

757/2004 Coll.

ACT

of 9 December, 2004

on Courts and on change and supplementation of certain Acts

National Council of the Slovak Republic promulgated the following Act:

ARTICLE I

PART ONE

GENERAL PROVISIONS

Section 1

Subject of the Act

(1) This Act regulates:

- a) basic principles of the Court activities,
- b) system of Courts and jurisdiction of Courts,
- c) internal organisation of Courts,
- d) management and administration of Courts,
- e) self-government of Judges, and
- f) participation of Courts in drafting the Court budget.

(2) Seats of Courts and circuits of Courts shall be regulated by separate Act.¹⁾

Section 2

Administration of Justice

(1) In administration of justice, the Courts:

- a) hear and adjudicate legal disputes and other legal cases pursuant to regulations governing the civil legal proceedings (hereinafter only as "civil cases"),
- b) hear and adjudicate criminal cases pursuant to regulations governing criminal proceedings (hereinafter only as "criminal cases"),
- c) act and adjudicate on actions and appeals against decisions, interferences, other measures or failure to act in the area of public administration, decide on lawfulness of decisions and proceedings of bodies of public authority and on protection against unlawful interventions or measures of a public authority body, in cases provided by law, they decide in matters of elections, referendum and matters of political parties and movements, if so stipulated by law and in other cases, if so stipulated by law (hereinafter only as "administrative cases")
- d) decide in other cases stipulated by law, legally binding act of the European Communities and European Union or international agreement binding for the Slovak Republic.

(2) Courts also pursue other activities related to their jurisdiction, if so stipulated by law, legally binding act of the European Communities and European Union or an international agreement binding for the Slovak Republic.

(3) Court shall decide whether a case submitted to the Court is within the jurisdiction of the Court. The Court may not decide that a case is not within its jurisdiction if it is unable to refer it for proceedings and decision to other public authority body.

Basic principles of operation of Courts

Section 3

(1) Parties to the hearing²⁾ and parties to criminal proceedings³⁾ shall be equal in proceedings before the Court.

(2) Proceedings before Court shall be both verbal and public, except as otherwise stipulated by law. In the proceedings before Court, Judge, prosecutor, and attorney shall use official clothing.

(3) Lawful Judge is a Judge executing their judicial office at the respective Court and appointed pursuant to law and work schedule to act and decide on the case under hearing. If the Court decides in a panel, lawful Judges are all the Judges appointed pursuant to work schedule to act and decide in the panel.

(4) Replacement of the person of the lawful Judge may only be carried out pursuant to law and work schedule.

(5) Judgement is promulgated in the name of the Slovak Republic and always publicly. Regulations governing proceedings before Court shall establish the manner of public promulgation of Judgements.

(6) Judiciary is executed by Judges and, in criminal cases, along with the Judges in panels, also by Lay-Judges selected from citizens (hereinafter only as "Lay-Judges"). In executing the judiciary, Lay-Judges have the same rights and obligations as Judges, except the right to chair the panel.

(7) Violation of the right to public hearing without undue delay may be objected by complaint under this Act or special legislation.

(8) A part of the right of everyone for hearing in their presence and the right to comment on all executed evidence is, under the conditions provided by law, the right of access to the case file in their cases.

(9) A member of Panel who should disagree with the decision of the Panel or justification thereof shall be entitled to have their differing position attached to the decision. A differing opinion of a Judge shall be delivered and published in the same manner as the other parts of the decision. Each decision of a Panel must contain the result of voting, and that by indicating the proportion of votes.

(10) In executing judiciary, especially in assigning and distributing cases, keeping the Court register and drafting decisions and other instruments, the Courts are obliged to utilise the software and technical means approved by the Ministry.

Section 4

The protection of order and security at the Court facilities, undisturbed course of judicial proceedings and the protection of public order in the vicinity of Court facilities shall be provided by the Corps of the Prison and Court Guard. Details are provided by separate Act.⁴⁾

Section 5

System of Courts

(1) The system of Courts of the Slovak Republic consists of:

- a) District Courts,
- b) Regional Courts,
- c) Supreme Administrative Court of the Slovak Republic (hereinafter only as "Supreme Administrative Court")
- d) Supreme Court of the Slovak Republic (hereinafter only as "the Supreme Court").

(2) The Court system of the Slovak Republic also comprises the Specialised Criminal Court.

(3) Repealed as of 1.4.2009

Jurisdiction of Courts

Section 6

(1) District Courts act and decide as first instance Courts in civil and criminal cases, except as otherwise provided by regulations on proceedings before Courts.

(2) District Courts act and decide on electoral cases, if so provided by separate Act.²⁾

Section 7

(1) Regional Courts act and decide as the second instance Courts in civil and criminal cases in which, the District Courts decided in the first instance.

(2) Regulations on proceedings before Courts provide in which civil and criminal cases the Regional Courts act and decide as the first instance Courts.

(3) Regional Courts act and decide in administrative cases in the first instance, except as otherwise provided by separate Act.²⁾

(4) Regional Courts also act and decide in other cases, if so provided by separate acts.⁵⁾

Section 8

(1) Supreme Court acts and decides on

a) ordinary appeal against the decisions of Regional Courts and the Specialised Criminal Court, if so provided by regulations on proceedings before the Court,

b) on extraordinary appeal against the decisions of District and Regional Courts and Specialised Criminal Court, if so provided by regulations on proceedings before the Court,

c) on removal and delegation of case to a Court other than the designated Court, if so provided by regulations on proceedings before the Court,

d) other cases, if so provided by law or international agreement.

(2) Supreme Court reviews the decision-making activity of Courts in concluded cases.

(3) Supreme Court ensures the uniform interpretation and uniform application of laws and other acts of general application and publishes final judicial decisions of essential importance in the Collection of opinions of the Supreme Court and Decisions of the Courts of the Slovak Republic.

Section 8a

(1) Supreme Administrative Court executes judiciary by deciding on cassation complaints against decisions of Regional Courts under conditions stipulated by [Administrative Code of Procedure](#).

(2) Supreme Administrative Court further executes judiciary in the first instance in cases stipulated by the [Constitution of the Slovak Republic](#) and [Administrative Code of Procedure](#).

(3) Special regulations stipulate when the Supreme Administrative Court decides on recourse against decisions of other bodies and when it decides on other matters.

(4) Supreme Administrative Court ensures the uniform interpretation and uniform application of laws and other acts of general application and publishes final judicial decisions of essential importance in the Collection of opinions of the Supreme Court and Decisions of the Courts of the Courts of the Slovak Republic.

Section 9

(1) Specialised Criminal Court acts and decides in criminal and other cases provided by the regulation on proceedings before Court.

(2) Specialised Criminal Court has the status of a Regional Court.

Section 10

Repealed as of 1.4.2009

PART TWO

ORGANISATION OF COURTS

TITLE ONE

GENERAL PROVISIONS

Section 11

(1) Justice at Courts is administered by Judges, and in criminal cases, if so provided by this Act, also by Lay-Judges.

(2) Professional judicial interns, Court clerks and court employees, carrying out the tasks of administration of justice shall also participate in the administration of justice (Section 92(1)).

(3) Courts decide in Panels, unless the law provides that a case shall be decided by a Sole Judge (hereinafter only as "Sole Judge").

(4) Separate act provides⁶⁾ in which cases a court clerk may act and decide.

Section 12

(1) Judges of the respective Court form a Plenary Board of the Court.

(2) Plenary Board decides in cases provided by this Act or by separate act.

(3) Plenary Board is convened and presided over by President of the Court. The Plenary Board has a quorum if qualified majority of all Judges of the respective Court are present. Except as otherwise provided by this Act, the adoption of a decision in the Plenary Board requires the agreement of a qualified majority of the Judges present.

(4) President of the Court is obliged to convene the Plenary Board if so requested in writing by at least one third of the Judges or a qualified majority of all members of the Court Council with the draft agenda.

(5) If President of the Court fails to convene the Plenary Board within 10 days of the delivery of the request in writing, pursuant to Para 4, it shall be convened by the President of the Court Council or Vice-President of the Court Council of the respective Court; at a Court where the Court Council was not elected, the Plenary Board shall be convened by the most senior Judge.

Section 13

(1) The basic element of the internal organisation of a Court is the Judicial Department.

(2) Judicial Department is created for a Sole Judge or a panel of Judges.

(3) Judicial Department consists of clerks of court and other court employees fulfilling the functions in administration of justice. The assignment of the clerks of court and other court employees, who fulfil tasks in administration of justice, to the Judicial Department shall be determined in the work schedule.

(4) Judicial Department shall be directed by a court clerk determined in the work schedule.

(5) Sole Judge, Chairman of Panel or a senior court clerk, for whom the Judicial Department was created, shall allocate tasks to Court clerks and other court employees assigned to the Judicial Department.

(6) For the administration of justice, Courts may create other organisation units fulfilling the tasks for one or multiple Judicial Departments.

TITLE TWO

DISTRICT COURT

Section 14

A District Court Panel consists of the Chairman of Panel and two Lay-Judges. The Chairman manages and organises the activities of the Panel.

Section 15

(1) On proposal by President of the respective District Court, the President of the Regional Court may establish at the District Court, within the circuit of the respective Regional Court, civil, criminal or other Boards. A District Court Judge is a member of a Boards in accordance with the predominant content of their decision-making tasks determined in the work schedule. On proposal by any of the Presidents of respective District Courts, the President of the Regional Court may establish, within the circuit of the Regional Court, joint Boards composed of District Court Judges.

2) The Boards is headed by Board Chairman. The appointment and removal of the Board Chairman is regulated by separate Act.⁷⁾

(3) The Board

a) debates and comments on initiatives of Judges to the adoption of opinion on uniform interpretation of laws and other generally applicable legal regulations, if interpretative differences occurred in the final decisions of Panels or Sole Judges of the same Board,

b) becomes acquainted with case-law of higher instance Courts, which is in the interest of uniform interpretation and uniform application of laws and other legal regulations of general application, as well as case-law of the Court of the European Union, First Instance Court of the European communities and the European Court for Human Rights,

c) comments on drafts legal regulations of general application governing the organisation of Judiciary, proceedings before the Court and the status of Judges,

d) discusses other issues, if so provided by law.

(4) The Board Chairman provides professional coordination of the Board's activities, in particular:

a) convenes Board meetings at least four times per year, presides over the Board meetings, decides on inviting additional persons to the Board meeting; determines Board meeting agenda only for the purpose of providing for Board jurisdiction pursuant to Para 3,

b) monitors rulings of Panels and Sole Judges, notifies the Board members of discrepancies in their rulings,

c) based on the Board opinion, makes suggestions for unification of interpretation of acts and other acts of general application to higher Courts,

d) monitors rulings of higher instance Courts and informs the Board thereof,

e) collaborates in drafting the work schedule.

(5) Chairman of the respective Board may delegate performance of tasks pursuant to Para 4 to any of the Board members.

(6) Board meetings may also be attended by members of other Boards of the respective Regional Court, as well as senior clerks of the court empowered to act and decide, or perform other tasks of the Court, pursuant to special legislation;⁶⁾ they do not have a voting right.

(7) The Board may adopt valid resolutions if at least two thirds of all its members are present. Details concerning the Board meeting, election and removal of the Board Chairman are governed by the rules of procedure and voting rules of the Board approved by the Board.

TITLE THREE

REGIONAL COURT

Section 16

(1) Panel of a Regional Court consists of three Judges of whom one is the Chairman of Panel. The Chairman of Panel directs and organises the Panel business.

(2) If multiple Judges in the Panel hold the office of the Chairman of Panel, the Chairman of Panel, who directs and organises the Panel business, will determine the work schedule. Each Chairman of Panel is entitled to chair the Panel in the case which was assigned to them as a Judge-Rapporteur.

Section 17

(1) Regional Court establishes civil board, criminal board, commercial board and administrative board. Other boards may be established by President of the Regional Court based on prior consent of the Regional Court Plenary. Regional Court Judge is the member of the Board in accordance with the predominant content of their decision-making tasks determined in the work schedule. The Board will not be established unless it has at least five members. The Regional Court Board has a quorum if qualified majority of all its members are present. Judge may be transferred to a different Board only with their consent, or, pursuant to Section 51, even without their consent.

(2) The Board is headed by Board Chairman. The Board Chairman directs and coordinates the Board professional business. The appointment and removal of the Board Chairman is regulated by separate Act⁷⁾. If the position of Board Chairman is not filled, the President of the Regional Court shall appoint some of the Panel Chairmen of the appropriate Board with their consent to fulfil the tasks of Board Chairman pursuant to Paras 3 to 5 until new Board Chairman is elected.

(3) Regional Court Board

- a) discusses and comments on initiatives of Judges to adopt a position on unification in interpretation of laws and other acts of general application, if there were interpretative differences in the final decisions of panels or Sole Judges of the same Board,
- b) discusses and comments on initiatives of the President of the Regional Court, Presidents of District Court and Board Chairman to adopt a position on unification of interpretation of laws and other acts of general application, if there were interpretative differences in the final decisions of District Courts within a Regional Court circuit,
- c) becomes acquainted with case-law of Supreme Court, which is in the interest of a uniform interpretation and uniform application of laws and other legal regulations of general application, as well as case-law of the Court of the European Union, First Instance Court of the European Communities and the European Court for Human Rights,
- d) decides on presenting the initiatives to unify interpretation of law and other acts of general application to the Supreme Court,
- e) comments on draft acts of general application regulating the organisation of the Judiciary, proceedings before Court and the status of Judges,
- f) prepares initiatives for amendments to legal regulations related to the proceedings before the Court of Justice,
- g) discusses the work schedule, if so requested by President of the Court,
- h) discusses other issues, if stipulated by law.

(4) Chairman of Board mainly

- a) convenes Board meetings at least four times per year, presides over the Board meetings, decides on inviting additional persons to the Board meeting; determines Board meeting agenda only for the purpose of providing for Board jurisdiction pursuant to Para 3,
- b) based on final decisions of the Regional Court, District Courts within the circuit of the Regional Court and the initiatives of Board Chairmen or Presidents of District Courts within the circuit of a Regional Court, presents the Board with prepared initiatives to adopt opinions on unification of interpretation of laws and other acts of general application to the Supreme Court,
- c) notifies the Board of discrepancies in rulings of Panels or Sole Judges,
- d) monitors the rulings of the Supreme Court in the interest of maintaining the uniform interpretation and uniform application of laws and other acts of general application,
- e) collaborates in drafting the work schedule.

(5) Chairman of the respective Regional Court Board may delegate the performance of tasks pursuant to Para 4 to any of the Board members.

(6) Regional Court Board meetings may also be attended by members of other Boards of the respective Regional Court, as well as senior clerks of the Court empowered to act and decide, or perform other tasks of the Court, pursuant to special legislation;⁶⁾ they do not have a voting right. At least once per year, the Regional Court Board holds meetings with Judges of the District Courts within the circuit of Regional Court, and that in accordance with the predominant content of their decision-making agenda.

(7) Controversial issues between Boards related to the interpretation of laws and other acts of general application of the Regional Court are discussed by the Regional Court Plenary Board.

(8) If any of the Boards, indicated in Para 1, cannot be established, the Judges, with regard to their decision-making agenda, will be transferred to other Boards.

(9) The Board may adopt valid resolutions if at least two thirds of all its members are present. Details concerning the Board meeting, election and removal of the Board Chairman are governed by the rules of procedure and voting rules of the Board approved by the Board.

TITLE FOUR

SUPREME COURT

Section 18

(1) The Supreme Court Panel consists of three Judges of whom one is the Chairman of Panel. If it rules on ordinary or extraordinary appeal against rulings of the Supreme Court Panels, the Supreme Court Panel consists of the Chairman and four Judges. The regulation on proceedings before Court may stipulate that the Supreme Court Panel can consist of a higher number of Judges. The Panel must always consist of an odd number of Judges. The Chairman of Panel directs and organises the panel business. The provision pursuant to Para 16(2) applies equally.

(2) Cases, in which the Supreme Court acts on ordinary appeal against the rulings of the Specialised Criminal Court, are decided on by Panels of the Supreme Court consisting exclusively of Judges who are members of the Criminal College of the Supreme Court. Each member of the Criminal College of the Supreme Court who should fail, pursuant to the first sentence, to express in writing and prior to becoming a Panel member an objection to such a membership, must be, pursuant to the first sentence, a member of at least one Panel. Pursuant to the first sentence, the cases are allocated to the Panels evenly.

Section 19

(1) Supreme Court Judge may have an assistant assigned to them.

(2) Assistant to the Supreme Court Judge is a civil servant providing civil service, pursuant to a special legislation.8)

(3) Assistant to a Supreme Court Judge has rights and duties of a senior court clerk, pursuant to special legislation.6).

Section 20

Plenary College of the Supreme Court

(1) Plenary College of the Supreme Court

a) approves the rules of procedure of the Supreme Court and the rules of election and removal of College Chairmen, elects and removes members of the Court Council of the Supreme Court,

b) adopts opinions to unification of interpretation of laws and other acts of general application in cases related to multiple Boards or controversial issues between the Boards,

c) debates reports on application of laws and other acts of general application and on the basis of them provides the Minister of Justice of the Slovak Republic (hereinafter only as "Minister") with suggestions for new legislation,

d) debates and approves reports from the Chairmen of the Colleges of the Supreme Court on activities of these Colleges and takes positions on serious differences between the Colleges,

e) debates and approves reports on the results of surveys, and on the basis of them provides the Minister with suggestions for new legislation,

f) debates other issues, as provided by law.

(2) Plenary College of the Supreme Court is convened by the President of the Supreme Court who sets its agenda and presides over its meeting. The meeting agenda is approved by the Plenary College of the Supreme Court.

(3) President of the Supreme Court is obliged to convene the Plenary College of the Supreme Court if so requested by at least one third of the Supreme Court Judges, or a qualified majority of all members of the Court Council of the Supreme Court with a draft agenda. If the President of the Supreme Court fails to convene the Plenary College of the Supreme Court within ten days of delivery of the request, it shall be convened by the Chairman of the Court Council of the Supreme Court or Vice-Chairman of the Court Council of the Supreme Court.

(4) Plenary College of the Supreme Court may adopt valid resolutions if attended by at least two thirds of its members.

(5) The Plenary Board meeting may be attended by members of the Judicial Council of the Slovak Republic (hereinafter only as "Judicial Council"), Prosecutor General of the Slovak Republic (hereinafter only as "Prosecutor General") and the Minister; on their request, the President of the Supreme Court shall give them floor to speak. The President of the Supreme Court may also invite other persons to attend a Plenary Board meeting. The meetings of the Supreme Court Plenary Board are closed.

Article 21

Colleges of the Supreme Court

(1) The Supreme Court establishes Civil College, Criminal College, Commercial College and Administrative College. Other boards may be established by the President of the Supreme Court based on prior consent of the Supreme Court Panel. If necessary for proper execution of the judiciary, the President of the Supreme Court based on prior consent of the Supreme Court Plenary Board may merge the Civil College with the Commercial College and if the reasons for such merger cease to exist the President of the Supreme Court may separate them again under the same conditions. Additional Colleges may be created by the President of the Supreme Court based on prior consent of the Supreme Court Plenary Board. Judge of the Supreme Court is the member of the College in accordance with the predominant content of their decision-making tasks determined in the work schedule. Judge may only be a member of one College; which, however, does not exclude the possibility to act and decide in the cases belonging to another College, if the Judges of the respective College are unable, due to exclusion, to act or decide. Judge may be transferred to a different College only with their consent, or, pursuant to Article 51, even without their consent.

(2) The College is headed by the College Chairman. The College Chairman presides over and professionally coordinates the College business. The appointment and removal of the College Chairman is regulated by a separate Act.7) If the position of College Chairman is not filled, the President of the Supreme Court shall appoint some of the Panel Chairmen of the appropriate College with their consent to fulfil the tasks of College Chairman pursuant to Paras 3 to 5 until new College Chairman is elected.

(3) College of the Supreme Court mainly

a) on proposal by the College Chairman, President of the Supreme Court, or Minister, receives opinions on the unification of interpretation of laws and other acts of general application, if there were interpretative differences in final decisions of Grand Panel of the College or by Panels of the College of, the position of the College is binding for the College members,

b) on proposal by the College Chairman, President of the Supreme Court, or Minister, receives opinions on the unification of interpretation of laws and other acts of general application, if there were interpretative differences in final decisions of lower instance Courts,

c) becomes acquainted with the case-law of the Court of the European Union, the First Instance Court of the European Communities and the European Court of Human Rights,

- d) debates and approves draft decisions for publication in the Collection of Judicial Opinions of the Supreme Court and Decisions of the Courts of the Slovak Republic,
- e) debates the draft report of the Supreme Court on application of laws and other acts of general application, as well as initiatives for new legislation,
- f) debates draft report of the Supreme Court on the results of survey activities and initiatives for new legislation,
- g) debates the report on the College activities and approves presentation thereof to the Supreme Court Plenary Board,
- h) may adopt position on candidates for the position of a Supreme Court Judge in appropriate College; for this purpose, it may summon such candidate and question them,
- i) debates other issues, if so provided by the law.

(4) Chairman of the Supreme Court College

- a) convenes meetings of the College, sets its agenda, presides over College meetings, decides on inviting additional persons to College meetings; the agenda of the College meeting is only the implementation of its jurisdiction pursuant to Para 3,
- b) proposes to the College the approval of opinions, pursuant to Para 3 b) to e),
- c) presents proposals to the President of the Supreme Court for approval of the opinions of the Plenary College of the Supreme Court on unification of differences in the interpretation of laws and other acts of general application in the issues related to multiple Colleges, or in the issues disputed between the Colleges,
- d) monitors decision-making work of the Panels and notifies the College members of differences in rulings of the Panels,
- e) directs survey activities of the College,
- f) collaborates in drafting the work schedule.

(5) Chairman of the Supreme Court College may delegate some of the tasks referred to in Para 4 to one of the College members, if the College member agrees thereto.

Section 22

Unification of interpretation and application of laws and other Acts of general application

(1) To ensure a uniform interpretation and uniform application of laws and other acts of general application, the Supreme Court publishes judicial decisions of essential importance and adopts opinions to unification of differences in the interpretation of laws and other acts of general application. For the purpose mentioned above:

- a) the respective College of the Supreme Court collects through Presidents of lower instance Courts the final decisions issued in an essential judicial matter and requests the individual Judges of the respective College of the Supreme Court for an opinion thereto,
- b) the Plenary Board of the Supreme Court or the respective College of the Supreme Court adopt opinion to unifying differences in the interpretation of laws and other acts of general application, it is necessary in the interest of eliminating inconsistency of judicial decision-making, or if the Supreme Court Panel departed from legal opinion contained in the decision of other Supreme Court Panel.

(2) Before taking a position on the uniformity in interpretation of laws and other generally binding legal regulations President of the Supreme Court or Chairman of the College of the Supreme

Court may request a statement of another College of the Supreme Court, the Attorney General, Ministry of Justice of the Slovak Republic (hereinafter only as "Ministry") or even other public authorities as well as scientific institutions and universities.

(3) The session of the Supreme Court Plenary Board, or College of the Supreme Court adopting opinions on the uniformity of interpretation of laws and other acts of general application, are attended by representatives of the Prosecutor General of the Slovak Republic and the Ministry, the President of the Supreme Court calls on them to speak upon their request. The meeting may be attended by other persons only if they were invited to the session by the convener.

Section 23

(1) In the interest of uniform interpretation and uniform application of laws and other acts of general application, the Supreme Court publishes in civil, criminal, commercial and administrative cases the Collection of Opinions of the Supreme Court of the Slovak Republic and Decisions of the Courts of the Slovak Republic in which it discloses

a) opinions of the Supreme Court to the unification of differences in the interpretation of laws and other acts of general application adopted by the Supreme Court Plenary Board or College,

b) selected decisions of the Supreme Court or other Courts.

(2) The Supreme Court ensures that the Collection of Opinions of the Supreme Court and the Decisions of Courts of the Slovak Republic are posted on the web.

Section 24

Details concerning sessions of the Plenary Board and Colleges of the Supreme Court are governed by the Rules of Procedure approved by the Plenary Board of the Supreme Court; the Rules of Procedure of the Supreme Court are promulgated by publication in the Collection of Acts of the Slovak Republic.

Section 24a

Office of the Supreme Court of the Slovak Republic

(1) Office of the Supreme Court of the Slovak Republic (hereinafter only as "Office of the Supreme Court") is established.

(2) Office of the Supreme Court fulfils tasks related to professional, organisational, personnel, economic, administrative, and technical support of Supreme Court business pursuant to this Act or special regulations.

(3) Office of the Supreme Court in relation to the Supreme Court also provides the performance of activities listed in Sections 71(1)(b) first and second point, (c) second and third point, (d) first, fourth, and fifth point, 74(1)(a, c) to (h) and (j) in addition to handling personnel matters of Judges of the Supreme Court and the performance of activities listed in Section 78(1) and (2).

(4) Office of the Supreme Court is a State budget-funded organisation. Office of the Supreme Court is managed and represented by Head of the Office of the Supreme Court. Head of the Office of the Supreme Court is appointed and recalled by President of the Supreme Court, to whom they report as regards to their activities.

(5) Salary of Head of the Office of the Supreme Court, flat rate reimbursement of costs that relate to execution of their office and other particulars are determined by the President of the Supreme Court.

(6) Tasks of the Office of the Supreme Court are executed by civil servants^{7a)} and employees in execution of work in public interest.^{7b)}

(7) Details on organisation and activities of the Office of the Supreme Court, on position of civil servants and employees executing work in public interest are regulated by organisational rules issued by the Head of the Office of the Supreme Court.

TITLE FIVE

SUPREME ADMINISTRATIVE COURT

Section 24b

Panel of the Supreme Administrative Court is composed of three Judges one of whom is Chairman of Panel. In case it rules on regular or extraordinary recourse against decisions rendered by Panels of the Supreme Administrative Court the Panel of the Supreme Administrative Court is composed of Chairman and four Judges. Regulation governing proceedings before courts may stipulate that Panel of the Supreme Administrative Court is composed of even more Judges. Panel must always be composed of an odd number of Judges; that does not apply to disciplinary proceedings. Chairman of Panel manages and organises the activity of the Panel. Provision of Section 16(2) applies equally.

Section 24c

- (1) Judge of the Supreme Administrative Court may be assigned at least one assistant.
- (2) Section 19(2) applies equally to Assistant to Judge of the Supreme Administrative Court.

Section 24c

Plenary Board of the Supreme Administrative Court

- (1) Plenary Board of the Supreme Administrative Court:

- a) adopts Rules of Procedure of the Supreme Administrative Court and the Rules for election and recall of Chairmen of Colleges, elects and recalls members of Court Council of the Supreme Administrative Court,
- b) adopts opinions on the uniformity of interpretation of laws and other acts of general application on issues pertaining the multiple Colleges or on issues of controversy between Colleges,
- c) debates reports on application of laws and other acts of general application and based on them provides to the Minister background papers for new legislation,
- d) debates and approves reports of Chairmen of Colleges of the Supreme Administrative Court on activity of these Colleges and takes positions to serious issues of controversy between Colleges,
- e) debates and approves reports on the results of surveys and based on them provides to the Minister background papers for new legislation,
- f) debates other issues if so stipulated by law.

(2) Plenary Board of the Supreme Administrative Court is convened by the President of the Supreme Administrative Court who proposes its agenda and leads its sessions. Session agenda is approved by the Plenary Board of the Supreme Administrative Court.

(3) President of the Supreme Administrative Court shall convene Plenary Board of the Supreme Administrative Court if at least one third of Judges of the Supreme Administrative Court or simple majority of Judges of Court Council of the Supreme Administrative Court make such request including that of its draft agenda. If the President of the Supreme Administrative Court does not convene Plenary Board of the Supreme Administrative Court within ten days from delivery of the written request, it shall be convened by Chairman of the Court Council of the Supreme Administrative Court or by Vice-Chairman of the Court Council of the Supreme Administrative Court.

(4) Plenary Board of the Supreme Administrative Court may adopt valid resolutions in the attendance of at least two thirds of all of its members.

(5) Sessions of the Plenary Board of the Supreme Administrative Court may be attended by members of the Court Council, Prosecutor General, and Minister; upon their request the President of the Supreme Administrative Court will give them the floor. President of the Supreme Administrative Court may invite additional persons to the sessions of the Plenary Board of the Supreme Administrative Court. Sessions of the Plenary Board of the Supreme Administrative Court are closed.

(6) Details on sessions of the Plenary Board and Colleges of the Supreme Administrative Court are regulated by Rules of Procedure approved by the Plenary Board of the Supreme Administrative Court; Rules of Procedure of the Supreme Administrative Court are promulgated by publication in the Collection of Acts of the Slovak Republic.

Section 24e

Colleges of the Supreme Administrative Court

(1) At the Supreme Administrative Court, the President of the Court may establish Colleges pending prior consent of the Plenary Board of the Supreme Administrative Court. Judge of Supreme Administrative Court is a College member according to the prevailing content of their decision-making agenda determined by Work Schedule. Judge may be a member of one College only; that does not exclude the possibility of acting and deciding in cases belonging to another College, if the Judges of the appropriate College may not act and decide in such case due to their exclusion. Judge may be included into another College with their consent only or under conditions pursuant to Section 51(a) even without their consent.

(2) College is headed by College Chairman. College Chairman manages and professionally coordinates the activity of the College. Appointment to and recall from the position of College Chairman is regulated by special Act.⁷⁾ If the position of College Chairman is not filled, the President of the Supreme Administrative Court shall delegate some of the Panel Chairmen of appropriate College with their consent to fulfil the tasks of College Chairman pursuant to Paras 3 to 5 until new College Chairman is appointed.

(3) College of the Supreme Administrative Court mainly:

a) on proposal by the College Chairman, President of the Supreme Administrative Court, or Minister, receives opinions on the unification of interpretation of laws and other acts of general application, if there were interpretative differences in final decisions of Grand Panel of the College or by Panels of the College of, the position of the College is binding for the College members,

b) on proposal by the College Chairman, President of the Supreme Administrative Court, or Minister, receives opinions on the unification of interpretation of laws and other acts of general application, if there were interpretative differences in final decisions of lower instance Courts,

c) becomes acquainted with the case-law of the Court of the European Union, the First Instance Court of the European Communities and the European Court of Human Rights,

d) debates and approves draft decisions for publication in the Collection of Judicial Opinions of the Supreme Administrative Court and Decisions of the Courts of the Slovak Republic,

e) debates the draft report of the Supreme Administrative Court on application of laws and other acts of general application, as well as initiatives for new legislation,

f) debates draft report of the Supreme Administrative Court on the results of survey activities and initiatives for new legislation,

g) debates the report on the College activities and approves presentation thereof to the Supreme Administrative Court Plenary Board,

h) may adopt position on candidates for the position of a Supreme Administrative Court Judge in appropriate College; for this purpose, it may summon such candidate and question them,

i) debates other issues, if so provided by the law.

(4) Chairman of the Supreme Administrative Court College

a) convenes meetings of the College, sets its agenda, presides over College meetings, decides on inviting additional persons to College meetings; the agenda of the College meeting is only the implementation of its jurisdiction pursuant to Para 3,

b) proposes to the College the approval of opinions, pursuant to Para 3 (b) to (e),

c) presents proposals to the President of the Supreme Administrative Court for approval of the opinions of the Plenary College of the Supreme Administrative Court on unification of differences in the interpretation of laws and other acts of general application in the issues related to multiple Colleges, or in the issues disputed between the Colleges,

d) monitors decision-making work of the Panels and notifies the College members of differences in rulings of the Panels,

e) directs survey activities of the College,

f) collaborates in drafting the work schedule.

(5) Chairman of the Supreme Administrative Court College may delegate some of the tasks referred to in Para 4 to one of the College members, if the College member agrees thereto.

(6) If no College is created at the Supreme Administrative Court, the Plenary Board of the Supreme Administrative Court shall fulfil the tasks of the College and the Vice-President of the Supreme Administrative Court shall fulfil the tasks of the College Chairman.

Section 24f

Office of the Supreme Administrative Court of the Slovak Republic

(1) Office of the Supreme Administrative Court of the Slovak Republic (hereinafter only as "Office of the Supreme Administrative Court") is established.

(2) Office of the Supreme Administrative Court fulfils tasks related to professional, organisational, personnel, economic, administrative, and technical support of Supreme Administrative Court business pursuant to this Act or special regulations.

(3) Office of the Supreme Administrative Court in relation to the Supreme Administrative Court also provides the performance of activities listed in Sections 71(1)(b) first and second point, (c) second and third point, (d) first, fourth, and fifth point, 74(1)(a, c) to (h) and (j) in addition to handling personnel matters of Judges of the Supreme Court and the performance of activities listed in Section 78(1) and (2).

(4) Office of the Supreme Administrative Court is a State budget-funded organisation. Office of the Supreme Administrative Court is managed and represented by Head of the Office of the Supreme Administrative Court. Head of the Office of the Supreme Administrative Court is appointed and recalled by President of the Supreme Administrative Court, to whom they report as regards to their activities.

(5) Salary of Head of the Office of the Supreme Administrative Court, flat rate reimbursement of costs that relate to execution of their office and other particulars are determined by the President of the Supreme Administrative Court.

(6) Tasks of the Office of the Supreme Administrative Court are executed by civil servants^{7a)} and employees in execution of work in public interest.^{7b)}

(7) Details on organisation and activities of the Office of the Supreme Administrative Court, on position of civil servants and employees executing work in public interest are regulated by organisational rules issued by the Head of the Office of the Supreme Administrative Court.

TITLE SIX

SPECIALISED CRIMINAL COURT

Section 25

The Panel of the Specialised Criminal Court consists of three Judges of whom one is the Chairman of Panel. The Chairman of Panel manages and organises the Panel activities.

Section 26

The Plenary board of the Specialised Criminal Court executes the jurisdiction of the Regional Court College; Article 17(3) shall be applied accordingly.

TITLE SEVEN

SEPARATE PROVISIONS ON ADMINISTRATION OF JUSTICE IN CRIMINAL CASES IN TIME OF WAR AND STATE OF WAR

Military circuit Court

Section 27

(1) The determined number of Judges mandated to act and decide in the cases pursuant to a separate regulation^{8a)} are in time of war and state of war⁹⁾ redoubled, unless the Minister, following an agreement with the Minister of Defence of the Slovak Republic, decides otherwise.

(2) In time of war or state of war the numbers of Judges and Courts with jurisdiction pursuant to a separate regulation shall be complemented^{8a)}, pursuant to Para 1 with the Judges of District and Regional Courts.

(3) The list of District and Regional Court Judges who in time of war and state of war⁹⁾, pursuant to Paras 1 and 2 should execute the office of Judges pursuant to Para 2, shall be, as of January 1 of each calendar year, executed by the Minister after agreement with President of the respective Regional Court; prior to inclusion on the list, the relocation from another District or Regional Court must be approved by the respective Judge and Judicial Council.

Section 28

In time of war and state of war, the Courts under Article 27(2) execute their jurisdiction, pursuant to separate legislation^{8a)}, outside their office as well.

Title repealed as of 1.4.2009

Section 29

Repealed as of 1.4.2009

Section 31

Repealed as of 1.4.2009

Section 31

Repealed as of 1.4.2009

PART THREE

BODIES OF MANAGEMENT AND ADMINISTRATION OF COURTS

TITLE ONE

GENERAL PROVISIONS

Section 32

(1) The role of management and administration of Courts is to create conditions for the Courts of the Slovak republic for appropriate administration of justice, especially in the personal, organisational, financial areas, and oversee the appropriate administration of justice in a manner and within the limits prescribed by law.

(2) The Management and administration of Courts may not interfere with the decision-making work of the Courts.

Section 33

(1) Management and administration of Courts is carried out by the bodies of management and administration of the Courts in a scope and manner prescribed by law.

(2) The bodies of management and administration of the Courts are the President and Vice-President of Court. The Presidents and Vice-Presidents of Courts are the Judges who during their term in office at the respective Courts are the bodies of administration the performance of which they ensure and are responsible for. In managing and administering the Courts, the Presidents and Vice-Presidents of Courts are obliged to comply with the legislation of the Slovak Republic. The office of President and Court Vice-President is incompatible with membership in the Judicial Council.

(3) To the extent provided by law, the management and administration of Courts is also participated in by the Judicial Council and judicial self-administration.

Section 34

(1) The administration of Courts is carried out by the Ministry, as the central body of state administration for Courts.

(2) Within the scope laid down by this Act, the director of the respective Court's administration is also the body of the Court administration.

TITLE TWO

COURT PRESIDENT AND COURT VICE-PRESIDENT

Court President

Section 35

Competence of Court President

(1) Court President provides management and administration of the Court pursuant to this Act and separate laws. President of the Supreme Court provides administration of the Supreme Court through the Office of the Supreme Court, unless this Act stipulates otherwise. President of the Supreme Administrative Court provides administration of the Supreme Administrative Court through the Office of the Supreme Administrative Court, unless this Act stipulates otherwise.

(2) Court President acts on behalf of the Court, except as otherwise provided by law.

(3) Court President administers justice as the Chairman of Panel, member of Panel or Judge according to the work schedule within a scope defined so that he is not prevented from fulfilling his obligations pursuant to Paras 1 and 2.

Section 36

Appointment to the Office of Court President

Court President, except the President of the Supreme Court and President of the Supreme Administrative Court is appointed by the Minister for three years based on the results of a selection procedure from amongst Judges. The same person may be appointed Court President for multiple terms.

Section 37

Selection Procedure for Court President

(1) Selection procedure for Court President pursuant to Para 36 (hereinafter only as “selection procedure”) is declared by the Minister.

(2) The selection procedure is declared publicly on the web site of the Ministry, in nation-wide periodicals or in other generally accessible means of communication and notification to all Courts in the Slovak republic. Upon notification by the Ministry, Presidents of Courts shall inform all Judges of such selection procedure. The minister shall announce the selection procedure no later than:

- a) 90 days prior to expiration of the term of Court President,
- b) within 30 days from the date of termination of the term of Court President, pursuant to Article. 38(1).

(3) Any Judge of the same or higher instance Court may apply for the office of Court President (hereinafter only as “applicant”).

(4) The purpose of the selection procedure is to verify the skills and the ability to ensure proper administration of justice and administration of the Court under this and special legislations and determine the final ranking of successful applicants. The selection procedure is carried out through interviews. If a written test is part of the selection procedure, it is drawn on the day of the competition by the selection committee from a single database of tests created for this purpose by the Ministry. If, within 30 days after the end of the selection procedure, the Minister fails to appoint Court President they shall declare, in the manner set out in Para 2, a new selection procedure to take place within 60 days after the end of the previous selection procedure.

(5) Selection procedure is carried out by a five-member selection committee. The members of the selection committee shall be appointed by the Minister from a database of candidates to the selection committee after each invitation to selection procedure, so that one member was selected from candidates of the Judicial Council and three members from candidates nominated by the Minister. One member of the selection committee convened at the request of the Minister, Council of the Magistracy Court, which occupies the office of President. For the purpose of creating a database of candidates for members of the selection committee, the Judicial Council shall elect at least two candidates and Minister appoints at least six candidates; the database is published on the web site of the Judicial Council and Ministry.

(6) A candidate for membership in the selection committee may be elected or appointed only a person who has the moral and professional qualifications for the impartial discharge of function of the member of selection committee to assess the applicant is eligible pursuant to Paragraph 4 and which operates mainly in the higher education sector, the non-profit sector or performs legal profession; it also applies to the election of a member of the selection committee elected by Court Council.

(7) The panel members elected from amongst themselves the chairman of the selection committee. The panel has a quorum if the vote is attended by at least four its members. The decision is valid if the qualified majority of all its members voted for it.

(8) If the selection committee on the basis of the results of selection procedure fails to choose the candidate for Court President, because no candidate qualifies pursuant to Paragraph 4, the Minister shall declare, in the manner set out in Para 2, a new selection procedure to take place within 60 days after the end of the previous unsuccessful selection procedure.

(9) If the successful candidate, after the announcement of the results of the selection procedure, and before being appointed as Court President rejects the appointment as Court President, the Minister may appoint as Court President any of the remaining successful applicants or, in the manner described in Para 2, declare a new selection process so that it is held within 60 days after the end of the previous selection procedure.

(10) The Ministry shall publish on its web site at least 30 days prior to the selection procedure all applications for inclusion in the selection procedure, professional biographies of candidates and their cover letters. Within 20 days of publication of applications under the first sentence, anyone may raise reasoned objections to the applicants; the Ministry will present them to the selection committee together with applications. The committee may require a statement from the persons whom the reservations concern. On its web site, the Ministry shall post the date and place of selection procedure and a list of committee members, at least 15 days before it is work scheduled to take place.

(11) With the application for inclusion in the selection procedure, the applicant is required to submit a written statement listing persons close to them,¹⁰⁾ who are members of the selection committee, and indicate their first and last name. The declaration shall be published together with the application for inclusion in the selection procedure.

(12) The selection procedure is public, except for the vote of the selection committee. The selection procedure is administered and organised by the Ministry. The Ministry is obliged to create conditions for public participation in the selection procedure. If it can be expected that the public is more interested in the meeting, the Ministry is required to hold the selection procedure in a suitable room bearing in mind the expected interest and capacities.

(13) The Chairman of the selection committee shall ensure the publication of the minutes of the course selection procedure for the ministry web site within 24 hours after completion of the selection procedure.

Section 38

Expiry of the Office of Court President

(1) Execution of the office of Court President concludes upon expiry of their term of office. Before the expiration of the term, the function of President ceases by

- a) resignation,
- b) termination of office of Judge,¹¹⁾
- c) removal from office,
- d) dissolution of Court,
- e) death or declaration of death,
- f) election or appointment as member of Judicial Council.

(2) Judge may resign as Court President by written notice to Minister. In such case, the execution of the office of Court President expires at the end of calendar month in which the written notice of resignation was delivered.

(3) Removal of Court President may be proposed to the Minister by:

- a) Judicial Council,
- b) Court Council of the respective Court,

c) President of higher instance Court.

(4) Minister is not bound by the proposal pursuant to Para 3; they shall decide about it within 60 days of its receipt.

(5) Minister may remove a Judge from the office of Court President even without any proposal if they fail to execute the duties of Court President stipulated by law. In the proceedings on removal of Court President, the directive on administrative proceedings shall not apply;^{11a)} decision of Minister shall include an opinion, justification, and briefing on the fact that such decision of reviewable by Administrative Court. No appeal is admissible against the decision of the Minister pursuant to the first sentence. An administrative motion may be filed against the decision of the Minister pursuant to the first sentence within 15 days from delivery of such removal from the office of Court President.

(6) Execution of the office of Court President in case of their removal shall expire on the day following the date, when they received the decision of the Minister to remove them from the office, unless a later date is indicated in the decision.

(7) If the office of Court Vice-President is vacant, the Minister shall appoint one of the Judges of the respective Court to fulfil the tasks pursuant to Section 35 until a new Court President is appointed.

Court Vice-President

Section 39

(1) In their absence or when the office of President is vacant, President of the Court is substituted to the extent of their rights and obligations by Court Vice-President. Court President may also authorise the Vice-President to represent them within the scope of their rights and obligations in other cases.

(2) Office of the Court Vice-President is established at all Courts. If the office of Court Vice-President is not established or is vacant, the President may authorise any Judge of the appropriate Court to execute certain acts within the capacity of the President.

(3) If the office of Court Vice-President is vacant or in case of long-term absence of Court Vice-President exceeding six weeks, the Court President may authorise any Judge of the appropriate Court with their consent to execute certain acts within the capacity of the Court.

Section 40

Court Vice-President is appointed on proposal of Court President by the Minister for five years from amongst Judges who are not members of Judicial Council. The same person may be appointed a Vice-President repeatedly.

Section 41

Provisions of Section 38 shall apply accordingly to expiry of the office of Court Vice-President; proposal to the Minister to remove the Court Vice-President may also be made by the President of the appropriate Court.

Section 42

Obligations of Court President and Court Vice-President

(1) Court President and Court Vice-President must refrain from anything that could harm the honour and dignity of the office of Court President or Court Vice-President or endanger trust in a fair and impartial execution of this office.

(2) Court President and Court Vice-President are obliged to:

- a) execution of their office diligently, properly and timely, perform their duties of administration of Courts,
- b) maintain an unbiased attitude to Judges of the Court the administration of which they perform, and keep on equal terms the same rights and obligations, they may not put at an advantage or disadvantage legal opinions of the Judge expressed in their decision.
- c) not allow the execution of their office to be compromised by private interests or interests of political parties, political movements, public opinion and mass media,
- d) monitor compliance with the rules of safety and health at work pursuant to special legislation,¹²⁾ for the purposes of health and safety at work the Court President and Court Vice-President are considered Court employer,
- e) refrain from expressing their opinion on cases adjudicated by the Court, without prejudice to provisions of Section 74(1)(e).

(3) Court President is required to monitor compliance with the obligations imposed on the Judges by this Act and separate legislation, and in the case of reasonable suspicion of violation they are required to take the measures necessary to determine the facts, remedy the discovered deficiencies and pursue disciplinary or criminal liability.

Separate Provisions

Section 43

President and Vice-President of the Supreme Court

(1) Appointment to and removal from the office of the President of the Supreme Court and Vice-President of the Supreme Court is governed by the Constitution of the Slovak Republic and by special legislation.¹³⁾

(2) President and Vice-President of the Supreme Court are not governed by Section 36 to 38, Section 39(2) and (3), Sections 40 and 41 of this Act.

Section 44

President and Vice-President of the Supreme Administrative Court

(1) Appointment to and removal from the office of the President of the Supreme Administrative Court and Vice-President of the Supreme Administrative Court is governed by the Constitution of the Slovak Republic and by special legislation.¹³⁾

(2) President and Vice-President of the Supreme Administrative Court are not governed by Section 36 to 38, Section 39(2) and (3), Sections 40 and 41 of this Act.

(3) If no one is appointed to the office of the President of the Supreme Administrative Court not the office of the Vice-President of the Supreme Administrative Court or if the Vice-President of the Supreme Administrative Court at the time of acting on behalf of the President of the Supreme Administrative Court they have suspended the execution of their judicial office, urgent matters of the President of the Supreme Administrative Court shall be executed by the most senior Judge of the Supreme Administrative Court.

TITLE THREE

JUDICIAL SELF-ADMINISTRATION

Section 45

Court Council

(1) Management and administration of Courts is executed by Court Council as a body of judicial self-government. The Court Council is established at the district Court, regional Court, Supreme Court, Supreme Administrative Court, and Specialised Criminal Court. If no Court Council is elected, the jurisdiction of the Court Council shall be executed by the Court Plenary Board.

(2) The Court Council has a minimum of three and maximum of nine members. Members of the Court Council are elected and recalled by the Plenary Board of the respective Court from amongst its members by secret ballot. Execution of the office of Court President and Court Vice-President is incompatible with membership in the Court Council; without prejudice to the rights of Court President and Court Vice-President to participate in the election of members of the Court Council. If the office of the Court Council is executed by the Plenary Board, Court President and Court Vice-President do not have the right to vote in decision-making of the Plenary Board in matters that are within jurisdiction of the Court Council.

(3) Details concerning the sessions of the Plenary Board and the election and recall of members of the Court Council are governed by the rules of procedure and electoral regulations approved by the Plenary Board. In approving the rules of procedure and electoral regulations of the Plenary Board, the Plenary Board shall determine the number of members of the Court Council, pursuant to Para 2.

(4) The Court Council elects and recalls from amongst its members the Chairman of the Court Council, and at least one Vice-Chairman of the Court Council. The District Court Plenary Board, in which the Court Council was not elected elects and recalls the Plenary Board representative, who executes the jurisdiction of the Chairman of the Court Council.

(5) The session of Court Council is convened, its agenda drafted and the meeting presided over by the President of the Court Council, or a designated Vice-Chairman of the Court Council. If the President of the Court Council or Vice-Chairmen of the Court Council are not yet elected, the session of the Court Council is convened by preparatory committee composed of three senior members of the Court Council; the session of the Court Council is presided over by the most senior Judge. Meeting agenda is approved by the Court Council.

(6) Members of the Court Council are entitled to adequate time to prepare themselves for the meeting of the Court Council and to prepare background papers for the Court Council session.

(7) Court Council:

- a) comments on the draft budgets of Courts,
- b) discusses the report of President of the Court on the use of appropriations,
- c) considers the draft work schedule and adopts opinion thereto,
- d) decides on objections of Judges in cases under a special Act ¹⁴),
- e) elects the members of the Selection Committee, pursuant to Section 37(5)a),
- f) initiates disciplinary proceedings,
- g) decides on some matters of remuneration of Judges under a special Act ¹⁵),

h) approves the Rules of Procedure of the Court Council,

i) at the request of President of the Court adopts opinions on matters within the jurisdiction of the President of the Court,

j) decides on other matters, if so required by a separate law.

(8) Court President and Court Vice-President have the right to be present at the meeting of Court Council and comment on issues discussed. The Court Council may invite to its meeting the director of the court administration, if the the subject of discussion is the budget of the Court, and the head of the organisational unit of the Ministry, pursuant to Section 73, if the subject of discussion is the work schedule; if these persons are invited to the meeting of the Court Council, the Chairman of Court Council gives them the floor on their own request. The meetings of the Court Council may also be attended by other persons, if so decided by the Court Council.

(9) Voting in the Court Council is public; it does not apply if the Court Council is electing the Chairman of the Court Council and Vice-Chairman of the Court Council. A member of the Court Council shall have no vote in deciding on matters that concern them directly. The Court Council has a quorum if attended by a qualified majority of all its members. A resolution of the Court Council is passed by a qualified majority of members present.

(10) Details on the Court Council procedure, voting on adoption of resolutions of the Court Council shall be governed by the rules of procedure approved by Court Council.

(11) Chairman of the Court Council shall ensure appropriate disclosure of information on the activities of Court Council, in particular, the dates of meetings of Court Council, draft agenda, resolutions of the Court Council and minutes of meetings of the Court Council. At the request of the Chairman of the Court Council, the President of the Court is obliged to publish information on the activities of Court Council.

Term of Office and Expiry of Membership in the Court Council

Section 46

(1) The term of office of Court Councils is five years. The function of a member of Court Council is an honorary function.

(2) A member of the Court Council may resign from membership and functions in the Court Council.

(3) Membership of the Court Council shall expire by:

a) transfer of a Member Court Council to Courts outside the circuit of the Court Council,

b) termination of the office of Judge,¹¹⁾

c) death or declaration of death,

d) expiration of the term,

e) removal under Section 45(2).

(4) Membership of a Judge in the Court Council does not expire during internship pursuant to special legislation.

(5) Repealed as of 1.1.2009.

Section 47

If, during the term of office of the Court Council a membership of a Judge in the Court Council expires, the Plenary Board will hold by-election of the required members of Court Council. Instead of selecting a new member of the Court Council under the preceding sentence the Plenary Board may decide to reduce the number of members of the Court Council; it does not apply if the number of members of Court Council was less than three Judges.

Section 48

College of Chairmen of Court Councils

(1) The College of Chairmen of Court Councils is established at the Regional Court and consists of the President of the Regional Court Council, Chairmen of Court Councils of District Courts within the circuit of such Regional Court and representatives of the Plenary Boards of District Courts within the circuit of such Regional Court, pursuant to Section 45(4), sentence 2. The meeting of the College of Chairmen of Court Councils are convened, and its agenda is proposed by the Chairman of the Court Council of the Regional Court or a designated Chairman of District Court Council.

(2) The jurisdiction of the College of Chairmen of Court Council includes:

- a) commenting on the draft budget and the allocation of state budget funds and their proposed breakdown for the Regional Court and district Courts within its circuit,
- b) commenting on the report on the disbursement of the last year budget,
- c) proposing programming priorities in the area of administration of justice,
- d) at the request of the President of the Regional Court adopting opinions on matters within the jurisdiction of the President of the Court,
- e) deciding on other issues, if so provided by a separate law.

PART FOUR

MANAGEMENT OF COURTS

Section 49

Presidents of Courts manage the Courts in the area of administration of justice, especially by

- a) work schedule,
- b) exercising supervision over compliance with the dignity and integrity of judicial proceedings and the principles of judicial ethics,
- c) using the results of internal review,
- d) handling of complaints.

TITLE ONE

WORK SCHEDULE

Section 50

(1) For the purposes of the Act herein, the work schedule means the act of management of the President of the Court, which governs the organisation of work in providing the administration of justice during the respective calendar year.

(2) Schedule of work includes:

- a) designation of panels, Sole Judges, clerks and notaries in charge of handling different kinds of cases filed at the Court,
- b) the composition of Panels indicating the Panel Chairman and other Judges; the work schedule will also indicate which of several Chairmen of Panels intended for the same Panel shall manage and organise the activities of the Panel,
- c) determine the manner of representing the Panels, Judges, Sole Judges, Chairmen of Panels and Court clerks be ensured pursuant to special legislations and deciding in proceedings in a case, and in the case of exclusion of a Judge or court clerk in the case of sudden obstacles preventing the Judge or judicial officer to execute individual acts,
- d) the manner and conditions for inclusion of visiting Judges in the work schedule with reference to the list of visiting Judges for the circuit of the appropriate Regional Court,
- e) the manner and conditions for implementing changes in work schedule in case of long-term absence of a Judge, and if the event of changes in personal staffing of the Court,
- f) the manner and conditions for making changes in work schedule due to the substantial differences in the workload of Judges and authorised court employees, arising due to objective reasons, during the calendar year,
- g) the manner of assigning cases to a sole Judge and Panels in the event of failure to use hardware and software resources due to their failure that makes it impossible to access data required for the assignment of cases during at least two working days,
- h) determining the work schedule of service of Sole Judges or Panels and their manner of representation if it is not possible to assign cases randomly, when it comes to deciding on the establishment of defence counsel, arrest warrant, custody warrant, search warrant, warrant to intercept and record telecommunications activities, warrant for the execution of video, audio or other records, warrant to examine the mental condition, warrant on consent for use information and technical equipment under a separate Act⁵⁾, and preliminary injunction under a special regulation,
- i) provision of the maximum difference in the number of cases assigned under Section 51 among Panels, Sole Judges and judicial officers,
- j) the inclusion of Judges in various Boards and Colleges,
- k) the manner of authorising acts of notaries public in probate proceedings and their representation¹⁶⁾ (hereinafter only as "notary public work schedule"),
- l) inclusion of clerks and other Court personnel who perform tasks in the exercise of justice into individual judicial departments,
- m) other particulars, if required by separate law.

(3) If Judge is engaged in other activities under this Act or special Act,^{16a)} work schedule may include a reduction in the extent to which the Judge participates in the administration of justice. Judge, who is member of Judicial Council, administrates justice in scope of maximum half of that of a Judge of appropriate Court.

(4) Work schedule, together with the opinion of the Court Council are publicly accessible. President of the respective Court is obliged to provide work schedule for each Judge of that Court. Everyone has the right to inspect the work schedule and to make excerpts and copies thereof.

Section 51

Manner of assigning cases according to work schedule

(1) Except as otherwise provided by this Act, the cases identified according to the subject of proceedings are, in accordance with the work schedule, assigned to Panels, Sole Judges and Court clerks, through a random selection by technical equipment and software approved by the Ministry so as to preclude the possibility of influencing the assignment of cases. Cases are assigned to Court clerks according to the work schedule in a manner as to secure their equal workload and proper functioning of the Court.

(2) The condition of random selection pursuant to Para 1 is met if the case is to be assigned to one of at least two Panels, Sole Judges or Court clerks.

(3) If it is not possible to assign case by random selection and the case must be assigned without undue delay in cases of deciding on establishing of defence counsel, arrest warrant, custody warrant, search warrant, warrant to intercept and record telecommunications activities, warrant for the execution of video, audio or other records, warrant to examine the mental condition, warrant on consent for use information and technical equipment under a separate Act⁵⁾, and preliminary injunction under a special regulation, and in other cases provided for by special legislation, cases are assigned according to the work schedule in a manner specified in the work schedule so as to exclude the possibility of influencing the assignment of cases.

(4) By random selection through technical equipment and software approved by the Ministry and according to the work schedule the cases that had previously been assigned are also reassigned in the case of:

a) a long-term absence, in excess of six weeks, of the lawful Judge to whom the case had been assigned,

b) changes in the staffing of Court by Judges, including a change due to a temporary assignment of a Judge; in the event of a change in the composition of a Panel the case shall remain in the original Panel, or it shall be redistributed to another Panel where a Judge-Rapporteur is being assigned in such manner as to provide for even workload of Panels at the Court,

c) significant disparity in workload of Judges, and

d) if the Judge, to whom the case was assigned, was excluded from acting and deciding in the matter.

(5) If proxy representation of lawful Judge who is acting and deciding as a sole Judge is provided by a visiting Judge or by a temporary assignment of Judge, the cases originally assigned to the lawful Judge being represented by a proxy shall be assigned to the visiting Judge or to the temporarily assigned Judge, when the lawful Judge being represented by a proxy shall resume their judicial office or the temporary assignment shall cease, cases assigned in such manner shall be reassigned to the original lawful Judge.

(6) In the proceedings before the Specialised Criminal Court, Regional Court pursuant to separate Act¹⁷⁾ or in the proceedings on ordinary or extraordinary appeal the case shall be resolved by the Panel which, in accordance with the work schedule, was assigned to the case by random selection, if the facts justifying the reassignment of the case pursuant to Section 4 shall not concern all Judges.

(7) If a sudden obstacle should occur, which prevents the lawful Judge to whom the case was assigned to perform tasks and to rule in the case earlier than within six weeks, the case will be assigned to a Judge designated in the work schedule to substitute the lawful Judge. For the purposes of this provision a sudden obstruction in work also includes holiday.

(8) If the Court returned the matter for further proceedings and decision of the case, it will be assigned to a Judge to whom it was originally assigned; if there is no such Judge at the Court, the case shall be assigned randomly through technical equipment and software approved by the Ministry, according to work schedule.

(9) If it is not possible to use hardware and software means for assigning a case due to malfunctions which make it impossible to access data required for assignment of cases for at least

two working days, cases will be assigned in accordance with the work schedule in the manner specified in the work schedule, to preclude the possibility of influencing the assignment of cases.

(10) The Court shall issue to the party a receipt of acceptance and assignment of the case. The registration of assignment of cases for hearing must provide such an option of control, that any person who has a legal interest in the case, can consult the file and evidence aids to verify the assignment to a statutory Judge.

(10) Notary work schedule can be based on

a) circuit system, which breaks down the District Court circuit and notarial circuits the number of which is equal to the number of notarial offices in the circuit of that Court,

b) timing system, whereby the notary is entrusted with probate proceedings, depending on the time of death of a person within a calendar year,

c) a combination of systems under a) and b) the boundaries of notarial circuits generally respect the territorial and administrative organisation of the Slovak Republic.

Section 51a

(1) Judge may be assigned proceedings and ruling in cases belonging to a different agenda by work schedule, if its contents constitute a predominant decision-making activity of such Judge

a) only with their prior consent, or

b) without their consent only after prior consultation in the Court Council if the work schedule changes due to uneven workload of Judges, or to ensure proper operation of the Court.

(2) President of the Court must in matters pursuant to Para 1(b) take into consideration the stated facts in the execution of judiciary of the affected Judge for a minimum of three months from assignment of case.

(3) Provisions of Paras 1 and 2 shall not apply if it concerns a visiting Judge or temporarily assigned Judge.

Section 52

Creation of Work Schedule

(1) Work schedule shall be compiled by President of the Court so as to ensure the administration of justice. When creating work schedule it is required to respect the principle of even workload of Judges and Court clerks.

(2) Prior to presenting the work schedule to the Court Council pursuant to Section 3, President of the Court, is required to discuss the work schedule with the Judges.

(3) President of the Court is submitting work schedule for the next calendar year to the Court Council for debate no later than 1 December of each calendar year, along with comments and objections raised by the Judges pursuant to Para 2.

(4) President of the Court shall issue the work schedule with comments and reservations of the Court Council without undue delay, following its debate within the Court Council, no later, however, than December 15 of the calendar year preceding the calendar year for which the work schedule is designated. The work schedule is published along with the opinions of Court Council.

(5) If President of the Court fails to submit the draft work schedule to the Court Council within the period referred to in Para 3 or if they shall not issue the work schedule within a period referred to in Section 4, such a conduct of President of the Court is considered serious disciplinary offense under a special legislation.¹⁸⁾

(6) If President of the Court does not issue work schedule properly and on time, the organisation of Court work, whereas ensuring the proper administration of justice, shall be governed by the original work schedule, until the new one is published.

(7) Changes and additions to the work schedule that affect Judges and Court clerks in charge of acting and deciding, shall be executed by the President of the Court in the manner specified in the work schedule following the debate thereof by the Court Council. After each change in work schedule the President of the Court is obliged to execute a full wording of the work schedule. The full wording of the work schedule shall be posted by President of the Court in the same manner as the work schedule.

(8) To ensure a technical implementation of the work schedule, President of the Court shall consult the preparation of draft work schedule with the IT department of the Court.

Section 52a

(1) Chamber of Notaries of the Slovak Republic (hereinafter only as "Chamber of Notaries") shall, not later than 30 September of the calendar year, submit to Presidents of District Courts the draft notary work schedule for the following calendar year.

(2) Presidents of District Courts shall communicate their opinion on the draft notarial work schedule by 31 October of the calendar year to the Presidium of the Chamber of Notaries.

(3) President of the District Court shall publish the notary work schedule no later than by December 10 of each calendar year and send it to the President of the Regional Court and Presidium of the Chamber of Notaries.

(4) If, during a calendar year a notary office is closed or established, the Chamber of Notaries shall submit within 15 days of the date of establishment or closing of a notarial office to the President of the District Court, in whose circuit the notary office was established or closed a draft change in the notarial work schedule.

(5) President of the District Court pursuant to Section 4 shall give their opinion on changes of the draft notarial work schedule within 20 days of the date of its submission.

(6) President of the District Court shall issue a decision amending the notarial work schedule within 30 calendar days of submission of a proposal for its change.

TITLE TWO

SUPERVISION BY COURT PRESIDENT

Section 53

(1) Court President supervises the compliance with principles of judicial ethics, principles of dignity and integrity of trial proceedings and for this purpose they:

- a) oversee proper functioning of judicial departments,
- b) monitor and evaluate regularity of work of Judges and Panels in the organisation and work efficiency of Panels and departments, effective use of allocated resources and the effectiveness of the use hearing days,
- c) carry out review of case files and the handling thereof,
- d) monitor compliance with judicial ethics and conduct of judicial officers and Court personnel who perform tasks in the exercise of judiciary,
- e) participate in certain hearings,
- f) monitor the Judges adjudication work in terms of continuity of legal proceedings, they especially focus on smooth proceedings in cases of decisions of the Constitutional Court of the Slovak Republic that pertain to adjudication of Judges and by which the Constitutional Court of the Slovak Republic ruled on violation of the rights to have a case heard without undue delays or violation of other fundamental rights and freedoms,
- g) resolve complaints.

(2) In exercising supervision, President of the Court collaborates with the Board Chairman or College Chairman.

(3) If President of the Court finds a breach of principles of judicial ethics, principles of dignity and integrity of trial proceedings, they are obliged to discuss the deficiencies with Judges, court clerk or Court personnel performing tasks in the administration of justice, and if necessary, impose measures in their capacity to correct the identified deficiencies by eliminating their causes. The Judges, within the scope of their duties under special regulations^{18a)} Court clerks and court employees are required to act in accordance with the measures imposed by President of the Court that were imposed pursuant to the previous sentence.

(4) In exercising supervision pursuant to Para 1(c) to f) President of the Court submits to the Ministry motions for extraordinary appeal, if they deem that the conditions as prescribed by Court proceedings were met.

TITLE THREE

INTERNAL REVISION

Section 54

Internal Court Revision (hereinafter only as "Revision") is a type of inspection of Courts and Judges, intended to review the current state of the judiciary, to investigate the causes of deficiencies in the administration of justice and make proposals for measures to eliminate them. The revision is part of the administration of justice.

Section 55

(1) Revision is conducted:

a) in five-year intervals according to a predetermined work schedule of revisions, approved by Judicial Council upon the request of President of the Regional Court, President of the Supreme Court, and President of the Supreme Administrative Court,

b) outside the work schedule of revisions (hereinafter only as "extraordinary revision"), if necessary to take action in certain areas of the judiciary at certain or all Courts.

(2) Revision pursuant to Section 1(a) is focused on:

a) the results of work of the Court and its Judges with regard to established personnel and material conditions and the workload of the Judges,

b) on the state and cause of older cases pending and delays in proceedings,

c) compliance with procedural rules, requirements of the minutes and decisions, the lawful deadlines for proceedings and decision-making,

d) timeliness of preparation and despatch of judicial decisions,

e) quality level of preparation for hearings and the course of hearings, use of hearing days, reasons for adjourning hearings,

f) quality level of work of judicial department and offices, the quality level of judicial documents,

g) the reviewability of the allocation of case files according to work schedule,

h) the merits of changes in the work schedule and compliance procedure of drafting the work schedule,

i) maintenance requirements for specialisation of Judges,

j) dignity of conduct of Judges, Sole Judges and other Court personnel as well as the dignity of the Court environment,

k) effectiveness of complaint resolution.

(3) The scope of revision pursuant to Para 2 may not be reduced.

(4) Focus of extraordinary revisions of certain areas of administration of justice shall be annually determined by the Judicial Council upon proposal of the Minister, Presidents of Regional Courts, President of the Supreme Court, and President of the Supreme Administrative Court. It also follows on from their own knowledge of the complaints and suggestions of natural and legal persons concerning the quality level of the administration of justice.

(5) Presidents of Regional Courts, President of the Supreme Court, and President of the Supreme Administrative Court may order on their own initiative or upon a motion by President of a lower instance Court, or upon proposal of the Minister an extraordinary revision even beyond the scope pursuant to Para 2, if necessary to verify complaints of serious deficiencies in the administration of justice, or if necessary to identify the causes thereof.

(6) To conduct a revision, no special legislation shall be applied.¹⁹⁾

Section 56

(1) Execution of revision should not interfere with adjudication of Judge and Court business.

(2) Members of the internal revision departments (hereinafter only as "Revision Department") are required to carry out revisions impartially, objectively and pursuant to this Act or special regulations. Only such person may be appointed a member of the Revision Department who expressed consent to their appointment.

(3) In executing revision members of the Revision Department may inspect the case files of lawfully closed cases, unless this Act provides stipulates otherwise. The case file may be requested for revision to be done at the Revision Department.

(4) In cases where the procedure was not finally completed, members of the Revision Department may only review the case files for the purpose of finding the status of older cases pending, to detect delays in the proceedings and findings of reasons for adjournment of hearings or if the revision was ordered pursuant to Section 55(5). Court file must be reviewed at the Court, to which it is registered, and in the presence of the person responsible for the integrity and inviolability of the case file and its annexes.

Section 57

(1) Revision of District Court is executed by the Revision Department of the respective Regional Court.

(2) Revision Department consists of the head of the Revision Department, Vice-President of the Regional Court and two other Judges. A member of the Revision Department may also be a Judge whose judicial office is suspended and is receiving a bonus for execution of judicial office,^{19a)} including a Judge whose office has terminated pursuant to Article 146 of the Constitution of the Slovak Republic. A member of the Revision Department may also be a member of evaluation commission.

(3) The role of the head of the Revision Department is to organise the execution of revisions in accordance with the timetable, to ensure the timely review and compliance with its focus, coordinate the activities of other members of the Revision Department and assign them to specific tasks, to debate the revision on behalf of the Revision Department with the President of the Court under review.

(4) The head of the Revision Department shall be appointed for three years by President of the Regional Court from amongst two candidates proposed by the College of Court Council Chairmen. The same person may be appointed as the head of the Revision Department for maximum of two consecutive terms.

(5) Additional members of the Revision Department shall be appointed by the President of the Regional Court upon proposal of the Head of Department.

(6) President of the Court shall determine in the work schedule the requisite number of clerks in the civil service to execute the revision of administrative operations at Courts and to ensure the administrative operation of the Revision Department.

(7) Upon the request of the Revision Department Head, President of the Court may assign additional staff to execute the revision, if required by the scope and focus of the revision.

Section 58

(1) Revision of Regional Court shall be conducted by Revision Department of the Supreme Court and in case of administrative justice agenda, by Revision Department of the Supreme Administrative Court. As a part of revision of Regional Court, it may review any District Court within its circuit.

(2) Revision Department consists of the Head of Revision Department and one permanent member, appointed for three years by President of the Supreme Court or President of the Supreme Administrative Court, upon proposal by Chairmen of Colleges from amongst the Judges of the Supreme Court or the Supreme Administrative Court. The same person may be appointed for a maximum of two consecutive periods. Head of the Revision Department and a permanent member of Revision Department administer justice according to the work schedule within the scope of one fifth of the workload of Judges of the Supreme Court or the Supreme Administrative Court.

(3) Other members of the Revision Department are appointed by the President of the Supreme Court or President of the Supreme Administrative Court, upon proposal of the Revision Department for a definite period of time or for a particular revision; member of the Revision Department may also be a Judge whose judicial office is suspended and is receiving a bonus for execution of judicial office,^{19a)} including a Judge whose office has terminated pursuant to Article 146 of the Constitution of the Slovak Republic. During execution of revision, the designated members of the Revision Department administer justice in accordance with the work schedule and within scope that reflects the time-consuming nature of the revision.

(4) Provisions of Section 57(3),(6) and (7) shall apply accordingly.

Section 59

Revision at the Supreme Court is executed by the authority defined by the rules of procedure of the Supreme Court. Rules of Procedure shall also determine the method of appointing the members of the Revision Department to review the Specialised Criminal Court. A member of the Revision Department may also be a Judge whose judicial office is suspended and is receiving a bonus for execution of judicial office,^{19a)} including a Judge whose office has terminated pursuant to Article 146 of the Constitution of the Slovak Republic.^{19b)}

Section 60

(1) Members of the Revision Department may request to be excused from work at the Revision Department if the conditions for their activity are not adequate. This does not apply to the Vice-President of the Regional Court. Their discharge is decided by President of the Court.

(2) President of the Court shall recall the Head of the Revision Department, its permanent member or a member, if:

- a) their health does not allow them, for at least three months, to properly execute the revision work,
- b) a disciplinary proceedings or criminal prosecution have been initiated against them,
- c) they fail to comply with obligations pursuant to this Act on execution of revision activities.

(3) Decision of the President of the Court pursuant to Sections 1 and 2, may only be objected by a member of the Revision Department within three working days of receipt of the decision of the President of the Court. The objections will be decided by the Disciplinary Panel.

Section 61

(1) After execution of revision, members of the Revision Department report on the results of revision and propose measures to be taken. The report shall be attached with opinions of the concerned parties, a statement of the President whose Court was under revision, the result of debating the report at the Court under revision, and the opinion of the Revision Department to the submitted comments.

(2) Head of the Revision Department shall send a report to the respective President of the Regional Court, President of the Supreme Court, President of the Supreme Administrative Court, Judicial Council and the Minister, who independently evaluate the content of the report and will send

to the head of the Revision Department and the entity under review their opinions on the report and proposed measures.

(3) President of the Regional Court shall ensure the implementation of measures within their own competence.

TITLE FOUR

COMPLAINTS ABOUT COURT PROCEDURE AND MOTIONS

Complaints

Section 62

(1) A complaint may be lodged by proceedings participant or a party to the proceedings. Complaint against Court process may be directed at violations of the right to a public hearing of the case without undue delay or violation of principles of the dignity of the trial by Judges, judicial officers and Court personnel who perform tasks in the administration of justice.

(2) Anonymous complaints will not be handled.

(3) Lodging a complaint may not be detrimental to the complainant, this does not apply if the content of their complaint entails a commission of crime or offence.

Section 63

Handling complaints

(1) Complaints are handled by the President of the respective Court, except as otherwise stipulated by separate Act³).

(2) Complaints about Court President are handled by President of higher instance Court.

Section 64

(1) The purpose of handling complaints is to determine whether in the case at hand any delays were caused or the principles of dignity of Court proceedings were violated and to remedy any shortcomings.

(2) The authority which handles the complaint is required to investigate all the facts in order to determine the state of the matter. If necessary for due resolution of a complaint, the complainant is heard and the complaint is commented on by persons against whom it was raised or other persons who may assist in investigating the complaint.

(3) If the authority responsible for handling the complaint determines that the complaint is well founded, shall ensure the implementation of measures to eliminate shortcomings and, where necessary, draw the resulting deficiencies against the persons responsible for the consequences.

Section 65

(1) The complaint shall be handled within 30 days of its receipt by the body responsible for handling it.

(2) If the deadline pursuant to Para 1 cannot be met because of the impossibility of ensuring proper documentation to properly handle the complaint, or in cases of intense investigation, the deadline referred to in Para 1 may be extended, but the complaint shall be provided within three months from the date of its receipt by the authority competent to its handling. Any extension of deadline for a complaint and the reasons for the extension of the body dealing with

the complaint shall be communicated to the complainant in writing promptly, within the deadline pursuant to Para 1.

Section 66

The complainant shall be informed in writing on the manner of handling the complaint and the measures taken to rectify any shortcomings. This does not apply if the complainant does not insist on a written notification or if the complainant died or became missing or is unattainable due to permanent residence abroad.

Section 67

Inquiry into complaint resolution

(1) If the complainant considers that the complaint lodged with the competent body of the Court, was not properly handled, they may request, within 30 days of receipt, of the reply with which they are not satisfied:

a) the President of the Regional Court to investigate the handling of complaint by President of the District Court,

b) the Ministry to investigate the handling of the complaint by President of the Regional Court and by the President of the Specialised Criminal Court .

(2) To investigate a complaint the provisions of this Act for resolving complaints shall apply accordingly.

(3) A request to investigate the handling of a complaint shall be charged with a fee pursuant to special legislation.²⁰⁾

Section 68

Separate provisions on complaints

Except as otherwise stipulated by this Act, special legislation shall be applied to handling complaints.²¹⁾

Section 69

Motions

(1) A motion means a lodging by natural person or by legal person, which highlights in particular the inappropriate behaviour of Judges, Court clerks and Court staff outside of Court proceedings and other shortcomings at Courts, not related to the proceedings and adjudication in cases at hand.

(2) The purpose of handling a motion is taking the necessary action towards eliminating the identified shortcomings and their causes.

(3) A motion is handled by the President of the Court; a motion concerning Judges is handled by the Court Council of the respective Court. The Court Council may delegate its handling to one or more of its members.

(4) A motion concerning the performance of the President of Vice-President of the Court is handled by the Ministry; this does not apply if the motion pertains to the President of the Supreme Court, President of the Supreme Administrative Court, Vice-President of the Supreme Court and Vice-President of the Administrative Supreme Court.

(5) The motion must be discussed with the person against whom it is directed.

(6) The motion shall be handled within two months from the date of receipt by the authority competent for its handling. Provisions of Section 65(2) and (66) shall apply accordingly.

Section 70

Common provision

A lodging pursuant to Section 62 or Section 69, received by a Court is assessed according to its content.

PART FIVE

COURT ADMINISTRATION

TITLE FIVE

JURISDICTION OF COURT ADMINISTRATION BODIES

The Ministry

Section 71

(1) The Ministry administers the Courts:

a) in the area of personnel

1. the government-approved limits on the number of employees in the budgetary chapter of the Ministry determines the number of Judges, court employees and temporary vacancies of Judges,
2. compiles a list of Judges pursuant to Section 27(3),
3. decides on the inclusion of length of practice in legal profession in another employment or similar employment relationship,
4. participates in determining the content of the training of Judges,
5. coordinates and guides the training of Lay-Judges to execute their office,

b) in the area of finance

1. manages the drafting of Court budget,
2. executes financial review and internal audit at the Courts,¹⁹⁾
3. conducts methodological guidance for preliminary financial monitoring by the Courts,¹⁹⁾ accounting done by the Courts,²²⁾ capital construction investment,²³⁾ management of state property,²⁴⁾ creation and the use of the Social Fund,²⁵⁾ public procurement for capital construction investment,²⁶⁾

c) in the area of organisational matters

1. conducts methodological guidance and inspection of the administration of District Courts, Regional Courts and Specialised Criminal Court by Presidents of these Courts,
2. conducts methodological guidance of activities of the Courts in the area of fire protection,²⁷⁾ protection of classified information,²⁸⁾ health and safety at work,²⁹⁾

d) in the area of economy

1. manages and conducts methodological guidance of development, deployment and use of information systems and technology at Courts,
 2. based on evaluation of the status of Court agendas it conducts strategic planning and preparation of long-term concepts of judicial development,
 3. manages and provides central information system of judiciary (hereinafter only as "central information system"),
 4. conducts methodological guidance for the provision of library and information services, collection, processing, storage, protection and use of library resources,³⁰⁾
 - 5 conducts methodological guidance of archives³¹⁾
- e) executes other duties, if so provided by law.

(2) The numbers of Judges and Court employees pursuant to Para 1(a) of the first point are determined by the Ministry as the total number of positions of Judges and Court employees including the positions of Judges and Court employees at individual Courts when drafting background papers to draft the public administration budget following a debate with Court Presidents and the Judicial Council. If by determining a vacant position of a Judge the number of positions of Judges determined pursuant to the first sentence would change, the vacant position shall be determined following a debate with the Judicial Council. The number of visiting Judges may not exceed 4% of the total number of Judges. For the purposes of the previous sentence positions of visiting Judges are not included in the total number of positions of Judges.

Section 72

(1) The Ministry further:

- a) monitors and evaluates the status of Court cases based on reports and judicial statistics,
- b) monitors the performance of duties of Court management and administration,
- c) carries out review of Court case files and review of the quality level of legal proceedings in connection with the execution of jurisdiction of the Minister or the Ministry pursuant to this Act or a special Act³²⁾,
- d) handles complaints and motions, if so stipulated in this Act,
- e) carries out review of inspections and investigations handling complaints pursuant to this Act by Presidents of:
 1. District Courts,
 2. Regional Courts,
 3. Specialised Criminal Court.

(2) For the purpose of performing tasks pursuant to Para 1(b) to (e), the Ministry shall be entitled to inspect a case file and request a case file, to make excerpts and copies, as well as request other documents, information or statements; without prejudice to the provisions of special regulation.²⁸⁾

(3) Ministry is obliged to return the requested files to the competent Court within 30 days from the date of its receipt, if, with regard to the nature of the case, it is not possible to return the files within this period, the Minister may extend the deadline.

(4) When, carrying out the tasks referred to in Para 1, the Ministry obtains knowledge about inconsistency of judicial decision-making, it shall submit a motion to the Supreme Court to deliver its opinion on the uniformity of interpretation of laws and other generally binding legal regulations.

Section 73

(1) In connection with the exercise of jurisdiction pursuant to Section 71(d) of the first clause the Ministry provides:

- a) operation and protection of Court information systems,
- b) coordination of purchase of hardware and software of the Courts in the Regional Court circuit,
- c) coordination of information system implementation and development,
- d) coordination of deployment of information systems of public administration at the Courts,³³⁾
- e) information system security with regard to the requirements of the protection of personal data in automated information systems,³⁴⁾
- f) coordination of processing official statistics, Court statistics and reporting processed in information systems,³³⁾
- g) maintenance of hardware and software,
- h) management of licenses,
- i) training and seminars related to information systems,
- j) deployment and operation of data communication equipment.

(2) Performance of tasks, pursuant to Para 1, may be transferred by the Ministry to the Regional Courts, without prejudice to provisions of Section 71(d).

(3) Performance of tasks transferred pursuant to Para 2 is provided by the appropriate organisational unit of Regional Court and all District Courts within the circuit of the Regional Court.

(4) The provisions of Paras 1 to 3 shall apply accordingly to the Specialised Criminal Court, the Supreme Court, and to the Supreme Administrative Court.

Section 74

Court President

(1) Court President administers the Court by

- a) ensuring appropriate staffing of Courts by court employees and administering the personnel matters of Judges and Court personnel,
- b) providing the management of personnel office,
- c) organising the economic, material and financial cases of the Court,
- d) through cooperation with the Judicial Academy providing training of Judges and other Court personnel who perform tasks in the administration of justice,
- e) supervising the judicial departments of the Court,
- f) ensuring the use of state language pursuant to special regulation,^{34a)},
- g) providing information on the activity of the Court to other public authorities and the public,
- h) being responsible for the efficient use of human and financial resources,

i) being responsible for compliance with legal conditions of random assignment of cases to Panels, Judges and Court officials and by reassigning cases that have already been assigned,

j) being responsible for timely publication of judicial decisions,

k) performing other duties arising from special regulations.³⁵⁾

(2) In addition to activities referred to in Para1 the President of the District Court performs the administration of the District Court by:

a) determining the number of Lay-Judges at the District Court,

b) providing training for the Lay-Judges of the District Court to exercise their office.

(3) In addition to activities referred to in Para1 the President of the Regional Court performs the administration of the District Court by:

a) determining the number of Lay-Judges at the Regional Court

b) ensuring the selection of candidates for the position of a Judge and preparing documents for their appointment as Judges

c) providing training of Lay-Judges at the Regional Court to exercise their office and organising and coordinating the training of Lay-Judges of the Regional Court to exercise their office,

d) managing the departments of the Regional Court referred to in Section 73(3).

(4) President of the Supreme Court and the President of the Supreme Administrative Court perform the administration of the Court only by handling the personnel matters of Judges and performs tasks pursuant to Section 1(b), (i) and (k).

(5) In addition to activities referred to in Para1 the President of the Specialised Criminal Court perform the management of the Specialised Criminal Court also by providing background papers for the selection of candidates for the position of a Judge at a Specialised Criminal Court and announces the selection procedure to fill a vacancy of a Judge at this Court.

Section 75

Details on the organisation of work in exercising the management of District Court, Regional Court, and Specialised Criminal Court shall be laid down organisational rules issued by the President of the appropriate Court.

TITLE TWO

DIRECTOR OF COURT ADMINISTRATION

Section 76

Director of Court Administration is a civil servant conducting civil service, pursuant to special legislation.³⁶⁾

Section 77

Director of Court Administration organises and manages the economic and administrative operation of the Court, acting on behalf of the Court in its jurisdiction as provided by law or in the extent determined by the Court President.

Section 78

(1) The Director of Court Administration administers the Court by providing:

- a) regular operation of the Court and protection of Court buildings,
- b) management and handling of Court appropriations,
- c) for bookkeeping,²²⁾
- d) for the creation and use of social fund²⁵⁾ and concluding collective agreements,
- e) management of state property,²⁴⁾
- f) public procurement,³⁷⁾
- g) performance of basic financial inspection,¹⁹⁾
- h) the provision of library and information services, collection, processing, storage, protection and use of library resources,³⁰⁾
- i) the operation of the archive,³¹⁾
- j) performance of the state statistics.³⁸⁾

(2) Director of the Administration of Regional Court administers the Regional Court, Director of the administration of a Specialised Criminal Court administers the Specialised Criminal Court and in addition to the activities referred to in Para 1, also provides:

- a) material-technical means of safeguarding classified information,²⁸⁾
- b) management of fire protection,²⁷⁾
- c) management of health and safety at work,²⁹⁾
- d) capital investment for construction,²³⁾
- e) training and workshops for administrative staff of the Court.

(3) Director of Administration of the Regional Court administers the District Courts within the circuit of the Regional Court by activities referred to in Para 2 shall also be performed in relation to a District Court in the circuit of the Regional Court.

(4) Director of Administration of the Regional Court, in agreement with the director of the District Court in the circuit of the Regional Court, may provide certain tasks pursuant to Para 1, which are otherwise performed by the Director of Administration of the District Court.

(5) Repealed as of 1.4.2009

TITLE THREE

CENTRAL INFORMATION SYSTEM

Section 79

(1) The Ministry and the Courts process in the public interest in execution of their tasks the information, personal data and other data (hereinafter only as "data") pertaining to civil procedure and criminal procedure as well as data obtained in execution of their tasks under special regulations,³⁹⁾ including personal data related to representation of the Slovak Republic in proceedings before the Court of Justice of the European Union and in staged preceding such proceedings as well as with personnel related matter pertaining to the Court of Justice of the European Union.

(2) The data are part of the central information system. The central information system is a public administration information system.³³⁾

(3) The operator and manager of the central information system is the Ministry. The operation, management and development of the central information system are provided by the Ministry in cooperation with the Courts.

(4) Data that are part of the central information system, are kept in paper form or electronically. Providing or making available data from the central information system may also be done electronically.

Section 80

(1) Data from the central information system are used by the Ministry and the Courts in the execution of their tasks. Data from the central information system are provided or made available by the Ministry and the Courts to entities stipulated by law or international treaty, the Slovak Republic is bound with (hereinafter only as "recipient") the provision and making available thereof is regulated by this Act and special regulations.⁴⁰⁾

(2) The Ministry may provide the personal data related to representation of the Slovak Republic in proceedings before the Court of Justice of the European Union and in staged preceding such proceedings as well as with personnel related matter pertaining to the Court of Justice of the European Union for the purpose of executing its tasks pursuant to special regulation³⁹⁾ to other public administration bodies or other recipients.

Section 81

The Ministry, in collaboration with the Courts verifies the accuracy of data processed in the central information system by using the reference data values. If the nature of the matter does not exclude such possibility, the correction of data in the central information system with the use of the reference data values may be done automatically. Correction pursuant to the previous sentence is done by the Ministry in collaboration with the Courts; regulations on proceedings before Courts shall not apply.

Section 82

(1) Automated information systems including databases contained therein, created and managed by the Ministry are owned by the state. Privileges resulting from a specific Act⁴²⁾ are executed by the Ministry.

(2) Automated information systems referred to in Para 1 shall form part of the State information system of the Slovak Republic.

Section 82a

Publication and Disclosure of Judicial Decisions

(1) Courts are obliged to publish final decisions on merits of cases, decisions concluding the proceedings, decisions on imposing urgent measures, and decision to postpone the decision of the administrative enforcement authority within 15 working days from the date of decision becoming effective, if the decision was not drawn up as of the date of its validity, the deadline for publication of the decision begins on the date of the decision being drawn up.

(2) After the date of entry into force of decision on merits of cases or of decision concluding the proceedings, the Courts shall publish all decisions taken during this trial within the same deadline that were cancelled, modified or confirmed by a higher instance Court and decisions annulling decisions of lower instance Court. If a corrective resolution was issued, such resolution is also to be published. Decisions taken in proceedings where the public was excluded from the entire trial or a part thereof, including payment orders, are not to be published. Office of the Supreme Court shall also publish final decisions of Disciplinary Panels within three working days from the date of entry into force.

(3) Prior to publishing a decision pursuant to Para 1 data included therein are to be anonymised to ensure protection of publishing rights and legitimate interests.

(4) Publication of judicial decisions pursuant to Para 1 is technically supported by the technical department on its web site. Office of the Supreme Court shall publish decisions of the Supreme Court at the website of the Supreme Court as well, and the Office of the Supreme Administrative Court shall publish decisions of the Supreme Administrative Court at the website of the Supreme Administrative Court as well.

(5) Courts make available to the public upon request pursuant to special Act ^{42a)} all judgments, including decisions not yet final and those that are not decisions on merits of cases, except consent to disclose data that is subject to telecommunication secret pursuant to special regulation, ^{42aa)} consent to use information and technology equipment⁵⁾, and an order pursuant to Criminal Code of Procedure however, such consent is disclosed to a person to whom the consent pertains, unless it would jeopardise or impair the fulfilment of tasks of the State. While doing so the Courts take measures to protect the rights and legitimate interests protected by law. ^{42b)}

Section 82b

Publication of Statistical Data

(1) Ministry publishes on its web site statistical data on activities of Courts, individual Judges and Panels.

(2) Statistical data on activities of Courts referred to in Para 1 shall be published by the Ministry annually as of 28 February for the preceding calendar year.

(3) Office of the Supreme Court shall publish statistical data on the activity of the Supreme Court at the website of the Supreme Court in scope and manner approved by the President of the Supreme Court. Office of the Supreme Administrative Court shall publish statistical data on the activity of the Supreme Administrative Court at the website of the Supreme Administrative Court in scope and manner approved by the President of the Supreme Administrative Court.

Section 82ba

Publication of list of pending cases

Court, for the purpose of informing the public on proceedings before courts, shall publish in the Court building and at the website of the Ministry, in case it pertains to the Supreme Court and Supreme Administrative Court, at their website, a list of pending cases that includes the following:

a) date and time of Court act,

b) the form such Court act takes,

c) indication of parties to the hearing or parties in the following scope:

1. academic title, scientific-pedagogical title, or art-pedagogical title, name and surname in case of a natural person,

2. name or business name in case of a legal person,

d) case file number, and

e) the subject matter of proceedings before Court.

Transmission, provision and processing of personal data within the judicial cooperation in criminal cases

Section 82c

Provisions of Sections 82d and 82h shall apply only in cases where personal data transmitted or transmitted between EU Member States, the European Union institutions or bodies created by European Union Member States (hereinafter only as "competent authority").

Section 82d

For transmission, provision and processing of personal data in the framework of judicial cooperation in criminal cases forming part of the central computer system are subject to special regulation,³⁴⁾ except as otherwise provided by this Act.

Section 82e

(1) When providing or disclosing information to the competent authority the purpose of providing or making available personal data and other restrictions as necessary is to be determined, including the processing of personal data provided or made available to the competent authority, where justified by personal security, essential interests of the Slovak Republic, ongoing detection, clarification or criminal investigation or the obvious inadequacy or non-justification due to the purpose for which it is required.

(2) Restriction of processing personal data pursuant to Para 2 shall also mean the specification of period, after which the recipient is obliged to dispose of the personal data, block it, or to examine whether they are still needed.

(3) For each provision or disclosure of personal data pursuant to Section 80(1), an official record is made out, which is part of the central information system.

(4) If the destruction or anonymisation of personal data could jeopardize the rights and legally protected interests of the individual in question, personal data may be blocked,^{42c)} however, they may only be processed for the purpose which prevented their destruction.

Section 82f

(1) In addition to the original purpose for which they were disclosed, personal data received from the competent authority by Ministry and Courts may also be processed by them for the following purpose:

a) prosecution of offenses other than those for which the personal data were provided,

b) serving the sentence,

c) other Court proceedings directly related to the prosecution of the crime or serving the sentence,

d) to prevent imminent and serious threat to personal security or public order, or

e) defined in the approval of the European Union member state, which is providing the personal data, or specified in the consent of the individual in question,

f) their further historic, scientific or statistical processing.^{42d)}

(2) Where the competent authority shall provide or disclose personal information without a request, the Ministry or the Court shall examine whether these data are necessary for the purpose for which it was provided or made available. If the competent authority shall provide false, incomplete or outdated personal data, they must be immediately corrected, discarded or blocked.

(3) Upon request of the competent authority, the Ministry or the Court shall brief the authority on the processing of personal data made available or disclosed by the authority.

(4) The to the hearing the individual in question about the collection or processing of personal data provided by them without their prior consent.

Section 82g

Repealed as of 25.5.2018

Section 82h

(1) Personal data received from the competent authority may be provided or disclosed to persons that are not public authorities, if the competent authority, from which the data were obtained agrees with their disclosure or access, their disclosure or access shall not be precluded by the rights and legally protected interests of the natural person in question with regard to the circumstances of the case the provision or making available of personal data is necessary in the interest of:

a) tasks fulfilled by the Ministry or Court established by law,

b) prevention, investigation, detection or prosecution of crime, or serving sentences, or

c) preventing imminent and serious threat to personal security or public order.

(2) The provisions of paragraph 1 shall not prejudice the right of access to Court case file in their cases pursuant to Section 3(8).

Register of disqualifications

Section 82i

(1) Register of disqualifications keeps records of data on natural persons about whom it was determined by decision on exclusion^{42f)} that they may not execute the office of a member of statutory body, member of supervisory body, head of organisational department of company, head of company of a foreign national, head of organisational department of company of a foreign national or procurator.

(2) Register of disqualifications is made available at the website of the Ministry. The register is part of the central information system of the judiciary.

(3) Upon request after meeting the fee requirement a certificate shall be issued from the register of disqualifications concerning a fact whether or not the register has any record of the applicant.

(4) Register of disqualifications is kept by the District Court Zilina.

Section 82j

Base of records

(1) Register of disqualifications keeps data obtained from disqualification letters of Courts of the Slovak Republic.

(2) Data from disqualification letters are kept in the register of disqualifications for the duration of exclusion of natural person.

Section 82k

(1) The Court whose decision in the first instance is a decision on exclusion shall deliver without undue delay to the Court having the authority of keeping the register of disqualifications a disqualification letter and a copy of final decision on exclusion.

(2) Disqualification letter for the purposes of this Act is understood a notification of a Court, which includes the following data:

- a) name and surname of the excluded representative,
- b) date of birth and birth registration number of the excluded representative if such number was issued to them,
- c) information on citizenship of the excluded representative,
- d) place of residence of the excluded representative,
- e) designation of Court that issued the decision on exclusion, number of proceedings, date of issue of the decision,
- f) case file number of proceedings under which the decision was issued,
- g) duration of exclusion.

(3) Data from the disqualification letter shall be recorded without undue delay in the register of disqualifications.

(4) Extract from the register of disqualifications shall be delivered without undue delay to Courts that keep the Business Register, in which the excluded representative is kept.

Section 82l

Special provisions on electronic execution of public administration at Courts

(1) Logging into an electronic inbox^{42g)} without the confirmation by an electronic receipt during the validity of delivery deadline when delivering an electronic official document that is to be delivered into own hands and for which substitute delivery is excluded, is considered an unfounded refusal of receipt of an electronic official document being received; electronic official document in such case is considered delivered by the day following the day on which the delivery deadline expired.

(2) If, pursuant to regulations on proceedings before Court it is necessary to deliver filings of a party of a party to proceedings, provisions of special regulation^{42g)} on guaranteed conversion shall not apply and copies of such filings shall be made out in electronic or hard copy format.

(3) Public body, attorney, Court bailiff, notary public, and administrator are obliged in proceedings before Court to deliver filings into the electronic inbox of the Court and in electronic communication with the Court use the electronic inbox activated for delivering they the owner of;^{42g)} that does not apply if the Court requested the submission of certain document and to submission of an administrative file or other file. If an electronic form has been designated for making filings, the persons pursuant to the previous sentence are obliged to make such filing through that form. Costs incurred as a

result of violating the obligations pursuant to the first sentence are not the subject of reimbursement of costs of the proceedings.

(4) Unless a special regulation^{42h)} stipulates otherwise, attachments of filings made out hard copy format may be delivered to the Court in electronic format by converting them into electronic format and attaching them to the electronic filing authorised by the proceedings participant or by a party to the proceedings or by their representative; authorisation of electronic documents made out in such manner is not required and provisions of special regulation^{42g)} on guaranteed conversion shall not apply. The Court may request submission of these attachments in hard copy format if it deems it necessary.

(5) Upon the request of the proceedings participant or a party to the proceedings or their legal counsel, Court shall issue them another copy of its decision in electronic format by converting it from hard copy format or another copy of a decision in hard copy format by converting it from electronic format; provisions of special regulation^{42g)} on guaranteed conversion shall not apply. If another copy of Court decision is issued in electronic format by converting it from hard copy format, the copy of the Court decision is authorised by a qualified electronic seal of the Court with qualified electronic timestamp attached to it.

(6) Electronic official document by which the Court indicates the validity of enforceability of Court decision is authorised by a qualified electronic seal of the Court and must definitely identify the Court decision whose validity of enforceability is indicated; provisions of special regulation^{42g)} on indicating the validity of enforceability shall not apply.

TITLE FOUR

COURT BUDGET

Section 83

(1) By their revenues and expenditures, the Courts are its connected to the budget of the Ministry, unless this Act or special legislation⁴³⁾ stipulate otherwise.

(2) Court connected by its revenues and expenditures to the budget of the Ministry in accordance with the approved budget of Courts manages solely its appropriations designated by the Ministry within its budget chapter.

(3) Expenditures of state budget to finance the judicial system are budgeted in a separate programme budget of the Ministry.

Section 84

Drafting background documents for draft budget of Courts

(1) Ministry as the administrator of the budgetary chapter is responsible for compliance with legal obligations in drafting the draft state budget.

(2) Court connected by its revenues and expenditures to the budget of the Ministry draft background documents for the budget of Courts in cooperation with the bodies of judicial self-administration.

(3) President of the District Court and the Director of Administration of the District Court draft a substantiated draft budget which may also include draft budget priorities of the Court and the President of the District Court shall submit it to the President of the Regional Court by 15 November of the year preceding the year for which budget is prepared for following year; President of the Regional Court drafting a budget for the Regional Court shall proceed in the same manner.

(4) President of the Regional Court will arrange for drafting the background documents to the draft budget for the Regional Court circuit, and shall discuss this draft budget with the presidents of district Courts within its circuit. The results of the discussion along with any comments the draft budget

raised by Court Councils will be discussed by the Minister with the presidents of regional Courts. Background documents to the draft budget of Courts prepared in this manner shall be submitted on behalf of their respective circuits by presidents of regional Courts within the deadline of 31 December of the given calendar year to the Ministry and the Judicial Council.

(5) President of the Specialised Criminal Court and the Director of Administration of the Specialised Criminal Court shall draft a substantiated draft budget of Specialised Criminal Court, which may include draft budget priorities of the Specialised Criminal Court by 15 November of the year preceding the year for which budget is prepared for following year. Draft budget of Specialised Criminal Court will be discussed by the Minister with the President of the Specialised Criminal Court. Background documents to the draft budget of the Specialised Criminal Court prepared in this manner shall be submitted by the President of the Specialised Criminal Court within the deadline of 31 December of the given calendar year to the Ministry and the Judicial Council.

Section 85

The Ministry as the administrator of the budget chapter shall draft a draft budget of the Courts connected by their revenues and expenditures to the budget of the Ministry based on Court background documents and government-approved stability programme within the deadline set by the Ministry of Finance of the Slovak Republic (hereinafter only as "Ministry of Finance"). The Ministry will send the drafted draft budget to the President of the Specialised Criminal Court and the President of the Regional Court, who will notify the District Courts of this draft.

Section 86

The Ministry, the Office of the Supreme Court and the Office of the Supreme Administrative Court shall submit to Judicial Council background documents for drafting the public administration budget and draft budget of the judiciary, so that the Judicial Council may present its position concerning the background documents and draft budget within a deadline, laid down by law. The Judicial Council submits its position on draft budget of Courts to the Government and to the National Council of the Slovak Republic.

Section 87

The Ministry shall break down funds for Courts, connected by its revenues and expenditures to the budget of the Ministry, as approved by Act on State Budget for the appropriate fiscal year. Appropriations for District Courts within the circuit of the Regional Court, shall be broken down by this Regional Court from its budget as appropriated by the Ministry pursuant to the first sentence. The break down shall take into account the requirements of Courts as requested in background documents to the draft budget.

Section 88

Final Account of Courts

(1) The Ministry as the administrator of the budget chapter shall compile the draft final accounts of the budget chapter, which includes a draft final account of the Courts, which are connected by their revenues and expenditures to the budget of the Ministry. Draft final account of the Courts is compiled by the Ministry in collaboration with presidents of regional Courts.

(2) Final account of the chapters is presented by the Ministry pursuant to special legislation to the Ministry of Finance and to the relevant committee of the National Council of the Slovak Republic to the extent and within deadlines specified by the Ministry of Finance.

PART SIX

COMMON PROVISIONS

Section 89

If this Act uses the term Sole Judge, it is understood also to be a Judge for preparatory proceedings, except as otherwise provided by this Act.

Section 90

At the Regional Court in Bratislava, the Judicial Department of the Treasury is being created to perform specific tasks pursuant to special Act.44)

Section 91

If there is no Panel designated at the Specialised Criminal Court or if, due to another reason the Specialised Criminal Court is prevented to exercise its jurisdiction pursuant to this Act or special Act, it shall be executed by the Regional Court in Banska Bystrica; the panel at the Regional Court in such case shall consist of three Judges, of which one is the Chairman of the Panel.

Section 91a

Courts with jurisdiction pursuant to special regulation^{8a)} administer judicial powers in the territory of another State to the extent specified in an International Agreement.⁴⁴⁾

Section 92

Enabling Provision

(1) The Ministry shall issue a generally binding legal regulation and administrative office procedure for District Courts, Regional Courts and Specialised Criminal Court by which it will regulate in more detail the organisation of Court, Court business, the structure and role of Court staff and judicial departments or other organisational units of the Court in the exercise of justice and office work at the Courts.

(2) A generally binding legal regulation issued by the Ministry, shall stipulate the details of:

- a) internal revision of Court,
- b) the particulars of the work schedule,
- c) use official clothing by Judges, prosecutors and lawyers in Court proceedings,
- d) the manner of processing, disclosure, access and dissemination of data in the central information system,
- e) rules of determining the number positions of Judges, other Court personnel, available positions of Judges and allocation of employment positions at Courts,
- f) categories of data to be excluded from Court decisions and procedures for the publication of judicial decisions.

(3) A generally binding legal regulation issued by the Ministry, shall stipulate the requirements for announcing selection procedure, a list of background documents the applicant shall submit, the manner of implementing the selection procedure, details of interviews with candidates, the manner of evaluating the results of the selection procedure, particulars of minutes of the selection procedure, and remuneration of members of the selection commission who are not Judges.

PART SEVEN

TRANSITIONAL AND FINAL PROVISIONS

Transitional Provisions

Section 93

(1) Presidents of District Court, and the presidents of Regional Courts appointed to their positions before the entry into force of this Act shall remain in that capacity after the entry into force of this Act, their office shall expire after a period of two years from the date of entry into force of this Act, unless such office shall expire before that.

(2) If within the deadline pursuant to Para 1, the office of President of any District Court or President of Regional Court shall expire due to reasons laid down by this Act, new Court President shall be appointed pursuant to this Act.

Section 94

(1) Vice-Presidents of District Courts and Vice-Presidents of Regional Courts appointed to their office before the entry into force of this Act shall remain in that capacity after the entry into force of this Act; their office shall expire after a period of one year from the date of entry into force of this Act, unless such office shall expire before that. Presidents of these Courts are obliged, within the deadline pursuant to the previous sentence to propose to the Minister candidates for the office of Vice-President.

(2) If within the deadline pursuant to Para 1 the office of some Vice-Presidents of the District Court or Vice-President of the Regional Court shall expire due to the reasons stipulated by this Act, new Court Vice-President shall be appointed pursuant to this Act.

Section 95

(1) Court Councils at District Courts created under existing regulations execute the activity of Court Councils of District Courts, Regional Courts, and Colleges of Chairmen of Court Councils until 31 December 2005.

(2) By 31 December 2005, Court Councils pursuant to this Act shall be created at District Courts and Regional Courts.

Section 96

(1) Election of the first Chairmen of Colleges of Regional Courts shall be announced by the President of the Regional Court so that such election shall be held no later than within one year from the date of entry into force of this Act.

(2) Election of the first Chairmen of Boards of District Courts shall be announced by the President of the District Court so that such election shall be held no later than within one year from the date of entry into force of this Act.

Section 97

(1) Regional Court in chambers composed of two Judges and three Lay/Judges shall complete the proceedings in cases in which the main hearing was already held before the date of entry into force of this Act.

(2) In cases where an indictment has been initiated and no main trial has been scheduled before the date of entry into force of this Act, the Regional Court shall conduct proceedings in the first instance in a Panel pursuant to Section 16(1).

(3) If in the case pursuant to Para 1, there has been a change in the composition of the Panel the main trial must be repeated, the Regional Court shall conduct proceedings in the first instance in a Panel pursuant to Section 16(1).

Section 98

All rights and obligations arising from employment relations, civil service relations and other legal relations of persons performing activities pursuant to Section 73 as of 31 March 2005 at the Regional shall be transferred from April 2005 to the Ministry.

Transitory provisions to legislation in force from 1 January 2009

Section 99

Title repealed as of 1.1.2009

(1) Chamber of Notaries shall draft and submit a first draft notarial work schedule for 2009 pursuant to this Act to the Presidents of Regional Courts and Presidents of District Courts no later than by 31 January 2009. Presidents of District Courts shall present their opinions on such drafts no later than by 28 February 2009, and Presidents of Regional Courts shall issue the first notary work schedules pursuant to this Act no later than by 31 March 2009.

(2) Prior to issuing the first notary work schedule referred to in Para 1, cases shall be assigned to notaries pursuant to regulations in force prior to 31 December 2008.

Section 100

All rights and obligations arising from employment relations, civil service relations and other legal relations of persons performing activities prior to 31 December 2008 pursuant to Section 73(1) as of 31 December 2008 at the Regional shall be transferred from 1 January 2009 to the Regional Courts.

Section 101

Boards established by the district Courts pursuant to regulations in force prior to 31 December 2008 shall expire as of 31 March 2009, unless the President of appropriate Regional Court shall not decide otherwise by this date.

Section 101a

Transitory provision to legislation in force as of the date of promulgation of finding of the Constitutional Court of the Slovak Republic PL. US 17/08 of 20 May 2009 in the Collection of Acts of the Slovak Republic

Panels of the Supreme Court, which as of the date of promulgation of the finding of the Constitutional Court of the Slovak Republic PL. U.S. 17/08 of 20 May 2009 in the Collection of Acts of the Slovak Republic were Panels according to work schedule adjudicating on the regular recourse against decisions of the Special Court, from the date of promulgation of the finding of the Constitutional Court of the Slovak Republic PL. U.S. 17/08 of 20 May 2009 in the Collection of Acts of the Slovak Republic shall be Panels that adjudicate on the regular recourse against decisions of the Specialised Criminal Court.

Transitory provision to legislation in force from 1 May 2011

Section 101b

The term in office of Presidents of Courts and Vice-Presidents of Courts who executed this office as of 1 May 2011 shall expire as of the date of expiry of their term of office stipulated pursuant to regulations in force as of 30 April 2011.

Section 101c

The first candidates for members of selection committees pursuant to Section 37 shall be elected or appointed no later than by 30 June 2011; if they are not elected by 30 June 2011, they shall be appointed by the Minister.

Section 101ca

Transitory provision to legislation in force from 1 September 2011

The term in office of Presidents of Courts and Vice-Presidents of Courts who executed this office as of 1 September 2014 shall expire as of the date of expiry of their term of office stipulated pursuant to regulations in force as of 31 August 2014.

Section 101cb

Transitory provision to legislation in force from 1 January 2015

Inspection pursuant to Section 71(b)(2) and (c)(3) initiated prior to 1 January 2015 shall be conducted pursuant to regulations in force as of 1 January 2015.

Section 101cc

Transitory provision to legislation in force from 1 January 2017

In relation to the transfer of jurisdiction in the execution of administration of the Supreme Court pursuant to this Act, except handling personnel matters of the Judges of the Supreme Court and activities listed in Section 74(1)(b), (i) and (k) the rights and obligations resulting from civil service relations and state employment relations and other legal relations of employees of the Supreme Court, including the rights and obligations resulting from other legal relations shall be transferred as of 1 January 2017 from the Supreme Court to the Office of the Supreme Court. State property that as of 31 December 2016 is administered by the Supreme Court shall be transferred to the administration of the Office of the Supreme Court.

Section 101cd

Transitory provision to legislation in force from 1 July 2017

The obligation pursuant to Section 82l(3) shall relate as of 1 July 2018 to the legal counsel who is a natural person.

Section 101d

This Act transposes the legally binding acts of the European Union listed in the Annex.

Section 101e

**Transitory provisions
in relation to the establishment of the Supreme Administrative Court**

(1) The Supreme Administrative Court shall begin its activity on 1 August 2021.

(2) The administration of justice shall be transferred as of 1 August 2021 from the Supreme Court to the Supreme Administrative Court in all cases where the jurisdiction of the Supreme Administrative Court has been stipulated as of 1 August 2021.

(3) In relation to the transfer of administration of justice pursuant to Para 2 as of 1 August 2021 the rights and obligations resulting from civil service relations and state employment relations and other legal relations of employees supporting its execution shall be transferred from the Supreme Court to the Supreme Administrative Court. State property that as of 31 July 2021 was administered by the Supreme Court and which serves the purpose of supporting the administration of justice pursuant to Para 2 shall be transferred to the administration of the Supreme Administrative Court. Details on the transfer of these rights and obligations and on the transfer of administration of the State property shall be regulated by an agreement between the Supreme Court and the Supreme Administrative Court which shall mainly define the type and scope of property to be transferred, including the rights and obligations.

Section 102

Repealing Provisions

The following provision shall be repealed:

1. Act No. [335/1991 Coll.](#) on Courts and Judges as amended by Act No. [264/1992 Coll.](#), Act of the National Council of the Slovak Republic No. [12/1993 Coll.](#), of Act of the National Council of the Slovak Republic No. [307/1995 Coll.](#), Act of the National Council of the Slovak Republic No. [328/1996 Coll.](#), of Act No. [385/2000 Coll.](#), of Act No. [185/2002 Coll.](#), of Act No. [425/2002 Coll.](#), of Act No. [426/2003 Coll.](#), of Act No. [458/2003 Coll.](#), of Act [589/2003 Coll.](#) and of Act No. [267/2004 Coll.](#),

2. Act of the Slovak National Council No. [80/1992 Coll.](#) On seats and circuits of Courts of the Slovak Republic, the state administration of Courts, handling complaints and on elections of Lay-Judges (Act on state administration of Courts) as amended by Act of the National Council of the Slovak Republic No. [12/1993 Coll.](#), of Act National Council of the Slovak Republic No. [110/1993 Coll.](#), of Act of the National Council of the Slovak Republic No. [318/1993 Coll.](#), of Act of the National Council of the Slovak Republic No. [328/1996 Coll.](#), of Act No. [385/2000 Coll.](#), of Act No. [426/2003 Coll.](#), of Act No. [458/2003 Coll.](#) and of Act No. [530/2003 Coll.](#)

Section 102a

Repealing provisions as of 1 January 2009

Ordinance of the Ministry of Justice of the Slovak Republic No. [413/2006 Coll.](#) on Rules of determining positions of Judges and vacant positions of Judges at Courts.

Article XV

Entry into force

This Act shall enter into force on 1 April 2005, except Art. I Section 23(2), which shall enter into force on 30 September 2005 and Art. XI, which shall entered into force on 1 January 2005.

Act No. [517/2008 Coll.](#) entered into force on 1 January 2009.

Act No. [59/2009 Coll.](#) entered into force on 1 April 2009.

Finding No. [290/2009 Coll.](#) and Act No. [291/2009 Coll.](#) entered into force on 17 July 2009.

Act No. [318/2009 Coll.](#) entered into force on 1 September 2009.

Act No. [400/2009 Coll.](#) entered into force on 1 November 2009.

Act No. [33/2011 Coll.](#) entered into force on 1 May 2011 except Art. VII 31(82a)(1) to (5), which entered into force on 1 January 2012.

Act No. [192/2011 Coll.](#) entered into force in 1 August 2011.

Act No. [467/2011 Coll.](#) entered into force on 1 January 2012.

Resolution of the Constitutional Court No. [110/2012 Coll.](#) entered into force on 23 March 2012.

Act No. [335/2012 Coll.](#) entered into force on 1 January 2013.

Finding of the Constitutional Court No. [216/2014 Coll.](#) entered into force on 1 August 2014.

Act No. [195/2014 Coll.](#) entered into force on 1 September 2014.

Act No. [322/2014 Coll.](#) entered into force on 1 December 2014 except Art. V(6),(7),(10) a (11), which entered into force on 1 January 2015.

Finding of the Constitutional Court, published under No. [374/2015 Coll.](#), entered into force on 12 December 2015.

Act No. [87/2015 Coll.](#) entered into force on 1 January 2016.

Acts No. [160/2015 Coll.](#) and No. [125/2016 Coll.](#) entered into force on 1 July 2016.

Act No. [301/2016 Coll.](#) entered into force on 15 November 2016 except Art. I(1) to (10) and(12) to (16), which entered into force on 1 January 2017.

Act No. [2/2017 Coll.](#) entered into force on 1 February 2017.

Act No. [152/2017 Coll.](#) entered into force on 1 July 2017.

Act No. [18/2018 Coll.](#) entered into force on 25 May 2018.

Act No. [275/2018 Coll.](#) entered into force on 2 October 2018.

Act No. [282/2019 Coll.](#) entered into force on 15 October 2019.

Act No. [62/2020 Coll.](#) entered into force on 27 March 2020.

Act No. [423/2020 Coll.](#) entered into force on 1 January 2021.

Signed by **Ivan Gašparovič**

Signed by **Pavol Hrušovský**

Signed by **Mikuláš Dzurinda**