid parental compensations;
- social services providers – data on placement in social welfare institution.

(2) Health data might be only gathered on the basis of a written consent from the person concerned, unless such data are used for the purpose of statistics or scientific research in a manner rendering the identification of individuals impossible.

(3) Personal data collection authorities referred to in the first paragraph shall provide information free of charge.

## Article 68

(1) The Ministry and the social work centres deciding on the rights from this Act may use the information submitted by the reporting authorities referred to in the previous Article only for the purposes of the decision-making procedure under this Act.

(2) The Ministry or the social work centres may supply data to other users only if they have legal authorisation to use them or on the basis of a written request or permission by the person concerned.

## Article 69

(1) Data from the records referred to in Article 65 of this Act shall be kept for five years after the foster carer has ceased to pursue fostering, with the exception of data referred to in the third and fourth indent of the second paragraph of Article 65 of this Act, which shall be kept until the foster carer exercises his right arising under the pension and invalidity insurance.

(2) On expiry of the time limit referred to in the previous paragraph, the data shall be archived.

## **XII. PENALTY PROVISION**

### Article 70

A fine of SIT 150,000 shall be imposed upon a person pursuing foster care without a licence.

## **XIII. TRANSITIONAL AND FINAL PROVISIONS**

### Article 71

(1) A foster carer who is already pursuing or has started to pursue foster care activity in the year prior to entry into force of this Act may continue to pursue this activity, even if he does not meet the requirements referred to in Article 5 of this Act.

(2) The foster carer's centre shall communicate data on foster carers referred to in the previous paragraph to the Ministry for the entry into the records of issued licences.

(3) The Ministry shall issue a licence to the foster carer and enter it into the records of issued licences within six months following the date of receipt of respective application.

### Article 72

(1) The Ministry shall enter into the register those foster carers who prior to the entry into force of this Act already pursued professional fostering as a sole occupation, provided they meet the standards referred to in Article 24 of this Act.

(2) Six months after the entry into force of this Act, the board for setting lower standard and higher payment for work shall verify whether standards referred to in the previous paragraph are met.

### Article 73

Until the foster carers who already pursue foster care as a sole occupation are entered into the register, the social security contributions shall be paid in accordance with regulations applicable prior to the entry into force of this Act.

### Article 74

(1) The board for setting lower standard and higher payment for work shall, no later than one year after the entry into force of this Act, examine the proposals to increase payment for work referred to in the second paragraph of Article 53 of this Act for foster carers who already pursue foster care under regulations applicable prior to the entry into force of this Act.

(2) The foster carer shall be entitled to the increased payment for work from the date of entry into force of this Act.

### Article 75

The Minister shall issue implementing regulations under Articles 3, 12, 17, 22, 28, 52, 53 and 63 of this Act in three months after the entry into force of this Act.

#### Article 76

On the date of the entry into force of this Act, second, third and fourth paragraphs of Articles 160, 162, 163, 164, 165, 166, 168, 169, second paragraph of Articles 170, 171, 172, 173 and 174 of the Marriage and Family Relations Act (*Uradni list SRS*, No. 14/89 – consolidated text, *Uradni list RS*, No. 64/2001) and the last indent of Article 98 of the Social Assistance Act (*Uradni list RS*, No. 54/92, 42/94 - Decision of the Constitutional Court 1/99, 41/99, 36/2000, 54/2000 in 26/2001) shall cease to apply.

#### Article 77

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

Number: 542-02/02-1/2  
Ljubljana, 27 November 2002.

President of  
the National Assembly of  
the Republic of Slovenia  
Borut Pahor