

Act on Cooperation between the National Assembly and the Government in EU Affairs

Article 1

This Act shall regulate the relationship between the National Assembly and the Government in procedures for adopting legal acts and decisions in the European Union.

Article 2

For the purposes of this Act, legal acts and decisions in the European Union means the draft acts of legislative nature and draft decisions of political nature which are decided upon by the representatives of the governments of Member States in EU institutions or subject to intergovernmental cooperation within the European Union (hereinafter: EU affairs).

Article 3

(1) In EU affairs, the Government shall represent the Republic of Slovenia and enforce its positions in EU institutions.

(2) In relation to EU affairs, the Government shall be independent and accountable for carrying out its functions in accordance with the Constitution, the act regulating the position and functioning of the Government and this Act.

Article 4

(1) The National Assembly shall participate in the formulation of positions of the Republic of Slovenia in relation to those EU affairs that given their subject matter would come under its jurisdiction in accordance with the Constitution and laws.

(2) The National Assembly shall discuss the draft positions of the Republic of Slovenia or express its intent to discuss such within the time limits required by the work within EU institutions, or the draft shall be deemed the position of the Republic of Slovenia.

(3) At the proposal of the Government or at its own initiative the National Assembly may also discuss other EU affairs.

Article 5

(1) Prior to decision-making in EU institutions, the amendments to the treaties on the basis of which the Union is founded shall be discussed and the positions of the Republic of Slovenia thereon taken by the National Assembly.

(2) At least once a year the National Assembly shall hold a debate on the state of

affairs in the EU and on the position of the Republic of Slovenia therein on the basis of an introductory presentation given by the President of the Government. The National Assembly shall adopt the positions on the political guidelines for the activity of the Republic of Slovenia within the institutions of the European Union in the coming period.

Article 6

(1) Within the framework of National Assembly's positions referred to in the second paragraph of the preceding article, individual EU affairs referred to in the first paragraph of Article 4 of this Act shall be discussed and the positions of the Republic of Slovenia thereon taken by the working body competent for European affairs, while the affairs concerning foreign and security policy shall be discussed and the positions thereon taken by the working body competent for foreign policy.

(2) The working bodies referred to in the preceding paragraph shall discuss EU affairs on the basis of the opinions formulated within the time limits necessary for a timely decision-making by the working bodies to whose scope of work the subject matter of the issue discussed belongs.

Article 7

The working bodies referred to in the preceding article shall discuss and decide on EU affairs at meetings which are closed to the public. They shall inform the public of the decisions taken after the meeting.

Article 8

(1) The Government shall promptly inform the National Assembly about the EU affairs referred to in the first paragraph of Article 4 of this Act and report on the decisions taken and its actions in relation to such in EU institutions.

(2) The Government shall inform the National Assembly also of other documents that are relevant for the exercise of its constitutional powers and concern the political and programme aspects of the activity of the European Union.

Article 9

(1) The Government shall forward to the National Assembly the EU affairs referred to in the first paragraph of Article 4 of this Act together with the data regarding:

- the procedure for the adoption of the act in the EU,
- the basic solutions and objectives of the draft act,
- the expected date of the beginning of discussion and adoption of the regulation in the EU.

(2) The Government shall forward to the National Assembly the data referred to in the preceding paragraph, together with the draft positions of the Republic of Slovenia including an assessment of the impacts and implications of the draft EU affair for the Republic of Slovenia as soon as it has adopted such yet no later than within five weeks from receiving the EU affair.

(3) The assessment of the impacts and implications shall comprise in particular the following aspects:

- the necessity of amending the regulations,
- the implications for the budget,
- the impact on the economy,
- the impact on public administration,
- the impact on the environment.

(4) The Government may amend and supplement the subject matter of the assessment of the impacts and implications and of the draft positions of the Republic of Slovenia.

(5) For EU affairs referred to in the second paragraph of Article 4 and first paragraph of Article 5 of this Act which the Government forwards to the National Assembly, the preceding paragraphs apply *mutatis mutandis*.

Article 10

(1) The decisions on the draft positions of the Republic of Slovenia adopted by the competent working body referred to in the first paragraph of Article 6 of this Act shall be immediately forwarded to the Government which, within the scope of its powers, takes them into account in its activities in EU institutions.

(2) Should the Government in the process of enforcing the positions of the Republic of Slovenia referred to in the preceding paragraph assess, given the course of negotiations in EU institutions, that the enforcement or full enforcement thereof would not be possible or in favour of the Republic of Slovenia, it may decide otherwise. It shall immediately inform the National Assembly thereof and state the circumstances that have led to such decision.

Article 11

(1) At the request of one quarter of the deputies or at the request of the competent working body referred to in the first paragraph of Article 6 of this Act or on the basis of a decision taken by the Bureau of the President of the National Assembly, an EU affair referred to in the first paragraph of Article 4 of this Act shall be discussed and the positions of the Republic of Slovenia thereon taken by the National Assembly.

(2) The request from the preceding paragraph must contain the draft positions of the Republic of Slovenia on the EU affair and the reasons for discussion at a session of the National Assembly.

(3) The proposal to adopt the decision from the first paragraph of this article may be presented to the Bureau by a deputy group. Such proposal must be formulated in accordance with the preceding paragraph.

TRANSITIONAL AND FINAL PROVISIONS

Article 12

(1) Before 1 May 2004, the Government shall present, prior to participating in ministerial sessions of the EU Council, the positions of the Republic of Slovenia it intends to represent therein to the National Assembly.

(2) Prior to the beginning of operations of the working body competent for European affairs pursuant to this Act and the beginning of operations of the National Assembly's committee on foreign policy, in accordance with the duties modified pursuant to this Act, the Government shall present the positions from the preceding paragraph at a joint meeting of the Commission of the National Assembly of the Republic of Slovenia for European Affairs and the Slovenian Delegation to the Joint Parliamentary Committee, and those concerning the area of common foreign and security policy at a meeting of the Committee of the National Assembly of the Republic of Slovenia on Foreign Policy.

Article 13

By 1 May 2004 the National Assembly shall hold a debate and adopt the positions on the political guidelines for the beginning of activity of the Republic of Slovenia in EU institutions.

Article 14

After 1 May 2004, with regard to the procedures for the discussion of individual EU affairs that have been initiated in the EU Council prior to the accession of the Republic of Slovenia to the European Union, the Government shall inform the National Assembly of the appropriate application of this Act so as to allow the working bodies pursuant to this Act and the National Assembly to take positions before the vote of the representatives of the Government in the EU Council at ministerial level.

Article 15

By 1 May 2004, the Government shall set up an information system for EU affairs. Such system shall be publicly accessible in accordance with the law regulating the data of public nature. The Government shall adopt a decree to determine the manner of operation and accessibility of such system.

Article 16

This Act shall enter into force fifteen days upon its publication in the Official Gazette of the Republic of Slovenia, while Articles 1-11 shall begin to apply on 1 May 2004.