



ANALYSIS OF LEGAL POWERS OF MUNICIPAL WARDENS THEY POSSESS TO ENSURE SAFETY AT THE LOCAL LEVEL

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Abstract

In Slovenia, the Municipal Warden Services Act (ZORed, 2006, and ZORed-A, 2017) represents the framework organisational legal act regulating the field of work of municipal wardens. In addition to the above act, the field of work and tasks performed by municipal wardens are also regulated by other laws and by-laws. Legal regulations enable and allow authorised persons of municipal warden services to use repressive powers in ensuring security. The article thus presents the security powers of municipal wardens from the point of view of the applicable Slovenian legal order. The article is a scientific review based on grammatical and dogmatic interpretation of applicable legal regulations and selected decisions of the Constitutional Court of the Republic of Slovenia, and on an analytical method of the review of the Slovenian legislation in the field in question. The legal methods used by the author also include a synthetic method of comparing the legislation from the underlying Municipal Warden Services Act (ZORed, 2006) and its main amendments set out in the ZORed-A (2017). The paper is a comprehensive review of measures that municipal wardens may use to ensure safety at the local level. The author lists the relevant scientific and professional literature and argues about polemic issues with other prominent Slovenian authors. In Slovenia, laws are being amended, giving more and more powers to municipal wardens. The conceptual changes introduced by the ZORed-A (2017) have resolved some ambiguities, such as the addition/amendment of articles relating to the conditions for performing municipal warden tasks and supervision over their use, but a comprehensive and systematic amendment of municipal warden services legislation would nevertheless be useful.

Keywords

Local Safety and Security, Municipal and Inter-Municipal Warden Services, Measures and Powers of Municipal Wardens, Right to Security, Slovenian Administrative Law

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I. Introduction

A municipality uses laws, by-laws and municipal regulations in its territory to regulate legal relations from the point of view of the regulatory function, which must also be properly supervised. The supervisory function of a municipality is thus based on ensuring supervision and enforcement of legal and municipal regulations, the main form of which are municipal warden services. As minor offence authorities, municipal warden services form part of the national security system in the Republic of Slovenia. They have become an important part of the national security system after the adoption of the first Municipal Warden Services Act (ZORed, 2006). The Local Self-Government Act (ZLS-UPB2, 2007) stipulates that the performance of tasks of municipal warden services is one of the original municipal tasks, for which municipalities can act independently. They can thus independently establish municipal warden services, two or more municipalities can establish inter-municipal warden services – on grounds of procedural economy and streamlining of municipal warden services; however, if a municipality does not establish a municipal or inter-municipal police, it can issue a decree stating that the tasks of the municipal warden services are performed by a municipal warden. The Act (ZLS-UPB2, 2007), on the other hand, requires or stipulates that urban municipalities must establish a city warden service.

This law conferred on municipal wardens' specific powers that they had not previously possessed. The duties of municipal wardens and their area of work are set out in the ZORed (2006) as well as in municipal decrees adopted on a proposal from the mayor by municipal councils in accordance with Article 2 of the aforementioned act.

The main task of the municipal warden service is primarily to ensure public safety and public order in the municipality, specifically:

- * to ensure safe and expeditious road traffic in towns;
- * to protect the roads and the environment in towns and on municipal roads outside towns;
- * to ensure safety on municipal public roads and in recreation and other public space areas;
- * to protect public property and the natural and cultural heritage;
- * to maintain public order (ZORed, 2006).

In 2017, the ZORed (2006) was amended following the adoption of the Act Amending the Municipal Warden Services Act (ZORed-A, 2017), that substituted specific articles of the ZORed (2006), notably the provisions relating to the establishment of municipal warden services, areas of work and duties of municipal wardens. Because of the constant extension of the municipal wardens' powers, their area of work is governed not only by the aforementioned act but also by other laws, such as the law governing the roads, the law governing public order and the law governing minor offences, etc.

The powers that municipal wardens may use in their work to ensure safety are material for the success of such services provided at the local level. According to Žaberl (2007), municipal wardens' powers resemble the police powers, but due to the nature of their

work they are more specifically targeted and therefore much more sensitive as regards the interference with bodily integrity of individuals.

The Municipal Warden Services Act is designed as an organisational regulation and it regulates the following areas of operation of warden services (Lavtar and Kečanović, 2007): (1) the establishment, scope of work, organisation, and management of municipal warden services, (2) the requirements for performing the tasks of municipal warden services, (3) the powers of municipal wardens, (4) the uniform, equipment, and emblems of municipal wardens, (5) training programmes and training in the professional competences of authorised officials of municipal warden services, (6) the content and manner of keeping records of municipal warden services.

An important document for the operations of a municipal warden service is the municipal safety programme, which is also adopted by the municipal council upon the proposal of the mayor. The programme details the type and scope of municipal warden service tasks, taking into consideration an assessment of the safety situation in the municipality. The safety programme is a long-term municipal strategic document that determines the starting points for ensuring a safe and quality life at the local level (Lavtar and Kečanović, 2007). The powers, areas and tasks of the municipal warden service are defined in various laws, and the legal basis for the work of municipal wardens also includes municipal regulations issued on the basis of laws. Municipal warden services and municipal wardens have different competencies in the implementation of their tasks depending on specific legislation, which is why this article will first present the most important legal basis that enables and prescribes the work of warden services, followed by an analysis of the entitlements of municipal warden services and their supervisions, as well as the remedies available in the event of non-compliance or violation of the legal basis.

II. Regulatory Framework of Municipal Warden Services in the Republic of Slovenia

The Municipal Warden Services Act (ZORed, 2006 and ZORed-A, 2017) is the originating organisational legal act governing the work of municipal wardens. The Act defines the areas of work and tasks of the municipal warden services, the municipal security programme and how it must be coordinated with other programmes, as well as the provision of professional assistance and cooperation of municipal wardens with state police activities. The Act defines the powers that a municipal warden has in the performance of their tasks, as well as the conditions for their performance. Municipal wardens may also use certain other powers, the use of which is not specified in this Act, but which are subject to the law governing the tasks and powers of the police.

Amongst others, the Road Traffic Rules Act (ZPrCP, 2010) stipulates that municipal wardens possess specific powers that apply to municipal roads inside and outside settlements open to public traffic (ZPrCP, 2010). Their activities include, among others, the control of environmental protection, traffic-calmed zones, pedestrian zones, driving a vehicle on a road, vehicles exceeding speed limits, stopping vehicles, parking and many others.

In accordance with the provisions of the Roads Act (ZCes-1, 2010), municipal wardens possess powers to control the use of public and non-categorised roads, as well as a number of other duties, including those allowing them to withdraw a vehicle from traffic. Police officers, municipal wardens and toll supervisory inspectors oversee the implementation of this Act as part of the road traffic monitoring. On a road in respect of which municipal wardens have the power to provide control and the road is open to public transport, wardens may take provisional measures to prevent risks to road users if any deficiencies are identified posing a direct threat to the road safety. They shall notify thereof the competent provider of regular road maintenance services, the road owner or the road operator duly authorised by the road owner and the competent road inspection body. Municipal wardens may also order the removal of specific objects from roads causing dazzle to road users, reducing the view ahead on roadways, reducing visibility of road traffic signs or equipment, misleading, hampering or distracting road users (ZCes-1, 2010).

The Protection of Public Order Act (ZJRM-1, 2006) confers powers on municipal wardens to implement the provisions of this Act relating to indecent behaviour, making noise, use of hazardous materials for banging, damaging an official sign, mark or decision, writing on buildings, vandalism, camping, use of animals, etc.

The Minor Offences Act (ZP-1, 2016) does not lay down the scope of work of municipal wardens, their duties and powers. It is important, however, in that it stipulates general conditions for identification of minor offences and sanctions for such offences. In addition, general conditions for liability for minor offences are set out.

In accordance with Article 140 of the Constitution of the Republic of Slovenia (URS, 1991), the competencies of a municipality comprise local affairs which may be regulated by the municipality autonomously and which affect only the residents of the municipality. Legal sources produced in municipalities include statutes, rules of procedure, decrees, budgets, orders, rulebooks and guidance (Brezovnik and Grafenauer, 2006). On the basis of the General Administrative Procedure Act (ZUP-UPB2, 2006), a municipal council shall confer by way of a decree official authority to conduct procedure and make decision in administrative matters falling within the primary competences of self-governing local communities.

Municipal wardens shall also comply with the Rules on specialist training, periodic further training and examination of municipal wardens and the Rules on the equipment and its use by municipal wardens.

Legal Regulation of Supervision of Municipal Wardens' Work

The Municipal Warden Services Act (ZORed, 2006, and ZORed-A, 2017) defines the competence of state and municipal bodies in the field of complaints and supervision. The state supervisory body that monitors the legality of the work of municipal bodies, municipal administrations and municipal warden services is the Ministry of the Interior, while the Internal Affairs Inspectorate is responsible for supervising offences defined by the Act (ZORed, 2006, and ZORed-A, 2017). The municipal body is responsible for supervising the performance of municipal warden services tasks – in accordance with the regulations, this is the mayor (ZORed, 2006, and ZORed-A, 2017).

Inspections are also important. Authors Tičar, Doljak and Rakar (2016) assess inspections as supervision over the implementation and compliance with state and local regulations, which is an administrative procedure by its “nature”, used to determine whether a violation of regulation has been committed and whether any found violations are sanctioned accordingly. The tasks of the municipal inspection include monitoring compliance with the municipal regulation on billboards and submitting proposals to the minor offence judge, cooperation with the Inspectorate for Environmental Protection in detecting harmful occurrences, monitoring the implementation of the regulation on winter service, etc. (Dvojmoč, 2017).

It is also possible to file a complaint against the work of municipal warden services, and the complaint procedure itself is defined in the Municipal Warden Services Act (ZORed, 2006, and ZORed-A, 2017) and the Public Employees Act (ZJU, 2002). The Municipal Warden Services Act stipulates that a complaint may be filed with the mayor within 30 days by any individual who believes that their rights or freedoms have been violated by an action or omission of a municipal warden. The mayor is obliged to examine the complaint and inform the complainant of its findings and measures within 30 days (ZORed, 2006, and ZORed-A, 2017), and then decide on possible disciplinary violations by the municipal warden in accordance with the Public Employees Act. A municipal warden is thus liable for a disciplinary violation if they did not act congruently with the obligations arising from the employment relationship, and liability exists if the municipal warden committed the disciplinary violation intentionally or through negligence (ZJU, 2002).

When the municipal body receives a complaint against a municipal warden, it appoints the person who will handle the complaint. The person handling the complaint then checks that the complaint meets the elements of the complaint and the formal conditions for its examination. If all the conditions are met, the complainant is invited for an interview, where they again describe the whole situation and present any evidence or even bring witnesses. This is followed by an interview with the municipal warden, where they present their position on the elements of the complaint; after the interviews, the person handling the complaint prepares a report on the findings. In the event of a complaint under the ZORed, the mayor submits a written report on the findings to the complainant, and in the event of a procedure under the ZJU, the reply is provided by the leader.

III. Analysis of Safety Powers of Municipal Wardens in Slovenian Law

In order to perform the prescribed tasks, the municipal warden services needs statutory powers. Such powers are given to them as a tool to enable them to perform tasks specified by laws and by-laws effectively and efficiently. The powers of municipal wardens are enshrined in the sectoral law – the Municipal Warden Services Act (ZORed, 2006, and ZORed-A, 2017) and in the Police Tasks and Powers Act (ZNPPol, 2013). Each power represents an infringement of human rights; therefore, it may be used only under the conditions laid down by law and in the manner specified by law. In performing its tasks, the municipal warden service must act in accordance with the applicable legal basis and, above all, protect and respect human rights and freedoms. From the point of view of exercising the safety powers of municipal wardens in Slovenia, the right to security is essential.

The modern concept of personal security thus on one hand entails personal security against violence or harm, and on the other access to basic human and social values. This includes, *inter alia*, protection against personal and structural violence and crime and protection against other social and natural phenomena that endanger personal security. More broadly speaking, the modern concept of personal security is also closely intertwined with concept of sustainable human development (Flander and Tičar, 2019).

In accordance with Article 34 of the Constitution of the Republic of Slovenia (URS, 1991), everyone has the right to personal dignity and safety. In its Decision No. U-I-25/95 of 27 Nov. 1997, the Constitutional Court of the Republic of Slovenia explained, *inter alia*, that the right to personal security is primarily a negative right. As such, this right imposes on the state, local communities, other holders of public authority and in general on everyone the obligation to abstain from any intentional inadmissible interference with bodily integrity and security of an individual. Any infringement of the right to personal security is prohibited by the constitution, except for those explicitly allowed (U-I-25/95). On the other hand, the right to security is also a right to positive state action as set out by the Constitutional Court in its Decision No. Up-1082/12 of 2 April 2013. The state and local communities are required to actively seek to ensure the highest possible reasonably achievable level of security of residents. Local community authorities are obliged to ensure to the entire population, within the scope of their powers, efficient criminal law, minor offences law, civil law, administrative law and other legal protection against any interference with their personal security (Up-1082/12). The sections below contain an analysis of repressive powers of municipal wardens in the field of ensuring safety and security.

In order to ensure security municipal wardens may impose the following measures and carry out the following proceedings in which a penalty is imposed:

1. A *warning* is the least restrictive measure that may be used by a municipal warden. This power is regulated in the Organisation and Work of the Police Act (ZNPPol, 2013) and in the Police Act (ZP-1, 2016). Wardens may issue a warning to draw attention of natural and legal persons, including state authorities, to the circumstances, acts and omissions that could constitute a threat to human life, security, property or public order. It may be issued orally or in writing by using technical means or via public media. Warnings should be clear, brief and unambiguous.

When municipal wardens as an authority decide on the rights, obligations, and legal benefits of clients, they are primarily bound by the principle of legality. Their decisions are subject to the law and regulations both formally and substantively. Any decisions bound by the law are considered as primary and fundamental, meaning that an authorised officer shall use substantive and procedural rules as enshrined in the law. Another potential form of decision-making when issuing a warning is the use of discretionary decisions. It is legally permissible and governed in the ZP-1 (2006). The third decision-making option would be legally unbound or arbitrary decisions that are prohibited by law.

Discretionary powers of municipal wardens constitute a bridge between a series of unexpected, unpredictable situations and a substantive decision they should take.

They are based on a clear legal authorisation under the ZP-1 of the misdemeanour authority, i.e. a municipal warden that holds this right and exercises it. A discretionary power is always determined by law. Instruments of a lower rank, such as government decrees, regulations of ministers or decisions issued by municipalities do not provide a sufficient legal basis for a legal and systemic regulation of discretionary powers.

Once a discretionary power to decide is laid down in the law, municipal wardens remain bound by substantive and procedural law. However, in addition to those other circumstances are taken into consideration. Wardens may make various decisions relating to the identification of a minor offence. They may issue a decision imposing a fine or a reprimand, a payment order if it is prescribed or they may suspend the procedure using a formal note. Municipal wardens possess discretionary powers when conditions are met for issuing a warning rather than a specific act, including sanctions.

The ZP-1 (2006; Article 53) lays down when and how a warning should be issued, in what way municipal wardens are bound by regulations, what are the limits on the discretion and when the conditions are satisfied indicating that discretion powers are appropriate, namely: “The minor offence authority’s authorised official may, instead of imposing a sanction, issue a warning to the offender in cases where the minor offence is insignificant and the official is of the opinion that a warning is a measure proportionate to the gravity of the act committed. The authorised official shall warn the offender and explain to him or her the nature of the minor offence. The minor offence authority may keep a record of warnings issued but shall not be allowed to process personal data in this context.”

2. *Imposition of a fine in the case of minor offences* forms part of wardens’ powers they possess when a minor offence is established in accordance with the ZP-1 (2016). A fine is imposed as the main penalty for offences regulated in municipal decrees or laws which are subject to the review by municipal wardens in substantive and legal terms. A fine is always indicated on a payment order or a minor offence decision. Normally, a payment order is issued, but municipal wardens issue a decision (ZP-1, 2016, Article 56) if the substantive provision, defining a minor offence, provides for mandatory confiscation of objects in addition to the imposition of a fine; in the event of asset recovery; if a reprimand is issued instead of a fine; if a municipal warden imposes a fine lower than the minimum fine prescribed (only in cases of infringements of government regulations; in municipal regulations, however, fines are indicated in single amounts rather than using a scale of fines) and in other cases when the conditions for issuing a payment order do not exist.

3. Moreover, municipal wardens may give a *verbal order* when performing their tasks, including mandatory instructions and prohibitions, measures and activities directly impacting successful provision of municipal warden services (ZORed, 2006). This power resembles the police power, namely an order on the basis of which police officers may give instructions or require certain behaviour from individuals to be able to perform their tasks (ZNPPol, 2013).
4. Municipal wardens *establish identity* of persons in respect of whom there are grounds for believing, based on their behaviour and conduct at a specific place or at a specific time, that they will commit, are committing or have committed a minor offence or a criminal offence whose perpetrators are prosecuted ex officio. The identity is established by stopping a person in an appropriate manner and explaining the reason for that, followed by the request to hand over a public document bearing the person's photograph issued by a state authority. If the person is covered or masked, the municipal warden may demand that the person uncover himself/herself to determine his/her identity. If the municipal warden has doubts regarding the authenticity of the public document or if the person does not have such a document, or if the identity cannot be established with certainty, the municipal warden may establish identity through a discussion, verification of data on identity with the aid of data from other documents and the aid of other persons, or at another location or in a manner suggested by the person, if such an action is deemed safe and practical. If, however, the municipal warden is unable to establish the person's identity he/she may request the police to establish the identity (ZORed, 2006).
5. Municipal wardens may also conduct *a security check of a person* in accordance with the provisions of the ZNPPol (2013) specifying that a security check may be carried out of a person if according to the circumstances the person in question might attack someone or harm himself/herself. The security check includes checking the persons, their possessions and transport means, whereby police officers, municipal wardens will establish if the person is armed or carries other dangerous objects or substances on his/her person by tapping down using their hands the individual's clothes, gloves, hair coverings and hair and examine the shoes. A security check of a person does not include a body search, or a strip search and municipal wardens are not allowed to search any hidden parts of the vehicle. As a rule, the search is performed by a police officer of the same sex, except when a security search cannot be postponed. Technical instruments or a service dog may be used during the search (ZNPPol, 2013).
6. *Confiscation of items* is a power not specifically laid down by the ZORed (2006) and as a result, the provision of the law applies governing the manner in which the power is exercised by police officers. It specifies that items intended for assault or self-infliction, as well as items that can seriously endanger public order or the general safety of people or property may be confiscated. An item must be confiscated so as not to cause unnecessary damage, a confiscation certificate must be issued to the

person in question and confiscated items handed over to the competent body where a follow-up procedure is carried out. If proceedings against the person whose items have been confiscated have not been initiated before a competent body, the items must be returned to the individual unless they are regarded as dangerous items or as items to be confiscated by law or if the person unambiguously expresses his/her intention not to possess the item any longer. Any items to be confiscated under the law shall be destroyed under official supervision and a relevant report shall be drawn up (ZNPPol, 2013).

7. By *detaining a person* municipal wardens may temporarily restrict the movement of a person subject to the proceedings, they must acquaint the person with the reason for his/her detention and if the person so wishes also with the expected duration of the detention. Detention should only be for the period necessary to fulfil the procedures or a maximum of one hour since the beginning of the procedure. A person whose identity should be established may be detained at the scene; a person caught in the act of committing a criminal offence in respect of which a perpetrator is persecuted ex officio and a perpetrator of an offence falling within the jurisdiction of another misdemeanour authority when it is necessary to ensure security of persons and property (ZORed, 2006).
8. Municipal wardens are allowed to use *three different instruments of restraint*, i.e., physical force, means of cuffing and restraining and gas spray. Municipal wardens must not use instruments of restraint against children or the visibly ill, elderly or impaired persons, persons with apparent severe disabilities or visibly pregnant women, unless this is strictly necessary to bring their resistance to detention under control or repel an assault or prevent a person from self-harm (ZORed, 2006). As regards the power relating to the *use of physical force* the same conditions apply to municipal wardens as to police officers. Physical force may be used if they are unable to control the person's resistance in any other way, repel an attack or prevent self-harm of the person. Therefore, municipal wardens are allowed to use professional hand grips, hand, and foot strikes, throws and takedowns, exert expert pressure, physical force for pushing, shoving, transporting or separating people. The principle of professionalism applies to the use of any force (ZORed-A, 2017; ZNPPol, 2013). Municipal wardens may use *gas spray* if the conditions for the use of physical force are fulfilled and if they are unable to use any other less stringent instrument of restraint (ZORed-A, 2017). It is a means of defence to temporarily incapacitate the perpetrator. Aggressiveness of an attacker is not the sole sufficient precondition for the application of gas spray but also a simultaneous attack that cannot be averted (Žaberl, 2007). In accordance with Article 14 of the ZORed-A (2017), municipal wardens are allowed to *use means of cuffing and restraining* if a person resists detention, for averting an attack and preventing self-harm of the person.

IV. Conclusion

The ZORed (2006) is a framework law defining the work of municipal wardens. The scope and tasks performed by officials authorised to perform municipal warden services are also set out in other laws and regulations. These laws are amended and give more and more powers to municipal wardens. The ZORed-A (2017) has brought about conceptual changes resulting in coordination of specific provisions from other laws by amending certain articles relating to the supervision of the use of powers of municipal wardens or articles regulating the conditions for performing the duties of a municipal warden. Nevertheless, municipal wardens still use the “Police Tasks and Powers Act” for the application of specific powers and comply with the conditions set out therein (Lavtar and Kečanović, 2017). In view of this, the first hypothesis may be confirmed since the ZORed-A, 2017 has clarified more appropriately certain ambiguities of the ZORed. The amendment to the legislation is considered useful by arranging in a comprehensive and systematic manner the organisation and determining the scope, tasks, and powers of municipal warden services (Lavtar, 2017).

In Slovenia, the largest municipal warden service is the Municipal Constabulary Department of the City of Ljubljana (MR MOL), which primarily takes care of safe and unhindered traffic in settlements, protects public property and maintains public order. In 2011, they also adopted the Strategy of Community-Oriented Work of the Municipal Constabulary, which aims to establish a safe and stable environment through transparent cooperation and involvement of all stakeholders in the field of security and thus ensure the highest standard of security (MR MOL, n.d.).

In carrying out the tasks set out in the Municipal Warden Services Act, the MR MOL pays special attention to the legality and professionalism of procedures, mainly due to the repressive powers it holds. According to the data from the annual report for 2020, the MR mostly uses its competences in the field of ensuring road safety in terms of stationary traffic, public order, road protection, and animal protection. The total number of implemented measures in 2020 was 75,220, with the number decreasing by 17% compared to 2019. Compared to last year, the decrease is recorded in the field of traffic safety and roads, due to a significant reduction in the volume of traffic during the COVID-19 epidemic; however, because of the epidemic, the MR MOL recorded the highest increase of implemented measures in 2020 in the field of health and safety of people (MR MOL, 2020).

An important objective of the MR MOL is also to further expand and strengthen cooperation and connections with the neighbourhood community, citizens, associations and non-governmental organisations, as this facilitates handling of security issues. During the epidemic, the municipal wardens of the MR MOL became an important factor in warning about the observance of epidemic prevention measures. In the context of the epidemic, preventive work in the form of tasks declared by municipal wardens, performing the tasks of neighbourhood community leaders, has thus been strengthened in particular. Municipal wardens conducted many site visits, enquiries and interviews with citizens, and resolved more complex issues and problems in cooperation with the neighbourhood community, other services of the City of Ljubljana and the Police (MR MOL, 2020). The annual report states that in 2020 the MR MOL performed as many as 15,797 hours of effective

community-oriented work, and cooperation with the Ljubljana Police Administration and its police stations increased as well (MR MOL, 2020).

Even though the duties and responsibilities of municipal wardens are increasing, municipal wardens continue to control primarily the municipal roads where they ensure safety and smooth traffic flow. Moreover, they ensure safety on municipal public space areas, protect public property, the natural and cultural heritage and maintain public order. The municipal wardens' powers should, therefore, be understood as the right and duty to perform the tasks as authorised officials on behalf of the state or a local community, whereby they should also consider specific principles and the manner in which the police powers are exercised (Dvojmoč, 2017).

However, both in theory and practice the general feeling is that the main reason why local communities prescribe penalties and introduce municipal warden services with the relevant powers in accordance with the regulations is to fund municipal budgets rather than perform their principal function, i.e. to ensure citizens' safety and security. If in any specific case such allegations turn out to be true the question arises as to the legitimacy and legality (Meško et al., 2016) of municipalities defining minor offences and prescribing sanctions (Tičar et al., 2020).

References

- Brezovnik, B., and Grafenauer, B. (2006). *Javna uprava*. University of Maribor, Faculty of Law.
- City of Ljubljana. (2021). *Municipal Constabulary Department – Report on the Work of the Municipal Constabulary Department of the City of Ljubljana in 2020*. Retrieved from <https://www.ljubljana.si/assets/Uploads/Letno-porocilo-MR-2020.pdf>.
- City of Ljubljana. (n.d.) *City Administration: Municipal Constabulary Department*. Retrieved from <https://www.ljubljana.si/sl/mestna-obcina/mestna-uprava-mu-mol/prekrskovna-organa/mestno-redarstvo/>.
- Constitution of the Republic of Slovenia. (1991, 1997, 2000, 2003, 2004, 2006, 2013, 2016). *Official Gazette of the Republic of Slovenia*, 33/91, 42/97, 66/00, 24/03, 69/04 – UZ14, 69/04 – UZ43, 69/04 – UZ50, 68/06, 47/13 – UZ148, 47/13 – UZ90, 97, 99, 75/16.
- Constitutional Court Republic of Slovenia. (1997). Decision U-I-25/95 from 27.22.1997.
- Constitutional Court Republic of Slovenia. (2008). Decision US RS, št. P-36/07 from 15.10.2008.
- Constitutional Court Republic of Slovenia. (2013). Decision Up-1082/12 from 2.4.2013.
- Dvojmoč, M. (2017). Občinska redarstva v Sloveniji – analiza dosedanjega razvoja in pogled v prihodnost [Municipal Wardens in Slovenia – The Analysis of Current Developments and Perspectives]. *Varstvoslovje*, 19(1), 80–98.
- Flander, B., and Tičar, B. (2019). The right to security – an outline of the legal regulation at the state and local levels in Slovenia. *Revija za kriminalistiko in kriminologijo*, 70(5), 422–438. ISSN 0034-690X.
- General Administrative Procedure Act (ZUP-UPB2). (2006, 2007, 2008, 2010, 2013). *Official Gazette of the Republic of Slovenia*, 24/06, 105/06, 126/07, 65/08, 8/10, 82/13.

- Lavtar, R. (2017). Novela zakona o občinskem redarstvu [Amendments to the Municipal Warden Services Act]. *Pravna praksa: PP: časopis za pravna vprašanja*, 36(14), 6–8.
- Lavtar, R., and Kečanović, B. (2007). *Zakon o občinskem redarstvu (ZORed): s komentarjem*. Ljubljana: GV Založba.
- Local Self-Government Act (ZLS-UPB2). (2007, 2008, 2009, 2010, 2012, 2015, 2018, 2020). *Official Gazette of the Republic of Slovenia*, 94/07, 76/08, 79/09, 51/10, 40/12, 14/15, 11/18, 30/18, 61/20, 80/20.
- Meško, G., Eman, K., and Flander, B. (2016). O oblasti, legitimnosti in družbenem nadzorstvu [On power, legitimacy and social control.] In G. Meško, K. Eman and B. Flander (eds.). *Oblast, legitimnost in družbeno nadzorstvo*. University of Maribor, Faculty of Criminal Justice and Security.
- Minor Offences Act (ZP-1-UPB8). (2011, 2013, 2014, 2016, 2017, 2019). *Official Gazette of the Republic of Slovenia*, 29/11, 21/13, 111/13, 74/14, 92/14, 32/16, 15/17, 73/19.
- Municipal Warden Services Act (ZORed). (2006, 2017). *Official Gazette of the Republic of Slovenia*, 139/06, 9/17.
- Police Tasks and Powers Act (ZNPPol). (2013, 2015, 2017, 2019). *Official Gazette of the Republic of Slovenia*, 15/13, 23/15, 10/17, 46/19, 47/19.
- Protection of Public Order Act (ZJRM-1). (2006). *Official Gazette of the Republic of Slovenia*, 20/06.
- Public Employees Act (ZJU). (2002). *Official Gazette of the Republic of Slovenia*, 63/07, 65/08, 69/08, 69/08, 40/12, 158/20, 203/20.
- Road Traffic Rules Act (ZPrCP-UPB2). (2013, 2016, 2017, 2018, 2019). *Official Gazette of the Republic of Slovenia*, 82/13, 68/16, 69/17, 54/17, 3/18, 43/19.
- Roads Act (ZCes-1). (2010, 2012, 2014, 2015, 2018). *Official Gazette of the Republic of Slovenia*, 109/10, 48/12, 36/14, 46/15, 10/18.
- Tičar, B., Doljak, E. and Rakar, I. (2016). Inšpekcijski nadzor na državni in lokalni ravni ter njegov prispevek k varnosti v občinah [Inspection at central and local level and its contribution to security in municipalities]. *Varstvoslovje*, 18(3), 251–269.
- Tičar, B., Kandolf, S., and Dvojmoč, M. (2020). *De lege lata analysis of penalising offences in Slovenian city municipalities in 2015–2017*.
- Žaberl, M. (2007). Občinski redar in uporaba sile [Municipal Warden and the Use of Force]. *Pravna praksa: PP: časopis za pravna vprašanja*, 26(4), 20–21.