LATEST CHANGES IN SOCIAL SECURITY LAW


Based on authorisations stated in the Act on a Care Allowance, Act on Foster Parent Care and Foster Parent Allowances, Act on a Funeral Allowance, the Government of the Slovak Republic has increased the amount of a care allowance, lump-sum allowance if foster parents take care of a child, lump-sum allowance, if the foster parents cease to take care of a child due to the fact that the child becomes full-aged, repeated allowance, the amount of foster parents’ remuneration and a funeral allowance by the above mentioned regulations.

The Government of the Slovak Republic has also increased, upon authorisation stated in the Act on a Child Birth Allowance, a Multiple Birth Allowance for Parents Who Have Three or More Children Born During the Same Birth or Twins Born Repeatedly in the Course of Two Years, Act on a Child Allowance and the Act on Support in Financial Distress, the amount of a child birth allowance, child allowance as well as a financial distress allowance and housing allowance.

These Regulations came into force on 1 September 2004.

radoslav.saly@cechrak.sk
Decree of the Ministry No. 491/2004 Coll. on Remuneration, Compensation for the Expenses and Compensation for Lost Time for Experts, Interpreters and Translators provides for the method of determination and amount of remuneration, compensation for the expenses and compensation for lost time concerning the activity of an expert, interpreter and translator performed by the expert on the basis of a contract or appointment by the court or any other public authority (so-called 'expert fees') and performed by the interpreter or translator on the basis of a contract or appointment by the court or any other public authority (so-called 'interpretation/translation fees').

Tariff remuneration of an expert is determined as an hourly, share or lump sum remuneration. This Decree stipulates special provisions on tariff remuneration for the field 'Health and Pharmacy' and the field 'Legal Relationships Abroad'. The amount of tariff remuneration for interpretation and tariff remuneration for translation are distinguished depending on the language into/from which it is interpreted or translated.

These Decrees came into force on 1 September 2004.

DECREE ON DETERMINATION OF GENERAL PROPERTY VALUE

Decree of the Ministry of Justice of the Slovak Republic No. 492/2004 Coll. on Determination of General Property Value (the “Decree”) follows the new legal regulation of expert’s activities contained in Act No. 382/2004 Coll. on Experts, Interpreters and Translators and on Amendment and Supplement of Certain Acts and stipulates methods and procedures for determination of a general property value by an expert.

This Decree provides definitions, for the purposes of determination of a general property value, of the terms such as property, business, part of the business, components of business assets, etc.

The Decree classifies particular methods of determination of a general property value as a property method, business method, combined method, liquidating method and a comparative method. The basic procedures for determination of a general property value used in particular methods are stated in Annexes 1 to 15 to this Decree. These methods will be used accordingly also for determining a value of components of the business property or any other property, if the pricing methodology is not regulated in Annexes to the Decree or any other legal regulations.

This Decree came into force on 1 September 2004.

DECREE ON ESTABLISHMENT AND ADMINISTRATION OF SPECIAL UNIVERSAL SERVICE ACCOUNT

The Ministry of Transport, Posts and Telecommunications of the Slovak Republic establishes a special account of the universal electronic communications service (the “universal service”) on the basis of an application of the undertaking providing the universal service for compensation of net costs according to Act No. 610/2003 Coll. on Electronic Communications (the “Act”).

This Decree regulates details of the establishment and administration of a special universal service account and related details concerning the universal service.

Annexes No. 1 and 2 to this Decree specify the method of calculation of costs and revenues with regard to the provision of the universal service and calculation of net costs, revenues and financial evaluation of market advantages that arose in connection with the provision of the universal service.
Annex No. 3 to this Decree regulates the calculation of contributions by particular undertakings to the special account of the universal service.

The Telecommunications Office of the Slovak Republic (the “Office”) determines the amount of contribution to the special account of the universal service for every undertaking separately, whereas the undertaking shall be obliged to inform the Office, annually upon request, of its turnover in the particular market, also with retroactive effect. The contribution to the special account shall be payable within three months from the date when the decision of the Office has become effective.

This Decree came into force on 15 September 2004.

radoslav.saly@cechrak.sk

NEW SPECIMENS OF INCOME TAX RETURNS
(Notification of the Ministry of Finance of the Slovak Republic No. 519/2004 Coll. on Issuance of a Measure Stipulating Specimens of Income Tax Returns)

According to this Notification, the Ministry of Finance of the Slovak Republic determined specimens of income tax returns for individuals and legal entities by its Measure No. MF/003652/2004-72.

Specimens of tax returns under the previous regulations will be used when filing income tax returns for the fiscal year preceding the fiscal year starting on 1 January 2004.

This Measure has been published in the Financial Bulletin No. 11/2004 and is available for inspection at the Ministry of Finance of the Slovak Republic.

This Measure came into force on 1 October 2004.

radoslav.saly@cechrak.sk

PRICE REGULATION OF HEAT PRODUCTION AND DISTRIBUTION
(Notification of the Regulatory Office for Network Industries No. 497/2004 Coll. on Issuance of an Ordinance stipulating details of the procedure of price regulation in the production and distribution of heat and of the specification of the extent of economically justified costs and reasonable profits)

Pursuant to this Notification and under Sec. 12 para. 4 of Act No. 276/2001 Coll. on Regulation of Network Industries and on amendment and supplement of certain acts, the Regulatory Office for Network Industries issued Ordinance No. 1/2004 dated 23 August 2004, stipulating details of the procedure of price regulation in the area of heat production and distribution and of the specification of the extent of economically justified costs and reasonable profit.

The Ordinance governs the details of the procedure of price regulation in the heat industry in the course of specification of the extent of economically justified costs and reasonable profit.

The Ordinance has been published in Volume No. 27/2004 of the Regulatory Office for Network Industries Newsletter and is available for inspection at the Regulatory Office for Network Industries.

This Ordinance came into effect on 1 October 2004.

radoslav.saly@cechrak.sk

PRICE REGULATION OF ELECTRICITY GENERATION, TRANSMISSION, DISTRIBUTION AND SUPPLY
(Notification of the Regulatory Office for Network Industries No. 507/2004 Coll. on the Issuance of an Ordinance stipulating details of the procedure of price regulation in the generation, transmission, distribution and supply of electricity and of the specification of the extent of economically justified costs and reasonable profits)

Pursuant to this Notification and under Sec. 12 para. 4 of Act No. 276/2001 Coll. on Regulation of Network Industries and amendment and supplement of certain acts the Regulatory Office for Network Industries issued Ordinance No. 2/2004 dated 31 August 2004, stipulating the details of the procedure of price regulation in the generation, transmission, distribution and supply of electricity and of the specification of the extent of economically justified costs and reasonable profit.

The Ordinance governs the details of the procedure of price regulation in the generation, transmission, distribution and supply of electricity and of the specification of economically justified costs and reasonable profit.
The Ordinance has been published in Volume No. 28/2004 of the Regulatory Office for Network Industries Newsletter and is available for inspection at the Regulatory Office for Network Industries.

This Ordinance came into effect on 15 September 2004.

radoslav.saly@cechrak.sk

OTHER SIGNIFICANT LEGAL REGULATIONS PUBLISHED IN THE COLLECTION OF LAWS OF THE SLOVAK REPUBLIC IN SEPTEMBER 2004 ARE AS FOLLOWS:

- Notification of the Ministry of Health of the Slovak Republic No. 487/2004 Coll. on Issuance of Measure amending and supplementing the Measure of the Ministry of Health of the Slovak Republic dated 30 December 2003 No. 07045/2003, stipulating the scope of the price regulation in the area of health care, as amended;
- Regulation of the Government of the Slovak Republic No. 489/2004 Coll., amending and supplementing the Regulation of the Government of the Slovak Republic No. 572/2001 Coll., stipulating the details of the technical requirements and procedures of compliance assessment with regard to medical devices;
- Decree of the Ministry of Finance of the Slovak Republic No. 493/2004 Coll., amending the Decree of the Ministry of Finance of the Slovak Republic No. 209/2004 Coll., stipulating the scheme and term as of which the condition of state assets is examined, the scope and time limit for the presentation of information on state assets to the Treasury of the State;
- Notification of the Ministry of Foreign Affairs of the Slovak Republic No. 496/2004 Coll. on Termination of Certain Economic Treaties;
- Decree of the Ministry of Education of the Slovak Republic No. 505/2004 Coll., amending and supplementing Decree of the Ministry of Education of the Slovak Republic No. 204/2002 Coll. on the Scholarship Grants to PhD Students in Internal Schedule of PhD Studies;
- Decree of the Ministry of Education of the Slovak Republic No. 510/2004 Coll. on Graduation of Studies in High Schools and on Completion of Training in Specialised Vocational Schools and Schools of Practical Training;
- Regulation of the Government of the Slovak Republic No. 511/2004 Coll. on Criteria of Classification of Work to Categories according to Health Risks and on Requisites of the Application for the Classification of Work into the Categories;
- Regulation of the Government of the
Slovak Republic No. 512/2004 Coll., amending and supplementing the Regulation of the Government of the Slovak Republic No. 289/2004 Coll., by which a Scale of Fees for the Performance of Veterinary Inspection and Veterinary Control is issued;

- Regulation of the Government of the Slovak Republic No. 513/2004 Coll., amending and supplementing the Regulation of the Government of the Slovak Republic No. 71/2004 Coll., stipulating Details of Fees for the Performance of Veterinary Inspection and Veterinary Control;

- Decree of the Ministry of Economy of the Slovak Republic No. 517/2004 Coll., stipulating Details of Specific Activities of the Central State Administrative Bodies within the Framework of Biocide Products and Biocide Products with Low Risk Assessment and Assessment of Active Substances for Biocide Products;

- Decision of the Chairman of the National Council of the Slovak Republic No. 520/2004 Coll. on Declaration of a New Election into Bodies of Municipal Self-Government;

- Decision of the Post Regulatory Office No. 521/2004 Coll., amending and supplementing the Decision of the Post Regulatory Office No. 237/2004 Coll. on Regulation of Maximum Prices and Conditions for Price Regulation of the National Postal Payment System;

- Notification of the Ministry of Health of the Slovak Republic No. 522/2004 Coll. on Issuance of a Measure providing for a List of Medicaments and Medicinal Products Reimbursed or Partially Reimbursed on the Basis of Health Insurance.

Invalidity of an Exchange Agreement

A violation of the ban on disposal of assets listed by a court bailiff, represented by the conclusion of an exchange agreement having as its subject movable assets included in this list, shall be a breach of the statutory obligation as a result of which the exchange agreement is invalid.

Joint Stock Company, Rights of a Shareholder

A shareholder is entitled to be given also a copy of the minutes of the General Meeting which was held before he/she became a shareholder in a business company.

Compensation for the Aggravation of Social Expediency

The existence of grounds for the increase of a compensation for the aggravation of social expediency pursuant to the provision of Section 7(3) of Decree No. 32/1965 Coll. on Compensation for Pain and the Aggravation of Social Expediency, as amended does not concurrently constitute the existence of grounds for the increase of a compensation for pain and vice versa.
The information contained in this publication is not a legal advice. For any questions regarding the contained information, please consult the contact person for the respective topic. The Financial Law News is not a printed periodical and is available in electronic format only as a marketing product distributed to a selected group of addressees. If you do not wish to receive the Financial Law News, or wish to be included in our mailing list, please notify the editor at the below e-mail address.

You can find more information on our website: www.cechrak.sk, where the online versions of Financial Law News are available through a password. Please contact us at the address below if you wish to obtain the access password.

For information on European Union and European Community law, you may obtain the European Community Law News, available under the same conditions as the Financial Law News.

Editor Financial Law News: Mgr. Zuzana Petrášová, zuzana.petrasova@cechrak.sk

© Čechová Rakovský. Unauthorised copying not permitted

Advočtská kancelária Čechová Rakovský

Hurbanovo nám. 5, 811 03 Bratislava,
Slovak Republic,
tel: +421 (2) 544 14 441, fax: +421 (2) 544 34 598,
Branch Office: Avenue d’Auderghem 36,
B-1040 Brussels, Belgium,
tel.: +32 (0) 2 230 3215, fax: +32 (0) 2 230 3347,
e-mail: cechrak@cechrak.sk, www.cechrak.sk