

DECREE
on the manner, time-periods and conditions for the allocation of
import quotas

Article 1

This decree regulates the manner, time-periods and conditions for the allocation of quotas.

Article 2

Of the volume of quotas determined by the Government of the Republic of Slovenia, the volume allocated to the Chamber of Small Businesses is determined according to the contribution to the GDP of the small business users of the goods under quota.

The remaining quotas are allocated to companies and other legal persons which are users of the goods (hereinafter companies) within the associations of the Chamber of Commerce of Slovenia (hereinafter associations).

Article 3

Quotas are allocated within 30 days of the enactment of the decree on the volume of quotas.

If the quotas have not been allocated within the above time-period, the administrative body responsible for foreign economic relations shall allocate them to individual companies. The decision may be contested before a court of law, where the court action shall not delay the execution.

Article 4

The quotas are allocated by associations containing a majority of users.

A reserve of 10% of the quotas is designated for the needs of newly founded companies, the purchase of exhibition articles at fairs, import based on leasing, etc.

Article 5

In allocating the quotas the associations take into consideration the structure and dynamics of the import and other conditions which they themselves determine.

For commodities, low-cost goods and seasonal goods, the dynamics of import do not need to be determined.

The allocation of quotas may be implemented successively throughout the year on the basis of applications for the goods in question.

Article 6

In allocating quotas, the associations take into consideration the following criteria:

- the needs of export production,
- the needs of accepted obligations pursuant to the Law on Foreign Trade,
- the needs of production (services) with which higher forms of international cooperation are developed,
- the needs of production for restructuring to new products and programmes,
- the capacity (production, sales) of individual users and the needs for preventing market monopolies.

Article 7

In its application for a quota, a company must include information determined by individual associations in their published information from Article 11 of this Decree.

Article 8

Associations decide on the allocation of quotas by decision, which they submit to the Division for Foreign Economic Relations at the Chamber of Commerce of Slovenia within eight days of the adoption of the decision on allocation of quotas.

On the basis of the resolution from the preceding paragraph, the Division for Foreign Economic Relations at the Chamber of Commerce of Slovenia shall issue a certificate for the allocated quota and deliver it to the applicant.

The Division for Foreign Economic Relations at the Chamber of Commerce of Slovenia shall send within eight days of receiving the decision on the allocation of the quotas, a report on the allocation of quotas to the Ministry of Economic Relations and Development.

Article 9

In general, the certificate for the allocated quota is issued for three months. If agreed otherwise in the allocation of quotas, the user shall submit a report on the use of the quota every three months.

The user of a quota may not transfer the allocated quota to another person.

The certificate for the allocated quota must include the following information:

- legal basis (quoting the relevant regulation in the Official Gazette of the Republic of Slovenia),
- name and full registered address of the user,
- nine-digit customs tariff code,
- trade name of the goods,
- country of origin of the goods,
- quantity, expressed in units of measure,
- duration of the validity of the certificate.

In the import procedures the importer shall present the certificate for the allocated quota to the customs office at which the procedures are executed.

Article 10

If the quota was not used within the prescribed time, the user of the quota shall inform the relevant association thereof within thirty days of the expiry of the certificate.

A user of a quota who does not act in accordance with the provision from the first paragraph of this Article may not participate in the subsequent tender for the allocation of quotas.

Article 11

The associations shall inform the interested parties of the allocation of quotas and time-periods for applications through *Gospodarski Vestnik* no later than 21 days before the allocation of quotas in the associations.

Small businesses are to be informed of the allocation of quotas through the Chamber of Small Businesses in the magazine *Obrtnik*.

Article 12

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