

(a) Decree promulgating the Act Amending the Maritime Code (PZ-C)¹

I hereby promulgate the Act Amending the Maritime Code (PZ-C) adopted by the National Assembly of the Republic of Slovenia at its session on 26 April 2006.

No. 001-22-69/06
Ljubljana, 4 May 2006

Dr Janez Drnovšek /s/
President of the
Republic of Slovenia

(b) Act amending the Maritime Code (PZ-C)

Article 1

In point 5 of Article 3 of the Maritime Code (Official Gazette of the Republic of Slovenia, No. 37/02 - official consolidated text) the word "ship" shall be replaced by the word "vessel". Point 20 shall be followed by points 21, 22, 23, 24, 25, 26 and 27, which read as follows:

"21. A yacht shall be a ship used for non-economic purposes such as pleasure, sports or recreation;

22. A ship on lay up shall be a merchant ship that has not been used for commercial activities for over 30 days due to economic reasons or due to its unseaworthiness;

23. Oil shall be any stable oil, particularly crude oil, heavy diesel oil and lubricating oil, regardless of whether it is carried on the ship as cargo or as engine fuel;

24. A ship length is its biggest length not measuring its fixture;

25. An aquatorium shall be the port water area;

26. A ro-ro shall be a vessel with a special parking lot for vehicles;

27. A fast passenger vessel shall be a vessel with special technical characteristics due to which high speeds are reached."

A second, third and fourth paragraphs shall be added, which read as follows:

"The provisions of this Act that apply to public ships shall also apply to boats used on administrative business.

The provisions of this Act that apply to ships shall also apply to boats if so provided in the international conventions and European Union legislation.

This Act shall transpose provisions of the following European Union directives into the Slovenian legislation:

– Council Directive 94/57/EC of 22 November 1994 on common rules and standards of ship inspection and survey organisations and for the relevant activities of maritime administrations, with amendments;

¹ Original: Slovenian. English translation of the Amendments to the Slovene Maritime code of 2001, transmitted through note verbale dated 16 March 2007 from the Permanent Mission of Slovenia to the United Nations addressed to the Secretary-General of the United Nations. The text of the Maritime Code of 2001 was transmitted through notes verbales dated 24 and 27 February 2006 from the Permanent Mission of Slovenia to the United Nations addressed to the Secretary-General of the United Nations. Parts I to IV of the Maritime Code were published in *Law of the Sea Bulletin* 60, Parts V to VII were published in *Bulletin* 61, and Parts VIII to XI were published in *Bulletin* 62.

- Council Directive 95/21/EC of 19 June 1995 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of the international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control), with amendments;
- Council Directive 96/98/EC of 20 December 1996 on Marine Equipment, with amendments;
- Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for fishing vessels of 24 metres in length and over, with amendments;
- Council Directive 98/18/EC of 17 March 1998 on safety rules and standards for passenger ships, with amendments;
- Council Directive 98/41/EC of 18 June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community, with amendments;
- Council Directive 1999/35/EC of 29 April 1999 on a system of mandatory surveys for the safe operation of regular ro-ro ferry and high-speed passenger craft services, with amendments;
- Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers;
- Directive 2002/6/EC of the European Parliament and of the Council of 18 February 2002 on reporting formalities for ships arriving in and/or departing from ports of the Member States of the Community, with amendments;
- Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC, with amendments;
- Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability requirements for ro-ro passenger ships, with amendments; and
- Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements."

Article 2

In Article 5 numbers "13° 39'" shall be replaced by numbers "13° 40'" and numbers "45° 35.4'" by numbers "45° 35'".

Article 3

In Article 16, a third paragraph shall be added, which reads as follows:

"A ship that does not request a lay up permit or respect the conditions set by the Government must, at the request and under conditions of the Maritime Directorate of the Republic of Slovenia, leave the internal waters and territorial sea of the Republic of Slovenia. Should it fail to do so, the Government may sell the ship in a public auction or in another more suitable manner and, after the deduction for sales costs has been made, deposit the purchase price for the account of the shipowner with the competent court."

Article 4

In Article 26, the text "and keeping a register of documents issued" shall be added at the end of the thirteenth indent.

A second, third and fourth paragraphs shall be added, which read as follows:

"Registers from the ninth and thirteenth indents of the preceding paragraph, except for the register of seamen's books, shall encompass the following data: personal name, date and place of birth, citizenship, permanent or temporary residence, number and date of application, date of examination, scores and grades achieved in examinations, date of issue and serial number of the document. The register of seamen's books issued shall comprise the following data: personal name, date and place of birth, citizenship, gender, height, hair and eye colour, permanent or temporary residence, date of issue and serial number of the document.

The registers from the preceding paragraph shall be stored permanently, except for the data from the register of seamen's books, which are stored for five years after the expiry of the book. When making statistical analyses, personal data may be used and published in a manner that does not uncover personal identity.

In exercising the responsibilities under the first paragraph of this Article, the Maritime Directorate of the Republic of Slovenia has the right to access the Central Register of Population and databases managed by the public sector to obtain the following data: personal name, personal registration number, place of birth, citizenship, residence, employment, school education and driving licence."

Article 5

The third paragraph of Article 32 shall be amended to read as follows:

"Port infrastructure without the aquatorium shall be the property of the Republic of Slovenia or of the local community or private-law entities. The Republic of Slovenia or local community shall transfer the administration, management and development of the port infrastructure under the preceding paragraph to a port operator by granting a concession."

Article 6

In the second paragraph of Article 39, the text "or for special purposes" shall be added after the word "traffic".

Article 7

In Article 41, the text "as well as port protection" shall be added after the word "waters".

Article 8

In the first paragraph of Article 50, the text "or other suitable unit of quantity" shall be added after the word "tonne".

Article 9

In Article 56, a sentence shall be added at the end of the second paragraph, which reads as follows: "The minister shall give consent to fees, which by their scope, type and amount facilitate uninterrupted performance of commercial public services under Article 43 of this Act."

Article 10

In the third paragraph of Article 57, the text "at least" shall be added after "have completed" and the text ", or officers, who are qualified to take charge of engineering watch on ships powered by main propulsion machinery of 750 kW propulsion power or more" shall be added after "or more".

Article 11

In the second paragraph of Article 63, the text "or 0.24 milligrams or more alcohol per litre of exhaled air" shall be added after the words "kilogram of blood". A new sentence shall be added at the end of the paragraph, which reads as follows: "If results of the test carried out using equipment for the determination of alcohol content indicate the concentration of alcohol within the permitted levels and the person operating the boat displays signs of behavioural disorder which could entail unreliable boat operation or endanger the safety of navigation, the port inspector shall order an expert examination."

In the fifth paragraph, the text "or an expert examination" shall be deleted after the word "equipment". A new sentence shall be added after the second sentence, which reads as follows:

"If due to the state of health or any other related objective reason, the person cannot take the test or does not carry it out in accordance with the instructions of the equipment manufacturer, the port inspector shall order an expert examination."

In the second sentence of the sixth paragraph, the text "a concentration of alcohol in the body higher" shall be replaced by the text "more alcohol per kilogram of blood or more milligrams of alcohol per litre of exhaled air in their body". The eighth paragraph shall be deleted.

Article 12

The first paragraph of Article 65 shall be amended to read as follows:

"A ship coming from abroad and bound for a port in the Republic of Slovenia must report its arrival to the Maritime Directorate of the Republic of Slovenia, communicate ship data and present, upon arrival, a general declaration, crew list, health declaration and passenger list."

The fourth paragraph shall be amended to read as follows:

"A register of the number of persons embarked must be kept on a passenger ship sailing out from a port in the Republic of Slovenia and bound for a destination abroad or coming from abroad and bound for a port in the Republic of Slovenia. If the port of destination lies more than 20 nautical miles away, data on names, age and gender of persons embarked must be collected. The method of data collection and storage and the circumstances in which exceptions apply shall be determined by the minister in line with the EU legislation. The shipowner must store the collected data for as long as necessary to ensure that they are available to the competent authorities when required for searching or rescuing people at sea."

In the fifth paragraph the text "or sailing out from a port in the Republic of Slovenia" shall be added after the word "port".

A sixth paragraph shall be added, which reads as follows:

"A ship entering a port in the Republic of Slovenia must be equipped with an automatic identification of ships (AIS) and voyage data recorder (VDR) systems in a way determined by the minister.

Article 13

Article 66.a shall be added after Article 66, which reads as follows:

"Article 66.a

Special types of passenger ships in international liner shipping may enter ports in the Republic of Slovenia if the ship and the shipowner fulfil special safety conditions determined by the minister with regard to the area of navigation, ship type and purpose of navigation."

Article 14

In Article 69, the words "pollute the sea" shall be replaced by the words "pollute the environment".

Article 15

In the first paragraph of Article 71, the word "company" shall be replaced by the text "legal or natural person".

Article 16

The text of Article 76 shall be amended to read as follows:

"Waste, substances or objects which could impede or jeopardize the security of navigation or pollute the environment, must not be discharged, disposed of or thrown from the vessel into the sea.

The prohibition from the preceding paragraph shall also apply in the parts of the sea not having the status of internal waters or territorial sea of the Republic of Slovenia."

Article 17

Article 81 shall be amended to read as follows:

"For reasons of safety of navigation, the Maritime Directorate of the Republic of Slovenia shall decree compulsory pilotage for certain types and sizes of ships, or for the type and nature of the goods carried, or for specific areas of navigation and weather conditions.

Pilotage shall not be compulsory for ships used for administrative purposes and for Slovenian military vessels.

Pilotage shall not be compulsory for ships under 500 tonnes (gross) and for ships, determined on a case-by-case basis by the Maritime Directorate of the Republic of Slovenia considering their type and shipmaster's experience."

Article 18

In Article 88, a new, second paragraph shall be added, which reads as follows:

"The conditions and method of mandatory towage operation shall be determined by the minister."

Article 19

In point 1 of the first paragraph of Article 91, the text "referred to in Article 92 of this Act, technical requirements for maritime equipment determined by the minister" shall be added after the words "classification society".

Article 20

In the first paragraph of Article 92, the text "classification societies that are full members of the International Association of Classification Societies (IACS)" shall be replaced by the text "authorised classification societies (hereinafter: classification societies)".

At the end of the second paragraph of Article 92, the text "from among the classification societies recognised in the European Union" shall be added after "selection".

Article 21

In Article 93, a new point 4 shall be added, which reads as follows:

"4. other inspections provided for by the international conventions binding on the Republic of Slovenia and inspections determined by the minister with regard to the type and purpose of the ship."

Article 22

In point 1 of Article 95, the text "which is a member of the International Association of Classification Societies" shall be replaced by the text "referred to in Article 92 of this Act".

Article 23

In Article 105 a new, fourth paragraph shall be added, which reads as follows:

"The shipmaster and port operator must conduct ship loading and unloading in such a manner as to guarantee its navigational characteristics without overloading the ship."

Article 24

Article 115 shall be amended to read as follows:

"Ships' documents and books must be provided in Slovenian. Ships' documents and books required for ships in international navigation must also be provided in English."

Article 25

In the first paragraph of Article 118 the text "merchant or public" shall be deleted.

Article 26

Article 119.a shall be added after Article 119, which reads as follows:

"Article 119.a

A ship purchased abroad for which certificate of registry has not yet been obtained, or a ship which is abroad and whose certificate of registry has been lost, shall be granted a provisional certificate of registry.

A ship which has not yet been entered in the Slovenian register of ships shall, with a provisional certificate of registry, acquire Slovenian nationality as well as the right and duty to fly the flag of the merchant marine of the Republic of Slovenia.

The provisional certificate of registry shall be valid until the ship has arrived in a Slovenian port but not longer than one year since its issue.

The provisional certificate of registry shall be issued by a diplomatic or consular representation of the Republic of Slovenia or the Maritime Directorate of the Republic of Slovenia."

Article 27

Article 121 shall be amended to read as follows:

"A ship which has been established as seaworthy must have, for reasons of navigational safety, work safety and environmental protection, not only the documents and books specified in the international conventions binding on the Republic of Slovenia but also documents and books determined by the minister in accordance with the European Union legislation.

A ship which has been established as seaworthy but documents and books from the preceding paragraph have not been determined for it must have the following documents and books in line with the technical standards of the classification society:

1. a seaworthiness certificate;
2. a load line certificate;
3. an oil pollution prevention certificate;
4. a certificate that the faultless functioning of the crane or lifting appliances used for work on the ship has been established, if the equipment's capacity is more than 1000 kg;

5. a refrigerated cargo certificate (refrigerated cargo transport ship);
6. a dangerous goods transport certificate (dangerous goods transport ship);
7. a stability book; and
8. a measurement certificate."

Article 28

Article 122 shall be deleted.

Article 29

Article 123 shall be deleted.

Article 30

Article 124 shall be deleted.

Article 31

Article 126 shall be deleted.

Article 32

Article 127 shall be deleted.

Article 33

Article 130 shall be deleted.

Article 34

Article 131 shall be deleted.

Article 35

Article 132 shall be deleted.

Article 36

Article 133 shall be deleted.

Article 37

Article 134 shall be deleted.

Article 38

Article 135 shall be deleted.

Article 39

Article 138 shall be deleted.

Article 40

Article 139 shall be amended to read as follows:

"Documents and books required for the ship shall be issued by the classification society. It must inform the Maritime Directorate of the Republic of Slovenia of the issued documents and books. Exemption certificate from the implementation of obligations under the provisions of international conventions binding on the Republic of Slovenia may only be issued upon prior consent by the Maritime Directorate of the Republic of Slovenia.

Classification society may not issue documents and books referred to in Article 121 of this Act or extend their validity if maritime equipment on the ship does not meet technical requirements.

The Maritime Directorate of the Republic of Slovenia shall issue a certificate on special stability requirements for ro-ro passenger ships and a minimum safe manning document."

Article 41

In Article 140, a third paragraph shall be added, which reads as follows:

"Regardless of the provision in the preceding paragraph, the provisions of Articles 143 and 144 of this Act shall apply to all boats."

Article 42

The first paragraph of Article 141 shall be amended to read as follows:

"The seaworthiness of boats of up to 12 metres in length shall be established by basic, regular or extraordinary inspection carried out by the Maritime Directorate of the Republic of Slovenia or by a classification society and of boats over 12 metres by a classification society. The Maritime Directorate of the Republic of Slovenia shall issue a navigation license for a boat on the basis of the record of a successfully passed inspection."

Article 43

The second paragraph of Article 145 shall be amended to read as follows:

"If a boat does not have papers attesting to its seaworthiness, it shall be prohibited from sailing by the maritime inspector or port inspector until seaworthiness has been established through inspection."

Article 44

At the end of Article 146, the full stop shall be replaced by a comma and the text "except for provisions under Article 149 of this Act, which apply to all floating objects." added.

Article 45

In the second paragraph of Article 147, the text "which is a full member of the International Association of Classification Societies" shall be deleted.

Article 46

In the second paragraph of Article 149, the full stop shall be replaced by a comma and the text "and for floating objects that are not determined in Article 218 of this Act by the Maritime Directorate of the Republic of Slovenia." added.

Article 47

In Article 151, the text "and the minimum safe manning document" shall be added at the end of the Article.

A second paragraph shall be added, which reads as follows:

"The minimum number of crew members required by the ship for safe navigation shall be determined by the minister."

Article 48

In the fourth paragraph of Article 157, the text "on the basis of the provisions of Article 63 hereunder" shall be added after the word "if"; the word "blood" shall be replaced by the word "organism"; and at the end of the text, the words "% alcohol" shall be deleted and replaced by the following text: "grams of alcohol per kilogram of blood or over 0.24 milligrams of alcohol per litre of exhaled air."

Article 49

The first paragraph of Article 183 shall be amended to read as follows:

"In carrying out the supervision by inspection of a ship referred to in point 1 of the first paragraph of the preceding Article, the maritime inspector shall check that a ship entering a port in the Republic of Slovenia has valid certificates and books and checks shipboard conditions including the engine room, accommodation of seafarers and hygiene, in a way determined by the minister in accordance with the European Union regulations."

The second paragraph shall be deleted.

The current third paragraph shall become the second paragraph.

Article 50

In the first paragraph of Article 185, the words "certificates and" shall be added after the words "provided in".

Article 51

In Article 201, the full stop shall be deleted after the words "register of ships" and the text "or issued with a temporary certificate of registration" added.

Article 52

In the first paragraph of Article 204, the full stop shall be deleted after the word "name" and the text "and call sign" added.

A new, second paragraph shall be added, which shall read as follows:

"A passenger ship of 100 tonnes (gross) and a ship of over 300 tonnes (gross) must have an IMO number."

In the second paragraph that shall become the third paragraph, the full stop shall be deleted after the word "name" and the text "and call sign" added.

The third paragraph that shall become the fourth paragraph shall be amended to read as follows:

"Decisions on the names of vessels shall be issued by the Maritime Directorate of the Republic of Slovenia and decisions on call signs by the Post and Electronic Communications Agency of the Republic of Slovenia." In the fourth paragraph that shall become the fifth paragraph, the text "and the floating object" shall be added after the word "boat".

Article 53

A seventh paragraph shall be added to Article 208, which reads as follows:

"A register may be kept as an electronic database."

Article 54

In the first paragraph of Article 209, a new, second indent shall be added, which reads as follows:

"– the section on yachts;"

Article 55

The text of Article 210 shall be amended to read as follows:

"The following may be entered in the register of ships:

1. a ship more than half-owned by citizens of the Republic of Slovenia or the European Union Member States or legal entities with a registered office in the Republic of Slovenia or the European Union Member States;

2. a ship more than half-owned by a foreign person, whose shipowner is mentioned in the preceding point, if the owner of the ship agrees with entry in the register of ships.

A nuclear ship may not be entered in the register of ships."

Article 56

Article 211 shall be deleted.

Article 57

Point 2 of Article 256 shall be deleted.

Article 58

In the first paragraph of Article 273, the word "sklep (decision)" shall be replaced by the word "odločba (decision)".

Article 59

In the first paragraph of Article 274, the word "only" shall be deleted and a new sentence added, which reads as follows: "If the application is sent through registered post or by cable, and the date when the document was submitted to the post office shall be considered as the date of receipt by the responsible authority."

Article 60

Article 275 shall be deleted.

Article 61

Article 281 shall be deleted.

Article 62

Article 284 shall be deleted.

Article 63

Article 285 shall be deleted.

Article 64

Article 289 shall be deleted.

Article 65

In point 1 of Article 291, number "215" shall be replaced by number "210".

Article 66

In the first paragraph of Article 297, point 7 shall be added which reads as follows:
"7. the data entered on sheet A."

The second paragraph shall be deleted.

The current third paragraph shall become the second paragraph.

Article 67

In the first paragraph of Article 312, the word "request" shall be replaced by the word "proposal", and the word "zavrnjena (rejected)" shall be replaced by the word "zavrnjen (rejected)".

Article 68

In the first paragraph of Article 314, point 4 shall be deleted and point 5 amended to read as follows:

"5. the certificate of seaworthiness of the ship;"

The fourth paragraph shall be deleted.

Article 69

In the first paragraph of Article 327, the word "sklepa"(decision) shall be replaced by the word "odločbe" (decision).

Article 70

The first paragraph of Article 341 shall be amended to read as follows:

"Notes on the order of precedence listed in Article 339 of this Act shall cease to be effective one year after permission has been granted."

Article 71

In the first paragraph of Article 342, number "327" shall be replaced by number "341", and the text "sklepa, s katerim"(decision, permitting) shall be replaced by the text "odločbe, s katero" (decision, permitting).

Article 72

In Article 343, the words "s predznambo (with a note)" shall be replaced by the words "z zaznambo (with a note)".

Article 73

In the first paragraph of Article 345, the text "a court's assigning a mortgage" shall be replaced by "authenticated waiver of the claim insured with mortgage insurance".

Article 74

In Article 348, a new, second paragraph shall be added, which reads as follows:

"The deadline to bring a suit under the preceding paragraph against non-bona fide direct acquirer is not limited."

Article 75

In the fifth paragraph of Article 370, the text "to the transfer of property on a ship by releasing the ship to the insurance company" shall be replaced by the text "if a ship is entered in another register".

Article 76

In Article 374, number "30" shall be replaced by number "15" and number "60" by number "30".

Article 77

The third paragraph of Article 375 shall be deleted.
The current fourth paragraph shall become the third paragraph.

Article 78

A second paragraph shall be added to Article 645, which shall read as follows:
"Unless otherwise specified in the contract, a ship shall be delivered without the crew."

Article 79

In Article 659, a new, second paragraph shall be added, which reads as follows:
"The agent of the vessel is a legal or a natural person registered for shipping agency transactions."

The current second paragraph that shall become the third paragraph shall be amended to read as follows:
"A shipping agency contract may be concluded on behalf of the agent by a person who passed the professional examination and who meets the requirements regarding work experience and education as determined by the minister. The method of passing the professional examination, the programme of the examination and the composition of the examination board shall be determined by the minister."

A new, fourth paragraph shall be added which reads as follows:

"The ministry shall keep a record of professional examinations passed, including personal name, date and place of birth, citizenship, gender, permanent or temporary residence, date of professional examination and date of issue and serial number of the certificate of professional examination."

The current third, fourth and fifth paragraphs shall become the fifth, sixth and seventh paragraphs.

Article 80

The text of Article 946 shall be amended to read as follows:
"The temporary stoppage of a ship shall be understood to mean the prohibition on its leaving a Slovenian port.

If reciprocity for carrying out such an act exists between the flag state of the foreign ship and the Republic of Slovenia, the court shall authorise the temporary stopping of a ship at the proposal of the creditor only for the claims referred to in the second and third paragraphs of Article 841 of this Act.

If there is no reciprocity between the flag state of the foreign ship and the Republic of Slovenia, the restriction under the preceding paragraph shall not apply."

Article 81

Article 947 shall be deleted.

Article 82

The opening sentence of the first paragraph of Article 976 shall be amended to read as follows:

"A legal person or a self-employed person shall be fined an amount between SIT 1,000,000 and SIT 20,000,000 for the following offences:"

New points 6 and 7 shall be added, which read as follows:

"6. if it does not set up the lights or other signalling devices marking permanent or temporary obstructions in a sea lane (first paragraph of Article 29);

7. if it discharges, disposes or throws from the vessel into the sea waste, substances or objects which could impede or jeopardize the security of navigation or pollute the environment (Article 76)."

The second paragraph shall be amended to read as follows:

"The responsible person of the legal person or a self-employed person who commits an offence mentioned in the preceding paragraph shall be fined an amount between SIT 150,000 and SIT 1,000,000."

The third paragraph shall be amended to read as follows:

"The individual responsible for the offence referred to in points 4, 5 or 7 of the first paragraph of this Article shall be fined an amount between SIT 100,000 and SIT 200,000."

Article 83

The opening sentence of the first paragraph of Article 977 shall be amended to read as follows:

"A legal person or a self-employed person shall be fined an amount between SIT 800,000 and SIT 10,000,000 for the following offences:".

Point 3 of the first paragraph shall be amended to read as follows:

"3. if it does not organise the operation of the port in such a way as to guarantee safe navigation, environmental protection and the protection of the environment and waters, and shall perform the activities necessary for the towage of ships and pilotage (Article 41);".

In the first paragraph, new points 4, 5 and 6 shall be added, which read as follows:

"4. if it does not allow all persons to make use, under the same conditions, of the port (first paragraph of Article 42);

5. if it does not guarantee that the port may be used as a navigation safety facility for the duration of the natural disaster (second paragraph of Article 42);

6. if the loading and unloading of a ship is carried out contrary to Article 105."

The second paragraph shall be amended to read as follows:

"The responsible person of the legal person or a self-employed person which commits an offence under the preceding paragraph shall be fined an amount between SIT 100,000 and SIT 500,000."

Article 84

The opening sentence of the first paragraph of Article 978 shall be amended to read as follows:

"A legal person or a self-employed person shall be fined an amount between SIT 500,000 and SIT 7,000,000,000 for the following offences:".

In point 2 of the first paragraph, the text "if a company performing" shall be replaced by the text "if a company in performing".

In point 8 of the first paragraph, the text in brackets shall be amended to read as follows: "Articles 118, 119.a, 120, 121, 125, 128, 129, 136, 137 and 151."

New points 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 shall be added to the first paragraph, which read as follows:

"16. if vessels which have a radio station have no organised watch service in accordance with the regulations governing radio traffic (third paragraph of Article 31);

17. if the port fees are not published, if consent regarding port fees is not obtained or if the fees are charged contrary to the consent (first and second paragraph of Article 56);

18. if no authorisation is obtained regarding conditions for the safety of navigation (first paragraph of Article 64);

19. if during the construction work, it fails to report regarding any changes in the outline of the shore or depth of the sea (second paragraph of Article 64);

20. if vessels and floating objects obstruct public traffic in the port (first paragraph of Article 74);

21. if vessels are without a permit, they shall be banned from navigation within the port area open to international transport (second paragraph of Article 74);

22. if aquatic events and other water-based activities take place without permission (third paragraph of Article 74);

23. if a vessel does not respect the conditions of compulsory pilotage and towage (Articles 81 and 88);

24. if following the inspection of building or conversion work, or following any inspection of the ship, the ship's hull, engines, devices and equipment are modified or converted without advance approval from the classification society (Article 99);

25. if a ship exceeds the specified limits of navigation, or sails contrary to certain conditions (Article 101);

26. if a ship which is not a passenger ship carries passengers or if a ship carries more than the specified number of passengers (Articles 102 and 104);

27. if a passenger ship disregards the provisions on collecting, storing and providing information on passengers on board (fourth paragraph of Article 65);

28. if a ship entering a port in the Republic of Slovenia is not equipped with an automatic identification of ships (AIS) and voyage data recorder (VDR) (sixth paragraph of Article 65);

29. if the owner or person in possession of a floating object has no permit for permanent mooring, anchorage or for laying the floating object on the seabed (first paragraph of Article 149)."

The second paragraph shall be amended to read as follows:

"The responsible person of the legal person or a self-employed person which commits an offence mentioned in the preceding paragraph shall be fined an amount between SIT 150,000 and SIT 400,000."

The third paragraph shall be amended to read as follows:

"An individual who commits an offence referred to in points 4, 5 or 8, 18, 19, 20, 21, 22 or 29 of the first paragraph of this Article shall be fined an amount between SIT 100,000 and SIT 200,000."

Article 85

In the first paragraph of Article 979, the words "se kaznuje z denarno kaznijo (fined)" shall be replaced by the words "se kaznuje z globo (fined)" and the text "on the spot" shall be deleted. In the second paragraph of Article 979, the words "denarna kazen (fine)" shall be replaced by the word "globa (fine)" and the text "on the spot" shall be deleted.

In point 2 of the second paragraph, a new point "g" shall be added, which reads as follows:

"g) if no preliminary approval has been obtained for the cleaning of ships with hazardous gases or pest control (Article 73)."

Article 86

In Article 980, the words "se kaznuje z denarno kaznijo (fined)" shall be replaced by the word "se kaznuje z globo (fined)" and the text "on the spot" shall be deleted.

Article 87

In the first paragraph of Article 981, the words "se kaznuje z denarno kaznijo (fined)" shall be replaced by the words "se kaznuje z globo (fined)" and the text "on the spot" shall be deleted.

In the second paragraph, the words "(se kaznuje z denarno kaznijo (fined))" shall be replaced by the words "se kaznuje z globo (fined)" and the text "on the spot" shall be deleted; the text of point 1 shall be amended to read as follows:

"1. if the loading and unloading of a ship is carried out contrary to Article 105;".

Article 88

In Article 982, the words "se kaznuje z denarno kaznijo (fined)" shall be replaced by the words "se kaznuje z globo (fined)" and the text "on the spot" shall be deleted.

Article 89

Article 983 shall be deleted.

Article 90

The opening sentence of the first paragraph of Article 984 shall be amended to read as follows:

"A legal entity or a self-employed person shall be fined SIT 500,000 for the following offences:".

In point 3 of the first paragraph, the word "register (register)" shall be replaced by the word "vpisnik (register)" and number "218" by number "217".

The second paragraph shall be deleted.

The current third paragraph that becomes the second paragraph shall be amended to read as follows:

"The responsible person of the legal person or a self-employed person who commits an offence mentioned in the preceding paragraph shall be fined SIT 100,000."

Article 91

In the opening sentence of Article 985, the words "denarna kazen (fine)" shall be replaced by the word "globa (fine)" and the text "on the spot" shall be deleted.

In point 3, the word "register (register)" shall be replaced by the word "vpisnik (register)", and number "218" by number "217".

A new point 4 shall be added, which reads as follows:

"4. if they navigate a boat without a navigation license (second paragraph of Article 141)."

Article 92

In Article 986, the words "denarna kazen (fine)" shall be replaced by the word "globa (fine)" and the text "on the spot" shall be deleted.

Article 93

In Article 987, the words "se kaznuje z denarno kaznijo (fined)" shall be replaced by the words "se kaznuje z globo (fined)", the text "on the spot" shall be deleted and number "5,000" shall be replaced by number "10,000".

Article 94

In the first paragraph of Article 988, number "800,000" shall be replaced by number "500,000", and the words "se kaznuje z denarno kaznijo (fined)" by the word "se kaznuje z globo (fined)"; the last sentence shall be deleted.

Article 95

In Article 989, the words "denarna kazen (fine)" shall be replaced by the word "globa (fine)", the text "on the spot" shall be deleted and number "5,000" shall be replaced by number "10,000".

In point 1, the words "on board the boat" shall be added after the words "do not have".

Point 3 shall be amended to read as follows:

"3. the boat does not have the prescribed marking (Article 204)."

Article 96

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

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EPA 735-IV

President of the
National Assembly of the
Republic of Slovenia
France Cukjati, /s/