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National specialised courts

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Slovenia

Slovenia



This section provides you with information on the organisation of specialised courts in Slovenia.

Labour courts and the social court of first instance (*Delovna sodišča in socialno sodišče prve stopnje*)

Under the provisions of the legislation, labour courts have jurisdiction to decide on individual and collective labour disputes, and social courts have jurisdiction in social disputes.

Labour courts and the social court of first instance decide at first instance. The Higher Labour and Social Court (*Višje delovno in socialno sodišče*) decides on appeals against decisions of the labour courts and the social court of first instance, while appeals against and reviews of decisions of the Higher Labour and Social Court are heard by the Supreme Court of the Republic of Slovenia.

A labour court has jurisdiction to decide in the following individual labour disputes:

- concerning the conclusion, existence, duration and cessation of employment relations;
- concerning rights, obligations and responsibilities arising from the employment relationship between employees and employers or their legal successors;
- concerning rights and obligations arising in connection with relationships between employees and the clients they are contracted to work for under a contract between the employees and clients;
- between employers and applicants in connection with recruitment procedures;
- concerning rights and obligations deriving from industrial property, agreed between a worker and an employer on the basis of employment relationships;
- concerning work performed by children under 15 years of age, apprentices, pupils and students;
- concerning personnel scholarships, between employers and pupils or students;
- concerning the voluntary performance of probation;
- as specified by law.

A labour court also has jurisdiction to decide if an insurance company is a co-defendant in a damages dispute over which a labour court has been given jurisdiction.

A labour court has jurisdiction to decide the following collective labour disputes:

- between the parties to a collective agreement or between the parties to the agreement and a third party concerning the validity and execution of a collective agreement;
- concerning competence to conduct collective negotiations;
- concerning the concordance of collective agreements with the law, the mutual concordance of collective agreements, and the concordance of general legal acts by the employer with the law and with collective agreements;
- concerning the legality of strikes and other industrial action;
- concerning the participation of workers in management;
- concerning the competences of trades unions in connection with employment relationships;

- in connection with decisions on the representativeness of trades unions;
- as specified by law.

The social court has jurisdiction to decide on the following social disputes:

1. In the area of pension and disability insurance:

- concerning rights to and deriving from compulsory pension and disability insurance,
- concerning rights to and deriving from compulsory additional pension insurance;
- concerning payment of contributions for compulsory pension and disability insurance and compulsory additional pension insurance;
- concerning the specification or termination of positions for which inclusion in additional pension insurance is compulsory;
- concerning voluntary inclusion in compulsory pension and disability insurance and payment of contributions for this insurance;
- concerning recognition and buying-up of the insurance period;
- concerning rights to a state pension;
- in connection with the official register;

2. In the area of health insurance:

- concerning rights to and deriving from compulsory health insurance and payment of contributions for this insurance;

3. In the area of unemployment insurance and recruitment:

- concerning rights to and deriving from compulsory unemployment insurance and payment of contributions for this insurance;
- concerning voluntary inclusion in compulsory unemployment insurance and payment of contributions for this insurance;
- concerning scholarships, in the award of which an inventory of assets is decisive, and scholarships for the gifted;
- concerning loans for study on the basis of guarantees and subsidised interest rates, in the granting of which an inventory of assets is decisive;

4. In the area of parental protection and family benefits:

- concerning rights to and deriving from insurance for parental protection and payment of contributions for this insurance;
- concerning rights to family benefits;

5. In the area of social benefits:

- concerning social security benefits;
- concerning rights to social benefits under various headings, if the purpose is to resolve the social security situation of the claimant, and if an inventory of assets is decisive for the recognition of the right to such a benefit.

The social court also has jurisdiction in the areas referred to above to decide in the following social disputes:

- concerning restitution of improperly obtained funds;
- concerning compensation for damages caused by an official state body or holder of public authority to an insured person or claimant to social security, or damages an insured person has caused to an institution in connection with insurance relations, or in connection with exercising rights under social security.

The social court also has jurisdiction in social disputes as specified by law.

The following are the courts of first instance in the Republic of Slovenia:

- Celje Labour Court, based in Celje, with jurisdiction over the territory of the judicial district of Celje;
- Koper Labour Court, based in Koper, with jurisdiction over the territory of the judicial districts of Koper and Nova Gorica;

- the Labour and Social Court of Ljubljana, based in Ljubljana, with jurisdiction for deciding in labour disputes for the territory of the judicial districts of Kranj, Krško, Ljubljana and Novo Mesto, and for deciding in social disputes for the territory of the Republic of Slovenia;
- Maribor Labour Court, based in Maribor, with jurisdiction over the territory of the judicial districts of Maribor, Murska Sobota, Ptuj and Slovenj Gradec.

Courts of first instance decide labour disputes at the seat of the court, unless it is specified that they must decide in external departments.

In labour and social disputes, a court of first instance decides in a panel composed of a judge as president of the panel and two lay judges as members, one of which must be elected from a list of candidates of workers or insured persons, and the other from a list of candidates of employers or institutions.

An individual judge decides in individual labour and social disputes concerning material legal claims, if the value of the subject-matter in dispute does not exceed EUR 40,000. Certain important matters must be decided on by an individual judge irrespective of the value of the subject-matter in dispute, e.g. individual labour disputes relating to the suspension of an employment contract, trial work, overtime work, breaks, rests and leave and other absences from work, the duty to perform work because of exceptional circumstances, disciplinary sanctions, temporary suspension from work because of the initiation of a disciplinary procedure and temporary reassignment; social disputes on the right to an attendance allowance, the right to a disability allowance for a physical impairment and the right to spa treatment.

Higher Labour and Social Court (*Višje delovno in socialno sodišče*)

The Higher Labour and Social Court decides appeals against decisions of the labour courts and the social court of first instance. The Supreme Court of the Republic of Slovenia (*Vrhovno sodišče Republike Slovenije*) decides on appeals against and reviews of decisions of the Higher Labour and Social Court.

The Higher Labour and Social Court is based in Ljubljana.

The Higher Labour and Social Court decides in a panel of three judges.

Administrative Court of the Republic of Slovenia (*Upravno sodišče Republike Slovenije*)

The Administrative Court of the Republic of Slovenia has jurisdiction to decide in an administrative dispute in accordance with the methods and procedures set out in the Administrative Disputes Act.

In an administrative dispute, the judicial protection of rights and benefits of individuals and organisations is ensured in respect of the decisions and actions of State bodies, local community bodies and holders of public authorisations in accordance with the Act.

In an administrative dispute the Court:

- rules on the legality of final administrative acts that interfere with the legal position of the plaintiff;
- adjudicates on the legality of individual acts and actions that interfere with the human rights and fundamental freedoms of an individual, unless a different form of due process has been guaranteed;
- rules on the legality of acts adopted by State bodies issued in the form of a regulation, where they regulate individual relationships,
- rules on disputes under public law between the State and local communities, among local communities or between local communities and holders of a public authorisation, where provided for by law or where no other form of due process exists under the constitution or a law,
- rules on the legality of other acts, where provided for by law.

In an administrative dispute, the Administrative Court of the Republic of Slovenia decides in the first instance. However, the Supreme Court of the Republic of Slovenia decides on a complaint against or the revision of a decision of first instance in an administrative dispute.

The head office of the Administrative Court of the Republic of Slovenia is located in Ljubljana.

The Administrative Court adjudicates at the head office and at the following branch offices:

- the Celje department for the area covered by the Higher Court in Celje;
- the Nova Gorica department for the areas covered by the Higher Court in Koper;
- the Maribor department for the area covered by the Higher Court in Maribor.

The Administrative Court decides in a panel of three judges, except in certain cases provided for by law in which a single judge rules.

The Supreme Court rules as a single judge on a stay of proceedings; in appeals and reviews it rules in a panel of three judges; in disputes concerning competence between the Administrative Court and a court of general competence or a specialised court the panel is composed of three judges; in disputes concerning competence between the Administrative Court and the Supreme Court the panel is composed of five judges.

Legal databases

You can find more information about the courts in Slovenia on the [official website of the Supreme Court of the Republic of Slovenia](#).

Related links:

[Labour Courts](#)

[Administrative Court of the Republic of Slovenia](#)

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