

Pursuant to Article 21(7) of the Government of the Republic of Slovenia Act (UL RS, Nos 24/05 – official consolidated text, 109/08, 38/10 – ZUKN, 8/12, 21/13, 47/13 – ZDU-1G and 65/14), the Government of the Republic of Slovenia hereby issues the following

DECREE
on the implementation of the Regulation (EU) concerning customs enforcement
of intellectual property rights

Article 1
(Subject matter)

This Decree shall determine the competent authority, notification, destruction, seizure and handling of goods and guarantee for the implementation of Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003 (OJ L 181, 29 June 2013, p. 15; hereinafter: Regulation (EU) No 608/2013).

Article 2
(Competent authority)

The authority competent for the implementation of Regulation (EU) No 608/2013 and this Decree shall be the Financial Administration of the Republic of Slovenia.

Article 3
(Notifications)

A notice of initiation of proceedings to establish whether an intellectual property right has been infringed in accordance with Article 23(5) or Article 26(9) of Regulation (EU) No 608/2013 shall be deemed as proof of an action brought before a competent court.

Article 4
(Destruction of goods)

When the conditions for the destruction of goods under Article 23(1) or Article 26(1) of Regulation (EU) No 608/2013 are met, the customs authority shall issue a decision on the destruction of goods in accordance with Article 198(1) of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269/1, 10 October 2013, p. 1; hereinafter: Regulation (EU) No 952/2013).

Article 5
(Seizure of goods)

Goods in respect of which an action has been brought in accordance with Article 23(5) or Article 26(9) of Regulation (EU) No 608/2013 shall be seized in accordance with Article 198(1) of Regulation (EU) No 952/2013 until a final court decision.

**Article 6
(Handling of detained and seized goods)**

Goods whose release was suspended or goods that were detained or seized shall remain under customs supervision in accordance with Article 240 of Regulation (EU) No 952/2013.

**Article 7
(Guarantee)**

The provision, release and amount of the guarantee referred to in point (a) of paragraph two of Article 24 of Regulation (EU) No 608/2013 shall be determined in accordance with Articles 90, 92 and 98 of Regulation (EU) No 952/2013.

**Article 8
(End of validity)**

On the day of entry into force of this Decree, the Rules on the method of payment of security, the criteria for determining its amount and the method of its release or exercise in the event of application of customs measures for infringement of intellectual property rights (UL RS, No 70/04) shall cease to apply.

**Article 9
(Entry into force)**

This Decree shall enter into force on 1 May 2016.

No 00712-11/2016
Ljubljana, 20 April 2016
EVA 2015-1611-0085

**Government of the Republic of Slovenia
Boris Koprivnikar
Vice-President**