Neuradno prečiščeno besedilo Zakona o omejevanju uporabe tobačnih in povezanih izdelkov obsega:

- Zakon o omejevanju uporabe tobačnih in povezanih izdelkov – ZOUTPI (Uradni list RS, št. 9/17 z dne 24. 2. 2017),

- Zakon o dopolnitvi Zakona o omejevanju uporabe tobačnih in povezanih izdelkov – ZOUTPI-A (Uradni list RS, št. 29/17 z dne 9. 6. 2017).

ZAKON

O OMEJEVANJU UPORABE TOBAČNIH IN POVEZANIH IZDELKOV (ZOUTPI)

(neuradno prečiščeno besedilo št. 1)

I. SPLOŠNE DOLOČBE

1. člen
(vsebina)

Ta zakon v skladu z Direktivo 2014/40/EU Evropskega parlamenta in Sveta z dne 3. aprila 2014 o približevanju zakonov in drugih predpisov držav članic o proizvodnji, predstavitvi in prodaji tobačnih in

The unofficial consolidated version of the Restriction on the Use of Tobacco Products and Related Products Act comprises:

- Restriction on the Use of Tobacco Products and Related Products Act – ZOUTPI (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 9/17 of 24 February 2017),
- Act Amending the Restriction on the Use of Tobacco Products and Related Products Act – ZOUTPI-A (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 29/17 of 9 June 2017).

RESTRICTION ON THE USE OF TOBACCO PRODUCTS AND RELATED PRODUCTS ACT (ZOUTPI)

(Unofficial consolidated version No. 1)

I. GENERAL PROVISIONS

Article 1
(Subject)

In accordance with Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States

povezanih izdelkov in razveljavitvi Direktive 2001/37/ES (UL L št. 127 z dne 29. 4. 2014, str. 1), zadnjič spremenjeno z Delegirano direktivo Komisije 2014/109/EU z dne 10. oktobra 2014 o spremembi Priloge II k Direktivi 2014/40/EU Evropskega parlamenta in Sveta z vzpostavitvijo knjižnice slikovnih opozoril, ki se uporabljajo za tobačne izdelke (UL L št. 360 z dne 17. 12. 2014, str. 22), (v nadaljnjem besedilu: Direktiva 2014/40/EU), in Direktivo 2003/33/ES Evropskega parlamenta in Sveta z dne 26. maja 2003 o približevanju zakonov in drugih predpisov držav članic o oglaševanju in sponzorstvu tobačnih izdelkov (UL L št. 152 z dne 20. 6. 2003, str. 16) določa:

1. ukrepe za omejevanje uporabe tobačnih in povezanih izdelkov ter ukrepe in vire za preprečevanje njihovih škodljivih vplivov na zdravje;

2. najvišje vrednosti emisij tobačnih izdelkov;
3. obveznosti poročanja o najvišjih vrednostih emisij katrana, nikotina in ogljikovega monoksida za cigarete;
4. označevanje in embalažo tobačnih in povezanih izdelkov, vključno z zdravstvenimi opozorili;
5. sledljivost in varnostne elemente, ki se uporabljajo za tobačne izdelke;
6. prepoved dajanja tobaka za oralno uporabo na trg;
7. obveznosti glede predložitve uradnega obvestila o novih tobačnih izdelkih;
8. dajanje na trg elektronskih cigaret;
9. dajanje na trg in označevanje zeliščnih izdelkov za kajenje;

10. prepoved oglaševanja, promocije in sponzoriranja tobaka, tobačnih izdelkov in povezanih izdelkov;
11. način in omejitve prodaje tobačnih in povezanih izdelkov;

12. prepoved kajenja oziroma uporabe tobačnih in povezanih izdelkov v zaprtih javnih in delovnih prostorih.

2. člen
(postopek obveščanja)

Ta zakon se sprejme ob upoštevanju postopka obveščanja v skladu z Direktivo (EU) 2015/1535 Evropskega parlamenta in Sveta z dne 9. septembra 2015 o določitvi postopka za zbiranje informacij na področju

concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC (OJ L 127, 29.4.2014, p. 1) as last amended by Commission Delegated Directive 2014/109/EU of 10 October 2014 amending Annex II to Directive 2014/40/EU of the European Parliament and of the Council by establishing the library of picture warnings to be used on tobacco products (OJ L 360, 17.12.2014, p. 22), (hereinafter: Directive 2014/40/EU) and Directive 2003/33/EC of the European Parliament and of the Council of 26 May 2003 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products (OJ L 152, 20.6.2003, p. 16), this Act lays down:
1. measures to limit the use of tobacco and related products as well as measures and resources for the prevention of the adverse effects thereof on health;
2. the maximum emission levels of tobacco products;
3. reporting obligations regarding the maximum emission levels of tar, nicotine and carbon monoxide for cigarettes;
4. the labelling and packaging of tobacco and related products, including health warnings;
5. the traceability and security features applicable to tobacco products;

6. the prohibition on placing on the market tobacco for oral use;
7. the obligation to submit notification of novel tobacco products;

8. the placing on the market of electronic cigarettes;
9. the placing on the market and labelling of herbal products for smoking;
10. the prohibition on the advertising, promotion and sponsorship of tobacco, tobacco products and related products;
11. the manner of and restrictions on selling tobacco and related products;
12. the ban on smoking and/or the use of tobacco and related products in enclosed public places and workplaces.

Article 2
(Notification procedure)

This Act shall be adopted subject to the notification procedure in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the

tehničnih predpisov in pravil za storitve informacijske družbe (UL L št. 241 z dne 17. 9. 2015, str. 1).

3. člen
(opredelitev izrazov)

Izrazi, uporabljeni v tem zakonu, pomenijo:

1. Aromatična snov je dodatek, ki doda vonj ali okus.
2. Bistvena sprememba okoliščin je povečanje obsega prodaje na kategorijo izdelka za vsaj 10 odstotkov v najmanj petih državah članicah Evropske unije (v nadaljnjem besedilu: EU) na podlagi podatkov o prodaji, predloženih v skladu z devetim odstavkom 9. člena tega zakona, ali povečanja razširjenosti kajenja v skupini potrošnikov oziroma potrošnic (v nadaljnjem besedilu: potrošniki), mlajših od 25 let, za vsaj 5 odstotnih točk v vsaj petih državah članicah EU za zadevno kategorijo izdelkov, ki temeljijo na posebnem poročilu Eurobarometra 385 iz maja 2012 ali na enakovredni študiji o razširjenosti kajenja; če obseg prodaje posamezne kategorije izdelka na maloprodajni ravni ne presega 2,5 odstotkov celotne prodaje tobačnih izdelkov na ravni EU, se v vsakem primeru šteje, da bistvene spremembe okoliščin ni bilo.
3. Brezdimni tobačni izdelek je tobačni izdelek, ki ne vključuje postopka zgorevanja, vključno s tobakom za žvečenje, tobakom za njuhanje in tobakom za oralno uporabo.
4. Cigara je zvitek tobaka, pri uporabi katerega poteka postopek zgorevanja in je dodatno opredeljen v 83. členu Zakona o trošarinah (Uradni list RS, št. 47/16, v nadaljnjem besedilu: Zakon o trošarinah).
5. Cigareta je zvitek tobaka, pri uporabi katerega poteka postopek zgorevanja in je dodatno opredeljen v 82. členu Zakona o trošarinah.
6. Cigarilos je majhna cigara, ki je težka največ 3 g.
7. Čezmejna prodaja na daljavo je prodaja potrošnikom na daljavo, pri kateri potrošnik ob naročilu izdelka pri prodajnem mestu ni v državi članici EU ali tretji državi, v kateri ima prodajno mesto svoj sedež. Šteje se, da ima prodajno mesto sedež v državi članici EU:

provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).

Article 3
(Definitions)

(1) For the purposes of this Act, the following definitions shall apply:

1. Flavouring shall mean an additive that imparts smell and/or taste.
2. Substantial change of circumstances shall mean an increase in sales volume by product category of at least 10 percent in at least five Member States of the European Union (hereinafter: the EU) based on the sales data transmitted in accordance with paragraph nine of Article 9 of this Act or an increase in the level of prevalence of smoking in the under 25 years of age consumer group of at least five percentage points in at least five Member States of the EU for the respective product category based on the Special Eurobarometer 385 report of May 2012 or equivalent prevalence studies; in any case, a substantial change of circumstances shall be deemed to not have occurred if the sales volume of the product category at the retail level does not exceed 2.5 percent of the total sales of tobacco products at the EU level.
3. Smokeless tobacco product shall mean a tobacco product not involving a combustion process, including chewing tobacco, nasal tobacco and tobacco for oral use.
4. Cigar shall mean a roll of tobacco that can be consumed via a combustion process and is further defined in Article 83 of the Excise Duty Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 47/16, hereinafter: the Excise Duty Act).
5. Cigarette shall mean a roll of tobacco that can be consumed via a combustion process and is further defined in Article 82 of the Excise Duty Act.
6. Cigarillo shall mean a small type of cigar that weighs a maximum of 3 g.
7. Cross-border distance sales shall mean distance sales to consumers where, at the time the consumer orders the product from a retail outlet, the consumer is located in a Member State of the EU other than the Member State of the EU or the third country where that retail outlet is established. A retail outlet shall be deemed to be established in a Member State of the EU:

- če je fizična oseba, če ima svoj kraj poslovanja v navedeni državi članici EU;
- v drugih primerih, če ima svoj statutarni sedež, glavno upravo ali kraj poslovanja, vključno s podružnico ali katero koli drugo poslovno enoto, v navedeni državi članici EU.

8. Dajanje na trg je dajanje izdelkov, ne glede na kraj njihove proizvodnje, na voljo potrošnikom odplačno ali neodplačno, vključno s čezmejno prodajo na daljavo; pri čezmejni prodaji na daljavo se šteje, da je izdelek dan na trg v državi članici EU, v kateri je potrošnik.

9. Delovni prostor je prostor, vključno s službenimi vozili, ki je pod nadzorom delodajalca in kjer se zanj opravljajo dela ali storitve, brezplačno ali za plačilo. Delovni prostor vključuje ne le prostore, v katerih se delo opravlja, temveč tudi vse z njimi povezane prostore, ki jih delavci uporabljajo med delom, vključno z na primer hodniki, dvigali, stopniščnimi jaški, avlami, skupnimi prostori, kavarnami, stranišči, saloni, menzami in prizidki, kot so lope in barake.

10. Dodatek je snov, razen tobaka, ki se doda tobačnemu izdelku, zavojčku ali zunanji embalaži.

11. Doniranje ali sponzoriranje dogodka, dejavnosti ali posameznika je vsaka posredna ali neposredna oblika prispevka za dogodek, dejavnost ali posameznika s ciljem, učinkom ali mogočim učinkom promocije tobaka, tobačnih izdelkov in povezanih izdelkov ali njihove uporabe.
12. Elektronska cigareta je izdelek, ki se lahko uporablja za dovajanje nikotina skozi ustnik, ali kateri koli sestavni del tega izdelka, vključno s polnilom, rezervoarjem in napravo brez polnila ali rezervoarja. Elektronske cigarete so lahko take, da se po uporabi zavržejo, se ponovno napolnijo z uporabo posodice za ponovno polnjenje in rezervoarja, ali pa se napolnijo s polnili za enkratno uporabo.
13. Emisije so snovi, ki se sprostijo ob uporabi tobačnega ali povezanega izdelka v skladu s predvideno uporabo, kot so snovi v dimu ali snovi, ki se sprostijo med postopkom uporabe brezdimnih tobačnih izdelkov.

14. Funkcionalno zemljišče je pripadajoče zunanje zemljišče objekta, na katerem so urejene površine, ki služijo objektu. To so predvsem dostopne poti in dovozi z vhodi, igrišča, dvorišča in zelenice.

- in the case of a natural person, if he or she has his or her place of business in that Member State of the EU;
- in other cases, if the retail outlet has its statutory seat, central administration or place of business, including a branch or any other establishment, in that Member State of the EU.

8. Placing on the market shall mean making products, irrespective of their place of manufacture, available to consumers, with or without payment, including by means of cross-border distance sales; in the case of cross-border distance sales, the product shall be deemed to be placed on the market in the Member State of the EU where the consumer is located.
9. Workplace shall mean a place, including company vehicles, which is under the control of an employer and where work or services are performed for it, free of charge or for remuneration. The workplace includes not only the premises in which work is performed, but also all the related places used by workers during work, including, for example, corridors, elevators, staircases, lobbies, common areas, cafes, toilets, lounges, canteens and extensions, such as sheds and barracks.
10. Additive shall mean a substance other than tobacco that is added to a tobacco product, a unit packet or to outside packaging.

11. Donating or sponsoring an event, activity or individual shall mean any direct or indirect form of contribution to an event, activity or individual with the aim, effect or possible effect of promoting tobacco, tobacco products and related products or the use thereof.

12. Electronic cigarette shall mean a product that can be used for the consumption of nicotine-containing vapour via a mouth piece, or any component of this product, including a cartridge, a tank and the device without cartridge or tank. Electronic cigarettes can be disposable or refillable by means of a refill container and a tank, or rechargeable with single use cartridges.
13. Emissions shall mean substances that are released when a tobacco or related product is consumed as intended, such as substances found in smoke, or substances released during the process of using smokeless tobacco products.
14. Curtilage shall mean the associated external land of a structure on which the surfaces that serve the structure are landscaped. These are mainly access paths and driveways with entrances, playgrounds, yards and greens.

15. Ime vrste cigaret ali tobaka za zvijanje, je ime, ki se uporablja za razlikovanje tega tobačnega izdelka od drugih tobačnih izdelkov iste znamke.
16. Javni prostor je prostor, ki je dostopen širši javnosti ali prostor za skupno uporabo, ne glede na lastništvo ali pravico do dostopa. To so prostori, namenjeni dejavnostim na področju zdravstva, varstva otrok, vzgoje, izobraževanja, socialnega varstva, higienske nege in drugih podobnih dejavnosti, prometa, javnega prevoza, trgovine, gostinstva in turizma, športa in rekreacije ter kulture, katerih raba je namenjena vsem pod enakimi pogoji. Javni prostori iz prejšnjega stavka so zlasti čakalnice, sejne sobe, kino dvorane, gledališča, zdravstveni, vzgojno-varstveni, izobraževalni in socialno-varstveni zavodi, gostinski prostori in trgovine, frizerski, brivski in kozmetični saloni, saloni za nego telesa, pedikuro, piercing, tetoviranje in podobni saloni, javno dostopni prostori društev, športne dvorane, javna prometna sredstva, dvigala, kabinske žičnice, podhodi, prehodi, pasaže, stopnišča in hodniki, javna stranišča in drugi prostori, v katerih so posamezniki proti svoji volji lahko izpostavljeni dimu tobačnih izdelkov ali povezanih izdelkov.
17. Kadilnica je zaprt prostor, ki je fizično ločen od drugih zaprtih prostorov in posebej urejen izključno za kajenje.

18. Katran je suh, nerazredčen, breznikotinski kondenzat dima.

19. Najvišja vrednost ali najvišja vrednost emisij je najvišja vsebnost ali emisija snovi v tobačnem izdelku, vključno z nič, in se meri v miligramih.
20. Nikotin je nikotinski alkaloid.
21. Novi tobačni izdelek je tobačni izdelek, ki:
    - ne spada v nobeno od naslednjih kategorij: cigarete, tobak za zvijanje, tobak za pipo, tobak za vodno pipo, cigare, cigarilosi, tobak za žvečenje, tobak za njuhanje ali tobak za oralno uporabo in
    - je bil dan na trg po 19. maju 2014.
22. Oglaševanje in promocija tobaka, tobačnih izdelkov in povezanih izdelkov je vsako posredno ali neposredno sporočilo, priporočilo, dejanje ali druga vrsta komunikacije, ki ima cilj, učinek ali mogoči učinek promocije tobaka, tobačnih izdelkov in povezanih izdelkov ali njihove uporabe.
23. Posodica za ponovno polnjenje je embalaža, ki vsebuje tekočino z nikotinom, ki se lahko uporablja za ponovno polnjenje elektronskih

15. The name of a type of cigarette or roll-your-own tobacco shall mean the name used to distinguish this tobacco product from other tobacco products of the same brand.
16. A public place shall mean a place accessible to the general public or a place for shared usage, regardless of ownership or right of access. These are places intended for activities in the fields of health care, childcare, education, schooling, social care, hygiene care and other similar activities, transport, public transport, trade, catering and tourism, sports and recreation, and culture, which are intended to be used by all under equal conditions. The public places referred to in the preceding sentence are, in particular, waiting rooms, meeting rooms, cinemas, theatres, health, educational, schooling and social protection institutions, catering facilities and shops, hairdressing, barber and beauty salons, body care salons, pedicure, piercing, tattoo and similar salons, publicly available areas of societies, gyms, public transport means, elevators, cable cars, underpasses, passageways, passages, stairways and corridors, public toilets and other places where individuals may be exposed against their will to smoke of tobacco products or related products.
17. Smoking room shall mean an enclosed place that is physically separated from other enclosed places and specifically arranged exclusively for smoking.
18. Tar shall mean the raw anhydrous nicotine-free condensate of smoke.
19. Maximum level or maximum emission level shall mean the maximum content or emission, including zero, of a substance in a tobacco product measured in milligrams.
20. Nicotine shall mean nicotinic alkaloids.
21. Novel tobacco product shall mean a tobacco product which:
    - does not fall into any of the following categories: cigarettes, roll-your-own tobacco, pipe tobacco, waterpipe tobacco, cigars, cigarillos, chewing tobacco, nasal tobacco or tobacco for oral use; and
    - has been placed on the market after 19 May 2014.
22. The advertising and promotion of tobacco, tobacco products and related products shall mean any direct or indirect message, recommendation, action or other form of communication with the aim, effect or possible effect of promoting tobacco, tobacco products and related products or the use thereof.
23. Refill container shall mean a receptacle that contains a nicotine-containing liquid, which can be used to refill an electronic cigarette.

cigaret.

24. Potrošnik je vsaka fizična oseba, ki pridobiva ali uporablja blago (izdelke) ali storitve za namene izven svoje trgovske, poslovne, obrtne ali poklicne dejavnosti.
25. Povezani izdelki so elektronske cigarete in elektronske cigarete brez nikotina, zeliščni izdelki za kajenje in novi tobačni izdelki.
26. Prodajno mesto je mesto prodaje, vključno s fizičnimi osebami, kjer se tobačni izdelki dajejo na trg.
27. Proizvajalec oziroma proizvajalka (v nadaljnjem besedilu: proizvajalec) je fizična ali pravna oseba, ki proizvaja izdelek ali naroči njegovo oblikovanje ali izdelavo in ga trži pod svojim imenom ali znamko.
28. Sestavine so tobak, dodatek in katera koli snov ali element, prisoten v končnem tobačnem izdelku ali povezanih izdelkih, vključno s papirjem, filtrom, tiskarskim črnilom, kapsulami in lepili.
29. Sestavljeno zdravstveno opozorilo je zdravstveno opozorilo, sestavljeno iz besedilnega opozorila in ustrezne fotografije ali ilustracije, ki so podrobneje določene v podzakonskih predpisih, izdanih na podlagi tretjega odstavka 15. člena tega zakona.
30. Stena oziroma stranica prostora je vsak od delov prostora oziroma vsaka površina, ki omejuje prostor ob straneh, ne glede na vrsto uporabljenega materiala in ne glede na to ali je ta površina stalna ali začasna. Pripadajoče stene prostora so vse stene, ki so pod streho, ne glede na to, ali se je neposredno dotikajo ali ne. Če so stene odmaknjene od strehe (levo, desno, naprej, nazaj), je najbližja stena pripadajoča stena.
31. Storitev informacijske družbe je storitev v smislu 61. točke 3. člena Zakona o elektronskih komunikacijah (Uradni list RS, št. 109/12, 110/13, 40/14 – ZIN-B, 54/14 – odl. US in 81/15).
32. Streha oziroma strop je vsak od delov prostora oziroma vsaka površina, ki omejuje oziroma zapira prostor od zgoraj, ne glede na vrsto materiala in ne glede na to, ali je ta površina stalna ali začasna.
33. Tobačni izdelek za kajenje je tobačni izdelek, razen brezdimnega tobačnega izdelka.
34. Tobačni izdelki so izdelki, ki se lahko uporabijo in so izdelani, čeprav samo delno, iz tobaka, ki je gensko spremenjen ali ne.

24. Consumer shall mean any natural person who obtains or uses goods (products) or services for purposes that are outside his or her trade, business, handicraft or profession activity.
25. Related products shall mean electronic cigarettes and nicotine-free electronic cigarettes, herbal products for smoking and novel tobacco products.
26. Retail outlet shall mean any outlet, including natural persons, where tobacco products are placed on the market.
27. Manufacturer shall mean any natural or legal person who manufactures a product or has a product designed or manufactured, and markets that product under his or her name or trademark.
28. Ingredients shall mean tobacco, an additive, as well as any substance or element present in a finished tobacco product or related products, including paper, filter, ink, capsules and adhesives.
29. Combined health warning shall mean a health warning consisting of a combination of a text warning and a corresponding photograph or illustration, which are specified in more detail in the implementing regulations issued pursuant to paragraph three of Article 15 of this Act.
30. Wall or side of a place shall mean each part of a place or each surface that restricts the place along the sides, regardless of the type of material used and whether this surface is permanent or temporary. The adjoining walls of a place are all walls that are under the roof, regardless whether or not they directly touch it or not. If the walls are moved away from the roof (left, right, forward, backward), then the closest wall is the corresponding wall.
31. Information Society service shall mean a service within the meaning of point 61 of Article 3 of the Electronic Communications Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 109/12, 110/13, 40/14 – ZIN-B, 54/14 – Dec. of the CC and 81/15).
32. Roof and/or ceiling shall mean any part of a place or any surface that restricts or closes a place from above, regardless of the type of material and regardless whether that surface is permanent or temporary.
33. Tobacco product for smoking shall mean a tobacco product other than a smokeless tobacco product.
34. Tobacco products shall mean products that can be consumed and consist, even partly, of tobacco, whether genetically modified or not.

35. Tobak so tobačni listi in drugi naravno predelani ali nepredelani deli rastline tobaka, vključno z ekspandiranim in rekonstituiranim tobakom.
36. Tobak za njuhanje je brezdimni tobačni izdelek, ki se vnaša skozi nos.
37. Tobak za oralno uporabo so vsi tobačni izdelki za oralno uporabo, razen tistih, ki so namenjeni vdihavanju in žvečenju, v celoti ali delno izdelani iz tobaka, v prahu ali trdnih delcih, ali kateri koli kombinaciji navedenih oblik, predvsem tisti, predstavljeni v vrečkah ali poroznih vrečkah.
38. Tobak za pipo je tobak, pri uporabi katerega poteka postopek zgorevanja in je namenjen izključno uporabi v pipi.
39. Tobak za vodno pipo je tobačni izdelek, ki ga je mogoče uporabljati z vodno pipo. Za namene tega zakona se šteje, da je tobak za vodno pipo tobačni izdelek za kajenje. Če je izdelek mogoče uporabljati za kajenje z vodno pipo in kot tobak za zvijanje, se šteje za tobak za zvijanje.
40. Tobak za zvijanje je rezani tobak, ki je dodatno opredeljen v tretjem odstavku 84. člena Zakona o trošarinah.
41. Tobak za žvečenje je brezdimni tobačni izdelek, ki je namenjen izključno žvečenju.
42. Toksičnost je stopnja, do katere snov lahko povzroči škodljive učinke v človeškem organizmu, vključno z učinki, ki se pojavijo v daljšem časovnem obdobju, običajno zaradi večkratne ali stalne uporabe ali izpostavljenosti.
43. Uvoz tobaka, tobačnih ali povezanih izdelkov je vsak vnos takih izdelkov v EU, ki v skladu s carinskimi predpisi nima statusa blaga EU ali blaga, ki je uvoženo iz tretje države, pa znotraj EU ni sproščeno v prost promet v skladu s carinskimi predpisi.

44. Uvoznik oziroma uvoznica (v nadaljnjem besedilu: uvoznik) tobaka, tobačnih ali povezanih izdelkov je lastnik tobaka, tobačnih ali povezanih izdelkov, vnesenih v EU, ali oseba, ki ima pravico razpolaganja z njimi.
45. Vrečka je vrečka tobaka za zvijanje, ki je pravokotne oblike in ima zavihek, ki pokriva odprtino zavojčka, ali stoječa vrečka.

46. Zaprt prostor je prostor, ki ga pokriva streha in ima zaprto več kot polovico površine pripadajočih sten oziroma stranic, ne glede na vrsto materiala, uporabljenega za streho, stene, stranice in ne glede na to, ali je objekt stalen ali začasen. Okna in vrata štejejo kot del zaprte

35. Tobacco shall mean leaves and other natural processed or unprocessed parts of tobacco plants, including expanded and reconstituted tobacco.
36. Nasal tobacco shall mean a smokeless tobacco product that can be consumed via the nose.
37. Tobacco for oral use shall mean all tobacco products for oral use, except those intended for inhalation or chewing, made wholly or partly of tobacco, in powder or in particulate form or in any combination of those forms, particularly those presented in sachet portions or porous sachets.
38. Pipe tobacco shall mean tobacco that can be consumed via a combustion process and is exclusively intended for use in a pipe.
39. Waterpipe tobacco shall mean a tobacco product that can be consumed via a waterpipe. For the purpose of this Act, waterpipe tobacco shall be deemed to be a tobacco product for smoking. If a product can be used both via waterpipes and as roll-your-own tobacco, it shall be deemed to be roll-your-own tobacco.
40. Roll-your-own tobacco shall mean cut rag tobacco, which is further defined in paragraph three of Article 84 of the Excise Duty Act.
41. Chewing tobacco shall mean a smokeless tobacco product intended exclusively for the purpose of chewing.
42. Toxicity shall mean the degree to which a substance can cause harmful effects in the human organism, including effects occurring over time, usually through repeated or continuous consumption or exposure.
43. Import of tobacco, tobacco or related products shall mean any entry into the territory of the EU of such products, which in accordance with customs regulations do not have the status of EU goods or the status of goods imported from a third country but not released in the EU for free circulation in accordance with customs rules.
44. Importer of tobacco, tobacco or related products shall mean the owner of, or a person having the right of disposal of tobacco, tobacco or related products that have been brought into the EU.

45. Pouch shall mean a unit packet of roll-your-own tobacco, either in the form of a rectangular pocket with a flap that covers the opening or in the form of a standing pouch.
46. Enclosed place shall mean a place covered by a roof and that has more than half of the surface of the corresponding walls or sides enclosed, regardless of the type of material used for the roof, walls, sides, and regardless whether the structure is permanent or

površine. Če je površina strehe večja od polovice površine prostora, ki ga določajo pripadajoče stene, in je več kot polovica površine teh sten popolnoma zaprtih, gre za zaprt javni prostor.

47. Zasvojljivost je farmakološka zmožnost snovi, da povzroča zasvojenost. Zasvojenost je stanje, ki vpliva na sposobnost posameznika, da nadzira svoje vedenje, saj daje pri uporabi prijeten občutek ali blaži odtegnitvene simptome ali oboje.
48. Zavojček je najmanjša posamezna embalaža tobačnega ali povezanega izdelka, ki se daje na trg.
49. Zdravstveno opozorilo je opozorilo v zvezi s škodljivimi učinki izdelka na zdravje ljudi ali drugimi neželenimi posledicami njegove uporabe ter vključuje besedilna opozorila, sestavljena zdravstvena opozorila, splošna opozorila in informativna sporočila.
50. Zeliščni izdelek za kajenje je izdelek na osnovi rastlin, zelišč ali sadja, ki ne vsebuje tobaka, pri uporabi katerega poteka postopek zgorevanja.
51. Značilna aroma je jasno prepoznaven vonj ali okus, razen vonja ali okusa tobaka, ki nastane z dodatkom ali kombinacijo dodatkov, vključno, vendar ne izključno, z aromo sadja, začimb, zelišč, alkohola, bombonov, mentola ali vanilje, ki jo je mogoče zaznati pred ali med uporabo tobačnega izdelka.
52. Znamka pomeni znamko, kot jo določa Zakon o industrijski lastnini (Uradni list RS, št. 51/06 – uradno prečiščeno besedilo in 100/13).
53. Zunanja embalaža je embalaža, v kateri so tobačni ali povezani izdelki dani na trg in obsega enega ali več zavojčkov; prozorni ovitki ne štejejo kot zunanja embalaža.

4. člen
(koordinacijska skupina)

(1) Za uresničevanje celovite družbene skrbi za varovanje zdravja prebivalcev pred škodljivimi vplivi tobačnih in povezanih izdelkov minister oziroma ministrica (v nadaljnjem besedilu: minister), pristojen za zdravje, ustanovi koordinacijsko skupino, ki jo sestavljajo predstavniki ministrstev, pristojnih za zdravje, finance, javno upravo, organov, pristojnih za izvajanje nadzora nad določbami tega zakona, Nacionalnega

temporary. Windows and doors shall be deemed to be part of the enclosed surface. If the roof surface is greater than half of the area of the place defined by the corresponding walls, and more than half of the surface of these walls is completely enclosed, then it shall be considered to be an enclosed public place.
47. Addictiveness shall mean the pharmacological potential of a substance to cause addiction, a state which affects an individual's ability to control his or her behaviour, typically by instilling a reward or a relief from withdrawal symptoms, or both.
48. Unit packet shall mean the smallest individual packaging of a tobacco or related product that is placed on the market.
49. Health warning shall mean a warning concerning the adverse effects on human health of a product or other undesired consequences of its consumption, including text warnings, combined health warnings, general warnings and information messages.
50. Herbal product for smoking shall mean a product based on plants, herbs or fruits which contains no tobacco and that can be consumed via a combustion process.
51. Characterising flavour shall mean a clearly noticeable smell or taste other than one of tobacco, resulting from an additive or a combination of additives, including, but not limited to, fruit, spice, herbs, alcohol, candy, menthol or vanilla, which is noticeable before or during the consumption of the tobacco product.
52. Trademark shall mean a trademark as defined in the Industrial Property Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 51/06 – official consolidated text, and 100/13).
53. Outside packaging shall mean packaging in which tobacco or related products are placed on the market and which includes a unit packet or an aggregation of unit packets; transparent wrappers are not regarded as outside packaging.

Article 4
(Coordination group)

(1) In order to implement the overall social concern for the protection of the health of the population against the adverse effects of tobacco and related products, the minister responsible for health shall form a coordination group composed of representatives of the ministries responsible for health, finance, and public administration, the authorities responsible for carrying out supervision of implementation of the

inštituta za javno zdravje, Nacionalnega laboratorija za zdravje, okolje in hrano ter nevladnih organizacij, ki sodelujejo pri izvajanju preventivnih programov s področja tega zakona, in ima naslednje naloge:

- spremlja vpliv uporabe tobačnih in povezanih izdelkov na zdravje prebivalcev;
- spremlja izvajanje tega zakona, Strategije za zmanjševanje posledic rabe tobaka in izvedbenih načrtov, ki vsebujejo ukrepe iz 5. člena tega zakona.

(2) Strategijo iz prejšnjega odstavka pripravi ministrstvo, pristojno za zdravje (v nadaljnjem besedilu: ministrstvo), sprejme pa jo Vlada Republike Slovenije. Izvedbene načrte iz prejšnjega odstavka sprejme ministrstvo.

5. člen
(ukrepi za preprečevanje škodljivih vplivov uporabe tobaka, tobačnih izdelkov in povezanih izdelkov)

Med ukrepe za preprečevanje škodljivih vplivov uporabe tobaka, tobačnih in povezanih izdelkov štejejo:

- spremljanje ponudbe, uporabe in obsega za zdravje škodljivih vplivov uporabe tobaka, tobačnih izdelkov in povezanih izdelkov;
- obveščanje, izobraževanje in ozaveščanje javnosti in posameznih skupin prebivalstva o škodljivih vplivih uporabe tobaka, tobačnih izdelkov in povezanih izdelkov;
- programi opuščanja kajenja in uporabe tobaka, tobačnih izdelkov in povezanih izdelkov;
- priprava, spremljanje izvajanja in vrednotenje preventivnih programov za spodbujanje zdravega načina življenja med različnimi starostnimi in družbenimi skupinami prebivalstva;
- strokovno svetovanje in podpora ustanovam, združenjem, nevladnim organizacijam, lokalnim skupnostim in posameznikom pri izvajanju preventivnih programov na področju omejevanja uporabe tobaka, tobačnih izdelkov in povezanih izdelkov.

6. člen

provisions of this Act, the National Institute of Public Health, the National Laboratory of Health, Environment and Food, and non-governmental organisations involved in the implementation of prevention programmes in the field of this Act, and shall have the following tasks:

- to monitor the impact of the use of tobacco products and related products on the health of the population;
- to monitor the implementation of this Act, the Strategy for reducing the consequences of tobacco use and the implementation plans containing the measures referred to in Article 5 of this Act.

(2) The strategy referred to in the preceding paragraph shall be prepared by the ministry responsible for health (hereinafter: the Ministry) and adopted by the Government of the Republic of Slovenia. The implementation plans referred to in the preceding paragraph shall be adopted by the Ministry.

Article 5
(Measures to prevent the adverse effects of the use of tobacco, tobacco products and related products)

The following shall be deemed measures to prevent the adverse effects of the use of tobacco, tobacco and related products:

- monitoring the supply, use and extent of the adverse health effects of the use of tobacco, tobacco products and related products;
- informing, educating and raising awareness of the public and individual groups of the population about the adverse effects of the use of tobacco, tobacco products and related products;
- programmes for cessation of smoking and for cessation of consumption of tobacco, tobacco products and related products;
- preparation of, monitoring the implementation of and the evaluation of prevention programmes for the promotion of a healthy lifestyle among different age and social groups of the population;
- providing expert consulting services and support to institutions, associations, non-governmental organisations, local communities and individuals in the implementation of prevention programmes in the field of the restriction of the use of tobacco, tobacco products and related products.

Article 6

(zagotavljanje sredstev)

(1) Za uresničevanje nalog koordinacijske skupine iz 4. člena tega zakona se sredstva zagotavljajo v državnem proračunu.

(2) Za izvajanje strategije iz 4. člena tega zakona in ukrepov za preprečevanje škodljivih vplivov uporabe tobaka, tobačnih izdelkov in povezanih izdelkov iz prejšnjega člena se sredstva zagotavljajo v državnem proračunu. Višina sredstev se določa z letnim proračunom v sorazmerju s predvidenim obsegom potreb in prihodkov iz trošarin za tobačne izdelke.

II. TOBAČNI IZDELKI

1. **Sestavine in emisije**

7. člen
(najvišje vrednosti emisij)

Najvišje vrednosti emisij iz cigaret, ki se dajejo na trg ali proizvajajo v državah članicah EU ne smejo presegati:
- 10 mg katrana na cigareto,
- 1 mg nikotina na cigareto,
- 10 mg ogljikovega monoksida na cigareto.

8. člen
(merilne metode)

(1) Vrednosti emisij iz prejšnjega člena se merijo po metodi, ki ustreza naslednjim standardom:

- ISO 4387 za katran,
- ISO 10315 za nikotin,
- ISO 8454 za ogljikov monoksid.

(2) Točnost podatkov o emisijah iz cigaret se meri po metodi, ki

(Provision of funds)

(1) The funds for the implementation of the tasks of the coordination group referred to in Article 4 of this Act shall be provided in the state budget.

(2) The funds for the implementation of the strategy referred to in Article 4 of this Act and for the measures to prevent the adverse effects of the use of tobacco, tobacco products and related products referred to in the preceding Article shall be provided in the state budget. The amount of funds shall be determined by the annual budget in proportion to the estimated volume of the needs and revenues from excise duties on tobacco products.

II. TOBACCO PRODUCTS

1. **Ingredients and emissions**

Article 7
(Maximum emission levels)

The maximum emission levels from cigarettes placed on the market or manufactured in the Member States of the EU shall not exceed:
- 10 mg of tar per cigarette;
- 1 mg of nicotine per cigarette;
- 10 mg of carbon monoxide per cigarette.

Article 8
(Measurement methods)

(1) The emission levels referred to in the preceding Article shall be measured based on a method that complies with the following standards:
- ISO standard 4387 for tar,
- ISO standard 10315 for nicotine,
- ISO standard 8454 for carbon monoxide.

(2) The accuracy of data on the emissions from cigarettes shall

ustreza standardu ISO 8243.

(3) Meritve iz prvega in drugega odstavka tega člena opravlja Nacionalni laboratorij za zdravje, okolje in hrano (v nadaljnjem besedilu: NLZOH).

(4) Stroške preverjanja meritev iz prvega odstavka tega člena plačujejo proizvajalci in uvozniki tobačnih izdelkov.

(5) Minister določi podrobnejše pogoje glede stroškov preverjanja meritev iz prejšnjega odstavka.

9. člen
(poročanje o sestavinah in emisijah)

(1) Proizvajalci in uvozniki tobačnih izdelkov pred nameravanim dajanjem na trg NLZOH uradno obvestijo o vsaki znamki in vrsti tobačnega izdelka, ki ga nameravajo dati na trg. Uradno obvestilo se predloži elektronsko in vsebuje:

- seznam vseh sestavin in njihove količine, uporabljene pri proizvodnji tobačnih izdelkov, v padajočem vrstnem redu po teži vsake sestavine, ki jo tobačni izdelki vsebujejo;
- vrednosti emisij iz 7. člena tega zakona;
- podatke o drugih emisijah in njihovih vrednostih, če so te na voljo.

(2) Proizvajalci ali uvozniki obvestijo NLZOH, če se sestava izdelka spremeni tako, da vpliva na podatke, predložene na podlagi tega člena.

(3) Za nove ali spremenjene tobačne izdelke se podatki iz tega člena predložijo pred dajanjem takega tobačnega izdelka na trg.

(4) Seznamu sestavin iz prve alineje prvega odstavka tega člena se priloži izjava s podrobno obrazloženimi razlogi za vključitev takih sestavin v zadevne tobačne izdelke. Na tem seznamu se navedeta tudi

be determined based on a method that complies with ISO standard 8243.

(3) The measurements referred to in paragraphs one and two of this Article shall be performed by the National Laboratory of Health, Environment and Food (hereinafter: the NLZOH).

(4) The costs of verifying the measurements referred to in paragraph one of this Article shall be paid by manufacturers and importers of tobacco products.

(5) The minister shall specify more detailed conditions regarding the costs of verifying the measurements referred to in the preceding paragraph.

Article 9
(Reporting of ingredients and emissions)

(1) Prior to an intended placing on the market, manufacturers and importers of tobacco products shall notify the NLZOH of each brand name and type of tobacco product which they intend to place on the market. The notification shall be submitted electronically and shall contain:

- a list of all ingredients and the quantities thereof used in the manufacture of the tobacco products, in descending order of the weight of each ingredient included in the tobacco products;
- the emission levels referred to in Article 7 of this Act;
- where available, information on other emissions and the levels thereof.

(2) Manufacturers or importers shall inform the NLZOH if the composition of a product is modified in a way that affects the information provided under this Article.

(3) For a new or modified tobacco product the information referred to in this Article shall be submitted prior to the placing on the market of such tobacco product.

(4) The list of ingredients referred to in indent one of paragraph one of this Article shall be accompanied by a statement setting out the reasons for the inclusion of such ingredients in the tobacco products

status sestavin, vključno s tem, ali so bile sestavine registrirane v skladu z Uredbo (ES) št. 1907/2006 Evropskega parlamenta in Sveta z dne 18. decembra 2006 o registraciji, evalvaciji, avtorizaciji in omejevanju kemikalij (REACH), o ustanovitvi Evropske agencije za kemikalije ter spremembi Direktive 1999/45/ES ter razveljavitvi Uredbe Sveta (EGS) št. 793/93 in Uredbe Komisije (ES) št. 1488/94 ter Direktive Sveta 76/769/EGS in direktiv Komisije 91/155/EGS, 93/67/EGS, 93/105/ES in 2000/21/ES (UL L št. 396 z dne 30. 12. 2006, str. 1), zadnjič spremenjeno z Uredbo Komisije (EU) 2016/1688 z dne 20. septembra 2016 o spremembi Priloge VII k Uredbi (ES) št. 1907/2006 Evropskega parlamenta in Sveta o registraciji, evalvaciji, avtorizaciji in omejevanju kemikalij (REACH) glede preobčutljivosti kože (UL L št. 255 z dne 21. 9. 2016, str. 14), ter njihova razvrstitev v skladu z Uredbo (ES) št. 1272/2008 Evropskega parlamenta in Sveta z dne 16. decembra 2008 o razvrščanju, označevanju in pakiranju snovi ter zmesi, o spremembi in razveljavitvi direktiv 67/548/EGS in 1999/45/ES ter spremembi Uredbe (ES) št. 1907/2006 (UL L št. 353 z dne 31. 12. 2008, str. 1), zadnjič spremenjeno z Uredbo Komisije (EU) 2016/1179 z dne 19. julija 2016 o spremembi Uredbe (ES) št. 1272/2008 Evropskega parlamenta in Sveta o razvrščanju, označevanju in pakiranju snovi ter zmesi z namenom njene prilagoditve tehničnemu in znanstvenemu napredku (UL L št. 195 z dne 20. 7. 2016, str. 11).

(5) Seznamu sestavin iz prve alineje prvega odstavka tega člena se priložijo tudi ustrezni toksikološki podatki o teh sestavinah, v zgoreli ali nezgoreli obliki, odvisno od primera, ki so na voljo proizvajalcu ali uvozniku in ki vključujejo podatke o učinkih na zdravje potrošnikov, pri čemer se upoštevajo tudi zasvojljivi učinki.

(6) Proizvajalec ali uvoznik za cigarete in tobak za zvijanje predloži tudi tehnični dokument, v katerem se navedejo splošni opis uporabljenih dodatkov in njihove lastnosti.

(7) Proizvajalci in uvozniki tobačnih izdelkov navedejo uporabljene metode merjenja emisij iz cigaret in emisij iz drugih tobačnih izdelkov.

(8) Podatki iz prvega odstavka tega člena in iz 10. člena tega zakona se objavijo na spletni strani NLZOH ob upoštevanju varovanja

concerned. This list shall also indicate the status of the ingredients, including whether they have been registered in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1) as last amended by Commission Regulation (EU) 2016/1688 of 20 September 2016 amending Annex VII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards skin sensitisation (OJ L 255, 21.9.2016, p. 14) as well as their classification in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1) as last amended by Commission Regulation (EU) 2016/1179 of 19 July 2016 amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures (OJ L 195, 20.7.2016, p. 11).

(5) The list referred to in indent one of paragraph one of this Article shall also be accompanied by the relevant toxicological data regarding the ingredients in burnt or unburnt form, as appropriate, and that include data regarding their effects on the health of consumers and taking into account also addictive effects.

(6) For cigarettes and roll-your-own tobacco, a technical document setting out a general description of the additives used and their properties shall also be submitted by the manufacturer or importer.

(7) Manufacturers and importers of tobacco products shall indicate the methods of measurement of emissions from cigarettes and emissions from other tobacco products used.

(8) The information from paragraph one of this Article and from Article 10 of this Act shall be published on the NLZOH website, taking into

podatkov, ki so poslovna skrivnost. Proizvajalci in uvozniki pri predložitvi podatkov navedejo, kateri podatki so poslovna skrivnost.

(9) Proizvajalci in uvozniki tobačnih izdelkov NLZOH predložijo notranje in zunanje študije, ki so jim na voljo v zvezi s tržnimi raziskavami in prednostnih izbirah različnih skupin potrošnikov, vključno z mladimi in trenutnimi kadilci oziroma kadilkami (v nadaljnjem besedilu: kadilci), ki se nanašajo na sestavine oziroma emisije, pa tudi povzetke morebitnih tržnih raziskav, ki jih opravijo ob uvedbi novih tobačnih izdelkov. Proizvajalci in uvozniki tudi poročajo o obsegu prodaje za znamko in vrsto, ki se navede v številu posameznih enot ali v kilogramih za vsako leto, vse od 1. januarja 2015.

(10) NLZOH proizvajalcem in uvoznikom tobačnih izdelkov zaračunava pristojbine za prejemanje, shranjevanje, obravnavo, analiziranje in objavljanje podatkov, predloženih na podlagi tega člena.

(11) Minister določi podrobnejše pogoje glede poročanja iz tega člena.

10. člen
(prednostni seznam dodatkov in strožje obveznosti poročanja)

(1) Poleg obveznosti poročanja iz prejšnjega člena proizvajalci in uvozniki tobačnih izdelkov NLZOH poročajo tudi o dodatkih, ki jih vsebujejo cigarete in tobak za zvijanje ter so vključeni na prednostni seznam. Ta seznam vsebuje dodatke iz prvega odstavka 6. člena Direktive 2014/40/EU.

(2) Proizvajalci in uvozniki za cigarete in tobak za zvijanje, ki vsebujejo dodatek s prednostnega seznama, izvedejo celovite študije, ki za vsak dodatek ugotovijo, ali:

- prispeva k toksičnosti ali zasvojljivosti zadevnega izdelka in ali bistveno ali izmerljivo povečuje toksičnost ali zasvojljivost zadevnega izdelka;

- povzroča značilno aromo;

account the protection of information that constitute trade secrets. When submitting such information, manufacturers and importers shall specify the information which they consider to constitute trade secrets.

(9) Manufacturers and importers of tobacco products shall submit to the NLZOH the internal and external studies available to them on market research and the preferences of various consumer groups, including young people and current smokers, relating to ingredients and emissions, as well as executive summaries of any market surveys they carry out when launching new tobacco products. Manufacturers and importers shall also report their sales volumes per brand and type, reported in sticks or kilograms on a yearly basis starting from 1 January 2015.

(10) The NLZOH shall charge manufacturers and importers of tobacco products fees for receiving, storing, handling, analysing and publishing the information submitted to it pursuant to this Article.

(11) The minister shall specify more detailed conditions for the reporting requirements referred to in this Article.

Article 10
(Priority list of additives and enhanced reporting obligations)

(1) In addition to the reporting obligations referred to in the preceding Article, manufacturers and importers of tobacco products shall also notify the NLZOH of additives contained in cigarettes and roll-your-own tobacco that are included in the priority list. This list shall contain the additives referred to in paragraph one of Article 6 of Directive 2014/40/EU.

(2) Manufacturers and importers of cigarettes and roll-your-own tobacco containing an additive that is included in the priority list shall carry out comprehensive studies, which shall examine for each additive whether it:

- contributes to the toxicity or addictiveness of the products concerned, and whether this has the effect of increasing the toxicity or addictiveness of any of the products concerned to a significant or measurable degree;
- results in a characterising flavour;

- olajšuje vdihavanje ali povečuje vnos nikotina, ali
- povzroča nastanek snovi, ki imajo lastnosti toksičnosti, zasvojljivosti, rakotvornosti, mutagenosti ali reproduktivne toksičnosti (v nadaljnjem besedilu: lastnosti CMR), in v kakšnih količinah, ter ali se zaradi tega bistveno ali izmerljivo krepijo lastnosti CMR zadevnega izdelka.

(3) Študije iz prejšnjega odstavka vsebujejo nameravano uporabo zadevnega izdelka in preverijo emisije, ki nastanejo pri zgorevanju izdelka, ki vsebuje zadevni dodatek. Preverijo tudi interakcijo tega dodatka z drugimi sestavinami, ki jih vsebujejo zadevni izdelki. Proizvajalci in uvozniki tobačnih izdelkov, ki uporabljajo isti dodatek v svojih tobačnih izdelkih, lahko izvedejo skupno študijo, če uporabljajo ta dodatek v izdelku s primerljivo sestavo.

(4) Proizvajalci in uvozniki tobačnih izdelkov pripravijo poročilo o rezultatih študij iz drugega odstavka tega člena, ki vsebuje povzetek in celovit pregled razpoložljive znanstvene literature v zvezi s tem dodatkom ter povzetek notranjih podatkov o učinkih tega dodatka.

(5) Proizvajalci in uvozniki tobačnih izdelkov poročilo iz prejšnjega odstavka predložijo Evropski komisiji, en izvod pa NLZOH, in sicer najpozneje 18 mesecev po tem, ko je zadevni dodatek uvrščen na prednostni seznam.

(6) Mala in srednje velika podjetja, kot so opredeljena v Priporočilu Komisije 2003/361/ES z dne 6. maja 2003 o opredelitvi mikro, malih in srednje velikih podjetij (UL L št. 124 z dne 20. 5. 2003, str. 36), so izvzeta iz obveznosti, določenih v tem členu, če poročilo o tem dodatku pripravi drug proizvajalec ali uvoznik.

(7) Minister na podlagi izvedbenih aktov Evropske komisije določi prednostni seznam dodatkov.

11. člen
(značilna aroma)

- facilitates inhalation or nicotine uptake; or
- leads to the formation of substances that have toxicity, addictiveness, carcinogenic, mutagenic or reprotoxic properties (hereinafter: CMR properties), the quantities thereof, and whether this has the effect of increasing the CMR properties in any of the products concerned to a significant or measurable degree.

(3) The studies referred to in the preceding paragraph shall contain the intended use of the products concerned and examine the emissions resulting from the combustion process involving the additive concerned. The studies shall also examine the interaction of that additive with other ingredients contained in the products concerned. Manufacturers or importers of tobacco products using the same additive in their tobacco products may carry out a joint study when using that additive in a comparable product composition.

(4) Manufacturers and importers of tobacco products shall establish a report on the results of the studies referred to in paragraph two of this Article, which shall include an executive summary, and a comprehensive overview of the available scientific literature on that additive and summarising the internal data on the effects of the additive.

(5) Manufacturers and importers of tobacco products shall submit the report referred to in the preceding paragraph to the European Commission, and one copy thereof to the NLZOH at the latest 18 months after the additive concerned has been included in the priority list.

(6) Small and medium-sized enterprises as defined in Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36) shall be exempt from the obligations determined in this Article if a report on that additive is prepared by another manufacturer or importer.

(7) The minister shall specify, on the basis of the implementing acts of the European Commission, a priority list of additives.

Article 11
(Characterising flavour)

(1) Prepovedano je dajanje na trg cigaret in tobaka za zvijanje z značilno aromo.

(2) Pri proizvodnji tobačnih izdelkov se lahko uporabljajo dodatki, ki so bistveni za proizvodnjo tobačnih izdelkov, na primer sladkor, s katerim se nadomesti tisti sladkor, ki je bil izgubljen v postopku, razen če zaradi teh dodatkov izdelek postane izdelek z značilno aromo in če bistveno ali izmerljivo ne povečajo zasvojljivosti ali lastnosti CMR tobačnega izdelka.

(3) V skladu z drugim odstavkom 7. člena Direktive 2014/40/EU Evropska komisija odloči, ali ima izdelek značilno aromo.

12. člen
(prepovedani dodatki)

(1) Prepovedano je dajanje na trg tobačnih izdelkov, ki vsebujejo naslednje dodatke:
- vitamine ali druge dodatke, ki ustvarjajo vtis, da tobačni izdelek koristi zdravju ali da dodatek predstavlja zmanjšano tveganje za zdravje;
- kofein ali tavrin ali druge dodatke in poživila, povezana z energijo in vitalnostjo;
- dodatke, ki obarvajo emisije;
- pri tobačnih izdelkih za kajenje dodatke, ki olajšajo vdihavanje ali povečajo vnos nikotina, in
- dodatke, ki imajo v nezgoreli obliki lastnosti CMR.

(2) Prepovedano je dajanje na trg cigaret in tobaka za zvijanje, ki vsebujejo aromatične snovi v kateri koli od komponent, kot so filtri, papir, ovoji in kapsule, ali imajo tehnične značilnosti, ki omogočajo spreminjanje vonja ali okusa tobačnega izdelka ali jakosti dima. Filtri, papirji in kapsule ne smejo vsebovati tobaka ali nikotina.

(3) Prepovedano je dajanje na trg tobačnih izdelkov, ki na podlagi znanstvenih dognanj vsebujejo dodatke v količinah, ki bistveno ali izmerljivo povečajo toksični ali zasvojljivi učinek ali krepijo lastnosti CMR med uporabo tobačnega izdelka.

(1) Placing on the market cigarettes and roll-your-own tobacco with a characterising flavour shall be prohibited.

(2) Additives that are essential for the manufacture of tobacco products, for example sugar to replace sugar that is lost during the curing process, may be used in the manufacture of tobacco products, provided those additives do not result in a product with a characterising flavour and do not increase to a significant or measureable degree the addictiveness, toxicity or the CMR properties of the tobacco product.

(3) In accordance with paragraph two of Article 7 of Directive 2014/40/EU, the European Commission shall decide whether a product has a characterising flavour.

Article 12
(Prohibited additives)

(1) It shall be prohibited to place on the market tobacco products containing the following additives:
- vitamins or other additives that create the impression that a tobacco product has a health benefit or presents reduced health risks;
- caffeine or taurine or other additives and stimulant compounds associated with energy and vitality;
- additives having colouring properties for emissions;
- for tobacco products for smoking, additives that facilitate inhalation or nicotine uptake; and
- additives that have CMR properties in unburnt form.

(2) It shall be prohibited to place on the market cigarettes and roll-your-own tobacco containing flavourings in any of their components such as filters, papers, packages, capsules or any technical features allowing modification of the smell or taste of the tobacco products concerned or their smoke intensity. Filters, papers and capsules shall not contain tobacco or nicotine.

(3) It shall be prohibited to place on the market tobacco products, which, on the basis of scientific evidence, contain additives in quantities that increase the toxic or addictive effect or the CMR properties of a tobacco product at the stage of consumption to a significant or

(4) NLZOH v skladu s svojim programom dela opravlja ocene, ali posamezni tobačni izdelek na trgu vsebuje prepovedane dodatke ali aromatične snovi ter ali tobačni izdelek vsebuje dodatke v takih količinah, ki bistveno ali izmerljivo povečajo toksični ali zasvojljivi učinek ali krepijo lastnosti CMR zadevnega tobačnega izdelka. Za izvedbo teh ocen NLZOH proizvajalcem in uvoznikom tobačnih izdelkov zaračunava pristojbine.

2. **Označevanje in embalaža**

13. člen
(zdravstvena opozorila)

(1) Na vsakem zavojčku tobačnega izdelka in zunanji embalaži so navedena zdravstvena opozorila v slovenskem jeziku.

(2) Zdravstvena opozorila pokrivajo celotno površino zavojčka ali zunanje embalaže, ki jim je namenjena, in ne smejo vsebovati nobenih pripomb, razlag ali sklicevanj.

(3) Zdravstvena opozorila na zavojčku in zunanji embalaži ob dajanju tobačnega izdelka na trg so natisnjena tako, da jih ni mogoče odstraniti ali izbrisati, so popolnoma vidna ter niso v celoti ali delno prekrita ali prekinjena z davčnimi žigi, oznakami cene, varnostnimi elementi, ovoji, embalažami, škatlicami ali drugimi predmeti. Na zavojčkih tobačnih izdelkov, razen cigaret in tobaka za zvijanje v vrečkah, so lahko zdravstvena opozorila navedena na nalepkah, če teh ni mogoče odstraniti. Zdravstvena opozorila morajo po odpiranju zavojčkov ostati nepoškodovana, razen pri zavojčkih s pokrovčki, pri katerih se pri odpiranju zdravstvena opozorila lahko prelomijo, vendar le tako, da se zagotovi grafična celovitost in vidnost besedila, fotografij in podatkov o opuščanju kajenja.

(4) Zdravstvena opozorila ne smejo prekrivati ali prekinjati davčnih žigov, oznak cene, oznak za prepoznavanje in sledenje ali varnostnih elementov na zavojčkih.

measureable degree.

(4) In accordance with its work programme, the NLZOH shall assess whether an individual tobacco product on the market contains prohibited additives or flavourings and whether the tobacco product contains additives in quantities that significantly or measurably increase the toxic or addictive effect or enhance the CMR properties of the tobacco product concerned. The NLZOH shall charge manufacturers and importers of tobacco products a fee for carrying out these assessments.

2. **Labelling and packaging**

Article 13
(Health warnings)

(1) Each unit packet of a tobacco product and outside packaging shall carry the health warnings in the Slovenian language.

(2) The health warnings shall cover the entire surface of the unit packet or outside packaging that is reserved for them and they shall not be commented on, paraphrased or referred to in any form.

(3) The health warnings on a unit packet and outside packaging shall be irremovably printed, indelible and fully visible, including not being partially or totally hidden or interrupted by tax stamps, price marks, security features, wrappers, jackets, boxes, or other items when tobacco products are placed on the market. On unit packets of tobacco products other than cigarettes and roll-your-own tobacco in pouches, the health warnings may be affixed by means of stickers, provided that such stickers are irremovable. The health warnings shall remain intact when opening the unit packet other than packets with a flip-top lid, where the health warnings may be split when opening the packet, but only in a manner that ensures the graphical integrity and visibility of the text, photographs and cessation information.

(4) The health warnings shall not hide or interrupt the tax stamps, price marks, tracking and tracing marks, or security features on unit packets.

(5) Dimenzije zdravstvenih opozoril iz 14., 15. in 16. člena tega zakona se izračunajo glede na zadevno površino posameznega zaprtega zavojčka.

(6) Zdravstvena opozorila so obdana z milimetrskim črnim okvirjem znotraj površine, ki je namenjena tem opozorilom.

14. člen
(splošna opozorila in informativna sporočila)

(1) Na vsakem zavojčku in zunanji embalaži tobačnih izdelkov za kajenje se navede naslednje splošno opozorilo:
»Kajenje ubija – prenehajte zdaj«.

(2) Na vsakem zavojčku in zunanji embalaži tobaka za kajenje se navede naslednje informativno sporočilo:
»Tobačni dim vsebuje več kot 70 snovi, ki povzročajo raka.«.

(3) Pri zavojčkih s cigaretami in zavojčkih kvadraste oblike s tobakom za zvijanje se splošno opozorilo prikaže na spodnjem delu ene stranske površine zavojčka, medtem ko se informativno sporočilo prikaže na spodnjem delu druge stranske površine. Ta zdravstvena opozorila morajo biti široka vsaj 20 mm.

(4) Pri zavojčkih v obliki škatlice s pregibnim pokrovom, pri katerih se stranski površini ob odprtju prelomita na dva dela, morata biti splošno opozorilo in informativno sporočilo v celoti prikazana na večjem od teh dveh delov prelomljene površine. Splošno opozorilo je prikazano tudi na notranji strani zgornje površine, ki je vidna, ko se zavojček odpre. Stranski površini zavojčka sta visoki najmanj 16 mm.

(5) Splošno opozorilo in informativno sporočilo se pri tobaku za zvijanje, ki se trži v vrečkah, prikažeta na površinah, kjer je zagotovljena vidnost celotnih zdravstvenih opozoril. Pri cilindričnih zavojčkih s tobakom za zvijanje se splošno opozorilo prikaže na zunanji površini in informativno sporočilo na notranji površini pokrovčka.

(5) The dimensions of the health warnings referred to in Articles 14, 15 and 16 of this Act shall be calculated in relation to the surface concerned when the packet is closed.

(6) The health warnings shall be surrounded by a black border of a width of 1 mm inside the surface area that is reserved for these warnings.

Article 14
(General warnings and information messages)

(1) Each unit packet and the outside packaging of tobacco products for smoking shall carry the following general warning:
“Smoking kills – quit now”.

(2) Each unit packet and outside packaging of tobacco products for smoking shall carry the following information message:
“Tobacco smoke contains over 70 substances known to cause cancer.”.

(3) For cigarette packets and roll-your-own tobacco in cuboid packets the general warning shall appear on the bottom part of one of the lateral surfaces of the unit packets, and the information message shall appear on the bottom part of the other lateral surface. These health warnings shall have a width of not less than 20 mm.

(4) For packets in the form of a shoulder box with a hinged lid that results in the lateral surfaces being split into two when the packet is open, the general warning and the information message shall appear in their entirety on the larger part of those split surfaces. The general warning shall also appear on the inside of the top surface that is visible when the packet opens. The lateral surfaces of this type of packet shall have a height of not less than 16 mm.

(5) For roll-your-own tobacco marketed in pouches, the general warning and the information message shall appear on the surfaces that ensure the full visibility of those health warnings. For roll-your-own tobacco in cylindrical packets the general warning shall appear on the outside surface of the lid and the information message on the inside

(6) Splošno opozorilo in informativno sporočilo pokrivata 50 odstotkov površine, na kateri sta natisnjena.

(7) Splošno opozorilo in informativno sporočilo:
- se natisneta v pisavi Helvetica v črnem odebeljenem tisku na beli podlagi in
- sta na sredini površine, določene zanju, ter sta pri kvadrastih zavojčkih in na zunanji embalaži vzporedna s stranskim robom zavojčka ali zunanje embalaže.

(8) Minister določi podrobnejše pogoje glede splošnih opozoril in informativnih sporočil.

15. člen
(sestavljena zdravstvena opozorila)

(1) Na vsakem zavojčku in zunanji embalaži tobačnih izdelkov za kajenje se navedejo sestavljena zdravstvena opozorila. Sestavljena zdravstvena opozorila:
1. vsebujejo eno od besedilnih opozoril in ustrezne barvne fotografije iz knjižnice slik, določene v predpisu, ki ureja sestavljena zdravstvena opozorila za tobačne izdelke za kajenje;

2. vsebujejo podatke o opuščanju kajenja, kot so telefonske številke, elektronski naslovi ali spletna mesta, namenjena obveščanju potrošnikov o razpoložljivih programih podpore za osebe, ki želijo opustiti kajenje;
3. imajo isto besedilno opozorilo in ustrezno barvno fotografijo na obeh straneh zavojčka in zunanje embalaže;
4. so prikazana na gornjem robu zavojčka in zunanje embalaže ter obrnjena v isto smer kot vsi drugi podatki, navedeni na površini embalaže;
5. na zavojčkih cigaret imajo naslednje dimenzije:
   - višina: najmanj 44 mm;
   - širina: najmanj 52 mm in
6. pokrivajo 65 odstotkov zunanje sprednje in zadnje površine zavojčka in zunanje embalaže. Na cilindričnih zavojčkih sta prikazani dve sestavljeni zdravstveni opozorili, ki sta enako oddaljeni druga od

surface of the lid.

(6) The general warning and the information message shall cover 50 percent of the surfaces on which they are printed.

(7) The general warning and the information message shall be:
- printed in black Helvetica bold type on a white background; and

- at the centre of the surface reserved for them, and on cuboid packets and outside packaging they shall be parallel to the lateral edge of the unit packet or of the outside packaging.

(8) The minister shall specify more detailed conditions regarding the general warnings and the information messages.

Article 15
(Combined health warnings)

(1) Each unit packet and the outside packaging of tobacco products for smoking shall carry combined health warnings. The combined health warnings shall:
1. contain one of the text warnings and corresponding colour photographs specified in the picture library determined in the regulation governing combined health warnings for tobacco products for smoking;
2. include smoking cessation information such as telephone numbers, e-mail addresses or internet sites intending to inform consumers about the programmes that are available to support persons who want to stop smoking;
3. show the same text warning and corresponding colour photograph on both sides of the unit packet and outside packaging;
4. appear at the top edge of the unit packet and outside packaging, and be positioned in the same direction as any other information appearing on that surface of the packaging;
5. have the following dimensions on unit packets of cigarettes:
   - height: not less than 44 mm;
   - width: not less than 52 mm; and
6. cover 65 percent of both the external front and back surface of the unit packet and outside packaging. Cylindrical packets shall display two combined health warnings, equidistant from each other, each

druge, pri čemer vsako pokriva 65 odstotkov svoje polovice ukrivljene površine.

(2) Sestavljena zdravstvena opozorila so razdeljena v tri sklope, pri čemer se vsak sklop uporablja določeno leto in se izmenjuje vsako leto. Vsako sestavljeno zdravstveno opozorilo, ki je na voljo za uporabo v določenem letu, se enako pogosto prikaže pri vsaki od znamk tobačnih izdelkov.

(3) Minister določi podrobnejše pogoje glede sestavljenih zdravstvenih opozoril.

16. člen
(označevanje brezdimnih tobačnih izdelkov)

(1) Na vsakem zavojčku in zunanji embalaži brezdimnih tobačnih izdelkov se navede naslednje zdravstveno opozorilo:
»Ta tobačni izdelek škoduje zdravju in povzroča zasvojenost.«.

(2) Zdravstveno opozorilo iz prejšnjega odstavka mora biti v skladu s sedmim odstavkom 14. člena tega zakona. Besedilo zdravstvenih opozoril mora biti vzporedno z glavnim besedilom površine, namenjene tem opozorilom.

(3) Zdravstveno opozorilo se prikaže na dveh največjih površinah vsakega zavojčka in zunanje embalaže ter pokriva 30 odstotkov površine vsakega zavojčka in zunanje embalaže.

17. člen
(predstavitev izdelkov)

(1) Zavojčki, zunanja embalaža in tobačni izdelki ne smejo vključevati nobenega elementa ali značilnosti, ki:
- oglašuje tobačni izdelek ali spodbuja njegovo uporabo z ustvarjanjem napačnih predstav o njegovih lastnostih, učinkih na zdravje, tveganjih ali emisijah; oznake ne smejo vsebovati podatkov o vsebnosti nikotina, katrana ali ogljikovega monoksida tobačnega izdelka;

- kaže, da je določen tobačni izdelek manj škodljiv od drugih ali da

covering 65 percent of their respective half of the curved surface.

(2) The combined health warnings shall be grouped into three sets, where each set shall be used in a given year and rotated on an annual basis. Each combined health warning available for use in a given year shall be displayed to the extent possible in equal numbers on each brand of tobacco products.

(3) The minister shall specify more detailed conditions regarding the combined health warnings.

Article 16
(Labelling of smokeless tobacco products)

(1) Each unit packet and the outside packaging of smokeless tobacco products shall carry the following health warning:
“This tobacco product damages your health and is addictive.”.

(2) The health warning laid down in the preceding paragraph shall be in accordance with paragraph seven of Article 14 of this Act. The text of the health warnings shall be parallel to the main text on the surface reserved for these warnings.

(3) The health warning shall appear on the two largest surfaces of each unit packet and outside packaging and shall cover 30 percent of the surfaces of each unit packet and outside packaging.

Article 17
(Product presentation)

(1) Unit packets, the outside packaging and tobacco products shall not include any element or feature that:
- advertises a tobacco product or encourages its consumption by creating an erroneous impression about its characteristics, health effects, risks or emissions; labels shall not include any information about the nicotine, tar or carbon monoxide content of the tobacco product;
- shows that a specific tobacco product is less harmful than others or

skuša zmanjšati učinek nekaterih škodljivih komponent dima ali spodbuja vitalnost, energijo in zdravje, ima pomlajevalne, naravne ali organske lastnosti ali drugače koristi zdravju in življenjskemu slogu;
- se nanaša na okus, vonj, aromatične snovi ali druge dodatke ali na odsotnost teh;
- je lastna živilskim ali kozmetičnim izdelkom;
- kaže, da ima določen tobačni izdelek izboljšano biološko razgradnjo ali druge okoljske prednosti.

(2) Zavojčki in zunanja embalaža ne smejo omogočati finančnih ugodnosti z vključevanjem tiskanih bonov, ponudb popustov, brezplačne distribucije, ponudbe »dva za ceno enega« ali drugih podobnih ponudb.

(3) Elementi in značilnosti, prepovedani na podlagi prvega in drugega odstavka tega člena, so med drugim lahko besedila, simboli, imena, znamke, figurativni in drugi znaki.

(4) Prepovedana je proizvodnja ali dobava cigaret in tobaka za zvijanje, če kateri koli del embalaže, v kateri je izdelek pripravljen ali namenjen prodaji na drobno,:
- proizvaja zvok,
- vsebuje ali oddaja vonj,
- običajno ni povezan z embalažo tobačnih izdelkov.

(5) Omejitve iz prejšnjega odstavka se ne nanašajo na vonj v embalaži cigaret ali tobaka za zvijanje, ki izhaja iz proizvodnega procesa in cigaretam ali tobaku za zvijanje daje značilno aromo.

(6) Prepovedana je proizvodnja ali dobava cigaret ali tobaka za zvijanje, če embalaža, v kateri je izdelek pripravljen ali namenjen prodaji na drobno, vključuje kateri koli element, ki povzroči spremembo embalaže po prodaji izdelka. Elementi iz prejšnjega stavka vključujejo predvsem:

1. toplotno aktivirana črnila;
2. črnila ali okrasne olepšave, ki s časom postopoma postanejo vidne;
3. črnila, ki so vidna pod določeno lučjo fluorescentne barve;
4. površine, ki po praskanju ali drgnjenju prikažejo sliko ali besedilo;
5. odstranljive etikete;
6. raztegljive ali razložljive vložke.

aims to reduce the effect of some harmful components of smoke or has vitalising, energetic, healing, rejuvenating, natural, or organic properties or has other health or lifestyle benefits;
- refers to taste, smell, flavourings or other additives or the absence thereof;
- is inherent in food or cosmetic products;
- shows that a specific tobacco product has improved biodegradability or other environmental advantages.

(2) Unit packets and outside packaging shall not enable economic advantages by including printed vouchers, offering discounts, free distribution, two-for-one or other similar offers.

(3) The elements and features that are prohibited pursuant to paragraphs one and two of this Article may include, but are not limited to, texts, symbols, names, trademarks, figurative or other signs.

(4) The manufacture or supply of cigarettes or roll-your-own tobacco shall be prohibited if any part of the packaging in which the product is prepared or intended for retail sale:
- produces sound,
- contains or releases odour,
- is usually not associated with the packaging of tobacco products.

(5) The restrictions referred to in the preceding paragraph shall not apply to the odour in the packaging of cigarettes or roll-your-own tobacco resulting from the manufacturing process and giving cigarettes or roll-your-own tobacco a characterising flavour.

(6) The manufacture or supply of cigarettes or roll-your-own tobacco shall be prohibited if the packaging in which a product is prepared or intended for retail sale contains any element that causes modification of the packaging after the sale of the product. The elements of the preceding sentence shall include, in particular, the following:
1. heat-activated inks;
2. inks or decorative beautifying that gradually become visible over time;
3. inks visible under a specified fluorescent light;
4. surfaces that display an image or text after scratching or scraping;
5. removable labels;
6. stretchable or expandable inserts.

18. člen
(videz in vsebina cigaretnih zavojčkov)

(1) Zavojčki cigaret so kvadraste oblike. Zavojček cigaret je lahko iz kartona ali mehkega materiala in se odpira tako, da se potem, ko je bil prvič odprt, ne da ponovno zapreti ali zapečatiti, razen z zavihkom in pregibnim pokrovčkom. Pri zavojčkih z zavihkom in pregibnim pokrovčkom se lahko pokrovček pregiba samo na hrbtnem delu. Zavojček cigaret vsebuje najmanj 20 cigaret.

(2) Zavojčki in zunanja embalaža cigaret in notranje površine tovrstne embalaže so barve, določene v predpisu, ki ureja enotno embalažo tobačnih izdelkov. Ovoj, ki prekriva zavojček cigaret, trak za odpiranje ali kateri koli drugi del embalaže cigaret je barve in videza, določenih v predpisu, ki ureja enotno embalažo tobačnih izdelkov.

(3) Na zavojčkih in zunanji embalaži cigaret je, pod pogojem, da ne prekriva splošnih opozoril, sestavljenih zdravstvenih opozoril ali informativnih sporočil, lahko natisnjeno besedilo, ki navaja znamko in ime vrste cigaret, vendar se znamka in ime vrste lahko pojavita samo in ne več kot enkrat na naslednjih površinah:

- sprednji površini zavojčka in zunanje embalaže,
- eni od najmanjših površin zavojčka in zunanje embalaže in
- nasprotni najmanjši površini zavojčka in zunanje embalaže.

(4) Na zavojčkih in zunanji embalaži cigaret so lahko natisnjeni besedilo, ki navaja podatke o proizvajalcu in številu vsebovanih cigaret, črtna koda in druga identifikacijska oznaka ali varnostni element.

(5) Minister določi podrobnejše pogoje glede videza cigaretnih zavojčkov in zunanje embalaže cigaret.

Article 18
(Appearance and content of unit packets of cigarettes)

(1) Unit packets of cigarettes shall have a cuboid shape. A unit packet of cigarettes may consist of carton or soft material and shall not have an opening that can be re-closed or re-sealed after it is first opened, other than the flip-top lid and shoulder box with a hinged lid. For unit packets with a flip-top lid and hinged lid, the lid shall be hinged only at the back of the unit packet. A unit packet of cigarettes shall contain at least 20 cigarettes.

(2) Unit packets and the outside packaging of cigarettes and the inside surface of such packaging shall be of the colours defined in the regulation governing the uniform packaging of tobacco products. The wrapper covering the unit packet of cigarettes, the opening strap, and any other part of the packaging of unit packets of cigarettes shall be of the colour and appearance defined in the regulation governing the uniform packaging of tobacco products.

(3) Unit packets and the outside packaging of cigarettes may carry printed text indicating the brand and name of a type of cigarettes, provided that it does not cover the general warnings, combined health warnings or the information messages. However, the brand and the name of a type of cigarette may only appear, and not more than once, on the following surfaces:
- the front surface of the unit packet and outside packaging,
- one of the smallest surfaces of the unit packet and outside packaging, and
- opposite the smallest surface of the unit packet and outside packaging.

(4) Unit packets and the outside packaging of cigarettes may carry printed text, indicating information on the manufacturer and number of cigarettes it contains, a bar code and other identification marks or security features.

(5) The minister shall specify more detailed conditions regarding the appearance of unit packets of cigarettes and the outside packaging of cigarettes.

19. člen
(videz in vsebina zavojčkov tobaka za zvijanje)

(1) Zavojčki tobaka za zvijanje so kvadraste oblike, cilindrične oblike ali v obliki vrečke. Zavojček tobaka za zvijanje vsebuje najmanj 30 g tobaka.

(2) Zavojčki in zunanja embalaža tobaka za zvijanje ter notranje površine tovrstne embalaže so barve, določene v predpisu, ki ureja enotno embalažo tobačnih izdelkov. Ovoj, ki prekriva zavojček tobaka za zvijanje, trak za odpiranje ali kateri koli drugi del embalaže tobaka za zvijanje je barve in videza, določenih v predpisu, ki ureja enotno embalažo tobačnih izdelkov.

(3) Na zavojčkih in zunanji embalaži tobaka za zvijanje v primeru zavojčka kvadraste oblike ali zunanjega paketa, ki ni cilindrične oblike, se lahko besedilo, ki navaja znamko in ime vrste tobaka za zvijanje, pojavi samo in ne več kot enkrat na vsaki od naslednjih površin:

- sprednji površini zavojčka in zunanje embalaže,
- eni od najmanjših površin zavojčka in zunanje embalaže in
- nasprotni najmanjši površini zavojčka in zunanje embalaže.

(4) V primeru zavojčka in zunanje embalaže cilindrične oblike se lahko besedilo, ki navaja znamko in ime vrste tobaka, pojavi samo in ne več kot enkrat na vsaki od naslednjih površin:

- sprednji površini zavojčka in zunanje embalaže,
- zadnji površini zavojčka in zunanje embalaže in
- pokrovu zavojčka in zunanje embalaže.

(5) V primeru zavojčka in zunanje embalaže v obliki vrečke se, pod pogojem, da ne prekriva splošnih, sestavljenih zdravstvenih opozoril ali informativnih sporočil, lahko besedilo, ki navaja znamko in ime vrste tobaka, pojavi samo in ne več kot enkrat na vsaki od naslednjih površin:

Article 19
(Appearance and content of unit packets of roll-your-own tobacco)

(1) Unit packets of roll-your-own tobacco shall have a cuboid or cylindrical shape, or the form of a pouch. A unit packet of roll-your-own tobacco shall contain tobacco weighing not less than 30 g.

(2) Unit packets and the outside packaging of roll-your-own tobacco and the inside surface of such packaging shall be of the colours defined in the regulation governing the uniform packaging of tobacco products. The wrapper covering roll-your-own tobacco, the opening strap or any other part of the packaging of roll-your-own tobacco shall be of the colour and appearance defined in the regulation governing the uniform packaging of tobacco products.

(3) On unit packets and the outside packaging of roll-your-own tobacco, in the case of cuboid shape or an outside packet that is not of cylindrical shape, the text indicating the brand and name of the type of the roll-your-own tobacco may appear on its own, and not more than once, on each of the following surfaces:
- the front surface of the unit packet and outside packaging,
- one of the smallest surfaces of the unit packet and outside packaging, and
- opposite the smallest surface of the unit packet and outside packaging.

(4) For unit packets and the outside packaging of cylindrical shape, the text indicating the brand and name of the type of tobacco may appear on its own, and not more than once, on each of the following surfaces:
- the front surface of the unit packet and outside packaging,
- the back surface of the unit packet and outside packaging, and
- the lid of the unit packet and outside packaging.

(5) For unit packets and the outside packaging in the shape of a pouch, and provided that it does not cover the general warnings, the combined health warnings or the information messages, the text indicating the brand and name of the type of tobacco may appear on its own, and not more than once, on each of the following surfaces:

- sprednji površini zavojčka in zunanje embalaže,
- zadnji površini zavojčka in zunanje embalaže in
- na notranji strani zavihka.

(6) Na zavojčkih in zunanji embalaži tobaka za zvijanje so lahko natisnjeni besedilo, ki navaja podatke o proizvajalcu in maso vsebovanega tobaka za zvijanje v gramih, črtna koda in druga identifikacijska oznaka ali varnostni element.

(7) Zavojčku ali zunanji embalaži tobaka za ročno zvijanje se lahko priložijo cigaretni papirčki in filtri, ki ne smejo biti vidni, preden se embalaža ne odpre.

(8) Minister določi podrobnejše pogoje glede videza zavojčkov tobaka za zvijanje in zunanje embalaže tobaka za zvijanje.

20. člen
(videz cigaret)

(1) Barva ali odtenek, dovoljena na ali za papirček, ohišje, filter ali drug material, ki tvori del cigarete, razen vsebovanega tobaka, je navadna bela s končnim slojem brez sijaja, pri čemer je:

- na cigareti lahko natisnjeno besedilo, ki opredeljuje znamko in ime vrste cigarete, vendar le, če so izpolnjeni vsi podrobnejši pogoji, ki jih določi minister, pristojen za zdravje, in

- papirček ali ovoj, ki obdaja konec cigarete, ki ni namenjen prižiganju, lahko obarvan v odtenku plute.

(2) Minister določi podrobnejše pogoje glede videza cigaret.

21. člen
(pravice industrijske lastnine)

Določbe 18., 19. in 20. člena tega zakona ne prepovedujejo

- the front surface of the unit packet and outside packaging,
- the back surface of the unit packet and outside packaging,
- the inside surface of the flip-top lid.

(6) Unit packets and the outside packaging of roll-your-own tobacco may carry printed text indicating the information on the manufacturer and the weight of the roll-your-own tobacco contained therein in grams, a bar code and other identification marks or security features.

(7) Unit packets or the outside packaging of roll-your-own tobacco may have enclosed cigarette papers and filters, which shall not be visible before the packaging is opened.

(8) The minister shall specify more detailed conditions regarding the appearance of unit packets of roll-your-own tobacco and the outside packaging of roll-your-own tobacco.

Article 20
(Appearance of cigarettes)

(1) The colour or shade, permitted on or for the paper, housing, filter or other material forming part of a cigarette, other than the tobacco contained therein, shall be plain white with a gloss-free finish, and subject to the following:
- on the cigarette there may be printed a text indicating the brand and the name of the type of cigarette, provided that all of the more detailed conditions specified by the minister responsible for health are complied with, and
- the paper or wrapper surrounding the end of a cigarette that is not intended for lightning the cigarette may be coloured in a cork shade.

(2) The minister shall specify more detailed conditions regarding the appearance of cigarettes.

Article 21
(Industrial property rights)

The provisions of Articles 18, 19 and 20 of this Act shall not

registracije znamke v skladu z zakonom, ki ureja pravice industrijske lastnine, in so upravičen razlog za neuporabo znamke.

prohibit the registration of a trademark in accordance with the Act governing industrial property rights and shall be a justified reason for non-use of the trademark.

22. člen
(sledljivost)

(1) Zavojčki tobačnih izdelkov so označeni s posebno identifikacijsko oznako. Za zagotavljanje celovitosti posebne identifikacijske oznake jo je treba natisniti ali pritrditi tako, da se ne da odstraniti, zbrisati, kako drugače poškodovati, da postane neberljiva, prekriti ali prekiniti z davčnimi znamkami, cenovnimi oznakami ali odpiranjem zavojčka.

(2) Na podlagi posebne identifikacijske oznake je mogoče določiti naslednje:
1. datum in kraj proizvodnje;
2. proizvodni obrat;
3. napravo, ki se uporablja za proizvodnjo tobačnih izdelkov;
4. proizvodno izmeno ali trajanje proizvodnje;
5. opis izdelka;
6. namembni maloprodajni trg;
7. predvideno pot pošiljke;
8. uvoznika;
9. dejansko pot pošiljke od proizvodnje do prvega prodajnega mesta, vključno z vsemi skladišči, ki se uporabljajo, datum in naslov pošiljanja ter kraj odhoda in prejemnika;
10. identiteto vseh kupcev od proizvodnje do prvega prodajnega mesta in
11. račun, številko naročila in potrdilo o plačilu vseh nakupov od proizvodnje do prvega prodajnega mesta.

(3) Podatki iz 1. do 8. točke prejšnjega odstavka so del posebne identifikacijske oznake.

(4) Podatki iz 9., 10. in 11. točke drugega odstavka tega člena so dostopni prek povezave, ki omogoča takojšnji elektronski dostop do posebne identifikacijske oznake.

(5) Gospodarski subjekti, vključeni v trgovino s tobačnimi izdelki

Article 22
(Traceability)

(1) Unit packets of tobacco products shall be marked with a unique identifier. In order to ensure the integrity of the unique identifier, it shall be irremovably printed or affixed, indelible and not damaged in any way so as to become unreadable, hidden or interrupted by tax stamps or price marks, or by the opening of the unit packet.

(2) The unique identifier shall allow the following to be determined:
1. the date and place of manufacturing;
2. the manufacturing facility;
3. the machine used to manufacture the tobacco products;
4. the production shift or time of manufacture;
5. the product description;
6. the intended market of retail sale;
7. the intended shipment route;
8. the importer;
9. the actual shipment route from manufacturing to the first retail outlet, including all warehouses used as well as the shipment date, shipment destination, point of departure and consignee;
10. the identity of all purchasers from manufacturing to the first retail outlet; and
11. the invoice, order number and payment records of all purchasers from manufacturing to the first retail outlet.

(3) The information referred to in points 1 to 8 of the preceding paragraph shall form part of the unique identifier.

(4) The information referred to in points 9, 10 and 11 of paragraph two of this Article shall be immediately electronically accessible by means of a link to the unique identifier.

(5) Economic operators involved in the trade of tobacco

od proizvajalcev do zadnjega gospodarskega subjekta pred prvo prodajo na prodajnem mestu evidentirajo vnos vseh zavojčkov ter vmesna gibanja in končni iznos zavojčkov iz njihove posesti. To obveznost je mogoče izpolniti z označevanjem in evidentiranjem agregirane embalaže, kot so kartoni, zaboji ali palete, če je še vedno mogoče enoznačno in nedvoumno prepoznavanje in sledenje vseh zavojčkov.

(6) Gospodarski subjekti iz prejšnjega odstavka vodijo evidence vseh opravljenih transakcij.

(7) Proizvajalci tobačnih izdelkov gospodarskim subjektom, vključenim v trgovino s tobačnimi izdelki od proizvajalca do zadnjega gospodarskega subjekta pred prvo prodajo na prodajnem mestu, vključno z uvozniki, skladišči in prevoznimi podjetji, predložijo opremo, potrebno za evidentiranje tobačnih izdelkov, ki so bili kupljeni, prodani, skladiščeni, prepeljani ali kako drugače obravnavani. Oprema omogoča elektronsko odčitavanje in prenos evidentiranih podatkov v pomnilnik iz osmega odstavka tega člena.

(8) Proizvajalci in uvozniki tobačnih izdelkov sklenejo pogodbe o hrambi podatkov iz drugega odstavka tega člena z neodvisno tretjo stranjo za namene gostovanja pomnilnika za shranjevanje teh podatkov. Pomnilnik za shranjevanje podatkov mora biti v EU. Dejavnosti tretje strani spremlja zunanji revizor, ki ga predlaga in plača proizvajalec tobačnih izdelkov, odobri pa Evropska komisija. Zunanji revizor ministrstvu in Evropski komisiji predloži letno poročilo, v katerem oceni vse kršitve v zvezi z nepravilnostmi glede dostopa. Evropski komisiji, ministrstvu in zunanjemu revizorju se zagotovi popoln dostop do pomnilnikov za shranjevanje podatkov. V ustrezno utemeljenih primerih se proizvajalcem ali uvoznikom tobačnih izdelkov dovoli dostop do shranjenih podatkov. Podatki, ki so poslovna skrivnost, so ustrezno zaščiteni v skladu s pravom EU in predpisom, ki ureja gospodarske družbe.

(9) Gospodarski subjekt, vključen v trgovino s tobačnimi izdelki, ne sme spreminjati ali brisati evidentiranih podatkov, razen v primeru napak, pri čemer mora sistem omogočiti revizijsko sled vseh popravkov. Podatki se morajo ustrezno hraniti dve leti od evidentiranja zaradi

products, from the manufacturer to the last economic operator before the first retail outlet, shall record the entry of all unit packets, as well as intermediate movements and the final exit of the unit packets from their possession. This obligation may be complied with by the marking and recording of aggregated packaging such as cartons, mastercases or pallets, provided that the unambiguous identification and tracking of all unit packets remains possible.

(6) Economic operators referred to in the preceding paragraph shall keep records of all completed transactions.

(7) Manufacturers of tobacco products shall provide all economic operators involved in the trade of tobacco products, from the manufacturer to the last economic operator before the first retail outlet, including importers, warehouses and transporting companies, the equipment that is necessary for the recording of the tobacco products purchased, sold, stored, transported or otherwise handled. That equipment shall be able to read and transmit the recorded data electronically to a data storage facility referred to in paragraph eight of this Article.

(8) Manufacturers and importers of tobacco products shall conclude data storage contracts referred to in paragraph two of this Article with an independent third party for the purpose of hosting the data storage facility for all relevant data. The data storage facility shall be in the EU. The third party's activities shall be monitored by an external auditor who is proposed and paid by the tobacco manufacturer and approved by the European Commission. The external auditor shall submit an annual report to the Ministry and to the European Commission assessing any irregularities regarding the access. The European Commission, the Ministry and the external auditor shall be given complete access to the data storage facility. In duly justified cases, manufacturers or importers of tobacco products may be granted access to the stored data. Information that is considered a trade secret shall be adequately protected in accordance with EU law and the regulation governing companies.

(9) Recorded data shall not be modified or deleted by an economic operator involved in the trade of tobacco products, except in the case of errors, with regard to which the system shall ensure an audit trail of all corrections. The data must be properly kept for two years from being

izvajanja učinkovitega nadzora nad tem zakonom.

(10) Osebni podatki se obdelujejo v skladu s predpisi, ki urejajo varstvo osebnih podatkov.

(11) Minister skupaj z ministrom, pristojnim za finance, določi podrobnejše pogoje glede sledljivosti zavojčkov in embalaže tobačnih izdelkov.

23. člen
(varnostni element)

(1) Zavojčki tobačnih izdelkov, ki so dani na trg, imajo poleg posebne identifikacijske oznake iz prejšnjega člena tudi varnostni element, zaščiten pred nedovoljenimi posegi ter sestavljen iz vidnih in nevidnih elementov. Varnostni element je natisnjen ali pritrjen tako, da se ne da odstraniti, izbrisati, kako drugače poškodovati, da postane neberljiv, prekriti ali prekiniti z davčnimi znamkami, oznakami cene ali drugimi elementi iz tega zakona.

(2) Kot varnostni element se lahko uporabljajo davčni žigi ali nacionalne identifikacijske oznake, če izpolnjujejo zahteve iz prejšnjega odstavka.

(3) Minister skupaj z ministrom, pristojnim za finance, določi podrobnejše tehnične standarde za varnostni element in njihovo morebitno izmenično uporabo ter prilagoditev znanstvenemu, tržnemu in tehnološkemu razvoju ob upoštevanju izvedbenih aktov Evropske komisije.

III. TOBAK ZA ORALNO UPORABO IN NOVI TOBAČNI IZDELKI

24. člen
(tobak za oralno uporabo)

Dajanje tobaka za oralno uporabo na trg je prepovedano.

recorded in order to effectively supervise the implementation of this Act.

(10) The personal data shall be processed in accordance with the regulations governing the protection of personal data.

(11) The minister, together with the minister responsible for finance, shall specify more detailed conditions regarding the traceability of unit packets and packaging of tobacco products.

Article 23
(Security feature)

(1) Unit packets of tobacco products, which are placed on the market, shall carry, in addition to the unique identifier referred to in the preceding Article, a tamper-proof security feature composed of visible and invisible elements. The security feature shall be irremovably printed or affixed, indelible and not damaged in any way so as to become unreadable, hidden or interrupted by tax stamps or price marks, or by other elements referred to in this Act.

(2) Tax stamps or national identification marks may be used as a security feature, provided that they comply with the requirements referred to in the preceding paragraph.

(3) The minister, together with the minister responsible for finance, shall specify more detailed technical standards for the security feature and their possible rotation and adaption to scientific, market and technical developments by taking into account the implementing acts of the European Commission.

III. TOBACCO FOR ORAL USE AND NOVEL TOBACCO PRODUCTS

Article 24
(Tobacco for oral use)

It shall be prohibited to place on the market tobacco for oral use.

25. člen
(obveščanje o novih tobačnih izdelkih)

(1) Proizvajalci in uvozniki novih tobačnih izdelkov NLZOH obvestijo o vsakem novem tobačnem izdelku, ki ga nameravajo dati na trg. Uradno obvestilo se predloži v elektronski obliki šest mesecev pred nameravanim dajanjem izdelka na trg. Uradnemu obvestilu se priloži podroben opis novega tobačnega izdelka, navodila za njegovo uporabo ter podatki o sestavinah in emisijah v skladu z 9. členom tega zakona. Proizvajalci in uvozniki novih tobačnih izdelkov uradnemu obvestilu priložijo tudi:

- razpoložljive znanstvene študije o toksičnosti, zasvojljivosti in privlačnosti novega tobačnega izdelka v zvezi z njegovimi sestavinami in emisijami;
- razpoložljive študije, njihove povzetke in tržne raziskave o preferencah različnih potrošniških skupin, vključno z mladimi in trenutnimi kadilci;
- druge razpoložljive in pomembne podatke, vključno z analizo razmerja med tveganji in koristmi izdelka, njegovimi pričakovanimi vplivi na opuščanje uporabe tobaka, njegovimi pričakovanimi vplivi na začetek njegove uporabe in predvidevanji v zvezi z dojemanjem potrošnikov.

(2) Proizvajalci in uvozniki novih tobačnih izdelkov NLZOH pošljejo nove ali posodobljene podatke o študijah in raziskavah ter druge podatke iz prejšnjega odstavka, kadar NLZOH oceni, da je to zaradi spremenjenih razmer potrebno. Od proizvajalcev ali uvoznikov novih tobačnih izdelkov NLZOH lahko zahteva, da opravijo dodatne teste ali predložijo dodatne podatke o teh izdelkih.

(3) Minister določi obliko in način obveščanja o novih tobačnih izdelkih.

IV. ELEKTRONSKE CIGARETE IN ZELIŠČNI IZDELKI ZA KAJENJE

Article 25
(Notification of novel tobacco products)

(1) Manufacturers and importers of novel tobacco products shall submit a notification to the NLZOH of each novel tobacco product they intend to place on the market. The notification shall be submitted in electronic form six months before the intended placing on the market. The notification shall be accompanied by a detailed description of the novel tobacco product as well as instructions for its use and information on ingredients and emissions in accordance with Article 9 of this Act. Manufacturers and importers of novel tobacco products shall also include with the notification:

- available scientific studies on the toxicity, addictiveness and attractiveness of the novel tobacco product as regards its ingredients and emissions;
- available studies, executive summaries thereof and market research on the preferences of various consumer groups, including young people and current smokers;
- other available and relevant information, including a risk/benefit analysis of the product, its expected effects on the cessation of tobacco consumption, its expected effects on the initiation of tobacco consumption and predicted consumer perception.

(2) Manufacturers and importers of novel tobacco products shall transmit to the NLZOH any new or updated information on the studies, research and other information referred to in the preceding paragraph, where the NLZOH deems it necessary due to changed conditions. The NLZOH may require manufacturers or importers of novel tobacco products to carry out additional tests or submit additional information on these products.

(3) The minister shall specify the form and manner of notification of novel tobacco products.

IV. ELECTRONIC CIGARETTES AND HERBAL PRODUCTS FOR SMOKING

26. člen
(elektronske cigarete)

(1) Proizvajalci in uvozniki elektronskih cigaret in posodic za ponovno polnjenje predložijo uradno obvestilo NLZOH o kakršnih koli tovrstnih izdelkih, ki jih nameravajo dati na trg. Uradno obvestilo se predloži elektronsko šest mesecev pred nameravanim dajanjem na trg. Za vsako spremembo izdelka se predloži novo uradno obvestilo.

(2) Uradno obvestilo glede na to, ali gre za elektronsko cigareto ali posodico za ponovno polnjenje, vsebuje:

1. ime in kontaktne podatke proizvajalca, odgovorno pravno ali fizično osebo v Republiki Sloveniji in po potrebi uvoznika v Republiko Slovenijo;
2. seznam vseh sestavin tekočine in emisij, ki nastanejo pri njeni uporabi, posebej za vsako znamko in za vsako vrsto, vključno s količinami teh sestavin;
3. toksikološke podatke glede sestavin tekočine in emisij izdelka, tudi ob segrevanju, pri čemer se navedejo učinki na zdravje potrošnikov pri vdihavanju in se upošteva kakršen koli zasvojljivi učinek;
4. podatke o vsebnosti in vnosu nikotina pri uporabi, skladni z navodili proizvajalca;
5. opis komponent izdelka, vključno z mehanizmom za odpiranje in ponovno polnjenje elektronske cigarete ali posodice za ponovno polnjenje;
6. opis postopka izdelave, vključno s tem, ali vključuje serijsko proizvodnjo, in izjavo o tem, da je postopek izdelave v skladu z zahtevami iz tega člena;
7. izjavo o tem, da sta proizvajalec in uvoznik v celoti odgovorna za kakovost in varnost izdelka pri dajanju na trg in pri uporabi, skladni z navodili proizvajalca.

(3) Elektronske cigarete in posodice za polnjenje morajo izpolnjevati naslednje pogoje:

1. tekočina, ki vsebuje nikotin, se da na trg v temu namenjenih posodicah za ponovno polnjenje s prostornino največ 10 ml. V

Article 26
(Electronic cigarettes)

(1) Manufacturers and importers of electronic cigarettes and refill containers shall submit a notification to the NLZOH of any such products which they intend to place on the market. The notification shall be submitted in electronic form six months before the intended placing on the market. A new notification shall be submitted for each modification of the product.

(2) Depending on whether the product is an electronic cigarette or a refill container, the notification shall contain the following information:

1. the name and contact details of the manufacturer, the responsible legal or natural person in the Republic of Slovenia, and, if applicable, the importer into the Republic of Slovenia;
2. a list of all ingredients contained in, and emissions resulting from the use of, the liquid, by brand name and type, including quantities thereof;
3. toxicological data regarding the liquid's ingredients and emissions of the product, including when heated, referring to their effects on the health of consumers when inhaled and taking into account any addictive effect;
4. information on the nicotine doses and uptake when consumed in accordance with the manufacturer's instructions;
5. a description of the components of the product, including the opening and refill mechanism of the electronic cigarette or refill containers;
6. a description of the production process, including whether it involves series production, and a declaration that the production process ensures conformity with the requirements of this Article;
7. a declaration that the manufacturer and importer bear full responsibility for the quality and safety of the product, when placed on the market and used in accordance with the manufacturer's instructions.

(3) Electronic cigarettes and refill containers shall meet the following conditions:

1. nicotine-containing liquid is only placed on the market in dedicated refill containers not exceeding a volume of 10 ml. In single-use

elektronskih cigaretah za enkratno uporabo ali v polnilih za enkratno uporabo prostornina polnil ali rezervoarjev ne presega 2 ml;
2. tekočina, ki vsebuje nikotin, vsebuje največ 20 mg/ml nikotina;

3. tekočina, ki vsebuje nikotin, ne vsebuje dodatkov iz prvega odstavka 12. člena tega zakona;
4. pri izdelavi tekočine, ki vsebuje nikotin, se uporabljajo le čiste sestavine. V tekočini, ki vsebuje nikotin, so snovi, razen sestavin iz 2. točke drugega odstavka tega člena, le v sledeh, če so take sledi med izdelavo neizogibne s tehničnega vidika;

5. v tekočini se z izjemo nikotina uporabljajo le sestavine, ki v segreti ali nesegreti obliki ne predstavljajo tveganja za zdravje ljudi;

6. elektronske cigarete nikotin dovajajo enakomerno ob uporabi, skladni z navodili proizvajalca;

7. elektronskih cigaret in posodic za ponovno polnjenje ne morejo uporabljati otroci, so zaščitene pred nedovoljenimi posegi, lomljenjem in puščanjem ter imajo mehanizem, ki zagotavlja ponovno polnjenje brez puščanja.

(4) Zavojčki elektronskih cigaret in posodice za ponovno polnjenje vključujejo navodilo za uporabo s podatki o:
1. navodilih za uporabo in shranjevanje izdelka, vključno z navedbo, da se uporaba izdelka odsvetuje mladim in nekadilcem oziroma nekadilkam (v nadaljnjem besedilu: nekadilci);
2. kontraindikacijah;
3. opozorilih za posebne rizične skupine;
4. morebitnih neželenih učinkih;
5. zasvojljivosti in toksičnosti ter
6. kontaktnih podatkih proizvajalca ali uvoznika in o kontaktni pravni ali fizični osebi v Republiki Sloveniji.

(5) Zavojčki in zunanja embalaža elektronskih cigaret in posodic za ponovno polnjenje:
1. vključujejo seznam vseh sestavin izdelka v vrstnem redu, padajočem glede na težo, navedbo vsebnosti nikotina v izdelku in dovajanje na odmerek, številko serije in priporočilo, naj se izdelek hrani izven dosega otrok;
2. ne glede na prejšnjo točko ne vsebujejo elementov ali značilnosti iz

electronic cigarettes or in single-use cartridges, the cartridges or tanks shall not exceed a volume of 2 ml;
2. the nicotine-containing liquid does not contain nicotine in excess of 20 mg/ml;
3. the nicotine-containing liquid does not contain additives referred to in paragraph one of Article 12 of this Act;
4. only ingredients of very high purity are used in the manufacture of the nicotine-containing liquid. Substances other than the ingredients referred to in point 2 of paragraph two of this Article are only in the nicotine-containing liquid in trace levels, if such traces are technically unavoidable during manufacture;
5. except for nicotine, in the nicotine-containing liquid are used only ingredients that do not pose a risk to human health in heated or unheated form;
6. electronic cigarettes deliver the nicotine doses at consistent levels under conditions of use in accordance with the manufacturer's instructions;
7. electronic cigarettes and refill containers are child- and tamper-proof, are protected against breakage and leakage and have a mechanism that ensures refilling without leakage.

(4) Unit packets of electronic cigarettes and refill containers shall include a leaflet with information on:
1. instructions for use and storage of the product, including a reference that the product is not recommended for use by young people and non-smokers;
2. contra-indications;
3. warnings for specific risk groups;
4. possible adverse effects;
5. addictiveness and toxicity; and
6. contact details of the manufacturer or importer and a legal or natural contact person in the Republic of Slovenia.

(5) Unit packets and the outside packaging of electronic cigarettes and refill containers:
1. shall include a list of all ingredients contained in the product in descending order of the weight, and an indication of the nicotine content of the product and the delivery per dose, the batch number and a recommendation to keep the product out of reach of children;
2. without prejudice to the preceding point, shall not include elements or

17. člena tega zakona, razen iz prve in tretje alineje prvega odstavka glede podatkov o vsebnosti nikotina in aromatičnih snovi ter navajajo naslednje zdravstveno opozorilo, ki ustreza zahtevam iz drugega in tretjega odstavka 16. člena tega zakona:

»Izdelek vsebuje nikotin, ki povzroča hudo zasvojenost. Nekadilcem se uporaba odsvetuje.«.

(6) Proizvajalci in uvozniki elektronskih cigaret in posodic za ponovno polnjenje NLZOH vsako leto predložijo:
- celovite podatke o obsegu prodaje, posebej za vsako znamko in posebej za vsako vrsto izdelka;
- podatke o prednostnih izbirah različnih skupin potrošnikov, vključno z mladimi, nekadilci in glavnimi vrstami obstoječih uporabnikov;
- načine prodaje izdelka in
- povzetke vseh raziskav trga, ki so jih izvedli v zvezi z navedenim, ter prevode teh besedil v angleščino.

(7) Nacionalni inštitut za javno zdravje spremlja razvoj trga elektronskih cigaret in trga posodic za ponovno polnjenje, vključno z vsemi dokazi v zvezi s tem, da so lahko prvi izdelek, ki vodi v zasvojenost z nikotinom in poznejšo uporabo tobaka med mladimi in nekadilci.

(8) Podatki iz drugega odstavka tega člena se objavijo na spletni strani NLZOH. Pri dajanju teh podatkov na voljo javnosti se ustrezno upošteva potreba po varovanju poslovnih skrivnosti.

(9) Proizvajalci, uvozniki in distributerji oziroma distributerke (v nadaljnjem besedilu: distributerji) elektronskih cigaret in posodic za ponovno polnjenje vzpostavijo in vzdržujejo sistem zbiranja podatkov o vseh domnevnih škodljivih učinkih na zdravje ljudi ter zbrane podatke posredujejo Zdravstvenemu inšpektoratu Republike Slovenije.

(10) Če kateri koli od gospodarskih subjektov iz prejšnjega odstavka meni ali lahko upravičeno sumi, da elektronske cigarete ali posodice za ponovno polnjenje v njegovi posesti, ki naj bi se dale na trg ali so dane na trg, niso varne ali kakovostne ali kakor koli drugače niso v skladu s tem zakonom, nemudoma sprejme ukrepe, ki so potrebni, da bi zadevni izdelek ustrezno uskladili s tem zakonom ali ga po potrebi

features referred to in Article 17 of this Act, with the exception of indents one and three of paragraph one concerning the information on the nicotine content and on flavourings, and shall carry the following health warning, which shall comply with the requirements referred to in paragraphs two and three of Article 16 of this Act:
“This product contains nicotine which is a highly addictive substance. It is not recommended for use by non-smokers.”.

(6) Manufacturers and importers of electronic cigarettes and refill containers shall submit annually to the NLZOH the following:
- comprehensive data on sales volumes, by brand name and type of product;
- information on the preferences of various consumer groups, including young people, non-smokers and the main types of current users;
- the mode of sale of the products; and
- executive summaries of any market surveys carried out in respect of the above, including an English translation thereof.

(7) The National Institute of Public Health shall monitor the market developments concerning electronic cigarettes and refill containers, including any evidence that their use is a gateway to nicotine addiction and ultimately tobacco consumption among young people and non-smokers.

(8) The information referred to in paragraph two of this Article shall be published on the NLZOH website. The need to protect trade secrets shall be duly taken into account when making such information publicly available.

(9) The manufacturers, importers and distributers of electronic cigarettes and refill containers shall establish and maintain a system for collecting information about all of the suspected adverse effects on human health of these products and shall submit the collected data to the Health Inspectorate of the Republic of Slovenia.

(10) Should any of the economic operators referred to in the preceding paragraph consider or have reason to believe that electronic cigarettes or refill containers, which are in their possession and are intended to be placed on the market or are placed on the market, are not safe or are not of good quality or are otherwise not in conformity with this Act, that economic operator shall immediately take action necessary to

umaknili oziroma odpoklicali. V tem primeru gospodarski subjekt tudi nemudoma obvesti organe, ki izvajajo nadzor nad izvajanjem tega zakona, pri čemer navede podrobnosti o tveganjih za zdravje ljudi ter varnost vseh sprejetih ukrepov iz tega odstavka in njihove rezultate.

(11) Gospodarski subjekti iz devetega odstavka tega člena na zahtevo Zdravstvenega inšpektorata Republike Slovenije temu posredujejo dodatne podatke o varnostnih in kakovostnih vidikih ali drugih škodljivih učinkih elektronskih cigaret ali posodic za ponovno polnjenje.

(12) Če elektronske cigarete in posodice za ponovno polnjenje izpolnjujejo zahteve iz tega člena, NLZOH pa ugotovi ali lahko upravičeno sumi, da bi določena elektronska cigareta ali posodica za ponovno polnjenje ali posamezna vrsta teh lahko predstavljala resno tveganje za zdravje ljudi, o tem nemudoma obvesti Zdravstveni inšpektorat Republike Slovenije.

(13) NLZOH lahko proizvajalcem in uvoznikom elektronskih cigaret in posodic za ponovno polnjenje zaračuna pristojbine za prejemanje, obravnavo in analiziranje podatkov, ki se jim predložijo.

(14) Minister določi podrobnejše pogoje glede uradnega obvestila za elektronske cigarete in posodice za ponovno polnjenje iz prvega odstavka tega člena in ostale pogoje, ki jih morajo izpolnjevati elektronske cigarete in posodice za ponovno polnjenje iz tega člena.

27. člen
(zeliščni izdelki za kajenje)

(1) Na vsakem zavojčku in zunanji embalaži zeliščnega izdelka za kajenje se navede naslednje zdravstveno opozorilo:
»Kajenje tega izdelka škoduje zdravju.«.

(2) Zdravstveno opozorilo iz prejšnjega odstavka se prikaže na sprednji in zadnji zunanji površini zavojčka in zunanji embalaži.

bring the product concerned into conformity with this Act, to withdraw or to recall it, as appropriate. In such cases the economic operator shall also immediately inform the authorities supervising the implementation of this Act, giving details of the risk to human health and safety of all adopted actions referred to in this paragraph, and of their results.

(11) The economic operators referred to in paragraph nine of this Article shall, at the request of the Health Inspectorate of the Republic of Slovenia, submit additional information on the safety and quality aspects or other adverse effects of electronic cigarettes or refill containers.

(12) In the case of electronic cigarettes and refill containers that comply with the requirements of this Article, but the NLZOH ascertains or has reasonable grounds to believe that a specific electronic cigarette or refill container, or a certain type thereof, could present a serious risk to human health, it shall immediately inform the Health Inspectorate of the Republic of Slovenia thereof.

(13) The NLZOH may charge manufacturers and importers of electronic cigarettes and refill containers fees for receiving, handling, and analysing the information submitted to it.

(14) The minister shall specify more detailed conditions regarding the notification of electronic cigarettes and refill containers referred to in paragraph one of this Article and other conditions the electronic cigarettes and refill containers referred to in this Article shall comply with.

Article 27
(Herbal products for smoking)

(1) Each unit packet and the outside packaging of herbal products for smoking shall carry the following health warning:
“Smoking this product damages your health.”.

(2) The health warning referred to in the preceding paragraph shall be printed on the front and back external surface of the unit packet and on outside packaging.

(3) Zdravstveno opozorilo mora izpolnjevati zahteve iz sedmega odstavka 14. člena tega zakona ter pokrivati 30 odstotkov ustrezne površine zavojčka in zunanje embalaže.

(4) Zavojčki in zunanja embalaža zeliščnih izdelkov za kajenje ne smejo vsebovati elementov ali značilnosti iz prve, druge in četrte alineje prvega odstavka 17. člena tega zakona ter navedb, da izdelek ne vsebuje dodatkov ali aromatičnih snovi.

28. člen
(poročanje o sestavinah zeliščnih izdelkov za kajenje)

(1) Proizvajalci in uvozniki zeliščnih izdelkov za kajenje NLZOH predložijo seznam vseh sestavin in njihove količine, uporabljene pri izdelavi teh izdelkov, posebej za vsako znamko in za vsako vrsto. Uradno obvestilo se predloži elektronsko šest mesecev pred nameravanim dajanjem na trg novega ali spremenjenega zeliščnega izdelka za kajenje. Proizvajalci ali uvozniki zeliščnih izdelkov obvestijo NLZOH, če se sestava izdelka tako spremeni, da vpliva na podatke, predložene na podlagi tega člena.

(2) Podatki iz prejšnjega odstavka se objavijo na spletni strani NLZOH. Pri dajanju teh podatkov na voljo javnosti se ustrezno upošteva potreba po varovanju poslovnih skrivnosti.

(3) Minister določi podrobnejše pogoje glede poročanja o sestavinah zeliščnih izdelkov za kajenje.

V. OGLAŠEVANJE, PROMOCIJA, SPONZORIRANJE IN PRODAJA

29. člen
(oglaševanje)

(1) Prepovedano je vsako doniranje ali sponzoriranje dogodka, dejavnosti ali posameznika ter kakršno koli posredno in neposredno

(3) The health warning shall comply with the requirements referred to in paragraph seven of Article 14 of this Act and shall cover 30 percent of the area of the corresponding surface of the unit packet and outside packaging.

(4) Unit packets and the outside packaging of herbal products for smoking shall not include any of the elements or features referred to in indents one, two and four of paragraph one of Article 17 of this Act and shall not state that the product is free of additives or flavourings.

Article 28
(Reporting of ingredients of herbal products for smoking)

(1) Manufacturers and importers of herbal products for smoking shall submit to the NLZOH a list of all ingredients and quantities thereof that are used in the manufacture of such products by brand name and type. The notification shall be submitted electronically six months before the intended placing on the market of a new or modified herbal product for smoking. Manufacturers or importers shall inform the NLZOH if the composition of a product is modified in a way that affects the information submitted pursuant to this Article.

(2) The information referred to in the preceding paragraph shall be published on the NLZOH website. The need to protect trade secrets shall be duly taken into account when making such information publicly available.

(3) The minister shall specify more detailed conditions regarding reporting of ingredients of herbal products for smoking.

V. ADVERTISING, PROMOTION, SPONSORING AND SALES

Article 29
(Advertising)

(1) Any donation or sponsorship of an event or activity or individual, as well as any direct or indirect advertising and promotion of

oglaševanje in promocija tobaka, tobačnih izdelkov in povezanih izdelkov, tudi prek storitev informacijske družbe.

(2) Za neposredno oglaševanje tobaka, tobačnih izdelkov in povezanih izdelkov se šteje razstavljanje posameznih izdelkov na prodajnih mestih. Prodajalci morajo vse te izdelke shranjevati tako, da javnosti niso niti vidni niti dostopni. Na vsakem prodajnem mestu je lahko na vidnem mestu, v velikosti največ A4 formata (210 x 297 mm), objavljeno največ eno obvestilo, da se na tem mestu prodajajo izdelki iz prejšnjega odstavka. Prepovedana so promocijska darila, darilni boni, znamkice in kuponi za popust ali kakršne koli druge podobne ponudbe v povezavi z nakupom tobaka, tobačnih izdelkov in povezanih izdelkov. Prepovedano je spodbujanje prodaje tobaka, tobačnih izdelkov in povezanih izdelkov.

(3) Za posredno oglaševanje tobaka, tobačnih izdelkov in povezanih izdelkov se šteje prikazovanje znamk in drugih znakov za označevanje teh izdelkov na predmetih, ki po tem zakonu niso tobak, tobačni izdelki ali povezani izdelki. Za posredno oglaševanje se šteje tudi brezplačno ponujanje tobaka, tobačnih izdelkov in povezanih izdelkov na javnih mestih in v javnih prostorih.

(4) Za posredno oglaševanje šteje, kadar se znamka, znak, logotip, trgovska oznaka ali katera koli druga posebnost, vključno s posebnimi barvnimi kombinacijami tobaka, tobačnih izdelkov in povezanih izdelkov povezuje z drugim izdelkom ali storitvijo tako, da se utegne ta izdelek ali storitev povezati s tobakom, tobačnimi izdelki in povezanimi izdelki.

(5) Za posredno oglaševanje šteje tudi, kadar se znamka, znak, logotip, trgovske oznake ali kakršna koli druga posebnost, vključno s posebnimi barvnimi kombinacijami drugega izdelka ali storitve povezuje s tobakom, tobačnim izdelkom ali povezanim izdelkom ter družbo, ki te izdelke proizvaja.

(6) Prepovedano je oglaševanje izdelkov, ki bi s svojim videzom in namenom uporabe lahko spodbujali k potrošnji tobaka, tobačnih izdelkov in povezanih izdelkov.

(7) Prepovedano je prikazovanje ali uporaba tobaka, tobačnih izdelkov in povezanih izdelkov v okviru televizijskih vsebin in javnih

tobacco, tobacco products and related products, including through information society services, shall be prohibited.

(2) A display of individual products at retail outlets shall be deemed direct advertising of tobacco, tobacco products and related products. Sellers must store all these products in such a manner that they are neither visible nor accessible to the public. At each individual outlet there may be posted in a visible place, in up to A4 size (210 x 297 mm), not more than one notice that the products referred to in the preceding paragraph are for sale at the outlet. Any promotional gifts, gift certificates, stamps and discount coupons or any other similar offers related to the purchase of tobacco, tobacco products and related products shall be prohibited. It shall be prohibited to promote the sale of tobacco, tobacco products and related products.

(3) The display of brands and other marks for the labelling of such products on objects that, pursuant to this Act, are not tobacco, tobacco products or related products shall be deemed indirect advertising of tobacco, tobacco products and related products. Offering free-of-charge tobacco, tobacco products and related products at public places and in public spaces shall also be deemed indirect advertising.

(4) The association of a brand, sign, logo, brand or any other special characteristic, including specific colour combinations of tobacco, tobacco products and related products, with another product or service in such a way that the product or service may be associated with tobacco, tobacco products and related products shall be deemed indirect advertising.

(5) The association of a brand, sign, logo, brand or any other special characteristic, including specific colour combinations of other products or services, with tobacco, tobacco products and related products and the company manufacturing these products shall be deemed indirect advertising.

(6) It shall be prohibited to advertise products that could encourage the consumption of tobacco, tobacco products and related products by their appearance and intended use.

(7) It shall be forbidden to display or use tobacco, tobacco products and related products in the context of television content and

nastopov, ki so namenjeni osebam, mlajšim od 18 let, razen v filmih, nadaljevankah in nanizankah.

(8) Objavljanje podatkov o kakovosti in drugih lastnostih tobaka, tobačnih izdelkov in povezanih izdelkov v strokovnih knjigah ter revijah in publikacijah, ki so namenjene izključno obveščanju proizvajalcev in prodajalcev teh izdelkov in je njihovo razširjanje omejeno na te osebe ali podjetja, se ne šteje za oglaševanje po določbah tega člena.

30. člen
(prepoved prodaje)

(1) Prepovedana je prodaja tobaka, tobačnih izdelkov in povezanih izdelkov osebam, mlajšim od 18 let. Teh izdelkov ne smejo 0prodajati osebe, mlajše od 18 let.

(2) Prepoved prodaje izdelkov iz prejšnjega odstavka osebam, mlajšim od 18 let, je na prodajnih mestih teh izdelkov objavljena na vidnem mestu.

(3) Prepovedana je prodaja tobaka, tobačnih izdelkov in povezanih izdelkov iz avtomatskih naprav. Prepovedana je prodaja tobaka, tobačnih izdelkov in povezanih izdelkov, ki omogoča neposredno dostopnost teh izdelkov. Prepovedana je prodaja tobaka, tobačnih izdelkov in povezanih izdelkov s prodajnih mest, ki se lahko premikajo, pri čemer kioski, postavljeni v skladu z določbami predpisov lokalnih skupnosti, ne štejejo za premična prodajna mesta po tem zakonu.

(4) Prepovedana je prodaja posameznih cigaret, tobačnih izdelkov in povezanih izdelkov zunaj izvirne embalaže proizvajalca.

(5) Prepovedano je dajanje na trg tobaka, tobačnih izdelkov in povezanih izdelkov prek interneta, telekomunikacij ali katere koli druge razvijajoče se tehnologije ali čezmejna prodaja na daljavo.

(6) Prepovedana je proizvodnja, dajanje na trg ali čezmejna prodaja na daljavo sladkarij, prigrizkov, igrač ali drugih predmetov v obliki tobačnih izdelkov in povezanih izdelkov, namenjenih osebam, mlajšim od 18 let.

public appearances intended for persons under 18 years of age, except in films, series and serials.

(8) The publication of information on the quality and other characteristics of tobacco, tobacco products and related products in professional books and magazines and publications, which are intended solely to inform manufacturers and sellers of such products and whose distribution is limited to such persons or companies, shall not be deemed advertising pursuant to this Article.

Article 30
(Ban on sale)

(1) The sale of tobacco, tobacco products and related products to persons under 18 years of age shall be prohibited. These products shall not be sold by anyone under 18 years of age.

(2) The prohibition on the sale of products referred to in the preceding paragraph to persons under 18 years of age shall be displayed on the retail outlets of these products.

(3) The sale of tobacco, tobacco products and related products from vending machines shall be prohibited. The sale of tobacco, tobacco products and related products that makes them directly accessible shall be prohibited. It shall be prohibited to sell tobacco, tobacco products and related products from mobile retail outlets, where kiosks set up in accordance with local community regulations shall not be deemed mobile retail outlets.

(4) The sale of tobacco, tobacco products and related products that are not in the manufacturer's original packaging shall be prohibited.

(5) Placing on the market tobacco, tobacco products and related products via the internet, telecommunications or any other emerging technology or cross-border distance sales shall be prohibited.

(6) The production, placing on the market or cross-border selling of candy, snacks, toys or other objects in the shape of tobacco products and related products intended for persons under 18 years of age shall be prohibited.

31. člen
(starostna omejitev)

Prodajalec lahko od vsake osebe, ki kupuje tobak, tobačne izdelke in povezane izdelke zahteva, da izkaže svojo starost z javno listino. Če oseba to odkloni, ji tobačnega ali povezanega izdelka ne sme prodati.

VI. DOVOLJENJE ZA PRODAJO TOBAKA, TOBAČNIH IZDELKOV IN POVEZANIH IZDELKOV

32. člen
(dovoljenje)

(1) Tobak, tobačne izdelke in povezane izdelke lahko prodaja, kdor ima dovoljenje za prodajo v poslovnem prostoru, navedenem v dovoljenju (v nadaljnjem besedilu: dovoljenje).

(2) Dovoljenje izda ministrstvo.

(3) Dovoljenje se izda za posamezen poslovni prostor, v katerem se stalno, občasno ali začasno izdajajo računi za dobave tobaka, tobačnih izdelkov in povezanih izdelkov, ter je vezano na samostojnega podjetnika posameznika oziroma pravno osebo, ki opravlja dejavnost prodaje tovrstnih izdelkov v tem prostoru (v nadaljnjem besedilu: poslovni subjekt).

(4) Dovoljenje velja pet let od dneva izdaje z možnostjo podaljšanja, vsakokrat za pet let.

(5) Dovoljenje je označeno z identifikacijsko številko, datumom veljavnosti, imenom oziroma firmo poslovnega subjekta ter naslovom poslovnega prostora, za katerega je bilo izdano.

33. člen
(vloga)

Article 31
(Age limit)

Sellers may require any person purchasing tobacco, tobacco products and related products to prove his or her age with an official document. If the person refuses to do so, the seller shall not be allowed to sell the tobacco or related product to him or her.

VI. AUTHORISATION FOR THE SALE OF TOBACCO, TOBACCO PRODUCTS AND RELATED PRODUCTS

Article 32
(Authorisation)

(1) Tobacco, tobacco products and related products may be sold by a person who has authorisation to conduct sales in the business premises indicated in the authorisation (hereinafter: authorisation).

(2) The authorisation shall be issued by the Ministry.

(3) The authorisation shall be issued for individual business premises where invoices for the supply of tobacco, tobacco products and related products are issued permanently, occasionally or temporarily, and which are associated with a sole trader or a legal entity engaged in the sale of such products on the premises (hereinafter: business entity).

(4) The authorisation shall be valid for five years from the date of issue, with a possibility of extension, for five years each time.

(5) The authorisation shall be marked with an identification number, validity date, the name or company name of the business entity and the address of the business premises, for which it was issued.

Article 33
(Application)

(1) Vlogo za pridobitev ali podaljšanje dovoljenja vloži poslovni subjekt za vsak poslovni prostor na elektronski način pri ministrstvu.

(2) Vloga iz prejšnjega odstavka vsebuje ime oziroma firmo poslovnega subjekta, ime odgovorne osebe poslovnega subjekta, davčno številko poslovnega subjekta, matično številko poslovne enote in naslov poslovnega prostora, v katerem se prodajajo tobak, tobačni izdelki in povezani izdelki.

(3) Za vodenje upravnega postopka in izdajo odločbe se zaračuna upravna taksa v skladu s predpisom, ki ureja upravne takse.

34. člen
(izdaja dovoljenja, podatki na dovoljenju in vidnost dovoljenja)

(1) Ministrstvo na podlagi vloge iz prejšnjega člena na posebnem obrazcu izda dovoljenje, s katerim dovoli prodajo tobaka, tobačnih izdelkov in povezanih izdelkov poslovnemu subjektu za določen poslovni prostor.

(2) Zoper odločbo, s katero se ne dovoli prodaje tobaka, tobačnih izdelkov in povezanih izdelkov, ni pritožbe, dovoljen pa je upravni spor.

(3) Dovoljenje je v poslovnem prostoru vidno razstavljeno.

(4) Minister določi podrobnejše pogoje glede postopka in načina elektronske oddaje vloge ter posebnega obrazca iz prejšnjega člena in izdaje dovoljenja iz prvega odstavka tega člena.

35. člen

(1) The business entity shall submit to the Ministry in electronic form an application for obtaining or extending the authorisation for each business premises.

(2) The application referred to in the preceding paragraph shall contain the name or company name of the business entity, the name of the responsible person of the business entity, the tax number of the business entity, the registration number of the business unit and the address of the business premises where tobacco, tobacco products and related products are sold.

(3) An administrative fee shall be charged for conducting the administrative procedure and issuing a decision in accordance with the regulation governing administrative fees.

Article 34
(Issuance of authorisation, information on authorisation, and the visibility of authorisation)

(1) On the basis of the application referred to in the preceding Article, the Ministry shall issue on a special form an authorisation by which it authorises the sale of tobacco, tobacco products and related products to a business entity for specific business premises.

(2) There shall be no appeal allowed against a decision not authorising the sale of tobacco, tobacco products and related products, however an administrative dispute shall be allowed.

(3) The authorisation shall be prominently displayed on the business premises.

(4) The minister shall specify more detailed conditions regarding the procedure and manner of electronic submission of the application and the special form referred to in the preceding Article and the issuance of the authorisation referred to in paragraph one of this Article.

Article 35

(register poslovnih prostorov, v katerih se prodaja tobak, tobačni izdelki in povezani izdelki)

(1) Ministrstvo za namen nadzora nad prodajo tobaka, tobačnih izdelkov in povezanih izdelkov vzpostavi informacijsko podporo za sistem izdaje dovoljenj za prodajo tobaka, tobačnih izdelkov in povezanih izdelkov ter vodi, upravlja in vzdržuje register poslovnih prostorov, v katerih se prodaja tobak, tobačni izdelki in povezani izdelki (v nadaljnjem besedilu: register), v katerega vpisuje naslednje podatke:

1. ime oziroma firmo poslovnega subjekta, odgovorno osebo poslovnega subjekta,
2. naslov poslovnega prostora, za katerega se izdaja dovoljenje,
3. identifikacijsko številko dovoljenja,
4. datum veljavnosti dovoljenja in
5. podatke o prepovedi prodaje tobaka, tobačnih izdelkov in povezanih izdelkov ter prepovedi ponovne pridobitve dovoljenja za prodajo teh izdelkov, ki so izrečene na podlagi 38. člena tega zakona.

(2) Tržni inšpektorat Republike Slovenije in Finančna uprava Republike Slovenije imata za namen inšpekcijskega nadzora po določbah tega zakona dostop do registra.

(3) Ministrstvo na svoji spletni strani objavi seznam poslovnih prostorov, skupaj z imenom oziroma firmo poslovnega subjekta, ki mu je bila na podlagi 38. člena tega zakona izrečena prepoved prodaje tobaka, tobačnih izdelkov in povezanih izdelkov ali mu je bilo odvzeto dovoljenje za prodajo.

(4) Za potrebe vzpostavitve in delovanja registra ministrstvo brezplačno dostopa do podatkov v evidence Poslovnega registra Republike Slovenije Agencije Republike Slovenije za javnopravne evidence in storitve.

36. člen
(prenos dovoljenja)

(Register of business premises selling tobacco, tobacco products and related products)

(1) For the purpose of supervision of the sale of tobacco, tobacco products and related products, the Ministry shall establish information support for the system of issuing authorisations for the sale of tobacco, tobacco products and related products and shall keep, manage and maintain a register of business premises selling tobacco, tobacco products and related products (hereinafter: the Register), in which the following information shall be entered:

1. the name or company name of the business entity, the responsible person of the business entity;
2. the address of the business premises for which the authorisation is issued;
3. the identification number of the permit;
4. the authorisation validity date; and
5. information on the ban on sale of tobacco, tobacco products and related products and on the prohibition on the renewal of authorisation for the sale of these products imposed pursuant to Article 38 of this Act.

(2) The Market Inspectorate of the Republic of Slovenia and the Financial Administration of the Republic of Slovenia shall have access to the Register for inspection purposes pursuant to the provisions of this Act.

(3) The Ministry shall publish on its website a list of business premises together with the name or company name of business entity, which has been banned from selling tobacco, tobacco products and related products pursuant to Article 38 of this Act or whose authorisation has been withdrawn.

(4) For the purposes of establishing and operating the Register, the Ministry shall have access free of charge to the data in the records of the Slovenian Business Register of the Agency of the Republic of Slovenia for Public Legal Records and Related Services.

Article 36
(Transfer of authorisation)

Dovoljenje ni prenosljivo.

37. člen
(pogoji za podaljšanje in ponovno pridobitev dovoljenja)

(1) Pogoj za podaljšanje dovoljenja je, da v trenutku vložitve imetniku dovoljenja za poslovni prostor, za katerega je vložena vloga za podaljšanje, ni izrečena prepoved prodaje tobaka, tobačnih in povezanih izdelkov.

(2) Pogoj za ponovno pridobitev dovoljenja je, da v trenutku vložitve poslovnemu subjektu za poslovni prostor, za katerega je vložena vloga za ponovno pridobitev dovoljenja, ne velja prepoved ponovne pridobitve dovoljenja.

38. člen
(prepoved prodaje in odvzem dovoljenja)

(1) Ministrstvo poslovnemu subjektu začasno prepove prodajo tobaka, tobačnih izdelkov in povezanih izdelkov, če so bile v poslovnem prostoru, za katerega mu je bilo izdano dovoljenje, s pravnomočno odločbo ugotovljene kršitve določb 29. ali 30. člena tega zakona.

(2) Začasna prepoved prodaje traja šest mesecev.

(3) Tržni inšpektorat Republike Slovenije po pravnomočnosti odločbe iz prvega odstavka tega člena, podatek o kršitelju in kršitvi posreduje ministrstvu.

(4) Če je bila poslovnemu subjektu za določen poslovni prostor že izrečena začasna prepoved prodaje, se mu ob naslednji pravnomočni kršitvi iz prvega odstavka tega člena, odvzame dovoljenje in prepove ponovna pridobitev dovoljenja v obdobju treh let.

Authorisation shall not be transferable.

Article 37
(Conditions for the extension and reissuance of authorisation)

(1) The condition for the extension of authorisation is that at the moment of the submission of the application no ban on sale of tobacco, tobacco and related products has been imposed on the holder of the authorisation for the business premises, for which the application for extension has been submitted.

(2) The condition for reissuing the authorisation is that at the moment of the submission of the application the business entity for which the application for reissuing the authorisation has been submitted is not subject to a prohibition on the reissuance of the authorisation.

Article 38
(Ban on sale and withdrawal of authorisation)

(1) The Ministry shall temporarily prohibit a business entity from selling tobacco, tobacco products and related products if a violation of the provisions of Articles 29 or 30 of this Act has been established on the business premises for which the authorisation was issued.

(2) A temporary ban on sale shall last six months.

(3) Once the decision referred to in paragraph one of this Article has become final, the Market Inspectorate of the Republic of Slovenia shall forward to the Ministry information on the offender and the violation.

(4) If a temporary ban on sale has already been imposed on the business entity for the specific business premises, upon the next violation referred to in paragraph one of this Article becoming final, the authorisation shall be withdrawn and the business entity shall be prohibited from being reissued the authorisation for a period of three years.

(5) Če je bila poslovnemu subjektu za določen poslovni prostor že dvakrat izrečena prepoved prodaje, se mu ob naslednji pravnomočni kršitvi iz prvega odstavka tega člena odvzame dovoljenje in prepove ponovna pridobitev dovoljenja (trajna prepoved).

(6) Med prepovedjo prodaje tobaka, tobačnih izdelkov in povezanih izdelkov oziroma v času trajanja prepovedi ponovne pridobitve dovoljenja poslovni subjekt ne more podaljšati veljavnosti ali podati vloge za izdajo novega dovoljenja.

(7) Če poslovni subjekt prodaja tobak, tobačne izdelke in povezane izdelke v poslovnem prostoru brez veljavnega dovoljenja, se mu izreče trajna prepoved pridobitve dovoljenja za ta poslovni prostor.

(8) Tržni inšpektorat Republike Slovenije po pravnomočnosti odločbe iz prejšnjega odstavka podatek o kršitelju in kršitvi posreduje ministrstvu.

VII. PREPOVED KAJENJA IN KADILNICE

39. člen
(prepoved kajenja)

(1) Prepovedano je kajenje oziroma uporaba tobaka, tobačnih izdelkov in povezanih izdelkov, razen tobaka za žvečenje in tobaka za njuhanje, v vseh zaprtih javnih in delovnih prostorih ter v vseh vozilih v navzočnosti oseb, mlajših od 18 let.

(2) Kajenje oziroma uporaba tobaka, tobačnih izdelkov in povezanih izdelkov, razen tobaka za žvečenje in tobaka za njuhanje, je prepovedana tudi v prostorih, ki se po tem zakonu ne štejejo za zaprte prostore, če so del pripadajočih funkcionalnih zemljišč objektov, v katerih se opravlja dejavnost vzgoje ali izobraževanja.

(5) If ban on sale has been imposed on the business entity already twice for the specific business premises, upon the next violation referred to in paragraph one of this Article becoming final, the authorisation shall be withdrawn and the business entity shall be prohibited from being reissued the authorisation (permanent prohibition).

(6) During the ban on the sale of tobacco, tobacco products and related products, or during the reissuance of an authorisation prohibition, the business entity cannot extend the validity of the authorisation or submit an application for the issuance of a new authorisation.

(7) If a business entity sells tobacco, tobacco products and related products on business premises without valid authorisation, it shall be permanently prohibited from obtaining authorisation for that business premises.

(8) Once the decision referred to in the preceding paragraph has become final, the Market Inspectorate of the Republic of Slovenia shall forward to the Ministry information on the offender and the violation.

VII. BAN ON SMOKING AND SMOKING ROOMS

Article 39
(Ban on smoking)

(1) Smoking and/or the use of tobacco, tobacco products and related products, except for chewing tobacco and nasal tobacco, shall be prohibited in all enclosed public places and workplaces and in all vehicles in the presence of persons under 18 years of age.

(2) Smoking and/or the use of tobacco, tobacco products and related products, except for chewing tobacco and nasal tobacco, shall also be prohibited on premises that are not deemed to be enclosed places pursuant to this Act, provided that they form part of the curtilage associated with a structure in which educational or schooling activities are carried out.

(3) Ne glede na prvi in drugi odstavek tega člena je kajenje oziroma uporaba tobaka, tobačnih izdelkov in povezanih izdelkov dovoljena:
- v posebej za kadilce določenih prostorih v nastanitvenih obratih in pri drugih ponudnikih nočitev;
- v domovih za ostarele in zaporih v prostorih, ki niso namenjeni skupni rabi, kadar v njih bivajo samo kadilci;
- v posebej za kadilce določenih prostorih v psihiatričnih bolnišnicah in v posebej za kadilce določenih prostorih drugih izvajalcev zdravstvene obravnave oseb z duševno motnjo;
- v kadilnicah.

(4) Kadilnice niso dovoljene v prostorih, v katerih se opravlja zdravstvena dejavnost, dejavnost vzgoje ali dejavnost izobraževanja.

(5) Upoštevanje prepovedi kajenja oziroma uporabe tobaka, tobačnih izdelkov in povezanih izdelkov zagotovi lastnik, najemnik ali upravitelj prostorov, v katerih je kajenje prepovedano.

39.a člen
(izjema prepovedi kajenja)

Ne glede na določbe prejšnjega člena je v zaprtih javnih prostorih, ki so namenjeni izključno dejavnostim na področju kulture, dovoljeno kajenje zeliščnih izdelkov za kajenje, če je kajenje del predstave s področja scenskih umetnosti.

Kajenje je dovoljeno nastopajočim zgolj na odru in v času trajanja predstave.

40. člen
(kadilnica)

(1) Kadilnica mora izpolnjevati naslednje pogoje:
- prostor mora biti urejen tako, da iz njega ni mogoč pretok s tobačnim dimom onesnaženega zraka v drug prostor;
- prostor ne sme biti namenjen prehodu v druge prostore in ne sme presegati več kot 20 odstotkov skupne površine javnega ali

(3) Notwithstanding paragraphs one and two of this Article, smoking and/or the use of tobacco, tobacco products and related products shall be permitted:
- in areas designated specially for smokers at commercial accommodation and other accommodation providers;
- in nursing homes and prisons in areas not designated for common use, provided that only smokers reside therein;
- in areas designated specially for smokers at psychiatric hospitals and in areas designated specially for smokers at other healthcare providers of medical treatment to people with mental disorders;
- in smoking rooms.

(4) Smoking rooms are not allowed in places where healthcare, educational or schooling activities are carried out.

(5) Owner, tenant, or manager of premises where smoking is prohibited shall ensure adherence to the ban on smoking and/or the use of tobacco, tobacco products and related products.

Article 39a
(Exception to the ban on smoking)

Notwithstanding the provisions of the preceding Article, the smoking of herbal products for smoking in enclosed public places intended exclusively for cultural activities shall be permitted, provided that the smoking is part of a performance in the field of the performing arts.

Performers shall be allowed to smoke only on stage and only during the performance.

Article 40
(Smoking room)

(1) A smoking room shall comply with the following conditions:
- the room shall be arranged in such a way that no smoke-polluted air may flow from it to another room;
- the room shall not be intended for passage to other rooms and shall not exceed 20 percent of the total area of the public place or

delovnega prostora;
- prostor mora biti namenjen izključno kajenju, strežba hrane in pijače v prostoru ni dovoljena;
- v prostor se ne sme vnašati hrane in pijače.

(2) Minister določi podrobnejše pogoje, ki jih mora izpolnjevati kadilnica.

VIII. NADZOR

41. člen
(nadzorni in prekrškovni organi)

(1) Nadzor nad izvajanjem tega zakona opravljajo Zdravstveni inšpektorat Republike Slovenije, Inšpektorat Republike Slovenije za delo, Tržni inšpektorat Republike Slovenije, Finančna uprava Republike Slovenije in policija ter občinsko redarstvo.

(2) Zdravstveni inšpektorat Republike Slovenije opravlja nadzor nad:
1. emisijami katrana, nikotina in ogljikovega monoksida iz cigaret iz 7. člena tega zakona;
2. prepovedjo dajanja na trg tobačnih izdelkov z značilno aromo iz 11. člena tega zakona;
3. prepovedjo dajanja na trg tobačnih izdelkov, ki vsebujejo dodatke iz 12. člena tega zakona;
4. poročanjem in obveščanjem proizvajalcev in uvoznikov o sestavinah in emisijah tobačnih izdelkov in povezanih izdelkov v skladu z 9., 10. in 25. členom, prvim, drugim in šestim odstavkom 26. člena ter 28. členom tega zakona;
5. obveznostmi, ki jih morajo izpolnjevati proizvajalci, uvozniki in distributerji elektronskih cigaret iz devetega, desetega in enajstega odstavka 26. člena tega zakona in pogoji, ki jih morajo izpolnjevati elektronske cigarete iz tretjega odstavka 26. člena tega zakona;
6. prepovedjo kajenja oziroma uporabe tobaka, tobačnih izdelkov in povezanih izdelkov, razen tobaka za žvečenje in tobaka za njuhanje, v javnih prostorih iz 39. člena tega zakona;

workplace;
- the room shall be intended for smoking only; no food and drink shall be served in the room;
- no food or drink shall be brought into the room.

(2) The minister shall specify more detailed conditions that smoking room must comply with.

VIII. SUPERVISION

Article 41
(Supervisory and minor offence authorities)

(1) Supervision of the implementation of this Act shall be carried out by the Health Inspectorate of the Republic of Slovenia, the Labour Inspectorate of the Republic of Slovenia, the Market Inspectorate of the Republic of Slovenia, the Financial Administration of the Republic of Slovenia, the police and the municipal warden service.

(2) The Health Inspectorate of the Republic of Slovenia shall supervise:
1. the emissions of tar, nicotine and carbon monoxide from cigarettes referred to in Article 7 of this Act;
2. the ban on the placing on the market tobacco products with a characterising flavour referred to in Article 11 of this Act;
3. the ban on the placing on the market tobacco products containing the additives referred to in Article 12 of this Act;
4. the reporting and notification by manufacturers and importers of ingredients and emissions of tobacco products and related products in accordance with Articles 9, 10 and 25, paragraphs one, two and six of Article 26 and Article 28 of this Act;
5. the obligations of manufacturers, importers and distributors of electronic cigarettes referred to in paragraphs nine, ten and eleven of Article 26 of this Act and the conditions to be complied with by electronic cigarettes referred to in paragraph three of Article 26 of this Act;
6. the ban on smoking and/or on use of tobacco, tobacco products and related products, except for chewing tobacco and nasal tobacco, in public places referred to in Article 39 of this Act;

7. posamezniki, ki ne upoštevajo prepovedi kajenja oziroma uporabe tobaka, tobačnih izdelkov in povezanih izdelkov, razen tobaka za žvečenje in tobaka za njuhanje, v javnih prostorih iz 39. člena tega zakona;
8. pogoji, ki jih morajo izpolnjevati kadilnice v javnih prostorih iz prejšnjega člena;
9. posamezniki, ki v javnih prostorih ne upoštevajo prepovedi vnosa hrane ali pijače v kadilnice iz prejšnjega člena.

(3) Zdravstveni inšpektorat Republike Slovenije na podlagi lastnih ugotovitev ali ugotovitev NLZOH, da se tobak, tobačni izdelki in povezani izdelki proizvajajo in prodajajo v nasprotju s 7., 8., 11. in 12. členom tega zakona, z odločbo prepove proizvodnjo in prodajo teh izdelkov ter odredi njihovo odstranitev iz proizvodnje in prodaje.

(4) Zdravstveni inšpektorat Republike Slovenije na podlagi ugotovitev NLZOH, da za določeno znamko in vrsto tobaka, tobačnih izdelkov in povezanih izdelkov njihovi proizvajalci in uvozniki ne izpolnjujejo obveznosti poročanja ali obveščanja o izdelkih iz 9., 10., 25., 26. in 28. člena tega zakona, z odločbo prepove prodajo teh izdelkov in odredi njihovo odstranitev iz prodaje.

(5) Na zahtevo Zdravstvenega inšpektorata Republike Slovenije lahko NLZOH opravlja laboratorijska preskušanja tobaka, tobačnih izdelkov in povezanih izdelkov. Pravne in fizične osebe, ki dajejo na trg tobak, tobačne izdelke in povezane izdelke, morajo dati pristojnemu inšpektorju oziroma inšpektorici (v nadaljnjem besedilu: inšpektor) brezplačno na razpolago vzorec takšnega izdelka. Če se z laboratorijskim preskušanjem ugotovi, da odvzeti vzorec v postopku opravljanja nadzora ni v skladu z določbami tega zakona, stroške laboratorijskega preskušanja nosi pravna ali fizična oseba, pri kateri je bil vzorec odvzet.

(6) Inšpektorat Republike Slovenije za delo opravlja nadzor nad:
1. prepovedjo kajenja oziroma uporabe tobaka, tobačnih izdelkov in povezanih izdelkov, razen tobaka za žvečenje in tobaka za njuhanje, v delovnih prostorih iz 39. člena tega zakona;
2. posamezniki, ki ne upoštevajo prepovedi kajenja oziroma uporabe

7. individuals who do not comply with the ban on smoking and/or on use of tobacco, tobacco products and related products, except for chewing tobacco and nasal tobacco, in public places referred to in Article 39 of this Act;
8. conditions to be complied with by smoking rooms in public places referred to in the preceding Article;
9. individuals who in public places do not comply with the prohibition on bringing food or drink into smoking rooms referred to in the preceding Article.

(3) The Health Inspectorate of the Republic of Slovenia shall, on the basis of its own findings or the findings of the NLZOH that tobacco, tobacco products and related products are being manufactured and sold in violation of Articles 7, 8, 11 and 12 of this Act, prohibit by a decision the manufacturing and sale of these products and order their removal from manufacturing and sale.

(4) The Health Inspectorate of the Republic of Slovenia shall, on the basis of the findings of the NLZOH that the manufacturers and importers of a specific brand name and type of tobacco, tobacco products and related products do not comply with the obligation of reporting or notification as regards the products referred to in Articles 9, 10, 25, 26 and 28 of this Act, ban by a decision the sale of these products and order their removal from sale.

(5) At the request of the Health Inspectorate of the Republic of Slovenia, the NLZOH may carry out laboratory testing of tobacco, tobacco products and related products. Legal and natural persons placing on the market tobacco, tobacco products and related products shall make available to the competent inspector a sample of such product free of charge. If laboratory testing establishes that the sample taken within the supervision procedure is not in accordance with the provisions of this Act, the costs of the laboratory testing shall be borne by the legal or natural person from whom the sample was taken.

(6) The Labour Inspectorate of the Republic of Slovenia shall supervise:
1. the ban on smoking and/or on use of tobacco, tobacco products and related products, except for chewing tobacco and nasal tobacco, in the workplaces referred to in Article 39 of this Act;
2. individuals who do not comply with the ban on smoking and/or on use

tobaka, tobačnih izdelkov in povezanih izdelkov, razen tobaka za žvečenje in tobaka za njuhanje, v delovnih prostorih iz 39. člena tega zakona;
3. pogoji, ki jih morajo izpolnjevati kadilnice v delovnih prostorih iz prejšnjega člena;
4. posamezniki, ki v delovnih prostorih ne upoštevajo prepovedi vnosa hrane ali pijače v kadilnice iz prejšnjega člena.

(7) Tržni inšpektorat Republike Slovenije opravlja nadzor nad:

1. pogoji, ki jih morajo izpolnjevati tobak in tobačni izdelki iz 13. do 20. člena tega zakona;
2. prepovedjo dajanja na trg tobaka za oralno uporabo iz 24. člena tega zakona;
3. pogoji, ki jih morajo izpolnjevati elektronske cigarete iz četrtega in petega odstavka 26. člena tega zakona;
4. pogoji, ki jih morajo izpolnjevati zeliščni izdelki za kajenje iz 27. člena tega zakona;
5. prepovedjo sponzoriranja in oglaševanja tobaka, tobačnih izdelkov in povezanih izdelkov iz 29. člena tega zakona;
6. prepovedjo prodaje iz 30. in 31. člena tega zakona;
7. prodajo tobaka, tobačnih izdelkov in povezanih izdelkov brez dovoljenja iz 32. člena tega zakona in vidnostjo dovoljenja v poslovnem prostoru iz tretjega odstavka 34. člena tega zakona.

(8) Finančna uprava Republike Slovenije opravlja nadzor nad pogoji, določenimi v 22. in 23. členu tega zakona, ki jih morajo izpolnjevati tobak in tobačni izdelki, ter prodajo tobaka, tobačnih izdelkov in povezanih izdelkov brez dovoljenja iz 32. člena tega zakona.

(9) Če Tržni inšpektorat Republike Slovenije ugotovi, da se tobak in tobačni izdelki prodajajo in proizvajajo v nasprotju s 13. do 20. členom tega zakona ali brez veljavnega dovoljenja iz 32. člena tega zakona, z odločbo prepove prodajo in proizvodnjo teh izdelkov ter odredi njihovo odstranitev iz proizvodnje in prodaje.

(10) Če Finančna uprava Republike Slovenije ugotovi, da se

of tobacco, tobacco products and related products, except for chewing tobacco and nasal tobacco, in the workplaces referred to in Article 39 of this Act;
3. the conditions to be complied with by smoking rooms in workplaces referred to in the preceding Article;
4. individuals who do not comply with the prohibition on bringing food or drink into smoking rooms in workplaces referred to in the preceding Article.

(7) The Market Inspectorate of the Republic of Slovenia shall supervise:
1. the conditions to be complied with by tobacco and tobacco products referred to in Articles 13 to 20 of this Act;
2. the prohibition on placing on the market tobacco for oral use referred to in Article 24 of this Act;
3. the conditions to be complied with by electronic cigarettes referred to in paragraphs four and five of Article 26 of this Act;
4. the conditions to be complied with by herbal products for smoking referred to in Article 27 of this Act;
5. the prohibition on sponsoring and advertising tobacco, tobacco products and related products referred to in Article 29 of this Act;
6. the ban on sale referred to in Articles 30 and 31 of this Act;
7. the sale of tobacco, tobacco products and related products without the authorisation referred to in Article 32 of this Act and prominent display of the authorisation in the business premises referred to in paragraph three of Article 34 of this Act.

(8) The Financial Administration of the Republic of Slovenia shall supervise the conditions determined in Articles 22 and 23 of this Act that are to be complied with by tobacco and tobacco products, and the sale of tobacco, tobacco products and related products without the authorisation referred to in Article 32 of this Act.

(9) If the Market Inspectorate of the Republic of Slovenia establishes that tobacco and tobacco products are being sold and manufactured in violation of Articles 13 to 20 of this Act or without a valid authorisation referred to in Article 32 of this Act, it shall issue a decision banning the sale and manufacturing of these products and shall order their removal from manufacture and sale.

(10) If the Financial Administration of the Republic of Slovenia

tobak in tobačni izdelki prodajajo in proizvajajo brez identifikacijske oznake ali varnostnega elementa iz 22. oziroma 23. člena tega zakona, z odločbo prepove prodajo in proizvodnjo teh izdelkov ter odredi njihovo odstranitev iz proizvodnje in prodaje.

(11) Zdravstveni inšpektorat Republike Slovenije na podlagi prejetega obvestila iz dvanajstega odstavka 26. člena tega zakona sprejme ustrezne začasne ukrepe za zaščito zdravja ljudi, ki vključujejo prepoved prodaje določenega izdelka ali umik določenega izdelka s trga.

(12) Če pristojni inšpekcijski organ ugotovi, da se elektronske cigarete in zeliščni izdelki prodajajo in proizvajajo v nasprotju s 26. in 27. členom tega zakona ali brez veljavnega dovoljenja iz 32. člena tega zakona, z odločbo prepove prodajo in proizvodnjo teh izdelkov ter odredi njihovo odstranitev iz proizvodnje in prodaje.

(13) Če Tržni inšpektorat Republike Slovenije ugotovi, da se tobak, tobačni izdelki in povezani izdelki sponzorirajo in oglašujejo v nasprotju z 29. členom tega zakona, tako sponzoriranje ali oglaševanje z odločbo prepove. Za izvršitev odločbe odredi takojšnjo odstranitev oglasnega materiala na stroške poslovnega subjekta.

(14) Če pristojni inšpekcijski organ ugotovi, da kadilnica ne izpolnjuje pogojev iz prejšnjega člena, z odločbo prepove uporabo kadilnice do odprave kršitve.

(15) Pristojni inšpektor lahko pri opravljanju nadzora nad prepovedjo prodaje tobaka, tobačnih izdelkov in povezanih izdelkov osebam, mlajšim od 18 let, iz prvega odstavka 30. člena tega zakona sodeluje z osebo, mlajšo od 18 let. Za sodelovanje mladoletne osebe je treba pridobiti predhodno pisno soglasje njenih staršev oziroma skrbnikov.

(16) Policija ter občinsko redarstvo opravljata nadzor nad prepovedjo kajenja v vseh vozilih ob prisotnosti oseb, mlajših od 18 let, iz prvega odstavka 39. člena tega zakona.

establishes that tobacco and tobacco products are sold and manufactured without the identification mark or security feature referred to in Articles 22 and/or 23 of this Act, it shall issue a decision prohibiting the sale and manufacture of these products and shall order their removal from manufacture and sale.

(11) The Health Inspectorate of the Republic of Slovenia shall, on the basis of the notification referred to in paragraph twelve of Article 26 of this Act, take provisional measures to protect human health, which include the ban on sale of the specific product or the withdrawal of the specific product from the market.

(12) If the competent inspection authority establishes that electronic cigarettes and herbal products are being sold and manufactured in violation of Articles 26 and 27 of this Act or without a valid authorisation referred to in Article 32 of this Act, it shall issue a decision banning the sale and manufacture of these products and ordering their removal from production and sale.

(13) If the Market Inspectorate of the Republic of Slovenia establishes that tobacco, tobacco products and related products are being sponsored and advertised in violation of Article 29 of this Act, it shall issue a decision prohibiting such sponsorship and advertising. In order to execute the decision, it shall order the immediate removal of the advertising material at the expense of business entity.

(14) If the competent inspection authority establishes that a smoking room does not comply with the conditions referred to in the preceding Article, it shall issue a decision prohibiting the use of the smoking room until the violation is remedied.

(15) The competent inspector may cooperate with a person under 18 years of age when supervising the ban on sale of tobacco, tobacco products and related products to persons under 18 years of age referred to in paragraph one of Article 30 of this Act. For the participation of a minor, the prior written consent of his or her parents and/or guardians shall be obtained.

(16) The police and the municipal warden service shall supervise the ban on smoking in all vehicles in the presence of persons under 18 years of age referred to in paragraph one of Article 39 of this

Act.

IX. KAZENSKE DOLOČBE

42. člen
(kršitve)

(1) Z globo od 4.000 do 33.000 eurov se kaznuje za prekršek pravna oseba:

1. če daje na trg ali proizvaja cigarete, ki vsebujejo večje vsebnosti katrana, nikotina in ogljikovega monoksida, kot je določeno v 7. členu tega zakona;
2. če daje na trg tobačne izdelke, za katere ni izpolnjena obveznost poročanja o sestavinah in emisijah teh izdelkov (9. in 10. člen);
3. če daje na trg tobačne izdelke z značilno aromo (11. člen) ali z dodatki iz prvega in tretjega odstavka 12. člena tega zakona ali če daje na trg tobačne izdelke, ki vsebujejo aromatične snovi v kateri koli od njihovih komponent (drugi odstavek 12. člena);
4. če daje na trg tobačne izdelke in brezdimne tobačne izdelke, ki ne izpolnjujejo pogojev glede označevanja, embalaže, splošnih opozoril, informativnih sporočil in sestavljenih zdravstvenih opozoril (13., 14., 15. in 16. člen);
5. če daje na trg tobačne izdelke, katerih označevanje ali zunanja embalaža sta v nasprotju z določbami 17. člena tega zakona;
6. če daje na trg cigaretne zavojčke in zunanjo embalažo cigaret, katerih videz in vsebina nasprotujeta določbam 18. člena tega zakona;
7. če daje na trg zavojčke tobaka za zvijanje in zunanjo embalažo tobaka za zvijanje, katerih videz in vsebina nasprotujeta določbam 19. člena tega zakona;
8. če daje na trg cigarete, katerih videz nasprotuje določbam 20. člena tega zakona;
9. če ne omogoča takojšnje dostopnosti do posebne identifikacijske oznake (četrti odstavek 22. člena);
10. če ne evidentira vnosa vseh zavojčkov ter vmesnih gibanj in končnega iznosa zavojčkov iz svoje posesti na način, ki omogoča enoznačno in nedvoumno prepoznavanje ter sledenje vseh zavojčkov

IX. PENALTY PROVISIONS

Article 42
(Violations)

(1) Legal person shall be fined from EUR 4,000 to EUR 33,000 for the offences of:

1. placing on the market or manufacturing cigarettes containing emission levels of tar, nicotine and carbon monoxide exceeding those determined in Article 7 of this Act;
2. placing on the market tobacco products, which do not comply with the obligation to report the ingredients and emissions of such products (Articles 9 and 10);
3. placing on the market tobacco products with a characterising flavour (Article 11) or additives referred to in paragraphs one and three of Article 12 of this Act, or placing on the market tobacco products containing flavourings in any of their components (paragraph two of Article 12);
4. placing on the market tobacco products and smokeless tobacco products, which do not comply with the conditions regarding labelling, packaging, general warnings, information messages and combined health warnings (Articles 13, 14, 15 and 16);
5. placing on the market tobacco products whose labelling or outside packaging do not comply with the provisions of Article 17 of this Act;
6. placing on the market unit packets of cigarettes and the outside packaging of cigarettes whose appearance and content do not comply with the provisions of Article 18 of this Act;
7. placing on the market unit packets of roll-your-own tobacco and the outside packaging of roll-your-own tobacco whose appearance and content do not comply with the provisions of Article 19 of this Act;
8. placing on the market cigarettes whose appearance does not comply with the provisions of Article 20 of this Act;
9. failing to provide immediate access to a unique identifier (paragraph four of Article 22);
10. failing to record the entry of all unit packets, as well as intermediate movements and the final exit of unit packets from their possession, in a manner enabling the unambiguous identification and tracking of all

(peti odstavek 22. člena);

11. če ne vodi evidenc vseh opravljenih transakcij (šesti odstavek 22. člena);
12. če gospodarskim subjektom, vključenim v trgovino s tobačnimi izdelki od proizvajalca do zadnjega gospodarskega subjekta pred prvo prodajo na prodajnem mestu, vključno z uvozniki, skladišči in prevoznimi podjetji, ne predloži opreme za evidentiranje tobačnih izdelkov ali če predložena oprema ne omogoča elektronskega odčitavanja in nedvoumnega prepoznavanja ter sledenja vseh zavojčkov (sedmi odstavek 22. člena);
13. če spreminja ali briše evidentirane podatke ali jih ne hrani ustrezno za izvajanje učinkovitega nadzora nad tem zakonom (deveti odstavek 22. člena);
14. če daje na trg tobačne izdelke brez identifikacijske oznake ali brez varnostnega elementa, če identifikacijska oznaka ni celovita ali če varnostni element ne izpolnjuje zahtevanih tehničnih standardov (prvi do tretji odstavek 22. člena in 23. člen);
15. če daje na trg tobak za oralno uporabo (24. člen);
16. če ne obvesti NLZOH o novih tobačnih izdelkih najkasneje v šestih mesecih pred nameravanim dajanjem na trg (25. člen);
17. če daje na trg elektronske cigarete v nasprotju s 26. členom tega zakona;
18. če proizvajalec, uvoznik in distributer elektronskih cigaret ne izpolnjuje obveznosti iz devetega, desetega in enajstega odstavka 26. člena tega zakona;
19. če daje na trg zeliščni izdelek za kajenje v nasprotju s 27. členom tega zakona;
20. če ne poroča o sestavinah zeliščnih izdelkov za kajenje v skladu z 28. členom tega zakona;
21. če donira ali sponzorira dogodek, dejavnosti ali posameznika ter posredno ali neposredno oglašuje in promovira tobačne izdelke in povezane izdelke (29. člen);
22. če prikazuje ali uporablja tobak, tobačne izdelke in povezane izdelke na televiziji ter v okviru javnih nastopov (sedmi odstavek 29. člena);
23. če prodaja tobak, tobačne izdelke in povezane izdelke osebam, mlajšim od 18 let, ali če prepovedi prodaje v predpisani velikosti ne objavi na vidnem mestu ali če prodaja tobačne izdelke oseba, mlajša od 18 let (prvi in drugi odstavek 30. člena);
24. če daje na trg tobak, tobačne izdelke in povezane izdelke v nasprotju

unit packets (paragraph five of Article 22);

11. failing to keep records of all relevant transactions (paragraph six of Article 22);
12. failing to provide to economic operators involved in the trade of tobacco products, from the manufacturer to the last economic operator prior the first retail outlet, including importers, warehouses and transporting companies, the equipment necessary for the recording of tobacco products or if the equipment provided does not enable the electronic reading and unambiguous identification and tracking of all unit packets (paragraph seven of Article 22);
13. modifying or deleting recorded data or failing to properly keep such data for the purpose of effective supervision over the implementation of this Act (paragraph nine of Article 22);
14. placing on the market tobacco products without an identification mark or without a security feature, the identification mark not being complete or a security feature not being compliant with the required technical standards (paragraphs one to three of Article 22 and Article 23);
15. placing on the market tobacco for oral use (Article 24);
16. failing to notify the NLZOH of novel tobacco products six months prior the intended placing on the market at the latest (Article 25);
17. placing on the market electronic cigarettes in violation of Article 26 of this Act;
18. for manufacturers, importers and distributers of electronic cigarettes, failing to comply with the obligations referred to in paragraphs nine, ten and eleven of Article 26 of this Act;
19. placing on the market herbal products for smoking in violation of Article 27 of this Act;
20. failing to report the ingredients of herbal products for smoking in accordance with Article 28 of this Act;
21. donating or sponsoring an event or activity or individual, as well as any direct or indirect advertising and promotion of tobacco products and related products (Article 29);
22. displaying or using tobacco, tobacco products and related products on television and within the context of public appearances (paragraph seven of Article 29);
23. selling tobacco, tobacco products and related products to persons under 18 years of age, or failing to display ban on sale in the prescribed size, or selling the tobacco products by a person under 18 years of age (paragraphs one and two of Article 30);
24. placing on the market tobacco, tobacco products and related

s tretjim odstavkom 30. člena tega zakona;
25. če daje na trg tobak, tobačne izdelke in povezane izdelke zunaj izvirne embalaže proizvajalca (četrti odstavek 30. člena);

26. če daje na trg ali čezmejno prodaja na daljavo tobak, tobačne izdelke in povezane izdelke prek interneta, telekomunikacij in druge razvijajoče se tehnologije (peti odstavek 30. člena);

27. če daje na trg ali čezmejno prodaja na daljavo sladkarije, prigrizke, igrače ali druge predmete v obliki tobačnih izdelkov (šesti odstavek 30. člena);
28. če na prodajnem mestu vidno ne razstavi dovoljenja za prodajo tobaka, tobačnih izdelkov in povezanih izdelkov (tretji odstavek 34. člena);
29. če ne zagotovi spoštovanja prepovedi kajenja oziroma uporabe tobaka, tobačnih izdelkov in povezanih izdelkov, razen tobaka za žvečenje in tobaka za njuhanje, v zaprtih javnih in delovnih prostorih (39. člen);
30. če kadilnice ne ustrezajo pogojem iz 40. člena tega zakona.

(2) Z globo od 800 do 2.000 eurov se za prekršek iz prejšnjega odstavka kaznuje odgovorna oseba pravne osebe, odgovorna oseba posameznika, ki samostojno opravlja dejavnost in odgovorna oseba samostojnega podjetnika posameznika.

(3) Z globo od 1.600 do 8.000 eurov se za prekršek iz prvega odstavka tega člena kaznuje samostojni podjetnik posameznik in posameznik, ki samostojno opravlja dejavnost.

(4) Za prekrške iz 1., 3., 4. do 8., 15., 17. in 19. točke prvega odstavka tega člena se poleg globe izreče tudi obvezni odvzem tobaka, tobačnih izdelkov in povezanih izdelkov, ki so predmet prekrška.

(5) Z globo 50.000 eurov se kaznuje pravna oseba in samostojni podjetnik posameznik, ki prodaja tobačne izdelke in povezane izdelke brez dovoljenja.

(6) Z globo 5.000 eurov se kaznuje odgovorna oseba pravne osebe in odgovorna oseba samostojnega podjetnika posameznika, ki

products in violation of paragraph three of Article 30 of this Act;
25. placing on the market tobacco, tobacco products and related products that are not in the manufacturer's original packaging (paragraph four of Article 30);
26. placing on the market or the cross-border distance selling of tobacco, tobacco products and related products via the internet, telecommunications or any other emerging technology (paragraph five of Article 30);
27. placing on the market or cross-border distance selling of candy, snacks, toys or other objects in the shape of tobacco products (paragraph six of Article 30);
28. failing to prominently display on business premises the authorisation for the sale of tobacco, tobacco products and related products (paragraph three of Article 34);
29. failing to ensure the ban on smoking and/or on use of tobacco, tobacco products and related products, except for chewing tobacco and nasal tobacco, in enclosed public places and workplaces (Article 39);
30. smoking rooms failing to comply with the conditions referred to in Article 40 of this Act.

(2) The responsible person of a legal person, of an individual who performs independent activities and of a sole trader shall be fined from EUR 800 to EUR 2,000 for the minor offence referred to in the preceding paragraph.

(3) Sole trader and individual who performs independent activities shall be fined from EUR 1,600 to EUR 8,000 for the minor offence referred to in paragraph one of this Article.

(4) For the minor offences referred to in points 1, 3, 4 to 8, 15, 17 and 19 of paragraph one of this Article, the compulsory confiscation of the tobacco, tobacco products and related products that are subject of the minor offense shall be imposed in addition to a fine.

(5) Legal person and sole trader that sell tobacco products and related products without authorisation shall be fined EUR 50,000.

(6) The responsible person of a legal person or of a sole trader that sells tobacco products and related products without authorisation

prodaja tobačne izdelke in povezane izdelke brez dovoljenja.

43. člen
(kršitve posameznikov)

(1) Z globo 125 eurov se kaznuje posameznik:
- če z namenom oglaševanja in promocije brezplačno ponuja tobak, tobačne izdelke in povezane izdelke na javnem mestu in v javnih prostorih (tretji odstavek 29. člena);
- če kadi oziroma uporablja tobak, tobačne izdelke in povezane izdelke v javnih in delovnih prostorih, kjer je to prepovedano (39. člen);
- če v kadilnice vnaša hrano ali pijačo (prvi odstavek 40. člena).

(2) Z globo 250 eurov se kaznuje posameznik, če kadi oziroma uporablja tobak, tobačne izdelke in povezane izdelke, razen tobaka za žvečenje in tobaka za njuhanje, v vseh vozilih v navzočnosti oseb, mlajših od 18 let (39. člen).

X. PREHODNE IN KONČNA DOLOČBA

44. člen
(prehodne določbe)

Ne glede na določbe tega zakona je do 20. maja 2017 na trg dovoljeno dajanje naslednjih izdelkov:
- tobačnih izdelkov, ki so bili proizvedeni ali dani v prosti promet in označeni v skladu z Zakonom o omejevanju uporabe tobačnih izdelkov (Uradni list RS, št. 57/96, 119/02, 26/03 – uradno prečiščeno besedilo, 101/05, 17/06 – uradno prečiščeno besedilo, 60/07 in 93/07 – uradno prečiščeno besedilo) pred uveljavitvijo tega zakona;
- elektronskih cigaret ali posodic za ponovno polnjenje, ki so bile proizvedene ali dane v prosti promet pred uveljavitvijo tega zakona;
- zeliščnih izdelkov za kajenje, ki so bili proizvedeni ali dani v prosti promet pred uveljavitvijo tega zakona.

shall be fined EUR 5,000.

Article 43
(Violations by individuals)

(1) An individual shall be fined EUR 125 for:
- offering, free of charge, tobacco, tobacco products and related products at public places and in public spaces for the purpose of advertising and promotion (paragraph three of Article 29);
- smoking and/or using tobacco, tobacco products and related products in public places and workplaces, where prohibited (Article 39);
- bringing food or drink into a smoking room (paragraph one of Article 40).

(2) An individual shall be fined EUR 250 for smoking and/or using tobacco, tobacco products and related products, except for chewing tobacco and nasal tobacco, in all vehicles in the presence of persons under 18 years of age (Article 39).

X. TRANSITIONAL AND FINAL PROVISIONS

Article 44
(Transitional provisions)

Notwithstanding the provisions of this Act, the following products may be placed on the market until 20 May 2017:
- tobacco products manufactured or placed into free circulation and labelled in accordance with the Restriction on the Use of Tobacco Products Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 57/96, 119/02, 26/03 – official consolidated text, 101/05, 17/06 – official consolidated text, 60/07 and 93/07 – official consolidated text) prior to the entry into force of this Act;
- electronic cigarettes or refill containers manufactured or placed into free circulation prior to the entry into force of this Act;
- herbal products for smoking manufactured or placed into free circulation prior to the entry into force of this Act.

45. člen
(uskladitev ravnanj)

(1) V zvezi z izdelki, ki so že dani na trg, se podatki iz 9., 25. in 28. člena tega zakona zagotovijo v šestih mesecih od uveljavitve tega zakona.

(2) V zvezi z izdelki, ki so že dani na trg, se podatki iz drugega odstavka 26. člena tega zakona zagotovijo v šestih mesecih od uveljavitve tega zakona.

(3) Prodajalci tobaka, tobačnih izdelkov in povezanih izdelkov zagotovijo izvajanje prepovedi oglaševanja iz prvega odstavka 29. člena tega zakona v in na poslovnih prostorih gospodarskih družb, ki se ukvarjajo s proizvodnjo, distribucijo in prodajo tobačnih izdelkov na debelo ter na zunanjih in notranjih izveskih prodajaln tobačnih izdelkov, v treh mesecih od uveljavitve tega zakona.

(4) Prodajalci tobaka, tobačnih izdelkov in povezanih izdelkov pogoje glede vidnosti in dostopnosti navedenih izdelkov iz drugega odstavka 29. člena tega zakona izpolnijo v dvanajstih mesecih od uveljavitve tega zakona.

46. člen
(vzpostavitev sistema izdaje dovoljenj za prodajo tobaka, tobačnih izdelkov in povezanih izdelkov)

(1) Informacijska podpora za vzpostavitev sistema izdaje dovoljenja za prodajo tobaka, tobačnih izdelkov in povezanih izdelkov se vzpostavi v osmih mesecih od uveljavitve tega zakona.

(2) Prodajalci tobaka, tobačnih izdelkov in povezanih izdelkov za izdajo dovoljenja iz 32. člena tega zakona zaprosijo najpozneje v 14 mesecih od uveljavitve tega zakona. Navedene izdelke lahko brez dovoljenja prodajajo še 20 mesecev od uveljavitve tega zakona pod pogojem, da so za dovoljenje zaprosili v navedenem roku.

Article 45
(Harmonisation of practices)

(1) As regards the products already placed on the market, the information referred to in Articles 9, 25 and 28 of this Act shall be ensured within six months of the entry into force of this Act.

(2) As regards the products already placed on the market, the information referred to in paragraph two of Articles 26 of this Act shall be ensured within six months of the entry into force of this Act.

(3) Sellers of tobacco, tobacco products and related products shall ensure the implementation of the prohibition on advertising referred to in paragraph one of Article 29 of this Act in and on the business premises of companies engaged in the manufacture, distribution and wholesale of tobacco products and on the external and internal signboards of retail outlets of tobacco products within three months of the entry into force of this Act.

(4) Sellers of tobacco, tobacco products and related products shall comply with the conditions regarding the visibility and accessibility of the products referred to in paragraph two of Article 29 of this Act within twelve months of the entry into force of this Act.

Article 46
(Establishment of the system for issuing authorisations for the sale of tobacco, tobacco products and related products)

(1) Information support for the system for issuing authorisations for the sale of tobacco, tobacco products and related products shall be established within eight months of the entry into force of this Act.

(2) Sellers of tobacco, tobacco products and related products shall apply for the authorisation referred to in Article 32 of this Act within 14 months of the entry into force of this Act. The specified products may be sold without authorisation for 20 months from the entry into force of this Act, provided that authorisation has been applied for within the specified period.

47. člen
(prenehanje veljavnosti)

(1) Z dnem uveljavitve tega zakona prenehajo veljati:

- Zakon o omejevanju uporabe tobačnih izdelkov (Uradni list RS, št. 57/96, 119/02, 26/03 – uradno prečiščeno besedilo, 101/05, 17/06 – uradno prečiščeno besedilo, 60/07 in 93/07 – uradno prečiščeno besedilo);
- Pravilnik o pogojih, ki jih mora izpolnjevati kadilnica (Uradni list RS, št. 80/07 in 90/10);
- Pravilnik o delovanju svetovalnega telefona za opuščanje kajenja (Uradni list RS, št. 80/07);
- Pravilnik o rokih in načinu obveščanja iz pristojnosti Inštituta za varovanje zdravja Republike Slovenije v zvezi z meritvami vsebnosti in sestavinami tobačnih izdelkov (Uradni list RS, št. 62/03 in 35/06);
- Pravilnik o pogojih, ki jih mora izpolnjevati laboratorij za izvajanje meritev (Uradni list RS, št. 62/03 in 35/06).

(2) Ne glede na prejšnji odstavek se predpisi iz druge, tretje, četrte in pete alineje uporabljajo do uveljavitve podzakonskih predpisov, izdanih na podlagi tega zakona.

48. člen
(podzakonski predpisi)

(1) Vlada Republike Slovenije sprejme strategijo iz prvega odstavka 4. člena tega zakona najpozneje v enem letu od uveljavitve tega zakona.

(2) Minister izda predpise iz petega odstavka 8. člena, enajstega odstavka 9. člena, sedmega odstavka 10. člena, osmega

Article 47
(End of validity)

(1) On the day this Act enters into force, the following Acts and regulations shall cease to be in force:
- Restriction on Use of Tobacco Products Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 57/96, 119/02, 26/03 – official consolidated text, 101/05, 17/06 – official consolidated text, 60/07 and 93/07 – official consolidated text);
- Rules on the conditions to be complied with by smoking room (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 80/07 and 90/10);
- Rules on the operation of the advisory telephone line for smoking cessation (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 80/07);
- Rules on the time limits and methods of communication within the competence of Institute for Health Protection of the Republic of Slovenia concerning measurements of the content and ingredients of tobacco products (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 62/03 and 35/06);
- Rules on the conditions to be complied with by the laboratory carrying out measurements (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 62/03 and 35/06).

(2) Notwithstanding the preceding paragraph, the regulations referred to in the indents two, three, four and five shall apply until the entry into force of the implementing regulations issued pursuant to this Act.

Article 48
(Implementing regulations)

(1) The Government of the Republic of Slovenia shall adopt the strategy referred to in paragraph one of Article 4 of this Act within one year of the entry into force of this Act.

(2) The Minister shall issue the regulations referred to in paragraph five of Article 8, paragraph eleven of Article 9, paragraph

odstavka 14. člena, tretjega odstavka 15. člena, petega odstavka 18. člena, osmega odstavka 19. člena, drugega odstavka 20. člena, enajstega odstavka 22. člena, tretjega odstavka 23. člena, tretjega odstavka 25. člena, štirinajstega odstavka 26. člena, tretjega odstavka 28. člena, četrtega odstavka 34. člena in drugega odstavka 40. člena tega zakona najpozneje v šestih mesecih od uveljavitve tega zakona.

49. člen
(ustanovitev koordinacijske skupine)

Minister ustanovi koordinacijsko skupino iz prvega odstavka 4. člena tega zakona najpozneje v šestih mesecih od uveljavitve tega zakona.

50. člen
(začetek uporabe)

(1) Prepoved iz prvega odstavka 11. člena tega zakona se za tobačne izdelke, ki imajo značilno aromo in obseg njihove prodaje predstavlja 3 odstotke ali več v posamezni kategoriji izdelkov EU, začne uporabljati 20. maja 2020.

(2) Določba 4. točke prvega odstavka 15. člena tega zakona se začne uporabljati 20. maja 2019. Do uveljavitve te določbe je na zavojčkih iz kartona sestavljeno zdravstveno opozorilo, ki se natisne na zadnji površini, neposredno pod davčno znamko. Pri zavojčkih, narejenih iz mehkega materiala, se odobri pravokotna površina, namenjena za davčno znamko, katere višina ne presega 13 mm med gornjim robom zavojčka in gornjim robom sestavljenih zdravstvenih opozoril.

(3) Določbe 18., 19. in 20. člena tega zakona, ki določajo barvo in odtenek, ki se lahko uporabi za embalažo tobačnih izdelkov in posameznih cigaret, ter določbe, ki določajo pravila za navajanje znamke, imena in vrste tobačnih izdelkov, podatkov o proizvajalcu in številu cigaret oziroma masi tobaka za zvijanje, črtni kodi, drugi identifikacijski oznaki ali varnostnem elementu na embalaži se začnejo uporabljati 1. januarja 2020.

seven of Article 10, paragraph eight of Article 14, paragraph three of Article 15, paragraph five of Article 18, paragraph eight of Article 19, paragraph two of Article 20, paragraph eleven of Article 22, paragraph three of Article 23, paragraph three of Article 25, paragraph fourteen of Article 26, paragraph three of Article 28, paragraph four of Article 34 and paragraph two of Article 40 of this Act within six months of the entry into force of this Act.

Article 49
(Formation of the coordination group)

The Minister shall form the coordination group referred to in paragraph one of Article 4 of this Act within six months of the entry into force of this Act.

Article 50
(Date of application)

(1) The prohibition referred to in paragraph one of Article 11 of this Act shall apply as of 20 May 2020 to tobacco products that have a characterising flavour and whose volume of sales represents three percent or more in an individual category of EU products.

(2) The provision of point 4 of paragraph one of Article 15 of this Act shall apply as of 20 May 2019. Until the entry into force of this provision, unit packets of carton shall have a combined health warning printed on the back surface, immediately below the tax stamp. For unit packets of soft material, a rectangular surface intended for the tax stamp, not exceeding 13 mm in height between the upper edge of the unit packet and the upper edge of the combined health warnings shall be approved.

(3) The provisions of Articles 18, 19 and 20 of this Act that determine the colour and shade that can be used for the packaging of tobacco products and individual cigarettes, and the provisions determining the rules for indicating the brand, name and type of tobacco products, the manufacturer's information and the number of cigarettes and/or weight of roll-your-own tobacco, the barcode, the other identification mark or security element on the packaging shall apply as of 1 January 2020.

(4) Določbe 22. in 23. člena tega zakona se za cigarete in tobak za zvijanje začnejo uporabljati 20. maja 2019, za druge tobačne izdelke pa 20. maja 2024.

51. člen
(začetek veljavnosti)

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije.

(4) The provisions of Articles 22 and 23 of this Act shall apply to cigarettes and roll-your-own tobacco as of 20 May 2019 and to other tobacco products as of 20 May 2024.

Article 51
(Entry into force)

This Act shall enter into force on the fifteenth day following its publication in the Official Gazette of the Republic of Slovenia.