



Co-funded by the COSME programme
of the European Union



SHORT HISTORY OF DEVELOPMENT OF PUBLIC PROCUREMENT LEGISLATION IN THE REPUBLIC OF SLOVENIA

At the end of 2015, the Slovene public procurement system acquired not only an updated, but also a new tool for the implementation of public procurement procedures by adopting the fourth public procurement act. The ZJN-3, in comparison with the existing laws, also contains provisions governing the public procurement on infrastructure (utility) area, which has been regulated by then in a special act – the Public Procurement Act for the water, energy, transport and postal services sectors. For the sake of simplification and better transparency, the legislator has decided to deal with similar issues in a single act.

Since the entry into force of this Act, the public procurement system in the Republic of Slovenia is regulated by three special acts, the Public Procurement Act, the Public Procurement Law in the field of defence and security, and the Legal Protection in Public Procurement Procedures Act, on the basis of which the rights to legal protection are exercised.

In Slovenia, public procurement is regulated normatively since the mid-1990s, while the first law on public procurement was adopted in 1997. This was followed three years later by the second law, the ZJN-1, which was almost completely remodelled in 2004. It was followed by the third law, the Public Procurement Act (ZJN-2), which had fully integrated the European directives in the field of public procurement into the Slovenian legislation.

As already stated, the adopted Public Procurement Act, ZJN-3, replaced the two laws – the ZJN-2, which regulated procurement in the classical field, and the Public Procurement Act for the water, energy and transport and postal services sectors (ZJNVETPS), which regulated public procurement in the field of infrastructure. The ZJN-2 and ZJNVETPS experienced five changes in eight years, which is relatively often, in the view of the importance of matter regulated by the law, and the number of users concerned. In fact these two acts experienced more changes than all their predecessors together.

Just like the previous acts, ZJN-3, largely leans on and draws the contents of two European directives, which is obvious because the transposition of these Directives into the national legislation was the main reason for the new systemic act.

In April 2018, few amendments were introduced to the ZJN-3A Act, which entered into force at the beginning of April 2018 and will start to be used in November 2018. The amended act seeks to ensure greater respect for labour, social and environmental legislation, and introduces some interesting novelties, such as periodic monitoring of the contractor, subcontractor by the contracting authority, electronic public procurement and new ceiling values.



More info

www.ipponproject.eu

