



Uredbe o odpadkih (Uradni list RS, št. 77/22, v nadaljevanju: Uredba o odpadkih), kjer je med drugim določeno, da se zahtevi za vpis v evidenco trgovcev z odpadki ugotovi, če je vlagatelj v Republiki Sloveniji registriran za opravljanje dejavnosti trgovine na debelo z ostanki in odpadki v skladu s predpisom, ki ureja klasifikacijo dejavnosti. V 1. točki četrtega odstavka 25. člena ZVO-2 je med drugim določeno, da je pogoj za izdajo odločbe o dovolitvi dejavnosti trgovca z odpadki, registracija te dejavnosti.

Ministrstvo je po uradni dolžnosti v skladu s 139. členom Zakona o splošnem upravnem postopku (Uradni list RS, št. 24/06-UPB2, 105/06-ZUS-1, 126/07, 65/08, 8/10, 82/13, 175/20 - ZIUOPDVE in 3/22 - ZDeb, v nadaljevanju: ZUP) o stranki pridobilo podatke iz Poslovnega registra Slovenije, ki ga vodi in vzdržuje Agencija Republike Slovenije za javnopravne evidence in storitve (AJPES). Na podlagi tega vpogleda je bilo ugotovljeno, da je stranka registrirana za opravljanje dejavnosti trgovine na debelo z ostanki in odpadki v skladu z Uredbo o standardni klasifikaciji dejavnosti (Uradni list RS, št. 69/07 in 17/08).

Na podlagi zgoraj navedenega je ministrstvo ugotovilo, da stranka izpolnjuje pogoje za pridobitev odločbe o dovolitvi opravljanja dejavnosti trgovca z odpadki iz 1. točke četrtega odstavka 25. člena ZVO-2 v povezavi z drugim odstavkom 50. člena Uredbe o odpadkih. Zato je ministrstvo skladno s sedmim in v povezavi z enajstim odstavkom 25. člena ZVO-2 izdalo to odločbo in odločilo kot izhaja iz 1. točke izreka te odločbe.

V skladu z določbami petega odstavka 213. člena v povezavi s 118. členom ZUP je bilo treba v izreku te odločbe odločiti tudi o stroških postopka. Glede na to, da v tem postopku stroški niso nastali, je bilo glede njih odločeno kot izhaja iz 2. točke izreka te odločbe.

Iz drugega odstavka 230. člena ZUP izhaja, da je zoper odločbo, ki jo izda na prvi stopnji ministrstvo, dovoljena pritožba samo takrat, kadar je to z zakonom določeno. Taksen zakon mora določiti tudi, kateri organ je pristojen za odločanje o pritožbi, sicer o pritožbi odloča vlada. Ker ZVO-2 možnosti pritožbe zoper to odločbo ne določa, pritožba ni dovoljena, mogoče pa je zaceti upravni spor.

#### **Pouk o pravnem sredstvu:**

Zoper to odločbo ni pritožbe, pač pa je dovoljen upravni spor z vložitvijo tožbe na Upravno sodišče Republike Slovenije v roku 30 dni od vročitve odločbe. Tožbo se vloži neposredno pri pristojnemu sodišču ali poslje po pošti.

Ta upravni akt je bil izdan kot fizična kopija dokumenta v elektronski obliki. V skladu z drugim odstavkom 65.b člena Uredbe o upravnem poslovanju (Uradni list RS, št. 9/18, 14/20, 167/20, 172/21, 68/22, 89/22 in 135/22) vas seznanjamo, da lahko zahtevate, da se vam poslje izviren dokumenta na elektronski naslov ali potrdi skladnost kopije dokumenta z izvirnikom. Uveljavljanje te zahteve ne vpliva na vas pravni polofaj oziroma tek roka, ki je zacel teči z vročitvijo kopije.

Postopek vodila:  
Elizabeta Skrbec  
visja svetovalka III

mag. Magda Lipovec  
sekretarka

Vrociti:

ALLOY TRADING & CONSULTING, trgovina na debelo z ostanki in odpadki, d.o.o., Ulica  
Gradnikove brigade 6, 5000 Nova Garica - osebno

V vednost:

Inspektorat Republike Slovenije za okolje in energijo, Dunajska cesta 56, 1000  
Ljubljana - navadno elektronsko na [gp.irsoe@gov.si](mailto:gp.irsoe@gov.si)

REPUBLIC OF SLOVENIA  
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Number: 35458-114/2023-2570-2  
Date: 6 September 2023

At the request of applicant ALLOY TRADING & CONSULTING, trgovina na debelo z ostanki in odpadki, d.o.o., Ulica Gradnikove Brigade 6, 5000 Nova Garica, registration number 9133470000, represented by the director Rasti Humar, in the administrative procedure leading to the issuing of a decision on the authorisation to carry out the activity of a waste dealer pursuant to the seventh paragraph of Article 25 of the Environmental Protection Act (Official Gazette of the Republic of Slovenia, No 44/22, 18/23, 78/23 and 95/23) in conjunction with Article 50 of the Waste Regulation (Official Gazette of the Republic of Slovenia, No 77/22) the Ministry of the Environment, Climate and Energy hereby issues the following

#### DECISION

1. Applicant ALLOY TRADING & CONSULTING, trgovina na debelo z ostanki in odpadki, d.o.o., Ulica Gradnikove brigade 6, 5000 Nova Garica is allowed to carry out the activity of a waste dealer and shall be entered in the register of waste dealers under No. 35458-114/2023-2570 as of the date of the finality of this Decision.
2. No costs have been incurred in these proceedings.

#### Grounds

On 6 September 2023, the Ministry of the Environment, Climate and Energy (hereinafter referred to as the Ministry) received an application for an authorisation to carry out the activity of a waste dealer from applicant ALLOY TRADING & CONSULTING, trgovina na debelo z ostanki in odpadki, d.o.o., Ulica Gradnikove brigade 6, 5000 Nova Garica (hereinafter referred to as "Applicant"), represented by its director Rasti Humar.

Pursuant to the third paragraph of Article 25 of the Environmental Protection Act (Official Journal of the Republic of Slovenia, No.44/22, 18/23, 78/23 and 95/23; hereinafter referred to as EPA-2), a legal or natural person carrying out the activity of waste collection or the activity of a waste transporter, waste dealer or waste broker is required to obtain a decision authorising it to carry out a notified activity in order to carry out that activity. The legal or natural person referred to in the preceding sentence shall notify the Ministry before commencing the activity. In accordance with paragraph seven of the same Article, the Ministry shall issue a decision authorising the pursuit of the notified activity referred to in paragraph 3 of this Article within 30 days of receipt of a complete application, by which the pursuit of the activity is notified. Paragraph eleven of the same Article provides, *inter alia*, that the Ministry shall enter a legal or natural person carrying out the activity of a waste dealer in the register referred to in Article 154 of this Act on the basis of the decision referred to in the third paragraph of this Article.

The Ministry considered the applicant's request to be granted an authorisation to carry out the activity of a waste dealer in accordance with Article 25 of the EPA-2 and in conjunction with the second paragraph Article 50 of the Waste Regulation (Official Gazette of the Republic of Slovenia, No. 77/22, hereinafter referred to as the "Waste Regulation"), which provides, *inter alia*, that an application for entry in the register of waste dealers shall be granted if the applicant is registered in the Republic of Slovenia for the carrying out of the activity of wholesale trade in residues and waste in accordance with the regulation governing the classification of activities. Item 1 of paragraph four of Article 25 of the EPA-2 provides, *inter alia*, that a

condition for the issuance of a decision authorising the activity of a waste dealer is the registration of that activity.

The Ministry obtained information on the applicant *ex officio* from the Business Register of Slovenia, which is kept and maintained by the Agency of the Republic of Slovenia for Public Legal Records and Services (AJPES), in accordance with Article 139 of the General Administrative Procedure Act (Official Gazette of the Republic of Slovenia, No. 24/06, 105/06, 126/07, 65/08, 8/10, 82/13, 175/20 and 3/22, hereinafter referred to as "the GAPA"). On the basis of this consultation, it was established that the applicant shall be registered to carry out the activity of wholesale trade in scrap and waste in accordance with the Regulation on the Standard Classification of Activities (Official Gazette of the Republic of Slovenia, No 69/07 and 17/08).

On the basis of the above, the Ministry finds that the applicant fulfils the conditions for obtaining a decision on the authorisation to carry out the activity of a waste dealer referred to in Article 25 of the EPA-2 in conjunction with the second paragraph of Article 50 of the Waste Regulation. Therefore, the Ministry, in accordance with paragraph eleven of Article 25 of EPA-2, has issued this Decision and has taken the decision as set out in point 1 of the operative part of this Decision.

In accordance with the provisions of paragraph five of Article 213 in conjunction with Article 118 of the GAPA, the operative part of the decision must also rule on the costs of the proceedings. As there were no special costs, it has been decided as of the operative part above.

Paragraph two of Article 230 of the GAPA provides that an appeal is allowed against a decision issued by the Ministry at first instance only where this is provided for by law. Such a law must also specify which body is responsible for deciding on the complaint, otherwise the government shall have competence. As the EPA-2 does not provide for an appeal against this decision, there is no right of appeal, but an administrative dispute may be brought.

**Legal caution:**

There is no right of appeal against this decision, but an administrative dispute may be brought before the Administrative Court of the Republic of Slovenia within 30 days of notification of the decision. The action must be lodged directly with the competent court or sent by post.

This administrative act was issued as a physical copy of a document in electronic form. Pursuant to paragraph two of Article 65.b of the Regulation on administrative business (Official Journal of the RS, No 9/18, 14/20, 167/20, 172/21, 68/22, 89/22 and 135/22), you may request that the original of the document be sent to your e-mail address or that a copy of the document be certified as being in conformity with the original. The exercise of this right does not affect your legal position or the running of the time limit which started to run when the copy was served.

Procedure conducted by:  
Elizabeta Skrbec  
Senior Adviser II

Magda Lipovec MSc  
Secretary

To be served to:

ALLOY TRADING & CONSULTING, trgovina na debelo z ostanki in odpadki, d.o.o., Ulica  
Gradnikove brigade 6, 5000 Nova Gorica - in person

Copies:

Inspectorate of the Republic of Slovenia for Environment and Energy, Dunajska cesta 56, 1000  
Ljubljana - by e-mail to [gp.irsoe@gov.si](mailto:gp.irsoe@gov.si)



I, the undersigned Peter Szabo, court interpreter for the English language, appointed by Decree No. 165-03-3/01 of the Ministry of Justice of the Republic of Slovenia, hereby declare that this translation entirely corresponds to the original Slovenian text.



Podpisani Peter Szabo, z odločbo Ministrstva za pravosodje Republike Slovenije št. 165-03-3/01 imenovan za sodnega tolmaca za angleski jezik, potrjujem, da se ta prevod popolnoma ujerna z izvirnim besedilom, ki je sestavljeno v slovenskem jeziku.



Nova Gorica,



**Digitally signed by Peter Szabo's POSTA SLOVENIJE d.o.o. ID**  
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