

LAW OF THE SLOVENIAN RED CROSS

I. GENERAL PROVISIONS

Article 1

The Slovenian Red Cross is an independent, humanitarian organization of national importance, operating on the territory of the Republic of Slovenia in accordance with the Geneva Conventions on the Protection of Victims of Armed Conflict (hereinafter referred to as the Geneva Conventions) and the decisions of international Red Cross conferences.

The Slovenian Red Cross is a non-profit organization carrying out its tasks without distinction based on nationality, race, sex, language, religion, political or other opinions of persons.

Article 2

The Slovenian Red Cross is comprised of local organizations. The establishment, organization and operation of Slovenian Red Cross organizations are governed by applicable regulations on societies.

The field of work, tasks and method of work, competences of its bodies and services and the organizational structure of the Slovenian Red Cross shall be determined in its Statute.

Article 3

The Slovenian Red Cross is an integral part of the international Red Cross and Red Crescent Movement and for that reason it is cooperating with national Red Cross and Red Crescent organizations as well as with other humanitarian, health and social organizations in Slovenia and abroad.

Article 4

The Slovenian Red Cross and its organizations have a seal bearing the inscription Slovenian Red Cross, the name of the organization, its official seat and address. The Red Cross symbol appears in the center of the seal.

Article 5

The symbol of the Slovenian Red Cross is a red cross comprised of five equal squares on a white background.

II. TASKS OF THE SLOVENIAN RED CROSS

Article 6

The Slovenian Red Cross assists the authorities in preventing and relieving human suffering, protecting, human life and health and ensuring respect for human rights, particularly during armed conflicts and other emergencies and performs other tasks specified by this Law and the Statute.

The Slovenian Red Cross informs the public on international humanitarian law and realize the principles of the international humanitarian movement.

Article 7

In accordance with Article 26 of the Geneva Convention for improving the status of wounded and sick members of the armed forces in war dated 12th August 1949, the Slovenian Red Cross cooperates with the health service and sanitation service of the armed forces of the Republic of Slovenia and the Civil Defense of the republic of Slovenia in the care of the wounded and sick persons during armed conflict.

Article 8

The Slovenian Red Cross organizes the storage and distribution of the relief obtained from national and international Red Cross organizations, other organizations and individual donors and organizes the collection of relief in the republic of Slovenia and provides world-wide emergency relief assistance.

Tasks performed under public authorization

Article 9

The Slovenian Red Cross performs the following tasks under a public authorization:

- tasks related to informing, recording and inquiring about the victims of armed conflict and persons afflicted in natural and other disasters;
- organizes the training of staff for the performance of tasks arising from the Geneva Conventions
- organizes first-aid courses and examinations;
- organizes and trains first – aid units;
- carries out campaigns for recruiting blood donors and organizes blood drives;
- issues cards to donors of parts of the human body;
- carries out measures for protecting the health of persons during natural and other disasters and in the event of armed conflict;
- carries out measures for the reception and accommodation of evacuated and other endangered persons, as well as other measures which may contribute to the care of endangered and afflicted persons.

The Slovenian Red Cross issues documents and certificates related to all matters specified in the previous paragraph.

Article 10

The competent state authorities cooperate with the Slovenian Red Cross in the performance of its tasks.

The state authorities are obliged to ensure in the event of natural or other disasters that the Slovenian Red Cross is given priority in the transportation of persons and materials by public means of transport and priority in the public media and telecommunications systems for the purpose of informing the public.

Data records

Article 11

The Slovenian Red Cross keeps data records on the following:

- persons taking a first –aid examination;
- lectures (physicians, nurses and others);
- teams and persons engaged in various training programs
- blood donors
- voluntary donors of parts of the human body
- membership in Red Cross organizations
- donors of financial and other contributions
- socially – handicapped persons assisted by the Slovenian Red Cross within the scope of its competences
- the receivers of awards and decorations of the Slovenian Red Cross
- persons having the right to wear the symbol of the Slovenian Red Cross in accordance with the Geneva Conventions.

Article 12

All data records specified in the previous article contain the following personal data:

- name and surname;
- date and place of birth;
- permanent or temporary residence.

Some of the data records, in addition to the personal data specified in the previous paragraph, also contain data on the following

- a) lecturers:
 - profession – particulars on specialization
 - the address of the institution or other organization where the lecturer is employed;

- b) blood donors:
 - blood group and Rh factor;
- c) voluntary donors of parts of the human body:
 - the parts of the body to be donated upon death,
 - the name, surname and address of the person to be notified in case of an accident;
- d) membership in Red Cross organizations:
 - the functions performed by members;
- e) socially- handicapped persons assisted by the Slovenian Red Cross within the scope of its competences:
 - type of handicap;
 - the assistance provided to such persons;
- f) receivers of awards and decorations of the Slovenian Red Cross:
 - the type of award or decoration;
- g) persons having the right to wear the symbol of the Slovenian Red Cross in accordance with the Geneva Conventions:
 - the type of protection enjoyed under the Geneva Conventions.

The Slovenian Red Cross collects the personal data specified in this article directly from individuals and keeps and uses them only for as long as necessary in order to achieve the purpose for which they were collected. Personal data on socially handicapped persons may also be obtained from other official records.

III. INQUIRY SERVICE

Article 13

An inquiry service shall be established at the Slovenian Red Cross.

The Inquiry Service shall perform the tasks of an information office, as specified in Article 122 of the Geneva Convention on the treatment of prisoners of war dated 12th August 1949, and Article 136 of the Geneva Convention on the protection of civilians in wartime dated 12th August 1949, as well as other tasks stipulated by this Law and the Statute.

Article 14

The Inquiry Service keeps data records, provides data to afflicted individuals, competent bodies and organizations in the country and abroad and establishes contacts between family members separated by war or other emergencies.

For the purpose of performing its tasks under the previous paragraph, the Inquiry Service collects data on:

1. prisoners of war;
2. war refugees;
3. civil internees;
4. protected persons held in captivity for more than two weeks;
5. protected persons in detention;
6. injured, sick and deceased members of the armed forces and shipwrecked persons;
7. children separated from their parents because of armed conflicts
8. children evacuated to foreign countries,
9. missing persons,
10. victims of natural and other disasters,

This includes the following personal data:

- name and surname
- place and date of birth,
- father's and mother's name and surname and mother's maiden name.

Article 15

For the purpose of individual data records, the Inquiry Service collects, in addition to the data specified in the previous article, the following personal data:

- a) prisoners of war:
 - rank
 - number of military unit, department,
 - personal or service number of the registration number in military records,
 - sign of force to which he/she belongs,
 - citizenship,
 - name and surname of the person to be notified,
 - mailing address for prisoners of war,
 - changes, releases, repatriations, escapes, accommodation in hospitals and death,
 - state of health of wounded persons;
- b) war refugees, civil internees, protected persons in captivity for more than two weeks, and protected persons in detention:
 - citizenship,
 - nationality,
 - place of permanent residence,
 - temporary residence in the Republic of Slovenia,
 - date and type of measures adopted,
 - mailing address,
 - name and surname of the person to be notified,
 - date of registration,
 - state of health of sick persons;
- c) wounded, sick and deceased members of the armed forces and shipwrecked persons:
 - sign of forces to whom he/she belongs,
 - number of army, regiment or other military unit,
 - personal or service number of the registration number in the military records,

- all other data appearing on the personal identity card or on the identification badge,
 - citizenship,
 - date and place of capture or death,
 - particulars related to wounds, disease or the cause of death;
- d) evacuated children and children separated from their parents because of armed conflict:
- sex of the child,
 - nationality of the child,
 - citizenship of the child,
 - the child's closest relatives,
 - the mother tongue of the child and all the languages which he/she speaks,
 - address of the child's family,
 - any number for identification of the child,
 - state of health of the child,
 - any special personal mark,
 - date and place where the child was found,
 - date and place of child's departure from the country
 - religious faith of the child, if any,
 - present address of the child in the receiving county,
 - date, place and circumstances of death and burial.

According to the data under the previous paragraph on evacuated children and children separated from their parents because of armed conflict, the inquiry Service issues a card with a photograph of the child, which is sent to the Central Inquiry Agency of the International Red Cross Committee, if this is possible and does not represent any risk or damage for the child.

Article 16

The Inquiry Service also keeps records of afflicted and missing persons in natural and other disasters, which contain the following data:

- name and surname,
- place and date of birth,
- citizenship, permanent or temporary residence,
- place of disaster,
- place of present residence,
- any special personal mark,
- state of health.

Article 17

The data records kept on the basis of Articles 15 and 16 of this Law shall be used for the purpose of collecting data on missing persons, inasmuch as they are related to missing persons.

The Inquiry Service shall, in collecting such data, adhere to the will of close relatives, provided it complies with the provisions of this Law, the Law on the Protection of Personal Data and the Geneva Conventions.

Article 18

The data specified in Articles 15, 16 and 17 of this Law shall be collected directly from the afflicted individual or from third persons for whom the Service finds to be in possession of such data.

The data from Articles 15, 16 and 17 of this Law may be used by:

- the Slovenian Red Cross in the performance of its tasks,
- government bodies in cases specified by law,
- blood relatives in direct line or secondary line up to and including the third generation, a spouse or relative by marriage up to and including the second generation, a guardian or dependent, an adoptive parent or adopted child,
- the individual to whom they refer,
- the bodies and organizations of other countries, if so provided by the Geneva Conventions.

Article 19

The Slovenian Red Cross issues, on the basis of data records kept by Inquiry Service, certificates, certified lists of deceased persons and other documents.

Article 20

The organization and method of work of the Inquiry Service shall be regulated by the Slovenian Red Cross in its rules.

IV. USE AND PROTECTION OF THE RED CROSS SYMBOL

Article 21

The Red Cross symbol on a white background and the name of the Red Cross may only be used in the manner specified by the Geneva Conventions, this Law and the regulations issued for the execution thereof.

The Red Cross symbol on a white background (hereinafter: symbol) may be used as a mean of identification and as a mean of protection. The protective use of the symbol is intended for the designation of medical personnel and equipment to be respected and protected in armed conflicts. The use of the symbol for the purpose of identification serves to indicate that persons or objects are linked to the movement.

Only the Slovenian Red Cross shall have the right to use the name of the Red Cross.

Article 22

All natural persons and legal entities, except those permitted by this Law, shall be permanently prohibited from using:

- the Red Cross symbol on a white background or the name of the Red Cross or the Geneva Cross, or
- the Red Crescent symbol on a white background or the name of the Red Crescent,
- as well as any symbol or name imitating the symbol or name under the first and second items, irrespective of the purpose of their use and the time of their adoption.

Article 23

In peace the symbol as a mean of identification may be used to designate the following:

1. buildings, devices, sanitary material as well as the transportation and transfer means of health institutions, private health workers and health staff;
2. transportation and transfer means of other legal entities used for the transport of injured and sick persons, provided permission to wear the symbol is obtained from the ministry competent for health care,
3. places designated for the provision first aid in a settlement, at traffic locations, in companies, institutions and other bodies and organizations, as well as the places where first aid sanitary material and equipment is stored;
4. the personnel, buildings, means and material of the Slovenian Red Cross;
5. the personnel, means and material if foreign Red Cross organizations, for as long as they perform Red Cross activities in the republic of Slovenia with the permission of the Government of the Republic of Slovenia;
6. health institutions, sanitary units and institutions, buildings, devices, sanitary materials as well as the transportation and transfer means (land, naval and air) belonging to the sanitation service of the armed forces;
7. the sanitation service of the armed forces of other countries, for as long as it performs sanitation activities on the territory of the Republic of Slovenia with the permission of the Republic of Slovenia,

The symbol used as a mean of identification is to be smaller than the symbol used as a mean of protection and must not be worn on a ribbon around the sleeve or placed on the roof of a building.

Article 24

In armed conflict the symbol as a mean of identification and as a mean of protection may be used to designate:

1. buildings, devices, sanitary material as well as the transportation and transfer means of health institutions, private health workers and health staff;
2. buildings, devices, sanitary materials and transportation and transfer means of Slovenian Red Cross and persons assigned to search, gather, carry and nurse the sick and wounded engaged in the prevention of diseases;

3. Civil Defense first aid units;
4. hospital ships;
5. first aid teams organized by health institutions and other organizations as well as the Slovenian Red Cross, for as long as they perform these tasks;
6. land, water and air transportation means intended for the transport of the shipwrecked, sick and wounded, as well as sanitary materials (sanitary transport);
7. the personnel, means and materials of foreign Red Cross and Red Crescent organizations and other voluntary relief societies, for as long as they perform sanitation activities on the territory of the Republic of Slovenia with the permission of the Government of the Republic of Slovenia;
8. health services and sanitation units and institutions, buildings, devices, sanitary material, transportation and transfer means (land, sea and air) belonging to the sanitation service of the armed forces;
9. the sanitation service of the armed forces of other countries, for as long as it performs sanitation activities on the territory of the Republic of Slovenia with the permission of the Government of the Republic of Slovenia;
10. the sanitation areas and places designated for the protection of sick and wounded persons, as well as the persons taking care of and nursing the sick and wounded in these areas and places.

In the event of armed conflict, the symbol used to identify a natural person and legal entity under the previous paragraphs to be smaller than the symbol used as a mean of protection under the Geneva Conventions and must not be worn on a ribbon around the sleeve or placed on the roof of a building and on means of transportation.

Article 25

Persons having the right to wear the Red Cross symbol are to possess, in the case of armed conflict, a card furnished with the red Cross symbol, their photograph and a stamped dry seal and to wear a waterproof ribbon around the sleeve.

A card and a waterproof ribbon shall be issued to the persons specified in the previous paragraph by the competent body, which shall also keep a record thereof.

V. FINANCING OF RED CROSS ACTIVITIES

Article 26

The Slovenian Red Cross may, for the purpose of its operation, acquire, dispose with and alienate movable and immovable property as its own property, and may also:

- collect contributions and receive donations or legacies without limitations
- collect membership fee,
- dispose with other sources in accordance with the law.

Article 27

The Republic of Slovenia shall ensure funds from its budget for the tasks performed by the Slovenian Red Cross under public authorization.

The funds specified in the previous paragraph shall be ensured on the basis of the yearly program of the Slovenian Red Cross, adopted by the Government of the Republic of Slovenia.

A municipality may ensure funds for those activities performed by local organizations of the Slovenian Red Cross which are not financed by the Republic of Slovenia.

Article 28

During the Red Cross Week and the Solidarity Week, the legal entities or individuals independently performing activities in domestic and international air, railway, sea and bus traffic, or performing PTT services, shall be obliged to charge a contribution for the benefit of the Red Cross to all natural persons and legal entities using their services. A contribution shall be charged for each ticket sold or for all mail posted in internal and international traffic, except for books, newspapers and magazines.

The Government of the Republic of Slovenia shall determine the amount of the contribution specified in the previous paragraph, the mode of payment and charging, as well as any eventual exemption.

VI. SUPERVISION

Article 29

The legality of work of the Slovenian Red Cross in performing its public authorizations shall be supervised by the ministry competent for health, family and social welfare and the ministry competent for defense.

Article 30

In supervising the execution of provisions stipulated in section IV of this Law, the competent bodies shall order the removal of a Red Cross symbol not being used or worn in accordance with the conditions prescribed by this Law and the regulations issued on the basis thereof.

VII. PUNITIVE PROVISIONS

Article 31

Any legal entity or individual shall be deemed to have committed an offense and punished with a fine of 50.000 SIT, if, in the independent performance of its activities in peace and contrary to paragraph one of Article 23 hereof:

1. it uses the symbol of the Red Cross on a white background or the name of the Red Cross (first item of paragraph one of Article 22);
2. it uses the symbol of the Red Crescent on a white background or the name of the Red Crescent (second item of paragraph one of article 22);
3. it uses a symbol or name imitating the Red Cross symbol on a white background, or the name of the Red Cross, or the symbol of the Red Crescent on a white background, or the name of the Red Crescent third item of Article 22).

A person responsible for the operation of a legal entity having committed an offense under paragraph one of this article shall be liable to a fine of 5.000 SIT.

A natural person having committed an offense under previous paragraph shall be liable to a fine of at least 5.000 SIT.

Article 32

A legal entity shall be deemed to have committed an offense and punished with a fine of at least 50.000 SIT, if, in the event of armed conflict and contrary to paragraph one of Article 24 hereof:

1. it uses the symbol of the Red Cross on a white background or the name of the Red Cross (first item of paragraph one of Article 22);
2. it uses the symbol of the Red Crescent on a white background or the name of the red Crescent (second item of paragraph one of Article 22);
3. it uses a symbol or name imitating the Red Cross symbol on a white background or the name of the Red Cross, or the Red Crescent symbol on a white background or the name of the Red Crescent (third item of Article 22).

Article 33

A legal entity or individual shall be deemed to have committed an offense and punished with a fine of at least 50.000 SIT, if, in the independent performance of its activities and contrary to Article 28 hereof, it does not pay contributions to the benefit of the Slovenian Red Cross.

A person responsible for the operation of a legal entity having committed an offense under the previous paragraph shall be liable to a fine of at least 5.000 SIT.

VIII. TRANSITIONAL AND CONCLUDING PROVISIONS

Article 34

Upon the registration of the Slovenian Red Cross, the entire property of the Red Cross of Yugoslavia located on the territory of the Republic of Slovenia and of the Slovenian Red Cross shall become the property of the Slovenian Red Cross.

Article 35

The Slovenian Red Cross shall be obliged to adopt its Statute within six months following the implementation of this Law, and the organizations of the Slovenian Red Cross shall be obliged to bring their organizational structure into conformity with this Law and the adopted Statute and to register their activities with the competent authority within one year of the implementation of this Law.

Until the implementation of the Statute of the Slovenian Red Cross, the organizations of the Slovenian Red Cross shall operate in accordance with applicable regulations.

Article 36

More detailed regulations shall be issued by:

1. the Slovenian Red Cross – for the use of the Red Cross symbol in the performance of its activities;
2. the ministry competent for defense – for the use of the Red Cross symbol in the health and sanitation service of the armed forces;
3. the ministry competent for health care – for the use of the Red Cross symbol and the procedure of issuing the card and ribbon to persons under Article 25.

The regulations specified in the previous paragraph are to be adopted within three months after the implementation of this Law.

Article 37

Until the implementation of regulations specified in the previous article, the Regulations on the manner of using the Red Cross symbol (Official Gazette of SFR Yugoslavia, no. 59/83) and the Regulations on the use of the red Cross symbol and the special identity cards of sanitation personnel in the armed forces of the Socialist Federal Republic of Yugoslavia (Official Gazette of SFR Yugoslavia, no. 30/84) shall be used. The provisions related to the armed forces of the Socialist Federal Republic of Yugoslavia shall be applicable for the armed forces of the Republic of Slovenia.

Article 38

On the effective date of this Law, the following shall cease to have effect:

- the Law on the Status and Authorizations of the Slovenian Red Cross /Official Gazette of SR Slovenia, no. 8/78),

and the following shall cease to be used:

- the Law on the Status and Authorizations of the Red Cross of Yugoslavia (Official Gazette of SFR Yugoslavia, no. 13/76).
- THE Law on the Use and protection of the Symbol and Name of the Red Cross (Official Gazette of SFR Yugoslavia, no. 13/82).

Article 39

This Law comes into force on the fifteenth day after its publication in the Official Gazette of the republic of Slovenia.

Signed in Ljubljana on 26th of January 2003 by Mr. Herman Rigelnik, President of the National Council of the Republic of Slovenia