



## Doing Business Slovenia: 2012

### Country Commercial Guide for U.S. Companies

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## Chapter 1: Doing Business in the European Union

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### Market Overview

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- Strategically located at the “gateway” to the Western Balkans, Slovenia was considered a star performer after attaining independence in 1991. This small transition economy with a population of only two million registered dramatic gains in per capita and aggregate wealth, established a stable and well-functioning democracy, and raised the standard of living for Slovenians to a level on par with Western European economies. Belying its size, Slovenia has used its savvy, determination and unique geography to its advantage, becoming a significant and respected regional and international player. Slovenia joined the European Union in May 2004, the euro zone in January 2007, held the EU Presidency during the first half of 2008 and joined the Organization for Economic Cooperation and Development Europe (OECD) in 2010.
- Today, Slovenia is one the best economic performers in central and eastern Europe, with a GDP per capita in 2010 of 17,286 € equivalent in PPS 20,700 (Purchasing Power Standard). Slovenia's economy is highly dependent on foreign trade. About two-thirds of Slovenia's trade is with the EU, focused primarily on the German and Austrian markets. Additionally, the country has successfully penetrated markets to the south and east, including the former Soviet Union region. Trade with the U.S. comprises only 1.5 percent of Slovenia's overall trade.
- Slovenia enjoyed healthy growth figures, averaging 5 percent annual GDP growth between 2004 and 2008. Mirroring developments in other countries during the global economic crisis, the GDP contracted in 2008 and 2009. Led by recovering exports, the Slovenia economy started to slowly rebound in the second half of 2010, but in the second half of 2011 entered back into recession with negative .2 percent growth. The outlook for 2012 is continued slight contraction with all domestic indicators looking negative. The crisis has exposed some of Slovenia's underlying structural problems especially in the financial services sector. Key reforms, such as greater privatization, more openness to foreign investment, increased transparency in public procurement, and business and investor-friendly changes to Slovenia's labor and taxation code would support greater competitiveness in the economy and increase opportunities for investment.
- Slovenia held snap elections in December 2011 and formed a new government in February 2012. The out-going center-left Slovenian Government (GoS) was unable to implement planned economic reforms or privatization. The new right-leaning government has passed a supplemental budget and austerity measures to shave

800 million EUR from the previous budget. The government has also already proposed reforms to public administration, taxation and permitting.

### **Market Challenges**

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- Slovenia has a small domestic market of 2 million people.
- Slovenia has been slow to privatize, has an opaque and bureaucratic public procurement system, and is relatively unfriendly to foreign direct investment.
- Slovenia has a highly skilled, but rigid workforce due to the labor laws and stationary character of the population.
- High level of social contributions and personal income taxes coupled with a lack of predictability.
- Judicial backlog preventing cases from being resolved in a timely manner

### **Market Opportunities**

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- Transparent, stable, rule of law based democracy and market economy.
- Excellent and fully modernized communication and transportation infrastructure with a major port on the Adriatic Sea.
- A highly educated work force and innovative technology firms.
- Geostrategic position that gives Slovenia access to the European Union as well as Central and Southeastern European markets.
- The major growth industries in Slovenia are the high-tech sector, especially information and communication technology (ICT), energy, financial services, and logistics/transport. Unfortunately, given the government's focus on fiscal austerity, no major infrastructure projects are planned for 2012. The State will receive some EU money for roads and rail projects.

### **Market Entry Strategy**

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Slovenia is a small country where personal relationships are valued. Thus, local representation and/or establishing a permanent presence in country have proved to be valuable strategies for entering the market. Additionally, corporate social responsibility is starting to gain currency in Slovenia and is an avenue by which firms can show that they are serious about the market.

Investments, especially Greenfield investments, which create jobs or transfer technology, are looked upon favorably by the government. Investors should be able to obtain incentives for these types of investments.

More information on doing business in Slovenia is available at the U.S. Embassy in Slovenia's website, <http://slovenia.usembassy.gov/business.html> and [www.buyusa.gov/slovenia/en](http://www.buyusa.gov/slovenia/en). U.S. exporters and investors seeking general export information/assistance and country-specific commercial information should contact the U.S. Department of Commerce, Trade Information Center by phone at 1-800-USA-TRAD or by fax at (202) 482-4473.

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## **Chapter 2: Political and Economic Environment**

For background information on the political and economic environment of the country, please click on the link below to the U.S. Department of State Background Notes.

<http://www.state.gov/r/pa/ei/bgn/3407.htm>

Also, please click on the list below to the Central Intelligence Agency's World FactBook on Slovenia.

<https://www.cia.gov/cia/publications/factbook/>

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## Chapter 3: Selling U.S. Products and Services

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### Using an Agent or Distributor

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The use of a carefully selected local agent or distributor can be cheaper and more efficient than direct sales by a U.S. exporter unfamiliar with the Slovene market. Reliable and capable partners can be found, but care should be exercised. The U.S. Embassy in Slovenia can assist companies in screening potential Slovene partners. More information on how the U.S. Embassy can help you identify potential business partners can be found at <http://www.buyusa.gov/slovenia/en/>.

Due to a general lack of financial discipline, late payment to suppliers is a common problem in Slovenia. Therefore, U.S. firms are advised to obtain a confirmed irrevocable letter of credit as the basis for conducting business with a new local partner. Dunn & Bradstreet's agent in Slovenia "I d.o.o." (<http://www.idoo.si>, email: [imojstri@idoo.si](mailto:imojstri@idoo.si), phone: +386-1-234-2940; fax: +386-1-234-2958) or the Slovenian Chamber of Commerce and Industry (email: [information@gzs.si](mailto:information@gzs.si), phone: +386-1-5898-000; fax: +386-1-5898-100, attn: INFOLINK Office) may be helpful in determining the creditworthiness of a potential local partner.

The following are some well-known American companies with local agent/distributor or representative offices: Goodyear, Merck, Sharp & Dohme, Coca-Cola Amatil, UPS, IBM, Nike, DHL, Philip Morris, Oracle, Hewlett Packard, 3M, Microsoft, Air Routing International, Pfizer, Wrigley, Deloitte & Touche, Cisco, Chrysler, Ernst & Young, Johnson & Johnson, Masterfoods, Pharmacia & Upjohn, Proctor & Gamble, Schering Plough, and Eli Lilly.

In Slovenia, foreigners may establish any legal organizational form described in the Companies Act (limited-liability companies, joint-stock companies, limited partnerships with share capital, limited partnerships, general partnerships, and silent partnerships). Foreigners may be exclusive or part owners of companies.

All companies acquire the status of a legal person upon their entry into the court register. Prior to entry into the court register, a number of formalities must be performed. It is therefore beneficial to consult a lawyer as early as possible to avoid difficulties that may arise during the process of establishing a company (from adopting the memorandum and articles of association to their certification by a notary public and entry into the court register).

Foreign companies have the same rights, obligations, and responsibilities as domestic companies conducting business in Slovenia. When a company is entered into the court registry, it becomes a Slovenian legal entity, regardless of the origin of capital. The principles of commercial enterprise, free operation, and national treatment apply to the operations of foreign as well as domestic companies. Basic rights are guaranteed by the Companies Act and the Law on Foreign Transactions:

- the right to manage or participate in the management of companies in proportion to invested funds
- the right to transfer contractual rights and obligations to other foreign and domestic natural and legal persons
- the right to participate in profits in proportion to invested funds; the right to free transfer and reinvestment of profits
- the right to recover investments in companies and their share in net assets after the dissolution of companies.

Restrictions are, however, placed on foreign investments in certain sectors of national strategic or other special significance. For example: foreigners cannot establish their own companies in the manufacture or sale of arms or military equipment.

For certain activities, such as road transport, catering, and other professions, a certification is required.

More detailed information on the types of legal entities, as well as on how to establish a company, can be found at <http://www.investslovenia.org/>.

Companies wishing to use distribution, franchising and agency arrangements need to ensure that the agreements they put into place are in accordance with EU and member state national laws. Council Directive 86/653/EEC establishes certain minimum standards of protection for self-employed commercial agents who sell or purchase goods on behalf of their principals. In essence, the Directive establishes the rights and obligations of the principal and its agents; the agent's remuneration; and the conclusion and termination of an agency contract, including the notice to be given and indemnity or compensation to be paid to the agent. U.S. companies should be particularly aware that the Directive states that parties may not derogate certain requirements. Accordingly, the inclusion of a clause specifying an alternate body of law to be applied in the event of a dispute will likely be ruled invalid by European courts.

Key Link:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31986L0653:EN:HTML>

The European Commission's Directorate General for Competition enforces legislation concerned with the effects on competition in the internal market of "vertical agreements." U.S. small- and medium-sized companies (SMEs) are exempt from these regulations because their agreements likely would qualify as "agreements of minor importance," meaning they are considered incapable of affecting competition at the EU level but useful for cooperation between SMEs. Generally speaking, companies with fewer than 250 employees and an annual turnover of less than €50 million are considered small- and medium-sized undertakings. The EU has additionally indicated that agreements that affect less than 10 percent of a particular market are generally exempted as well (Commission Notice 2001/C 368/07).

Key Link:

[http://eurlex.europa.eu/LexUriServ/site/en/oj/2001/c\\_368/c\\_36820011222en00130015.pdf](http://eurlex.europa.eu/LexUriServ/site/en/oj/2001/c_368/c_36820011222en00130015.pdf)

The EU also looks to combat payment delays with Directive 2000/35/EC which was reviewed in 2010. The new directive, which replaces the existing one in March 2013, covers all commercial transactions within the EU, whether in the public or private sector, primarily dealing with the consequences of late payment. Transactions with consumers, however, do not fall within the scope of this Directive. In sum, the new Directive 2011/7/EU entitles a seller who does not receive payment for goods and/or services within 30 days of the payment deadline to collect interest (at a rate of 8 percent above the European Central Bank rate) as well as 40 Euro as compensation for recovery of costs. For business-to-business transactions a 60 day period may be negotiated subject to conditions. The seller may also retain the title to goods until payment is completed and may claim full compensation for all recovery costs.

Key Link:

[http://ec.europa.eu/enterprise/policies/single-market-goods/files/late\\_payments/doc/directive\\_2011\\_7\\_en.pdf](http://ec.europa.eu/enterprise/policies/single-market-goods/files/late_payments/doc/directive_2011_7_en.pdf)

Companies' agents and distributors can take advantage of the European Ombudsman when victim of inefficient management by an EU institution or body. Complaints can be made to the European Ombudsman only by businesses and other bodies with registered offices in the EU. The Ombudsman can act upon these complaints by investigating cases in which EU institutions fail to act in accordance with the law, fail to respect the principles of good administration, or violate fundamental rights. In addition, SOLVIT, a network of national centers, offers online assistance to citizens and businesses who encounter problems with transactions within the borders of the single market.

Key Links:

<http://www.ombudsman.europa.eu/home/en/default.htm>

[http://ec.europa.eu/solvit/site/about/index\\_en.htm](http://ec.europa.eu/solvit/site/about/index_en.htm)

Establishing a company in Slovenia takes up to 30 days.

The Companies Act recognizes the following types of undertaking:

**Partnerships** (organized according to general provisions of continental law):

- Limited partnership
- General partnership
- Silent partnership

### **Corporate forms:**

Persons who wish to establish a commercial enterprise in Slovenia can choose from the following types of business undertakings:

- Delniška družba (d.d.) – a public limited company/a joint-stock company
- Družba z omejeno odgovornostjo (d.o.o.) – a company with limited liability/ private limited company
- Samostojni podjetnik posameznik (s.p.) – a sole proprietorship/ sole proprietor/ sole trader
- Družba z neomejeno odgovornostjo (d.n.o.) – a general partnership
- Komanditna družba (k.d.) – limited partnership
- Dvojna družba – a dual-listed company, komanditna delniška družba (k.d.d.) – a limited partnership/ partnership limited by shares (Kommanditgesellschaft auf Aktien, the German model)
- Podružnica – branch office (legally organized unit of foreign legal entity; the parent company is responsible for all liabilities arising from the operations of its branch)

The most common forms are a limited liability company (d.o.o.) and a joint stock company (d.d.). Most foreign companies establish a limited liability company or a branch office in Slovenia.

### **Establishing a limited liability company**

**Founders/shareholders:** minimum 1, maximum 50 shareholders. If a limited liability company has more than 50 shareholders, the Ministry of Economic Development and Technology must give approval.

**Capital:** The minimum founding capital is € 7,500. The minimum contribution of each shareholder is € 50. Before registration, at least 25 percent of each shareholder's cash contribution must be paid in; the sum of all paid contributions must be at least € 7,500. Contributions in kind must be contributed in full before registration. Where the value of contributions in kind exceeds € 100,000, their value must be assessed by a certified independent accountant.

**Acts:** The limited liability company is established by a notarized agreement on incorporation signed by all shareholders. Agreements of incorporation may be signed by a proxy, with appended notarized authorization.

The agreement of incorporation must contain:

- a list of all shareholders with their name and addresses;
- the name, address and activities of the company;

- the amount of founding capital and a list of particular shareholders' contributions;
- duration; and
- eventual liabilities of shareholders to the company other than payments of the company's contributions and liabilities to the shareholders.

**Management:** Management rights of shareholders are provided by the agreement of incorporation. In the absence of such provisions in the agreement of incorporation, the authority of shareholders is provided by the Companies Act. The main body of the limited liability company is the shareholders' meeting. Normally, each shareholder has one vote for each € 50 of his contribution, but the agreement of incorporation may provide otherwise. It may also provide for the establishment of a supervisory board. A limited liability company has one or more managers appointed for at least a two-year renewable mandate.

**Establishment procedure:**

- Preparation of articles/agreement of incorporation
- Notarization of articles/agreement of incorporation (and decision on the appointment of managers if not included in the articles/agreement of incorporation).
- Conclusion of a deposit agreement with a selected domestic commercial bank for the opening of a temporary account by which the account number, to which the foreigner will transfer the amount of capital required to establish a company, is obtained.
- Application for court registration must be filed by the manager and accompanied by:
  - name, registered office and address; agreement of incorporation;
  - list of shareholders and value of their shares;
  - report on contributions in kind;
  - bank receipt for capital contributions to the temporary account; and
  - certified accountant's report on the value of contributions in kind.
- Applications for court registration of companies must be filed within 15 days of the adoption of the agreement of incorporation with the court in the location of the registered office of the company.
- After court register approval, a special form is sent to the Statistical Bureau to obtain the identification number.
- Make a company's rubber seal.
- Order for the commercial bank to transfer resources to the permanent account (from that moment the company may freely dispose of such assets).

**Dissolution:**

A limited liability company is dissolved in the following cases:

- expiration of the term of duration,
- upon the shareholders' decision adopted by a 3/4 majority vote,
- invalidation of court registration,
- bankruptcy,
- if the capital is reduced to be under the level required by the law; or
- merger, amalgamation or transformation to another corporate form.

A new company may be established by an individual or legal entity directly, by a notary, through one of the VEM points (“all in one place”) or even on the web. A list of VEM points can be found here:

<http://www.podjetniski-portal.si/ustanavljam-podjetje/vem-tocke/seznam-vstopnih-tock-vem>

The Ministry for Public Administration’s web portal (in English) on how to establish a company in Slovenia with legal sources and other useful links is

<http://e-uprava.gov.si/e-uprava/en/poslovneSituacijeStran.euprava?dogodek.id=316>

Source: *[Chamber of commerce and Industry of Slovenia](#)*

Detailed information about the status corporation rules of the foundation and operations of companies you can find in [Companies Act \(pdf\)](#) and in web pages [Invest Slovenia](#)

## Franchising

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Opportunities for franchising are limited only by Slovenia’s small market size. McDonald’s and ReMax are the best-known U.S. franchises in Slovenia. The local market does not require any special legal requirements for gaining a franchise license. For local (tax) reporting purposes, a legal entity must be the holder of the franchise license.

U.S. businesses looking to franchise within the European Union will likely find that the market is quite robust and friendly to franchise systems in general. There are a number of laws that govern the operation of franchises within the EU, but these laws are fairly broad and generally do not constrain the competitive position of U.S. businesses. The potential franchiser should take care to look not only at the EU regulations, but also at the local laws concerning franchising.

## Direct Marketing

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There is a wide range of EU legislation that impacts the direct marketing sector. Compliance requirements are stiffest for marketing and sales to private consumers. Companies need to focus, in particular, on the clarity and completeness of the information they provide to consumers prior to purchase and on their approaches to collecting and using customer data. The following gives a brief overview of the most important provisions flowing from EU-wide rules on distance-selling and on-line commerce.

### Processing Customer Data

The EU has strict laws governing the protection of personal data, including the Use of such data in the context of direct marketing activities. For more information on these rules, please see the privacy section above.

### Distance Selling Rules

The EU’s Directive on Distance Selling to Consumers (97/7/EC and amendments) sets out a number of obligations for companies doing business at a distance with consumers.

It can read like a set of onerous "do's" and "don'ts," but in many ways, it represents nothing more than a customer relations good practice guide with legal effect. Direct marketers must provide clear information on the identity of themselves as well as their supplier, full details on prices including delivery costs, and the period for which an offer remains valid – all of this, of course, before a contract is concluded. Customers generally have the right to return goods without any required explanation within seven days, and retain the right to compensation for faulty goods thereafter. Similar in nature is the Doorstep Selling Directive (85/577/EEC) which is designed to protect consumers from sales occurring outside of a normal business premises (e.g., door-to-door sales) and essentially assure the fairness of resulting contracts.

In 2011, the EU overhauled its consumer protection legislation and merged several existing rules into a single rulebook - "the Consumer Rights Directive". The provisions of this Directive will apply to contracts concluded after June 13, 2014, and will replace current EU rules on distance selling to consumers and doorstep selling. The Directive contains provisions on core information to be provided by traders prior to the conclusion of consumer contracts, regulates the right of withdrawal, includes rules on the costs for the use of means of payment and bans pre-ticked boxes. Companies are advised to consult the information available via the hyper-links, to check the relevant sections of national Country Commercial Guides, and to contact the Commercial Service at the U.S. Mission to the European Union for more specific guidance.

Key Links:

*Consumer Affairs Homepage:*

[http://ec.europa.eu/consumers/index\\_en.htm](http://ec.europa.eu/consumers/index_en.htm)

*Distance Selling:*

[http://ec.europa.eu/consumers/cons\\_int/safe\\_shop/dist\\_sell/index\\_en.htm](http://ec.europa.eu/consumers/cons_int/safe_shop/dist_sell/index_en.htm)

*Door-to-Door Selling:*

[http://ec.europa.eu/consumers/cons\\_int/safe\\_shop/door\\_sell/index\\_en.htm](http://ec.europa.eu/consumers/cons_int/safe_shop/door_sell/index_en.htm)

*Consumer Rights:*

[http://ec.europa.eu/justice/consumer-marketing/rights-contracts/directive/index\\_en.htm](http://ec.europa.eu/justice/consumer-marketing/rights-contracts/directive/index_en.htm)

### **Distance Selling of Financial Services**

Financial services are the subject of a separate directive that came into force in June 2002 (2002/65/EC). This piece of legislation amends three prior existing Directives and is designed to ensure that consumers are appropriately protected with respect to financial transactions taking place where the consumer and the provider are not face-to-face. In addition to prohibiting certain abusive marketing practices, the Directive establishes criteria for the presentation of contract information. Given the special nature of financial markets, specifics are also laid out for contractual withdrawal.

Key Link:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002L0065:EN:NOT>

### **Direct Marketing over the Internet**

The e-commerce Directive (2000/31/EC) imposes certain specific requirements connected to the direct marketing business. Promotional offers must not mislead customers and the terms that must be met to qualify for them have to be easily

accessible and clear. The Directive stipulates that marketing e-mails must be identified as such to the recipient and requires that companies targeting customers on-line must regularly consult national opt-out registers where they exist. When an order is placed, the service provider must acknowledge receipt quickly and by electronic means, although the Directive does not attribute any legal effect to the placing of an order or its acknowledgment. This is a matter for national law. Vendors of electronically supplied services (such as software, which the EU considers a service and not a good) must also collect value added tax (see Electronic Commerce section below).

Key Link: [http://ec.europa.eu/internal\\_market/e-commerce/index\\_en.htm](http://ec.europa.eu/internal_market/e-commerce/index_en.htm)

## **Joint Ventures/Licensing**

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In addition to establishing their own companies, foreigners can also invest in existing companies. For private companies and limited-liability companies, investments are allowed with the agreement of the partners and by joining in the partnership agreement. Takeovers of joint-stock companies are much more frequent and depend less on the individual partners/shareholders as the shares are quoted on the Stock Exchange (shares of closed companies are an exception).

Takeovers can be accomplished through mergers or acquisitions. The Law on Takeovers and the Companies Act regulate takeovers. This law establishes conditions for the purchase of stocks/shares sold by individual companies and issuers of stocks when specific legal or natural persons acquire or wish to acquire a stake in a company that gives the buyer more than 25 percent of the voting rights. Takeovers occur of both public companies with stocks quoted on the market and private companies through direct offers to shareholders. If the company conducting a takeover acquires a controlling interest in another company, it is obliged to inform the issuer of shares, the Securities Market Agency (SMA), and the Stock Exchange within seven days of the date that it acquires a majority stake. The issuer, who has received such a notice, must publish it within ten days in daily newspapers or on the premises of the Stock Exchange (Official Gazette no. 47/97).

Both domestic and foreign legal and natural persons may freely conclude all types of commercial contracts (agency contracts, distribution contracts, license contracts, etc.). Slovene legislation does not stipulate different administrative procedures for the performance of individual foreign trade transactions or contracts. Contractual parties in international legal transactions may select the law that will regulate their mutual relationships and the court (arbitration tribunal) of competent jurisdiction that will hear disputes.

## **Selling to the Government**

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The procedure used by state agencies and state controlled companies for purchases is prescribed by the Public Procurement Act, published in the Official Gazette no. 36/2004. The most frequently used form of procurement is a public tender. In most cases foreign and domestic bidders have the same rights. In public tenders funded by EU funds, the requirement usually involves only EU origin goods or services. However, U.S.-owned companies can qualify if they have a representative office somewhere in EU.

The public procurement process in Slovenia remains a frustrating experience for many American companies. Recent complaints include insufficient time to prepare bids, extremely strict requirements regarding language, lack of transparency on who is the decision making authority on tenders, dismissal of bids as non-compliant on grounds not substantive to a company's ability to provide goods or perform services, and an appeals process not protected from possible corruption or political influences.

As a NATO member, Slovenia is required to dedicate two percent of its GDP to military expenditure. For several past years, Slovenia was unable to meet this goal. Lately, the percentage of GDP allocated to defense has been steadily decreasing to approximately 1.2% from 1.68% in 2004). Some of the projects for the near future include expansion and upgrade of the NATO military airport in Cerklje, upgrades to Cougar helicopters and Air Defense systems, additional equipment for recently purchased armored vehicles and 8x8 vehicles. For more information on foreign military sales opportunities, please contact the Embassy.

The EU public procurement market, including EU institutions and member states, totals approximately EUR 1.6 billion. This market is regulated by three Directives:

- Directive 2004/18 on Coordination of Procedures for the Award of Public Works, Services and Supplies Contracts;
- Directive 2004/17 on Coordination of Procedures of Entities Operating in the Utilities Sector, which covers the following sectors: water, energy, transport and postal services; and
- Directive 2009/81 on Coordination of Procedures for the Award of Certain Works, Supply and Service Contracts by contracting authorities in the fields of defense and security.

Remedies directives cover legal means for companies who face discriminatory public procurement practices. These directives are implemented in the national procurement legislation of the 27 EU member states.

The U.S. and the EU are signatories of the World Trade Organization's (WTO) Government Procurement Agreement (GPA), which grants access to most public supplies and services and some work contracts published by national procurement authorities of the countries that are parties to the Agreement. In practice, this means that U.S.-based companies are eligible to bid on supplies and services contracts from European public contracting authorities above the agreed thresholds.

However, there are restrictions for U.S. suppliers in the EU utilities sector both in the EU Utilities Directive and in the EU coverage of the GPA. The Utilities Directive allows EU contracting authorities in these sectors to either reject non-EU bids where the proportion of goods originating in non-EU countries exceeds 50 percent of the total value of the goods constituting the tender, or is entitled to apply a 3 percent price difference to non-EU bids in order to give preference to the EU bid. These restrictions are applied when no

reciprocal access for EU companies in the U.S. market is offered. Those restrictions, however, were waived for the electricity sector.

For more information, please visit the U.S. Commercial Service at the U.S. Mission to the European Union website dedicated to EU public procurement. This site also has a database of all European public procurement tenders that are open to U.S.-based firms by virtue of the Government Procurement Agreement. Access is free of charge.

Key Link:

<http://export.gov/europeanunion/grantstendersandfinancing/cseutendersdatabase/index.asp>

## **Distribution and Sales Channels**

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Several distribution channels are open to U.S. goods on the Slovene marketplace, including wholesaling and retailing, as well as franchising, joint ventures, and licensing.

There are a large number of merchants, agents, intermediaries, wholesalers, and retailers available in Slovenia. Any firm may carry out both foreign and domestic trade.

Slovenia's major distribution centers are located in Brnik and Koper. The port of Koper is Slovenia's only seaport and is located in the western part of the country on the Adriatic Sea. Airport Jože Pučnik in Brnik is the nation's largest commercial airport and is located in the center of the country, 20 kilometers north of the capital and largest city Ljubljana. Smaller distribution centers can also be found in major cities such as Ljubljana and Maribor, Slovenia's second largest city.

## **Selling Factors/Techniques**

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Operating hours of most businesses in Slovenia are Monday through Friday from 8 am to 4 pm, and the majority of retail stores close by 7 or 8 pm, with a few staying open until 9 pm. Most stores are open on Saturday mornings and several shopping centers are open all day on Saturdays. Larger grocery stores and larger shopping centers are opened until 3 pm on Sundays.

Many Slovenian consumers prefer to pay in monthly installments, even for lower cost goods. Other factors/technologies critical to success are close and frequent contact with buyers, motivated and trained intermediaries, and aggressive market promotion.

User manuals for technical equipment and content declaration (with appropriate labeling requirements) for goods must be presented in the Slovene language.

## **Electronic Commerce**

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There are quite a few online stores available; buying online and paying with credit cards are becoming more common in Slovenia.

The Electronic Commerce Directive (2000/31/EC) provides rules for online services in the EU. It requires providers to abide by rules in the country where they are established (country of origin). Online providers must respect consumer protection rules such as

indicating contact details on their website, clearly identifying advertising, and protecting against spam. The Directive also grants exemptions to liability for intermediaries that transmit illegal content by third parties and for unknowingly hosting content. The European Commission released a work plan in 2012 in order to facilitate cross-border online services and reduce barriers.

Key Link: [http://ec.europa.eu/internal\\_market/e-commerce/directive\\_en.htm](http://ec.europa.eu/internal_market/e-commerce/directive_en.htm)

In July 2003, the EU started applying Value Added Tax (VAT) to sales by non-EU based companies of Electronically Supplied Services (ESS) to EU based non-business customers. U.S. companies that are covered by the rule must collect and submit VAT to EU tax authorities. European Council Directive 2002/38/EC further developed the EU rules for charging Value Added Tax. These rules were indefinitely extended following adoption of Directive 2008/8/EC.

U.S. businesses mainly affected by the 2003 rule change are those that are U.S. based and selling ESS to EU based, non-business customers or those businesses that are EU based and selling ESS to customers outside the EU who no longer need to charge VAT on these transactions. There are a number of compliance options for businesses. The Directive created a special scheme that simplifies registering with each member state. The Directive allows companies to register with a single VAT authority of their choice. Companies have to charge different rates of VAT according to where their customers are based, but VAT reports and returns are submitted to just one authority. The VAT authority responsible for providing the single point of registration service is then responsible for reallocating the collected revenue among the other EU VAT authorities.

Key Link: [http://ec.europa.eu/taxation\\_customs/taxation/vat/how\\_vat\\_works/e-services/index\\_en.htm](http://ec.europa.eu/taxation_customs/taxation/vat/how_vat_works/e-services/index_en.htm)

## **Trade Promotion and Advertising**

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All the normal channels for advertising are available and are widely used in Slovenia, including newspapers, internet banners, magazines, television, radio, and outdoor billboards/signs. Other promotional techniques commonly employed are sales promotions, public relations, and trade fairs.

Slovenia's major newspapers are Delo, Dnevnik, Slovenske Novice, and Vecer. New and widely distributed are also the "free" newspapers: Zurnal24 (daily) and Zurnal (weekly). The free weeklies have distribution levels of approximately 350,000 copies. Newspapers and magazines are also most commonly used for printed as well as internet based advertising (on their webpages). The major business journals are Finance, Manager, Podjetnik, and Slovenian Business Report. For reference, the circulation figures for popular dailies are: Zurnal24 120,000 Slovenske novice 78,000, Delo 65,000, Dnevnik 47,000, Vecer 38,000, and Finance 12,000.

The major television stations are Radio Televizija Slovenija (network), and POP TV. The major "out-of-home" advertiser is Proreklam Europlakat (billboards, bus stations, city lights, etc.)

For a listing of all fairs in 2012 in Slovenia, visit this website: <http://www.gzs.si/fairs/>

Fair grounds that organize trade shows:

- Ljubljana Fair Grounds: <http://www.ljubljanafair.com/>  
List of events: <http://www.ljubljanafair.com/fairs/>
- Celje Fair grounds: [http://www.ce-sejem.si/index.php?cid=0\\_0\\_0&l=1](http://www.ce-sejem.si/index.php?cid=0_0_0&l=1)  
List of events: <http://www.ce-sejem.si/index.php?page=static&item=196>
- Portoroz: <http://www.internautica.net/>
- Gornja Ragdona: <http://www.pomurski-sejem.si/>

### **General Legislation**

Laws against misleading advertisements differ widely from member state to member state within the EU. To respond to this imperfection in the Internal Market, the Commission adopted a directive, in force since October 1986, to establish minimum and objective criteria regarding truth in advertising. The Directive was amended in October 1997 to include comparative advertising. Under the Directive, misleading advertising is defined as any "advertising which in any way, including its presentation, deceives or is likely to deceive the persons to whom it is addressed or whom it reaches and which, by reason of its deceptive nature, is likely to affect their economic behavior or which for those reasons, injures or is likely to injure a competitor." member states can authorize even more extensive protection under their national laws.

Comparative advertising, subject to certain conditions, is defined as "advertising which explicitly or by implication identifies a competitor or goods or services by a competitor." member states can, and in some cases have, restricted misleading or comparative advertising.

The EU's Audiovisual Media Services Directive lays down legislation on broadcasting activities allowed within the EU. Since 2009, the rules allowing for U.S.-style product placement on television and the three-hour/day maximum of advertising have been lifted. However, a 12-minute/hour maximum remains. Child programming will be subject to a code of conduct that will include a limit of junk food advertising to children. Following the adoption of the 1999 Council Directive on the Sale of Consumer Goods and Associated Guarantees, product specifications, as laid down in advertising, are considered as legally binding on the seller. (For additional information on Council Directive 1999/44/EC on the Sale of Consumer Goods and Associated Guarantees, see the legal warranties and after-sales service section below.)

The EU adopted Directive 2005/29/EC concerning fair business practices in a further attempt to tighten up consumer protection rules. These rules outlaw several aggressive or deceptive marketing practices such as pyramid schemes, "liquidation sales" when a shop is not closing down, and artificially high prices as the basis for discounts in addition to other potentially misleading advertising practices. Certain rules on advertising to children are also set out.

Key Link:

[http://ec.europa.eu/comm/consumers/cons\\_int/safe\\_shop/fair\\_bus\\_pract/index\\_en.htm](http://ec.europa.eu/comm/consumers/cons_int/safe_shop/fair_bus_pract/index_en.htm)  
[http://ec.europa.eu/avpolicy/reg/avms/index\\_en.htm](http://ec.europa.eu/avpolicy/reg/avms/index_en.htm)

## **Medicine**

The advertising of medicinal products for human use is regulated by Council Directive 2001/83/EC as amended by Directive 2004/27/EC. Generally speaking, the advertising of medicinal products is forbidden if market authorization has not yet been granted or if the product in question is a prescription drug. Mentioning therapeutic indications where self-medication is not suitable is not permitted, nor is the distribution of free samples to the general public. The text of the advertisement should be compatible with the characteristics listed on the product label, and should encourage rational use of the product. The advertising of medicinal products destined for professionals should contain essential characteristics of the product as well as its classification. Inducements to prescribe or supply a particular medicinal product are prohibited and the supply of free samples is restricted.

The Commission presented a new proposal for a framework for information to patients on medicines in 2008. The framework which is still being debated would allow industry to produce non-promotional information about their medicines while complying with strictly defined rules and would be subject to an effective system of control and quality assurance.

Key Link:

[http://ec.europa.eu/health/human-use/information-to-patient/index\\_en.htm](http://ec.europa.eu/health/human-use/information-to-patient/index_en.htm)

## **Nutrition & Health Claims**

On July 1, 2007, a regulation on nutrition and health claims entered into force. Regulation 1924/2006 sets EU-wide conditions for the Use of nutrition claims such as “low fat” or “high in vitamin C” and health claims such as “helps lower cholesterol”. The regulation applies to any food or drink product produced for human consumption that is marketed on the EU market. Only foods that fit a certain nutrient profile (below certain salt, sugar and/or fat levels) will be allowed to carry claims. Nutrition and health claims will only be allowed on food labels if they are included in one of the EU positive lists. Food products carrying claims must comply with the provisions of nutritional labeling directive 90/496/EC and its amended version to come into effect in 2011.

The development of nutrient profiles, originally scheduled for January 2009, has been delayed. Nutrition claims can fail one criterion, i.e. if only one nutrient (salt, sugar or fat) exceeds the limit of the profile, a claim can still be made provided the high level of that particular nutrient is clearly marked on the label. For example, a yogurt can make a low-fat claim even if it has high sugar content but only if the label clearly states “high sugar content”. A European Union Register of nutrition claims has been established and is updated regularly. Health claims cannot fail any criteria.

The European Food Safety Authority (EFSA) and the European Commission have compiled a list of 222 approved functional health claims which still need to be agreed upon by the European Parliament in 2012. The list includes generic claims for substances other than botanicals which will be evaluated at a later date. Disease risk reduction claims and claims referring to the health and development of children require an authorization on a case-by-case basis, following the submission of a scientific dossier to EFSA. Health claims based on new scientific data will have to be submitted to EFSA for evaluation but a simplified authorization procedure has been established.

Key Link: [http://www.efsa.europa.eu/EFSA/ScientificPanels/NDA/efsa\\_locale-1178620753812\\_1178684448831.htm](http://www.efsa.europa.eu/EFSA/ScientificPanels/NDA/efsa_locale-1178620753812_1178684448831.htm)

### **Food Information to Consumers**

In 2011, the EU adopted a new regulation on the provision of food information to consumers (1169/2011). The new EU labeling requirements will apply from December 13, 2014 except for the mandatory nutrition declaration which will apply from December 13, 2016.

Key link: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:304:0018:0063:EN:PDF>

### **Food Supplements**

Regulation 1925/2006, applicable as of July 1, 2007, harmonizes rules on the addition of vitamins and minerals to foods. The regulation lists the vitamins and minerals that may be added to foods. This list was most recently revised in November 2009. A positive list of substances other than vitamins and minerals has not been established yet, although it is being developed. Until then, member state laws will govern the use of these substances.

Key Link: [http://ec.europa.eu/food/food/labellingnutrition/supplements/index\\_en.htm](http://ec.europa.eu/food/food/labellingnutrition/supplements/index_en.htm)

### **Tobacco**

The EU Tobacco Advertising Directive bans tobacco advertising in printed media, radio, and internet as well as the sponsorship of cross-border events or activities. Advertising in cinemas and on billboards or merchandising is allowed, though these are banned in many member states. Tobacco advertising on television has been banned in the EU since the early 1990s and is governed by the TV without Frontiers Directive. The EU plans to revise the Tobacco Products Directive in 2012 with possible changes could include bigger, double-sided health pictorial warnings on cigarette packages and plain packaging.

Key link: [http://ec.europa.eu/health/tobacco/law/advertising/index\\_en.htm](http://ec.europa.eu/health/tobacco/law/advertising/index_en.htm)

## **Pricing**

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The price level of goods and services in Slovenia is relatively high for the region due to the high cost of labor and lack of competition in certain sectors. The market generally determines prices. The government controls the prices of oil, natural gas, railway transport, and some other products. The government may also influence the pricing policies of companies under its direct or indirect control. The price of gasoline is set through a pricing model, which adjusts to world prices every two weeks.

All prices generally include 20 percent VAT. Food items include a VAT of 8.5 percent.

## **Sales Service/Customer Support**

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Sales service, after sale services and customer support are relatively poorly developed marketing tools in Slovenia.

Conscious of the discrepancies among member states in product labeling, language use, legal guarantee, and liability, the redress of which inevitably frustrates consumers in cross-border shopping, the EU institutions have launched a number of initiatives aimed at harmonizing national legislation. Suppliers within and outside the EU should be aware of existing and upcoming legislation affecting sales, service, and customer support.

### ***Product Liability***

Under the 1985 Directive on liability of defective products, amended in 1999, the producer is liable for damage caused by a defect in his product. The victim must prove the existence of the defect and a causal link between defect and injury (bodily as well as material). A reduction of liability of the manufacturer is granted in cases of negligence on the part of the victim.

Key link:

<http://ec.europa.eu/enterprise/policies/single-market-goods/product-liability/>

### ***Product Safety***

The 1992 General Product Safety Directive introduces a general safety requirement at the EU level to ensure that manufacturers only place safe products on the market. It was revised in 2001 to include an obligation on the producer and distributor to notify the Commission in case of a problem with a given product, provisions for its recall, the creation of a European Product Safety Network, and a ban on exports of products to third countries that are not deemed safe in the EU. The legislation is still undergoing review.

Key link: [http://ec.europa.eu/consumers/safety/prod\\_legis/index\\_en.htm](http://ec.europa.eu/consumers/safety/prod_legis/index_en.htm)

### ***Legal Warranties and After-sales Service***

Under the 1999 Directive on the Sale of Consumer Goods and Associated Guarantees, professional sellers are required to provide a minimum two-year warranty on all consumer goods sold to consumers (natural persons acting for purposes outside their trade, businesses or professions), as defined by the Directive. The remedies available to consumers in case of non-compliance are:

- Repair of the good(s);
- Replacement of the good(s);
- A price reduction; or
- Rescission of the sales contract.

Key link: [http://ec.europa.eu/consumers/rights/gen\\_rights\\_en.htm](http://ec.europa.eu/consumers/rights/gen_rights_en.htm)

Other issues pertaining to consumers' rights and protection, such as the New Approach Directives, CE marking, quality control and data protection are dealt with in Chapter 5 of this report.

Slovenia has a comprehensive legal framework for the protection of intellectual property rights. Slovenia signed the WTO Uruguay Round Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) and has implemented those commitments. The number of intellectual property complaints in Slovenia remains low, although U.S. industry representatives have raised some concerns about the pace and scope of action taken by the government against infringement.

Industrial property rights (patents, designs, trademarks and service marks, and appellations of origin) are protected in Slovenia through registration at the Slovenian Intellectual Property Office (SIPO) (website: <http://www.uil-sipo.si/GLAVAGB.htm>, email: [sipo@uil-sipo.si](mailto:sipo@uil-sipo.si), phone: +386 1 620 31 00; fax: +386 1 620 31 10). A list of Slovenian patent agents is available from the Patent Office of the SIPO (<http://www.uil-sipo.si/GLAVAGB.htm>).

Slovenia is a party to the following intellectual property agreements:

- Convention Establishing the World Intellectual Property Organization;
- Agreement on Trade-Related Aspects of Intellectual Property Rights;
- Paris Convention for the Protection of Industrial Property;
- Madrid Agreement Concerning the International Registration of Marks;
- Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks;
- Locarno Agreement Establishing an International Classification for Industrial Designs;
- Hague Agreement Concerning the International Deposit of Industrial Design;
- Patent Cooperation Treaty;
- Bern Convention for the Protection of Literary and Artistic Works;
- Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcast Organizations;
- 1973 Geneva Phonograms Convention; and
- Brussels Convention Related to the Distribution of Program-Carrying Signals Transmitted by Satellite.

In the event of an Intellectual Property Right infringement, U.S. companies are advised to hire a local attorney who can then pursue the matter in local commercial court.

### **Protecting Your Intellectual Property in the European Union:**

Several general principles are important for effective management of intellectual property ("IP") rights in the European Union. First, it is important to have an overall strategy to protect your IP. Second, IP is protected differently in the European Union than in the U.S. Third, rights must be registered and enforced in the European Union, under local laws. Your U.S. trademark and patent registrations will not protect you in the European Union. There is no such thing as an "international copyright" that will automatically protect an author's writings throughout the entire world. Protection against unauthorized use in a particular country depends, basically, on the national laws of that country. However, most countries do offer copyright protection to foreign works under certain conditions, and these conditions have been greatly simplified by international copyright treaties and conventions.

Registration of patents and trademarks is on a first-in-time, first-in-right basis, so you should consider applying for trademark and patent protection even before selling your

products or services in the European Union. It is vital that companies understand that intellectual property is primarily a private right and that the US government generally cannot enforce rights for private individuals in the European Union. It is the responsibility of the rights' holders to register, protect, and enforce their rights where relevant, retaining their own counsel and advisors. Companies may wish to seek advice from local attorneys or IP consultants who are experts in European Union law. The U.S. Commercial Service can provide a list of local lawyers upon request.

While the U.S. Government stands ready to assist, there is little we can do if the rights holders have not taken these fundamental steps necessary to securing and enforcing their IP in a timely fashion. Moreover, in many countries, rights holders who delay enforcing their rights on a mistaken belief that the USG can provide a political resolution to a legal problem may find that their rights have been eroded or abrogated due to legal doctrines such as statutes of limitations, laches, estoppel, or unreasonable delay in prosecuting a law suit. In no instance should U.S. Government advice be seen as a substitute for the obligation of a rights holder to promptly pursue its case.

It is always advisable to conduct due diligence on potential partners. Negotiate from the position of your partner and give your partner clear incentives to honor the contract. A good partner is an important ally in protecting IP rights. Consider carefully, however, whether to permit your partner to register your IP rights on your behalf. Doing so may create a risk that your partner will list itself as the IP owner and fail to transfer the rights should the partnership end. Keep an eye on your cost structure and reduce the margins (and the incentive) of would-be bad actors. Projects and sales in the European Union require constant attention. Work with legal counsel familiar with European Union laws to create a solid contract that includes non-compete clauses, and confidentiality/non-disclosure provisions.

It is also recommended that small and medium-size companies understand the importance of working together with trade associations and organizations to support efforts to protect IP and stop counterfeiting. There are a number of these organizations, both European Union or U.S.-based. These include:

- The U.S. Chamber and local American Chambers of Commerce- (<http://www.amcham.si/en/Default.aspx>)
- National Association of Manufacturers (NAM)
- International Intellectual Property Alliance (IIPA)
- International Trademark Association (INTA)
- The Coalition Against Counterfeiting and Piracy
- International Anti-Counterfeiting Coalition (IACC)
- Pharmaceutical Research and Manufacturers of America (PhRMA)
- Biotechnology Industry Organization (BIO)

## **IP Resources**

A wealth of information on protecting IP is freely available to U.S. rights holders. Some excellent resources for companies regarding intellectual property include the following:

- For information about patent, trademark, or copyright issues -- including enforcement issues in the US and other countries -- call the STOP! Hotline: **1-866-999-HALT** or register at [www.StopFakes.gov](http://www.StopFakes.gov).
- For more information about registering trademarks and patents (both in the U.S. as well as in foreign countries), contact the US Patent and Trademark Office (USPTO) at: **1-800-786-9199**.
- For more information about registering for copyright protection in the US, contact the US Copyright Office at: **1-202-707-5959**.
- For more information about how to evaluate, protect, and enforce intellectual property rights and how these rights may be important for businesses, a free online training program is available at [www.stopfakes.gov](http://www.stopfakes.gov).
- For US small and medium-size companies, the Department of Commerce offers a "SME IP Advisory Program" available through the American Bar Association that provides one hour of free IP legal advice for companies with concerns in Brazil, China, Egypt, India, and Russia. For details and to register, visit: [http://www.abanet.org/intlaw/intlproj/ipprogram\\_consultation.html](http://www.abanet.org/intlaw/intlproj/ipprogram_consultation.html)
- For information on obtaining and enforcing intellectual property rights and market-specific IP Toolkits visit: [www.StopFakes.gov](http://www.StopFakes.gov) This site is linked to the USPTO website for registering trademarks and patents (both in the U.S. as well as in foreign countries), the U.S. Customs & Border Protection website to record registered trademarks and copyrighted works (to assist customs in blocking imports of IP-infringing products) and allows you to register for Webinars on protecting IP.
- The U.S. Commerce Department has positioned IP attachés in key markets around the world. For contact information, please see: [http://www.uspto.gov/ip/global/attache/Attache\\_Contacts\\_12-23-11.doc](http://www.uspto.gov/ip/global/attache/Attache_Contacts_12-23-11.doc)

## Due Diligence

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Product safety testing and certification is mandatory for the EU market. U.S. manufacturers and sellers of goods have to perform due diligence in accordance with mandatory EU legislation prior to exporting.

The Commercial Service at the U.S. Embassy in Ljubljana offers an "International Company Profile" service, which provides detailed information on a company, their financials, and possible media exposure. For more information, visit <http://slovenia.usembassy.gov/business/our-services.html>.

The following firms operating in Ljubljana can assist in performing the important task of due diligence on potential Slovenian partners:

Poslovne informacije d.o.o. (Dunn & Bradstreet's agent in Slovenia)  
Zrinjskega cesta 4

1000 Ljubljana  
Tel: +386-1-234-29-40  
Fax: +386-1-234-29-58  
Web: <http://www.idoo.si/>  
Email: [imojstri@idoo.si](mailto:imojstri@idoo.si)

Creditreform d.o.o.  
Tivolska cesta 30  
1000 Ljubljana  
Tel: +386-1-438-16-71  
Fax: +386-1-438-16-70  
Web: <http://www.creditreform.si/en/index.jsp>  
Email: [info@creditreform.si](mailto:info@creditreform.si)

Coface Intercredit d.o.o.  
Cankarjeva cesta 3  
1000 Ljubljana  
Tel: +386-1-425-90-65  
Fax: +386-1-425-91-30  
Web: [www.coface.si/](http://www.coface.si/)  
Email: [office@coface.si](mailto:office@coface.si)

Product safety testing and certification is mandatory for the EU market. U.S. manufacturers and sellers of goods have to perform due diligence in accordance with mandatory EU legislation prior to exporting.

## Local Professional Services

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Slovenia does not recognize U.S. legal accreditation, and regulations regarding licenses to practice in-country are restrictive. Some Slovene law firms conduct business in English and are familiar with U.S. law.

Local service providers focusing on EU law, consulting, and business development can be viewed on the website maintained by the Commercial Service at the U.S. Mission to the European Union at:

<http://export.gov/europeanunion/businessserviceproviders/index.asp> .

For information on professional services located within each of the EU member states, please see EU Member State Country Commercial Guides which can be found at the following website [EU Member States' Country Commercial Guides](#).

## Web Resources

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Commercial Service at U.S. Embassy Ljubljana  
<http://export.gov/slovenia/index.asp>  
<http://slovenia.usembassy.gov/business/our-services.html>

Slovenian Intellectual Property Office  
<http://www.uil-sipo.si/sipo/office/tools/home/>

Invest in Slovenia  
<http://www.investslovenia.org/>

Trade shows in Slovenia:  
<http://www.gzs.si/fairs/>

Fair grounds that organize trade shows:

Ljubljana Fair Grounds: <http://www.ljubljanafair.com/>  
List of events: <http://www.ljubljanafair.com/fairs/>

Celje Fair grounds: [http://www.ce-sejem.si/index.php?cid=0\\_0\\_0&l=1](http://www.ce-sejem.si/index.php?cid=0_0_0&l=1)  
List of events: [http://www.ce-sejem.si/index.php?page=spisek\\_sejmov&mode=upcoming&item=2419](http://www.ce-sejem.si/index.php?page=spisek_sejmov&mode=upcoming&item=2419)

Portoroz: <http://www.internautica.net/>

Gornja Ragdona: <http://www.pomurski-sejem.si/ang-kzs/kzs.htm>

Public Procurement Act  
[http://www.mf.gov.si/slov/javnar/ZJN-2\\_angl.pdf](http://www.mf.gov.si/slov/javnar/ZJN-2_angl.pdf)

Print media:  
Delo <http://www.delo.si/>  
Dnevnik <http://www.dnevnik.si/>  
Slovenske Novice <http://www.slovenskenovice.si/>  
Vecer <http://www.vecer.si/>  
Finance <http://www.finance.si/>  
Slovenian Business Report <http://www.sbr.si/>

Information on English Speaking Lawyers in Slovenia  
[http://slovenia.usembassy.gov/attorneys\\_list.html](http://slovenia.usembassy.gov/attorneys_list.html)

#### EU websites:

Coordination of the laws of the member states relating to self-employed commercial agents (Council Directive 86/653/EEC):  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31986L0653:EN:HTML>

Agreements of Minor importance which do not appreciably restrict Competition under Article 81(1) of the Treaty establishing the European Community  
[http://eurlex.europa.eu/LexUriServ/site/en/oj/2001/c\\_368/c\\_36820011222en00130015.pdf](http://eurlex.europa.eu/LexUriServ/site/en/oj/2001/c_368/c_36820011222en00130015.pdf)

Directive on Late Payment:  
[http://ec.europa.eu/enterprise/policies/single-market-goods/files/late\\_payments/doc/directive\\_2011\\_7\\_en.pdf](http://ec.europa.eu/enterprise/policies/single-market-goods/files/late_payments/doc/directive_2011_7_en.pdf)

European Ombudsman:  
<http://www.ombudsman.europa.eu/home/en/default.htm>

EU's General Data Protection Directive (95/46/EC):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1995:281:0031:0050:EN:PDF>

Safe Harbor:

<http://www.export.gov/safeharbor/>

Information on contracts for transferring data outside the EU:

[http://ec.europa.eu/justice/policies/privacy/modelcontracts/index\\_en.htm](http://ec.europa.eu/justice/policies/privacy/modelcontracts/index_en.htm)

EU Data Protection Homepage

[http://ec.europa.eu/justice/policies/privacy/index\\_en.htm](http://ec.europa.eu/justice/policies/privacy/index_en.htm)

Distance Selling Rules:

[http://ec.europa.eu/consumers/cons\\_int/safe\\_shop/dist\\_sell/index\\_en.htm](http://ec.europa.eu/consumers/cons_int/safe_shop/dist_sell/index_en.htm)

Distance Selling of Financial Services:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002L0065:EN:NOT>

E-commerce Directive (2000/31/EC):

[http://ec.europa.eu/internal\\_market/e-commerce/index\\_en.htm](http://ec.europa.eu/internal_market/e-commerce/index_en.htm)

VAT on Electronic Service:

[http://ec.europa.eu/taxation\\_customs/taxation/vat/how\\_vat\\_works/e-services/index\\_en.htm](http://ec.europa.eu/taxation_customs/taxation/vat/how_vat_works/e-services/index_en.htm)

The Unfair Commercial Practices Directive:

[http://ec.europa.eu/comm/consumers/cons\\_int/safe\\_shop/fair\\_bU.S.\\_pract/index\\_en.htm](http://ec.europa.eu/comm/consumers/cons_int/safe_shop/fair_bU.S._pract/index_en.htm)

Information to Patients - Major developments:

[http://ec.europa.eu/health/human-use/information-to-patient/legislative-developments\\_en.htm](http://ec.europa.eu/health/human-use/information-to-patient/legislative-developments_en.htm)

Nutrition and health claims made on foods: [Regulation 1924/2006](#)

Provisions of Nutritional Labeling

Nutritional Labeling Directive 90/496/EC

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1990:276:0040:0044:EN:PDF>

EU-27 FAIRS EU Country Report on Food and Labeling requirements:

[http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Food%20and%20Agricultural%20Import%20Regulations%20and%20Standards%20-%20Narrative\\_Brussels%20USEU\\_EU-27\\_1-4-2012.pdf](http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Food%20and%20Agricultural%20Import%20Regulations%20and%20Standards%20-%20Narrative_Brussels%20USEU_EU-27_1-4-2012.pdf)

*Guidance document on how companies can apply for health claim authorizations:*

Summary document from EFSA

[http://www.efsa.europa.eu/cs/BlobServer/Scientific\\_Opinion/nda\\_op\\_ej530\\_guidance\\_summary\\_en.pdf?ssbinary=true](http://www.efsa.europa.eu/cs/BlobServer/Scientific_Opinion/nda_op_ej530_guidance_summary_en.pdf?ssbinary=true)

Full document from EFSA

[http://www.efsa.europa.eu/cs/BlobServer/Scientific\\_Opinion/nda\\_op\\_ej530\\_guidance\\_%20health\\_claim\\_en.pdf,2.pdf?ssbinary=true](http://www.efsa.europa.eu/cs/BlobServer/Scientific_Opinion/nda_op_ej530_guidance_%20health_claim_en.pdf,2.pdf?ssbinary=true)

Health & Nutrition Claims

[http://ec.europa.eu/food/food/labellingnutrition/claims/index\\_en.htm](http://ec.europa.eu/food/food/labellingnutrition/claims/index_en.htm)

Tobacco

[http://ec.europa.eu/health/tobacco/policy/index\\_en.htm](http://ec.europa.eu/health/tobacco/policy/index_en.htm)

Product Liability:

[http://europa.eu/legislation\\_summaries/consumers/consumer\\_safety/l32012\\_en.htm](http://europa.eu/legislation_summaries/consumers/consumer_safety/l32012_en.htm)

Product Safety

[http://ec.europa.eu/consumers/safety/prod\\_legis/index\\_en.htm](http://ec.europa.eu/consumers/safety/prod_legis/index_en.htm)

Legal Warranties and After-Sales Service:

[http://ec.europa.eu/consumers/rights/gen\\_rights\\_en.htm](http://ec.europa.eu/consumers/rights/gen_rights_en.htm)

Copyright: [http://ec.europa.eu/internal\\_market/copyright/documents/documents\\_en.htm](http://ec.europa.eu/internal_market/copyright/documents/documents_en.htm)

Harmonization of certain aspects of Copyright and related rights in the Information Society - Copyright Directive (2001/29/EC):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32001L0029:EN:HTML>

Industrial Property

[http://ec.europa.eu/internal\\_market/indprop/index\\_en.htm](http://ec.europa.eu/internal_market/indprop/index_en.htm)

European Patent Office (EPO)

<http://www.european-patent-office.org/>

Office for Harmonization in the Internal Market (OHIM)

<http://oami.europa.eu/>

World Intellectual Property Organization (WIPO) Madrid

<http://www.wipo.int/madrid/en>

Directive on harmonizing trademark laws:

[http://ec.europa.eu/internal\\_market/indprop/tm/index\\_en.htm](http://ec.europa.eu/internal_market/indprop/tm/index_en.htm)

### **U.S. websites:**

IPR Toolkit:

<http://export.gov/europeanunion/marketresearch/intellectualpropertyrightssector/index.asp>

EU Public Procurement:

<http://export.gov/europeanunion/marketresearch/eufundingandgovernmentprocurementsectors/index.asp>

Local Professional Services: [http://export.gov/europeanunion/eg\\_eu\\_030910.asp](http://export.gov/europeanunion/eg_eu_030910.asp) .

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## Chapter 4: Leading Sectors for U.S. Export and Investment

- [Commercial Sectors](#)
- [Agricultural Sectors](#)

### Commercial Sectors

#### Overview

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The Showcase Europe program run by the U.S. Department of Commerce's offices throughout Europe provides U.S. exporters a broader perspective on the European market. It is organized around nine leading sectors (listed in alphabetical order):

Aerospace & Defense, Automotive, Energy, Information & Communications Technologies, Healthcare, Pollution Control and Remediation, Renewable Energy & Energy Efficiency, Safety & Security and Travel & Tourism.

For more information on how to receive an assessment of your company's product potential in Europe, please visit:

[http://export.gov/europe/forms/quicktake/eg\\_eur\\_038754.asp](http://export.gov/europe/forms/quicktake/eg_eur_038754.asp)

#### EU Trade Figures

	2010	2011
<b>GDP (nominal)</b>	16,282.0	17,960.0
<b>Total EU Exports to the world</b>	1,786.2	2,130.0
<b>Total EU Imports from the world</b>	2,000.0	2,344.0
<b>Imports from the U.S.</b>	239.6	268.6
<b>Exports to the U.S.</b>	319.2	367.8
<b>2011 Exchange Rate (Euro Zone): 1 USD</b>	.7561	.7218*
<b>*2011 USD-EURO average</b>		

Data Sources: Country Fact Sheet, Eurostat  
Unit: USD billions

Slovenia offers investors a variety of attractive sectors in which to invest. The government foresees projects in health, transport, and energy, both traditional and green. In addition, there are opportunities at the municipal level to invest in infrastructure, largely related to waste management and recycling. However, both at the national and municipal level 2012 will be a sparse year for large governmental projects as the national government plans to cut public spending and many municipalities face serious budget constraints. Investors could also find firm level opportunities to invest in information technology and telecommunications, the pharmaceutical sector, electronic and food processing.

- [Health Care Equipment \(MED\)](#)
- [Environmental Equipment \(ENV\)](#)
- [Drugs and Pharmaceutical products \(DRG\)](#)
- [Electrical Power Systems \(ELP\) and Energy](#)
- [Information Technology and Telecommunications \(INF\)](#)
- [Chemical and Pharmaceutical Sector and Biotechnology \(BTC\)](#)
- [Logistics and Distribution \(TRN\)](#)
- [Electronics \(ELC\)](#)
- [Food Processing \(FOD\)](#)

## **Health Care Equipment (MED)**

### **Overview**

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Slovenia's health care equipment market is dominated by imports because of limited domestic production. The approximate market size is \$350 million. Imports to Slovenia mainly come from Germany, Italy, Austria, the United States and Switzerland. (Between 15 percent and 20 percent are imports from the U.S.) The market has seen some growth over the last ten years, but the real potential lies ahead. The majority of equipment in public hospitals is outdated and expensive to maintain. The government has announced plans to restructure the healthcare sector and there will likely be increased demand for innovative instruments and equipment. Slovenia invested in a few hospitals in the past four years, for instance Oncology Institute or Pediatric Clinic. A few more investments are needed and planned, but their execution is doubtful in this time of fiscal austerity. Currently, the Government is looking at ways to find savings in the healthcare budget and is consolidating several public healthcare agencies.

The Ministry of Health is the main player in the Slovenian medical equipment market. The Ministry develops health policies, proposes the health care budget and the investment program for the sector, and monitors the work of state-owned health institutions. Due to fiscal problems with the national health account, the Ministry was forced to take over purchasing programs and centralize hospital tenders. These measures have begun to show some results in increased transparency of public procurement. Dental services are mainly in private hands.

The Slovenian market is very price-sensitive. Institutions are, however, prepared to pay well for state-of-the-art equipment.

The entire health care expenditure accounts for roughly eight percent to nine percent of GDP. Per capita expenditure statistics (nearly 2,000 USD) are slightly below EU-27 average (2,500 USD).

### **Sub-Sector Best Prospects**

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- Diagnostic equipment
- Scanners; CTI devices; magnetic resonance devices
- Laboratory equipment

### **Opportunities**

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Slovenian public health sector seeks hospital management training. The ministry of health and the main hospitals inquired about American programs.

### **Web Resources**

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Web: <http://www.mz.gov.si/en/>

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## **Environmental Equipment (ENV)**

### **Overview**

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Slovenia's environmental legislation is harmonized with the European Union, and waste and pollution control mechanisms in Slovenia have improved over the last five years. The major concerns in Slovenia include insufficient level of treatment and coverage for municipal and industrial wastewater; uncontrolled dumping of solid and hazardous wastes; lack of proper disposal sites; lack of recycling facilities and incinerators and control of air pollution emissions in industrial areas. The current increase of hazardous waste is of particular concern. In July 2002, Slovenia ratified the Kyoto protocol, according to which Slovenia must reduce greenhouse gases by eight percent between 2008 through 2012. However, Slovenia is behind in fulfilling its commitment.

Slovenia produces 452 kilograms (kg) of solid waste per capita, which is below the EU-27 average of 522 kg per capita, but does not meet the EU target of 300 kg of waste per capita. The majority of the solid waste is deposited into landfills (71 percent). Only one

kg of solid waste per capita is actually incinerated, which is drastically below the EU-27 average of 97 kg per capita.

Recycling of waste is drastically increasing. From 2002, the amount of recycled waste has increased 44 fold. However, only about 28 percent of all waste is recycled and authorities are predicting this number will increase as measures that will decrease landfill usage are implemented, including the establishment of regional centers for solid waste management and enforcement of fees on landfills.

### Sub-Sector Best Prospects

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- Waste water treatment
- Recycling

### Opportunities

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Project financing comes from various sources, including the state budget, local government budgets, environmental funds, EU structural funds and from individual investors and entrepreneurs. U.S. firms can compete for EU funds in a project if they partner with a Slovenian firm.

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Ministry of Environment and Spatial Planning, Dunajska 48, SI-1000 Ljubljana, Slovenia  
E-mail: [gp.mop\(at\)gov.si](mailto:gp.mop(at)gov.si)  
Web: <http://www.mop.gov.si/en/>

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## Drugs and Pharmaceutical products (DRG)

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Slovenia's pharmaceutical market is very competitive. Once dominated by two local domestic generic producers, the market now has products from the entire world. Innovative drug producers had a comfortable position in Slovenia until 2003 when the government decreased spending on pharmaceuticals. Since then the government has introduced several amendments to by-laws in the medical sector legislation that

worsened the position of drug producers. The market, however, remains attractive despite the small size of the country as the per capita consumption in Slovenia is double the consumption in Austria. Slovenia spent \$ 770 million for medicines. The market has experienced minor impacts from the global economic crisis.

The Ministry of Health is the main player in the pharmaceutical market. The Ministry develops health policies, proposes the health care budget and monitors the national health care fund spending. Due to fiscal problems, in 2007 the Ministry evaluated purchasing programs and centralized hospital tenders to bring cost per unit down. These measures remain in place and have resulted in lower prices per unit every year. The money saved will be used for other drugs, in particular for innovative products treating the two most critical health problems in Slovenia, cancer and cardiovascular illnesses.

An estimated annual real growth rate of 3 percent for the drug market over the next 3 years seems realistic. Almost three quarters of all pharmaceuticals approved for sale in Slovenia are imported. Pharmaceutical expenditures in Slovenia account for about 16 percent of total health care spending. Around 70 percent of health-care spending is publicly financed. International comparison shows that drug consumption in Slovenia is higher than EU average. Increased life expectancy and the growth in private health care insurance are expected to have a positive impact on the market

Drugs and Pharmaceuticals Data Table (\$ millions)

	2010	2011	2012
Total Market Size	780	790	810
Total Local Production	380	390	400
Imports from the U.S.	305	310	310

exchange rate: \$1 = EUR 0.76

Note: The above statistics are unofficial estimates

### Sub-Sector Best Prospects

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- Drugs for cardiovascular illnesses
- Innovative products for Cancer treatments
- Pharmaceuticals for psychotherapy
- AIDS medications
- Vitamins

### Opportunities

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The best prospects among American-made pharmaceuticals are cancer medications, cardiovascular medications, and bio-technologically produced medications.

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E-mail: [gp.mz\(at\)gov.si](mailto:gp.mz(at)gov.si)  
<http://www.mz.gov.si/en/>

Agency for medicinal products and medical devices, Ptujška 21, 1000 Ljubljana, Slovenia  
E-mail: [info@jazmp.si](mailto:info@jazmp.si)  
Web: <http://www.jazmp.si/index.php?id=56>

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## Electrical Power Systems (ELP) and Energy

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The government of Slovenia owns a 100 percent stake in Holding Slovenske Elektrarne (HSE) and GEN ENERGIJA (GEN), the major electricity producers in Slovenia. The GOS seriously discussed a merger of both companies in 2010 in order to ease the financing of investments in energy sector. Namely, HES was short the needed financing for the construction of the new coal burning generator at the Sostanj Thermal Power Plant (TES 6), and GEN Energija has been highly profitable in recent years, but the merger did not occur. The controversial TES 6 construction continues despite concerns about its cost, commercial feasibility, environmental impact and its transparency - the Commission for the Prevention of Corruption has found irregularities with the procurement process. The new government will provide the necessary loan guarantees to finish the project if certain conditions are met (total price guarantee from the vendor) despite expressing serious reservations with the project.

The previous government has put forth a new national energy program in June 2011, but the plan has not yet been adopted, Slovenia's vision for the energy sector is to create the conditions for the transformation into a low-carbon society by focusing on efficient energy consumption, use of renewable energy sources, and the development of active electricity-distribution networks. The document envisages five scenarios for the development of the energy sector. All five include a nuclear option of which two scenarios foresee the construction of second reactor at the Krsko Nuclear Power Plant (NEK) and three also envisage the continued construction of TES 6.

Increased hydroelectric power generation is one of the strategic objectives of the government's energy policy. Further upgrading of the upper stations on the Sava River is planned as well as construction of a chain of six new plants on the lower Sava. Construction of the first two plants began in 2004, and these are now online; construction permits for the third and fourth have been issued; construction of the remaining two plants is foreseen by 2014. Upgrading of three plants on the Drava River will be completed over the next few years. Feasibility studies are underway for additional small run-of-river and storage plants and for using other renewable energy sources. Together with the new plants, these renovations will create an additional 470 MW of hydroelectric capacity by 2015.

Plans for conventional coal-fired thermal power generation are based on maintaining production at existing plant locations and building facilities at new sites, primarily for combined heat and power generation. Investments will be required to improve pollution controls to meet environmental standards, to increase rapid response and peaking capacity, and for renovation of control systems at existing plants. Construction of a new production block with a 600 MW capacity at Thermal Plant Sostanj is underway and should begin operation in 2014. This plant will go off line in 2050. The government also plans construction of two oil-fired facilities, including a 60 MW unit in Sostanj.

GEN Energija has prepared a plan for the second nuclear production facility, the government's decision and the timing depends on energy needs, available financing and public sentiment about nuclear energy. The government is considering applying for a 20 year extension for Nuclear Facility Krsko 1 (NEK) , which if approved means NEK will go off line in 2043 (if not 2023). Even with this extension and TES 6, it is projected that Slovenia's energy demand will not be met by 2025 and there will be a dramatic gap by around 2043. Thus, there are plans for a new nuclear unit of 1,000 – 1,600 MW production block to come online in 2023. The government's indecisiveness seems to be the primary reason for a delay in the adoption of National energy Plan, which should have been adopted in 2011.

Investment plans through 2015 in the transmission and distribution system include the modernization of national dispatching and local distribution control centers, the renovation of the transmission grid, better control of reactive power in the system, and the completion and renovation of the east-west 400 kV transmission lines with a connection to Hungary and a 400 kV substation. However, a lack of financial resources has already postponed these priority investment projects, although the government has not yet revised its plans.

Finally, there are plans to build three wind-operated power plants in the Primorska region, where the Bora wind could produce significant quantities of electrical power. All three plants would consist of 150 wind powered turbines. They are still in the process of gaining all necessary approvals (mainly environmental) for the project. The local community (represented by a birdwatcher NGO) strongly opposes the project and is using every possible legal instrument to block the project.

Quick Facts about the ENERGY Sector:

While the gas and oil market is somewhat privatized, electricity production is still in state hands. Holding Slovenske Elektrarne (HSE) owns and manages a series of electricity production plants (predominately hydropower). GEN Energija manages a nuclear plant and a several hydro units. No plans or time schedules for privatization have been announced recently.

Import items:

- brown coal and lignin,
- oil derivatives,
- liquid gas,
- natural gas,
- electricity

Leading companies in Sector:

Oil:                   • Petrol, d.d. (<http://www.petrol.si>)  
                         • OMV Slovenija (<http://www.omv.si>)

Gas:                   • Geoplin, d.o.o. (<http://www.geoplin.si>)

Electricity:       • Holding Slovenske Elektrarne, d.o.o. ([www.hse.si](http://www.hse.si))  
                         • Eles, d.o.o. ([www.eles.si](http://www.eles.si))  
                         • GEN ENERGIJA d.o.o. ([www.gen-energija.si](http://www.gen-energija.si))

### Sub-Sector Best Prospects

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- trade (wholesale) with fuels and lubricants
- trade (retail) with motor fuels
- distribution of electricity, gas, heat, and hot water
- mining

### Opportunities

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Energy consumption is constantly increasing. Slovenia plans to upgrade its power production, most likely with an additional unit at the existing nuclear power plant and new gas power stations. Slovenia will also upgrade its distribution power grid.

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## Information Technology and Telecommunications (INF)

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The information technology sector features opportunities on at two different scales. On one side, there is a series of highly developed IT companies with established services and research projects. On the other end, small rising companies with high potential are wide open for investment and joint venture opportunities. Many of these start-up companies are concentrated in technology parks such as Technology Park Brdo-Ljubljana.

The estimated annual growth rate for 2011 is 1.5 percent for software and 1.0 percent for services. In 2012, the annual growth rate is forecasted to be 1.0 percent for software and 3.5 percent for services.

In 2011, the information systems outsourcing was the largest market in Slovenia, followed by systems integration and hardware support. IT services sales in 2011 were strongest in the following sectors : Finance, Government and Manufacturing.

The security market continues to expand, largely as a reaction to the rapidly changing nature of threats and vulnerabilities for enterprises. As more customers implement integrated product solutions for security and protection, corresponding services that follow the same model are likewise in demand. Industry experts believe that integrated and comprehensive security support services can help the IT industry target the small and medium-sized business (SME) segment in these challenging economic times. SMEs are looking for complete security solutions for their IT environments including product solutions and for support services. Designing and implementing integrated security support solutions offers opportunities for both systems integrators and pure-play security vendors in 2012 and beyond. Creating a comprehensive, integrated security product and service portfolio can lead to additional opportunities in this space. The market for security software grew for 5.6 percent in 2011. The projected growth rate for 2012 is 9 percent.

While the public sector is cutting costs in many areas, the government has not published any details about expected budget cuts to IT. The government's extensive saving measure plan is expected to strongly reduce IT spending in the public sector, traditionally one of the country's most important markets.

The national telecommunication company Telekom Slovenije is currently state owned. It might be privatized, but the process has stalled several times due to differences in opinions within the government on when and how much to privatize "strategic sectors." However, the recently heavily increased national debt should force the new government to sell some state run companies to strategic investors. Telekom Slovenia is expected to be at the top of the list.

IT and Telecommunications Data Table (\$ millions)

	2009	2010	2011
Total Market Size	2,200	2,450	2,300

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Exchange rate: \$1 = EUR 0.76

Note: The above statistics are unofficial estimates

Leading companies in sector:

Machinery

- AGB LAB (<http://www.agblab.com>)
- Insilica (<http://www.insilica.si>)

Telecommunication

- Iskra Transmission (<http://www.iskratr.si>)
- Iskratel (<http://www.iskratel.si>)
- Si.Mobil (<http://www.simobil.si>)
- Telekom Slovenije (<http://www.telekom.si>)

IT Solutions

- Actual I.T. (<http://www.actual-it.si>)
- Halcom (<http://www.halcom.si>)
- Hermes SoftLab (<http://www.hermes-softlab.com>)
- S&T Hermes Plus (<http://www.hermes-plus.si>)
- Špica (<http://www.spica.com>)
- SRC Computers (<http://www.src.si>)

**Sub-Sector Best Prospects**

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- planning and implementation of communicating networks
- broadband infrastructure
- e-banking
- CMS software
- cloud computing
- software systems for back-up files
- IT Solutions
- logistics

**Opportunities**

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The best opportunities for sales of U.S. software in Slovenia appear to be in the Internet systems engineering sector and applications consultancy, data bank and communications software/office automation, security, application development, systems integration, outsourcing, cloud computing, archiving, content and document management, business intelligence and IT consulting. The primary end-users are industry, financial services, public administration, trade, health, energy, production, distribution and electronic banking. Also, many opportunities would likely accompany Slovenia's possible privatization of national telecommunications.

## Web Resources

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## Chemical and Pharmaceutical Sector and Biotechnology (BTC)

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Since the chemical industry is very strong in Slovenia, there is a substantial need for raw materials. The pharmaceutical sector is mainly comprised of two big companies, Lek and Krka, both of which manufacture generic products. Swiss Novartis purchased Lek in 2002. Krka's shares are listed on the Ljubljana Stock Exchange.

Jozef Stefan Institute, Slovenia's premiere research institute, is linked to the University of Ljubljana and is very involved in research and development in fields such as creating new materials, nanotechnology, and biotechnology.

Chemical and Pharmaceutical Sector and Biotechnology Data Table (\$ millions)

	2010	2011	2012
Total Market Size	4,200	4,350	4,450
Total Exports (from Slovenia)	2,800	2,850	2,900

exchange rate: \$1 = EUR 0.76

Note: The above statistics are unofficial estimates

### Leading companies in sector:

- Belinka (<http://www.belinka.si>)
- Bia Separations (<http://www.biaseparations.com>)
- Cinkarna Celje (<http://www.cinkarna.si>)
- Helios (<http://www.helios.si>)
- Institut Jožef Stefan (<http://www.ijs.si>)
- Krka (<http://www.krka.si>)
- Lek (<http://www.lek.si>)

- Sava (<http://www.sava.si>)

### **Sub-Sector Best Prospects**

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- base chemicals
- pesticides and agrochemicals
- paints, lacquers, and glazes
- pharmaceuticals and soaps
- products for cleaning and scents
- other chemical products
- artificial fibers
- rubber and plastics

### **Opportunities**

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We currently do not know of any business opportunities in this industry.

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## Logistics and Distribution (TRN)

### Overview

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The geographical location of Slovenia places it at the intersection of the 5<sup>th</sup> and 10<sup>th</sup> Pan-European corridors, making it one of the major transportation connectors between the Adriatic Sea and the Balkans. The port of Koper on the Adriatic Sea is a major cargo port. Joze Pučnik Airport Ljubljana, located in the center of the country, houses a number of airway and land cargo logistic and transport companies. The airport has expanded the capacity of the airport terminals (passenger and cargo wise). Additionally, the airport plans to develop a new intermodal center (adding a railroad connection to the airport) that will improve distribution capacities. Two larger logistics companies (UPS and DHL) have already set up hubs at the airport. However, Adria Air, the national Slovenia air carrier, has cut flights to many European capitals this year in response to financial troubles, making it more difficult to access Ljubljana by air.

#### Leading companies in sector:

- BTC, d.d. (<http://www.btc.si>)
- Eurotek (<http://www.eurotek.si>)
- Intereuropa (<http://www.intereuropa.si>)
- Aerodrom Ljubljana (<http://www.lju-airport.si>)
- Luka Koper (<http://www.luka-kp.si>)
- Slovenske železnice (<http://www.slo-zeleznice.si>)
- Viator Vektor (<http://www.viator-vektor.com>)
- Schenker (<http://www.schenker.si>)

### Sub-Sector Best Prospects

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- cargo shipping
- ship cargo transport
- storing of goods
- maritime and inland logistics
- services at terminals

### Opportunities

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The Government of Slovenia and Slovenian FDI agency JAPTI have been working on implementing “Slovenia – Your Logistics Hub to enter EU Market.” Slovenia has a northern port in the Mediterranean Sea, with a modern and flexible infrastructure. Nine business zones spread around the country will support the national goal to become one of the best logistical partners in Europe. Business facilitation zones offer foreign business partners a chance for public-private partnership projects.

The government’s Country Development Plan includes a thorough upgrade of railway networks in both the 5th and 6th European corridors and construction of a second track between the port of Koper and Divaca. The government has announced additional highway projects in the next few years. These plans depend on Slovenian Government’s

ability to locate financing, which will not worsen country public debt. Forming a public private partnership is an option under discussion.

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Chamber of Commerce and Industry of Slovenia, Dimiceva 13, 1504 Ljubljana, Slovenia

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Web: <http://www.sloveniapartner.com/article.asp?IDpm=156>

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## Electronics (ELC)

### Overview

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The opportunities in the electronics sector are in electronic component parts, upgrades to medical and dental equipment, and development of new technologies and materials for the market.

Electronics and Electrical Engineering Sector Data Table (\$ millions)

	2010	2011	2012
Total Market Size	3,500	3,300	3,600
Total Exports (from Slovenia)	2,300	2,450	2,500

exchange rate: \$1 = EUR 0.76

Note: The above statistics are unofficial estimates

### Leading companies in sector:

- Danfoss (<http://www.danfoss-trata.si>)
- Domel (<http://www.domel.si>)
- Eti Izlake (<http://www.eti.si>)
- Gorenje (<http://www.gorenje.com>)

- Hidria (<http://www.hidria.si>)
- Iskratel (<http://www.iskratel.si>)
- Iskra Avtoelektrika (<http://www.iskra-ae.com>)
- Kolektor (<http://www.kolektor.si>)
- Ydria Motors (<http://www.ydria-motors.si>)

### Sub-Sector Best Prospects

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- electrical motors and machines
- household appliances
- telecommunication equipment
- electronic measuring (scaling) systems
- medical and optical equipment

### Opportunities

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The U.S. market is an important market for several companies in the sector (both exports and imports).

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Electronics and Electrical Engineering Association, Dimiceva 13, 1000 Ljubljana, Slovenia

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## Food Processing (FOD)

### Overview

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There are substantial opportunities for cereals (e.g. wheat). Due to increased prices in recent years of agricultural commodities (cereals, oils, etc.) and the weak dollar, American agricultural commodities became more attractive to European food processing industries.

Food Processing Industry Data Table (\$ millions)

	2010	2011	2012
Total Market Size	2,500	2,600	2,700
Total Exports (from Slovenia)	370	380	400

exchange rate: \$1 = EUR 0.76

Note: The above statistics are unofficial estimates

#### Leading companies in sector:

- Milk products:
  - Ljubljanske mlekarne, d.d. (<http://www.lj-mlek.si/>)
  - Mlekarna Celeia, d.o.o. (<http://www.mlekarna-celeia.si>)
  - Pomurske mlekarne, d.d. (<http://www.pomurske-mlekarne.si>)
- Meat, meat products:
  - Perutnina Ptuj, d.d. (<http://www.perutnina.si>)
  - Kras, d.d. (<http://www.kras.si>)
  - Droga Kolinska, d.d. (<http://www.kolinska.si>)
- Non-alcohol, alcohol beverages, vinegar:
  - Pivovarna Laško, d.d. (<http://www.pivo-lasko.si>)
  - Pivovarna Union, d.d. (<http://www.pivo-union.si>)
  - Fructal, d.d. (<http://www.fructal.si>)
- Wheat, cereals:
  - Žito, d.d. (<http://www.zito.si>)

### Sub-Sector Best Prospects

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#### By sales

- Processed meat products (22%)
- Milk products (16%)
- Baked products - bread and pastries (13%)

#### By exports

- Non-alcohol and alcohol beverages, vinegar (24%)
- Milk products, eggs, honey (16%)
- Meat (7%)
- Meat products (12%)

- Wheat, cereals (6%)
- Sugar, sugar products (1%)

## Opportunities

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We currently do not know of any business opportunities in this industry.

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Web: <http://www.sloveniapartner.com/article.asp?IDpm=144>

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Despite frequent disputes, bilateral agricultural trade between the United States and the EU-27 totaled \$28.9 billion in 2011. The EU is the fifth largest export market for U.S. agricultural products after China, Canada, Mexico and Japan. For the eleventh year in a row, the trade balance in agricultural, forestry, and fishery goods continued in the EU's favor (\$17.2 billion vs. \$11.7 billion). U.S. imports from the EU included wine and beer, essential oils, cheese, and processed fruits and vegetables.

The main U.S products exported to the EU by value were tree nuts, soybeans, processed fruits and vegetables and wine and beer. Increases were seen in U.S. exports of coarse grains, animal fats, wine and beer, fruit and vegetable juices. Tree nuts reached their highest EU export sales in 40 years.

Global branding and further integration of European markets is continuing to produce a more homogeneous food and drink market in Europe, but significant national differences in consumption remain. Nevertheless, certain common trends are evident throughout the EU: demand for greater convenience, more openness to non-traditional foods, and a growing interest in health foods, organics and niche markets. For a thorough analysis of what commodities and products offer the best opportunities, access <http://www.fas.usda.gov/posthome/useu/> and consult the individual member states' exporter guides: FAIRS Reports <http://www.fas.usda.gov/posthome/useu/> and consult the individual member states' exporter guides: [FAIRS Reports](#).

According to the Statistical Office there are over 77,000 holdings in Slovenia that perform agricultural activities. Average agricultural holdings use 6.3 hectares of agricultural area and breed 5.5 livestock units. An agricultural census (using EU standards) from 2000 showed that for family farms in Slovenia, medium-sized holdings predominated, with the largest percentage (27.3 percent) owning 5-10 hectares of land. The census also showed that, within the category of non-family enterprises, almost half were holdings with over 20 hectares of land. The statistical office states there is total of almost 500,000 hectares of agricultural land. The portion of agriculture in Slovenian GDP is slightly decreasing each year. In 2011, it only amounted to 1.2 percent of total GDP. Small farmers are slowly abandoning their agricultural activities and integrating in to the workforce. To support the agricultural industry, the government is trying to revive the countryside with initiatives and subsidies with special emphasis on eco farming and incorporating tourism through eco tourist farms.

In Slovenia, the predominant crops are maize for grain (production is nearly 300,000 tons/year), wheat (135,000 tons/year), potatoes, and fruits. The largest production is for animal feed. Over one million tons of maize and other types of fodder are grown annually.

The number of people employed in the agriculture sector decreased by 15 percent from 2000.

### **Best Market Prospects for U.S. Exports to Slovenia**

U.S. food products that should benefit from lower tariffs due to Slovenia's EU accession and have the best sales potential include edible dried beans, cocoa, dried fruits, fruit

juices, pet foods, wines and whiskey. The shortage of wheat in the recent years and the subsequent increase of domestic prices have made it an attractive crop.

U.S. exports of agricultural, fish and forest products to Slovenia have fluctuated widely over the past several years. Most official statistics tend to understate actual imports from the U.S., as they do not account for products transshipped through other EU countries.

### **Eco Farming**

The Slovene Ministry of Agriculture and the Environment supports the organic farming industry in Slovenia, particularly as it relates to agricultural tourism. The government also strongly encourages rural development through ecological farming and agricultural tourism for areas less favorable for agriculture, especially the alpine region.

### **Coexistence and Biotech**

According to EU legislation, none of the EU member states can ban biotech products or prohibit biotech farming within their borders. However, there are still obstacles. In Slovenia, there are currently no biotech crops being farmed, due to lack of proper coexistence legislation. The coexistence law has been in preparation for the past four years. The European Commission rejected Slovenia's proposed draft due to its overly restrictive measures. There is no suggested timeframe for when the government will present the legislation to the parliament for procedure again.

Due to the relatively high production of corn in Slovenia, adoption of coexistence legislation would present an attractive market opportunity for biotech seed and plants. Nevertheless, it is important to be aware of the extremely high consumer resistance to biotechnology and its negative connotation.

### **Web Resources**

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### **New Trade Lead System Created by the Foreign Agricultural Service**

The new Trade Lead System (TLS) is a unique internet database tool created by FAS (Foreign Agricultural Service) in partnership with the National Association of State Departments of Agriculture (NASDA). The TLS is designed to match U.S. exporters and foreign importers. In fact, small and medium sized U.S. companies have access to world markets because of this innovative system.

The TLS is a simple but effective way for FAS overseas offices to track a trade lead from start to finish and measure the results. FAS posts have their own internet TLS database management interface (DMI). Each post sources a trade lead and places it in their TLS database. In order to facilitate unique responses, State Departments of Agriculture and U.S. agricultural trade associations also have their own DMIs. By having their own interface, these organizations are able to login, access details of all FAS trade leads, and participate individually in the trade lead process.

When U.S. organizations recognize that a trade lead represents a business opportunity to their base of U.S. exporters, they search their database within the DMI system and append a list of potential exporters to the system. After these organizations respond by the deadline date, the system allows FAS posts to determine the next step in the process to eventually match importers with exporters. For example, FAS posts can notify targeted U.S. exporters about a trade lead or communicate directly with the importer. After the FAS post matches the local importer with potential U.S. suppliers, they monitor the situation. Hopefully, many of these matches result in sales.

**Foreign Agricultural Service**

1400 Independence Ave., S.W.  
Washington, DC 20250  
<http://www.fas.usda.gov/>

**FAS' Trade Lead System**

Boltzmannngasse 16  
A-1090 Wien  
Tel: +43-1-31339-2364  
Fax: +43-1-3108208  
[http://www.usda-mideurope.com/contact\\_form.php](http://www.usda-mideurope.com/contact_form.php)

**The FAS (Foreign Agricultural Service) Mid Europe Region includes Austria, Germany Hungary and Slovenia and has offices in Berlin, Vienna and Budapest**

<http://www.usda-mideurope.com>

**United States Department of Agriculture**

1400 Independence Ave., S.W.  
Washington, DC 20250  
Tel: (202) 720-2791  
<http://www.usda.gov>

**U.S. Department of Agriculture's Global Agricultural Information Network (GAIN)**

1400 Independence Ave., S.W.  
Washington, DC 20250.  
<http://www.gain.fas.usda.gov/Pages/Default.aspx>

**The United States Mission to the European Union**

Rue Zinnerstraat 13  
B-1000 Brussels  
Tel: +32-2-811-4100  
Fax: +32-2-811-4848  
<http://useu.usmission.gov>

U.S. Department of Agriculture – Austria and Central European Region:

<http://www.usembassy.at/en/usda/>

For more information regarding Agricultural policy, projects and legislation development, please visit the Slovene Ministry of Agriculture and the Environment at

<http://www.mkgp.gov.si/index.php?id=576&L=1>

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## Chapter 5: Trade Regulations, Customs and Standards

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### Import Tariffs

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The Integrated Tariff of the Community, referred to as TARIC (Tarif Intégré de la Communauté), is designed to show various rules applying to specific products being imported into the customs territory of the EU or, in some cases, when exported from it. To determine if a license is required for a particular product, check the TARIC. The TARIC can be searched by country of origin, Harmonized System (HS) Code, and product description on the interactive website of the Directorate-General for Taxation and the Customs Union. The online TARIC is updated daily

Key Link:

[http://ec.europa.eu/taxation\\_customs/customs/customs\\_duties/tariff\\_aspects/customs\\_tariff/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm)

When Slovenia joined the EU in 2004, it adopted the EU's customs legislation. EU regulation provides an overall legal foundation and Slovenia has adapted some parts of the EU customs regulations to national legislation.

The basic legal framework of the Customs System in the Republic of Slovenia is provided by: Customs Law [together with implementing acts (applied January 1st, 1999 and compliant with the EC Customs Code) (OG RS 1-3/95)], Customs Service Law, and Customs Tariff Law (OG RS 66/00).

Further information on Slovenian customs legislation can be found at:

[http://www.carina.gov.si/en/businesses/customs\\_treatment\\_of\\_goods/](http://www.carina.gov.si/en/businesses/customs_treatment_of_goods/)

Import levies are payable upon the importation of most agricultural and food products. Levies are not charged if the agricultural or food product is exempt from duties pursuant to the Customs Law.

The primary basis for customs valuation is ad valorem on the transaction value of the goods, (i.e., the price paid or the price that is to be paid for the goods to be imported),

including all duties and taxes paid outside Slovenia. For more than 95 percent of imports, customs value is established on the basis of transaction value. Besides customs duties paid according to rates provided by the Customs Tariff or preferential agreements, imports are also liable for VAT payment.

## **Trade Barriers**

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For information on existing trade barriers, please see the National Trade Estimate Report on Foreign Trade Barriers, published by USTR and available through the following website: <http://www.ustr.gov/about-us/press-office/reports-and-publications/2011-0>

Information on agricultural trade barriers can be found at the following website: <http://www.fas.usda.gov/posthome/useu/>

To report existing or new trade barriers and get assistance in removing them, contact either the Trade Compliance Center at <http://www.trade.gov/tcc> or the U.S. Mission to the European Union at <http://export.gov/europeanunion/>

## **Import Requirements and Documentation**

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The Integrated Tariff of the Community, referred to as TARIC (Tarif Intégré de la Communauté), is designed to show various rules applying to specific products being imported into the customs territory of the EU or, in some cases, when exported from it. To determine if a license is required for a particular product, check the TARIC.

The TARIC can be searched by country of origin, Harmonized System (HS) Code, and product description on the interactive website of the Directorate-General for Taxation and the Customs Union. The online TARIC is updated daily.

Many EU member states maintain their own list of goods subject to import licensing. For example, Germany's "Import List" (Einfuhrliste) includes goods for which licenses are required, their code numbers, any applicable restrictions, and the agency that will issue the relevant license. The Import List also indicates whether the license is required under German or EU law. For information relevant to member state import licenses, please consult the relevant member state Country Commercial Guide: [EU Member States' Country Commercial Guides](#) or conduct a search on the Commerce Department's Market Research Library, available from: <http://www.export.gov/mrktresearch/index.asp>.

### ***Import Documentation***

#### ***Non-agricultural Documentation***

The official model for written declarations to customs is the Single Administrative Document (SAD). European Free Trade Association (EFTA) countries including Norway, Iceland, Switzerland, and Liechtenstein also use the SAD. However, other forms may be used for this purpose. Information on import/export forms is contained in Title VII, of Council Regulation (EEC) No. 2454/93, which lays down provisions for the implementation of Council Regulation (EEC) No. 2913/92 establishing the Community Customs Code (Articles 205 through 221). Articles 222 through 224 provide for

computerized customs declarations and Articles 225 through 229 provide for oral declarations.

Additional information on import/export documentation can be found in Title III, of Council Regulation (EEC) No. 2913/92 of October 12, 1992, establishing the Community Customs Code (Articles 37 through 57). Goods brought into the customs territory of the Community are, from the time of their entry, subject to customs supervision until customs formalities are completed.

Goods presented to customs are covered by a summary declaration, which is lodged once the goods have been presented to customs. The customs authorities may, however, allow a period for lodging the declaration, which cannot be extended beyond the first working day following the day on which the goods are presented to customs. The summary declaration can be made on a form corresponding to the model prescribed by the customs authorities. However, the customs authorities may permit the use, as a summary declaration, of any commercial or official document that contains the particulars necessary for identification of the goods. It is encouraged that the summary declaration be made in computerized form.

The summary declaration is to be lodged by:

- the person who brought the goods into the customs territory of the Community or by any person who assumes responsibility for carriage of the goods following such entry; or
- the person in whose name the person referred to above acted.

Non-EU goods presented to customs must be assigned a customs-approved treatment or use authorized for such non-Community goods. Where goods are covered by a summary declaration, the formalities for them to be assigned a customs-approved treatment or use must be carried out:

- 45 days from the date on which the summary declaration is lodged in the case of goods carried by sea;
- 20 days from the date on which the summary declaration is lodged in the case of goods carried other than by sea.

Where circumstances so warrant, the customs authorities may set a shorter period or authorize an extension of the period.

The Modernized Customs Code (MCC) of the European Union is expected to be fully put into place by 2013 although there are concerns that this deadline may be missed due to the complexity of the project. Some facets of the MCC implementation have already been put into place such as EU wide Economic Operators Registration and Identification (EORI) numbers. The MCC will replace the existing Regulation 2913/92 and simplify various procedures such as introducing a paperless environment, centralized clearance, and more. Check the EU's Customs website periodically for updates:

[http://ec.europa.eu/taxation\\_customs/customs/procedural\\_aspects/general/community\\_code/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/procedural_aspects/general/community_code/index_en.htm)

### ***Batteries***

EU battery rules changed in September 2006 following the publication of the Directive on batteries and accumulators and waste batteries and accumulators (Directive 2006/66). This Directive replaces the original Battery Directive of 1991 (Directive 91/157). The

updated Directive applies to all batteries and accumulators put on the EU market including automotive, industrial and portable batteries. It aims to protect the environment by restricting the sale of batteries and accumulators that contain mercury or cadmium (with an exemption for emergency and alarm systems, medical equipment and cordless power tools) and by promoting a high level of collection and recycling. It places the responsibility on producers to finance the costs associated with the collection, treatment, and recycling of used batteries and accumulators. The Directive also includes provisions on the labeling of batteries and their removability from equipment. For more information, see our market research report: [http://www.buyusainfo.net/docs/x\\_4062262.pdf](http://www.buyusainfo.net/docs/x_4062262.pdf)

### **REACH**

REACH is the system for controlling chemicals in the EU. It came into force in 2007 (Regulation 1907/2006). Virtually every industrial sector, from automobiles to textiles, is affected by the new policy. REACH stands for the "Registration, Evaluation and Authorization and Restriction of Chemicals." REACH requires chemicals produced or imported into the EU in volumes above 1 ton per year to be registered with a central database handled by the European Chemicals Agency (ECHA), including information on their properties, uses and safe ways of handling them. The next registration deadline is **May 31, 2013**: <http://echa.europa.eu/web/guest/reach-2013>. U.S. companies without a presence in Europe cannot register directly and must have their chemicals registered through their importer or EU-based 'Only Representative of non-EU manufacturer'. A list of Only Representatives (ORs) can be found on the website of the U.S. Mission to the EU: <http://export.gov/europeanunion/reachclp/index.asp>

MSDS must be updated to be REACH compliant. For more information, see the guidance on the compilation of safety data sheets: [http://echa.europa.eu/documents/10162/17235/sds\\_en.pdf](http://echa.europa.eu/documents/10162/17235/sds_en.pdf)

U.S. exporters to the EU should carefully consider the REACH 'Candidate List' of substances of very high concern. Substances on that list are subject to communication requirements, and at a later stage, may require authorization for the EU market. For more information, see the ECHA website: <http://echa.europa.eu/web/guest/candidate-list-table>

### **WEEE & RoHS**

EU rules on Waste Electrical and Electronic Equipment (WEEE), while not requiring specific customs or import paperwork, may entail a financial obligation for U.S. exporters. They require U.S. exporters to register the products with a national WEEE authority, or arrange for this to be done by a local partner. The WEEE Directive is currently being revised; U.S. exporters seeking more information on WEEE and RoHS regulations should visit: <http://export.gov/europeanunion/weeerohs/index.asp>

The ROHS Directive, restricting the use of certain chemicals in electrical and electronic equipment, was revised in 2011 to become a CE marking directive and cover medical devices and monitoring and control equipment. The new ROHS Directive will replace the existing one on January 2, 2013. For more information on products covered by the legislation, substances banned in electrical and electronic equipment and the possibility to request exemptions, see: <http://export.gov/europeanunion/weeerohs/rohsinformation/index.asp>

*Cosmetics*

On November 30, 2009, the EU adopted a new regulation on cosmetic products which will apply from **July 11, 2013**. The new law introduces an EU-wide system for the notification of cosmetic products and the requirement to appoint a responsible person in the EU. For more information, see:

[http://export.gov/europeanunion/accessingeumarketsinkeyindustrysectors/eg\\_eu\\_044318.asp](http://export.gov/europeanunion/accessingeumarketsinkeyindustrysectors/eg_eu_044318.asp)

### ***Agricultural Documentation***

**Phytosanitary Certificates:** Phytosanitary certificates are required for most fresh fruits, vegetables, and other plant materials.

**Sanitary Certificates:** For commodities composed of animal products or by-products, EU countries require that shipments be accompanied by a certificate issued by the competent authority of the exporting country. This applies regardless of whether the product is for human consumption, for pharmaceutical use, or strictly for non-human use (e.g., veterinary biologicals, animal feeds, fertilizers, research). The vast majority of these certificates are uniform throughout the EU, but the harmonization process is not complete. During this transition period, certain member state import requirements continue to apply. In addition to the legally required EU health certificates, a number of other certificates are used in international trade. These certificates, which may also be harmonized in EU legislation, certify origin for customs purposes and certain quality attributes. Up-to-date information on harmonized import requirements can be found at the following website: <http://www.fas.usda.gov/posthome/Useu/certificates-overview.html>

### **Sanitary Certificates (Fisheries)**

In April 2006, the European Union declared the U.S. seafood inspection system as equivalent to the European one. Consequently, a specific public health certificate must accompany U.S. seafood shipments. Commission Decision 2006/199/EC lays down specific conditions on imports of fishery products from the U.S. Unlike for fishery products, the U.S. shellfish sanitation system is not equivalent to that of the EU's. The EU and the U.S. are currently negotiating a veterinary equivalency agreement on shellfish. In the meantime, the EU still has a ban in place (since July 1, 2010), that prohibits the import of U.S. bivalve mollusks, in whatever form, into EU territory. This ban does not apply to wild roe-off scallops.

With the implementation of the second Hygiene Package, aquaculture products coming from the United States must be accompanied by a public health certificate according to Commission Decision 2006/199/EC and the animal health attestation included in the new fishery products certificate, covered by Regulation (EC) 1250/2008. This animal health attestation is not required in the case of live bivalve mollusks intended for immediate human consumption (retail).

Since June 2009, the unique U.S. competent authority for issuing sanitary certificates for fishery and aquaculture products is the U.S. Department of Commerce, National Marine Fisheries Service (NOAA-NMFS).

In addition to sanitary certificates, all third countries wishing to export fishery products to the EU are requested to provide a catch certificate. This catch certificate certifies that the products in question have been caught legally.

For detailed information on import documentation for seafood, please contact the NOAA Fisheries office at the U.S. Mission to the EU ([stephane.vrignaud@trade.gov](mailto:stephane.vrignaud@trade.gov)) or visit the following NOAA dedicated web site: [http://www.seafood.nmfs.noaa.gov/EU\\_Export.html](http://www.seafood.nmfs.noaa.gov/EU_Export.html)

## **U.S. Export Controls**

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Most technology can be exported from the U.S. to Slovenia under general export licenses. Some equipment still requires validated export licenses from the Commerce Department's Bureau of Industry and Security and/or the Department of State. For further information on U.S. export controls, please see the following website: <http://www.bis.doc.gov>.

The U.S. Department of Commerce's Bureau of Industry and Security (BIS) is responsible for implementing and enforcing the Export Administration Regulations (EAR), which regulate the export and re-export of some commercial items, including "production" and "development" technology.

The items that BIS regulates are often referred to as "dual use" since they have both commercial and military applications. Further information on export controls is available at: <http://www.bis.doc.gov/licensing/exportingbasics.htm>

BIS has developed a list of "red flags," or warning signs, intended to discover possible violations of the EAR. These are posted at: <http://www.bis.doc.gov/enforcement/redflags.htm>

Also, BIS has "Know Your Customer" guidance at: <http://www.bis.doc.gov/Enforcement/knowcust.htm>

If there is reason to believe a violation is taking place or has occurred, report it to the Department of Commerce by calling the 24-hour hotline at 1(800) 424-2980, or via the confidential lead page at: <https://www.bis.doc.gov/forms/eeleadsntips.html>

The EAR does not control all goods, services, and technologies. Other U.S. government agencies regulate more specialized exports. For example, the U.S. Department of State has authority over defense articles and services. A list of other agencies involved in export control can be found on the BIS web site or in Supplement No. 3 to Part 730 of the EAR, which is available on the Government Printing Office Web site at: [http://www.access.gpo.gov/bis/ear/ear\\_data.html](http://www.access.gpo.gov/bis/ear/ear_data.html)

BIS provides a variety of training sessions to U.S. exporters throughout the year. These sessions range from one to two day seminars and focus on the basics of exporting as well as more advanced topics. A list of upcoming seminars can be found at: <https://www.bis.doc.gov/seminarsandtraining/index.htm>

For further details about the Bureau of Industry and Security and its programs, please visit the BIS website at: <http://www.bis.doc.gov/>

For information on this topic please consult the Commerce Department's Country Commercial Guides on EU member states: [EU Member States' Country Commercial Guides](#)

Alternatively, search the Commerce Department's Market Research Library, available from: <http://www.export.gov/mrktresearch/index.asp> under Country and Industry Market Reports.

## Temporary Entry

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Slovenia is a signatory to the ATA Convention on Temporary Imports and Exports.

**More information on ATA:** The purpose of the Convention on temporary admission is to simplify procedures on temporary imports of certain kinds of goods (professional equipment, goods for exhibitions, etc.). The ATA Carnet is a customs document to perform temporary importation and temporary exportation and it also serves as a transit document for transit of goods to the country of temporary importation. The ATA System Guarantee Association in Slovenia is the Chamber of Commerce and Industry of Slovenia, which is also authorized to issue ATA Carnets.

Products may be imported into Slovenia on a temporary basis and be exempt from customs duties in various cases, of which the most important are the following:

- Goods to be released into free circulation exempt from customs duty under the Customs Act;
- Goods temporarily imported for exhibitions or testing, if the foreign owner has made them available free of charge and for a specific period of time;
- Animals, instruments, and other items which are required for artistic, sports, or other events and the production of motion pictures;
- Packaging materials, freight, and security equipment, etc. required for the delivery or dispatch of foreign-owned goods;
- Equipment for governmental and non-governmental international or bilateral organizations, or international or bilateral commissions, with a seat in the customs territory, or having a representative office with a seat in the customs territory;
- Equipment required to avert imminent danger of epidemics, elementary or other natural disasters, or to mitigate the immediate consequences of such disasters;
- Yachts, sailing ships, and other sea vessels with accessory floating moorings and anchoring equipment, if they are used for sport and tourism (under the conditions:
  - that they are temporarily imported by companies or individual entrepreneurs registered for the rental of foreign yachts, sailing ships, and other sea vessels
  - contracts concluded with foreign sport clubs and their associations permit them to rent the sea vessels to foreign tourists, members of these clubs, and their associations for use in Slovenia);
- Household items temporarily imported by domestic and foreign natural persons entering Slovenia for a temporary sojourn; and
- Equipment that is temporarily imported by permanent correspondents or editorial offices of foreign media registered in the customs territory.

The time limit for temporary imports is based on the purpose for which goods are temporarily imported, but may not exceed a period of 12 months. Partial exemption from payment of customs duty may be granted for the temporary import of goods not

mentioned above, if they remain the property of foreign persons. The amount of duty to be paid for temporary imports of goods with a partial exemption from customs duty is 3 percent of the duty that would have to be paid for these goods if they were released for free circulation. There is no information on warranty and non-warranty items entering Slovenia for repair available.

## **Labeling and Marking Requirements**

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An overview of EU mandatory and voluntary labeling and marking requirements has been compiled in a market research report that is available at:

[http://buyusainfo.net/docs/x\\_366090.pdf](http://buyusainfo.net/docs/x_366090.pdf)

The following labeling information must be in Slovene on the original package of products subject to quality control:

- Title of the product
- Full address of the manufacturer
- Full address of the importer
- Net quantity/weight/volume
- Information, where applicable, regarding ingredients
- Use and storage instructions
- Other warnings important for the customer.

Technically complicated products must also include instructions for use, the manufacturer's specifications, a list of authorized maintenance offices, a warranty, and other applicable data. All this information must be in Slovene and attached to each product before reaching customers.

More information on labeling and marking requirements are available at the Slovenian Chamber of Commerce and Industry at <http://www.gzs.si/slo/>.

An overview of EU mandatory and voluntary labeling and marking requirements has been compiled in a market research report that is available at:

[http://www.buyusainfo.net/docs/x\\_4171929.pdf](http://www.buyusainfo.net/docs/x_4171929.pdf).

The subject has been also been covered in the section about standards (see below).

## **Prohibited and Restricted Imports**

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The TARIC is designed to show various rules applying to specific products being imported into the customs territory of the EU or, in some cases, when exported from it. To determine if a product is prohibited or subject to restriction, check the TARIC for the following codes:

*CITES Convention on International Trade of Endangered Species*

*PROHI Import Suspension*

*RSTR Import Restriction*

For information on how to access the TARIC, see the Import Requirements and Documentation Section above.

Key Link:

[http://ec.europa.eu/taxation\\_customs/customs/customs\\_duties/tariff\\_aspects/customs\\_tariff/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm)

## Customs Regulations and Contact Information

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Homepage of Customs and Taxation Union Directorate (TAXUD) Website

Key Link: [http://ec.europa.eu/taxation\\_customs/customs/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/index_en.htm)

*Major Regulatory Efforts of the EC Customs and Taxation Union Directorate:*

**Electronic Customs Initiative** – Deals with major EU Customs modernization developments to improve and facilitate trade in the EU member states. The electronic customs initiative is essentially based on the following three pieces of legislation:

- The [Security and Safety Amendment to the Customs Code](#), which provides for full computerization of all procedures related to security and safety;
- The Decision on the paperless environment for customs and trade ([Electronic Customs Decision](#)) which sets the basic framework and major deadlines for the electronic customs projects;
- The [modernized Community Customs Code](#) which provides for the completion of the computerization of customs

Key Link:

[http://ec.europa.eu/taxation\\_customs/customs/policy\\_issues/electronic\\_customs\\_initiative/electronic\\_customs\\_legislation/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/policy_issues/electronic_customs_initiative/electronic_customs_legislation/index_en.htm)

**Customs Valuation** – Most customs duties and value added tax (VAT) are expressed as a percentage of the value of goods being declared for importation. Thus, it is necessary to dispose of a standard set of rules for establishing the goods' value, which will then serve for calculating the customs duty.

The EU imports in excess of 1.5 trillion euro worth of goods (year 2010, estimate). It is important that the value of such commerce is accurately measured for the purposes of:

- economic and commercial policy analysis,
- application of commercial policy measures,
- proper collection of import duties and taxes, and
- import and export statistics.

These objectives are met using a single instrument - the rules on customs value.

The EU applies an internationally accepted concept of '[customs value](#)'.

The value of imported goods is one of the three 'elements of taxation' that provides the basis for assessment of the customs debt, which is the technical term for the amount of duty that has to be paid, the other ones being the origin of the goods and the customs tariff.

Key Link:

[http://ec.europa.eu/taxation\\_customs/customs/customs\\_duties/declared\\_goods/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/customs_duties/declared_goods/index_en.htm)

**Customs and Security** – At the end of July 2003, the Commission presented to the Parliament and Council a series of measures to address security issues. These measures can be found in [two communications and a proposal for amending the Community Customs Code](#). This package brought together the basic concepts underlying the new security-management model for the EU's external borders, such as a harmonized risk assessment system. The security amendment to the Community Customs Code ([Regulation \(EC\) n° 648/2005 of 13 April 2005](#)) was published in the Official Journal of the European Union on May 4, 2005. With this amendment, the European Union introduced a number of measures to tighten security around goods crossing international borders. The measures mean faster and better-targeted checks. The results are positive for customs authorities, the public and Industry.

The measures cover three major changes to the Customs Code:

- require traders to provide customs authorities with information on goods prior to import to or export from the European Union (see Pre Arrival / Pre Departure Declarations);
- provide reliable traders with trade facilitation measures see Authorized Economic Operator (AEO);
- introduce a mechanism for setting uniform Community risk-selection criteria for controls, supported by computerized systems.

Key Link:

[http://ec.europa.eu/taxation\\_customs/customs/policy\\_issues/customs\\_security/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/policy_issues/customs_security/index_en.htm)

Contact Information for national customs authorities:

[http://ec.europa.eu/taxation\\_customs/taxation/personal\\_tax/savings\\_tax/contact\\_points/index\\_en.htm](http://ec.europa.eu/taxation_customs/taxation/personal_tax/savings_tax/contact_points/index_en.htm)

**Standards**

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The EU Standardization Act provides a new approach to determining the legal nature of standards and technical regulations. According to the Act, a standard does not become a binding requirement unless so designated by a competent ministry; thus, standards are optional/voluntary. Since Slovenia is part of the EU, it recognizes all EU and international standards.

Goods and services imported for sale in Slovenia must comply with prescribed standards and technical regulations and be certified by an authorized institution, if it is so prescribed by the appropriate ministry. The Slovenian Standards Institute will answer all questions pertaining to standards (Email: [sist@sist.si](mailto:sist@sist.si)). Where there is no authorized institution for certification, the Standards and Metrology Institute of the Republic of Slovenia will issue a certificate. Certificates issued abroad are valid in Slovenia if the issuing authority and the local issuing institution have a mutual recognition agreement. Health, veterinary, phytosanitary, or ecological control is obligatory for some types of products such as foodstuffs and animals.

Technical instructions, a written guarantee statement, and, if necessary, instructions for use, must be enclosed with technical goods and consumer durables imported into Slovenia. In addition, the importer must guarantee the servicing of products and supply of spare parts. A declaration consisting of the name and type of product, name of manufacturer and other prescribed data should be affixed to the product. The documents and the declaration must be written in Slovene.

If a contract with a foreign person, regulations of a foreign country, or a bilateral or international agreement requires that export or import goods be shipped with documents certified by a competent authority, the Chamber of Commerce and Industry of Slovenia or an authorized customs organization is the competent authority. If the regulations of the country in which the documents are to be used stipulate that the documents have to be issued by a state body, the Ministry of Foreign Affairs is the competent issuing authority in Slovenia.

Products tested and certified in the United States to American standards are likely to have to be retested and re-certified to EU requirements as a result of the EU's different approach to the protection of the health and safety of consumers and the environment. Where products are not regulated by specific EU technical legislation, they are always subject to the EU's General Product Safety Directive as well as to possible additional national requirements.

European Union standards created under the New Approach are harmonized across the 27 EU member states and European Economic Area countries to allow for the free flow of goods. A feature of the New Approach is CE marking. For a list of new approach legislation, go to [http://ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/index\\_en.htm](http://ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/index_en.htm) . The concept of new approach legislation is likely to disappear as the New Legislative Framework (NLF), which entered into force in January 2010, was put in place to serve as a kind of blueprint for existing and future CE marking legislation. Since 2010/2011 existing legislation has been reviewed to bring them in line with the NLF concepts.

While harmonization of EU legislation can facilitate access to the EU Single Market, manufacturers should be aware that regulations (mandatory) and technical standards (voluntary) might also function as barriers to trade if U.S. standards are different from those of the European Union.

#### *Agricultural Standards*

The establishment of harmonized EU rules and standards in the food sector has been ongoing for several decades, but it took until January 2002 for the publication of a general food law establishing the general principles of EU food law. This Regulation introduced mandatory traceability throughout the feed and food chain as of Jan 1, 2005. For specific information on agricultural standards, please refer to the Foreign Agricultural Service's website at: <http://www.fas.usda.gov/posthome/useu/about.html>

There are also export guides to import regulations and standards available on the Foreign Agricultural Service's website:  
<http://www.fas.usda.gov/posthome/useu/about.html>

### **Standards Organizations**

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EU standards setting is a process based on consensus initiated by Industry or mandated by the European Commission and carried out by independent standards bodies, acting at the national, European or international level. There is strong encouragement for non-governmental organizations, such as environmental and consumer groups, to actively participate in European standardization.

Many standards in the EU are adopted from international standards bodies such as the International Standards Organization (ISO). The drafting of specific EU standards is handled by three European standards organizations:

1. CENELEC, European Committee for Electrotechnical Standardization (<http://www.cenelec.eu/> )
2. ETSI, European Telecommunications Standards Institute (<http://www.etsi.org/>)
3. CEN, European Committee for Standardization, handling all other standards (<http://www.cen.eu/cen/pages/default.aspx>)

Standards are created or modified by experts in Technical Committees or Working Groups. The members of CEN and CENELEC are the national standards bodies of the member states, which have "mirror committees" that monitor and participate in ongoing European standardization. CEN and CENELEC standards are sold by the individual member states standards bodies. ETSI is different in that it allows direct participation in its technical committees from non-EU companies that have interests in Europe and gives away some of its individual standards at no charge on its website. In addition to the three standards developing organizations, the European Commission plays an important role in standardization through its funding of the participation in the standardization process of small- and medium-sized companies and non-governmental organizations, such as environmental and consumer groups. The Commission also provides money to the standards bodies when it mandates standards development to the European Standards Organization for harmonized standards that will be linked to EU technical legislation.

Mandates can be checked on line at: [http://ec.europa.eu/enterprise/policies/european-standards/standardisation-requests/index\\_en.htm](http://ec.europa.eu/enterprise/policies/european-standards/standardisation-requests/index_en.htm)

Given the EU's vigorous promotion of its regulatory and standards system as well as its generous funding for its development, the EU's standards regime is wide and deep - extending well beyond the EU's political borders to include affiliate members (countries which are hopeful of becoming full members in the future) such as Albania, Belarus, FYR Macedonia, and Morocco among others. Another category, called "partner standardization body" includes the standards organization of Mongolia and Australia, which are not likely to become a CEN member or affiliate for political and geographical reasons.

To know what CEN and CENELEC have in the pipeline for future standardization, it is best to visit their websites. CEN's "sectors" page provides an overview by sector and/or technical committee whereas CENELEC offers the possibility to search its database. ETSI's portal ([http://portal.etsi.org/Portal\\_Common/home.asp](http://portal.etsi.org/Portal_Common/home.asp)) leads to ongoing activities.

With the need to adapt more quickly to market needs, European standards organizations have been looking for "new deliverables" which are standard-like products delivered in a shorter timeframe. While few of these "new deliverables" have been linked to EU legislation, expectations are that they will eventually serve as the basis for EU-wide standards.

Key Link: <http://www.cen.eu/cenorm/products/cwa/index.asp>

The role of standards in legislation is undergoing review. The Commission's proposal, which is now in its first reading at the European Parliament, clarifies the relationship between regulations and standards and confirms the role of the three European standards bodies in developing EN harmonized standards. The emphasis is also on referencing international standards where possible. For information, communication and technology products, the importance of interoperability standards has been recognized. Through a newly established mechanism, a board will decide which deliverables from fora and consortia will be acceptable for public procurement specifications. The European standards bodies have been encouraged to improve efficiency in terms of delivery and to look for ways to include more societal stakeholders in European standardization.

Key Link: [http://ec.europa.eu/enterprise/policies/european-standards/standardisation-policy/index\\_en.htm](http://ec.europa.eu/enterprise/policies/european-standards/standardisation-policy/index_en.htm)

## **Conformity Assessment**

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Conformity Assessment is a mandatory step for the manufacturer in the process of complying with specific EU legislation. The purpose of conformity assessment is to ensure consistency of compliance during all stages, from design to production, to facilitate acceptance of the final product. EU product legislation gives manufacturers some choice regarding conformity assessment, depending on the level of risk involved in the use of their product. These range from self-certification, type examination and production quality control system, to full quality assurance system. Conformity

assessment bodies in individual member states are listed in NANDO, the European Commission's website.

Key Link: <http://ec.europa.eu/enterprise/newapproach/nando/>

To promote market acceptance of the final product, there are a number of voluntary conformity assessment programs. CEN's certification systems are the Keymark, the CENCER mark, and CEN workshop agreements (CWA) Certification Rules. CENELEC has its own initiative. ETSI does not offer conformity assessment services.

## **Product Certification**

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To sell products in the EU market of 27 member states as well as in Norway, Liechtenstein and Iceland, U.S. exporters are required to apply CE marking whenever their product is covered by specific product legislation. CE marking product legislation offers manufacturers a number of choices and requires decisions to determine which safety/health concerns need to be addressed, which conformity assessment module is best suited to the manufacturing process, and whether or not to use EU-wide harmonized standards. There is no easy way for U.S. exporters to understand and go through the process of CE marking, but hopefully this section provides some background and clarification.

Products manufactured to standards adopted by CEN, CENELEC and ETSI, and published in the Official Journal as harmonized standards, are presumed to conform to the requirements of EU Directives. The manufacturer then applies the CE marking and issues a declaration of conformity. With these, the product will be allowed to circulate freely within the EU. A manufacturer can choose not to use the harmonized EU standards, but then must demonstrate that the product meets the essential safety and performance requirements. Trade barriers occur when design, rather than performance, standards are developed by the relevant European standardization organization, and when U.S. companies do not have access to the standardization process through a European presence.

The CE marking addresses itself primarily to the national control authorities of the member states, and its use simplifies the task of essential market surveillance of regulated products. As market surveillance was found lacking, the EU adopted the New Legislative Framework, which went into force in 2010. As mentioned before, this framework is like a blueprint for all CE marking legislation, harmonizing definitions, responsibilities, European accreditation and market surveillance.

The CE marking is not intended to include detailed technical information on the product, but there must be enough information to enable the inspector to trace the product back to the manufacturer or the local contact established in the EU. This detailed information should not appear next to the CE marking, but rather on the declaration of conformity (which the manufacturer or authorized agent must be able to provide at any time, together with the product's technical file), or the documents accompanying the product.

## Accreditation

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Independent test and certification laboratories, known as notified bodies, have been officially accredited by competent national authorities to test and certify to EU requirements.

"European Accreditation" (<http://www.european-accreditation.org/content/home/home.htm>) is an organization representing nationally recognized accreditation bodies. Membership is open to nationally recognized accreditation bodies in countries in the European geographical area that can demonstrate that they operate an accreditation system compatible with EN45003 or ISO/IEC Guide 58.

## Publication of Technical Regulations

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The Official Journal is the official gazette of the European Union. It is published daily on the internet and consists of two series covering draft and adopted legislation as well as case law, studies by committees, and more (<http://eur-lex.europa.eu/JOIndex.do?ihmlang=en>). It lists the standards reference numbers linked to legislation ([http://ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/index\\_en.htm](http://ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/index_en.htm)).

National technical Regulations are published on the Commission's website [http://ec.europa.eu/enterprise/tris/index\\_en.htm](http://ec.europa.eu/enterprise/tris/index_en.htm) to allow other countries and interested parties to comment.

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT) to report to the WTO all proposed technical regulations that could affect trade with other member countries. **Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect access to international markets. Register online at Internet URL: <http://tsapps.nist.gov/notifyUS/data/index/index.cfm>

## Labeling and Marking

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Manufacturers should be mindful that, in addition to the EU's mandatory and voluntary schemes, national voluntary labeling schemes might still apply. These schemes may be highly appreciated by consumers, and thus, become unavoidable for marketing purposes.

Manufacturers are advised to take note that all labels require metric units although dual labeling is also acceptable. The use of language on labels has been the subject of a Commission Communication, which encourages multilingual information, while preserving the right of member states to require the use of the language of the country of consumption.

The EU has mandated that certain products be sold in standardized quantities. Council Directive 2007/45/EC harmonizes packaging of wine and spirits throughout the EU. Existing national sizes will be abolished with a few exceptions for domestic producers. Key Link: [http://ec.europa.eu/enterprise/prepack/packsize/packsiz\\_en.htm](http://ec.europa.eu/enterprise/prepack/packsize/packsiz_en.htm)

#### *The Eco-label*

The EU eco-label is a voluntary label which U.S. exporters can display on products that meet high standards of environmental awareness. The eco-label is intended to be a marketing tool to encourage consumers to purchase environmentally-friendly products. The criteria for displaying the eco-label are strict, covering the entire lifespan of the product from its manufacture, use, and disposal. These criteria are reviewed every three to five years to take into account advances in manufacturing procedures. There are currently twenty-three different product groups, and approximately 250 licenses have been awarded for several hundred products.

Applications to display the eco-label should be directed to the competency body of the member state in which the product is sold. The application fee will be somewhere between €300 and €1300 depending on the tests required to verify if the product is eligible. The eco-label also carries an annual fee equal to 0.15 percent of the annual volume of sales of the product range within the European community. However, the minimum annual fee is currently set at €500 and maximum €25,000.

There are plans to significantly reform the eco-label in the near future, reducing the application and annual fees and expanding the product ranges significantly. It is also possible that future eligibility criteria may take into account carbon emissions.

Key Links:

[Eco-label Home Page](#)

[Product Categories eligible for the Eco-label](#)

[Eco-Label Catalogue](#)

[List of Competent Bodies](#)

[Revision of the Eco-label](#)

[The Eco-label and Carbon Footprint](#)

#### **Contacts**

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Information on particular Slovene standards and certification requirements can be obtained from the Slovenian Standards Institute (phone: +386-1-478 3013; fax: +386-1-478 3094) webpage [www.sist.si/index.htm](http://www.sist.si/index.htm), email [sist@sist.si](mailto:sist@sist.si). The institute is responsible for national standards (technical as well as quality standards).

#### **Trade Agreements**

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Slovenia has been a member of WTO since 1995  
([http://www.wto.org/English/thewto\\_e/countries\\_e/slovenia\\_e.htm](http://www.wto.org/English/thewto_e/countries_e/slovenia_e.htm))

List of bilateral agreements between the Republic of Slovenia and the Government of United States of America:

Agreement on Investment Incentives

Signed in Washington, on 04.26.1994

Convention on International Civil Aviation  
Signed in Chicago, on 12.07.1944

Statute of the International Monetary Fund  
Signed in Washington, on 01.01.1945

Statute of the International Financial Corporation  
Signed in Washington, on 04.11.1955

Statute of the International Bank for Reconstruction and Development  
Signed in Washington, on 12.27.1945

Accord on Transit in the International Air Space  
(Accord relative au Transit des Services Aeriens Internationaux)  
Signed in Chicago, on 12.07.1944

For a list of trade agreements with the EU and its member states, as well as concise explanations, please see [http://tcc.export.gov/Trade\\_Agreements/index.asp](http://tcc.export.gov/Trade_Agreements/index.asp)

## Web Resources

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Information on Slovenian customs legislation:

<http://www.carina.gov.si/en/>

[http://www.carina.gov.si/en/businesses/customs\\_treatment\\_of\\_goods/](http://www.carina.gov.si/en/businesses/customs_treatment_of_goods/)

More on EU customs:

[http://ec.europa.eu/taxation\\_customs/customs/policy\\_issues/customs\\_strategy/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/policy_issues/customs_strategy/index_en.htm)

Information on excise duty:

[http://ec.europa.eu/taxation\\_customs/taxation/gen\\_info/tax\\_policy/index\\_en.htm](http://ec.europa.eu/taxation_customs/taxation/gen_info/tax_policy/index_en.htm)

National Trade Estimate Report on Foreign Trade Barriers, published by USTR:

[http://www.ustr.gov/Document\\_Library/Reports\\_Publications/2008/2008\\_NTE\\_Report/Section\\_Index.html](http://www.ustr.gov/Document_Library/Reports_Publications/2008/2008_NTE_Report/Section_Index.html)

Agricultural trade barriers: <http://www.fas.usda.gov/posthome/Useu/>

Trade Compliance Center: <http://www.trade.gov/tcc>

U.S. Mission to the European Union: <http://www.buyusa.gov/europeanunion>

[http://ec.europa.eu/taxation\\_customs/customs/customs\\_duties/tariff\\_aspects/customs\\_tariff/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm)

EU's Customs website:

[http://ec.europa.eu/taxation\\_customs/customs/procedural\\_aspects/general/community\\_code/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/procedural_aspects/general/community_code/index_en.htm)

Information on batteries: [http://www.buyusainfo.net/docs/x\\_8086174.pdf](http://www.buyusainfo.net/docs/x_8086174.pdf)  
REACH: <http://www.buyusa.gov/europeanunion/reach.html>  
WEEE and RoHS: <http://www.buyusa.gov/europeanunion/weee.html>

Up-to-date information on harmonized import requirements:  
<http://www.fas.usda.gov/posthome/useu/certificates-overview.html>

U.S. export controls: <http://www.bis.doc.gov>

EU mandatory and voluntary labeling and marking requirements:  
[http://www.buyusainfo.net/docs/x\\_4171929.pdf](http://www.buyusainfo.net/docs/x_4171929.pdf)

Slovenian Standards Institute: [www.sist.si](http://www.sist.si)

Foreign Agricultural Service: <http://www.fas.usda.gov/posthome/useu/>

Labeling: Key Links: [http://buyusainfo.net/docs/x\\_4284752.pdf](http://buyusainfo.net/docs/x_4284752.pdf)  
[http://ec.europa.eu/comm/environment/ecolabel/index\\_en.htm](http://ec.europa.eu/comm/environment/ecolabel/index_en.htm)  
<http://www.eco-label.com/>

European Accreditation: [http://www.european-accreditation.org/default\\_flash.htm](http://www.european-accreditation.org/default_flash.htm)

Trade agreements with the EU and its Member States:  
[http://www.wto.org/English/thewto\\_e/countries\\_e/slovenia\\_e.htm](http://www.wto.org/English/thewto_e/countries_e/slovenia_e.htm)

[http://www.wto.org/English/thewto\\_e/countries\\_e/slovenia\\_e.htm](http://www.wto.org/English/thewto_e/countries_e/slovenia_e.htm)

More resources are available at <http://www.poslovnportal.si/>  
The portal offers up-to-date information pertaining to legal and regulatory framework in Slovenia.

EU websites:

Online customs tariff database (TARIC):  
[http://ec.europa.eu/taxation\\_customs/customs/customs\\_duties/tariff\\_aspects/customs\\_tariff/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm)

The Modernized Community Customs Code (MCCC):  
[http://europa.eu/legislation\\_summaries/customs/do0001\\_en.htm](http://europa.eu/legislation_summaries/customs/do0001_en.htm)

ECHA: <http://echa.europa.eu>

Taxation and Customs Union:  
[http://ec.europa.eu/taxation\\_customs/customs/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/index_en.htm)

Security and Safety Amendment to the Customs Code - Regulation (EC) 648/2005:  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32005R0648:en:HTML>

Electronic Customs Initiative: Decision N° 70/2008/EC

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:023:0021:0026:EN:PDF>

Modernized Community Customs Code Regulation (EC) 450/2008):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:145:0001:0064:EN:PDF>

Legislation related to the Electronic Customs Initiative:

[http://ec.europa.eu/taxation\\_customs/customs/policy\\_issues/electronic\\_customs\\_initiative/electronic\\_customs\\_legislation/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/policy_issues/electronic_customs_initiative/electronic_customs_legislation/index_en.htm)

### International Level:

What is Customs Valuation?

[http://ec.europa.eu/taxation\\_customs/customs/customs\\_duties/declared\\_goods/european/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/customs_duties/declared_goods/european/index_en.htm)

Customs and Security: Two communications and a proposal for amending the Community Customs Code

[http://ec.europa.eu/taxation\\_customs/customs/policy\\_issues/customs\\_security/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/policy_issues/customs_security/index_en.htm)

Establishing the Community Customs Code: Regulation (EC) n° 648/2005 of 13 April 2005

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32005R0648:en:HTML>

Pre Arrival/Pre Departure Declarations:

[http://ec.europa.eu/taxation\\_customs/customs/procedural\\_aspects/general/prearrival\\_predeparture/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/procedural_aspects/general/prearrival_predeparture/index_en.htm)

AEO: Authorized Economic Operator

[http://ec.europa.eu/taxation\\_customs/customs/policy\\_issues/customs\\_security/aeo/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/policy_issues/customs_security/aeo/index_en.htm)

Contact Information at National Customs Authorities:

[http://ec.europa.eu/taxation\\_customs/taxation/personal\\_tax/savings\\_tax/contact\\_points/index\\_en.htm](http://ec.europa.eu/taxation_customs/taxation/personal_tax/savings_tax/contact_points/index_en.htm)

New Approach Legislation: [http://ec.europa.eu/enterprise/policies/european-standards/documents/harmonised-standards-legislation/list-references/index\\_en.htm](http://ec.europa.eu/enterprise/policies/european-standards/documents/harmonised-standards-legislation/list-references/index_en.htm)

Cenelec, European Committee for Electrotechnical Standardization:

<http://www.cenelec.eu/>

ETSI, European Telecommunications Standards Institute:

<http://www.etsi.org/>

CEN, European Committee for Standardization, handling all other standards:

<http://www.cen.eu/cenorm/homepage.htm>

Standardisation – Mandates:

[http://ec.europa.eu/enterprise/policies/european-standards/standardisation-requests/index\\_en.htm](http://ec.europa.eu/enterprise/policies/european-standards/standardisation-requests/index_en.htm)

[http://ec.europa.eu/enterprise/policies/european-standards/index\\_en.htm](http://ec.europa.eu/enterprise/policies/european-standards/index_en.htm)

[http://ec.europa.eu/enterprise/standards\\_policy/mandates/database/index.cfm?fuseaction=txtSearch.main&CFID=34648468&CFTOKEN=6ef965fc96926526-52EF213E-DE68-5C5C-981D1CB14CA6CF99&jsessionid=f412d234ecac366e803c2593f323e576c666TR](http://ec.europa.eu/enterprise/standards_policy/mandates/database/index.cfm?fuseaction=txtSearch.main&CFID=34648468&CFTOKEN=6ef965fc96926526-52EF213E-DE68-5C5C-981D1CB14CA6CF99&jsessionid=f412d234ecac366e803c2593f323e576c666TR)

ETSI – Portal – E-Standardisation :  
[http://portal.etsi.org/Portal\\_Common/home.asp](http://portal.etsi.org/Portal_Common/home.asp)

CEN – Sector Fora:  
<http://www.cen.eu/cenorm/sectors/index.asp>

Nando (New Approach Notified and Designated Organizations) Information System:  
<http://ec.europa.eu/enterprise/newapproach/nando/>

Mutual Recognition Agreements (MRAs):  
[http://ec.europa.eu/enterprise/policies/single-market-goods/international-aspects/mutual-recognition-agreement/usa/index\\_en.htm](http://ec.europa.eu/enterprise/policies/single-market-goods/international-aspects/mutual-recognition-agreement/usa/index_en.htm)

European Co-operation for Accreditation:  
<http://www.european-accreditation.org/content/home/home.htm>

Eur-Lex – Access to European Union Law:  
<http://eur-lex.europa.eu/en/index.htm>

Standards Reference Numbers linked to Legislation:  
European Standards  
[http://ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/index\\_en.htm](http://ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/index_en.htm)

What's New  
[http://ec.europa.eu/enterprise/policies/european-standards/news/index\\_en.htm](http://ec.europa.eu/enterprise/policies/european-standards/news/index_en.htm)

National technical Regulations  
[http://ec.europa.eu/enterprise/tris/index\\_en.htm](http://ec.europa.eu/enterprise/tris/index_en.htm)

NIST - Notify U.S.: <http://tsapps.nist.gov/notifyU.S./data/index/index.cfm>

Metrology, Pre-Packaging – Pack Size:  
<http://ec.europa.eu/enterprise/sectors/legal-metrology-and-prepack/documents/pack-sizes/>

European Union Eco-label Homepage:  
[http://ec.europa.eu/comm/environment/ecolabel/index\\_en.htm](http://ec.europa.eu/comm/environment/ecolabel/index_en.htm)

Eco-Label Catalogue:  
<http://www.eco-label.com/default.htm>

U.S. websites:

National Trade Estimate Report on Foreign Trade Barriers:

<http://www.ustr.gov/about-us/press-office/reports-and-publications/2009/2009-national-trade-estimate-report-foreign-trad>

Agricultural Trade Barriers:

<http://www.fas.usda.gov/posthome/Useu/>

Trade Compliance Center:

<http://www.trade.gov/tcc>

U.S. Mission to the European Union:

<http://useu.usmission.gov/>

The New EU Battery Directive:

[http://www.buyusainfo.net/docs/x\\_8086174.pdf](http://www.buyusainfo.net/docs/x_8086174.pdf)

The Latest on REACH:

<http://export.gov/europeanunion/reachclp/index.asp>

WEEE and RoHS in the EU:

<http://export.gov/europeanunion/weeerohs/index.asp>

Overview of EU Certificates:

<http://www.fas.usda.gov/posthome/useu/certificates-overview.html>

Center for Food Safety and Applied Nutrition

<http://www.fda.gov/Food/default.htm>

EU Marking, Labeling and Packaging – An Overview

[http://www.buyusainfo.net/docs/x\\_4171929.pdf](http://www.buyusainfo.net/docs/x_4171929.pdf)

The European Union Eco-Label:

[http://buyusainfo.net/docs/x\\_4284752.pdf](http://buyusainfo.net/docs/x_4284752.pdf)

Trade Agreements

[http://tcc.export.gov/Trade\\_Agreements/index.asp](http://tcc.export.gov/Trade_Agreements/index.asp)

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## Chapter 6: Investment Climate

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### Openness to, and Restrictions upon, Foreign Investment

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Slovenia is a potentially attractive location for foreign investment, but presents challenges to foreign investors. A European Union (EU) member since May 1, 2004 and a Eurozone member since January 1, 2007, with a fully modernized infrastructure, a major port on the Adriatic Sea, and a highly educated, professional work force, Slovenia is an promising base for both accessing the Central and Southeastern European markets and serving as a relatively less expensive gateway into EU markets.

Slovenia generally welcomes Greenfield foreign investment, but other types of foreign investment often face hurdles that stand in the way of success. The political instability that froze the country starting at the end of May 2011 made it a difficult year to invest in Slovenia. Potential investment projects and public procurements as well as business climate reforms were not able to move forward due to the general political paralysis. In December 2011, Slovenia had snap elections that will hopefully will restore political stability and allow for increased economic activity in early 2012.

There are no formal sectoral or geographic restrictions to foreign investment. In some economically depressed and underdeveloped regions, such as the Prekmurje region near the border with Hungary, Slovenia offers special facilities and services as well as financial/tax incentives to foreign investors and firms undertaking projects. Slovenia has particularly welcomed high-tech sector investments that create jobs and are linked to research and development (R&D) activities, for which special tax incentives are

available. Although Slovenia has among the highest taxes in Europe, the government introduced tax cuts significantly reducing business costs, eliminated payroll taxes in 2009, and the corporate tax rate was lowered to 20 percent in 2010.

There are, however, a number of informal barriers – including ambivalence toward FDI and the “clubby” nature of the Slovenian elite – that present challenges for non-Greenfield foreign investors. Additionally, foreign companies and the local American Chamber of Commerce have cited several areas for improvement to strengthen the investment climate, including: Slovenian Government (GoS) lack of strategy to promote FDI, judicial backlog, difficulties in obtaining building permits, a high level of labor market rigidity, high social contributions and personal income taxes coupled with excessive administrative tax burdens, a lack of transparency in public procurement, unnecessarily complex/time-consuming bureaucracy, and confusion over lead responsibility or jurisdiction regarding foreign investment among government agencies.

Unlike most of Central and Eastern Europe, Slovenia never underwent mass privatization, with the result that the percentage of companies owned or controlled either directly or indirectly by the state is among the highest in Europe. Slovenia has kept majority ownership of companies in key sectors, such as energy, transport banking, telecommunication and insurance, largely in state hands. Large swaths of the manufacturing, construction, retail and tourism sectors are also owned or controlled, at least indirectly, by the state. The out-going center-left Slovenian Government (GoS) was unable to implement planned economic reforms or privatization. As the new government, following snap elections in December 2011, was just formed in February 2012, it is too early to say what type of or how quickly economic reforms will be legislated. The out-going government had stated that it would attempt to privatize the financial markets and telecommunication industry before other sectors, and wanted to encourage the development of large infrastructure projects in the energy and transportation sectors - good areas for foreign direct investment (FDI), but failed to do so. Should the next government make an active attempt to privatize state-owned or controlled enterprises, there should be investment opportunities in the energy and transportation sector.

The Public Agency of the Republic of Slovenia for Entrepreneurship and Foreign Investments (JAPTI) serves as Slovenia’s agency for foreign investment and promotion. Its mission is to enhance Slovenia’s economic competitiveness through technical and financial assistance to entrepreneurs, businesses and investors. Companies investing in Slovenia may be eligible for financial assistance in the form of grants from JAPTI, in addition to other incentives mentioned above. More information about JAPTI’s services, investment opportunities and incentives is available on their website - [www.investslovenia.si](http://www.investslovenia.si)

In 2011 Slovenia has held steady in its World Bank Doing Business ranking, but slipped further on World Economic Forum’s (WEF) Global Competitiveness Index for the second year in a row, this time by 12 places to number 57. The WEF index is particularly critical of Slovenia’s rules regarding foreign ownership and other regulations that have an impact on FDI.

Measure	Year	Ranking
TI Corruption Index	2011	35
Heritage Economic Freedom	2011	66
World Bank Doing Business	2012	37

IMD World Competitiveness Scoreboard	2011	51
KOF's Globalization Index	2011	26
WEF's Global Competitiveness Index	2011-2012	57

## Conversion and Transfer Policies

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Since September 1, 1995, Slovenia has adhered to Article VIII of the IMF Article of Agreement, thus committing itself to full current account convertibility and full repatriation of dividends. Slovenia replaced its previous currency, the Slovenian tolar, with the Euro in January 2007. In practice, to repatriate profits joint stock companies must provide the following: evidence of the settlement of tax liabilities; notarized evidence of distribution of profits to shareholders; and proof of joint stock company membership (Article of Association). All other companies need to provide evidence of the settlement of tax liabilities and the company's act of establishment.

For the repatriation of shares in a domestic company, the company must submit its act of establishment, a contract on share withdrawal, and evidence of the settlement of tax liabilities to the authorized bank.

## Expropriation and Compensation

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According to Article 69 of Slovenia's Constitution, the right to possess real property can be taken away or limited, with compensation in kind or financial compensation under conditions determined by law on the basis of public interest.

There are no current expropriation-related investment disputes in Slovenia. National law gives adequate protection to all investments. However, there is an ongoing dispute over private property expropriated by the socialist Yugoslav government for state purposes. After the fall of Yugoslavia, the 1991 Denationalization Act created the basis for denationalizing these properties, returning them to the rightful owners or to their heirs, or else paying some amount of compensation if it was not possible to return the property "in nature." Some of those rightful owners and heirs are now U.S. citizens. Since the 1993 deadline for filing a claim, roughly 97 percent of all cases have been resolved, but only about 88 percent of American-involved claims have been resolved. The Americans' cases take longer for several reasons, most of which are tied to the fact that the claimants usually do not live in Slovenia. First, the Ministry of Justice and Public Administration must determine the nationality of the former owner at the time the property was seized – a simple question for Slovenes who never acquired another citizenship, but more complicated in cases involving naturalized American citizens. Second, many non-resident claimants fail to engage local attorneys, or only did so at the start of the process and have since let those retainers lapse. Third, simple communication/postal delays mean non-resident claimants take longer to respond to paperwork or other needs of their cases. Finally, there are also concerns that some claims involve property currently controlled or owned by prominent members of Slovene society, thereby creating an additional, though often unseen obstacle to restitution.

## Dispute Settlement

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Slovenia is a signatory to the 1958 New York Convention on Recognition of Foreign Arbitral Awards and the 1961 European Convention on International Commercial Arbitration. There have been no major investment disputes in the past five years. Investment disputes are handled as all other business disputes as described below.

Slovenia has a well-developed, structured legal system. It is based on a five-tier (district, regional, appeals, supreme, and administrative) court system. These courts deal with a vast array of legal cases including criminal, domestic relations, land disputes, contracts, and other business-related issues and probate. A separate social and labor court, which has regional, appeals, and supreme courts, deals strictly with labor disputes, pensions, and other social welfare claims. Similar to most European countries, Slovenia also has a Constitutional Court that hears complaints alleging violations of human rights and personal freedoms, expresses its opinions on the constitutionality of international agreements and state statutes, and deals with other high profile political issues. In keeping with European legal standards, in 1997 the Slovene Parliament established an administrative court to handle disputes among local authorities, between state and local authorities, and between local authorities and executors of public authority.

The Parliament passed a law on Legal Proceedings in 1999 to speed up court proceedings. The law stipulates a stricter and more efficient procedure for serving court documents and providing evidence. For commercial cases, defendants are now required to file their defense within 15 days of receiving notice of a claim. As a result of EU warnings and GoS programs to reduce case backlogs, the efficiency of Slovenian courts has increased. Backlogs are now reduced to approximately six months. There were, however, 266,221 open cases as of June 30, 2011.

Unless parties have agreed to binding arbitration for disputes, the regional court specializing in economic issues has jurisdiction over business disputes. However, the parties may agree in writing to settle disputes in another court of jurisdiction.

The parties may also exclude the court as the adjudicator of the dispute if they agree in writing that contractual disputes be solved by arbitration, whether ad hoc or institutional. In the former case, the applicable procedure and law must be determined. In the case of institutional arbitration, the type of arbitration must be clearly defined. The Permanent Court of Arbitration within the Chamber of Economy is an independent institution that solves domestic and international disputes arising out of business transactions among companies.

The procedure before the Permanent Court of Arbitration at the Chamber of Economy of Slovenia is governed by the Regulations on the Procedure before the Permanent Court of Arbitration at the Chamber of Economy of Slovenia. Arbitration rulings are final and subject to execution.

Competition is keen in Slovenia and bankruptcies are an established and reliable means of working out firms' financial difficulties.

Slovene law provides three procedural methods for handling bankrupt debtors. The first, compulsory settlements, allows the insolvent debtor to submit a plan for financial reorganization with the Court. The Compulsory Settlement Plan is then voted upon by the creditors and must be accepted by those creditors whose claims represent more than 60 percent of the total claimed. If the settlement is accepted, the debtor is excused

from the obligation to pay the creditor the amount that exceeds the percentage of payment set forth in the confirmed settlement. The payment terms are then extended in accordance with the conditions of forced settlement. Confirmed compulsory settlement affects creditors who have voted against compulsory settlement and creditors who have not reported their claims in the settlement procedure.

The creditor or debtor may also initiate bankruptcy procedures. The court names a bankruptcy administrator who sells the debtors property according to the bankruptcy senate president's instructions and supervision. As a rule, the debtor's property is sold by public auction. Otherwise, the creditors' committee may prescribe a different mode of sale such as collecting offers or placing conditions for potential buyers. The legal effect of completed bankruptcy is the termination of the debtor's legal status to conduct business, and the distribution of funds created from the sale of assets to creditors according to their share of total debt.

The third method, bankruptcy as forced liquidation, is distinguished from voluntary liquidation (without court intervention) as set forth in the Law on Commercial Companies. Forced liquidation is imposed on a debtor for whom the law determines the liquidation procedure and the legal conditions for ending his existence as a business entity. This would occur, for example, if the management does not operate for more than twelve months, if the court finds the registration void, or by court order.

#### **Performance Requirements and Incentives**

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Slovenia is a signatory member of the WTO since its inception and to date the government has not violated WTO rules. Legally, all investors, domestic and foreign, are treated the equally. No performance requirements are imposed as a condition for establishing, maintaining, or expanding an investment. There are some incentives offered to potential investors through the "FDI Incentive Scheme." The Inward Investment Cost-Sharing Grant Scheme will co-fund investments in industry, strategic services, or research and development that will result in at least 10 to 50 new jobs. More information and application forms can be found at [www.investslovenia.org](http://www.investslovenia.org). On the other hand, the rigid procedures necessary to acquire work permits serve as an impediment for foreign investors. It can take two to three months to obtain a work permit. The Ministry of Labor has established a fast-track procedure for foreigners who are registered in the court registry as authorized persons or representatives of companies, managers of branch offices, and for foreigners who are temporarily sent to work in organizational units for foreign legal persons registered in Slovenia. More information on work permits and employment services can be found at <http://www.ess.gov.si>.

#### **Right to Private Ownership and Establishment**

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Private enterprise and ownership are promoted and protected in Slovenia, both by statute and the Constitution. Slovenia's laws on foreign investment are fully harmonized with EU legislation. As provided for in the Law on Commercial Companies, all business activities within Slovenia are open to domestic and foreign natural and legal persons who may establish wholly or partially owned companies in any legal form provided by the Commercial Companies Act (Limited, General, and Silent Partnerships; Joint Stock Companies, Limited Liability Companies, and Partnerships Limited by Shares; and

Economic Interest Groups). Foreign investors may freely invest in Slovene companies in most industries except in banking and insurance industries, where a permit from the Bank of Slovenia or Insurance Supervision Agency is needed. Furthermore, current regulations limit the foreign ownership stake in gaming interests to 20 percent. Foreign investors are permitted to obtain concessions for the exploitation of renewable and non-renewable natural and public goods. In addition, foreign and domestic investors have the same reporting requirements to the Bank of Slovenia.

Some restrictions are also applied to foreign investment in the field of military supply. For example, direct investments made by non-residents in companies or other entities that are engaged in the production of, or trade in, weaponry and military equipment are allowed only if specifically authorized by the Government of the Republic of Slovenia.

Any company registered in Slovenia is granted the status of a Slovenian legal entity under which they enjoy national treatment. Foreign investors are subject to the same legal treatment as domestic companies and enjoy the same rights and obligations. The registration process is rather simple and usually takes between three weeks and one month to complete. Registered foreign-owned companies may also become members of the Ljubljana Stock Exchange.

Foreign-owned companies are entitled to own property in Slovenia. All citizens and enterprises of the European Union or the United States have the same purchase rights and rights of use of land and natural resources as citizens and domestic enterprises. If a foreign citizen or legal person from a third (i.e., non-EU) country decides to establish a company in Slovenia, this company is considered a Slovenian legal person and as such can buy, own and sell real estate. However, while the law provides for these rights, some foreign companies have experienced unexplainable delays in obtaining land even after all the necessary paperwork was in order.

Foreign shareholders are entitled to free and unrestricted transfer of their profits abroad in foreign currency, providing that they meet their tax obligations. The 20 percent corporate tax rate in Slovenia applies to domestic and foreign companies and is among the lowest rates in Europe.

Credits and guarantees between residents and non-residents are regulated by the Foreign Exchange Act. The law differentiates between commercial and financial credits. Commercial credits are those credits relating to trade and rendering international services that involve a resident as one of the contracting parties. Commercial credits include contractual trade credits (deferred payments and/or advances) and their financing by banks. Factoring operations are also considered to be commercial credits, on the condition that the underlying operations from which the claims arise have the nature of commercial credits. All other operations are considered to be financial credits, including mortgage-backed and consumer loans as well as financial leasing operations.

All credit transactions, except commercial credits with payment delay or prepayments less than 12 months, must be in written form and contain all obligatory parts of the credit business. Authorized banks can undertake credit operations with non-residents for their own accounts and in their own name or in their own name and for someone else's account as his proxy. Institutions other than banks can undertake credit operations with non-residents for their own accounts and in their own name. Residents must report all

credit operations with non-residents to the Bank of Slovenia within 10 days of signing the loan contract.

Larger banks in Slovenia also have specialized International Desks, which offer bank services to foreign companies and persons.

The 1999 Law on Banking allows foreign banks to establish branch offices in Slovenia. Since 1999, local borrowers have faced no restrictions with regards to borrowing from abroad, which was strictly regulated before the new legislation. Once Slovenia joined the EU, its banking regulation was entirely harmonized with the banking regulation of the EU.

As of June 2001, all restrictions on portfolio investments by foreigners in Slovenia had been abolished and the purchase of foreign equities by Slovenes fully liberalized.

There is no law, statute, or regulation that specifically deals with mortgage banking services in Slovenia. Since there is not a specific mortgage instrument, borrowers take classic loans with certain specifics related to real estate. The government also adopted a law which increased consumer protection level for loans with real estate collateral. However, the Government has committed itself to creating a mortgage banking system to include property assessments and deeds that will replace the current Land Registry system. Currently there are no special mortgage banks in Slovenia. Accordingly, only a few Slovenian banks offer mortgage loans per se. Nevertheless, banks provide loans that are secured by mortgages. They are frequently granted to corporate clients and entrepreneurs as well as to private individuals.

In order for mortgages to be effective against any owner of real estate, the mortgage must be registered in the Land Registry Book at the Land Registry Office. The Land Registry Book was introduced within the present territory of Slovenia in the 19th century and serves to inform the general public of the owner of land, buildings, and parts of buildings. Within the legal system, the Land Registry Book is connected in part with substantive civil law, which regulates default procedures on real estate.

Even though many banks give priority to the cash flow statements before the collateral of the loan, the use of mortgages to finance real estate developments is common in Slovenia. Mortgages are used as collateral for corporate financing of development projects. The creditor often requires the debtor to own, in equity, one and a half to two times the amount of the loan, depending on the debtor's credit rating. Once the mortgage is consummated between the creditor and debtor, it is registered in the Land Registry Book. If the debtor defaults on the loan, the law provides for a foreclosure procedure on the mortgaged property.

Slovene banks also offer project financing services for construction and development projects. Under this program, the banks offer up to 70 percent financing (30 percent of the project cost is usually required from the investor's own sources). The banks also offer advisory services pertaining to Slovene regulations on building and sales of real estate as well as transfer of ownership of the mortgaged real estate. As collateral, the bank usually requires a mortgage on the building being built.

Slovenia has enacted highly advanced and comprehensive legislation for the protection of intellectual property that fully reflects the most recent intellectual developments in the TRIPS Agreement (Trade Related Aspects of Intellectual Property) and various EU directives. Slovenia negotiated its TRIPS commitments as a developing country and implemented its commitments as of January 1, 1996. Slovenia is a full member of the TRIPS Council of the World Trade Organization (WTO) and the World Intellectual Property Organization (WIPO). Slovenia has already ratified the WIPO Copyright Treaty and the Cyber Crime Convention.

Slovenia's Intellectual Protection Office actively participates in the Intellectual Property Working Party of the Council of Europe, the Trademark Committee and other EU working bodies in formulation of new EU legislation. The Copyright and Related Rights Act amended in 2001 and 2004 deals with all fields of modern copyright and related rights law, including traditional works and their authors, computer programs, audiovisual works, as well as rental and lending rights. The act also takes into account new technologies such as storage and electronic memory, original databases, satellite broadcasting, and cable re-transmission. The 2004 harmonization with the EU legislation introduced a new system of collective management of intellectual property rights following the latest directive.

The 1994 Law on Courts gives the District Court of Ljubljana exclusive subject matter jurisdiction over intellectual property disputes. The aim of the law is to ensure specialization of the judges and the speed of relevant proceedings. Concerning enforcement of the TRIPS Agreement provision, Slovene law provides for a number of civil legal sanctions, including injunctive relief and the removal of the infringement, the seizure and destruction of illegal copies and devices, the publication of the judgment in the media, compensatory and punitive damages, border (customs) measures, and the securing of evidence and other provisional measures without the prior notification and hearing of the other party. Furthermore, these infringements also constitute a misdemeanor with fines ranging from 400 Euro (\$520) to 45,000 Euro (\$58,500) for legal persons and a range of fines, from 40 Euro (\$52) to 2,000 Euro (\$2,600), for supervisors of individual offenders provided that the reported offenses are not criminal in nature. In such a case, the Slovenian Criminal Code would apply, which may result in fines or in extreme cases, imprisonment. While Slovene laws regarding intellectual property are clearly defined, there have been complaints by foreign investors about the slow nature of the court system.

Since the enactment of the Law on Copyright and Related Rights Act, there have been relatively few reported prosecutions for infringement violations. Most notable are cases of computer software piracy. In 2004, a long-running software piracy court case ended with a jail sentence and monetary fine. With piracy prosecution still in the early stages of implementation, Slovenia has dedicated resources to the training of prosecutors and public authorities. Slovenia continues to address the preservation of evidence in infringement procedures and border measures by amending existing legislation. Moreover, the former Ministry of Culture established the Intellectual Property Fund, the Slovene Copyright Agency, and the Anti-Piracy Association of Software Dealers (BSA) to combat the problem of piracy in a collective manner.

The Law on Industrial Property grants and protects patents, model and design rights, trademark and service marks, and appellations of origin. The holder of a patent, model, or design right is entitled to: exclusively work the protected invention, shape, picture, or

drawing; exclusively market any products manufactured in accordance with the protected invention, shape, picture, or drawing; dispose of the patent, model, or design right; prohibit use of a protected invention, model, or design, by any person without consent.

The holder of a trademark has the exclusive right to use the trademark in the course of trade to designate his products or services. The authorized user of a protected appellation of origin has the right to use the appellation in the course of trade for marking products to which the appellation refers.

The patent and trademark rights granted by the Law on Industrial Property take effect from the date of filing the appropriate applications. Patents are granted for twenty years from the date of filing and model and design rights are granted for ten years. Trademarks are granted for ten years, but may be renewed an unlimited number of times. The term of an appellation of origin is unlimited. All patents and trademarks are registered through the Slovenian Intellectual Property Office with all registers open to the public. Patent and trademark applications filed in member countries of the International Union for the Protection of Industrial Property are afforded priority rights in Slovenia. The priority period is 12 months for patents and six months for model and design rights.

Any person who infringes upon a patent or trademark right may be held liable for damages and prohibited from carrying on the infringing acts.

The Law on Industrial Property also provides for the contractual licensing of patents, model and design rights, and marks. All license agreements must be in writing and specify the duration of the license, the scope of the license, whether the license is exclusive or non-exclusive, and the amount of remuneration for the use if compensation is agreed upon.

Compulsory licenses may be granted to another person when the invention is in the public interest or the patentee misuses his rights granted under the patent. A misuse of a patent occurs when the patentee does not work or insufficiently works a patented invention and refuses to license other persons to work the protected invention or imposes unjustified conditions on the licensee. If a compulsory license is granted, the patentee is entitled to compensation. Slovene industrial property legislation fully complies with EU standards.

## **Transparency of Regulatory System**

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Foreign companies conducting business in Slovenia have the same rights, obligations, and responsibilities as domestic companies. The principles of commercial enterprise, free operation, and national treatment apply to the operations of foreign companies as well. Their basic rights are guaranteed by the Law on Commercial Companies and the Law on Foreign Transactions.

Generally, the bureaucratic procedures and practices are sufficiently streamlined and transparent for the foreign investor wishing to start a business in Slovenia. In order to establish a business in Slovenia, the foreign investor must produce a sufficient minimum amount of capital (10,000 Euro (\$13,000) for a limited liability company and 25,000 Euro (\$32,500) for a stock company), establish a business address, and file appropriate

documentation with the court. The entire process usually takes from three weeks to one month, but may take longer in Ljubljana due to backlogs in the court.

Slovenia signed a reciprocal taxation treaty with the United States in June 1999. The rate of taxation of profits in Slovenia is lower than in the United States. Slovenia introduced the Value Added Tax (VAT) in July 1999. Slovenian VAT only has two grades, 8.5 percent and 20 percent. The standard VAT is 20 percent with 8.5 percent for some specialty items such as food products.

In Slovenia, highly concentrated market structures are not illegal per se; however, the abuse of market power is. The Law on the Protection of Competition prohibits acts that restrict competition in the market, conflict with good business practices relating to market access, or involve prohibited speculation. The law, which is fully harmonized with EU legislation, is applicable to corporate bodies and natural persons engaged in economic activities regardless of their legal form, organization, or ownership. The law also applies to the actions of public companies.

Restriction of competition through cartel agreements, unfair competition (i.e., false advertising, promises/gifts in exchange for business, trade secrets, etc.), illicit speculation during times of irregular market situations, and dumping and subsidized imports are all prohibited. The Government may, however, prescribe market restrictions in the following instances: in cases of natural disasters, epidemics, or in a state of emergency; in cases of appreciable market disturbances due to the shortage of goods; or when necessary to satisfy requirements for the products, raw materials, and semi-finished goods of special or strategic importance to the defense of the nation.

The Competition Protection Office (CPO) is charged with ensuring fair competition in the marketplace. Investigations can be initiated by the CPO or conducted at the request of private companies. The CPO can issue a decree against any company found to have violated the Law on the Protection of Competition, although the power to fine companies rests solely in the hands of the courts. Any party trading in goods or services on the market may initiate legal proceedings in cases of unfair competition. Injured parties are entitled to compensation and the injunction of the unfair acts.

The court may issue a penalty of 125,000 Euro (\$162,500) to 1,000,000 Euro (\$1,300,000) against companies found to have engaged in cartel agreements, abused a dominant market position, committed an act of unfair competition, or engaged in illicit speculation. The managers and directors of the sanctioned company may be liable for a minimum fine of 4,000 Euro (\$5,200). Self-employed persons found to have committed any of the legally prohibited actions are liable for no less than 40,000 Euro (\$52,000). There are also fines for not complying with the CPO in the range of 2,000 Euro to 4,000 Euro (\$2,600 to \$5,200) for every week that requested documentation is not submitted. The same range of fines also applies if the sanctions are not carried out.

## **Efficient Capital Markets and Portfolio Investment**

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The financial sector remains relatively underdeveloped for a country with Slovenia's level of prosperity. Enterprises rarely raise capital through the stock market and instead must rely solely on the traditional banking system to meet their needs for capital. The shallowness of the sector hinders economies of scale and now that the banks have severely limited their lending, it is limiting the growth of the real economy. Despite

shortcomings in the banking sector, capital is cheaper to acquire through banks than through more direct equity or debt sales.

The banking sector in Slovenia is marked by a relatively high degree of concentration (the three largest banks account for half of total banking assets and the top seven hold nearly 80 percent of the market), excess capacity (22 banks and 3 savings banks in a country of two million people), and a low level of financial services. As a result, a number of banks are unable to exploit economies of scale and have relatively low productivity levels, with the consequences being high margins and low returns on equity.

In the past decade, a number of Slovene banks have been partially or fully taken over by foreign banks. In addition, a number of Slovene banks have announced mergers. In 2001, France's Societe Generale took over Slovenia's largest private bank, SKB Banka. In October 2001, Italian banking group San Paolo IMI purchased 82 percent of the Bank of Koper, the fifth largest bank in Slovenia. In spring 2002, the Government sold 34 percent of the largest commercial bank, Nova Ljubljanska Banka (NLB), to the Belgian KBC Group, with another 5 percent sold to the European Bank for Reconstruction and Development (EBRD). The GOS has stated that it intends to invite further foreign investment into NLB, however these plans have not moved forward despite continued discussion. Since the 2008 launch of a successful IPO for the second largest privately-owned Slovenian bank, NKBM, it was anticipated that other major publically owned entities would follow. However, the privatization of NLB again appears uncertain both because it is unclear what the new government's priorities will be and finding private investors for NLB during the Eurzone crisis may prove difficult.

The Slovenian banking sector has been hit by this crisis and it is facing increasing difficulties. The largest banks (NLB and NKMB) have been downgraded twice by credit rating agencies this year due to the large number of non-performing loans in their portfolios, the need for recapitalization, the unstable domestic political situation and the looming threat from the Eurozone.

Banking legislation authorizes commercial banks, savings banks, and stock brokerage firms to purchase securities abroad. Investment funds may also purchase securities abroad provided that certain diversification requirements are met.

The Ljubljana Stock Exchange (LSE) was established in 1990 and is a member of the International Association of Stock Exchanges (FIBV). In 2008, the LSE was acquired by the Wiener Stock Exchange. However, the number of companies listed on the exchange is limited and their trading volume is very light. The LSE has been working to encourage the government to list shares of strong, state-owned companies such as Telekom Slovenije or NLB in order to boost market activity. As of January 2010, Telekom Slovenije, insurance company TRIGLAV, Port of Koper and NKBM bank are the only state-owned companies listed on the Ljubljana Stock Exchange. Although the initial Telekom Slovenije, TRIGLAV and NKBM trade volume was low, doors are open for an investor.

The LSE has two official listings - A and B - depending on the amount of a listing's capital, audited financial statements, size of the class of securities, and securities distribution. The over-the-counter (C) market has less stringent requirements. Securities markets remain relatively underdeveloped in Slovenia. Despite appreciation of the

market capitalization of the LSE in recent years, it remains a very illiquid market, with annual turnover similar to a single day's trading on the NYSE.

In 1995, the Central Securities Clearing Corporation (KDD) was established. KDD runs the central registry securities and trade clearings concluded on the LSE electronic trading system. The Securities Market Agency (SMA), established in 1994, has powers similar to the SEC in the United States. The SMA supervises investment firms, the LSE, the KDD, investment funds, and management companies, and shares responsibility with the Bank of Slovenia for supervision of banking and investment services.

The LSE uses different dissemination systems, including real time online trading information via REUTERS or the BDS System. The LSE also publishes information on the Internet at <http://www.ljse.si>.

Slovenia's legislation on takeovers has been fully harmonized with EU legislation. Slovenia implemented EU Directive 2004/25/ES on takeover legislation in July 2006 by adopting a new Takeover Law. The law has been amended in July 2008 reflecting changes after the country introduced new currency Euro. The law defines a takeover when a party acquires 25 percent voting rights. It requires a publicly announced takeover offer for all current shareholders. A new public takeover offer must be announced for each additional 10 percent of voting rights until the acquisition party reaches 75 percent of capital. The law stipulates that an acquisition party must inform the share-issuer whenever a buyer reaches, surpasses or drops below 5, 10, 20, 25, 1/3, 50 or 75 percent stake of the target company. The law applies to all potential takeovers. However, informally it appears that acquisitions are blocked or delayed regularly and easily. Never ending and stalled takeovers have hurt Slovenia's reputation.

In addition to the general legislation described in the previous paragraph, an acquiring party may face special conditions that apply to only one specific company or sector. For instance, the article 56 of Energy Law from 2003 stipulates that important energy companies or public energy utilities must incorporate in their statute an article that a controlling stake (25 percent) can be acquired only upon previously received approval from the government of Slovenia. However, only petrol distribution company, PETROL, has implemented the legislation and amended its statute accordingly.

A high level of concentration characterizes the insurance sector in Slovenia with the largest company, state-owned Triglav d.d., holding 43 percent of the total market in gross premiums and the five largest companies accounting for 91 percent of market share. Insurance companies invest their assets primarily in non-financial companies, state bonds, and bank-issued bonds.

There have been significant changes in the legislation regulating the insurance sector since 2000. The Ownership Transformation of Insurance Companies Act, designed to accomplish the privatization of insurance companies, was postponed several times due to ambiguity concerning the estimated share of state-controlled capital. Although insurance sector privatization discussions have been ongoing since 2005, no concrete plans have been implemented.

Currently, there are three health insurance companies registered in Slovenia and 13 companies offering other kinds of insurance. However, under EU regulations, any insurance company registered in the EU can market its services in Slovenia as well,

given that the insurance supervision agency of the country where this company is registered has notified the Slovenian Supervision Agency of the company's intentions.

Foreign investors have equal rights as domestic investors in all respects, including the ability to obtain credit on the local market.

## **Competition from State Owned Enterprises**

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Private enterprises compete on the same terms and conditions as public enterprises in respect to the access to markets, credit, and other business operations.

State-owned and partially state-owned enterprises are present across industries, since the state retained significant ownership shares in many large companies. Some sectors, however, are more prone to be dominated by state owned companies, such as energy, transport, banking, and insurance that are considered of strategic national interest in Slovenia. However, many sectors of the economy, including the retail, entertainment, construction, tourism, and manufacturing sectors, contain important firms that are either wholly state owned or in which the state maintains a controlling interest by virtue of its holding the largest single block of shares.

Following OECD recommendations, the GoS established a new capital assets management agency (AUKN) in November 2010 to increase transparency and more efficient management of State owned enterprises (SOE). More than 95 percent of AUKN funds are invested domestically. The Agency is an independent state authority which, in compliance with the provisions of AUKN, is responsible to the National Assembly. The Agency reports annually to the National Assembly of the Republic of Slovenia with regard to the implementation of the Annual Plan of the Corporate Governance of Capital Investments for the previous year. The Annual Plan of the Corporate Governance of Capital Investments is adopted by the Government on the basis of the proposal of the Agency.

The Capital Assets Management Agency of the Republic of Slovenia was established with the Law on Corporate Governance of State Capital Investments of the Republic of Slovenia (Official Gazette of the Republic of Slovenia, No. 38/10, hereinafter referred to as: ZUKN). On October 20, 2010, following the proposal of the Government of the Republic of Slovenia, the National Assembly elected the three-member Management Board and the five-member Agency Council for the corporate governance of capital investments of the Republic of Slovenia (hereinafter referred to as: the "Agency"). On the basis of the provisions of Article 40 of ZUKN the Agency formally took over the corporate governance of capital investments on the day of the appointment of the President and Members of the Agency Council (October 20, 2010).

AUKN spent its initial six months on staffing and organizational issues before it began actively intervening in the economic sector, so it is still too early to comment on its compliance with its legal obligations or even what role it will play in the long-term in the local economy. That said, its very formation, some of the measures it has already taken regarding specific takeovers, sales or recommendations have been very controversial in Slovenia. Its critics claim that its actions indicate the outgoing government's intention to retain key Slovenian companies and banks in Slovenian hands, but its supporters defend the agency saying it is playing a professional, non-political, and transparent role in ensuring that SOEs are held accountable to performance standards and expert

decisions are being made regarding the management/sale of State owned assets. The newly formed government has already announced its intention to dissolve AUKN.

SOEs are subject to the same legislation as private companies. They must submit their books to independent audit and publish annual report if required, i.e. if the SOE is listed on the stock exchange or if the size of the company meets the required threshold. The reporting standards are comparable to international financial reporting standards. SOEs fully fulfill their legal obligations.

## **Corporate Social Responsibility**

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Lately, the notion of corporate social responsibility has been gaining in value, but is not yet common practice. Larger companies have increasingly undertaken corporate social responsibility activities in order to raise their public profile and promote their firms, as such ventures are generally viewed favorably by Slovenian consumers; recent examples include the sponsoring of sports teams and community events. The tax code does not provide strong incentives for corporate social responsibility or philanthropy.

## **Political Violence**

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Except for a brief, ten-day conflict in 1991, there have been no incidents of political violence in Slovenia since independence.

## **Corruption**

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Corruption, including bribery, raises the costs and risks of doing business. Corruption has a corrosive impact on both market opportunities overseas for U.S. companies and the broader business climate. It also deters international investment, stifles economic growth and development, distorts prices, and undermines the rule of law.

It is important for U.S. companies, irrespective of their size, to assess the business climate in the relevant market in which they will be operating or investing, and to have an effective compliance program or measures to prevent and detect corruption, including foreign bribery. U.S. individuals and firms operating or investing in foreign markets should take the time to become familiar with the relevant anticorruption laws of both the foreign country and the United States in order to properly comply with them, and where appropriate, they should seek the advice of legal counsel.

The U.S. Government seeks to level the global playing field for U.S. businesses by encouraging other countries to take steps to criminalize their own companies' acts of corruption, including bribery of foreign public officials, by requiring them to uphold their obligations under relevant international conventions. A U. S. firm that believes a competitor is seeking to use bribery of a foreign public official to secure a contract should bring this to the attention of appropriate U.S. agencies, as noted below.

**U.S. Foreign Corrupt Practices Act:** In 1977, the United States enacted the Foreign Corrupt Practices Act (FCPA), which makes it unlawful for a U.S. person, and certain foreign issuers of securities, to make a corrupt payment to foreign public officials for the purpose of obtaining or retaining business for or with, or directing business to, any person. The FCPA also applies to foreign firms and persons who take any act in

furtherance of such a corrupt payment while in the United States. For more detailed information on the FCPA, see the FCPA Lay-Person's Guide at:  
<http://www.justice.gov/criminal/fraud/>

**Other Instruments:** It is U.S. Government policy to promote good governance, including host country implementation and enforcement of anti-corruption laws and policies pursuant to their obligations under international agreements. Since enactment of the FCPA, the United States has been instrumental to the expansion of the international framework to fight corruption. Several significant components of this framework are the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Antibribery Convention), the United Nations Convention against Corruption (UN Convention), the Inter-American Convention against Corruption (OAS Convention), the Council of Europe Criminal and Civil Law Conventions, and a growing list of U.S. free trade agreements. This country is party to [add instrument to which this country is party], but generally all countries prohibit the bribery and solicitation of their public officials.

**OECD Antibribery Convention:** The OECD Antibribery Convention entered into force in February 1999. As of March 2009, there are 38 parties to the Convention including the United States (see <http://www.oecd.org/dataoecd/59/13/40272933.pdf>). Major exporters China, India, and Russia are not parties, although the U.S. Government strongly endorses their eventual accession to the Convention. The Convention obligates the Parties to criminalize bribery of foreign public officials in the conduct of international business. The United States meets its international obligations under the OECD Antibribery Convention through the U.S. FCPA. [Insert information as to whether your country is a party to the OECD Convention.]

**UN Convention:** The UN Anticorruption Convention entered into force on December 14, 2005, and there are 158 parties to it as of November 2011 (see <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>). The UN Convention is the first global comprehensive international anticorruption agreement. The UN Convention requires countries to establish criminal and other offences to cover a wide range of acts of corruption. The UN Convention goes beyond previous anticorruption instruments, covering a broad range of issues ranging from basic forms of corruption such as bribery and solicitation, embezzlement, trading in influence to the concealment and laundering of the proceeds of corruption. The Convention contains transnational business bribery provisions that are functionally similar to those in the OECD Antibribery Convention and contains provisions on private sector auditing and books and records requirements. Other provisions address matters such as prevention, international cooperation, and asset recovery. [Insert information as to whether your country is a party to the UN Convention.]

**OAS Convention:** In 1996, the Member States of the Organization of American States (OAS) adopted the first international anticorruption legal instrument, the Inter-American Convention against Corruption (OAS Convention), which entered into force in March 1997. The OAS Convention, among other things, establishes a set of preventive measures against corruption, provides for the criminalization of certain acts of corruption, including transnational bribery and illicit enrichment, and contains a series of provisions to strengthen the cooperation between its States Parties in areas such as mutual legal assistance and technical cooperation. As of December 2009, the OAS

Convention has 34 parties (see <http://www.oas.org/juridico/english/Sigs/b-58.html>) [Insert information as to whether your country is a party to the OAS Convention.]

**Council of Europe Criminal Law and Civil Law Conventions:** Many European countries are parties to either the Council of Europe (CoE) Criminal Law Convention on Corruption, the Civil Law Convention, or both. The Criminal Law Convention requires criminalization of a wide range of national and transnational conduct, including bribery, money-laundering, and account offenses. It also incorporates provisions on liability of legal persons and witness protection. The Civil Law Convention includes provisions on compensation for damage relating to corrupt acts, whistleblower protection, and validity of contracts, inter alia. The Group of States against Corruption (GRECO) was established in 1999 by the CoE to monitor compliance with these and related anti-corruption standards. Currently, GRECO comprises 49 member States (48 European countries and the United States). As of December 2011, the Criminal Law Convention has 43 parties and the Civil Law Convention has 34 (see [www.coe.int/greco](http://www.coe.int/greco).) [Insert information as to whether your country is a party to the Council of Europe Conventions.]

**Free Trade Agreements:** While it is U.S. Government policy to include anticorruption provisions in free trade agreements (FTAs) that it negotiates with its trading partners, the anticorruption provisions have evolved over time. The most recent FTAs negotiated now require trading partners to criminalize “active bribery” of public officials (offering bribes to any public official must be made a criminal offense, both domestically and trans-nationally) as well as domestic “passive bribery” (solicitation of a bribe by a domestic official). All U.S. FTAs may be found at the U.S. Trade Representative Website: <http://www.ustr.gov/trade-agreements/free-trade-agreements>. [Insert information as to whether your country has an FTA with the United States: Country [X] has a free trade agreement (FTA) in place with the United States, the [name of FTA], which came into force. Consult USTR Website for date: <http://www.ustr.gov/trade-agreements/free-trade-agreements>.]

**Local Laws:** U.S. firms should familiarize themselves with local anticorruption laws, and, where appropriate, seek legal counsel. While the U.S. Department of Commerce cannot provide legal advice on local laws, the Department’s U.S. and Foreign Commercial Service can provide assistance with navigating the host country’s legal system and obtaining a list of local legal counsel.

**Assistance for U.S. Businesses:** The U.S. Department of Commerce offers several services to aid U.S. businesses seeking to address business-related corruption issues. For example, the U.S. and Foreign Commercial Service can provide services that may assist U.S. companies in conducting their due diligence as part of the company’s overarching compliance program when choosing business partners or agents overseas. The U.S. Foreign and Commercial Service can be reached directly through its offices in every major U.S. and foreign city, or through its Website at [www.trade.gov/cs](http://www.trade.gov/cs).

The Departments of Commerce and State provide worldwide support for qualified U.S. companies bidding on foreign government contracts through the Commerce Department’s Advocacy Center and State’s Office of Commercial and Business Affairs. Problems, including alleged corruption by foreign governments or competitors, encountered by U.S. companies in seeking such foreign business opportunities can be brought to the attention of appropriate U.S. government officials, including local embassy

personnel and through the Department of Commerce Trade Compliance Center “Report A Trade Barrier” Website at [tcc.export.gov/Report\\_a\\_Barrier/index.asp](http://tcc.export.gov/Report_a_Barrier/index.asp).

**Guidance on the U.S. FCPA:** The Department of Justice’s (DOJ) FCPA Opinion Procedure enables U.S. firms and individuals to request a statement of the Justice Department’s present enforcement intentions under the anti-bribery provisions of the FCPA regarding any proposed business conduct. The details of the opinion procedure are available on DOJ’s Fraud Section Website at [www.justice.gov/criminal/fraud/fcpa](http://www.justice.gov/criminal/fraud/fcpa). Although the Department of Commerce has no enforcement role with respect to the FCPA, it supplies general guidance to U.S. exporters who have questions about the FCPA and about international developments concerning the FCPA. For further information, see the Office of the Chief Counsel for International Counsel, U.S. Department of Commerce, Website, at [http://www.ogc.doc.gov/trans\\_anti\\_bribery.html](http://www.ogc.doc.gov/trans_anti_bribery.html). More general information on the FCPA is available at the Websites listed below.

Exporters and investors should be aware that generally all countries prohibit the bribery of their public officials, and prohibit their officials from soliciting bribes under domestic laws. Most countries are required to criminalize such bribery and other acts of corruption by virtue of being parties to various international conventions discussed above.

Similar to many other European countries, Slovenia does not have a bribery statute equal in stature to the U.S. Foreign Corrupt Practices Act. However, Chapter 24 of the Slovene Criminal Code (S.C.C.) provides statutory provisions for criminal offenses in the economic sector. Corruption in the economy can take the form of corruption among private firms or corruption among public officials.

The S.C.C. provides for criminal sanctions against officials of private firms for the following crimes: forgery or destruction of business documents; unauthorized use or disclosure of business secrets; insider trading; embezzlement; acceptance of gifts under certain circumstances; money laundering; and tax evasion.

Specifically, Articles 241 and 242 of the S.C.C. make it illegal for a person performing a commercial activity to demand or accept undue rewards, gifts, or other material benefits that will ultimately result in the harm or neglect of his business organization. While Article 241 makes it illegal to accept gifts, Article 242 prohibits the tender of gifts in order to gain an undue advantage at the conclusion of any business dealings.

Public officials are held accountable under Article 261 of the S.C.C., which makes it illegal for a public official to request or accept a gift in order to perform or omit an official act within the scope of his official duties. The acceptance of a bribe by a public official may result in a fine or imprisonment of no less than one year, with a maximum sentence of five years. The accepted gift/bribe is also seized.

While Article 261 holds public officials accountable, Article 262 holds the gift’s donor accountable. Article 262 makes it illegal for natural persons or legal entities to bribe public officials with gifts. Violation of this article carries a sentence of up to three years. However, if the presenter of the gift discloses such bribery before it is detected or discovered, punishment may be omitted. Generally, the gift is seized. However, if the presenter of the gift disclosed the violation, the gift may be returned to him/her.

The State Prosecutor's Office is responsible for the enforcement of the anti-bribery provisions. The number of cases of actual bribery is small and is generally limited to instances involving inspection and tax collection. Although the Prosecutor's Office may suspect bribery and related corruption practices in government procurement offices, obtaining evidence is difficult, thereby making it equally difficult to prosecute. In addition, in 2010 Slovenia established the Commission for the Prevention of Corruption (CPC), an independent state body, with a broad mandate to prevent and investigate corruption, breaches of ethics, and integrity of public officials. The CPC is not part of the law enforcement or prosecution system of Slovenia and its employees do not have typical police powers. The CPC does, however, have broad legal powers to access and subpoena financial and other documents, question public servants and officials, conduct administrative investigations and proceedings and instruct different law enforcement bodies to gather additional information and evidence within the limits of their authority. While the CPC cannot prosecute cases (only recommend to the State Prosecutor's Office), it can issue fines for different violations (sanctions can be appealed to the Court).

To combat ongoing problems with corruption and nontransparent procedures in public procurement, in 2011 the government established a new Public Procurement Agency. The agency is a central procurement institution for the entire public administration and carries out all public procurements over the established EU thresholds (which varies from sector to sector, i.e. goods and services above 40,000 Euro and works above 80,000 Euros). The agency reports to the Public Administration Ministry. Slovenia legislation also provides for non-judicial review of all public procurements by the National Review Commission.

While it is an important problem facing the country, corruption in Slovenia is on a relatively minor scale compared to other former-communist countries in Eastern and Central Europe. 2001 saw Slovenia's first scandal involving a high public official convicted of accepting a bribe. The second such case occurred in 2010 resulting in imprisonment of a member of the parliament. The small size of Slovenia's political and economic elite contributes to a lack of transparency in government procurement and widespread cronyism in the business sector. Currently, multiple prominent national and local political figures have been charged or are on trial for corruption in public procurements. The CPC has instituted a new system for tracking corruption in public procurements at the municipal level and in one week's time discovered 61 violations involving seven municipalities and hundreds of suspect deals in 86 municipalities.

### **Anti-Corruption Resources**

Some useful resources for individuals and companies regarding combating corruption in global markets include the following:

- Information about the U.S. Foreign Corrupt Practices Act (FCPA), including a "Lay-Person's Guide to the FCPA" is available at the U.S. Department of Justice's Website at: <http://www.justice.gov/criminal/fraud/fcpa>.
- Information about the OECD Antibribery Convention including links to national implementing legislation and country monitoring reports is available at: [http://www.oecd.org/departement/0,3355,en\\_2649\\_34859\\_1\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/departement/0,3355,en_2649_34859_1_1_1_1_1,00.html). See

also new Antibribery Recommendation and Good Practice Guidance Annex for companies: <http://www.oecd.org/dataoecd/11/40/44176910.pdf>.

- General information about anticorruption initiatives, such as the OECD Convention and the FCPA, including translations of the statute into several languages, is available at the Department of Commerce Office of the Chief Counsel for International Commerce Website: [http://www.ogc.doc.gov/trans\\_anti\\_bribery.html](http://www.ogc.doc.gov/trans_anti_bribery.html).
- Transparency International (TI) publishes an annual Corruption Perceptions Index (CPI). The CPI measures the perceived level of public-sector corruption in 180 countries and territories around the world. The CPI is available at: [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009](http://www.transparency.org/policy_research/surveys_indices/cpi/2009). TI also publishes an annual *Global Corruption Report* which provides a systematic evaluation of the state of corruption around the world. It includes an in-depth analysis of a focal theme, a series of country reports that document major corruption related events and developments from all continents and an overview of the latest research findings on anti-corruption diagnostics and tools. See <http://www.transparency.org/publications/gcr>.
- The World Bank Institute publishes Worldwide Governance Indicators (WGI). These indicators assess six dimensions of governance in 213 countries, including Voice and Accountability, Political Stability and Absence of Violence, Government Effectiveness, Regulatory Quality, Rule of Law and Control of Corruption. See <http://info.worldbank.org/governance/wgi/index.asp>. The World Bank Business Environment and Enterprise Performance Surveys may also be of interest and are available at: <http://data.worldbank.org/data-catalog/BEEPS>.
- The World Economic Forum publishes the *Global Enabling Trade Report*, which presents the rankings of the Enabling Trade Index, and includes an assessment of the transparency of border administration (focused on bribe payments and corruption) and a separate segment on corruption and the regulatory environment. See <http://www.weforum.org/s?s=global+enabling+trade+report>.
- Additional country information related to corruption can be found in the U.S. State Department's annual *Human Rights Report* available at <http://www.state.gov/g/drl/rls/hrrpt/>.
- Global Integrity, a nonprofit organization, publishes its annual *Global Integrity Report*, which provides indicators for 106 countries with respect to governance and anti-corruption. The report highlights the strengths and weaknesses of national level anti-corruption systems. The report is available at: <http://report.globalintegrity.org/>.

## Bilateral Investment Agreements

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Slovenia has signed Bilateral Investment Treaties (BITs) with Albania, Australia, Austria, Belarus, Belgium - Luxembourg Economic Union, Bosnia & Herzegovina, Bulgaria, Chile, China, Croatia, Cuba, Czech Republic, Denmark, Egypt, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Israel, Italy, Kuwait, Lithuania, Macedonia (F.Y.R.), Malaysia, Malta, Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Singapore, Slovak Republic, Spain,

Sweden, Switzerland, Thailand, Turkey, Ukraine, the United Kingdom, Uzbekistan, and Serbia. Slovenia is currently negotiating BITs with Iran and Kazakhstan. Slovenia does not have a BIT with the United States due to ongoing discussions between the United States and the EU on how member states without a BIT treaty will accede to the U.S.-EU BIT agreement.

## **OPIC and Other Investment Insurance Programs**

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The U.S. Overseas Private Investment Corporation (OPIC) and Slovenia signed a bilateral agreement on April 24, 1994. There are currently a number of OPIC investment finance and insurance programs available in Slovenia, including loan guarantees, direct loans, and political violence and expropriation insurance.

The U.S. Export-Import Bank offers short-, medium-, and long-term private sector as well as short-term public sector programs in Slovenia. In July 1999, the Slovenian Export Corporation (SEC) and the U.S. Export-Import Bank signed a memorandum on cooperation in financing, insuring, and reinsuring exports to Southeast European countries. In January 2007, the SEC restructured to become the Slovenian Export and Development Bank. More information is available on their website [www.sid.si](http://www.sid.si).

## **Labor**

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In September 2008, the unemployment rate stood at a record-low 3.9 percent (according to the ILO method). However, when the global financial crisis hit Slovenia in the last quarter of 2008, it pushed the unemployment rate up substantially. In 2011, the unemployment rate hovered around 8.2 percent. The outlook for 2012 is negative. Youth unemployment is disproportionately high – around 15 percent. Since 2008, Slovenia has had significant layoffs and bankruptcies, especially in construction, automotive, textile and other sectors of industrial production. The government's economic reforms propose to address this problem through a combination of retraining and investment in new technologies. The regions, where the level of unemployment is the highest, are primarily in the northeast.

Slovenia fully harmonized its labor legislation with the EU on May 1, 2004. In line with new legislation, Slovenia has retained strict rules on issuing work permits to non-EU applicants. The 2001 Employment of Aliens Act introduces a quota system for work permits and simplifies the procedure for obtaining work permits for foreigners who have worked and lived in Slovenia over a long period of time.

Slovenia's wage-setting practice follows the "social partners" model, designed to contain upward pressure by centralizing wage decisions. In practice, however, high wage expectations have pushed Slovenia's wage levels far above those of its central European neighbors. In addition, growing labor unrest has placed pressure for wages to rise further. However, its well-educated labor force and position as the most productive transition economy allows it to remain competitive in niche markets.

Slovenia adopted an Employment Relationship Act that entered into force in January 2003. The Act defines a full time workweek as 36 to 40 hours (made up of six to eight-hour days including a 30-minute lunch break), increases protection of critical working

groups (including women and children), and eases the conditions under which an employer may terminate employees.

Slovenia's labor force performs well in the higher value-added activities that utilize its skilled technicians and engineers at a somewhat lower cost than in the developed West. However, Slovenia would benefit from a workforce with stronger managerial skills, most notably in the banking and insurance sectors. Despite the introduction of greater labor market flexibility, the market for workers remains quite rigid and investors will find that termination of workers is more difficult than in the United States. In addition, the labor market remains relatively over-protected, and pay scales in public service are very complicated and do not reward performance.

In February 2010, the government implemented an increase to the minimum wage that will be phased in over the next 3 years. The minimum wage has risen from the level of 460 Euros (USD598) to 510 Euros (USD663) in 2010, 530 Euros (USD689) in 2011, and will rise to 562 Euros (USD730) in 2012.

The current economic crisis caused the government not to fulfill an agreement with the unions on public sector salaries and fueled an ongoing conflict. The unions helped to undermine major economic reform measures proposed by the government in 2011. The failure of these reforms weakened the government and helped to spur early elections in December 2011. New union negotiations with the in-coming government, are expected in the winter of 2012.

## **Foreign Trade Zones/Free Trade Zones**

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There are two kinds of Free Trade Zones in Slovenia: Free Economic Zones and Free Customs Zones.

### **Free Economic Zones**

Free economic zones (FEZ) exist in Koper and Maribor. FEZs may be established by one or more domestic legal persons. The founders must provide the resources necessary for the establishment and commencement of operation, as well as suitable technical, organizational, ecological, and other conditions for the performance of business activities.

The following activities may be performed within free economic zones: production and services; wholesale trade; banking and other financial services; and insurance and reinsurance regarding the above mentioned activities.

After obtaining an appropriate tax authority decision, users of FEZs are entitled to the following benefits:

- (i) VAT exemption for imports of equipment, production materials, and services necessary for export production or performance of other permitted activities;
- (ii) a reduction in corporate tax rates from the normal 21 percent to 10 percent;
- (iii) a tax allowance amounting to 50 percent of invested resources on investments in tangible assets in the FEZ; and
- (iv) a reduction in the taxable base amounting to 50 percent of the salaries of apprentices and other workers formerly unemployed for at least 6 months.

While FEZ Koper is fully operational, only a few companies are present in FEZ Maribor. Despite the lack of success in Maribor, the government adopted an amendment to the Law on Free Economic Zones in January 2010, guaranteeing the FEZs operations through at least January 1, 2013.

### **Free Customs Zones**

As of December 2009, the only free customs zone (FCZ) in Slovenia is the Port of Koper. Under the Customs Act, subjects operating in FCZs are not liable for payment of customs duties, nor are they subject to other trade policy measures until goods are released into free circulation.

Duties and rights of users include the following:

- (i) Separate books must be kept for activities undertaken in FCZs;
- (ii) Users may undertake business activities in a FCZ on the basis of contracts with the founders of FCZs;
- (iii) Users are free to import goods (customs goods, domestic goods for export) into FCZs;
- (iv) Goods imported into FCZs may remain for an indefinite period, except agricultural produce, for which a time limit is set by the government;
- (v) Entry to and exit from FCZs is to be controlled;
- (vi) Founders and users must allow customs or other responsible authorities to execute customs or other supervision; and
- (vii) For the purposes of customs control, users must keep records of all goods imported into, exported from, or consumed or altered in FCZs.

The Customs Act also allows the establishment of open FCZs that will allow for more flexible organization and customs' authorities' supervision.

In such FCZs, users may undertake the following activities:

- (i) Production and service activities, including handicrafts, defined in the founding act or contract, and banking and other financial business transactions, property and personal insurance and reinsurance connected with the activities undertaken;
- (ii) Wholesale transactions; and
- (iii) Retail sales, but only for other users of the zone or for use within the FCZ.

Slovenia has recently developed land sites designed for Greenfield investments. Most of the newly developed industrial zones have direct access to highways and rail service and well developed infrastructure. Land prices can vary greatly. Municipalities and the State often subsidize infrastructure and land costs, as they would like to increase employment opportunities, reducing the rate for fully equipped land in industrial zones. In Lendava, a town located in the eastern part of the country, the price per square meter of land is roughly 5 Euro, while prices in the vicinity of Ljubljana can run to 50 Euro or more. Potential investors may also count on a full range of free services and concessions provided by local development agencies for start-ups. The assistance may also include help in completing all the necessary paper work (permits) and, in some cases, organizing and financing construction in line with investor requirements. Interested investors can contact the U.S. Embassy in Ljubljana for further information.

**Foreign Direct Investment Statistics**

Foreign Direct Investment (FDI) in Slovenia is fairly low, despite Slovenia's overall mix of qualities as an attractive investment location. Total FDI stock in Slovenia at the end of 2010 was € 10.8 billion. As with trade, the bulk of FDI in Slovenia is European in origin. U.S. FDI in Slovenia, as calculated by the U.S. Embassy, is around 5 percent of the total. N.B.: The Bank of Slovenia (BoS), in its official data, lists U.S. FDI at approximately \$60 million or 0.4 percent of total FDI. However, this amount does not take into account significant investments by U.S. firms, notably Goodyear. This data is not listed as U.S. in origin by the BoS as U.S. funds are often routed through a third country. Goodyear's investment in Sava Tires, for example, came to Slovenia via a bank in Luxembourg

## Foreign Direct Investment in Slovenia - Stock on 31.12. 2010 (major investors)

Country	Total Value (Million Euros)	Share of Total (%)
Austria	5,163.1	47.9
Switzerland	818.3	7.6
Italy	665.7	6.2
France	649.8	6
Germany	601.6	5.6
Netherlands	552.9	5.1
Croatia	525.0	4.9
Belgium	289.9	2.7
Luxemburg	208.0	1.9
Cyprus	152.0	1.4
...		
US	59.6	0.6
Total	10,771.5	100

## Foreign Direct Investment in Slovenia by sector - Stock on 31.12. 2009

Sector	Total Value (Million Euros)	Share of Total(%)
Financial intermediation, not insurance	5,051.10	47%
Wholesale, commission, not motor vehicles	796.5	7%
Retail Trade	735	7%
Electricity, gas, steam, air cond	261.0	2%
Real estate activities	240.9	2%
Total	10,771.50	100%

## Slovene Foreign Direct Investment abroad - Stock on 31.12.2010

Country	Total Value (Million Euros)	Share of Total (%)
---------	--------------------------------	-----------------------

Serbia	1,459.0	26.4
Croatia	1,117.9	20.3
Bosnia and Herzegovina	656.5	11.9
Macedonia	350.9	6.4
Russian Federation	345.3	6.3
Netherlands	300.7	5.4
Germany	198.3	3.6
Liberia	187.2	3.4
MonteNegro	169.8	3.1
...		
USA	29.0	0.5
...		
Total	5,518.5	100.0

Slovene Foreign Direct Investment abroad by sector - Stock on 31.12.2010

Sector	Total Value (Million Euros)	Share of Total (%)
Financial intermediation, not insurance	1,004.00	18%
Retail trade, not motor vehicles	719.1	13%
Telecommunications	400.1	7%
Wholesale trade, not motor vehicles	399	7%
Mfr. Of electric devices	366.2	7%
Mfr of mot. Vehicles, trailers, semi-trail	199.6	4%
...		
Total	5,518.00	100%

Major U.S.-based Investors:

The following is a short list in alphabetical order of U.S. firms holding investments or with a presence in Slovenia.

3M  
Amway  
ANR-Amer Nielsen Research  
Caterpillar  
Coca-Cola Corporation  
Colgate-Palmolive  
Cisco  
Deloitte & Touche  
DHL International  
DuPont  
Ecolab  
Eli Lilly  
Ernst & Young  
Emerson Electronics

Goodyear  
Hewlett-Packard Company  
IBM  
Johnson & Johnson  
Liberty Global  
Marsh  
Masterfoods  
Merck, Sharp & Dohme  
Microsoft  
McDonald's  
Motorola  
Oracle Corporation  
Pfizer Corporation  
Philip Morris  
PriceWaterhouse Coopers  
Procter & Gamble  
Schering-Plough  
United Global Communications  
Wrigley  
Xerox

Other Major Foreign Investors in Slovenia:

Alcan, Canada  
AmBev, Brazil  
Belisce, Croatia  
Bramac International, Austria  
Brig & Bergmeister, Austria  
Chiorino, Italy  
Citroen, France  
Danfoss, Denmark  
Debitel AG, Germany  
EGO, Switzerland  
E. Leclerc, France  
Faurecia, France  
GKN, United Kingdom  
Grammer Automotive, Germany  
Grupo Bonazzi, Italy  
Hella, Germany  
Henkel Central, Austria  
Horizonte Enterprise Development, Netherlands  
IBRD, United Kingdom  
Imperial Tobacco, United Kingdom  
Inexia AB, Sweden  
ISS Central Europe, Austria  
IHC Holland, Netherlands  
KBC, Belgium  
KM Moebel, Germany  
Lafarge Perlomooger, Austria  
Mannesmann Rexroth, Germany  
Messer Griesheim, Germany

Mobilcom, Austria  
Nijaz Hastor, Bosnia and Herzegovina  
Novartis, Switzerland (Sandoz Group)  
Novem, Germany  
Pflödler, Germany  
Podravka, Croatia  
Renault, France  
Roxel, France  
Roto Frank AG, Germany  
San Paolo IMI, Italy  
Safilo, Italy  
Siemens AG, Germany  
Societe Generale, France  
Sodexo Alliance, France  
Spar, The Netherlands  
STE Troyes, France  
Styria Federn, Austria  
TCG Unitech AG, Austria  
UNI Credito, Italy  
Vogt, Germany  
Wieneberger, Austria

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## Chapter 7: Trade and Project Financing

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### How Do I Get Paid (Methods of Payment)

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The usual methods of payment in Slovenia include cash, bank debit cards, and major credit cards. Many vendors offer payment by installment, especially for goods valued over USD 100. In cooperation with a local bank, vendors also offer on-the-spot “mini-loans” for purchases from approximately USD 500 to USD 1,500.

Other types of payment, such as wire transfer, letter of credit, documentary collections, and factoring, are also used.

Local credit rating company I d.o.o. is Dun & Bradstreet’s partner in Slovenia. It provides credit rating of local companies within a few days: <http://www.idoo.si>.

### How Does the Banking System Operate

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The banking sector in Slovenia remains fairly rudimentary. The two largest banks – NLB and NKMB are state owned and banks are limited to a narrow range of traditional activities and have yet to engage in new consumer services, investment banking, and management of more complex financial instruments. Nevertheless, the financial statements of Slovenian banks are in compliance with international standards and audited by internationally recognized auditors. Because of the relative immaturity of the banking sector, identifying financing for domestic projects can be problematic. Banks typically seek 100 percent collateral in most cases. Currently, there no American banks registered in Slovenia.

Slovenia has taken some important steps to liberalize its financial markets. A combination of market forces and changes in the Bank of Slovenia’s regulations and national legislation are moving this sector in a more globally oriented direction. In the future, it will likely become easier and more transparent to make both portfolio and direct investments in Slovenia and to conduct many financial operations, including banking, securities brokering, and undertaking various credit transactions. The global economic crisis badly hit Slovenian banking system. In addition, the banking sector was heavily exposed to many management buyouts for key Slovenian companies. Almost all management buyouts failed in the past 18 months and increased the volume of non-performing loans. Consequently, the banking sector became more careful and caused a huge credit crunch pushing Slovenian industry in financial difficulties. New loans are very difficult to obtain from the major banks whose

portfolios are weighted down by bad assets. The new government formed in February 2012 is expected to allow foreign capital significantly increase the presence in Slovenian banking system.

The referential interest rate in Slovenia is EURIBOR. Interest rates are usually expressed as 3, 6 or 12-month EURIBOR + margin. The Consumer Price Index (CPI) is used as a measure of inflation.

Other sources of financing are available, although only for a limited range of activities. The U.S. Export-Import Bank provides medium-term and long-term loans and guarantees, and OPIC offers loan guarantees and direct loans. The European Investment Bank (EIB) and the International Finance Corporation are involved in funding large infrastructure projects, while the European Bank for Reconstruction and Development (EBRD) provides financing for banking sector privatization as well as financing for the privatization of other sectors.

In July 1999, the Slovenian Export Corporation (SEC) and the U.S. Export-Import Bank signed a memorandum on cooperation in financing, insuring, and reinsuring exports to Southeast European countries.

### **Foreign-Exchange Controls**

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Slovenia introduced the Euro as a national currency in January 2007. The Slovenian Central Bank is a member of European Central Bank (ECB) in Frankfurt, Germany. The Slovenian Central Bank does not operate independently. As a member of the ECB, Slovenia operates under the guidelines of the EDB and follows all directives issued by ECB.

### **U.S. Banks and Local Correspondent Banks**

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Currently, there are no U.S. banks in Slovenia.

Correspondent banks are:

Nova Ljubljanska Banka d.d., Ljubljana  
Trg republike 2, 1000 Ljubljana, Slovenia  
Tel +386 1 476 3900  
Email: [info@nlb.si](mailto:info@nlb.si)  
Web: [www.nlb.si](http://www.nlb.si)

Banka Koper d.d.  
Pristaniška ulica 14, 6502 Koper, Slovenia  
Tel +386 5 66 61 000  
Email: [info@banka-koper.si](mailto:info@banka-koper.si)  
Web: [www.banka-koper.si](http://www.banka-koper.si)

Nova Kreditna Banka Maribor d.d.  
Vita Kraigherja 4, 2502 Maribor, Slovenia  
Tel. +386 2 229 2290  
Email: [info@nkbm.si](mailto:info@nkbm.si)

Web: [www.nkbm.si](http://www.nkbm.si)

A Banka d.d.  
Slovenska 58, 1000 Ljubljana, Slovenia  
Tel. +386 1 471 8100  
Email: [info@abanka.si](mailto:info@abanka.si)  
Web: [www.abanka.si](http://www.abanka.si)

SKB Banka d.d.  
Ajdovscina 4, 1000 Ljubljana, Slovenia  
Tel: +386 1 471 5555  
Email: [info@skb.si](mailto:info@skb.si)  
Web: [www.skb.si](http://www.skb.si)

## **Project Financing**

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Project financing is slowly developing as a form of financing larger scale (mostly construction) projects. Slovenia is lagging significantly behind the EU average as far as project financing of public infrastructure is concerned. Usually, public infrastructure projects come with state financial guarantees to the contractors, which is part of the reason for undeveloped project financing. Another reason for this situation is lack of public private partnerships (PPP), which often drive project financing in other countries. Involvement of private capital in public infrastructure projects in Slovenia is very rare.

Project financing for the private sector is somewhat more evolved. Slovene banks offer project financing services for construction and development projects. Under this program, the banks offer up to 70 percent financing (30 percent of the project cost is usually required from the investor's own sources). The banks also offer (in some cases require) advisory services pertaining to Slovene regulations on building and sales of real estate as well as transfer of ownership of any mortgaged real estate. For transparency reasons, banks often require investors to establish a separate company and bank account that will manage the project and through which all cash flows pertaining to the project are funneled. As collateral, the bank usually requires a mortgage on the real estate being developed.

EU financial assistance programs provide a wide array of grants, loans, loan guarantees and co-financing for feasibility studies and infrastructure projects in a number of key sectors (e.g., environmental, transportation, energy, telecommunications, tourism, public health). From a commercial perspective, these initiatives create significant market opportunities for U.S. businesses, U.S.-based suppliers, and subcontractors.

The EU supports projects within its member states, as well as EU-wide "economic integration" projects that cross both internal and external EU borders. In addition, the EU provides assistance to accession countries in Eastern and Southern Europe, Iceland and Turkey, as well as some of the former Soviet republics.

The European Union provides project financing through grants from the European Commission and loans from the European Investment Bank. Grants from the Structural Funds are distributed through the member states' national and regional authorities, and are only available for projects in the 27 EU member states. All grants for projects in non-

EU countries are managed through the EuropeAid Cooperation agency in conjunction with various European Commission departments, called "Directorates-General."

### ***The CSEU Tenders Database***

The U.S. Commercial Service at the U.S. Mission to the European Union offers a tool on its website to help U.S.-based companies identify European public procurement opportunities. The database features all current public procurement tenders issued by all national and regional public authorities in the 27 member states of the European Union, plus four other European countries, and that are open to U.S.-based firms under the terms of the Government Procurement Agreement (GPA) implemented in 1995. The database is updated twice weekly and is easy to use with a range of search options, including approximately 20 industry sectors. The database also contains tenders for public procurement contracts relating to structural funds. Readers may access the database at

<http://export.gov/europeanunion/grantstendersandfinancing/cseutendersdatabase/index.asp>

### ***EU Structural Funds***

The EU Structural Funds, including the European Regional Development Fund, were created in 1975 to assist economically depressed regions of the European Union that required industrial restructuring. The EU earmarked EUR 308 billion for projects under the Structural Funds and the Cohesion Fund programs for the 2007-2013 period for the EU-27. In addition to funding economic development projects proposed by member

states or local authorities, EU Structural Funds also support specialized projects promoting EU socioeconomic objectives. Member states negotiate regional and “sectoral” programs with officials from the regional policy Directorate-General at the European Commission. For information on approved programs that will result in future project proposals, please visit:

[http://ec.europa.eu/regional\\_policy/atlas2007/index\\_en.htm](http://ec.europa.eu/regional_policy/atlas2007/index_en.htm)

For projects financed through the Structural Funds, member state officials are the key decision-makers. They assess the needs of their country; investigate projects; evaluate bids; and award contracts. To become familiar with available financial support programs in the member states, it is advisable for would-be contractors to meet with local officials to discuss local needs.

Tenders issued by member states’ public contracting authorities for projects supported by EU grants are subject to EU public procurement legislation if they meet the EU minimum contract value requirement for the eligible sector. Below this threshold, tender procedures are subject to national procurement legislation. There are no overt prohibitions against the participation of U.S. companies, either as developers or concessionaires of projects supported partially by the Structural Funds, or as bidders on subsequent public tenders related to such projects, but it is advisable to team up with a local partner. All Structural Fund projects are co-financed by national authorities and most may also qualify for a loan from the European Investment Bank. The private sector is also involved in project financing. For more information on these programs, please see the market research section on the website of the U.S. Mission to the EU:

<http://export.gov/europeanunion/marketresearch/index.asp>

### ***The Cohesion Fund***

The Cohesion Fund is another instrument of EU structural policy. Its EUR 61.5 billion (2007-2013) budget seeks to improve cohesion within the EU by funding transport infrastructure and environmental projects in Portugal, Spain, Greece and the twelve new (since 2004) EU member states from Central and Eastern Europe. These projects are generally co-financed by national authorities, the European Investment Bank, and the private sector.

Key Link: [http://ec.europa.eu/regional\\_policy/thefunds/cohesion/index\\_en.cfm](http://ec.europa.eu/regional_policy/thefunds/cohesion/index_en.cfm)

### ***Other EU Grants for Member States***

Another set of sector-specific grants offers assistance to EU member states in the fields of science, technology, communications, energy, environmental protection, education, training and research. Tenders related to these grants are posted on the various websites of the directorates-generals of the European Commission. Conditions for participation are strict and participation is usually restricted to EU firms or tied to EU content. Information pertaining to each of these programs can be found on:

[http://ec.europa.eu/grants/index\\_en.htm](http://ec.europa.eu/grants/index_en.htm)

### **External Assistance Grants**

The EuropeAid Cooperation Office is the European Commission agency in charge of managing the EU's external aid programs. This agency is responsible for the management of the entire project cycle, from identification to evaluation, while the Directorates-General in charge of External Relations and Development, are responsible for the drafting of multi-annual programs. The EuropeAid website offers extensive information on the range of grant programs, the kind of projects that are eligible, as well as manuals to help interested parties understand the relevant contract law. However, participation to calls for tender for contracts financed by EuropeAid is reserved for enterprises located in the EU member states and requires that the products used to respond to these projects are manufactured in the EU or in the aid recipient country. But consultants of U.S. nationality employed by a European firm are allowed to form part of a bidding team. European subsidiaries of U.S. firms are eligible to participate in these calls for tender.

Key Link:

[http://ec.europa.eu/europeaid/index\\_en.htm](http://ec.europa.eu/europeaid/index_en.htm)

All tenders related to EU-funded programs outside the territory of the European Union (including the accession countries) are located on the EuropeAid Cooperation Office website: [http://ec.europa.eu/europeaid/work/funding/index\\_en.htm](http://ec.europa.eu/europeaid/work/funding/index_en.htm)

Two new sets of programs have been approved for the financing period 2007-2013., The EU provides specific Pre-Accession financial assistance to the accession candidate countries that seek to join the EU through the "Instrument for Pre-accession Assistance" (IPA). Also, the European Neighborhood and Partnership Instrument (ENPI) will provide assistance to countries that are the Southern Mediterranean and Eastern neighbors of the EU.

IPA replaces the following programs: PHARE (Poland and Hungary Assistance for Restructuring of the Economy), ISPA (Instrument for Structural Pre-Accession financing transport and environment projects), SAPARD (projects in the agriculture sector), CARDS (aid to southern Balkans) and the Turkey Facility Fund. IPA focuses on priorities linked to the adoption of the *acquis communautaire* (the body of European Union law that must be adopted by accession candidate countries as a precondition to accession), i.e., building up the administrative and institutional capacities and financing investments designed to help them comply with European Commission law. IPA will also finance projects destined to countries that are potential candidate countries, especially in the Balkans. The budget of IPA for 2007-2013 is €11.4 billion.

Key Links: [http://ec.europa.eu/enlargement/index\\_en.htm](http://ec.europa.eu/enlargement/index_en.htm)

[http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/index\\_en.htm](http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/index_en.htm)

ENPI: replaces the former TACIS and MEDA programs. The European Neighborhood Policy program covers the EU's neighbors to the east and along the southern and eastern shores of the Mediterranean i.e. Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, Syria, Tunisia and Ukraine. ENPI budget is €11.9 billion for 2007-2013.

[http://ec.europa.eu/world/enp/index\\_en.htm](http://ec.europa.eu/world/enp/index_en.htm)

### ***Loans from the European Investment Bank***

Headquartered in Luxembourg, the European Investment Bank (EIB) is the financing arm of the European Union. Since its creation in 1958, the EIB has been a key player in building Europe. As the EIB's lending practices evolved over the years, it became highly competent in assessing, reviewing and monitoring projects. As a non-profit banking institution, the EIB offers cost-competitive, long-term lending in Europe. Best known for its project financial and economic analysis, the Bank makes loans to both private and public EU-based borrowers for projects in all sectors of the economy, such as telecommunications, transport, energy infrastructure and environment.

While the EIB mostly funds projects within the EU, it lends outside the EU as well (e.g., in Central, Eastern and Southeastern Europe; Latin America; and Pacific and Caribbean states). In 2009, the EIB approved loans for projects worth EUR 103 billion, of which around 9 percent was approved for projects outside the EU. The EIB also plays a key role in supporting EU enlargement with loans used to finance improvements in infrastructure, research and industrial manufacturing to help those countries prepare for eventual EU membership.

Projects financed by the EIB must contribute to the socioeconomic objectives set out by the European Union, such as fostering the development of less favored regions; improving European transport and telecommunication infrastructure; protecting the environment; supporting the activities of SMEs; assisting urban renewal; and, generally promoting growth, competitiveness and employment in Europe. The EIB has created a list of projects to be considered for approval and posted the list on its website. As such, the EIB website is a source of intelligence on upcoming tenders related to EIB-financed projects: <http://www.eib.org/projects/pipeline/index.htm>

The EIB presents attractive business opportunities to U.S. businesses. EIB lending rates are lower than most other commercial rates. Like all EIB customers, however, U.S. firms must apply the loan proceeds to a project that contributes to the European objectives cited above.

The U.S. Mission to the European Union in Brussels has developed a database to help U.S.-based companies bid on EIB public procurement contracts in non-EU countries. The EIB-financed contracts that are open to U.S.-based companies are featured in this database. All the tenders in this database are extracted from the EU's Official Journal. The EIB database contains on average 50 to 100 tenders and is updated twice per week.

Key Link:

<http://export.gov/europeanunion/grantstendersandfinancing/cseutendersdatabase/index.asp>

### **Web Resources**

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EU websites:

Future project proposals:

[http://ec.europa.eu/regional\\_policy/atlas2007/fiche\\_index\\_en.htm](http://ec.europa.eu/regional_policy/atlas2007/fiche_index_en.htm).

The EU regional policies, the EU Structural and Cohesion Funds:  
[http://ec.europa.eu/regional\\_policy/index\\_en.htm](http://ec.europa.eu/regional_policy/index_en.htm)

EU Grants and Loans index: [http://ec.europa.eu/grants/index\\_en.htm](http://ec.europa.eu/grants/index_en.htm)

EuropeAid Co-operation Office: [http://ec.europa.eu/europeaid/index\\_en.htm](http://ec.europa.eu/europeaid/index_en.htm)

IPA: [http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/index\\_en.htm](http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/index_en.htm)

The European Investment Bank: <http://www.eib.org>

EIB-financed projects: <http://www.eib.org/projects/index.htm?lang=-en>.

U.S. websites:

CSEU Tender Database:

<http://export.gov/europeanunion/grantstendersandfinancing/cseutendersdatabase/index.asp>

Market research section on the website of the U.S. Mission to the EU:  
<http://export.gov/mrktresearch/index.asp>

European Union Tenders Database:

<http://export.gov/europeanunion/grantstendersandfinancing/cseutendersdatabase/>

Export-Import Bank of the United States: <http://www.exim.gov>

Country Limitation Schedule: [http://www.exim.gov/tools/country/country\\_limits.html](http://www.exim.gov/tools/country/country_limits.html)

OPIC: <http://www.opic.gov>

Trade and Development Agency: <http://www.tda.gov/>

SBA's Office of International Trade: <http://www.sba.gov/oit/>

USDA Commodity Credit Corporation: <http://www.fsa.usda.gov/cc/default.htm>

U.S. Agency for International Development: <http://www.usaid.gov>

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## Chapter 8: Business Travel

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- [Telecommunications](#)
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### **Business Customs**

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Slovenian business managers apply market-based, Western-style economic philosophies and customs. The management style in Slovenia tends to concentrate decision-making at the senior levels. The delegation of authority in companies is relatively poor. In principle, a negotiation should not be considered concluded until confirmed by the general manager or a clearly acknowledged decision maker. Slovenes place a premium on personal contacts and correspondence, and visits play significant roles in conducting business. Clarity and continuity in communication are important.

### **Travel Advisory**

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No travel advisories have been issued for Slovenia. More information on travel to Slovenia is available at [http://travel.state.gov/travel/cis\\_pa\\_tw/cis/cis\\_1020.html](http://travel.state.gov/travel/cis_pa_tw/cis/cis_1020.html).

### **Visa Requirements**

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Slovenia is a party to the Schengen Agreement. As such, U.S. citizens do not need a visa for business or tourist stays up to 90 days in a six-month period. (Note: The 90 day timeline starts on the date of first entry into the Schengen Zone.) For other types of travel, a residence permit must be acquired at a Slovene Embassy or Consulate.

For American citizens residing in the United States, an application for the initial residence permit should be filed at the Slovene Embassy in Washington DC or the Consulates in New York or Cleveland. For American citizens residing outside the U.S., the application may be filed at the Slovene Embassy with jurisdiction over the individual's country of residence.

More information is available on the website of the Ministry of Interior at: [http://www.mnz.gov.si/en/services/slovenia\\_your\\_new\\_country/residence\\_permit\\_for\\_the\\_third\\_country\\_national/temporary\\_residence\\_permit/](http://www.mnz.gov.si/en/services/slovenia_your_new_country/residence_permit_for_the_third_country_national/temporary_residence_permit/) or <http://www.infotujci.si/index.php?setLang=EN&t=&id=1>

For additional details on the entry and visa requirements for Slovenia as well as additional information for travelers, please see the State Department's Country Specific Information page for Slovenia. Travelers should also refer to the U.S. Embassy in Ljubljana's website and U.S. citizens are encouraged to enroll in the Smart Traveler Enrollment Program (STEP).

U.S. Companies that require travel of foreign businesspersons to the United States should be advised that security evaluations are handled via an interagency process. Visa applicants should go to the following links.

State Department Visa Website: <http://travel.state.gov/visa/>

## Telecommunications

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Slovenia has efficient postal and telephone services. Fax machines and email communication is widely used. Local telephone calling card services are not available in-country and long-distance charges tend to be high, even by European standards. In many areas, tone-dialing has become more common than pulse telephone lines.

The dialing code for Slovenia is 386, followed by the appropriate area code: Ljubljana (1), Maribor (2), Celje (3), Kranj (4), Nova Gorica (5), and Novo mesto (7) followed by a seven-digit telephone number. Codes for GSM mobile phones are 30, 31, 40, 41, 51, 70. When dialed within Slovenia, the codes are 030, 031, 040, 041, 051, and 070 followed by a six-digit telephone number. To dial internationally from Slovenia, you must dial 00 plus the country code.

Mobile telephony is widespread. Every business person has a mobile phone and many companies also have a general (reception/information desk) mobile number, because calling from a mobile phone to a stationary line is substantially more expensive than calling mobile-to-mobile phone.

Directory assistance is 1188.

## Transportation

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Ljubljana is easily accessible by air. Joze Pucnik Airport is an international airport located 27 kilometers (approx. 17 miles) outside of Ljubljana, the capital city. The airport is serviced by the national carrier, Adria Airways (a Star Alliance member), as well as other international airlines including CSA Czech Airlines, JAT Airways, Lufthansa Cargo, Turkish Airlines, Air France, and EasyJet. (More info on Airport Ljubljana at <http://www.lju-airport.si/eng/default.asp> )

There are other airports in the general vicinity of Slovenia. The distance by car is listed in parentheses.

Graz, Austria (45 minutes to Maribor)  
Venice, Italy (2.5 hours to Ljubljana)  
Vienna, Austria (3 hours to Maribor)  
Trieste, Italy (1.5 hours to Ljubljana)

Zagreb, Croatia (2 hours to Ljubljana)  
Klagenfurt, Austria (1 hour to Maribor)

Slovenia's transportation system is very good. Highways connect most cities and numerous border crossings into neighboring countries are easily accessible. Air travel within Slovenia is not available, but is also not necessary given the small size of the country. Major cities in Slovenia have efficient public transportation systems, relying mainly on buses and taxis. Bus fares in Ljubljana must be paid with a prepaid card called "Urbana", which can be purchased at newspaper stands or post offices. Taxi service is readily available at designated taxi stands or can be requested by telephone. While taxis are metered, taxi companies have the right to set their own rates, which can vary widely. Be sure to check the posted rate before using a taxi. It is usually cheaper to call a cab than to take a cab waiting at a hotel or a stand.

On December 21, 2007 Slovenia joined the Schengen zone. Land border check points with Austria, Italy and Hungary were removed. Slovenia implemented Schengen for air travel in March 2008. With the entry into the Schengen zone, the border control on the border with Croatia was enhanced to accommodate "Schengen border control regulations."

## Language

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The official language in Slovenia is Slovene, a southern Slavic language with some resemblance to Croatian and Serbian. Slovene is written in the standard Roman alphabet with a few additional letters. Most businessmen in Slovenia speak at least one foreign language, English being the most common. German is also useful in some parts of the country and Italian is sometimes spoken in the Italian border area. When necessary, translators and interpreters can be hired at the Slovene Association of Conference Interpreters (phone: +386(0)41-648-416, email: [zkts@zkts.si](mailto:zkts@zkts.si))

Official languages in the EU: Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, Gaelic, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish, Swedish.

## Health

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There is no immunization or special health concerns related to Slovenia.

## Local Time, Business Hours, and Holidays

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The European institutions generally follow the holidays of the EU member state in which they are located. During the month of August, the European institutions are staffed with minimum personnel. For information on local holidays in the EU member states, please

see their Country Commercial Guides. The following is a list of holidays observed by the European Commission in Belgium during calendar year 2012:

Local time is GMT + 1

Daylight savings time is between March 25 and October 28, 2011.

To check local time at this moment, click on <http://www.buyusa.gov/slovenia/en/>

#### Business Hours

Typical business operating hours in Slovenia are Monday through Friday from 8 AM to 4 PM.

#### U.S. Embassy Ljubljana holidays in 2012

January 1	Sunday	Amer/Slo	New Year's Day
January 2	Monday	Amer/Slo	New Year's Day
January 16	Monday	American	Martin Luther King Day
February 8	Wednesday	Slovenian	Day of Slovenian Culture
February 20	Monday	American	President's Day
March 13	<i>Daylight savings time U.S. (clocks moved one hour ahead)</i>		
March 25	<i>Daylight savings time SLO (clocks moved one hour ahead)</i>		
April 08 & 09	Sun/Mon	Slovenian	Easter, Easter Monday
April 27	Friday	Slovenian	Resistance Day
May 1 & 2	Tue/Wed	Slovenian	Labor Day
May 28	Monday	American	Memorial Day
June 25	Monday	Slovenian	Proclamation Day
July 4	Wednesday	American	Independence Day
August 15	Wednesday	Slovenian	Assumption Day
September 3	Monday	American	Labor Day
October 8	Monday	American	Columbus Day
October 28	<i>Daylight savings time SLO (clocks moved back one hour)</i>		
October 31	Wednesday	Slovenian	Reformation Day
November 1	Thursday	Slovenian	Remembrance Day
November 4	<i>Daylight savings time U.S. (clocks moved back one hour)</i>		
November 11	Friday	American	Veterans Day
November 22	Thursday	American	Thanksgiving
December 25	Tuesday	Amer/Slo	Christmas Day
December 26	Wednesday	Slovenian	Independence Day

Please note that Slovenian business and agencies only observe Slovenian holidays.

Business travelers to the European Union seeking appointments with officials in the U.S. Mission to the European Union in Brussels, Belgium, should contact the Commercial Service in advance. The Commercial Service at the U.S. Mission to the European Union can be reached by telephone at +32-2 811-4817, fax at +32-2 811-5151, or e-mail at [Office.BrusselsEC@trade.gov](mailto:Office.BrusselsEC@trade.gov). A current directory of staff and locations worldwide may be accessed on the Commercial Service website <http://www.export.gov/>

## Temporary Entry of Materials and Personal Belongings

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For information on this topic please consult the Commerce Department's Country Commercial Guides on EU member states: [EU Member States' Country Commercial Guides](#).

Alternatively, search the Commerce Department's Market Research Library, available from: <http://www.export.gov/mrktresearch/index.asp> under Country and Industry Market Reports.

## Web Resources

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Market Research Library

<http://www.export.gov/mrktresearch/index.asp>

EU Member States' Country Commercial Guides:

[EU Member States' Country Commercial Guides](#)

State Department Visa Website

[http://travel.state.gov/visa/visa\\_1750.html](http://travel.state.gov/visa/visa_1750.html)

Commercial Service at the U.S. Mission to the European Union General E-mail Address

[brussels.ec.office.box@trade.gov](mailto:brussels.ec.office.box@trade.gov)

Current directory of Commercial Service staff and locations worldwide

<http://www.export.gov/>

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## Chapter 9: Contacts, Market Research and Trade Events

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- [Market Research](#)
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### Contacts

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#### U.S. and Country Contacts

##### **Embassy of the United States of America**

Ambassador– Joseph Mussomeli  
Eugene Young, Deputy Chief of Mission

Martin McDowell, Political/Economic/Commercial Chief  
Sarah Gjorgjievski, Political/Economic/Commercial Officer  
Matjaz Kavcic, Senior Economic/Commercial Specialist  
Spela Falatov, Political/Economic Specialist  
Prešernova ulica 31, 1000 Ljubljana, Slovenia  
Phone: +386-1-200-5500  
Fax: +386-1-200-55-29, 200-5555  
Web: <http://slovenia.usembassy.gov/>; <http://www.buyUSA.gov/slovenia/en>

##### **U.S. Department of Commerce**

###### **The Advocacy Center**

14th Street & Constitution Avenue, NW, Rm. 3814-A  
Washington, DC 20230  
Office No.: (202) 482-3896  
Fax No.: (202) 482-3508

##### **U.S. Department of Commerce**

Adam G. Klein, Desk Officer for Slovenia  
Washington, DC 20230  
Tel: [\(202\) 482-0903](tel:(202)482-0903) Fax: [\(202\) 482-4505](tel:(202)482-4505)  
Email: [Adam.Klein@trade.gov](mailto:Adam.Klein@trade.gov)

#### Business Associations

##### **American Chamber of Commerce in Slovenia**

Ms. Ajsa Vodnik, Executive Director  
Dunajska cesta 156, 1000 Ljubljana, Slovenia  
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Fax: +386-1 564 72 04  
E-mail: [office@amcham.si](mailto:office@amcham.si)

**JAPTI – Public Agency for Entrepreneurship and Foreign Investment**

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Phone: +386-- 1-589-18-70

Fax: +386- 1-589-18-77

Email: [japti@japti.si](mailto:japti@japti.si)

Web: <http://www.japti.si/index.php?root=4>

**Slovenian Chamber of Commerce and Industry**

Mr. Samo Hribar Milic, President

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Phone: +386-1-5898-000

Fax: +386-1-5898-100

Email: [info@gzs.si](mailto:info@gzs.si)

Web: <http://www.gzs.si/eng/>

Slovene Government

**Bank of Slovenia**

Governor Marko Kranjec

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Fax: +386-1-251-5516

Web: [www.bsi.si](http://www.bsi.si)

**Embassy of the Republic of Slovenia in Washington D.C.**

Ambassador Roman Kirn

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Washington, D.C. 20008

Phone: (+) 1 202 386 66 01

Fax: (+) 1 202 386 6633

E-mail: [vwa@gov.si](mailto:vwa@gov.si)

Web: <http://washington.embassy.si/en>

**Institute for Macroeconomic Analysis and Development**

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Fax: +386-1-478-1070

Email: [gp.umar@gov.si](mailto:gp.umar@gov.si)

Web: <http://www.umar.gov.si/en>

**Ljubljana Stock Exchange**

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Slovenska 56, 1000 Ljubljana, Slovenia

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Fax: +386-1-471-0213

Email: [info@ljse.si](mailto:info@ljse.si)

Web: <http://www.ljse.si/cgi-bin/jve.cgi?doc=1468&sid=fKNCD6E75CqX6FU>

**Ministry of Agriculture and the Environment**

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Phone: +386-1-478-9000  
Fax: +386-1-478-9021  
Web: <http://www.mkgp.gov.si/en/>  
Email: [gp.mkgp@gov.si](mailto:gp.mkgp@gov.si) (agriculture), [gp.mop@gov.si](mailto:gp.mop@gov.si) (environment)

**Phytosanitary Department**

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Fax: +386 59 152 959  
Web: <http://www.fu.gov.si/en>  
Email: [furs.mkgp@gov.si](mailto:furs.mkgp@gov.si)

**Veterinary Administration**

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Dr. Simona Salamon, Deputy Chief Veterinary Officer  
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Web: <http://www.vurs.gov.si/>  
Email: [vurs@gov.si](mailto:vurs@gov.si)

**Ministry of Defense**

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Fax: +386-1-471-29-78  
Web: <http://www.mo.gov.si/en>  
Email: [glavna.pisarna@mors.si](mailto:glavna.pisarna@mors.si)

**Ministry of Economic Development and Technology**

Mr. Radovan Zerjav, Minister  
Kotnikova 5, 1000 Ljubljana, Slovenia  
Phone: +386-1-400-3311  
Fax: +386-1-400-1031  
Web: <http://www.mg.gov.si/en/>  
Email: [gp.mg@gov.si](mailto:gp.mg@gov.si)

**Ministry of Education, Science Culture and Sport**

Dr. Ziga Turk, Minister  
Masarykova 16, 1000 Ljubljana, Slovenia  
Phone: +386-1-400-5400  
Fax: +386-1-400-5329  
Web: <http://www.mss.gov.si/en/>  
Email: [gp.mss@gov.si](mailto:gp.mss@gov.si) (education, sport); [gp.mk@gov.si](mailto:gp.mk@gov.si) (culture), [gp.mvzt@gov.si](mailto:gp.mvzt@gov.si) (higher education)

**Ministry of Infrastructure and Spatial Planning**

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Fax: +386- 1-478-8139

Web: <http://www.mzp.gov.si/>

Email: [gp.mzp@gov.si](mailto:gp.mzp@gov.si) (infrastructure), [gp.mop@gov.si](mailto:gp.mop@gov.si) (spatial planning)

**Ministry of Finance**

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Fax: +386-1-369-66-59

Web: <http://www.mf.gov.si/en/>

Email: [gp.mf@gov.si](mailto:gp.mf@gov.si)

**Ministry of Foreign Affairs**

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Web site: <http://www.mzz.gov.si/index.php?id=6&L=2>

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**Ministry of Health**

Mr. Tomaz Gantar, Minister

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**Ministry of Justice and Public Administration and Public Administration**

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**National Customs Administration**

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Web: <http://carina.gov.si/index.htm>

**Office for Protection of Competition**

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**Slovenian Institute for Standardization**

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**Statistical Office of the Republic of Slovenia**

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#### Audit/Accounting

##### **PricewaterhouseCoopers d.d.**

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##### **Deloitte & Touche revizija d.o.o.** (Auditing firm)

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Patricia Gonzalez  
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Commercial Attaché  
Ilona Shtrom  
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NOAA Fisheries Representative  
Stephane Vrignaud  
Tel: 32.2.811.5831  
[stephane.vrignaud@trade.gov](mailto:stephane.vrignaud@trade.gov)

U.S. Commercial Service  
U.S. Mission to the European Union  
Rue Zinner 13  
B-1000 Brussels, Belgium  
Tel.: 32.2.811.4100  
Fax: 32.2.811.5151  
E-mail: [brussels.ec.office.box@trade.gov](mailto:brussels.ec.office.box@trade.gov)  
Website: <http://export.gov/europeanunion/>

**United States Department of Agriculture - Contacts at the U.S. Mission to the EU:**

Office of Agricultural Affairs  
U.S. Mission to the European Union  
Rue Zinner 13  
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Fax: 32.2.811.5560  
E-mail: [AgUSEUBrussels@fas.usda.gov](mailto:AgUSEUBrussels@fas.usda.gov)  
Website: <http://www.fas.usda.gov/posthome/Useu/>

**The European Commission:**

European Commission  
Rue de la Loi 200 / Wetstraat 200  
B-1049 Brussels, Belgium  
Tel: 32.2.299.11.11 (switchboard)  
Fax: 32.2.295.01.38 (also 295.01.39 and 295.01.40)  
Websites: [http://ec.europa.eu/index\\_en.htm](http://ec.europa.eu/index_en.htm) (European Commission)

[http://eeas.europa.eu/us/index\\_en.htm](http://eeas.europa.eu/us/index_en.htm) (EU-U.S. relations)

**For general information about the European Union:**

Delegation of the European Commission to the United States  
Washington, D.C. 20037  
Tel: (202) 862-9500  
Fax: (202) 429-1766  
Website: <http://www.eurunion.org/>

***EFTA – European Free Trade Association***

Rue Joseph II, 12-16  
B – 1000 Brussels  
Tel: 32.2.286.17.11  
Fax: 32.2.286.17.50  
Website: <http://www.efta.int/>

**For Information on Customs-related Matters within the European Union:**

Mr. Walter Deffaa, Director General  
Directorate General Taxation and Customs Union  
Rue de la Loi 200  
B-1049 Brussels  
Tel: 32.2.295.43.76  
Fax: 32.2.296.90.46  
Website: [http://ec.europa.eu/taxation\\_customs/index\\_en.htm](http://ec.europa.eu/taxation_customs/index_en.htm)

***Standards Contacts:***

Mr. Gordon Gillerman  
Chief of the Global Standards and Information Program  
National Centers for Standards and Certification Information (NCSCI)  
National Institute of Standards & Technology  
100 Bureau Dr.  
Mail Stop 2100  
Gaithersburg, Maryland 20899  
Tel: (301) 975-2573  
Website: <http://ts.nist.gov/Standards/Global/about.cfm>

***CEN – European Committee for Standardization***

Avenue Marnix 17  
B – 1000 Brussels, Belgium  
Tel: 32.2.550.08.11  
Fax: 32.2.550.08.19  
Website: <http://www.cen.eu/>

***CENELEC – European Committee for Electrotechnical Standardization***

Avenue Marnix 17  
B – 1000 Brussels, Belgium  
Tel: 32.2.519.68.71  
Fax: 32.2.519.69.19  
Website: <http://www.cenelec.eu/>

***ETSI - European Telecommunications Standards Institute***

Route des Lucioles 650  
F – 06921 Sophia Antipolis Cedex, France  
Tel: 33.4.92.94.42.00  
Fax: 33.4.93.65.47.16  
Website: <http://www.etsi.org/>

***European Commission -Directorate - General Enterprise and Industry***

Avenue d'Auderghem 45/Rue Belliard 100  
B – 1049 Brussels, Belgium  
Tel: 32.2.299.56.72  
Fax: 32.2.299.16.75  
Website: [http://ec.europa.eu/enterprise/standards\\_policy/index\\_en.htm](http://ec.europa.eu/enterprise/standards_policy/index_en.htm)

***NORMAPME – European Office of Crafts Trades and Small and Medium-Sized Enterprises for Standardization***

Rue Jacques de Lalaing 4  
B – 1040 Brussels, Belgium  
Tel: 32.2.282.05.30  
Fax: 32.2.282.05.35  
Website: <http://www.normapme.com/>

***ANEC - European Association for the Co-ordination of Consumer Representation in Standardization***

Avenue de Tervueren 32, Box 27  
B – 1040 Brussels, Belgium  
Tel: 32.2.743.24.70  
Fax: 32.2.706.54.30  
Website: <http://www.anec.org>

***ECOS – European Environmental Citizens Organization for Standardization***

Rue d'Edimbourg 26  
B – 1050 Brussels, Belgium  
Tel: 32.2.894 46 55  
Fax: 32.2.894 46 10  
Website: <http://www.ecostandard.org/>

***EOTA – European Organization for Technical Approvals (for construction products)***

Avenue des Arts 40  
B – 1040 Brussels, Belgium  
Tel: 32.2.502.69.00  
Fax: 32.2.502.38.14  
Website: <http://www.eota.be/>

**Private Sector Associations:**

***AmchamEU***

53 Avenue des Arts  
B-1000 Brussels, Belgium  
Tel: 32.2.513.68.92  
Fax: 32.2.513.79.28  
Website: <http://www.amchameu.eu/>

**Business Europe**

The Confederation of European Business  
Avenue de Cortenbergh 168  
1000 Brussels, Belgium  
Tel: 32.2.237.65.11  
Fax: 32.2.231.14.45  
Website: [www.businesseurope.eu](http://www.businesseurope.eu)

**European-American Business Council – EU Office**

Rue de l'Industrie 26  
B-1040 Brussels, Belgium  
Tel: 32.2.513.38.72  
Website: <http://www.eabc.org/>

**European-American Business Council – U.S. Office**

919 18<sup>th</sup> Street, NW #220  
Washington, DC 20006  
Tel: (202) 828-9104  
Fax: (202) 828-9106  
Website: <http://www.eabc.org/>

**Tech America Europe**

40 Rue des Drapiers  
B-1050 Brussels, Belgium  
Tel: 32.2.502.7560  
Fax: 32.2.502.6734  
Website: <http://www.techamerica.org/europe>

**The European Institute**

1001 Connecticut Avenue, N.W., Suite 220,  
Washington DC, 20036-5531  
Tel: (202) 895-1670  
Website: <http://www.europeaninstitute.org/>

**Centre for European Policy Studies (CEPS)**

1 Place du Congres  
B-1000 Brussels, Belgium  
Tel: 32.2.229.39.11  
Fax: 32.2.219.41.51  
Website: <http://www.ceps.eu/index.php>

**The European Policy Centre**

Residence Palace  
155 Rue de la Loi  
1040 Brussels, Belgium  
Tel: 32.2.231.03.40  
Fax: 32.2.231.07.04  
Website: <http://www.epc.eu/>

**European Round Table of Industrialists (ERT)**

Place des Carabiniers 18a  
B-1030 Brussels  
Tel: 32 2 534 31 00  
Fax: 32 2 534 73 48  
Website: <http://www.ert.be/>

***The Transatlantic Policy Network***

Rue Froissart 115, 1st floor  
B-1040 Brussels, Belgium  
Tel: 32.2.230.61.49  
Fax: 32.2.230.58.96  
Website: <http://www.tponline.org/>

***TransAtlantic Business Dialogue – TABD EU Office***

Residence Palace  
101 Rue Keyenweld  
B-1050 Brussels, Belgium  
Tel: 32 2 514 0301  
Fax: 32 2 514 0501  
Website: <http://www.tabd.com/>

***TransAtlantic Business Dialogue – TABD U.S. Office***

TABD c/o CSIS  
1800 K Street, NW, Suite 400  
Washington, DC 20006  
Tel: (202) 775 32 51  
Fax: (202) 775 31 99  
Website: <http://www.tabd.com/>

***The Trans European Policy Studies Association (TEPSA)***

11 Rue d’Egmont  
B-1000 Brussels, Belgium  
Tel: 32.2.511.34.70  
Fax: 32.2.511.67.70  
Website: <http://www.tepsa.be/>

**Key EU-related websites:**

*For general information on the European Union*

The EU’s portal website

<http://www.europa.eu/>

Resource for EU news, policy positions and actors

<http://www.euractiv.com/>

A to Z index of European Union websites

<http://www.eurunion.org/infores/euindex.htm>

*For information on topics related to doing business in the European Union*

EU’s “One Stop Internet Shop for Business” (EU funds, technical standards, intellectual property law, and free access to public procurement tender notices via the Tenders Electronic Daily (TED) database):

[http://ec.europa.eu/youreurope/business/index\\_en.htm](http://ec.europa.eu/youreurope/business/index_en.htm)

EU Member State Chambers of Commerce in the U.S.

<http://www.eurunion.org/states/doingbizweu.htm>

EU market access database (information on tariffs and other trade information)

<http://madb.europa.eu/>

EURLEX – Access to EU law

<http://eur-lex.europa.eu/en/index.htm>

CORDIS – Community Research and Development Information Service (EU research and innovation website)

<http://cordis.europa.eu/>

European Commission Statistical Office (Eurostat)

<http://epp.eurostat.ec.europa.eu/>

EU Office of Official Publications

<http://publications.europa.eu/>

EU official website on the euro

[http://ec.europa.eu/euro/index\\_en.html](http://ec.europa.eu/euro/index_en.html)

European Central Bank, Frankfurt

<http://www.ecb.int/>

European Investment Bank, Luxembourg

<http://www.eib.org/>

Council of the European Union

<http://www.consilium.europa.eu/>

European Parliament

<http://www.europarl.europa.eu/>

European Court of Justice

<http://curia.europa.eu/>

EU Who is Who – The Official Directory of the European Union

<http://europa.eu/whoiswho/public/>

## **Market Research**

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To view market research reports produced by the U.S. Commercial Service please go to the following website: <http://www.export.gov/mrktresearch/index.asp> and click on Country and Industry Market Reports.

Please note that these reports are only available to U.S. citizens and U.S. companies. Registration to the site is required, and is free.

Companies that perform market research in Slovenia:

**ACNielsen d.o.o.**

Šmartinska cesta 106, 1000 Ljubljana, Slovenia

Phone: +386-1- 600 52 00

Fax: +386-1- 600 52 01

Web: <http://www.acnielsen.com>

Email: [vesna.druzanovic@nielsen.com](mailto:vesna.druzanovic@nielsen.com)

**RM PLUS d.o.o.**

Glavni trg 19a, 2000 Maribor

Phone: +386 2 234 25 21

Fax: +386 2 252 37 83

Director: Branko Žnuderl

Web: <http://www.rmplus.si>

**FRONTAL, d.o.o. DRUŽBA ZA KOMUNIKACIJSKI MANAGEMENT**

Ciril-Metodova ulica 34

9000 Murska Sobota

Phone: +386 2 530 89 00

Faks: +386 2 530 89 01

Director: Kristjan Magdič

Web: <http://www.frontal.si>

**FIT MEDIA d.o.o.**

Kidričeva ulica 25

3000 Celje

Phone: +386 3 426 67 00

Fax: +386 3 426 67 02

Director: Vanesa Čanji

Web: <http://www.fitmedia.si>

**GFK GRAL - ITEO d.o.o.**

Verovškova 55a

1000 Ljubljana

Phone: +386 1 47 20 300

Fax: +386 1 47 20 334

Director: Peter Damisch

Web: <http://www.gfk.si/index.en.html>

**PRISTOP d.o.o., LJUBLJANA**

Trubarjeva cesta 79

1000 Ljubljana

Phone: +386 1 239 12 00

Fax: +386 1 239 12 10

Director: Primož Pular

Web: <http://www.pristop.si>

**AGENCIJA NET d.o.o.**

Stara cesta 23  
1360 Vrhnika  
Phone: +386 1 750 20 81  
Fax: +386 1 750 20 82  
Director: Tomaž Zajc  
Web: <http://www.agencijanet.si>

For information on this topic please consult the Commerce Department's Country Commercial Guides on EU Member States: EU Member States' Country Commercial Guides.

Alternatively, search the Commerce Department's Market Research Library, available from: <http://www.export.gov/mrktresearch/index.asp> under Country and Industry Market Reports.

Please note that these reports are only available to U.S. citizens and U.S. companies. Registration to the site is required, and is free.

## Trade Events

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Please click on the link below for information on upcoming trade events.

<http://www.export.gov/tradeevents/index.asp>

For a listing of all fairs in 2011 in Slovenia, visit this web site <http://www.gzs.si/fairs/>

Fair grounds that organize trade shows:

- Ljubljana Fair Grounds: <http://www.ljubljanafair.com/>  
List of events: <http://www.ljubljanafair.com/fairs/>
- Celje Fair grounds: [http://www.ce-sejem.si/index.php?cid=0\\_0\\_0&l=1](http://www.ce-sejem.si/index.php?cid=0_0_0&l=1)  
List of events: <http://www.ce-sejem.si/index.php?page=static&item=196>
- Portoroz: <http://www.internautica.net/>
- Gornja Ragdona: <http://www.pomurski-sejem.si/ang-kzs/kzs.htm>

Please click on the link below for information on upcoming trade events.

<http://www.export.gov/tradeevents/index.asp>

[www.poslovniportal.si](http://www.poslovniportal.si)

Please click on the link below for information on upcoming trade events.

<http://www.export.gov/tradeevents/index.asp>

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## Chapter 10: Guide to Our Services

The President's National Export Initiative aims to double exports over five years by marshaling Federal agencies to **prepare U.S. companies to export successfully, connect them with trade opportunities** and **support them once they do have exporting opportunities**.

US Embassy Ljubljana is a partner post to Commercial Service at US Embassy Vienna. US Embassy Ljubljana provides similar services that U.S. companies can receive at other posts with full commercial service, but the number of services that can be provided in a short time frame are limited due to the small staff size.

The U.S. Commercial Service offers customized solutions to help U.S. exporters, particularly small and medium sized businesses, successfully expand exports to new markets. Our global network of trade specialists will work one-on-one with you through every step of the exporting process, helping you to:

- Target the best markets with our world-class research
- Promote your products and services to qualified buyers
- Meet the best distributors and agents for your products and services
- Overcome potential challenges or trade barriers
- Gain access to the full range of U.S. government trade promotion agencies and their services, including export training and potential trade financing sources

To learn more about the Federal Government's trade promotion resources for new and experienced exporters, please click on the following link: [www.export.gov](http://www.export.gov)

For more information on the services the U.S. Commercial Service offers to U.S. exporters, please click on the following link: <http://export.gov/begin/index.asp>  
U.S. exporters seeking general export information/assistance or country-specific commercial information can also contact the **U.S. Department of Commerce's Trade Information Center** at **(800) USA-TRAD(E)**.

To the best of our knowledge, the information contained in this report is accurate as of the date published. However, **The Department of Commerce** does not take responsibility for actions readers may take based on the information contained herein. Readers should always conduct their own due diligence before entering into business ventures or other commercial arrangements. **The Department of Commerce** can assist companies in these endeavors.

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