

Official Gazette of the Republic of Slovenia 14/2007 of 16 January 2007

601. Act Amending the Criminal Procedure Act (ZKP-H), page 1544.

Based on the second indent of the first paragraph of Article 107 and the first paragraph of Article 91 of the Constitution of the Republic of Slovenia I pass

ORDER

of promulgation of the Act Amending the Criminal Procedure Act (ZKP-H)
I hereby promulgate the Act Amending the Criminal Procedure Act (ZKP-H) adopted by the National Assembly of the Republic of Slovenia at the session on 1 February 2007.

No: 001-22-7/07

Done at Ljubljana, 9 February 2007

Dr Janez Drnovšek

President

of the Republic of Slovenia

ACT
AMENDING THE CRIMINAL PROCEDURE ACT (ZKP-H)

Article 1

Indent 10 of Article 144 of the Criminal Procedure Act (Uradni list RS, št. 8/06 – official consolidated text) shall be amended as follows:

»- the police may mean, *mutatis mutandis*, the police station; another police unit or unit of another state authority whose employees are vested with powers of police in pre-trial procedure in compliance with this Act.«

Article 2

Article 158 shall be followed by a new Article 158a reading as follows:

“Article 158a

“If grounds are given for the suspicion that the criminal act prosecuted *ex officio* was committed by an official employed with the police or some other official employed in the internal affairs, in a competent body of the Ministry responsible for defense appointed by the statute and vested with police powers in the pre-trial procedure, or an official seconded to mission abroad, the policemen in a specialised division of the Group of state prosecutors for the prosecution of organized crime (hereinafter referred to as the policemen of the specialised division) shall be vested with police powers in pre-trial procedure as determined by this Act.)

(2) The policemen of the specialised division shall be obliged to immediately inform the competent state prosecutor from the specialised division of the Group of State Prosecutors for the prosecution of organized crime about the grounds for suspicion that a criminal act as referred to in the preceding paragraph was committed, and shall be obliged to inform him regularly on the planning and course of the pre-trial procedure.

(3) The state prosecutor as referred to in the preceding paragraph shall direct and supervise the pre-trial procedure as referred to in the preceding paragraphs and shall decide on its course and conclusion. He shall have the right to inspect the files, participate in the collection of proofs and carry out particular acts of the procedure directly. The assigned policemen shall be obliged to act according to the directions given by the state prosecutor.

(4) Under the conditions stipulated by this Act, the policemen of the specialised division may deprive of liberty a person from the first paragraph of this Article caught in a criminal act committed in the police, Slovenian Armed Forces or mission abroad.

(5) The policemen of the specialised division shall immediately inform the competent state prosecutor as referred to in the second paragraph of this Article, on the deprivation of liberty as referred to in the preceding paragraph and shall immediately take the person deprived of liberty to the investigating judge.”.

TRANSITIONAL AND FINAL PROVISION

Article 3

Within two months after the enactment of this Act, the Government of the Republic of Slovenia shall duly adjust the regulation as referred to in the second paragraph of Article 160a hereof.

Article 4

This Act shall enter into force on the thirtieth day after its publication in *Uradni list Republike Slovenije* and shall begin to apply on the sixtieth day after its entering into force.

No: 713-01/93-10/115
Done at Ljubljana, 1 February 2007
EPA 1236-IV

President
of the National Assembly
of the Republic of Slovenia
France Cukjati, MD, m.p.