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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**PRINCIPLES OF THE GOVERNMENT RELATING TO
THE ACT OF THE NATIONAL COUNCIL NO. 270/1995 COLL.
ON THE STATE LANGUAGE
OF THE SLOVAK REPUBLIC
AS AMENDED**

(approved by Resolution of the Government of the Slovak Republic
No. 993/2009 of 16 December 2009)

Article 1

Purpose of regulation

The purpose of these principles of the government is to unify the interpretation of the provisions of Act of the National Council of the Slovak Republic No. 270/1995 Z.z. on the state language of the Slovak Republic, as amended (hereinafter "the State Language Act") including the procedure of the Ministry of Culture of the Slovak Republic (hereinafter "Ministry of Culture") in

- a) the performance of supervision under section 9 of the State Language Act
- b) the imposition of fines under section 9a of the State Language Act,
- c) cooperation with specialised Slovak language institutions in the consultation process for the approval of the codified form of the state language.

These principles of the government are issued in accordance with article 119(i) of the Constitution of the Slovak Republic as part of measures of the Government of the Slovak Republic to protect the right of citizens of the Slovak Republic using the state language while at the same time respecting the language rights of citizens of the Slovak Republic belonging to national minorities that emanate from the legal order of the Slovak Republic and the opportunities that emanate from international conventions.

These principles shall be implemented within the framework of the valid legal order of the Slovak Republic.

Article 2

Interpretation of the provisions of the State Language Act

The application of the State Language Act shall make use of individual methods for the interpretation of law. The interpretation of law is a procedure that clarifies the meaning of the text of legislation. Individual methods of interpretation are mutually interdependent and none of them can have absolute priority. The interpretation individual methods used should be complementary and lead to a comprehensible and rationally justified explanation of the text of the legal regulation. Although the interpretation and application of the law is founded upon a grammatical reading of the text of the legal regulation, the interpreter must also take into consideration the purpose of the law, its systematic context and the logical relations between the rules set out in the act. For example, it is not possible to base interpretation on a purely grammatical interpretation that clearly conflicts with the purpose of the legal rule.

One of the basic interpretation methods is interpretation that ensures conformity with the Constitution, especially in cases where the provision of the legal regulation is open to multiple interpretations.

The legitimate purpose of the State Language Act is to protect and support the state language in official communication and to protect the right of citizens of the Slovak Republic using the state language to receive and provide information in the state language without restriction. The protection of such rights is a legitimate reason for interference of the fundamental rights and freedoms of natural persons and legal persons including municipalities, though measures for the protection of the rights must be necessary for achieving of the purpose and proportional to it.

The interpretation of the provisions of the State Language Act shall be governed by the prohibition of discrimination in the exercising of fundamental rights and freedoms under Article 12(2) of the Constitution of the Slovak Republic under which fundamental rights and freedoms in the territory of the Slovak Republic are guaranteed to anyone regardless of sex, race, skin colour, language, faith or religious belief, political or other opinions, national or social origin, membership of a nationality or ethnic group, property, ancestry or other status and no one may be harmed, favoured or disadvantaged on such grounds. Membership of any national minority or ethnic group may not be to the disadvantage of a citizen belonging to a national minority.

The procedure set out in this article shall be followed with particular care when implementing the State Language Act in relation to a citizen who belongs to a national minority or a person through whom members of national minorities and ethnic groups exercise their constitutional right to full development and shall be in line with the spirit of the Framework Convention for the Protection of National Minorities and the provisions of the European Charter for Regional or Minority Languages that apply to the Slovak Republic. The constitutional right of members of national minorities and ethnic groups to full development includes in particular the right to promote their cultural heritage with other citizens of the same national minority or ethnic group, the right to receive and disseminate information in their mother tongues, to form associations of national minorities, and to establish and maintain educational and cultural institutions, the right to education in their own language, the right to use their language in official communication, the right to participate in decision-making in matters affecting national minorities and ethnic groups and the right to master the state language.

All previously adopted laws permitting the use of the languages of national minorities, in particular Act No. 184/1999 Coll. on the use of the languages of national minorities, as amended by Act No. 318/2009 Coll. have the status of special law (*lex specialis derogat generali*) in relation to the State Language Act insofar as the State Language Act recognises this status.

The language regime regulated by European Union law (for example, primary legislation of the European Union as interpreted by judgements of the Court of Justice of the European Union, directives of the European Union) remains unaffected by the provisions of the State Language Act.

Article 3 **Interpretation of certain concepts in the State Language Act**

For the purposes of the State Language Act

- a) official communication shall mean the set of activities and actions of state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law, the employees and state employees employed by such authorities and legal persons, employees in transport, posts and telecommunications services, members of the armed forces of the Slovak Republic, armed security forces, other armed forces and fire brigade in the performance of their official duties.
- b) legal persons established by a state authority, a territorial self-government authority or another public administration authority shall mean budgetary organisations and allowance organisations,
- c) legal person established by law shall mean a legal person established by law to perform functions in the public interest specified by law;
a legal person established by law shall mean in particular:
 1. state higher education institutions (the General Milan Rastislav Štefánik Academy of the Armed Forces, the Slovak Medical University in Bratislava, the Academy of the Police Force in Bratislava);
 2. public higher education institutions (Comenius University in Bratislava, Pavol Jozef Šafárik University in Košice, Prešov University in Prešov, the University of SS. Cyril and Methodius in Trnava, the University of Veterinary Medicine in Košice, Constantine the Philosopher University in Nitra, Matej Bel University in Banská Bystrica, Trnava University in Trnava, the Slovak Technical University in Bratislava, the Technical University in Košice, Žilina University in Žilina, the Alexander Dubček University of Trenčín, the University of Economics in Bratislava, the Slovak University of Agriculture in Nitra, the Technical University in Zvolen, the Academy of the Performing Arts in Bratislava, the Academy of the Fine Arts and Design in Bratislava, the Academy of Arts in Banská Bystrica, the Catholic University in Ružomberok, J. Selye University in Komárno);

3. public legal institutions (the Audio-visual fund, the Matica Slovenská, Slovak Television, Slovak Radio, the Social Insurance Agency, the Literary Fund, the Music Fund, the Visual Arts Fund, the Press Agency of the Slovak Republic, the National Memory Institute, the Slovak National Accreditation service);
 4. state funds (the Environmental Fund, the National Nuclear Fund for the Decommissioning of Nuclear Power Plants and the Disposal of Spent Nuclear Fuel and Radioactive Waste, the State Fund for Housing Development);
 5. other funds (the National Property Fund of the Slovak Republic, the Investment Guarantee Fund, the Starting Teacher Loan Fund, the Anti-drug Fund, the Recycling Fund, the Slovak Land Fund, the Student Loan Fund);
 6. self-governing professional bodies (the Slovak Chamber of Commerce and Industry, the Slovak Chamber of Agriculture and Food, the Slovak Chamber of Entrepreneurs, the Slovak Medical Chamber, the Slovak Chamber of Dentists, the Slovak Chamber of Pharmacists, the Slovak Chamber of Nurses and Midwives, the Slovak Chamber of Medical Technical Personnel, the Slovak Chamber of Orthopaedic Technicians, the Slovak Chamber of Dental Technicians, the Slovak Chamber of Other Medical Personnel, the Slovak Chamber of Psychologists, the Slovak Chamber of Veterinarians, the Slovak Bar Association, the Chamber of Notaries of the Slovak Republic, the Slovak Chamber of Executors, the Slovak Chamber of Tax Advisers, the Slovak Chamber of Auditors, the Slovak Chamber of Patent Attorneys, the Slovak Chamber of Architects, the Slovak Chamber of Civil Engineers, the Chamber of Land Surveyors and Cartographers, the Chamber of Restorers, the Slovak Chamber of Mines, the Slovak Chamber of Foresters, the Slovak Chamber of Driving Schools, the Slovak Chamber of Chimneysweeps, the Slovak Hunting Chamber);
 7. other legal persons established by law (for example, the Slovak Academy of Sciences, Slovak Republic Railways, the Slovak Research and Development Agency, the Agricultural Payments Agency, the Export-Import Bank of the Slovak Republic);
- Banks, health insurance companies, healthcare facilities and subjects providing postal, transport and telecommunications services are not legal persons established by law. A legal person established by law is not owned by any other person.
- d) post office shall mean a fixed establishment that collects and delivers mail and sells postage stamps and stamped stationary and a contact location that is a person entitled to collect mail under an agreement with a universal service provider and an employee of a universal service provider,
 - e) fire brigade shall mean a fire brigade belonging to the Fire and Rescue Corps, a municipality, a legal person or a self-employed natural person,
 - f) negotiation at the authorities and legal persons referred to in section 3(1) of the State Language Act shall mean negotiation at state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities and legal persons established by law,
 - g) official paperwork shall mean paperwork relating to the performance of the official duties of state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law, the employees and state employees employed by such authorities and legal persons, employees in transport, posts and telecommunications, members of the armed forces of the Slovak Republic, armed security forces, other armed forces and fire brigades and printed matter intended for the official, service and operational needs of such subjects.
 - h) official paperwork relating to information intended for the public shall mean also information under Act No. 211/2000 Coll. on free access to information and the amendment of certain acts (the Freedom of Information Act), as amended,

- i) official paperwork of churches and religious communities intended for the public shall mean documents relating to marriage before an authority of a registered church or religious society, including marriage records,
- j) information system and mutual communication of the authorities and legal persons referred to in section 3(1) of the State Language Act shall mean information systems and mutual communication of state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities and legal persons established by law,
- k) other language shall mean every language except the state language; other language used in official international communications in accordance with established international practice shall mean only a foreign language,
- l) foreign language shall mean any language other than the state language and the languages of national minorities and ethnic groups living in the territory of the Slovak Republic,
- m) language of a national minority shall mean the language of a national minority living in the territory of the Slovak Republic. The languages in question are the language of the Bulgarian national minority, the language of the Czech national minority, the language of the Croatian national minority, the language of the Hungarian national minority, the language of the Moravian national minority, the language of the German national minority, the language of the Polish national minority, the language of the Romani national minority, the language of the Ruthenian national minority, the language of the Russian national minority, the language of the Ukrainian national minority, the language of the Jewish national minority.
- n) geographical name shall mean the name of a municipality set by regulation of the government of the Slovak Republic, the name of a part of a municipality set by the Ministry of Interior of the Slovak Republic, the name of a street set by a generally binding municipal regulation, the name of another public area set by a generally binding municipal regulation and the name of another geographical object standardised by the Office of Geodesy, Cartography and Cadastre of the Slovak Republic, which is
 1. the name of an uninhabited geographical object in the territory of the Slovak Republic,
 2. the name of a specific inhabited object in the territory of the Slovak Republic,
 3. the common form of the Slovak name of an inhabited geographical object outside the territory of the Slovak Republic,
 4. the common form of the Slovak name of an uninhabited geographical object outside the territory of the Slovak Republic,
 5. the name of an extraterrestrial object;names that are "geographical names that are common and established in the language of a national minority" as defined in section 13(2) of Act No. 2008 Coll. on education (the Schools Act) and the amendment of certain acts, as amended by Act No. 37/2009 Coll., shall not be geographical names.
- o) denomination in the language of a national minority shall mean
 1. the denomination of the municipality in the language of a national minority in accordance with the List of denominations of municipalities in the languages of national minorities by districts, which forms an annex of Act of the National Council of the Slovak Republic No. 191/1994 Coll. on the denomination of municipalities in the language of national minorities as amended by Act No. 318/2009 Coll.
 2. the denomination of the street in the language of a national minority in a municipality included in the List of municipalities in which citizens of the Slovak Republic belonging to a national minority make up at least 20% of the population, which forms an annex to Government Regulation No. 221/1999 Coll.
 3. the denomination of other local geographical objects in the language of a national minority in a municipality included in the List of municipalities in which citizens of the Slovak Republic belonging to a national minority make up at least

20% of the population, which forms an annex to Government Regulation No. 221/1999 Coll.;

- a denomination in the language of a national minority shall not be a geographical name.
- p) pedagogical documentation of a school or school establishment shall mean the set of written documents used to manage upbringing and education processes, and the set of written documents on the basis of which a school or school establishment issues public documents and decisions. Pedagogical documentation shall comprise teaching plans, upbringing plans, teaching schemes, upbringing schemes, educational standards, upbringing standards, the class book, the class report, a child's record card, a pupil's record card, a child's personal file, a pupil's personal file, a *maturita* (secondary school graduation) examination report, a final examination report, an *absolutorium* (secondary school leaving) report, reports on commission tests, the journal of a school establishment, the timetable, the report on a state language exam, school rules in a school, school rules in a school establishment, a plan of upbringing and educational activity, school work plan, school establishment work plan, journal of an upbringing group, thematic upbringing and education plans in individual subjects. The said written documents are subject not only to supervision by the Ministry of Culture under section 9 of the State Language Act but also to the supervision of competent authorities such as the State Schools Inspectorate,
- q) other documentation in a school or school establishment shall mean the set of documents that provide for the organisation and management of schools and school establishments. Other documentation shall comprise a recommendation for placement of a pupil with special upbringing and educational needs in a special school, special nursery school, elementary school or secondary school, a report on a psychological or special-pedagogical examination, a written opinion on school placement, an individual upbringing and educational programme for an individually placed pupil, the statute of a school establishment, organisational regulations, the list of schools and school establishments that a school establishment cooperates with, resolutions of the sessions of the pedagogical council, the subject commission and the methodological association and sessions of the upbringing commission, the overview timetable for the whole school and individual classes, documentation relating to optional subjects and free-time activities, paperwork relating to the organisation of school trips and visits, skiing and swimming exercises, outdoor activities holidays and other activities, the annual plan for control activity by the director and deputy director, minutes of inspections and other control activity, the summary of the use of funds provided by the establisher for the needs of the school and the upbringing and education process, gifts from sponsors and other gifts, the summary of the scope of upbringing and educational activities of employees and the professional skills of teachers and leaders of school clubs for children, the summary of continuing training for teaching and non-teaching staff including training relating to occupational health and safety, the rules of procedure of the pedagogical council, the work regulations for employees, records of pupils' accidents in schools, records of complaints, filing regulations, the collective agreement. The said written documents are subject not only to supervision by the Ministry of Culture under section 9 of the State Language Act but also to the supervision of competent authorities such as the State Schools Inspectorate,
- r) upbringing shall mean a child-centred or pupil-centred process of teaching and socialisation that aims to develop the child's or pupil's personality in both mind and body. The upbringing process shall include communication between teaching staff and the legal representative of a child or pupil.
- s) education shall mean a process of upbringing and educational guidance and teaching that is organised and implemented to encourage the development of the child or pupil in accordance with his or her interests and abilities and to stimulate his or her own efforts to become a well-rounded person. The education process shall include communication between teaching staff and the legal representative of a child or pupil.

- t) broadcast of the radio service and television service in the territory of the Slovak Republic shall mean broadcasting by a broadcaster established by the law of the Slovak Republic and a broadcaster who is licensed to broadcast under Act No. 308/2000 Coll. on broadcasting and retransmission or under Act No. 220/2007 Coll. on digital broadcasting. Such broadcasting shall not include the cross-border transfer of broadcasting from abroad, satellite broadcasting, broadcasting via the internet or retransmission,
- u) municipal address system or similar technical means shall mean a technological system used to communicate information to the public by means of sound. Such technological systems shall not include the internet,
- v) periodical press shall mean newspapers, magazines or other press material published under the same name, with the same type of content and a standardised graphical design at least twice in a calendar year,
- w) non-periodical publications shall mean book posts with a specific purpose, copies of literary, photographic, scholarly or artistic works published, as a rule, an unrepeated issue, including works published in instalments, regardless of the form and method of presentation, publication or production. A non-periodical publication shall not be a periodical press or another periodical publication published at least twice a year under the same name, with an indication of periodicity and in a format typical of such publications, a three-dimensional cartographical work, basic state maps and thematic state maps, a three-dimensional reproduction of a work of art, printed material intended for use in social or family life, in particular an invitation or notice, a banknote, a coin, a postage stamp, a fee stamp, a lottery ticket, a security, a deposit certificate, a payment card or another bearer of value, a telephone card, a voter card, a list of voters, ballot paper and a minute of the results of an election or referendum, a copy of a literary, scholarly or artistic work in a run of less than 50 copies,
- x) occasional book posts shall mean a reproduced document that is not a periodical press or a non-periodical publication,
- y) cultural event shall mean a theatrical, film or other audio-visual performance, concert, a musical or dance production, an exhibition of fine arts, applied arts or works of human creativity, a festival or show in the area of art and culture, a public dance or another social entertainment that takes place in a location open to the public or is not organised for specific invitees. An assembly that takes place in accordance with Act No. 84/1990 Coll. on the right of assembly, as amended, shall not be considered a cultural event. Cultural event of a national minority shall mean an event associated with the cultural of the national minority or an event relating to another culture if it takes place in the language of the national minority.
- z) event for upbringing and education purposes shall mean an event that takes place for upbringing and educational purposes that takes place in a location open to the public or is not organised for specific invitees,
- aa) accompanying verbal presentation shall mean very brief information on the programme of the cultural or upbringing and educational event presented at the start of the event before the first programme or before the relevant programme,
- ab) memorial and monument shall mean a work that addresses the public and is in physical or visual contact with the public whose purpose is to evoke a specific response from the public (e.g. the payment of respect, evoke or revive impressions of important people or events), to support gatherings of groups with shared interests for ceremonial purposes (e.g. mourning, celebration or commemorative assembly) or for artistic effect. Gravestones, grave slabs and grave markers shall not be considered memorials or monuments,
- ac) binding opinion of the Ministry of Culture for a developer shall mean an opinion of the Ministry of Culture by which the Ministry of Culture, after assessing the inscription proposed by the developer for the inscription on a memorial, monument or memorial plaque, requires the developer to respect provisions of the State Language Act on the linguistic properties of text in the state language and, where a text in another language

is also present, the provisions of the State Language Act on the order of texts in other languages in relation to text in the state language, the size of text in other languages in relation to the size of text in the state language, the identity of the content of text in other languages and in the state language, and geographical names,

- ad) service communication shall mean official communication in the performance of service activities and actions by the subjects listed in section 6(1) of the State Language Act. The term service communication shall be used to emphasise the service character of the official activities of the subjects listed in section 6(1) of the State Language Act,
- ae) documents and written communication with legal effect in the employment or a similar working relationship shall mean documents and written communication produced pursuant to Act No. 311/2001 Coll. the Labour Code, as amended, and other legal regulations governing employment and similar work relationships (for example, Act No. 400/2009 Coll. on state service, Act No. 346/2005 Coll. on the state service of professional soldiers in the armed forces of the Slovak Republic),
- af) financial documentation shall mean accounts and financial statements kept and composed pursuant to Act No. 431/2002 Z.z. on accounting, as amended, except for accounting vouchers,
- ag) technical documentation shall mean technical documentation whose drafting or submission is required for proceedings under special law of the Slovak Republic, for example section 30(5)(a) of Government Regulation No. 264/2009 Coll. on support measures in agriculture, as amended by Government Regulation No. 381/2009 Coll.,
- ah) bylaws of associations, societies, political parties, political movements and companies shall mean the bylaws of associations, societies, political parties, political movements and companies registered under the law of the Slovak Republic,
- ai) administrative paperwork of healthcare facilities and facilities for social services shall mean documents including lists and data, including information systems in written or electronic form, whose production, provision, making available or keeping is explicitly required under the law of the Slovak Republic in particular under
 1. Act No. 576/2004 Coll. on healthcare and services relating to the provision of healthcare and on the amendment of certain acts, as amended,
 2. Act No. 578/2004 Coll. on healthcare providers, medical personnel and professional organisations in healthcare and on the amendment of certain acts, as amended,
 3. Act No. 579/2004 Coll. on rescue services and on the amendment of certain acts, as amended,
 4. Act No. 355/2007 Coll. on the protection, support and development of public health and on the amendment of certain acts, as amended,
 5. Act No. 448/2008 Coll. on social services and on the amendment of Act No. 455/1991 Coll. on trade licensing (the Trade Licensing Act), as amended, as amended by Act No. 317/2009 Coll.,
- aj) healthcare facility shall mean an operational facility established to provide health care and services related to health care. Such operations are:
 1. healthcare facilities providing outpatient care, i.e. general outpatient facilities, specialised outpatient facilities, first aid centres, first aid centres for adults, first aid centres for children and young people, first aid facilities specialising in dental treatment, paramedical rescue services, rapid medical assistance services, rapid paramedical assistance services, rapid medical assistance services with intensive care units, helicopter paramedical rescue services, facilities providing one day healthcare, day care centres, medical centres, home care agencies, facilities with combined examination and treatment units, mobile hospices,
 2. healthcare facilities providing inpatient care, i.e. general hospitals, specialised hospitals, long-term treatment facilities, hospices, nursing homes, natural spas, long-term treatment facilities in spas, biomedical research facilities,
 3. pharmaceutical healthcare facilities, i.e. hospital pharmacies, public pharmacies and branches thereof, dispensaries of medical aids, public pharmacies serving as a teaching institution;

- the operations centre of an emergency call of a paramedical rescue service shall not be considered a healthcare facility,
- ak) social service facility shall mean a facility providing the necessary conditions to satisfy the basic needs of life established under Act No. 448/2008 Coll. on social services and the amendment of Act No. 455/1991 Coll. on trade licensing (the Trade Licensing Act), as amended, as amended by Act No. 317/2009 Coll. i.e. night shelters, refuges, half-way houses, low-threshold day centres, emergency housing facilities; temporary care facilities for children, low-threshold centres for children and families; facilities for natural persons dependent on the assistance of other natural persons and natural persons over retirement age, i.e. sheltered accommodation facilities, old people's homes, care homes, rehabilitation centres, social services homes, specialised facilities, day care centres,
 - al) signs, advertisements and notices intended to inform the public shall mean signs, advertisements and notices intended to provide information to the public displayed in a public place or a location visible from a public place,
 - am) codified form of the state language shall mean a form of language respecting the generally accepted and obligatory norms of the standardised language,
 - an) interference with the codified form of the state that are contrary to the regularities of the state language shall mean changes made to the codified form of the state language that are contrary to its essential characteristics.

Article 4 **Official communication**

State authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities and legal persons established by law shall use the state language in official communication throughout the territory of the Slovak Republic. The application of such an obligation shall not restrict the parallel use of the language of a national minority for official communication in the territory of municipalities in which at least 20% of the population are citizens belonging to the relevant national minority, whereas the following conditions shall continue to apply in the territory of such municipalities:

- a) state administration authorities and territorial self-government authorities shall provide written replies to the written submissions of citizens belonging to a national minority also in the language of the national minority, with the exception of public documents,
- b) state administration authorities and territorial self-government authorities shall issue copies of decisions in administrative proceedings also in the language of the national minority on request,
- c) state administration authorities and territorial self-government authorities shall display signs on buildings also in the language of the national minority,
- d) territorial self-government authorities shall provide forms for citizens that they provide within their competence in the state language also in the language of the national minority,
- e) important information, in particular warnings, cautionary notices and health information, shall be presented in a clear and accessible fashion in public areas also in the language of the national minority. In emergencies, for example in the event of a fire, accident or other circumstances representing a risk to life, health and property, important information shall simultaneously be made available in the language of the national minority if a competent person has a command of the language of the national minority,
- f) state administration authorities and territorial self-government authorities shall provide information on generally applicable regulations within their area of competence also in the language of the national minority on request,
- g) sessions of a territorial self-government authority can be conducted also in the language of the national minority if all those present agree. A member of a municipal council shall have the right to address the council in the language of the national minority. Interpretation shall be provided by the municipality,

- h) the municipal chronicle can be kept also in the language of the national minority provided that the content in the language of the national minority and in the state language is identical,
- i) an obliged person under Act No. 211/2000 Coll. on free access to information and the amendment of certain acts (the Freedom of Information Act), as amended, shall publish information under section 6 of Act No. 211/2000 Coll., as amended, also in the language of the national minority,
- j) denominations for streets and other geographical objects can be displayed also in the language of the national minority based on a generally binding municipal regulation.

The mandatory use of the state language in state administration authorities and territorial self-government authorities in the territory of municipalities where at least 20% of the population belong to a national minority shall not affect the duty of such an authority to create conditions for the use of the language of the national minority in official communication nor the right of citizens belonging to a national minority to use the language of the national minority in official communication in the scope guaranteed in Act No. 184/1999 Coll. on the use of the languages of national minorities, as amended by Act No. 318/2009 Coll. The Ministry of Interior shall provide for continuing education for the employees of public administration authorities.

The mandatory use of the state language by state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities and legal persons established by law shall not limit the use of foreign languages by these authorities and legal persons in official communication with foreign countries in accordance with established practice in international communication.

Employees and state employees employed by state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law, persons employed in transport, posts and telecommunications services, members of the armed forces of the Slovak Republic, armed security forces, other armed forces and fire service units shall be obliged to have a command of the state language. Employees of state administration authorities and territorial self-government authorities shall not be obliged to have a command of the language of a national minority.

The State Language Act does not establish any obligation to prove knowledge of the state language when entering employment. If separate regulations do not provide otherwise, an employer can use one or more of the following methods by which job candidates shall demonstrate their command of the state language: an oral interview, a written test, submission of proof of command of the state language. The State Language Act requires that the employees listed in section 3(1) and (2) have a command of the state language in accordance with section 11, which means that they are required to have basic knowledge of the codified form of the state language set out in the basic codification manuals of the standardised Slovak language published on the website of the Ministry of Culture. Any test of an applicant's other linguistic abilities and skills shall depend on the needs of the specific employer and shall be fully in their competence. An employee may not disadvantage a job applicant on grounds of membership of a national minority, ethnic origin or language. The State Language Act shall be without prejudice to the requirement to have a command of the state language in the scope necessary to practice the relevant profession for the purposes of the recognition of professional qualifications in accordance with section 27 of Act No. 293/2007 Coll. on the recognition of professional qualifications, which transposes into Slovak law the provisions of article 53 of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, as amended (OJ L 255, 30.9.2005).

Employees and state employees employed by state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law, persons employed in transport, posts and telecommunications, members of the armed forces of the Slovak Republic, armed security forces, other armed forces and fire brigades shall be obliged to use the state language in official communication. The application of this obligation shall not limit such persons in the parallel use of the language of a national minority in official communication in the territory of municipalities in which at least 20% of the population are citizens belonging to the national minority, if they are members of the national minority and there is no other participant in communication who does not have a command of the language of the national minority; in the participation of such a third party the state language must be used in order to avoid infringement of the right of citizens of the Slovak Republic to use the state language in official communication. This shall not affect the obligation of an employee or state employee in such organisations to use the state language in official communication with a person who has a command of the language of the national minority and wishes to communicate in the state language.

In municipalities in which at least 20% of the population are citizens belonging to a national minority a citizen belonging to the relevant national minority can use the language of the relevant national minority in official communication with state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law and the employees and state employees of state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law, transport, posts and telecommunications services, members of the armed forces of the Slovak Republic, armed security forces, other armed forces and fire brigades. Such a citizen has the right to make written submissions to state administration authorities and territorial self-government authorities also in the language of the relevant national minority.

In compliance with article 10 of the European Charter for Regional or Minority Languages as it is applied in the Slovak Republic, citizens belonging to a national minority can use the language of the national minority in mutual oral official communication in the territory of a municipality in which citizens belonging to the relevant national minority do not make up at least 20% of the population if there is no other participant in communication who is not a member of the same national minority or who is a member of the national minority and does not explicitly give consent for oral official communication in the language of the national minority.

If a person in official communication with an employee or state employee employed by a state administration authority, territorial self-government authority, another public administration authority, a legal person established by the above authorities, a legal person established by law, an employee in transport, posts or telecommunications services, a member of the armed forces of the Slovak Republic, armed security forces, other armed forces or a fire brigades does not have a command of the state language and is not obliged to have such a command under the State Language Act or separate regulations, and the employee or state employee employed by a state administration authority, territorial self-government authority, another public administration authority, a legal person established by the above authorities, a legal person established by law, employee in transport, posts or telecommunications services, a member of the armed forces of the Slovak Republic, armed security forces, other armed forces or a fire brigades wishes to use a language that the person understands in official communication with the person, and if the use of such a language is not restricted by separate regulations, the employee or state employee employed by a state administration authority, territorial self-government authority, another public administration authority, a legal person established by the above authorities, a legal person established by law, transport, posts or telecommunications services, the member of the armed forces of the Slovak Republic, armed security forces, other armed forces or a fire brigades can also use the other language .

Internal service communication within the armed forces of the Slovak Republic, the Police Corps, the Slovak Information Service, the Prison and Judicial Guard Corps of the Slovak Republic, the Railway Police, the Fire and Rescue Corps and municipal police corps shall take place only in the state language.

A language that meets the criterion of basic comprehensibility in relation to the state language (e.g. Czech) can be used in official communication (including written communication) with state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law by any natural person whose mother language is the language that meets the criterion of basic comprehensibility in relation to the state language regardless of the citizenship of the natural person, if separate regulations do not require that submissions in official communication must be only in the state language (for example section 7(2) of Act No. 202/2009 Coll. on the legal protection of flora species). State authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law shall accept a document in a language that meets the criterion of basic comprehensibility in relation to the state language only if it is issued or super-legalized by a competent authority of the Czech Republic and if separate regulations do not require that documents in official communication must be only in the state language (for example, section 38(15) of Act No. 186/2009 Coll. on financial brokering and financial advice).

Article 5 **Geographical names**

For the purposes of the State Language Act, in any linguistic expression in the state language, the language of a national minority or a foreign language, a geographical name shall be used in a way that excludes any other term referring to the geographical object except for use of the geographical name in text books, teaching books and workbooks published in the language of a national minority, the use of a geographical name in radio broadcasts in the language of a national minority or in a foreign language, the use of a geographical name in television broadcasts in the language of a national minority or in a foreign language, the use of a geographical name in periodical press in the language of a national minority or in a foreign language and in non-periodical publications in the language of a national minority or in a foreign language and the use of a geographical name in a text in the language of a national minority that is part of the inscription on a memorial, monument or memorial plaque.

Under section 5(1)(g) and section 16(3)(e) of Act No. 308/2000 Coll. on broadcasting and retransmission, the use of geographical names in a radio or television broadcast in the language of a national minority and in a foreign language shall be supervised by the Council for Broadcasting and Retransmission except in the areas reserved as the competence of another authority under Act of the National Council of the Slovak Republic No. 215/1995 Coll. on geodesy and cartography.

The use of a geographical name that is the common form of the Slovak name of an inhabited geographical object outside the territory of the Slovak Republic, the common form of an uninhabited geographical object outside the territory of the Slovak Republic and the name of an extraterrestrial object, which is standardised by the Office of Geodesy, Cartography and Cadastre of the Slovak Republic, shall not be compulsory in linguistic expressions in the language of a national minority or in a foreign language.

The use of a geographical name in the periodical press shall not be subject to the supervision of any public administration authority under the State Language Act; excepting the areas reserved in Act of the National Council of the Slovak Republic No. 215/1995 Coll. on geodesy and cartography.

The derogations from the use of geographical names in a manner that excludes the use of another term referring to a geographical object under the first sentence of this article and the derogations from supervision under the second and fourth sentences of this article shall not affect the liability of a natural person for a contravention of order in the area of geodesy and cartography and the liability of a legal person for a breach of order in the area of geodesy and cartography under section 23(1)(e) and section 25(1)(d) of Act of the National Council of the Slovak Republic no. 215/1995 Coll. on geodesy and cartography as amended by Act No. 423/2003 Coll.

The method for the use of geographical names in periodical publications in other languages published in the Slovak Republic, non-periodical publications in other languages published in the Slovak Republic and cartographic works in foreign languages published in the Slovak Republic and intended for export and sale outside the territory of the Slovak Republic shall be set by the Office of Land Surveyor, Cartography and Cadastre of the Slovak Republic in accordance with international principles for the standardisation of geographic names and in accordance with the resolutions of the United Nations Conferences on the Standardization of Geographical Names. The use of geographical names shall not affect the use of denominations in the language of a national minority.

Article 6 Education

Pedagogical staff in all schools and school establishments in the territory of the Slovak Republic other than foreign pedagogues and language lecturers shall have a command of and use the state language in both oral and written communications. This obligation shall not apply to pedagogical staff working in higher education, in the teaching of other languages and in upbringing and education in a language other than the state language. Pedagogical staff performing teaching activity and specialised employees performing specialised activities are entitled to continuing education and professional development in the language in which they perform pedagogical or specialised activities.

Under Act No. 596/2003 Z.z. on state administration in education and school self-government, the Ministry of Education of the Slovak Republic directs the performance of state administration in the area of education by preparing conceptual material and issuing generally binding legal regulations, directives and instructions, by unifying procedures for their application and controlling such activity. The act assigns the following tasks to territorial self-government authorities and the local state administration authorities:

- A municipality shall control compliance with generally binding legal regulations in matters of upbringing and education in schools and school establishments whose establisher is it, issue organisational instructions for the directors of these schools and school establishments, in particular organisational instructions for the relevant school year, provide expertise and advice for schools and school establishments and provide legal advice to directors.
- A self-governing region shall control compliance with generally binding legal regulations in matters of upbringing and education in schools and school establishments whose establisher is it and, after consultation with the competent regional education office, issue organisational instructions for the directors, provide expertise and advice for schools and school establishments and provide legal advice to directors.
- The regional education office shall provide legal advice to the schools and school establishments whose establisher is it. It shall also provide professional advice on the organisation of upbringing and education to municipalities and self-governing regions, the establishers of church schools and school establishment, the establishers of private schools and school establishments and the directors of schools and school establishment whose establishers are they.

The Ministry of Education shall provide for and distribute funding from the state budget through the regional education offices to the establishers of schools and school establishments to cover capital and operational costs including wages, pay, service income and other personal payments under separate regulations. The financing of schools and school establishments is governed mainly by Act No. 597/2003 Z.z. on the financing of elementary schools, secondary schools and school establishments, as amended, and depends on the approved state budget for the relevant calendar year. Funding is allocated to establishers through a standardised formula. The wage allocation and the allocation for the upbringing and educational process for a pupil in a school with a teaching language other than Slovak is 108% of the basic allocation; in the case of bilingual study, an allocation equal to 125% of the basic allocation is provided.

Each year, a sum shall be ring-fenced in the budget of the Ministry of Education to cover differences resulting from the application of this act. In negotiation proceedings with an establisher and at the establisher's request, the Ministry of Education may adjust the amount of funding, using the reserve, where there are insufficient funds to cover personal and operating costs.

The sources of financing for state schools, state nursery schools and state school establishments are

- a) funds from the state budget in the budgetary chapter of the Ministry of Education,
- b) funds from the budget of the municipality and funds from the budget of the higher-tier territorial unit,
- c) income from other natural persons and legal persons for the rental of premises and facilities of schools and school establishments when they are not being used for educational purposes,
- d) profits from business activities,
- e) contributions from pupils, parents or other persons with the functions and responsibilities of a parent to cover a part of the cost related to the material needs of the school or school establishment,
- f) in selected school establishments, contributions from pupils, parents or other persons with the functions and responsibilities of a parent to cover a part of the cost of upbringing and education,
- g) donations from employers and employer associations,
- h) contributions and gifts,
- i) other sources.

The Ministry of Culture shall supervise the conformity of pedagogical documentation and other documentation of schools and school establishments with the provisions of section 4(3) of the State Language Act from 1st September 2010; it shall be considered a breach of the State Language Act if the documentation of a school or school establishment is kept only in another language.

Textbooks and teaching books used in the upbringing and education process in the Slovak Republic shall be published in the state language. This obligation shall not apply to the publication and use of textbooks and teaching books for teaching in the language of a national minority or ethnic group, or in a foreign language nor to textbooks and teaching books used in higher education institutions.

The State Language Act shall not limit the voluntary creation of conditions for the organised education of persons in the languages of national minorities.

Article 7
Broadcasts of radio services and television services

The Council for Broadcasting and Retransmission shall supervise use of the state language, the language of national minorities, foreign languages and geographical names in broadcast of the radio service and television service in accordance with section 5(1)(g) in connection with section 16(3)(e) of Act No. 308/2000 Z.z. on broadcasting and retransmission except in matters that are in the competence of another authority under Act of the National Council of the Slovak Republic No. 215/1995 Z.z. on geodesy and cartography.

Article 8
Periodical and non-periodical publications

The use of the state language, the languages of national minorities and foreign languages in periodical press and non-periodical publications published in the language of a national minority or in a foreign language shall not be supervised by any public administration authority; excepting matters that are in the competence of another authority under Act of the National Council of the Slovak Republic No. 215/1995 Z.z. on geodesy and cartography. Non-periodical publications published in the state language shall be supervised by the Ministry of Culture.

Article 9
Binding opinion of the Ministry of Culture for a developer

The purpose of a binding opinion of the Ministry of Culture for a developer is to avoid the need for subsequent changes to an inscription on a memorial, monument or memorial plaque that the developer would be required to make to the inscription on the memorial, monument or memorial plaque if it were subsequently found not to conform to the requirements of the State Language Act. A binding opinion shall be valid unless it is proven to be otherwise in supervision of compliance with the State Language Act and in administrative proceedings on the imposition of a fine for a breach of obligations under the State Language Act and cancelled by the Ministry of Culture. The cancellation of a binding decision may not be used to the detriment of a developer.

Article 10
Judicial proceedings, administrative proceedings, proceedings before law-enforcement authorities and proceedings before other bodies and legal persons

In accordance with section 74(1)(f) of Act No. 757/2004 Z.z. on courts as amended by Act No. 318/2009 Z.z., the head of the court shall supervise the use of the state language in judicial proceedings, including court rulings and minutes, communication between judges and citizens and the recognition of the text of contracts establishing binding relations in judicial proceedings only if the text is in the state language. The Ministry of Culture shall supervise the use of the state language in administrative proceedings and proceedings before law-enforcement authorities including rulings and minutes of administrative authorities and law-enforcement authorities, the recognition in administrative proceedings of the text of contracts establishing binding relations in judicial proceedings only if the text is in the state language, proceedings before law-enforcement authorities and proceedings before state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities and legal persons established by law. The use of a language that meets the criterion of basic comprehensibility in relation to the state language shall be governed by the conditions that apply to its use in official communication.

In proceedings before law-enforcement authorities, if the accused, his or her legal representative, the injured party, another party to proceedings or the witness is a member of a national minority and declares that he or she does not have a command of the state language, he or she shall have the right to take on an interpreter. If the accused is a citizen of the Slovak Republic and wishes to make a statement in the language of a national minority, the law enforcement authorities in the territory of a municipality where at least 20% of the population are citizens belonging to the national minority should take on an interpreter and interview the accused in the language of the national minority. The law enforcement authorities in the territory of a municipality in which citizens belonging to a national minority make up at least 20% of the population should accept a request or evidence that is submitted only in the language of the relevant national minority and take on a translator.

Article 11

Communication between staff and patients or clients in healthcare facilities and social service facilities

No public administration authority shall supervise the use of the state language, the languages of national minorities or foreign languages in communication between staff and patients or clients in healthcare facilities and social services facilities.

If a patient or client does not have a command of the state language, the patient or client can communicate with the staff in the language of a national minority or a foreign language anywhere in the territory of the Slovak Republic.

Communication between staff and patients or clients can also be conducted in the language of a national minority when a patient or client is a member of a national minority with a command of the state language and communication takes place in a healthcare facility or social service facility in a municipality where members of the national minority make up at least 20% of the population. In exceptional circumstances, the patient or client can also communicate with staff in the language of a national minority or a foreign language where the patient or client has a command of the state language and is not a member of a national minority whose members make up at least 20% of the population of the municipality if it is more effective to use the language of the national minority or the foreign language and the member of staff has a command of the language used at a reasonable professional level and the member of staff and the patient or client explicitly express a wish to communicate in the language of a national minority or a foreign language. Staff members shall not be obliged to have a command of the language of a national minority and if they have a command of the language of a national minority at a reasonable professional level, they cannot be ordered to use it in communication with clients or patients.

Article 12

Signs, advertisements and notices intended to inform the public

The Ministry of Culture shall supervise only advertising whose purpose is not to present goods, services, real estate, a business name, a trade mark, a label of product origin or other rights and obligations relating to business in any form in order to place them in the market. The Ministry of Culture shall supervise signs identifying the seat of a legal entity, the permanent residence of a natural person, signs for buildings, land and other immovable or movable property owned or hired by such persons other than signs identifying operational facilities or organisational units of a legal entity or natural person by means of a business name. Business names, trademarks and the names of institutions registered in accordance with the law in force in the Slovak Republic or a Member State of the European Union or the European Free Trade Area, and personal forenames and surnames need not be given in the state language in signs, advertisements or notices intended to inform the public.

Article 13
Bringing situations existing before 31 August 2009 into conformity with the State Language Act

If a municipal chronicle was not kept in the state language between 1st January 1996 and 31st August 2009, an identical text in the state language must be added by 31st December 2009. In municipalities where at least 20% of the population are members of a national minority, the municipal chronicle can be kept in both the state language and the language of the national minority.

The Ministry of Culture will require that the inscription of a memorial, monument or memorial plaque be modified to conform to the State Language Act by 31 December 2009; this shall apply only to the inscription on a memorial, monument or memorial plaque put in place between 1st January 1996 and 31st August 2009. If the inscription on a memorial, monument or memorial plaque put in place between 1st January 1996 and 31st August 2009 contains not only text in the language of a national minority but also text with the identical content in the state language that is of the same or larger size, the text in the state language need not be placed before the text in the language of the national minority. If the inscription on a memorial, monument or memorial plaque put in place between 1st January 1996 and 31st August 2009 includes also text in the state language that is smaller than text with identical content in the language of a national minority, the Ministry of Culture shall decide on the need to enlarge the text in the state language in accordance with criteria for the reasonable visibility and distinguishability of the text in the state language compared to the text in the language of the national minority.

If the text of occasional book posts (booklets) intended for the public for cultural purposes, the catalogues of galleries, museums or libraries and programmes for cinemas, theatres, concerts or other cultural events are not in the state language as at 1st September 2009, text with the identical content in the state language must be added by 31st December 2009, with the exception of parts informing about events taking place before 1st January 2010.

Within individual subsidy programmes the Ministry of Culture shall provide subsidies with 5% copayment by the applicant to cover costs for bringing municipal chronicles, the text of memorials, monuments and memorial plaques, occasional book posts (booklets) intended for the public for cultural purposes, the catalogues of galleries, museums and libraries and programmes for cinemas, theatres, concerts and other cultural events into compliance with the provisions of the State Language Act.

Article 14
Performance of supervision by the Ministry of Culture

The Ministry of Culture shall perform supervision of compliance with the obligations set out in sections 3 to 4, section 5(3), (4)(b) and (5) to (7), section 6, section 7 in administrative proceedings and proceedings before law enforcement authorities, section 8(2) to (6) other than communication between the staff of healthcare facilities and social service facilities and their patients and clients and except for advertising supervised by authorities specified in separate regulations and section 11a.

In performing supervision the Ministry of Culture shall proceed in compliance with the provisions of section 9 of the State Language Act and sections 8 to 13 and section 16 of Act of the National Council of the Slovak Republic No. 10/1996 Coll. on control in state administration, as amended.

No other public administration authority is not authorised to interfere with the powers of the Ministry of Culture delimited by the provisions of the State Language Act set out in the first sentence of this article. In performing supervision the Ministry of Culture shall find the actual state of affairs, its conformity with the State Language Act and other generally binding legal regulations that apply to the matter under supervision, the causes of any unlawful situation, the dangerous and damaging effects of an unlawful state of affairs, the adoption and implementation of measures by the supervised subject to restore compliance with the law within a set period commensurate with the character of the measure or the fulfilment of the supervised subject's responsibility in relation to employees in accordance with the Labour Code and other generally binding legal regulations within a set period commensurate with the character of the measure.

The Ministry's supervision activities are performed by employees of the Ministry of Culture based on written authorisation granted by the minister of culture. Decisions on the bias of supervisors shall be governed by section 10 of Act of the National Council of the Slovak Republic No. 10/1996 Coll. on control in state administration as amended by Act No. 164/2008 Coll. Supervision proceedings shall be terminated in accordance with section 13(8) of Act of the National Council of the Slovak Republic No. 10/1996 Coll. on control in state administration as amended by Act No. 164/2008 Coll.

Employees authorised to perform supervision must abide by the following conditions in the performance of supervision

- a) to notify the subject of supervision at least seven days in advance of the scope, purpose and duration of supervision, to present proof of authorization to perform supervision together with proof of their identity,
- b) to provide the supervised subject with a receipt for withdrawn original documents, written documents and other materials and to ensure that they are duly protected against loss, destruction, damage and abuse; if confiscated materials are no longer necessary for the performance of supervision or other proceedings under separate regulations, they shall be returned to the person from whom they were withdrawn,
- c) to submit the report of the results of supervision to the head of the supervised subject before discussion of the report and to request a written response to all findings of supervision within a period commensurate with the character of the findings of supervision set by the employee authorised to perform supervision. Written responses submitted within the set period in which the head of the supervised subject casts doubt on the findings of supervision shall be treated as objections. Responses submitted after expiry of the set period shall not be taken into consideration,
- d) to check the legitimacy of objections to the findings of supervision; legitimate objections shall be incorporated into an addendum to the report, which shall be presented to the head of the supervised subject,
- e) if they find an objection to be illegitimate, they shall explain the grounds on which they find it illegitimate to the head of the supervised subject in writing no later than the date for discussion of the report,
- f) to discuss with the head of the supervised subject the report on the results of supervision including the parts thereof, the progress report, any subordinate report and any addendum on the report; to inform the head of the supervised subject of the consequences of a breach of the obligation to attend discussion of the report at the request of employees authorised to perform supervision (the possible imposition of a

procedural fine under section 16 of Act of the National Council of the Slovak Republic No. 10/1996 Z.z. on control in state administration, as amended),

g) to require, in the minutes of discussion of the report, the head of the supervised subject to inform Ministry of Culture within a set period from the end of supervision of the measures adopted to remedy the identified deficiencies and if necessary to designate employees responsible for supervision of the identified deficiencies and to submit a written report to the Ministry of Culture on the implementation of the adopted measures and if appropriate the performance of legal responsibilities,

h) to inform a competent superior authority that is a state authority, territorial self-government authority or other public administration authority of the results of supervision in cases where it is necessary for the proper functioning of public administration,

i) to present to the head of the supervised subject the report on the results of supervision, the progress report, any subordinate reports, any addendum to the report and the minutes of discussion of the report or a record of supervision, also written caution pursuant to section 9a(1) of the State Language Act if supervision identifies a breach of the State Language Act. A record of supervision shall be issued if no breach of the State Language Act was identified during supervision,

j) to maintain the confidentiality of any matters that they become aware of during the performance of supervision if they are not released from this obligation by the person whose interest is served by this obligation or by the minister of culture in cases of public interest; this shall not affect the duty not to disclose official secrets and personal data.

Article 15

Subjects on whom a fine can be imposed under section 9a of the State Language Act

Under section 3(1): state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law.

Under section 3(3)(a): state authorities, territorial self-government authorities, other public administration authorities, legal persons, self-employed natural persons

Under section 3(3)(b): state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law.

Under section 3(3)(c): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 3(3)(d): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 3(4): state authorities, territorial self-government authorities, other public administration authorities, legal persons established by the above authorities, legal persons established by law.

Under section 3a: state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 4(1) to (4): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 5(3): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 5(4)(b): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 5(5): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 5(6): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 5(7): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 6(1) and (2): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 7(1): state authorities other than courts, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 8(2) and (3): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under the first sentence of section 8(4): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 8(5): state authorities other than courts, territorial self-government authorities, other public administration authorities, legal persons established by the above authority and legal persons established by law

Under section 8(6): state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

Under section 11a: state authorities, territorial self-government authorities, other public administration authorities, legal persons and self-employed natural persons.

In the case of penalties for self-employed natural persons and legal persons, special consideration must be given to the results of comprehensive use of the methods for the interpretation of the State Language Act set out in article 2 of these Principles of the Government.

Article 16 Imposition of fines

The Ministry of Culture shall commence administrative proceedings for the imposition of a fine under Act No. 71/1967 Coll. on administrative proceedings (the Code of Administrative Procedure), as amended, if a supervised subject does not eliminate an unlawful state of affairs or remedy identified deficiencies within a set period.

In the notification of the commencement of administrative proceedings for the imposition of a fine, the Ministry of Culture shall include a description of the actions that the party to administrative proceedings for the imposition of a fine was required to perform under the State Language Act, including the date and time and the provisions that the party is alleged to have breached through their action or omission of action. The notification of the commencement of administrative proceedings for the imposition of a fine shall also include information on the rights of the party to proceedings under the Code of Administrative Procedure and the minutes of discussion of the report together with the report on the results of supervision.

A finding on the content and meaning of the legal rule making comprehensive use of the methods of interpretation of the State Language Act set out in article 2 of these Principles of the Government shall be an essential part of the decision-making process of the Ministry of Culture, including the application of abstract legal rules to the specific circumstances of the given case. The role of the Ministry of Culture in this case is to interpret the relevant provision of the law in accordance with the Constitution.

The Ministry of Culture must decide only on the basis of precise and complete findings on the actual state of affairs and take into consideration all material and legal facts that are relevant and legally significant for its decision. The Ministry of Culture shall assess developed evidence in terms of its relevance (importance) for decision, its lawfulness and its truthfulness.

The written ruling on the imposition of a fine must include a description of the action or the omission of an action that the party to administrative proceedings was obliged to perform under the State Language Act stating the place, time and the manner of the action or the omission of an action and any other particulars necessary to ensure that the action or failure to perform action cannot be confused with other actions or omission of actions, as well as specification of the provisions breached by the action or omission of action with full legal features.

In the reasoning of its decision, the Ministry of Culture must state which factors formed the basis of the decision and what considerations it was guided by in assessing evidence. The reasoning of the decision must be logical and convincing.

When setting the amount of a fine under section 9a of the State Language Act, the Ministry of Culture shall take the following factors into consideration

1. the scope of the unlawful action,
2. the threatened, incurred and harmful consequences of the unlawful act,
3. the duration of the unlawful act,
4. recurrence of the unlawful action,
5. the character of the unlawful action,
6. the manner of the unlawful action,
7. the gravity of the unlawful action (the rate of type social risk and the character of the individual interest affected by the unlawful action),
8. circumstances of the unlawful action relevant for setting the amount of the fine,
9. benefits obtained by the subject of the unlawful action or another subject as a result of the unlawful action,
10. the character of the activities in which the unlawful action took place,
11. the subject of the unlawful action,
12. endeavour of the subject of the unlawful action to eliminate or reduce the consequences of the unlawful action,
13. infringement of the rights of citizens speaking the state language to receive and provide information in the state language,
14. the effect of the amount of the fine imposed on the legal interests of the subject of the unlawful action and the subject's situation,
15. previous compliance with the State Language Act, implementation of measures to prevent breaches or repeated breaches of the State Language Act,
16. whether the subject of the unlawful action could foresee the unlawful action,
17. the effect of the amount of the fine imposed on legally protected interests,
18. the legitimate purpose of interference with fundamental rights and freedoms, if a fine is imposed on a self-employed natural person or legal person,
19. the intensity of interference with fundamental rights and freedoms, if a fine is imposed on a self-employed natural person or legal person,
20. failure to comply with the codified form of the state language,
21. the extent to which the consequences of the unlawful action can be remedied.

When a fine is imposed for multiple breaches of the State Language Act, the imposition of the fine shall comply with the principles for the imposition of penalties derived from the interpretation of the Criminal Code if this favours the subject of the unlawful action. When a fine is imposed for multiple breaches of the State Language Act in concurrence, only one fine shall be imposed for all the breaches of the State Language Act within the same range of fine laid down by law. The fact of multiple breaches of the State Language Act shall be a criterion that is taken into consideration when setting the amount of the fine for the unlawful actions in concurrence.

The Ministry of Culture must provide an assessment of at least six of the 21 criteria listed above when setting the amount of a fine

There must not be unjustified differences between the level of fine imposed in materially identical or similar cases.

A party to administrative proceedings can submit an appeal against a decision to impose a fine up to 15 days from the delivery of the decision. The minister of culture shall decide on the appeal based on the recommendation of the appeals commission of the Ministry of Culture. A party to proceedings who has a legal personality can file a complaint against a decision of the minister of culture confirming a decision in the Regional Court in Bratislava within two months of delivery of the minister's decision. A negative judgement of the Regional Court in Bratislava can be appealed to the Supreme Court of the Slovak Republic. If the Supreme Court of the Slovak Republic confirms the judgement, a natural person or legal person can file a complaint in the Constitutional Court of the Slovak Republic up to two months from delivery of the judgement if they claim that the final judgement of the Supreme Court of the Slovak Republic violated their fundamental rights and freedoms. A territorial self-government authority that is a party to proceedings can submit a complaint to the Constitutional Court against a decision of the minister of culture confirming a decision up to two months from the delivery of the decision, if it claims that the decision has interfered with matters of territorial self-government through an unconstitutional or illegal decision.

Article 17

Public information on the imposition of fines

The Ministry of Culture shall keep a register of fines imposed and every decision on the imposition of a fine issued in administrative proceedings on a breach of the State Language Act shall be published on the Ministry's website. The Ministry of Culture make it possible for the general public to access the regularly updated register of fines imposed. When publishing its decisions and the register, the Ministry of Culture must respect the limitations established by Act No. 428/2002 Z.z. on the protection of personal data and protect the personal data of self-employed natural persons.

Every two years the Ministry of Culture shall submit a report on the situation in the use of the state language to the government assessing the overall effectiveness of the fines imposed in the previous period and proposing measures that should be taken in response to this, especially in areas with an increased number of citizens belonging to national minorities.

Article 18

The codification process relating to the state language

In order for a standardised language to perform its function for society as a whole, it must be stabilised, cultivated and codified within that society with established rules while remaining flexible enough to respond to the emergence of new situations.

As a living, dynamically developing and differentiated instrument of communication, the standardised language remains in contact with the ongoing development of society. Changes in the language relating to the evolution of civilisation shall also be reflected in the codification of the standardised language. Every change in the codification must be scientifically and socially justified and for this reason thorough linguistic research must be carried out and public debate must take place before any change is made to the codification because every change to the codification should reflect a social need. Comprehensive scholarly research into language, its evolution and its use in society shall be used not only to identify specific changes and their causes but also to map ascertainable trends in the evolution of the language. Changes to the codification shall be based on this research and its results. In the Slovak Republic such research is concentrated by the Slovak Academy of Sciences (SAV) and public higher education institutions.

A proposal for a change in codification shall be prepared in a competent scholarly institution (for example Slovakistic institutes of the Slovak Academy of Sciences, the National Institute of Slovak Language and Literature of the Slovak Matica, higher education institution's departments of Slovak language and literature), usually in cooperation with representatives of other linguistic institutions, in particular Slovakistic institutions. A concept for the basic outline of the changes to the codification shall be developed at this scholarly institution. This concept shall be presented for internal review in the scholarly institution and if it receives a positive assessment from its opponents it shall be presented for professional and public discussion involving not only language specialists but also representatives of the broader cultural community (writers, translators, editors, workers in publishing, teachers and the like). Discussion open to the professional and general public shall take place at academic events (academic conferences, specialist seminars etc.) and in specialised and more general cultural publications. The competent scholarly institution shall incorporate recommendations from these consultations in further work.

The proposed amendment to codification formulated by the competent scholarly institution shall then be submitted for assessment by specialised linguistic commissions with responsibility at the national level or with a national scope of representation (for example, the Spellings Commission of the Ľudovít Štúr Institute of Linguistics at SAV or the Pronunciation Commission of the Ľudovít Štúr Institute of Linguistics at SAV). After it is negotiated by the commissions the final proposal for the amendment of codification and the standpoint of the competent commission shall be submitted to the Ministry of Culture. In the Ministry of Culture, the submitted proposal shall be reviewed by the Central Language Council, a consultative body of the minister of culture for issues relating to the state language which is made up of leading Slovak specialists in linguistics and representatives of several Slovakistic institutions.

After the delivery of the opinion of the Central Language Council to the minister of culture, the Ministry of Culture can decide to approve the proposed amendment and publish the amendment on its website. The Ministry of Culture can request the opinion of other independent experts and Slovakistic institutions or the response of the scholarly institution that proposed the amendment of codification to the expert opinion of the Central Language Council.

The codified form of the state language is recorded in the officially approved codification manuals, which have an officially approved codification certificate issued by the Ministry of Culture.

Article 19 **Entry into effect**

These principles of the government shall be applied from 1st January 2010.