

Opozorilo: Besedilo osnovnega predpisa

**ZAKON
O SLADKOVODNEM RIBIŠTVU (ZSRib)**

I. SPLOŠNE DOLOČBE

**1. člen
(vsebina zakona)**

(1) Ta zakon ureja sladkovodno ribištvo kot upravljanje ribolovnih virov v celinskih vodah.

(2) Ta zakon vsebinsko povzema Direktivo Sveta 92/43/EGS z dne 21. maja 1992 o ohranjanju naravnih habitatnih tipov ter prostoživečih živalskih in rastlinskih vrst (UL L št. 206 z dne 22. 7. 1992, str. 7, z vsemi spremembami).

**2. člen
(ribolovni viri)**

Ribolovni viri so vodni organizmi: prostoživeče ribe in druge vodne živali, ki so predmet upravljanja ribolovnih virov (v nadaljnjem besedilu: ribe).

3. člen

Disclaimer: All of the translations contained on this website are unofficial. Only the original Slovene texts of the laws and regulations have legal effect, and the translations are to be used solely as reference materials to aid in the understanding of Slovene laws and regulations. The Government of the Republic of Slovenia is not responsible for the accuracy, reliability or currency of the translations provided on this website, or for any consequence resulting from the use of information on this website. For all purposes of interpreting and applying law to any legal issue or dispute, users should consult the original Slovene texts published in the Official Gazette of the Republic of Slovenia.

**FRESHWATER FISHERIES ACT
(ZSRib)**

I. GENERAL PROVISIONS

**Article 1
(Subject of the Act)**

(1) This Act shall regulate freshwater fisheries as the management of fishery resources in inland waters.

(2) This Act transposes the contents of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.6.1992, p. 7, including all amendments).

**Article 2
(Fishery resources)**

Fisheries resources shall mean water organisms: wild fish and other aquatic animals subject to the management of fisheries resources (hereinafter: fish).

Article 3

(upravljanje rib)

Upravljanje rib obsega: načrtovanje na področju upravljanja rib, določitev prostorskih enot, določanje pravil za trajnostno rabo rib, naloge v zvezi z ohranjanjem ugodnega stanja rib in doseganja dobrega ekološkega stanja, podeljevanje koncesij za ribiško upravljanje v ribiških okoliših, ribolov v komercialnih ribnikih, gojitev rib, evidence v sladkovodnem ribištvu in poročanje, strokovno usposabljanje delavcev izvajalcev ribiškega upravljanja, škode in odškodnine zaradi pogina rib, ribiškočuvajsko službo, javne službe ter druga, s sladkovodnim ribištvom (v nadaljnjem besedilu: ribištvu) povezana vprašanja.

4. člen (ribiško upravljanje)

Ribiško upravljanje obsega: programiranje, izvajanje ukrepov za ohranjanje ugodnega stanja rib, trajnostno rabo rib, vodenje predpisanih evidenc in poročanje, strokovno usposabljanje ribičk oziroma ribičev (v nadaljnjem besedilu: ribič), izvajanje nadzornih nalog ribiškočuvajske službe, izvajanje nalog in aktivnosti ob poginih rib ter druge, za ribiško upravljanje pomembne naloge.

5. člen (cilji zakona)

(1) Cilji tega zakona so zlasti:

1. celostno načrtovanje in upravljanje rib na teritorialno zaokroženih območjih;
2. omogočanje trajnostne rabe rib in etike ribolova;
3. načrtovanje, pospeševanje in nadzor gojitve rib za poribljavanje voda.

(2) Cilji tega zakona so tudi prispevati k:

1. ohranjanju in varovanju naravnih populacij rib, njihove vrstne pestrosti, starostne strukture in številčnosti;
2. varstvu ogroženih ribjih vrst in njihovih združb;
3. preprečevanju vnosa tujerodnih ribjih vrst v celinske vode in

(Fish management)

Fish management shall include: planning in the field of fish management, defining territorial units, setting the rules for sustainable use of fish, tasks related to the preservation of a favourable status of fish and the attainment of a sound ecological status, granting concessions for fisheries management in fishery regions, fishing in commercial ponds, fish breeding, records of freshwater fisheries and reporting, professional training of employees of fisheries management providers, damage and compensation due to fish mortality, fisheries keeper services, public services and other freshwater fisheries (hereinafter: fisheries) related matters.

Article 4 (Fisheries management)

Fisheries management shall encompass: programming, implementation of measures to preserve a favourable status of fish, sustainable use of fish, keeping prescribed records and reporting, professional training of fishermen, performing supervisory tasks of fisheries keeper services, performing tasks and activities in the event of fish mortality and other tasks relevant for fisheries management.

Article 5 (Aims)

(1) The aims of this Act are:

1. to integrate fish planning and management in territorially continuous areas;
2. establish and maintain sustainable use of fish and ensure the observation of the ethics of fishing;
3. the planning, promotion and supervision of fish farming for the purposes of fish restocking.

(2) This Act also aims to contribute to:

1. the preservation and protection of natural populations of fish, their species diversity, age structure and abundance;
2. protection of endangered fish species and their communities;
3. prevention of the introduction of non-indigenous fish species in inland

- njihovega širjenja;
4. varovanju in ohranjanju narave salmonidnih in ciprinidnih voda.

6. člen (pomen izrazov)

V tem zakonu uporabljeni izrazi imajo naslednji pomen:

1. celinske vode so celinske vode po predpisih o vodah;
2. dnevni uplen je dovoljeni uplen ribiča v enem ribolovnem dnevu;
3. domorodna vrsta je vrsta po predpisih o ohranjanju narave;
4. drstišče je vodni prostor, ki zaradi posebnih hidromorfoloških lastnosti omogoča razmnoževanje posameznih ribjih vrst;
5. drstna doba je obdobje, v katerem se ribe razmnožujejo, in je vrstno specifična;
6. genski material rib je nadzorovana populacija rib v naravi ali gojena populacija rib v ribogojnih objektih in je namenjen ohranjanju vrst ali njihovih genskih skladov;
7. gojitev rib je gojitev po tem zakonu in predpisih o ohranjanju narave ter se izvaja v ribogojnem objektu;
8. intervencijski odlov rib je odlov rib z uporabo elektrike z območja, na katerem se načrtujejo različni posegi, ki bi lahko povzročili škodo na ribah, in odlov pri reševanju rib;
9. informacijski sistem ribištva je računalniško podprt informacijski sistem za zbiranje, obdelavo in prikaz podatkov ter informacij v zvezi z opravljanjem vseh dejavnosti, ki jih ureja ta zakon;
10. izločene vode so vode, izločene iz ribiških okolišev kot komercialni ribniki, in vode posebnega pomena;
11. najmanjša lovna mera je s predpisom določena najmanjša velikost ribe, ki jo sme ribič upleniti, in je določena za vsako lovno ribjo vrsto posebej;

- waters and their spread;
4. protection and preservation of nature in salmonid and cyprinid waters.

Article 6 (Definitions)

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

1. inland waters shall mean inland waters as defined by water regulations;
2. daily catch limit shall mean the amount of fish a fisherman is permitted to catch within one fishing day;
3. an indigenous species shall mean a species under nature conservation regulations;
4. spawning ground shall mean an area of water where fish reproduction is enabled due to particular hydromorphological conditions;
5. a spawning period shall mean a species-specific period within which fish reproduce;
6. genetic material of fish shall mean a controlled population of fish in nature or a population of fish raised in aquaculture facilities which purpose is preservation of species or their genetic pools;
7. fish breeding shall mean fish breeding pursuant to this Act and nature conservation regulations; it shall be carried out in aquaculture facilities;
8. intervention fish capture shall mean capture of fish by using electricity in areas where various activities are planned that could result in damage to fish stock and fish capture for the purposes of rescuing fish;
9. fisheries information system shall mean a computer-supported information system for collecting, processing and presentation of data and information relating to the performance of all activities regulated by this Act;
10. exempted waters shall mean waters excluded from fishery regions, such as commercial fish ponds and waters of particular interest;
11. minimum catch size shall mean the minimum length of fish a fishermen is permitted to catch, defined by a regulation specifically for each fish species;

12. poribljavanje je doseljevanje rib po predpisih o ohranjanju narave in se izvaja z vlaganjem rib v vode z namenom ohranjanja optimalne strukture in velikosti ribjih populacij;
13. prenos rib je poribljavanje, pri katerem so ribe preseljene iz ene vode v drugo;
14. rezervat za plemenke je revir, namenjen pridobivanju spolnih produktov za gojitev domorodnih ribjih vrst;
15. rezervat za genetski material je revir, namenjen ohranjanju genetsko čistih populacij domorodnih ribjih vrst;
16. ribič je fizična oseba, ki lovi ribe;
17. ribiški kataster je evidenca ribiških območij, okolišev in revirjev po določbah tega zakona;
18. ribogojni objekt (v nadaljnjem besedilu: ribogojnica) je objekt, zgrajen v skladu s predpisi o graditvi objektov, voda, ohranjanju narave in veterinarstvu, ki ga je mogoče nadzorovano napolniti z vodo, izprazniti in je namenjen gojitvi rib;
19. ribolovna dovolilnica je dovoljenje za ribolov;
20. tujerodna vrsta je vrsta po predpisih o ohranjanju narave;
21. varstvena doba je čas, v katerem je določeno ribjo vrsto prepovedano loviti;
22. vode posebnega pomena so z vidika varstva rib nekateri od najbolj ohranjenih in značilnih vodnih ekosistemov, v katerih je ribiško upravljanje pod neposrednim nadzorom države in ki so določene s predpisom, izdanim na podlagi 50. člena tega zakona.

7. člen (posebno varstvo države)

(1) Ribe v celinskih vodah so naravni vir pod posebnim varstvom države skladno s predpisi.

(2) Upravljanje rib je v pristojnosti države.

12. fish restocking shall mean the introduction of fish pursuant to regulations governing nature conservation; it shall be carried out by releasing fish into waters with the intention to preserve the optimal structure and size of fish populations.
13. fish transfer shall mean fish restocking in which fish are transferred from one water body into another;
14. a broodstock reserve shall mean a fishery district intended for obtaining fish eggs or sperm for breeding of indigenous fish species;
15. a genetic material reserve shall mean a fishery district intended for the preservation of genetically intact populations of indigenous fish species;
16. a fisherman shall mean a natural person who catches fish;
17. fisheries cadastre shall mean a register of fisheries areas, regions and districts pursuant to the provisions of this Act;
18. an aquaculture facility (hereinafter: fish farm) shall mean a facility intended for fish breeding, constructed pursuant to regulations governing construction, waters, nature conservation and veterinary practice that can be filled with water and emptied under controlled conditions.
19. a fishing permit shall mean a document that provides a person permission to fish;
20. a non-indigenous fish species shall mean a species pursuant to nature conservation regulations;
21. a protection period shall mean a period during which it shall be prohibited to catch a certain fish species;
22. waters of particular interest shall mean some of the most preserved and characteristic water ecosystems from the perspective of fish protection, in which fisheries management is under direct supervision of the state and which are defined by a regulation issued pursuant to Article 50 of this Act.

Article 7 (Special state protection)

(1) Fish inhabiting inland waters are a natural resource under a special state protection pursuant to regulations.

(2) Fish management shall fall within the competence of the State.

(3) Ribje vrste, ki so predmet ribolova, predpiše Vlada Republike Slovenije (v nadaljnjem besedilu: vlada).

(4) Država lahko s koncesijo prenese določene naloge ribiškega upravljanja v ribiškem okolju na pravno ali fizično osebo (v nadaljnjem besedilu: izvajalec ribiškega upravljanja), če izpolnjuje s tem zakonom predpisane pogoje.

(5) Ribiško upravljanje v vodah posebnega pomena izvaja javni Zavod za ribištvo Slovenije (v nadaljnjem besedilu: zavod).

II. PROSTORSKE PODLAGE ZA RIBIŠKO UPRAVLJANJE

8. člen **(ribiška območja, ribiški okoliši in ribiški revirji)**

(1) Za namen ribiškega upravljanja, vključno s trajnostno rabo rib, se celinske vode razdelijo na ribiška območja, ribiške okoliše in ribiške revirje.

(2) Ribiško območje je največja prostorska enota za ribiško upravljanje in trajnostno rabo rib, ki združuje več ribiških okolišev s podobnimi ekosistemskimi značilnostmi.

(3) Ribiški okoliš je del ribiškega območja, ki omogoča smotrno upravljanje rib ter učinkovito spremljanje in nadzor ribiškega upravljanja.

(4) Ribiški revir je najmanjša prostorska enota ribiškega okoliša, ki omogoča celovito, smotrno in usklajeno razporeditev ter izvajanje načrtovanih ukrepov pri upravljanju rib.

(5) Meje ribiških območij in ribiških okolišev določi vlada na predlog ministrice oziroma ministra, pristojnega za ribištvo (v nadaljnjem besedilu: minister).

(6) V ribiška območja in ribiške okoliše se ne uvrščajo izločene

(3) Fish species subject to fishing shall be prescribed by the Government of the Republic of Slovenia (hereinafter: the Government).

(4) The State may transfer, by way of concession, certain fisheries management tasks within a fishery region to a legal or natural person (hereinafter fisheries management operator) provided that such person meets the conditions laid down by this Act.

(5) Fisheries management in waters of particular interest shall be carried out by the public Fisheries Research Institute of Slovenia (hereinafter: Institute).

II. SPATIAL BASIS OF FISHERIES MANAGEMENT

Article 8 **(Fishery areas, fishery regions and fishery districts)**

(1) For the purpose of fisheries management, including sustainable use of fish, inland waters shall be divided into fishery areas, fishery regions and fishery districts.

(2) A fishery area is the largest unit of fisheries management and sustainable use of fish that comprises several fishery regions with similar ecosystemic characteristics.

(3) A fishery region is part of a fishery area, enabling effective fish management and efficient monitoring and supervision of fisheries management.

(4) A fishery district is the smallest management unit of a fishery region, enabling integrated, effective and harmonised distribution and implementation of planned fish management measures.

(5) The borders of fishery areas, fishery districts and fishery divisions shall be defined by the Government based on a proposal by the minister responsible for fisheries (hereinafter: minister).

(6) Exempted waters shall not be included in fishery areas and

vode.

9. člen (ribiški revirji)

(1) Glede na način ribiškega upravljanja so ribiški revirji lahko varstveni, ribolovni, brez aktivnega ribiškega upravljanja in prizadeti revirji.

(2) Varstveni revirji so:

- gojitveni revirji za sonaravno gojitev rib;
- rezervati za vzpostavljanje ali ohranjanje populacij domorodnih ribjih vrst;
- rezervati za plemenke domorodnih ribjih vrst;
- rezervati genskega materiala domorodnih ribjih vrst.

(3) Ribolovni revir je del ribiškega okoliša, v katerem je dovoljen ribolov v skladu s tem zakonom.

(4) Revir brez aktivnega upravljanja je del ribiškega okoliša, v katerem se ne izvaja ribiško upravljanje in ki je prepuščen naravnim procesom.

(5) Prizadeti revir je tisti del ribiškega okoliša, v katerem je življenje rib zaradi poslabšanih življenjskih razmer oziroma kakovosti vode onemogočeno.

(6) Vrste ribiških revirjev in njihove meje se določijo z ribiškogojitvenim načrtom.

III. PROGRAM IN NAČRTOVANJE UPRAVLJANJA RIB

10. člen (program upravljanja rib)

(1) S programom upravljanja rib (v nadaljnjem besedilu: program) se določajo dolgoročne usmeritve upravljanja rib na državni ravni za obdobje 12 let.

districts.

Article 9 (Fishery districts)

(1) With regard to the manner of fisheries management, fishery districts may be classified as protection, fishing, no active fishery management and affected districts.

(2) Protection districts shall be as follows:

- breeding districts for sustainable fish breeding;
- reserves for the establishment or preservation of populations of indigenous fish species;
- reserves for broodstock of indigineous fish species;
- reserves for genetic material of indigenous fish species;

(3) A fishing district shall mean part of a fishery region in which fishing is permitted in accordance with this Act.

(4) A district without active management shall mean part of a fishery region in which fishery management is not carried out and which is left to be governed by natural processes.

(5) An affected district shall mean part of a fishery region that is not habitable for fish due to deteriorated living conditions or water quality.

(6) The types of fishery districts and their borders shall be specified by a fishery management plan.

III. FISH MANAGEMENT PROGRAMME AND PLANNING

Article 10 (Fish management programme)

(1) The fish management programme (hereinafter: programme) shall set forth long-term fish management guidelines at the national level for a period of 12 years.

(2) Program vsebuje zlasti:

1. oceno stanja;
2. cilje in usmeritve za varstvo in trajnostno rabo rib;
3. naloge in ukrepe za doseganje ciljev upravljanja rib;
4. oceno pričakovanih učinkov in potrebnih javnofinančnih sredstev za doseganje ciljev;
5. ukrepe za ohranjanje ugodnega stanja ogroženih rib v skladu s predpisi o ohranjanju narave.

(3) S programom se določijo tudi nosilci posameznih nalog.

(4) Program na predlog ministra sprejme vlada.

11. člen

(načrt ribiškega upravljanja v ribiškem območju)

(1) Načrt ribiškega upravljanja v ribiškem območju (v nadaljnjem besedilu: načrt) je obvezna strokovna podlaga za celovito ribiško upravljanje posameznega ribiškega območja in mora biti odraz specifičnih ekosistemskih značilnosti ribiškega območja.

(2) V načrtu se določijo temeljne usmeritve za ohranitev in trajnostno rabo rib v ribiškem območju, načela posegov v populacije posameznih ribjih vrst, usmeritve za poribljavanje in gojitev rib ter usmeritve za varstvo tistih delov ribiškega območja, ki so zavarovani po predpisih o ohranjanju narave.

(3) Načrt se izdelava za obdobje šestih let na podlagi programa iz prejšnjega člena.

(4) Osnutek načrta pripravi zavod na podlagi mnenja izvajalca ribiškega upravljanja in lokalne skupnosti. Ministrstvo pred sprejemom načrta seznanja javnost z vsebino osnutka načrta. Osnutek načrta se javno objavi vsaj v enem javnem glasilu in vsebuje tudi naznanilo o tem, kje si lahko zainteresirani ogledajo dokumentacijo v zvezi z osnutkom načrta, koliko časa bo načrt na vpogled in rok za sprejem pripomb. Rok za sprejem pripomb ne sme biti krajši od 15 dni.

(2) The programme shall comprise in particular:

1. assessment of conditions;
2. goals and guidelines for the protection and sustainable use of fish;
3. tasks and measures required to meet the fish management goals;
4. an estimate of expected effects and required public funds for meeting the set goals;
5. measures to preserve a favourable status of threatened fish pursuant to nature conservation regulations.

(3) The programme shall also specify institutions responsible for individual tasks.

(4) The programme shall be adopted by the Government on a proposal by the minister.

Article 11

(Fishery management plan for a fishery area)

(1) A fishery management plan for a fishery area (hereinafter: the plan) shall be a mandatory background document for integrated fisheries management of a fishery area and must reflect specific ecosystemic characteristics of a fishery area.

(2) The plan shall set forth basic guidelines for the preservation and sustainable use of fish within a fishery area, the principles of management of populations of individual fish species as well as restocking and breeding guidelines for the protection of parts of a fishery area that are protected under nature conservation regulations.

(3) The plan shall be drawn up for a period of six years and shall be based on the programme referred to in the preceding paragraph.

(4) The draft plan shall be drawn up by the Institute, based on the opinion of a fishery management operator and a local community. Before the adoption of the plan, the ministry shall inform the public of the content of the draft plan. The draft plan shall be published in at least one public medium and shall contain information on the location where the interested public can see the documents related to the draft plan, how long the plan is going to be available to the public and the time limit for

(5) Vsebino načrta podrobneje predpiše minister.

(6) Načrt sprejme minister v soglasju z ministrom, pristojnim za ohranjanje narave, in ministrom, pristojnim za vode.

12. člen (ribiškogojitveni načrt)

(1) Ribiškogojitveni načrt je podlaga za ribiško upravljanje v posameznih ribiških okoliših. Pri tem se upoštevajo ekološke značilnosti in razširjenost ribjih vrst ali populacij, ki so pomembne za ohranjanje ugodnega stanja, ter režimi po predpisih o ohranjanju narave in voda, ki bi lahko vplivali na izvajanje ribiškogojitvenega načrta.

(2) Ribiškogojitveni načrt vsebuje:

1. podatke o:
 - a) oceni stanja;
 - b) vplivih na ribiški okoliš;
 - c) izvajalcu ribiškega upravljanja;
 - č) analizi ribiškega upravljanja za preteklo obdobje;
 - d) območjih, ki so varovana po predpisih o ohranjanju narave, in
2. ureditev:
 - a) revirjev in njihove namembnosti;
 - b) poribljavanja;
 - c) sonaravne gojitve rib;
 - č) gojitve rib v nadzorovanih pogojih v ribogojnicah;
 - d) ribolovnih režimov;
 - e) števila ribolovnih dni;
 - f) količine ulova rib;
 - g) rezervatov genskega materiala rib;
 - h) odvzema spolnih celic rib;
 - i) ribiških tekmovanj in tekmovalnih tras;
 - j) drugih, za ribiško upravljanje pomembnih vsebin.

comments. The time limit for comments may not be shorter than 15 days.

(5) The content of the plan shall be prescribed in further detail by the minister.

(6) The plan shall be adopted by the minister in agreement with the minister responsible for nature conservation and the minister responsible for waters.

Article 12 (Fishery management plan)

(1) A fishery management plan shall constitute a basis for fishery management within individual fishery regions. It shall take into account ecological characteristics and distribution of fish species or populations that are important for the preservation of favourable conditions, and regimes pursuant to regulations governing conservation of nature and waters that could affect the implementation of a fishery management plan.

(2) A fishery management plan shall contain:

1. the data on:
 - a) assessment of the conditions;
 - b) impacts on a fishery region;
 - c) the fishery management operator;
 - č) a fishery management analysis for the preceding period;
 - d) areas protected under nature conservation regulations, and
2. regulation of:
 - a) districts and their purpose;
 - b) restocking;
 - c) sustainable fish breeding;
 - č) fish breeding under controlled conditions in fish farms;
 - d) fishing regimes;
 - e) number of fishing days;
 - f) quantity of fish catch;
 - g) reserves for fish genetic material;
 - h) the obtaining of fish gametes;
 - i) fishing competitions and competition zones;
 - j) other matters relevant for fisheries management.

(3) Osnutek ribiškogojitvenega načrta za obdobje šestih let za vsak posamezen ribiški okoliš na podlagi načrta iz prejšnjega člena izdelava zavod na podlagi mnenja izvajalca ribiškega upravljanja in lokalne skupnosti.

(4) Ribiškogojitveni načrt na predlog zavoda sprejme minister v soglasju z ministrom, pristojnim za ohranjanje narave, in ministrom, pristojnim za vode.

(5) Vsebino ribiškogojitvenega načrta podrobneje predpiše minister.

(6) Minister v soglasju z ministrom, pristojnim za ohranjanje narave, predpiše pogoje ribiškega upravljanja, če izvajanje ribiškogojitvenega načrta neposredno ogroža ugodno stanje rib.

13. člen

(letni program izvajalca ribiškega upravljanja in poročanje)

(1) Izvajalec ribiškega upravljanja izvaja ribiško upravljanje v ribiškem okolišu na podlagi letnega programa, izdelanega na podlagi ribiškogojitvenega načrta.

(2) Letni program ureja izvajanje ribiškogojitvenega načrta za posamezno leto na podlagi ocene stanja v ribiškem okolišu v preteklem letu; ta ocena stanja je sestavni del letnega programa.

(3) Izvajalec ribiškega upravljanja pripravi letni program do 31. decembra za prihodnje leto in ga pošlje zavodu v potrditev. Če zavod v 30 dneh ne da pisnih pripomb, se šteje, da je letni program potrjen. Do potrditve novega letnega programa se uporablja letni program za preteklo leto.

(4) Izvajalec ribiškega upravljanja mora najpozneje do 31. marca pripraviti letno poročilo o izvajanju letnega programa za preteklo

(3) Based on the opinion of a fishery management operator and a local community, a fishery management plan for a period of six years for each fishery region shall be drawn up on the basis of a plan referred to in the preceding Article.

(4) Based on a proposal by the Institute, a fishery management plan shall be adopted by the minister in agreement with the minister responsible for nature conservation and the minister responsible for waters.

(5) The content of a fishery management plan shall be prescribed in further detail by the minister.

(6) The minister shall prescribe fishery management conditions in agreement with a minister responsible for nature conservation when the implementation of a fishery management plan poses a direct threat to the favourable status of fish.

Article 13

(Fishery management operator's annual programme and reporting)

(1) A fishery management operator shall carry out fishery management in a fishery region in accordance with an annual programme drawn up on the basis of a fishery management plan.

(2) An annual programme shall regulate the implementation of a fishery management plan for an individual year on the basis of the assessment of the conditions in a fishery management area in the preceding year; the assessment shall be a constituent part of the annual programme.

(3) A fishery management operator shall draw up the annual programme by 31 December for the preceding year and send it to the Institute for approval. If the Institute does not provide written comments within 30 days, the annual programme shall be deemed to be approved.

(4) A fishery management operator must draw up an annual report on the implementation of the annual programme for the preceding

leto in ga poslati zavodu.

(5) Vsebino letnega programa in letnega poročila podrobneje predpiše minister.

IV. TRAJNOSTNA RABA RIB

14. člen (trajnostna raba rib)

Trajnostna raba rib je izvajanje ribolova v obsegu, na način in v času, da se z naravnim samoobnavljanjem ali z določenimi ukrepi ribiškega upravljanja dolgoročno ohranjajo ribe ter se pri tem ne poslabšuje ugodno stanje rastlinskih in živalskih vrst.

15. člen (odvzem spolnih celic)

(1) Odvzem spolnih celic spolno zrelih rib za nadaljnjo gojitev domorodnih ribjih vrst (v nadaljnjem besedilu: smukanje) praviloma poteka v rezervatih za plemenke, lahko pa tudi v drugih delih ribiškega okoliša, določenih v ribiškogojitvenem načrtu.

(2) Če smukanje v ribiškogojitvenem načrtu ni določeno, lahko minister na podlagi vloge izvajalca ribiškega upravljanja smukanje dovoli po pridobitvi mnenja zavoda.

(3) Način in pogoje smukanja predpiše minister.

16. člen (poribljavanje)

(1) Poribljavanje se izvaja tako, da je omogočen ribolov in pri tem ni ogroženo ugodno stanje vrst po predpisih o ohranjanju narave.

year no later than by 31 March and send it to the Institute.

(5) The content of the annual programme and annual report shall be prescribed in further detail by the minister.

IV. SUSTAINABLE USE OF FISH

Article 14 (Sustainable use of fish)

Sustainable use of fish shall mean fishing to an extent, in a manner and for a time allowing long-term preservation of fish through natural self-replenishment or through certain fishery management measures without allowing for a deleterious effect on the favourable status of plant and animal species.

Article 15 (Obtaining of gametes)

(1) As a rule, obtaining of gametes from sexually mature fish for further breeding of indigenous fish species (hereinafter: stripping) shall take place in broodstock reserves, but it can also be carried out in other parts of a fishery region specified in a fishery management plan.

(2) When stripping is not specified in a fishery management plan, the minister may permit stripping on the basis of an application submitted by a fishery management operator upon obtaining the Institute's opinion.

(3) The manner and conditions of stripping shall be prescribed by the minister.

Article 16 (Fish restocking)

(1) Fish restocking shall be carried out in a manner enabling fishing while a favourable status of species pursuant to nature conservation regulations is not put under threat.

(2) Poribljavanje se izvaja samo z ribami iz sonaravne gojitve in ribogojnic, ki imajo dovoljenje iz 41. člena tega zakona ter so zdravstveno neoporečne po predpisih o veterinarstvu.

(3) Izvajalec ribiškega upravljanja lahko v novo zgrajenih objektih izvede poribljavanje po predhodni spremembi ribiškogojitvenega načrta in letnega programa.

17. člen (genski material)

Odvzem genskega materiala rib iz narave se opravi v skladu s tem zakonom in predpisi o ohranjanju narave.

18. člen (sonaravna gojitev)

(1) Sonaravna gojitev rib je gojitev domorodnih vrst v naravnem okolju in se ne šteje za gojitev po predpisih o ohranjanju narave ter predpisih o vodah.

(2) Sonaravna gojitev rib je vložitev zaroda in odlov mladice po končanem ciklusu ter se zaradi ohranjanja genske raznolikosti rib izvaja samo v gojitvenih revirjih v istem povodju.

19. člen (gradnje in drugi posegi na območju ribiškega okoliša)

(1) Vsak poseg v ribiški okoliš mora biti načrtovan in izveden na način, ki v največji mogoči meri zagotavlja ohranjanje rib, njihove vrstne pestrosti, starostne strukture in številčnosti.

(2) Gradnje objektov, ki se izvajajo na vodnih zemljiščih po predpisih o graditvi objektov, se lahko izvajajo po predhodni pridobitvi soglasja zavoda.

(2) Fish restocking shall be carried out exclusively with fish from sustainable breeding facilities and fish farms that have a permit referred to in Article 41 of this Act and comply with veterinary health regulations.

(3) A fishery management operator may carry out fish restocking in newly built facilities upon having made amendments to a fishery management plan and an annual programme.

Article 17 (Genetic material)

Obtaining genetic material of fish from nature shall be carried out in accordance with this Act and nature conservation regulations.

Article 18 (Sustainable breeding)

(1) Sustainable fish breeding shall mean the breeding of indigenous species in a natural environment and shall not be deemed to be breeding under nature conservation and water regulations.

(2) Sustainable fish breeding shall mean the release of fry and capture of fingerlings after the completed cycle; for the purposes of preservation of genetic diversity of fish it shall be carried out only in breeding districts within the same catchment area.

Article 19 (Construction and other activities within a fishery region)

(1) Each development within a fishery region must be planned and carried out in a manner that ensures, to the maximum possible extent, the preservation of fish, their species diversity, age structure and abundance.

(2) Construction carried out on aquatic land under construction regulations may be carried out upon obtaining prior consent of the Institute.

(3) Zaradi prehajanja rib čez grajene objekte v vodah mora investitor zagotoviti ustrezen prehod za ribe. Funkcionalnost prehoda zagotavlja lastnik oziroma najemnik objekta.

(4) Zavod v sodelovanju z izvajalcem ribiškega upravljanja izda mnenje o vplivu posega na stanje rib v postopku izdaje vodne pravice po predpisih o vodah.

20. člen (pogin rib)

(1) Pogin rib je lahko posledica naravne, okoljske, druge nesreče ali kaznivega dejanja.

(2) Kdor opazi pogin rib, mora o tem nemudoma obvestiti center za obveščanje.

(3) Vzorčenje vode, sedimenta in poginulih rib opravi izvajalec obvezne gospodarske javne službe spremljanja nenadnega onesnaževanja voda po predpisih o vodah ali veterinarska inšpekcija v skladu s svojimi pristojnostmi. Če so podani razlogi za sum, da je bilo storjeno kaznivo dejanje, za katero se storilec preganja po uradni dolžnosti, vzorčenje vode, sedimenta in poginulih rib opravi policija.

(4) Pri poginu rib mora izvajalec ribiškega upravljanja izdelati skico kraja in zapisnik pogina, sešteti in izmeriti maso poginulih rib, in sicer ločeno po posameznih vrstah.

(5) Izvajalec ribiškega upravljanja mora v 14 dneh poslati skico in zapisnik (kraj, čas, vrste in količino poginulih rib) o poginu rib zavodu.

(6) Izvajalec ribiškega upravljanja mora poskrbeti za ravnanje s poginulimi ribami v skladu z veterinarskimi predpisi.

(3) For the purposes of the passing of fish over built structures in waters, an investor must ensure setting up an appropriate fish path. Functionality of a fish path must be provided by the owner or tenant of the constructed facility.

(4) In the procedure of granting water rights under water regulations, the Institute shall, in cooperation with a fishery management operator, issue an opinion on the impact on the status of fish.

Article 20 (Fish mortality)

(1) Fish mortality can be a consequence of a natural, environmental or other disaster or a criminal act.

(2) Anyone noticing fish mortality must immediately notify thereof the Emergency Response Centre.

(3) Sampling of water, sediment and dead fish shall be carried out by an operator of a mandatory public utility service for the monitoring of sudden water contamination events pursuant to waters regulations or the Veterinary Inspection Service in accordance with its powers. If there are grounds to suspect that a criminal offence has been committed for which an offender shall be prosecuted *ex officio*, sampling of water, sediment and dead fish shall be carried out by the police.

(4) In the event of fish mortality, a fishery management operator must draw a sketch of the location and write a fish mortality report, sum up and measure the mass of killed fish, separately for each fish species.

(5) A fishery management operator must send the sketch and report (place, time, species and the quantity of killed fish) to the Institute within 14 days.

(6) A fishery management operator must provide appropriate handling of killed fish in accordance with regulations governing veterinary practice.

(7) Podrobnejša pravila ravnanja v zvezi z ukrepanjem ob poginih rib predpiše vlada.

V. RIBOLOV

21. člen (ribolov)

(1) Ribolov je lovljenje rib in se izvaja v skladu s tem zakonom.

(2) Riba, ki je ulovljena v skladu z določbami tega zakona, postane last ribiča, ki je ribo ulovil.

22. člen (ribolovna dovolilnica)

(1) Ribe je dovoljeno loviti le z veljavno ribolovno dovolilnico.

(2) Ribolovno dovolilnico izda izvajalec ribiškega upravljanja za posamezen ribolovni revir.

(3) Ceno za ribolovno dovolilnico določi izvajalec ribiškega upravljanja.

(4) Veljavna ribolovna dovolilnica mora vsebovati: datum ribolova, ime izdajatelja, ribolovni revir, ime in priimek imetnice oziroma imetnika ribolovne dovolilnice (v nadaljnjem besedilu: imetnik), ribe, ki jih je dovoljeno loviti, dovoljeni ribolovni režim, zaporedno številko, in žig izvajalca ribiškega upravljanja.

(5) Prihodki, pridobljeni s prodajo ribolovnih dovolilnic, se vodijo na posebnem knjigovodskem kontu izvajalca ribiškega upravljanja.

(6) Podrobnejšo vsebino in obliko ribolovne dovolilnice predpiše minister.

(7) More detailed rules relating to acting in the event of fish mortality shall be prescribed by the Government.

V. FISHING

Article 21 (Fishing)

(1) Fishing shall mean catching fish and shall be carried out in accordance with this Act.

(2) A fish caught in accordance with this Act shall become the property of the fisherman who caught it.

Article 22 (Fishing permit)

(1) Fishing shall be permitted only with a valid fishing permit.

(2) A fishing permit shall be issued by a fishery management operator for a single fishing district.

(3) The fishing permit price shall be specified by a fishery management operator.

(4) A valid fishing permit must include the following information: date of fishing, name of the issuing authority, fishing district, name and surname of the fishing permit holder (hereinafter: holder), fish permitted to catch, a permitted fishing regime, the serial number and stamp of a fishery management operator.

(5) The revenue generated from sales of fishing permits shall be kept in a special bookkeeping account of a fishery management operator.

(6) More detailed content and form of a fishing permit shall be prescribed by the minister.

23. člen
(pravica dostopa do vode)

(1) Lastnica oziroma lastnik (v nadaljnjem besedilu: lastnik) ali drug posestnik vodnega ali priobalnega zemljišča mora izvajalcu ribiškega upravljanja in ribiču dopustiti neškodljiv prehod čez svoje zemljišče in zadrževanje na njem zaradi izvajanja ribiškega upravljanja.

(2) Izvajalec ribiškega upravljanja in ribič morata pri izvajanju ribiškega upravljanja in ribolovu čim manj vplivati na stanje zemljišč iz prejšnjega odstavka, po opravljenih nalogah pa odpraviti morebitno povzročeno škodo.

(3) Ne glede na prvi odstavek tega člena se lahko prehod in zadrževanje omeji na zemljiščih, ki jih je dovoljeno ograditi v skladu z zakonom.

24. člen
(ribolovni režim)

(1) Ribolovni režim določa zlasti način ribolova, najmanjše lovne mere, varstvene dobe rib in dnevni uplen.

(2) Ribo, ki je ulovljena v nasprotju z ribolovnim režimom ali ni predmet ribolova, je treba takoj živo in nepoškodovano vrniti v vodo.

(3) Ribolovni režim iz prvega odstavka tega člena podrobneje predpiše minister.

25. člen
(prepovedi)

- (1) Prepovedano je loviti ribe:
- brez veljavne ribolovne dovolilnice;
 - na varstvenih območjih in drugih revirjih, ki niso ribolovni in so določeni po tem zakonu in predpisih o vodah;
 - salmonidne ribe ponoči;

Article 23
(Right of access to water)

(1) Owners (hereinafter: owner) or other proprietors of waters or waterside land must allow fishery management operators or fishermen harmless trespass and presence on their land for the purposes of fishery management.

(2) In carrying out fishery management and fishing, fishery management operators and fishermen must minimise their impact on land referred to in the preceding paragraph and eliminate eventual damage after the termination of their activities.

(3) Notwithstanding paragraph one of this Article, trespass and presence may be limited on land that is allowed to be fenced in accordance with an Act.

Article 24
(Fishing regime)

(1) A fishing regime shall define fishing methods, minimum catch sizes, protection periods for fish species and a daily catch limit.

(2) A fish that has been caught contrary to a fishing regime or is not subject to fishing shall be immediately returned to water alive and likely to remain so.

(3) A fishing regime referred to in paragraph one of this Article shall be prescribed in more detail by the minister.

Article 25
(Prohibitions)

- (1) It shall be prohibited to catch fish:
- without a valid fishing permit;
 - in protection areas and other districts other than fishing districts that are specified under this Act and water regulations;
 - salmonid fish at night;

- z razstrelivi;
- s strupi;
- z ostmi, podvodnimi in drugimi puškami, na zanko ali nastavo;
- s križaki, saki, koši, mrežami vseh vrst in vršami;
- z mosta;
- pod ledom;
- na prehodih za ribe;
- v depresijah, lužah, poplavljenih površinah in drugih vodnih površinah, ki nastanejo ob umiku ali presihanju vode;
- tako da se pregradi, zapre, izčrpa ali drugam spelje voda;
- z uporabo elektrike (v nadaljnjem besedilu: elektroribolov);
- na načine, ki niso v skladu z ribolovnim režimom.

(2) Prepovedano je upleniti:

- ribe v varstveni dobi;
- ribe pod najmanjšo predpisano dolžino;
- več rib, kot je dovoljeni dnevni uplen;
- ribe, ki niso predmet ribolova.

(3) Prepovedano je:

- brez ribolovne dovolilnice ali posebnega dovoljenja imeti pri sebi v neposredni bližini ribolovne vode ribiške priprave, ki niso spravljene v omotu;
- prenašati žive uplenjene ribe v druge vode;
- prenašati žive ribe iz vodnega območja Donave v vodno območje Jadranskega morja in obratno;
- posegati oziroma vznemirjati ribe na drstiščih rib, med drstenjem in v varstvenih revirjih;
- izvajati ribiško upravljanje brez sklenjene koncesijske pogodbe.

(4) Ne glede na trinajsto alineo prvega odstavka tega člena je izvajalcu ribiškega upravljanja dovoljeno izvajati elektroribolov za sonaravno gojitev rib in za odlov plemenk v skladu z ribiškogojitvenim načrtom, za intervencijske odlove rib in za znanstveno-raziskovalne namene.

26. člen (izjeme)

- by using explosives;
- by using poisons;
- with gigs, spear guns and other guns, noose traps or baited traps;
- with lift nets, lave nets, baskets, other types of nets and fish traps;
- from bridges;
- under ice;
- on fish paths;
- in depressions, pods, inundated areas and other water areas that form after water retreats or dries up;
- by water damming, sealing, pumping or diverting;
- by using electricity (hereinafter: electrofishing);
- by using methods not in accordance with a fishing regime.

(2) It shall be prohibited to catch:

- fish during the protection period;
- fish smaller than the minimum prescribed size;
- an amount fish exceeding a daily catch limit;
- fish not designated for fishing.

(3) It shall be prohibited to:

- carry unpacked fishing gear in the immediate vicinity of a fishing water without a fishing permit or a special permit;
- transfer live caught fish to other waters;
- transfer live fish from the Danube watershed to the Adriatic watershed and vice versa;
- intervene or disturb fish in spawning grounds, during spawning and in protection districts;
- carry out fisheries management without having concluded a concession contract.

(4) Notwithstanding indent thirteen of paragraph one of this Article, a fishery management operator shall be permitted to carry out electrofishing for the purposes of sustainable fish breeding and to capture brood fish in accordance with a fishery management plan, for intervention capture of fish and for scientific and research purposes.

Article 26 (Exceptions)

(1) Minister lahko zaradi spoštovanja mednarodnih ratificiranih pogodb ali predpisov Evropske unije predpiše dodatne prepovedi pri izvajanju ribolova.

(2) Minister lahko z dovoljenjem, izdanim v soglasju z ministrom, pristojnim za ohranjanje narave, na določenem območju in za določen čas izjemoma dovoli določen način opravljanja ribolova ne glede na prepovedi iz prejšnjega člena, razen načinov iz četrte in pete alinee prvega odstavka, če je to potrebno za znanstveno-raziskovalne namene oziroma v drugih posebej utemeljenih primerih.

(3) Dovoljenje iz prejšnjega odstavka izda minister na podlagi vloge po predhodni pridobitvi strokovnega mnenja zavoda.

(4) Upravičenka oziroma upravičenec (v nadaljnjem besedilu: upravičenec), ki pridobi dovoljenje v skladu s tem členom, mora o izvedbi dovoljenih dejanj pisno poročati zavodu.

27. člen (ribiška tekmovanja)

(1) Ribiška tekmovanja lahko potekajo samo na tekmovalnih trasah, ki jih posebej za ta namen opredeli in označi izvajalec ribiškega upravljanja v skladu z ribiškogojitvenim načrtom.

(2) Ribiška tekmovanja je dovoljeno prirejati le na podlagi pravil, ki jih pripravi Ribiška zveza Slovenije in morajo biti usklajena s pravili Svetovne ribiške konfederacije (CIPS) oziroma njenih zvez.

(3) Organizator ribiških tekmovanj mora pristojni ribiški inšpekciji poslati časovni načrt tekmovanj najmanj 14 dni pred prvo tekmo v nizu tekmovanj.

(4) Poročilo o izvedenih ribiških tekmovanjih je sestavni del letnega poročila iz 13. člena tega zakona.

(1) For the purposes of compliance with ratified international treaties or European Union regulations, the minister may prescribe additional prohibitions related to fishing.

(2) The minister may, by way of a permit issued in accordance with the minister responsible for nature conservation, in a certain area and for a certain period of time, exceptionally allow a particular method of fishing regardless of prohibitions referred to in the preceding paragraph, except those methods referred to under indents four and five of paragraph one, should this be required for scientific or research purposes or in other specifically justified cases.

(3) A permit referred to in the preceding paragraph shall be issued by the minister upon application and obtaining of a prior expert opinion by the Institute.

(4) A beneficiary that obtains a permit pursuant with this Act must report to the Institute regarding his/her permitted activities in writing.

Article 27 (Fishing competitions)

(1) Fishing competitions may take place exclusively within competition zones designated for this purpose by a fishery management operator in accordance with a fishery management plan.

(2) Fishing competitions are allowed to be organised only in compliance with the rules set out by the Fishing Association of Slovenia and must be harmonised with the rules of the International Sport Fishing Confederation (CIPS) or its associations.

(3) An organiser of fishing competitions must send a time schedule of competitions to a competent fisheries inspection service at least 14 days before the first competition in any series of competitions.

(4) A report on the conducted fishing competitions shall constitute an integral part of an annual report referred to in Article 13 of this Act.

VI. KONCESIJE

28. člen (koncesije)

(1) Za izvajanje ribiškega upravljanja v ribiških okoliših lahko država podeli koncesijo. Koncedent je Republika Slovenija, njene funkcije pa v njenem imenu in za njen račun opravlja vlada.

(2) Koncesionarka oziroma koncesionar (v nadaljnjem besedilu: koncesionar) je lahko pravna ali fizična oseba, če izpolnjuje predpisane pogoje.

(3) Naloge koncesionarja so:

1. priprava in sprejem letnega programa;
2. izvajanje ribolova;
3. izvajanje elektroribolova za sonaravno vzrejo, intervencijske odlove rib in za potrebe znanstveno-raziskovalnega dela;
4. aktivnosti za ohranjanje ugodnega stanja rib;
5. izvajanje nalog in aktivnosti ob poginih rib;
6. vodenje predpisanih evidenc;
7. poročanje;
8. strokovno usposabljanje ribičev;
9. izvajanje nadzornih nalog ribiškočuvajske službe in
10. druge naloge, povezane s koncesijo.

(4) V javnem interesu se izvajajo vse naloge iz prejšnjega odstavka, razen nalog iz 2. točke.

(5) Koncesija se podeli za 30 let z odločbo o izbiri na podlagi javnega razpisa.

(6) Koncesijska dajatev je prihodek proračuna Republike Slovenije.

29. člen

VI. CONCESSIONS

Article 28 (Concessions)

(1) The State may grant a concession for carrying out fishery management in fishery regions. The Republic of Slovenia shall be the concession grantor, while the Government shall perform its functions in its name and on its behalf.

(2) A concessionaire shall mean a legal or natural person that meets the prescribed conditions as follows:

(3) The concessionaire's tasks shall be to:

1. draw up and adopt an annual programme;
2. carry out fishing;
3. carry out electrofishing for sustainable breeding; intervention fish capture and for the purposes of scientific and/or research work;
4. carry out activities to preserve the favourable status of fish;
5. carry out tasks and activities in the event of fish mortality;
6. keep records as prescribed by regulations;
7. report;
8. provide professional training for fishermen;
9. carry out supervisory tasks of a fishery keeper service; and
10. other concession-related tasks.

(4) All tasks referred to in the preceding paragraph shall be carried out in the public interest, except tasks referred to in point 2.

(5) A concession shall be granted for the period of 30 years by means of a selection decision based on a public tender.

(6) A concession fee shall be budgetary revenue of the Republic of Slovenia.

Article 29

(začasni izvajalec ribiškega upravljanja)

Če za določen ribiški okoliš zaradi neuspešnega javnega razpisa koncesija ni podeljena ali če se koncesija odvzame, do podelitve koncesije ta ribiški okoliš začasno upravlja zavod.

30. člen (pogoji, ki jih mora izpolnjevati koncesionar)

(1) Koncesionar mora imeti za izvajanje ribiškega upravljanja strokovno usposobljene delavke oziroma delavce (v nadaljnjem besedilu: delavec), ki opravljajo naloge gospodarja, izvajalca elektroribolova in ribiškega čuvaja. Če ima koncesionar ribogojnico, mora zagotoviti tudi izvajanje nalog ribogojca.

(2) Delavci iz prejšnjega odstavka morajo imeti opravljen izpit o strokovni usposobljenosti.

(3) Društvo, ki želi pridobiti koncesijo, mora poleg pogojev iz prvega odstavka tega člena imeti praviloma najmanj 30 članic oziroma članov (v nadaljnjem besedilu: član), ne sme zaračunavati pristopnine, omejevati članstva in mora omogočati nakup ribolovnih dovolilnic tudi ribičem, ki niso včlanjeni v društvo.

31. člen (koncesijski akt)

(1) Za podelitev koncesije vlada sprejme koncesijski akt.

(2) Koncesijski akt vsebuje:

- opredelitev ribiškega okoliša, za katerega se podeljuje koncesija za ribiško upravljanje;
- pogoje, ki jih mora izpolnjevati koncesionar;
- merila za izbor koncesionarja;
- čas trajanja koncesije;
- način podeljevanja koncesije;
- določitev višine koncesijske dajatve;

(Temporary fishery management operator)

If a concession is not granted for a certain fishery region due to an unsuccessful public tender or if the concession is withdrawn, such fishery region shall be managed by the Institute until the concession is granted.

Article 30 (Conditions that must be met by a concessionaire)

(1) In order to carry out fishery management, a concessionaire must have professionally trained employees (hereinafter: employees) that perform tasks of managing, electrofishing and fisheries keeper services. If a concessionaire has a fish farm it must carry out fish breeding tasks.

(2) Employees referred to in the preceding paragraph must have passed a professional qualification examination.

(3) A society that wishes to obtain a concession must, in addition to meeting the conditions referred to in paragraph one of this Act, have at least 30 members, not charge an admission fee or restrict membership and must enable the purchase of fishing permits to fishers that are not its members.

Article 31 (Deed of concession)

(1) For granting a concession, the Government shall adopt a deed of concession.

(2) The deed of concession shall contain:

- the definition of a fishing region for which a fishery management concession is being granted;
- conditions that must be met by a concessionaire;
- criteria for selection of a concessionaire;
- the duration of concession;
- the manner of granting the concession;
- the definition of the amount of concession fee;

- način in dinamiko plačevanja koncesijske dajatve;
- nadzor koncedenta nad koncesionarjem;
- razloge in način prenehanja koncesije;
- vsebino javnega razpisa;
- organ, ki pripravi in izvede javni razpis ter izbere koncesionarja;
- obliko in postopek javnega razpisa;
- vsebino koncesijske pogodbe;
- določitev organa, pooblaščenega za sklenitev koncesijske pogodbe;
- druge določbe, potrebne za izvajanje koncesije.

32. člen (vsebina pogodbe)

Medsebojno razmerje pri izvajanju ribiškega upravljanja uredita koncedent in koncesionar s koncesijsko pogodbo, ki mora vsebovati zlasti:

- ribiški okoliš, za katerega se koncesija podeli;
- pravice, obveznosti in odgovornosti koncedenta in koncesionarja;
- način in pogoje za izvajanje koncesije;
- naloge v javnem interesu, ki jih opravlja koncesionar;
- višino koncesijske dajatve in način plačila;
- odgovorne osebe koncesionarja in obveščanje o spremembah pri odgovorni osebi;
- začetek veljavnosti in trajanje pogodbe;
- pravice in obveznosti koncedenta in koncesionarja po prenehanju koncesijske pogodbe;
- nadzor koncedenta nad koncesionarjem.

33. člen (prenos koncesije)

Koncesionarju ni dovoljeno koncesije prenesti na drugo pravno ali fizično osebo.

- the manner and dynamics of payment of the concession fee;
- the concession grantor's supervision of a concessionaire;
- the reasons and manner of termination of concession;
- the content of a public tender;
- the body that shall prepare and carry out a public tender and select the concessionaire;
- the form and procedure of a public tender;
- the content of a concession contract;
- the designation of a body responsible for concluding a concession agreement;
- other provisions required for performing the concession.

Article 32 (Content of a contract)

The relationship in providing fishery management shall be defined by the grantor of concession and the concessionaire in a concession contract that must contain, in particular:

- a fishery region for which the concession is granted;
- the rights, obligations and responsibilities of a concession grantor and a concessionaire;
- the manner and conditions of performing the concession;
- the tasks in the public interest carried out by the concessionaire;
- the amount of the concession fee and the manner of payment;
- the responsible persons of the concessionaire and the guidelines for reporting on changes relating to responsible persons;
- the entry into force and the duration of the contract;
- the rights and obligations of the grantor and the concessionaire after the termination of the concession contract;
- the guidelines for the concession grantor's supervision of the concessionaire.

Article 33 (Transfer of concession)

A concessionaire shall not be permitted to transfer the concession to another legal or natural person.

34. člen
(prenehanje koncesijske pogodbe)

Koncesijska pogodba preneha:

- po preteku časa, za katerega je bila sklenjena;
- z razdrtjem in
- z odvzemom.

35. člen
(odvzem ali omejitev koncesije)

(1) Koncesija se odvzame, če koncesionar:

- kljub pisnemu opozorilu koncedenta v določenem roku ne plača koncesijske dajatve;
- neupravičeno ne izpolnjuje koncesijske pogodbe;
- neupravičeno ne daje predpisanih podatkov po določbah tega zakona.

(2) Koncesija se lahko omeji ali odvzame zaradi:

- spremembe namembnosti posameznih delov ribiškega okoliša;
- začasne omejitve, ustavitve ali prilagoditve vodne pravice;
- ohranjanja narave ali drugih razlogov, ki so v javnem interesu.

(3) O odvzemu ali omejitvi koncesije odloča vlada na predlog ministra.

(4) Oseba, ki ji je odvzeta ali omejena koncesija, ni upravičena do odškodnine.

36. člen
(druga vprašanja koncesije)

Za druga vprašanja koncesije, ki niso urejena s tem zakonom, se uporabljajo določbe predpisov, ki urejajo koncesije na naravnih virih.

Article 34
(Termination of a concession contract)

A concession contract shall terminate:

- upon termination of the period for which it was concluded;
- upon rescission; or
- upon withdrawal.

Article 35
(Concession withdrawal or limitation)

(1) A concession shall be withdrawn in cases in which a concessionaire:

- fails to pay the concession fees within the set time limit despite a written warning from the concession grantor;
- unduly fails to comply with the concession contract;
- unduly fails to provide the prescribed information pursuant to the provisions of this Act.

(2) A concession may be limited or withdrawn due to the following reasons:

- changes in the intended use of individual parts of a fishery region;
- temporary restrictions, suspensions or adaptations of the water rights;
- nature conservation or other reasons in the public interest.

(3) Withdrawal or limitation of a concession shall be decided upon by the Government on the minister's proposal.

(4) A person to whom a concession is withdrawn or limited shall not be entitled to compensation.

Article 36
(Other concession-related matters)

Other concession issues not regulated by this Act shall be dealt with by provisions of regulations governing concessions for natural resources.

VII. RIBOLOV V KOMERCIALNIH RIBNIKIH

37. člen (komercialni ribnik)

(1) Komercialni ribnik je stoječa voda, ki je namenjena trženju športnega ribolova v zasebnem interesu in iz katere je naravno ali s tehničnimi ukrepi preprečena migracija rib v druge vode. Za rabo vode v komercialnem ribniku je treba pridobiti vodno pravico po predpisih o vodah.

(2) Za komercialni ribnik ni treba izdelati ribiškogojitvenega načrta.

38. člen (vlaganje rib in ribolov v komercialnem ribniku)

Pogoje in način vlaganja rib v komercialni ribnik ter način ribolova v komercialnih ribnikih podrobneje predpiše minister v soglasju z ministrom, pristojnim za ohranjanje narave, in ministrom, pristojnim za vode.

VIII. GOJITEV RIB

39. člen (gojitev rib)

(1) Gojitev rib je gojitev za porabljanje voda, za prehrano in gojitev okrasnih rib.

(2) Ribe, razen rib iz sonaravne gojitve, se lahko gojijo le v ribogojnici, ki je s tehničnimi sredstvi ločena od naravnega okolja.

VII. FISHING IN COMMERCIAL PONDS

Article 37 (Commercial ponds)

(1) A commercial pond shall mean a body of still, fresh water intended for marketing of recreational fishing in the private interest from which migration of fish to other waters is naturally or artificially prevented. In order to use water in a commercial pond, water rights pursuant to water regulations must be obtained.

(2) No fishery management plans need to be drawn up for commercial ponds.

Article 38 (Release of fish and fishing in commercial ponds)

The conditions and the manner of releasing fish into commercial ponds and methods of fishing in commercial ponds shall be prescribed in more detail by the minister in accordance with the minister responsible for nature conservation and the minister responsible for waters.

VIII. FISH BREEDING

Article 39 (Fish breeding)

(1) Fish breeding shall mean the breeding for the purposes of restocking and consumption and breeding of ornamental fish.

(2) Fish, excepting fish from sustainable breeding, may be raised only in fish farms separated from the natural environment by technical means.

40. člen
(vodna pravica)

Raba vode za gojitev rib v ribogojnicah se lahko izvaja na podlagi pridobljene vodne pravice po predpisih o vodah.

41. člen
(gojitev rib za poribljavanje)

(1) Dovoljenje za gojitev rib za poribljavanje voda lahko pridobijo osebe, ki imajo vodno pravico in:

- preverjeno poreklo rib za poribljavanje;
- strokovno usposobljene delavce;
- prijavljeno rejo rib pri pristojni enoti Veterinarske uprave Republike Slovenije.

(2) Dovoljenje za gojitev rib iz prejšnjega odstavka izda minister.

(3) Podrobnejše pogoje za pridobitev dovoljenja za gojitev rib iz tega člena predpiše minister v soglasju z ministrom, pristojnim za ohranjanje narave.

42. člen
(gojitev rib za prehrano ljudi in gojitev okrasnih rib)

Gojitev rib za prehrano ljudi in gojitev okrasnih rib se izvajata v skladu s predpisi o živinoreji in veterinarstvu.

IX. JAVNA SLUŽBA V RIBIŠTVU

43. člen
(Zavod za ribištvo Slovenije)

Article 40
(water rights)

The use of water for fish breeding in fish farms may be carried out on the basis of obtained water rights under regulations governing waters.

Article 41
(Fish breeding for the purposes of restocking)

(1) A permit for fish breeding for the purposes of restocking may be granted to persons with water rights that have:

- a verified origin of fish intended for restocking;
- professionally trained employees; and
- are registered for fish breeding at the competent unit of the Veterinary Administration of the Republic of Slovenia.

(2) A permit for fish breeding referred to in the preceding paragraph shall be issued by the minister.

(3) More detailed conditions for obtaining a permit for fish breeding referred to in this Article shall be prescribed by the minister in accordance with the minister responsible for nature conservation.

Article 42
(Fish breeding for human consumption and breeding of ornamental fish)

Fish breeding for human consumption and breeding of ornamental fish shall be carried out in accordance with livestock farming and veterinary practice regulations.

IX. FISHERIES PUBLIC SERVICE

Article 43
(Fisheries Research Institute of Slovenia)

(1) Zavod za ribištvo Slovenije je javni zavod, ki opravlja določene upravne, strokovne in razvojne naloge s področja ribištva.

(2) Ustanoviteljica zavoda je Republika Slovenija, ustanoviteljske pravice uresničuje vlada.

(3) Zavod je oseba javnega prava s statusom javnega zavoda.

(4) Statut, letni program dela, finančni načrt, letno poročilo, imenovanje in razrešitev direktorice oziroma direktorja (v nadaljevanju: direktor) začnejo veljati, ko svet zavoda pridobi soglasje ustanovitelja.

44. člen (ime in sedež)

(1) Ime zavoda je Zavod za ribištvo Slovenije. Skrajšano ime zavoda je ZZRS. Sestavni del imena zavoda je znak, ki je v obliki kroga, znotraj katerega so simboli, ki ponazarjajo Triglav, ribo in vodo. Ime zavoda v angleškem jeziku je Fisheries Research Institute of Slovenia.

(2) Sedež zavoda je v Ljubljani.

45. člen (naloge zavoda)

(1) Zavod opravlja naslednje naloge:

1. vzpostavi in vodi celovit informacijski sistema ribištva;
2. izvaja monitoring populacij rib in monitoring rib kot elementa ekološkega stanja voda po predpisih o varstvu okolja in vodah in določbah tega zakona;
3. izvaja druge strokovne naloge po predpisih o varstvu okolja in vodah, med katere sodi predvsem priprava predloga programa monitoringa ter metodologije in načina izvajanja monitoringa rib kot elementa ekološkega stanja voda;

(1) The Fisheries Research Institute of Slovenia is a public institution performing certain administrative, expert and development tasks in the field of fisheries.

(2) The founder of the Institute is the Republic of Slovenia, while the founder's rights are exercised by the Government.

(3) The Institute is a public entity with the status of a public institution.

(4) The statute, annual work programme, financial plan, annual report, appointment and dismissal of the director shall become valid upon the Institute's Council having obtained the consent of the founder.

Article 44 (Name and headquarters)

(1) The Institute's name is the Fisheries Research Institute of Slovenia. Its acronym is ZZRS. An integral part of the Institute's name is a circular sign incorporating symbols that depict the Triglav mountain, a fish and water. The Institute's name in English is the Fisheries Research Institute of Slovenia.

(2) The Institute's headquarters is located in Ljubljana.

Article 45 (Tasks of the Institute)

(1) The Institute shall carry out the following tasks:

1. setting up and managing an integrated fisheries information system;
2. monitoring fish populations and monitoring fish as an element of ecological status of waters pursuant to environmental protection and water regulations and the provisions of this Act;
3. carrying out other expert tasks pursuant to environmental protection and water regulations, including, in particular, the drafting of the monitoring programme proposal and the proposal of a methodology and the manner in which the monitoring of fish as an element of the ecological status of waters is to be implemented;

4. izvaja druge strokovne naloge po predpisih o ohranjanju narave in določbah tega zakona;
5. posreduje podatke monitoringa rib kot elementa ekološkega stanja voda ministrstvu, pristojnemu za vode, zaradi ocenjevanja ekološkega stanja voda;
6. pripravlja strokovne podlage za določitev meja ribiških območij in ribiških okolišev iz 8. člena tega zakona;
7. pripravlja strokovne podlage za program iz 10. člena tega zakona;
8. pripravlja načrte iz 11. člena tega zakona;
9. izdeluje ribiškogojitveni načrt;
10. potrjuje letne programe iz 13. člena tega zakona;
11. pripravlja strokovne podlage za podeljevanje koncesij po tem zakonu;
12. izdaja soglasja in strokovna mnenja v skladu s predpisi;
13. izvaja ribiško upravljanje v vodah posebnega pomena, določenih z uredbo vlade, in v ribiških okoliših, za katere ni sklenjena ali je bila odvzeta koncesija za ribiško upravljanje.

(2) Naloge iz prejšnjega odstavka izvaja zavod kot javno službo.

(3) Podrobnejša opredelitev in predvideni obseg nalog iz prvega odstavka tega člena se določita v letnem programu dela zavoda.

(4) Zavod lahko opravlja tudi druge naloge, ki so določene v statutu zavoda.

46. člen (organi zavoda in statut zavoda)

(1) Organi zavoda so svet zavoda, direktor zavoda in strokovni svet.

(2) Sestava in pristojnosti organov zavoda ter organiziranost zavoda se določijo s statutom zavoda.

(3) Medsebojne pravice zavoda in ustanovitelja so določene z

4. carrying out other expert tasks pursuant to nature preservation regulations and provisions of this Act;
5. providing data from the monitoring of fish as an element of ecological status of waters to the ministry responsible for waters for the purposes of assessing the ecological status of waters;
6. drafting background documents for the delimitation of borders of fishery areas and fishery regions referred to in Article 8 of this Act;
7. drafting background documents for the programme referred to in Article 10 of this Act;
8. drawing up plans referred to in Article 11 of this Act;
9. drawing up fishery management plans;
10. approving annual programmes referred to in Article 13 of this Act;
11. drafting background documents for granting concessions pursuant to this Act;
12. issuing consents and expert opinions in accordance with regulations;
13. providing fisheries management in waters of particular interest designated by a Government's decree and in fishery regions for which a fishery management concession has not been granted or has been withdrawn.

(2) The tasks referred to in the preceding paragraph shall be carried out by the Institute as a public service.

(3) Detailed specification and scope of tasks referred to in paragraph one of this Act shall be laid down in the annual programme of the Institute's operation.

(4) The Institute may also carry out other tasks specified in the Institute's statute.

Article 46 (Institute's bodies and statute)

(1) The Institute's bodies shall be the Council of the Institute, the Director of the Institute and the Council of Experts.

(2) The composition and competences of the Institute's bodies shall be defined by the statute of the Institute.

(3) Mutual rights of the Institute and the founder shall be

zakonom in statutom zavoda.

47. člen
(sredstva za delo zavoda)

(1) Premoženje zavoda, ki ga zavod upravlja in uporablja za opravljanje svojih dejavnosti, je v lasti ustanovitelja.

(2) Zavod razpolaga s premožnim premoženjem, z nepremičnim pa samo po predhodnem soglasju ustanovitelja.

(3) Zavod upravlja s premoženjem kot dober gospodar.

48. člen
(vir, način in pogoji za pridobitev sredstev za delo)

(1) Naloge javne službe zavoda se financirajo iz državnega proračuna na osnovi programa dela in finančnega načrta za posamezno leto.

(2) Za izvajanje nalog, ki niso naloge javne službe, zavod pridobiva sredstva tudi s prodajo blaga in storitev, donacijami, dotacijami, darili in iz drugih virov.

(3) Sredstva iz državnega proračuna ter druga javna sredstva in prihodki iz naslova opravljanja javne službe se lahko porabijo samo za opravljanje javne službe, ki je določena s tem zakonom.

(4) Prihodki in odhodki iz naslova opravljanja javne službe ter prihodki in odhodki iz naslova tržnih dejavnosti se vodijo na dveh ločenih računih.

(5) Presežek prihodkov nad odhodki zavod uporablja za izvajanje in razvoj svoje dejavnosti.

(6) O razporejanju presežka odloča ustanovitelj na predlog sveta zavoda.

(7) O načinu pokrivanja ter višini pokrivanja primanjkljaja, ki ga

defined by an Act and the statute of the Institute.

Article 47
(Resources for the Institute's operation)

(1) The assets of the Institute managed and used by the Institute for performing its activities shall be the founder's property.

(2) The Institute shall dispose of movable assets, while it shall dispose of immovable assets only upon prior consent of the founder.

(3) The Institute shall manage the assets with due diligence.

Article 48
(Sources, manners and conditions for obtaining funds for the Institute's operation)

(1) The performance of public service tasks shall be financed from the national budget on the basis of a work programme and a financial plan for individual years;

(2) For performing tasks outside the scope of public service, the Institute shall obtain funds by sales of goods and providing services as well as from donations, grants, gifts and other sources.

(3) National budgetary funds and other public funds and the revenue from performing a public service may be used exclusively for performing a public service specified by this Act.

(4) Revenue and expenditure from performing a public service and revenue and expenditure from market activities shall be kept in two separate accounts.

(5) A surplus of revenue over expenditure shall be used by the Institute for performing and developing its own activities.

(6) Decisions regarding the allocation of surplus shall be made by the founder on a proposal by the Council of the Institute.

(7) Decisions regarding the manner and amount of covering the

ni mogoče pokriti iz drugih razpoložljivih virov sredstev zavoda, odloča ustanovitelj na predlog sveta.

X. FINANCIRANJE V RIBIŠTVU

49. člen **(financiranje v ribištvu)**

(1) V proračunu Republike Slovenije se po tem zakonu zagotavljajo sredstva za:

- financiranje javne službe v ribištvu;
- financiranje in sofinanciranje ukrepov v skladu s predpisi Evropske skupnosti;
- financiranje državnih pomoči s področja ribištva.

(2) Financiranje in sofinanciranje iz prejšnjega odstavka določi vlada.

XI. VODE POSEBNEGA POMENA

50. člen **(vode posebnega pomena)**

(1) Vlada na predlog ministra in v sodelovanju z ministrom, pristojnim za ohranjanje narave, določi vode posebnega pomena.

(2) Ribiško upravljanje v vodah posebnega pomena, poleg ribiškega upravljanja iz 4. člena tega zakona, obsega zlasti:

- izvajanje razvojnih in raziskovalnih nalog v ribištvu;
- smukanje za gojitev domorodnih ribjih vrst v skladu s 15. členom tega zakona.

(3) Vlada ob določitvi vod posebnega pomena podrobneje predpiše:

- naloge, ki se izvajajo v teh vodah;
- morebitne posebne režime upravljanja.

deficit that cannot be covered from other available assets of the Institute shall be made by the founder on a proposal by the Council of the Institute.

X. FISHERIES FINANCING

Article 49 **(Fisheries financing)**

(1) Pursuant to this Act, funds shall be provided from the budget of the Republic of Slovenia as follows:

- financing of the fisheries public service;
- financing and co-financing of measures in accordance with European Union regulations;
- financing of state aid in the field of fisheries.

(2) Financing and co-financing referred to in the preceding paragraph shall be specified by the Government.

XI. WATERS OF PARTICULAR INTEREST

Article 50 **(Waters of particular interest)**

(1) The Government shall designate waters of particular interest on a proposal by the minister and in cooperation with the minister responsible for nature conservation.

(2) In addition to fisheries management referred to in Article 4 of this Act, fisheries management in waters of particular interest shall encompass, in particular:

- carrying out fisheries-related development and research tasks;
- stripping for the purposes of breeding of indigenous fish species pursuant to Article 15 of this Act.

(3) Along with the designation of waters of particular interest, the Government shall prescribe in more detail:

- tasks to be carried out in such waters;
- eventual special management regimes.

XII. EVIDENCE V RIBIŠTVU IN POROČILA

51. člen **(evidence v ribištvu in poročila)**

(1) Evidence v ribištvu se vodijo v ribiškem katastru in vsebujejo vse predpisane podatke, obdelavo podatkov in poročila.

(2) Ribiški kataster se vodi kot javna knjiga. Sestavljajo ga popis ribiških območij, ribiških okolišev in ribiških revirjev s pripadajočimi ribolovnimi, varstvenimi in drugimi revirji po določbah tega zakona, podatki o stanju populacij rib, evidence o izvajalcih ribiškega upravljanja, imetnikih vodnih pravic komercialnih ribnikov, evidence ribogojnic, evidence o opravljenih izpitih gospodarjev, izvajalcev elektroribolova, čuvajev in ribogojcev, evidence poginov rib, evidence o smukanju in drugi podatki, pomembni za ribiško upravljanje.

(3) Evidenci ribogojnic in lastnikov vodnih pravic komercialnih ribnikov vsebujeta podatke o:

- gojitveni zmogljivosti ribogojnic oziroma o lastnostih komercialnega ribnika,
- ribjih vrstah;
- lokaciji objekta;
- osebnem imenu in naslovu stalnega ali začasnega prebivališča fizične osebe ter firmi in sedežu pravne osebe in

- druge za ribištvo pomembne podatke.

(4) Ribiški kataster vzpostavi, vodi in vzdržuje zavod. Zavod lahko uporablja osebne podatke samo za namene upravljanja rib.

(5) Podatki iz drugega odstavka tega člena, ki imajo naravo osebnih podatkov, se lahko zbirajo, obdelujejo in posredujejo v skladu s predpisi o varstvu osebnih podatkov.

(6) Minister podrobneje predpiše vsebino, obliko in način

XII. FISHERIES RECORDS AND REPORTING

Article 51 **(Fisheries records and reporting)**

(1) Fisheries records shall be kept in a fisheries cadastre and shall comprise all prescribed data, data processing and reports.

(2) The fisheries cadastre shall be kept as a public record. It shall comprise a list of fishery areas, fishery regions and fishery districts along with included fishing, protection and other districts pursuant to the provisions of this Act, data on the status of fish populations, records of fishery management operators, holders of water rights relating to commercial ponds, records of fish farms, records of examinations for managers, electrofishing operators, keeping and fish breeding operators, records of fish mortality, records of stripping and other data relevant for fisheries management.

(3) Records of fish farms and commercial pond water rights holders shall contain, in particular, the data on:

- breeding capacity of fish farms or properties of commercial ponds,
- fish species,
- location of facilities,
- personal name and address of permanent or temporary residence of a natural person and registered name and registered office of a legal person, and
- other data relevant for fisheries.

(4) The fisheries cadastre shall be established, kept and maintained by the Institute. The Institute may use personal data exclusively for the purposes of fish management.

(5) The data from paragraph two of this Article that have the nature of personal data may be collected, processed and passed on in accordance with regulations governing protection of personal data.

(6) The content, form and manner of keeping records and the

vodenja evidenc ter način poročanja.

XIII. ORGANIZACIJE V RIBIŠTVU

52. člen (Ribiška zveza Slovenije)

(1) Ribiška zveza Slovenije je zveza vseh ribiških družin.

(2) Člani Ribiške zveze Slovenije so lahko tudi druga društva in organizacije ter posamezniki, katerih dejavnost je povezana z ribištvom.

53. člen (naloge Ribiške zveze Slovenije)

(1) Ribiška zveza Slovenije poleg nalog, ki jih opravlja za svoje člane, opravlja tudi naloge, za katere jo pooblasti minister:

- pripravlja in izvaja letne programe usposabljanja ribičev, preverja znanje in izdaja potrdila o izpitih za ribiča;
- pripravlja in organizira strokovna usposabljanja iz 56. člena tega zakona;
- izvaja programe usposabljanj, preverja znanje in izdaja potrdila o usposobljenosti;
- vodi evidence o opravljenih nalogah iz tega člena in o tem letno poroča zavodu.

(2) Ribiška zveza Slovenije naloge iz prejšnjega odstavka opravlja kot javno pooblastilo. Listine, ki jih izdaja Ribiška zveza Slovenije pri izvajanju javnega pooblastila, so javne listine.

(3) Ribiška zveza Slovenije, ki se ji podeli javno pooblastilo, mora ob prijavi v postopek podelitve javnega pooblastila izpolnjevati najmanj naslednje pogoje:

manner of reporting shall be prescribed in more detail by the minister.

XIII. FISHERIES ORGANISATIONS

Article 52 (Fishing Association of Slovenia)

(1) The Fishing Association of Slovenia shall be an association of all fishing societies.

(2) Other societies, organisations and individuals whose activity is connected with fisheries may also become members of the Fishing Association of Slovenia.

Article 53 (Tasks of the Fishing Association of Slovenia)

(1) In addition to tasks it performs for its members, the Fishing Association of Slovenia shall perform the following tasks for which it shall be authorised by the minister:

- preparation and implementation of annual training programmes for fishermen, testing their knowledge and issuing certificates of successfully completed fishing examinations;
- preparation and organisation of professional training referred to in Article 56 of this Act;
- implementation of training programmes, testing of knowledge and issuing of certificates of qualification;
- keeping records of performed tasks referred to in this Article and annual reporting thereof to the Institute.

(2) The Fishing Association of Slovenia shall perform the tasks referred to in the preceding paragraph under public authority. Documents issued by the Fishing Association of Slovenia in exercising public authority shall be public documents.

(3) The fishing Association of Slovenia, which shall be granted public authority, must meet at least the following conditions at the time of applying for such public authority grant:

- delovati mora na področju celotne države;
- imeti mora usposobljene kadre za izvajanje javnih pooblastil;
- imeti mora vzpostavljeno potrebno infrastrukturo za učinkovito izvajanje javnih pooblastil;
- podati mora izračun stroškov za izvajanje javnih pooblastil.

(4) Minister glede na izpolnjevanje pogojev iz prejšnjega odstavka izda odločbo v upravnem postopku, s katero Ribiški zvezi Slovenije podeli javno pooblastilo za opravljanje vseh ali posameznih nalog iz prvega odstavka tega člena.

(5) Ribiška zveza Slovenije o opravljanju nalog iz tega člena letno poroča ministrstvu do 31. marca tekočega leta za preteklo leto.

54. člen (financiranje Ribiške zveze Slovenije)

Ribiška zveza Slovenije krije stroške svojega delovanja s članarino, prispevki članov, s prispevki sponzorjev, donatorjev, s prihodki od izvajanja javnih pooblastil, ki bremenijo udeležence usposabljanj, in iz drugih virov.

55. člen (ribiške družine)

(1) Ribiška družina je društvo, ki ima sklenjeno koncesijsko pogodbo za izvajanje ribiškega upravljanja v ribiškem okolišu.

(2) Ribiška družina deluje v javnem interesu.

(3) Ribiške družine se lahko organizirajo tudi v območne zveze.

XIV. STROKOVNO USPOSABLJANJE V RIBIŠTVU

- it must operate throughout the entire territory of Slovenia;
- it must have adequately trained personnel for exercising public authority;
- it must have infrastructure required for the efficient exercising of public authority;
- it must present the calculation of expenditure for exercising public authority.

(4) The conditions referred to in the preceding paragraph having been met, the minister shall grant public authority to the Fishing Association of Slovenia to perform all or any number of the individual tasks referred to in paragraph one of this Article.

(5) The Fishing Association of Slovenia shall report to the ministry annually regarding the performance of the tasks referred to in this Article by 31 March of the current year for the previous year.

Article 54 (Financing of the Fishing Association of Slovenia)

The Fishing Association of Slovenia shall cover the expenditure of its operation from membership fees, contributions from members, sponsors and donors, revenues from exercising public authority paid by participants of trainings and from other sources.

Article 55 (Fishing societies)

(1) A fishing society shall mean a society with a concluded concession contract for performing fishery management in a fishery region.

(2) Fishing societies shall operate in their own interest.

(3) Fishing societies may also be organised in regional associations.

XIV. PROFESSIONAL TRAINING IN THE FIELD OF FISHERIES

56. člen
(strokovno usposabljanje delavcev)

(1) Na podlagi javnega razpisa se podeli javno pooblastilo za strokovno usposabljanje delavcev iz 30. člena tega zakona, ki se podeli na podlagi tega člena.

(2) Programe strokovnega usposabljanja na predlog Ribiške zveze Slovenije in zavoda predpiše minister.

(3) Izpit se opravi pred tričlansko izpitno komisijo, ki jo imenuje minister.

(4) Vsebino in način opravljanja izpitov predpiše minister.

(5) Javno pooblastilo iz prvega odstavka tega člena podeli minister pravni ali fizični osebi, ki izpolnjuje naslednje pogoje:

- delovati mora na področju celotne države;
- imeti mora usposobljene kadre za izvajanje javnih pooblastil;
- imeti mora vzpostavljeno potrebno infrastrukturo za učinkovito izvajanje javnih pooblastil;
- podati mora izračun stroškov za izvajanje javnih pooblastil.

(6) Minister glede na izpolnjevanje pogojev iz prejšnjega odstavka izda odločbo v upravnem postopku, s katero izvajalcu podeli javno pooblastilo.

(7) Medsebojna razmerja med ministrstvom in nosilcem javnega pooblastila se podrobneje uredijo s pogodbo.

(8) Zoper odločbo iz prejšnjega odstavka ni pritožbe, mogoč pa je upravni spor.

Article 56
(Professional training of employees)

(1) Based on a public tender, public authority to carry out professional training of employees referred to in Article 30 of this Act shall be granted pursuant to this Article.

(2) Professional training programmes shall be prescribed by the minister upon a proposal by the Fishing Association of Slovenia and the Institute.

(3) Examination shall be taken before a committee composed of three members appointed by the minister.

(4) The content and manner of taking examinations shall be prescribed by the minister.

(5) Public authority referred to in paragraph one of this Article shall be granted by the minister to a legal or natural person meeting the following conditions:

- the person must operate throughout the entire territory of Slovenia;
- the person must have adequately trained personnel for exercising public authority;
- the person must have infrastructure required for the efficient exercising of public authority;
- the person must present the calculation of expenditure for exercising public authority.

(6) The conditions referred to in the preceding paragraph having been met, the minister shall issue a decision in an administrative procedure by which public authority shall be granted to the provider.

(7) Mutual relations between the minister and a holder of public authority shall be defined in more detail by a contract.

(8) No appeal against the decision referred to in the preceding paragraph shall be allowed; however, an administrative dispute may be initiated.

(9) Nosilec javnega pooblastila je za izvajanje nalog, za katere mu je podeljeno javno pooblastilo, odgovoren ministrstvu.

(10) Javno pooblastilo se odvzame, če nosilec javnega pooblastila ne izpolnjuje več predpisanih pogojev ali če ravna v nasprotju s predpisi ali pogodbo iz sedmega odstavka tega člena.

(11) Zoper odločbo iz prejšnjega odstavka ni pritožbe, mogoč pa je upravni spor.

XV. ŠKODA IN ODŠKODNINA

57. člen (škoda)

Glede povzročitve škode na ribah in odgovornosti za škodo na ribah se uporabljajo določbe Obligacijskega zakonika (Uradni list RS, št. 83/01, 32/04 – avtentična razlaga in 28/06 – odločba US), če ta zakon ne določa drugače.

58. člen (upravičenec do odškodnine)

(1) Za škodo na ribah, povzročeno zaradi zastrupljanja, onesnaževanja oziroma čezmernega obremenjevanja voda in nezakonitega poseganja v vode, je do odškodnine upravičen izvajalec ribiškega upravljanja.

(2) Izvajalec ribiškega upravljanja je upravičen tudi do odškodnine za nezakonito uplenjene ribe, ki se obračuna po odškodninskem ceniku iz drugega odstavka 59. člena tega zakona.

59. člen

(9) The holder of public authority shall be responsible to the minister for performing tasks for which public authority has been granted.

(10) Public authority shall be withdrawn when the holder of public authority no longer meets the prescribed conditions or acts in contravention to regulations or a contract referred to in paragraph seven of this Article.

(11) No appeal against the decision referred to in the preceding paragraph shall be allowed; however, an administrative dispute may be initiated.

XV. DAMAGE AND COMPENSATION

Article 57 (Damage)

As regards damage to fish stock and responsibility for damage to fish stock, provisions of the Obligations Code (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 83/01, 32/04 – Authentic interpretation and 28/06 – Dec. of the CC) shall apply unless otherwise provided by this Act.

Article 58 (Claimant entitled to compensation)

(1) For damage caused to fish stock due to contamination, pollution or overburdening of waters and illegal activities affecting waters, a fishery management operator shall be entitled to compensation.

(2) A fishery management operator shall also be entitled to compensation for illegally caught fish, which shall be calculated in accordance with the compensation rate chart referred to in paragraph 59 of this Act.

Article 59

(določitev odškodnine)

(1) Višina odškodnine se določi ob upoštevanju načela povrnitve stroškov in zmanjšanja prihodkov, ki vključuje najmanj:

- vrednost poginulih rib po odškodninskem ceniku;
- stroške izvajalca ribiškega upravljanja;
- stroške strokovne organizacije in izvedencev v zvezi s sanacijo in izračunom odškodnine;
- stroške za poribljavanje;
- stroške za vzpostavitev prvotnega stanja voda;
- stroške za spremembo ribiškogojitvenega načrta in letnega programa.

(2) Odškodninski cenik za ribe predpiše minister.

XVI. RIBIŠKOČUVAJSKA SLUŽBA

60. člen (ribiškočuvajska služba)

(1) Ribiškočuvajska služba se izvaja na podlagi javnega pooblastila, ki se podeli izvajalcem ribiškega upravljanja.

(2) Izvajalec ribiškega upravljanja mora organizirati ribiškočuvajsko službo, tako da so vse vode nadzorovane.

(3) Ribiškočuvajsko službo opravljajo ribiški čuvaji, ki imajo lahko pooblastila prekrškovnega organa, če izpolnjujejo pogoje po zakonu, ki ureja prekrške.

(4) Ribiški čuvaj je lahko vsak polnoleten državljan Republike Slovenije, ki ima že tri leta izpit za ribiča in ima opravljen izpit za ribiškega čuvaja iz 56. člena tega zakona.

(5) Med opravljanjem zakonsko določenih nalog je ribiški čuvaj

(Determination of compensation amount)

(1) In determining the compensation amount, the principle of reimbursement of incurred costs and lost income shall apply, including at least:

- the value of killed fish in accordance with the compensation rate chart;
- the costs incurred by a fishery management operator;
- the costs of a professional organisation and experts as regards remediation and compensation calculation;
- restocking costs;
- the costs of restoring waters to their original state;
- the costs of amending a fishery management plan and an annual programme.

(2) The compensation rate chart for fish shall be prescribed by the minister.

XVI. FISHERIES KEEPER SERVICE

Article 60 (Fisheries keeper service)

(1) The fisheries keeper service shall be provided on the basis of public authority granted to fishery management operators.

(2) A fishery management operator must organise a fisheries keeper service in order to ensure supervision of all waters:

(3) The fisheries keeper service shall be performed by fisheries keepers who may be granted powers of a minor offence authority if they meet conditions under the Act regulating minor offences.

(4) A fisheries keeper may be any adult citizen of the Republic of Slovenia who passed a fishing examination at least three years ago and who has passed the fisheries keeper examination referred to in Article 56 of this Act.

(5) While performing statutory duties, a fisheries keeper is an

uradna oseba ter ima značko in službeno izkaznico.

(6) Ribiškega čuvaja na predlog izvajalca ribiškega upravljanja imenuje in razrešuje minister.

(7) Ribiški čuvaj je imenovan za obdobje šestih let. Po preteku šestih let je lahko ribiški čuvaj ponovno imenovan.

(8) Obliko ter vsebino značke in službene izkaznice predpiše minister.

61. člen (naloge ribiškočuvajske službe)

Naloge ribiškočuvajske službe so:

- nadzor nad ribolovom po tem zakonu;
- nadzor nad ribolovnimi dovolilnicami, plenom in ribiškimi pripravami po tem zakonu;
- pomoč in nasveti ribičem;
- obveščanje centra za obveščanje ob poginih rib;
- spremljanje posegov iz 19. člena tega zakona;
- evidentiranje in obveščanje izvajalca ribiškega upravljanja o nenapovedanih posegih na vodnih in priobalnih zemljiščih ribiškega okoliša;
- sprotno vodenje evidence in mesečno poročanje o opravljanju ribiškočuvajske službe na način in v obliki, kot ju predpiše minister;
- obveščanje ribiške inšpektorice oziroma inšpektorja (v nadaljnjem besedilu: ribiški inšpektor).

62. člen (ukrepi ribiškega čuvaja)

(1) Pri izvajanju svojih nalog sme ribiški čuvaj izvajati naslednje ukrepe:

- pregledati ribolovno dovolilnico in pregledati listine za ugotovitev istovetnosti ribiča, ki lovi ribe ali se zadržuje ob vodi s priborom za

official, carrying a ministry certified badge and a ministry certified warden identity card.

(6) Fisheries keepers shall be appointed and released from duty by the minister upon a proposal by a fishery management operator.

(7) Fisheries keepers shall be appointed for the period of six years. Upon expiration of the six-year period, a fisheries keeper may be re-appointed.

(8) The shape and content of a badge and a keeper identity card shall be prescribed by the minister.

Article 61 (Tasks of fishery keeper service)

The tasks of fishery keeper services shall be as follows:

- supervision of fishing pursuant to this Act;
- control of fishing permits, catch and fishing equipment pursuant to this Act;
- assisting and advising fishermen;
- reporting to the Emergency Response Centre on fish mortality;
- monitoring of those activities referred to in articles 19 of this Act;
- recording and notifying a fishery management operator of activities on waters and waterside land within a fishery region;
- continuous keeping records and monthly reporting on performing fishery keeper services in the manner and form as prescribed by the minister;
- notifying fisheries inspectors.

Article 62 (Fisheries keeper measures)

(1) In performing their tasks, fisheries keepers shall be authorised to take measures as follows:

- check a fishing permit and identity documents in order to identify a fisherman who fishes or is near waters with fishing gear;

- ribolov;
- pregledati ribolovni pribor, vabe, ribolovno opremo in uplen ribiča iz prejšnje alineje;
- začasno zaseči ribolovno opremo in vabe ribiču, ki lovi ali se zadržuje ob vodi, če nima ribolovne dovolilnice ali lovi na prepovedan način;
- trajno zaseči protipravno ujete ribe, ki postanejo last izvajalca ribiškega upravljanja;
- prodajati ribolovne dovolilnice;
- odvzeti ribolovno dovolilnico ribiču, ki lovi na prepovedan način.

(2) Zaradi dokazovanja prekrška sme ribiški čuvaj ribiča, ki je lovil na prepovedan način, ribolovne priprave in uplenjene ribe tudi fotografirati ali posneti.

(3) Ribič mora na zahtevo ribiškega čuvaja pokazati ribolovno dovolilnico, vabo, s katero ribari, ribolovni pribor, uplenjene ribe in vsebino ribiške torbe.

XVII. NADZOR NAD IZVAJANJEM DOLOČB

63. člen (inšpekcijski nadzor)

(1) Izvajanje določb tega zakona in na njegovi podlagi izdanih predpisov nadzirajo inšpektorji, pristojni za ribištvo, lovstvo, varstvo okolja, veterinarstvo in notranje zadeve v skladu s svojimi pristojnostmi.

(2) Za ribiškega inšpektorja je lahko imenovana oseba, ki izpolnjuje pogoje iz predpisov, ki urejajo inšpekcijo, ima visoko strokovno izobrazbo, ima opravljen ribiški izpit najmanj tri leta in izpolnjuje splošne pogoje za delo v državni upravi.

64. člen (pooblastila ribiškega inšpektorja)

- check fishing tackle baits, fishing equipment and the catch of a fisherman referred to in the preceding indent;
- temporarily confiscate fishing equipment and baits of a fisherman who fishes or stays near water without a fishing permit or catches fish in a prohibited manner;
- permanently confiscate illegally caught fish that shall become the property of a fishery management operator;
- sell fishing permits;
- confiscate a fishing permit of a fisherman who catches fish in a prohibited manner;

(2) For the purposes of collecting evidence of the offence, a fisheries warden may photograph or record a fisherman who caught fish in a prohibited manner, the fishing gear and the caught fish.

(3) On request of a fisheries warden, a fisherman must show a fishing permit, bait used for fishing, fishing tackle, the catch and the content of the fishing bag.

XVII. SUPERVISION OF IMPLEMENTATION OF PROVISIONS

Article 63 (Inspection)

(1) Inspection of the implementation of the provisions of this Act and regulations issued thereunder shall be carried out by fisheries, hunting, nature conservation, veterinary service and internal affairs inspectors in accordance with their powers.

(2) Any person meeting the conditions laid down by regulations governing inspection, having completed professionally-oriented higher education, having successfully passed a fishing examination at least three years prior to the appointment and meeting general conditions to be employed as a civil servant may be appointed as a fisheries inspector.

Article 64 (Powers of a fisheries inspector)

Ribiški inšpektor ima poleg pooblastil po splošnih predpisih o inšpekciji tudi naslednja pooblastila in pristojnosti:

- pregledovati dokumente v zvezi z izvajanjem ribškokogjitvenega načrta;
- pregledovati gradnje in druge posege v vode;
- nadzorovati dejavnosti izvajalcev ribiškega upravljanja ob pogonih;

- nadzirati pravico dostopa do vode;
- nadzorovati izvajanje koncesijskih pogodb;
- pregledovati dokumentacijo, ki jo morajo pridobiti ribogojci za gojitev rib za pribljavaanje;
- nadzirati opravljanje nalog in pooblastil ribiških čuvajev;
- pregledovati dokumentacijo komercialnih ribnikov in njihovo upravljanje;
- pregledovati ustreznost ribolovnih dovolilnic in vodenje sredstev, ki so pridobljena s prodajo ribolovnih dovolilnic.

65. člen (ukrepi ribiškega inšpektorja)

Poleg ukrepov, ki jih mora ribiški inšpektor izreči po splošnih predpisih o inšpekciji, mora tudi:

- ustaviti vso dejavnost, ki je v nasprotju s tem zakonom in na njegovi podlagi izdanimi predpisi;
- prepovedati upravljanje ribolovnega okoliša ali njegovega dela brez sklenjene koncesijske pogodbe;
- obveščati ministra o ugotovljenih nepravilnostih pri izvajanju koncesijske pogodbe;
- v nujnih primerih odrediti začasne ukrepe za preprečitev škode ribam ali njihovemu biotopu;
- prepovedati gojitev rib, če ribogojec nima potrebnih dovoljenj ali ne izvaja njihovih določil;

- začasno zaseči predmete in finančna sredstva, ki so bila pridobljena v nasprotju z določbami tega zakona in na njegovi podlagi sprejetimi predpisi;
- predlagati prenehanje opravljanja službe ribiškega čuvaja, če so za to

In addition to powers under general regulations governing inspection, a fisheries inspector shall also have powers and competences to:

- inspect documents related to the implementation of fishery management plans;
- inspect construction and other activities affecting waters;
- oversee the activities of fishery management operators during fish mortality;
- oversee exercising of the right of access to waters;
- monitor the implementation of concession contracts;
- inspect documentation required to be obtained by fish breeding operators for breeding fish for restocking purposes;
- supervise the performance of duties and powers of fisheries keepers;
- inspect the documentation of commercial ponds and their management;
- inspect the compliance of fishing permits and the management of funds obtained by the sale of fishing permits.

Article 65 (Sanctions imposed by fisheries inspectors)

In addition to sanctions fisheries inspectors are required to impose pursuant to general regulations governing inspection, they must also:

- stop every activity in contravention of this Act and regulations issued thereunder;
- prohibit the management of a fishery region or part thereof without a concluded concession agreement;
- notify the minister of established irregularities in implementation of a concession agreement;
- in the events of emergency, impose temporary measures to prevent damage to fish stock or a fish biotope;
- prohibit fish breeding where aquaculture producers carry out their activities without required permits or fail to implement the provisions thereof;
- temporarily confiscate objects and financial resources obtained in contravention to the provisions of this Act and regulations adopted thereunder;
- based on reasonable grounds, propose termination of the fisheries

utemeljeni razlogi.

XVIII. KAZENSKE DOLOČBE

66. člen (prekrški)

(1) Z globo od 200.000 do 500.000 tolarjev se kaznuje pravna oseba, ki:

1. opravlja smukanje, ki ni predvideno v ribiškogojitvenem načrtu, in ne pridobi dovoljenja ministra (drugi odstavek 15. člena);
2. izvaja poribljavanje z ribami iz ribogojnic, ki nimajo dovoljenja po 41. členu tega zakona, in z ribami, ki niso zdravstveno neoporečne (drugi odstavek 16. člena);
3. izvede poribljavanje v novozgrajenih objektih brez predhodne spremembe ribiškogojitvenega načrta in letnega programa (tretji odstavek 16. člena);
4. o poginu rib ne obvesti centra za obveščanje (drugi odstavek 20. člena);
5. ne dovoli izvajalcu ribiškega upravljanja ali ribiču neškodljivega prehoda čez svoje zemljišče in zadrževanja na njem, zaradi izvajanja ribiškega upravljanja (prvi odstavek 23. člena);
6. dovoli ribolov na načine, ki so prepovedani v prvem odstavku 25. člena tega zakona;
7. dovoli upleniti ribe, ki jih je prepovedano upleniti (prva, druga in četrta alineja drugega odstavka 25. člena);
8. dovoli prenašati žive uplenjene ribe v druge vode (druga alineja tretjega odstavka 25. člena);
9. dovoli ribolov na načine, ki jih je minister prepovedal (prvi odstavek 26. člena);
10. prireja ribiška tekmovanja na trasah, ki niso opredeljene v ribiškogojitvenem načrtu (prvi odstavek 27. člena), ali ne pošlje časovnega načrta tekmovanj pristojni ribiški inšpekciji najmanj 14 dni pred prvo tekmo v nizu tekmovanj (tretji odstavek 27. člena).

(2) Z globo od 150.000 do 400.000 tolarjev se kaznuje

keeper duty.

XVIII. PENALTY PROVISIONS

Article 66 (Minor offences)

(1) Legal persons shall be fined from SIT 200,000 to 500,000 for the offences of:

1. carrying out stripping not provided for in a fishery management plan without obtaining a permit from the minister (paragraph two of Article 15);
2. carrying out restocking using fish from fish farms without a permit referred to in Article 41 of this Act and using fish not complying with veterinary health regulations (paragraph two of Article 16);
3. carrying out restocking in newly built facilities without having made required amendments to a fishery management plan and an annual programme (paragraph three of Article 16);
4. failing to report fish mortality to the Emergency Response Centre (paragraph two of Article 20);
5. not allowing fishery management operators or fishermen harmless trespass and presence on their land for the purposes of fisheries management (paragraph one of Article 23);
6. allowing fishing in contravention of prohibitions referred to in paragraph one of Article 25 of this Act;
7. allowing fish to be caught in contravention of prohibitions referred to in indents one and four of paragraph two of Article 25;
8. allowing the transfer of live caught fish to other waters (indent two of paragraph three of Article 25);
9. allowing fishing in contravention of the minister's prohibitions (paragraph one of Article 26);
10. organising fishing competitions within competition zones not designated in fishery management plans (paragraph one of Article 27), or failing to send a time schedule of competitions to a competent fisheries inspection service at least 14 days before the first competition of a series of competitions (paragraph three of Article 27).

(2) Individual sole traders or individuals who perform

samostojna podjetnica oziroma samostojni podjetnik posameznik (v nadaljnjem besedilu: podjetnik), ki stori prekršek iz prejšnjega odstavka.

(3) Z globo od 100.000 do 200.000 tolarjev se kaznuje tudi odgovorna oseba pravne osebe, ki stori prekršek iz prvega odstavka tega člena.

(4) Z globo od 80.000 do 180.000 tolarjev se kaznuje odgovorna oseba podjetnika, ki stori prekršek iz prvega odstavka tega člena.

(5) Z globo od 60.000 do 100.000 tolarjev se kaznuje fizična oseba, ki stori prekršek iz prvega odstavka tega člena.

67. člen (hujši prekrški)

(1) Z globo od 400.000 do 1.000.000 tolarjev se kaznuje pravna oseba, ki:

1. izvede poseg brez predhodne pridobitve soglasja zavoda ali če poseg ni v skladu s tem soglasjem (drugi odstavek 19. člena);
2. prenaša žive ribe iz vodnega območja Donave v vodno območje Jadranskega morja in obratno (tretja alineja tretjega odstavka 25. člena);
3. posega na drstišča oziroma vznemirja ribe na drstiščih rib, med drstenjem in v varstvenih revirjih (četrti alineja tretjega odstavka 25. člena);
4. izvaja ribiško upravljanje brez sklenjene koncesijske pogodbe (peta alineja tretjega odstavka 25. člena);
5. prenese koncesijo na drugo pravno ali fizično osebo v nasprotju s 33. členom tega zakona;
6. gospodari s komercialnim ribnikom, ne da bi pridobil vodno pravico (prvi odstavek 37. člena);
7. za gojitev rib za poribljavanje ne pridobi dovoljenja ministra (tretji odstavek 41. člena).

(2) Z globo od 300.000 do 800.000 tolarjev se kaznuje podjetnik, ki stori prekršek iz prejšnjega odstavka.

independent activities (hereinafter: private entrepreneurs) shall be fined from SIT 150,000 to 400,000 for the offences referred to in the preceding paragraph.

(3) Responsible persons of legal entities shall be fined from SIT 100,000 to 200,000 for the offences referred to in paragraph one of this Article.

(4) Representative of private entrepreneurs shall be fined from SIT 80,000 to 180,000 for the offences referred to in paragraph one of this Article.

(5) Natural persons shall be fined from SIT 60,000 to 100,000 for the offences referred to in paragraph one of this Article.

Article 67 (Serious offences)

(1) Legal persons shall be fined from SIT 400,000 to 1,000,000 for the offences of:

1. carrying out an activity without having obtained the Institute's consent or an activity not in accordance with the consent (paragraph two of Article 19);
2. transferring live fish from the Danube watershed to the Adriatic watershed and vice versa (indent three of paragraph three of Article 25);
3. intervening or disturbing fish in spawning grounds, during spawning and in protection districts (indent four of paragraph three of Article 25);
4. carrying out fisheries management without having concluded a fisheries contract (indent five of paragraph three of Article 25);
5. transferring a concession to another legal or natural person in contravention of Article 33 of this Act;
6. managing a commercial pond without having obtained water rights (paragraph one of Article 37);
7. failing to obtain the minister's permit for fish breeding and restocking (paragraph three of Article 41).

(2) Entrepreneurs shall be fined from SIT 300,000 to 800,000 for the offences referred to in the preceding paragraph.

(3) Z globo od 200.000 do 600.000 tolarjev se kaznuje odgovorna oseba pravne osebe, ki stori prekršek iz prvega odstavka tega člena.

(4) Z globo od 150.000 do 400.000 tolarjev se kaznuje odgovorna oseba podjetnika, ki stori prekršek iz prvega odstavka tega člena.

(5) Z globo od 100.000 do 300.000 tolarjev se kaznuje fizična oseba, ki stori prekršek iz prvega odstavka tega člena.

68. člen (prekrški ribičev)

Z globo 60.000 tolarjev se za prekršek kaznuje ribič, ki:

1. lovi ribe na načine, ki so prepovedani v prvem odstavku 25. člena tega zakona;
2. upleni ribe, ki jih je prepovedano upleniti (prva, druga in četrta alineja drugega odstavka 25. člena);
3. upleni več rib, kot je dovoljeni dnevni uplen (tretja alineja drugega odstavka 25. člena);
4. ima pri sebi v neposredni bližini ribolovne vode brez ribolovne dovolilnice ali posebnega dovoljenja ribiške priprave, ki niso spravljene v omotu (prva alineja tretjega odstavka 25. člena);
5. prenaša žive uplenjene ribe v druge vode (druga alineja tretjega odstavka 25. člena);
6. lovi ribe na načine, ki jih je minister prepovedal (prvi odstavek 26. člena);
7. na zahtevo ribiškega čuvaja ne pokaže ribolovne dovolilnice, vabe, s katero ribari, ribolovnega pribora, uplenjenih rib in vsebine ribiške torbe, ki jo ima pri sebi (tretji odstavek 62. člena);
8. ovira ribiškega čuvaja in se mu upira pri izvrševanju njegovih pooblastil (prvi odstavek 62. člena).

69. člen (varstveni ukrepi)

Za prekrške iz 1., 2., 3., 4. in 6. točke prejšnjega člena se

(3) Responsible persons of legal entities shall be fined from SIT 200,000 to 600,000 for the offences referred to in paragraph one of this Article.

(4) Representative of private entrepreneurs shall be fined from SIT 150,000 to 400,000 for the offences referred to in paragraph one of this Article.

(5) Natural persons shall be fined from SIT 100,000 to 300,000 for the offences referred to in paragraph one of this Article.

Article 68 (Offences committed by fishermen)

Fishermen shall be fined SIT 60,000 for the offences of:

1. catching fish in manners that are prohibited in paragraph one of Article 25 of this Act;
2. catching prohibited fish (indents one, two and four of paragraph two of Article 25);
3. exceeding the permitted daily catch (indent three of paragraph two of Article 25);
4. carrying unpacked fishing equipment in the immediate vicinity of a fishing waters without a fishing permit or a special permit (indent one of paragraph three of Article 25);
5. transferring live caught fish to other waters (indent two of paragraph three of Article 25);
6. using fishing methods prohibited by the minister (paragraph one of Article 26);
7. on request of a fisheries keeper, failing to show a fishing permit, bait used for fishing, fishing tackle, the catch, and the content of the fishing bag (paragraph three of Article 62);
8. obstructing and resisting a fisheries keeper in the exercise of his/her duties (paragraph one of Article 62).

Article 69 (Protective measures)

A secondary sanction of confiscation of objects used in

izreče tudi stranska sankcija odvzema predmetov, ki so bili uporabljeni pri prekršku, in uplenjenih rib.

XIX. PREHODNE IN KONČNE DOLOČBE

70. člen

(prva podelitev koncesije ter uporaba obstoječih službenih znakov in izkaznic)

(1) Vlada izda koncesijski akt za izvajanje ribiškega upravljanja v ribiških okoliših v enem letu od uveljavitve tega zakona.

(2) Pri prvi podelitvi koncesije iz 28. člena tega zakona imajo prednost ribiške organizacije, ki so do javnega razpisa iz 28. člena tega zakona v skladu s predpisi, samoupravnimi sporazumi in načrti strokovno ustrezno izvajale ribiško upravljanje.

(3) Do sklenitve koncesijskih pogodb izvajajo ribiško upravljanje v obstoječih ribiških okoliših dosedanje ribiške družine.

(4) Do določitve izvajalca ribiškega upravljanja v vodah posebnega pomena izvaja ribiško upravljanje zavod.

(5) Do izdaje novih službenih znakov in izkaznic ribiški čuvaji uporabljajo obstoječe znake in izkaznice.

71. člen

(obstoječa Ribiška zveza Slovenije)

(1) Naloge Ribiške zveze Slovenije opravlja obstoječa Ribiška zveza Slovenije.

(2) Obstoječa Ribiška zveza Slovenije uskladi svoje delovanje z

committing the offence and confiscation of the catch shall additionally be imposed for the offences referred to in points 1, 2, 3, 4 and 6 of the preceding Article.

XIX. TRANSITIONAL AND FINAL PROVISIONS

Article 70

(First granting of concession and the use of existing official badges and identity cards)

(1) The Government shall issue a concession deed for performance of fisheries management in fishery regions within one year of the entry into force of this Act.

(2) When the concession referred to in Article 28 of this Act is granted for the first time, fisheries organisations that have performed fisheries management in a professionally proper manner in accordance with regulations, self-management agreements and plans before the public tender referred to in Article 28 of this Act shall have the right of priority.

(3) Until the conclusion of concession contracts, fishery management in existing fishery regions shall be performed by fishing societies currently managing them.

(4) Until designation of fisheries management operators in waters of particular interest, fisheries management shall be performed by the Institute.

(5) Until the issuance of new official badges and identity cards, fisheries keepers shall use the existing badges and identity cards.

Article 71

(Existing Fishing Association of Slovenia)

(1) The tasks of the Fishing Association of Slovenia shall be carried out by the existing Fishing Association of Slovenia.

(2) The existing Fishing Association of Slovenia shall

določbami tega zakona v enem letu od njegove uveljavitve.

72. člen
(obstoječi Zavod za ribištvo Slovenije)

(1) Naloge zavoda po določbah tega zakona opravlja obstoječi Zavod za ribištvo Slovenije, ki se uskladi z določbami tega zakona v enem letu od njegove uveljavitve.

(2) Sredstva za delo Zavoda za ribištvo Slovenije so vsa osnovna in materialna sredstva, ki jih je upravljal do uveljavitve tega zakona.

73. člen
(Uporaba obstoječih in rok za izdajo novih predpisov)

(1) Vlada izda predpise po tem zakonu v roku enega leta po uveljavitvi tega zakona. Minister izda predpise po tem zakonu v roku dveh let po uveljavitvi tega zakona.

(2) Do uveljavitve predpisov iz prejšnjega odstavka veljajo in se uporabljajo naslednji predpisi:

- Odredba o določitvi ribiških rajonov in ribiških okolišev (Uradni list LRS, št. 17/59 ter Uradni list RS, št. 9/93 in 20/98);
- Pravilnik o načinu upravljanja varstvenih voda (Uradni list SRS, št. 7/78);
- Pravilnik o ribiškem katastru (Uradni list SRS, št. 7/78);
- Pravilnik o gojitveno-čuvajski službi in o izpitih za ribiške čuvaje (Uradni list SRS, št. 7/78 in Uradni list RS, št. 14/93);

harmonise its operations with the provisions of this Act within one year of the entry into force thereof.

Article 72
(Existing Fisheries Research Institute of Slovenia)

(1) The tasks of the Institute pursuant to the provisions of this Act shall be performed by the existing Fisheries Research Institute of Slovenia, which shall harmonise its operations with the provisions of this Act within one year of the entry into force thereof.

(2) The funds for the operation of the Fisheries Research Institute of Slovenia shall comprise all fixed and material assets managed by the Institute until the entry into force of this Act.

Article 73
(Application of existing regulations and time limit for issuing new regulations)

(1) The Government shall issue regulations on the basis of this Act within one year from the entry into force of this Act. The minister shall issue regulations on the basis of this Act within two years from the entry into force of this Act.

(2) Until the regulations referred to in the preceding paragraph enter into force, the following regulations shall remain in force and apply:

- Order on Designation of Fishery Regions and Fishery Districts (Official Gazette of the People's Republic of Slovenia [*Uradni list LRS*], No. 17/59 and Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 9/93 and 20/98);
- Rules on the Manner of Management of Protection Waters (Official Gazette of the Socialist Republic of Slovenia [*Uradni list SRS*], No. 7/78);
- Rules on the Fisheries Cadastre (Official Gazette of the Socialist Republic of Slovenia [*Uradni list SRS*], No. 7/78);
- Rules on Breeding-Warden Service and Examinations for Fishery Wardens (Official Gazette of the Socialist Republic of Slovenia [*Uradni list SRS*], 7/78 and Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 14/93);

- Odškodninski cenik za povračilo škode na ribah (Uradni list SRS, št. 17/80 in Uradni list RS, št. 43/93);
- Odredba o najmanjših dolžinah lovnih rib in o varstveni dobi lovnih rib, rakov, žab in školjk (Uradni list RS, št. 14/93 in 20/93 – popravek);
- Pravilnik o ribiško-gojitvenih načrtih ter o evidenci izvrševanja (Uradni list RS, št. 68/2000 in 29/01 – odločba US);
- Sklep o preoblikovanju Zavoda za ribištvo Ljubljana v Javni zavod za ribištvo Slovenije (Uradni list RS, št. 31/01, 60/01, 4/05 in 23/06).

74. člen
(veljavnost ribiškogojitvenega načrta)

Potrjeni ribiškogojitveni načrti ostanejo v veljavi do sprejetja novih ribiškogojitvenih načrtov, sprejetih na podlagi četrtega odstavka 12. člena tega zakona.

75. člen
(veljavnost izpitov)

Za osebe, ki so pred uveljavitvijo tega zakona opravile izpit o strokovni usposobljenosti za gospodarja, izvajalca elektroribolova in ribiškega čuvaja po Pravilniku Ribiške zveze Slovenije o organizaciji in programu izobraževanja članov ribiških organizacij (Glasilo Ribič št. 9/81) ter za ribogojca pri Zavodu za ribištvo Ljubljana, šteje, da imajo izpite iz 56. člena tega zakona opravljene.

76. člen
(prenehanje veljavnosti)

- Compensation Rate Chart for Compensation for Damage to Fish Stock (Official Gazette of the Socialist Republic of Slovenia [*Uradni list SRS*], No. 17/80 and Official Gazette of the Republic of Slovenia [Uradni list RS], No. 43/93);
- Order on Minimum Length of Eligible Fish and Protection Period for Eligible Fish, Crustaceans, Frogs and Bivalves (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 14/93 and 20/93 – Corrigendum);
- Rules on Fishery Management Plans and Implementation Records (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 68/2000 and 29/01 – Dec. of the CC);
- Resolution on Transformation of the Fisheries Research Institute into the Public Fisheries Research Institute (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 31/01, 60/01, 4/05 and 23/06).

Article 74
(Validity of a fishery management plans)

Approved fishery management plans shall remain valid until the adoption of new fishery management plans pursuant to paragraph four of Article 12 of this Act.

Article 75
(Validity of examinations)

Persons who passed professional qualification examinations for managers, electrofishing operators and fisheries keepers pursuant to the Rules of the Fishing Association of Slovenia on Organisation and Programme of Education of Members of Fisheries Organisations (Fisherman Newsletter [*Glasilo Ribič*], No. 9/81) and examinations for aquaculture producers at the Fisheries Research Institute, Ljubljana, shall be deemed to have passed the examinations referred to in Article 56 of this Act.

Article 76
(End of validity)

Z dnem uveljavitve tega zakona preneha veljati Zakon o sladkovodnem ribištvu (Uradni list SRS, št. 25/76, 21/78 in 42/86 ter Uradni list RS, št. 29/95 – ZPDF, 89/99 – ZDru-A in 110/02 – ZGO-1).

77. člen
(začetek veljavnosti zakona)

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

Št. 325-03/90-1/9
Ljubljana, dne 30. maja 2006
EPA 762-IV

Predsednik
Državnega zbora
Republike Slovenije
France Cukjati, dr. med., l.r.

On the day this Act enters into force, the Freshwater Fishing Act (Official Gazette of the Socialist Republic of Slovenia [*Uradni list SRS*], Nos 25/76, 21/78 and 42/86 and Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 29/95 – ZPDF, 89/99 – ZDru-A and 110/02 – ZGO-1) shall cease to be in force.

Article 77
(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.

No. 325-03/90-1/9
Ljubljana, 30 May 2006
EPA 762-IV

President
of the National Assembly
of the Republic of Slovenia
France Cukjati, dr. med., m.p.