**ANNEX:**

**WORKING TRANSLATION OF THE ABOVE-MENTIONED ARTICLES OF THE SLOVENIAN LEGISLATION:**

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| CRIMINAL PROCEDURE ACT  Article 18a |
| The police, the state prosecution service, courts and other state authorities, experts, expert witnesses, court and other interpreters and mediators must treat the injured parties, suspects, accused persons and convicts with particular care and act considerately where necessary because of their vulnerability, such as age, health condition, disability, or other similar circumstances.   |  | | --- | | Article 143č | | (1) The competent authority in pre-trial or criminal proceedings shall, if possible, the degree of the injured person's exposure to the secondary and repeated victimisation, intimidation and retaliation (individual assessment) in order to establish the existence of special needs for protection during the very first contact with the injured person. | | (2) The individual assessment shall examine in particular the personal characteristics of the injured person, the nature, gravity and circumstances of the crime, the conduct of the accused person and the injured person in pre-trial or criminal proceedings and otuside them, and shall take into account the opinion of the injured person, in particular if the injured person expressly refuses in advance the possibility of special protection. Particular consideration shall be given to the age and potential disability of the injured person and to the circumstances of the criminal offences committed as a result of prejudice, discrimination, exploitation or hatred, criminal offences involving the elements of violence or criminal offences against sexual integrity, and criminal offences involving the elements of terrorism, trafficking in human beings and crimes committed within the context of a criminal association. | |

**CIVIL PROCEDURE ACT**

Article 237

Witnesses shall be summoned invited by a writ of summons indicating: their name and surname, their occupation, the time and place of appearance, the matter in respect of which they are summoned, and the fact that they are being summoned as witnesses. The summons shall also state a warning as to the consequences of unjustified non-appearance (Article 241), and the right to refunding of costs (Article 242).

Those witnesses who are prevented from complying with the summons due to their **age,** sickness or grave physical handicaps may be examined at the place of their residence.

Article 140, 3rd paragraph

If the addressee residing in a residential building intended for common residence, or for performance of an activity which includes 24-hour residence (such as residence halls for students, nursing homes, residence halls for single persons, **public social welfare institutions**, hospitals), is not found there and does not have a separate post box at that address, service shall be effected to the person in that residential building authorized to take receipt of mail for the residents

**ENFORCEMENT OF CRIMINAL SANCTIONS ACT**

**Article 18, paragraph 7**

When making a decision on which prison the convicted person is to be sent, the court shall take account of their gender, **age,** and type and duration of the punishment imposed as well as the measures in the protection programme in case protected persons are involved pursuant to the act governing witness protection.

**Article 60, paragraph 2**

Convicted persons whose **age**, illness or disability necessitates additional assistance with the meeting of basic needs in the form of nursing or social care may reside in a modified area or department of one of the prisons.

**Article 239, paragraph 4**

Notwithstanding the first and second paragraphs of this Article, a judicial police officer shall not apply coercive means of coercive means against a visibly ill, elderly or disabled person, a visibly severe disabled person, a visibly pregnant woman or a woman who he knows is pregnant, unless he is otherwise able to control such person resistance or assault or if (s)he endangers her/his life or the lives of other people, property or if other circumstances put its life or health at imminent risk.

**LEGAL AID ACT**

Article 2, paragraph 2

Legal aid shall be granted as regular, extraordinary, **exceptional** or emergency legal aid.

*in conjunction to*

Article 22

Notwithstanding the provisions of this Act relating to the financial position of the applicant and the applicant's family, legal aid may also be granted if the applicant fulfils the conditions laid down in Article 24 of this Act and if the personal income of the applicant or the applicant's family does not exceed four times the basic amount of the minimum income laid down in the act governing the social assistance benefits and if the value of the assets of the applicant and the applicant's family does not exceed 60 times the basic amount of the minimum income (exceptional legal aid).

**Exceptional legal aid shall be granted under the conditions referred to in the preceding paragraph:**

* due to the family circumstances of the applicant if the cost of living of the applicant's family is burdened by extraordinary costs of medical treatment of a family member, costs of maintenance of a family member with a physical or mental developmental impairment, costs of education and training of children with special needs, and other costs caused by force majeure or other reasons beyond the control of the applicant or the applicant's family;
* due to the applicant's state of health if the costs relating to the applicant's treatment are burdened by justified costs that are not covered by compulsory health insurance but are necessary due to the applicant's level of disability or other forms of physical or mental impairment;
* due to an extraordinary financial liability if the applicant and the applicant's family become burdened by an extraordinary financial liability of which the applicant could not have been aware or could not have taken into account because it emerged as a consequence of force majeure (e.g. earthquake, flood, etc.);
* **if the major part of the personal income of the applicant or any of the applicant's family member is intended for the payment of institutional care services (e.g. payment for care in a home for the elderly);**
* in the case of an applicant who as a maintenance creditor wishes to enforce the maintenance determined by a court, or the maintenance agreed upon between the maintenance debtor and creditor in accordance with the act governing marriage and family relations and in the form of an enforceable notarial record, or an agreement concluded with the competent social work centre;
* in the case of an applicant to whom a guardian has been assigned to represent a special case in judicial proceedings, or an applicant deprived of legal capacity unless the legal capacity of the applicant has been limited or denied due to the applicant's frequent filing of unreasonable applications in judicial proceedings;
* in other cases due to reasons which the applicant or the applicant's family members could not or cannot have any influence on and due to which their financial position has been put at risk.

At the request of the legal aid office, an opinion on the facts referred to in the preceding paragraph shall also be given by the responsible social work centre if it is in possession of data on the applicant and the applicant's family.