

**Act Amending the Criminal Procedure Act
(ZKP-H)**

Article 1

In the Criminal Procedure Act (Official Gazette of the RS, No 8/06 – official consolidated text), the tenth indent of Article 144 is amended as follows:

‘- the police may by analogy refer to a police station, other police unit or other national authority whose officials have the authorisations of the police in a preliminary procedure in accordance with this Act.’

Article 2

The following Article 158.a is inserted after Article 158:

‘Article 158.a

1) When there are grounds for a suspicion that a criminal offence prosecutable *ex officio* was committed by an official employed by the police or by another official employed in the sector of internal affairs at a statutory competent authority within the ministry responsible for defence, with police authorisations in preliminary procedure, or by an official posted on a mission abroad, the police officers at the specialised department of the Group of State Prosecutors for the prosecution of organised crime (hereinafter: police officers of the specialised department) shall have the authorisation of the police in a preliminary procedure as laid down by this Act.

(2) The police officers of the specialised department shall immediately inform the responsible state prosecutor at the specialised department of the Group of State Prosecutors for the prosecution of organised crime of the grounds of a suspicion that a criminal offence referred to in the preceding paragraph was committed, and report regularly on a planned preliminary procedure and the course of a preliminary procedure.

(3) The state prosecutor referred to in the preceding paragraph shall direct and supervise the preliminary procedure under the preceding paragraphs and decide on its course and completion. They shall have a right to view the files, participate in the taking of evidence and directly perform individual actions in the proceedings. Assigned police officers shall work according to the directions of the state prosecutor.

(4) Subject to the conditions laid down by this Act, the police officers at the specialised department may deprive the person referred to in the preceding paragraph of freedom when caught committing a criminal offence by the police, the Slovene army or on a mission abroad.

(5) The police officers of the specialised department shall immediately inform the responsible state prosecutor referred to in paragraph (2) of the arrest under to the preceding paragraph and the person deprived of freedom shall be brought before the investigating judge immediately.’

TRANSITIONAL AND FINAL PROVISION

Article 3

The Government of the Republic of Slovenia shall harmonise the regulation referred to in Article 160.a(2) in accordance with this Act within two months of this Act coming into force.

Article 4

This Act shall come into force on the 30th day after it is published in the Official Gazette of the Republic of Slovenia and shall come into effect on the 60th day after it comes into force.

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

President
National Assembly
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Dr France Cukjati