Bill

ACT

dated June 30th, 2009,

by which the Act of the National Council of the Slovak Republic No. 270/1995 Coll. on the state language of the Slovak Republic in the wording of subsequent regulations and on the change and completion of certain acts is changed and completed

The National Council of the Slovak Republic enacted the following law:

ARTICLE 1


1. Paragraph 4 of § 1 says:
   “(4) If this law does not determine otherwise, the following provisions apply to the language use of national minorities and ethnic groups.4)"

Footnote to reference 4 says:
   “4) For example the Code of Civil Procedure § 18 in the wording of Act No. 341/2005 Coll., the Act of the National Council of the Slovak Republic No. 191/1994 Coll. on the designation of communities in the language of national minorities, Act No. 184/1999 Coll. on the language use of national minorities, § 5 section 1 letter e) of Act No. 619/2003 Coll. on Slovak broadcasting in the wording of subsequent regulations, § 5 section 1 letter g) of Act No. 16/2004 Coll. on Slovak television in the wording of subsequent regulations, § 2 section 20 of the Code of Criminal Procedure, § 2 section 2 of Act No. 167/2008 Coll. on periodical press and intelligence agencies and on the change and completion of certain acts (press law), § 11 section 2, § 12 section 3 and § 18 section 3 of Act No. 245/2008 Coll. on education (law on education) and on the change and completion of certain acts.”

2. § 1 is completed with section 5, which says:
   “(5) This act is applicable to state authorities, authorities of territorial self-administration, other authorities of public bodies, legal persons, natural persons entrepreneurs and natural persons, to the extent and conditions laid down by this law”.

3. In § 2 a new paragraph is inserted, which says:

   “(1) state authorities, authorities of self-governments and other authorities of public administration are required to protect the state language. For this purpose they are obligated to approach actively to control compliance with the measures of this act.

Present paragraphs from 1 to 3 are marked as paragraphs 2 to 4.

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4. § 2 section 3 says:
“(3) The codified form of the state language is approved and released by the Ministry of Culture of the Slovak Republic (hereinafter referred to only as Ministry of Culture) on its web page.”

5. § 3 sections 1 and 2 say:
“(1) State authorities, authorities of local self-administration, other authorities of public bodies, their legal persons and the legal persons organized by law use the state language in official contact; whereas it does not violate the use of languages of national minorities in official contact based on particular provision and the usage of other languages in official contact with foreign parts in line with the applied practice in international affairs.

(2) The employees and state employees of organs and natural persons, based on paragraph 1, of transport, postal service, telecommunication, as well as the members of the Armed Forces of the Slovak Republic (hereinafter referred to only as “armed forces”), Armed Services and Fire Departments are obliged to command and use the state language in official contact.”

Footnotes to references 5 a 5aa say:
“5) For example § 120 of Act No. 461/2003 Coll. on social insurance in the wording of subsequent regulations, § 2 of Act No. 619/2003 Coll. in the wording of subsequent regulations, § 2 of Act No. 16/2004 Coll. in the wording of subsequent regulations, § 2 and 17 of Act No. 581/2004 Coll. on health insurance agencies with respect to healthcare and on the change and completion of certain acts in the wording of subsequent regulations.
5aa) Act No. 184/1999 Coll.”

6. In the footnote to reference 5a, the quotation “§ 3 and 3a of Act No. 29/1984 Coll. on the system of primary and secondary schools (law on education) in the wording of subsequent regulations” is replaced by the quotation “§ 12 of Act No. 245/2008 Coll.”.

7. In the footnote to reference 5b, the quotation “§ 11 of the Act of the National Council of the Slovak Republic No. 542/1990 Coll. on state administration in the school system and school self-administration in the wording of subsequent regulations” is replaced by the quotation “§ 18 section 3 of Act No. 245/2008 Coll.”.

8. In § 3 section 3 letter b) the words “public authorities” are replaced by the words “in authorites and legal persons according to section 1”.

9. In § 3 section 3, the letter d) is left out.
The present letter e) will be designated as letter d).

Footnote to reference 6 is left out.

10. In § 3 section 4, the words “Public authorities” are replaced by the words “Authorities and legal persons according to section 1” and the words “and organisations established by them” are left out.

11. In § 3 paragraph 5 says:
“(5) A natural person and a legal person in official contact with an authority according to section 1 and in official contact with a legal person according to section 1 uses the state language, if this

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act, a particular provision or an international contract, announced by law, do not determine otherwise.  

An international contract, announced by law, do not determine otherwise. 

6b) A person, whose mother tongue is a language that fulfils the requirements of basic comprehensibility from the point of view of the state language, can use his or her mother tongue in official contact with an authority according to section 1 and in official contact with a legal person according to section 1. Authorities and legal persons, according to section 1, are obliged to accept a document in a language that fulfils the requirements of basic comprehensibility from the point of view of the state language, if it is a document issued or attested by the particular authorities in the Czech Republic.”

Footnote to reference 6b says:


12. § 3 is replaced by § 3 a, which, including the title, says:

§ 3a
Usage of the State Language in the Field of Geographic Names

The state language is used for the indication of names of settlements and their parts 7a), names of streets and other public places and other geographic names, 7b) as well as the data contained in state maps including cadastre maps; the designation of settlements and the designation of streets and other local geographic signs in the languages of national minorities are regulated by particular provisions. 7c)“.

Footnotes to references 7a to 7c say:

“7a) § 1a of the Act of the National Council of the Slovak Republic No. 369/1990 Coll. on local administration in the wording of Act No. 453/2001 Coll.
7b) § 18 of the Act of the National Council of the Slovak Republic No. 215/1995 Coll. on geodesy and cartography in the wording of subsequent regulations

13. In § 4 section 1 and 5, footnote 8 is designated as 5a and the footnote to reference 8 is left out.

14. In § 4 paragraph 3 says:

“(3) the entire pedagogical documentation at schools and school apparatus are recorded in the state language. At schools and school apparatus, at which education is carried out in the language of national minority, pedagogical documentation is bilingual, this in state language and in language of given national minority. At schools and school apparatus, at which education is carried out in the language of national minority, other documentation is bilingual, this in state language and in language of given national minority.

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15. In the footnote to reference 8a the quotation “§ 3 of Act No. 29/1984 Coll. in the wording of subsequent regulations” is replaced by the quotation “Act No. 245/2008 Coll.”.

16. In the footnote to reference 8b the quotation “§ 11a of the Act of the National Council of the Slovak Republic No. 542/1990 Coll. in the wording of subsequent regulations” is replaced by the quotation “§ 11 section 2 of Act No. 245/2008 Coll.”.

17. In the footnote to reference 9 the quotation “§ 40 of Act No. 29/1984 Coll. in the wording of subsequent regulations. Decree of the Government of the Slovak Republic No. 282/1994 Coll. on the usage of textbooks and instructional texts” is replaced by: “§ 13 of Act No. 245/2008 Coll.”.

18. § 5 including the title says:

§ 5
Usage of the State Language in Mess Media, Cultural Events and Assembly

(1) Radio and television broadcasting is, on the whole territory of the Slovak Republic, conducted in the state language. Exceptions are as follows:

a) foreign language television broadcast with subtitles in the state language or immediate follow-up broadcasting after the programme in the state language,

b) foreign language radio programmes with their immediate follow-up broadcasting in the state language,

c) the cultural and informational programmes of the Slovak Radio international broadcast,

d) television and radio language courses and programmes with similar focus,

e) music with original text,

f) broadcasting in the languages of national minorities and ethnic groups in the Slovak Radio and the Slovak Television,

g) audio-visual works or sound recordings of artistic creations spread by broadcasting in the original language form that fulfils the requirements of basic comprehensibility from the point of view of the state language,

h) audio-visual works with dubbing in a language that fulfils the requirements of basic comprehensibility from the point of view of the state language, created before the particular provision took effect and those which were broadcasted on the territory of the Slovak Republic before this particular provision took effect,

i) original language speeches of particular persons in a language that fulfils the requirements of basic comprehensibility from the point of view of state language, listed among news, journalism, shows and television programmes or radio programmes,

j) the live transmission of competitions with simultaneous interpretation into the state language within the frame of a foreign-language programme.

(2) Foreign-language audio-visual works intended for children up to 12 years of age have to be dubbed in the state language except of the audio-visual works intended for children up to 12 years of age in the languages of national minorities within the framework of television programmes according to section 1 letter a).

(3) Announcements with the intention to inform the public by means of the local radio or by means of any other technical equipment are released in the state language; it is possible to release these announcements in other languages as well, after their release in the state language.

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(4) If a particular provision\textsuperscript{11d)} does not determine otherwise, the state language is used in a) periodical press or press intelligence agency\textsuperscript{11e)} or b) occasional publications.\textsuperscript{11f)}

(5) Occasional printed matter intended for the public for cultural use, gallery’s, museum’s, library’s catalogues, cinema’s, theatre’s, concert’s programs, and other cultural events is published in state language, except those, which are published in language of national minority. This kind of printed matter, catalogues or programs, published in the language of national minority should contain the same meaning in state language. Printed matter, catalogues and programs, mentioned in previous sentence, published in national language may contain text in other languages in required measure, which are in principle identical as in state language and come after the text in state language.

(6) Cultural and educational events are held in the state language. Exceptions are the cultural events of national minorities, ethnic groups, foreign guest artists and educational events with the purpose of education in the field of foreign languages, as well as musical pieces ad theatre performances with original texts. The programmes are first announced in the state language with the exception of the announcement of the programmes mentioned in the second sentence of this section, as far as these programmes are realised in a language that fulfils the requirements of basic comprehensibility from the point of view of the state language.

(7) Scriptures on monuments, memorials and memorial tables are presented in the state language. If they are translated into other languages, the other-language texts come only after the text in the state language and their content has to be the equivalent of the content of the text in the state language. The text in the other-language consists of letters of the same or smaller size than the text in the state language. The constructor is obliged to claim for a binding statement from the Ministry of Culture proving the accordance of the scripture on the monument, memorial and memorial table with this act. This provision does not refer to the historical scripture on monuments, memorials and memorial tables that are under the protection of particular regulations.\textsuperscript{11g)}

(8) Each participant of a meeting or a lecture on the territory of the Slovak Republic has the right to present his speech in the state language.”

Footnotes to references from 9a to 11g say:

\textsuperscript{9a)} § 2 section 5 of Act No. 220/2007 Coll. on the digital broadcasting of programme services and on providing other content services by means of digital broadcasting and on the change and completion of certain acts (law on digital broadcasting).

\textsuperscript{10)} § 5 section 1 letter k) of Act No. 619/2003 Coll.

\textsuperscript{11)} § 5 section 1 letter e) of Act No. 619/2003 Coll.

\textsuperscript{11a)} § 5 section 1 letter g) of Act No. 16/2004 Coll. in the wording of Act No. 220/2007 Coll.

\textsuperscript{11b)} § 17 section 5 of Act No. 343/2007 Coll. on the conditions of the recording, public circulation and holding of audio-visual works, multimedia works and the sound recordings of artistic creations and on the change and completion of certain acts (audio-visual law).

\textsuperscript{11c)} § 46 section 6 of Act No. 343/2007 Coll.

\textsuperscript{11d)} § 2 section 8 of Act No. 212/1997 Coll.
§ 2 sections 1 and 4 of Act No. 167/2008 Coll. on periodical press and intelligence agencies and on the change and completion of certain acts (press law).

§ 2 section 3 of Act No. 212/1997 Coll. on the deposit copies of periodical publications, occasional publications and the copying of audio-visual works.

Act No. 49/2002 on the protection of monuments in the wording of Act No. 479/2005 Coll.”

19. § 6 and 7, including titles, say:

§ 6

Usage of the State Language in Armed Forces, Armed Services and Fire Departments

(1) The state language is used in official contacts in the Army of the Slovak Republic, the Police Force, the Slovak Information Service, the law enforcement and justice systems of the Slovak Republic, the Railroad Police, the Fire and Rescue Services and the municipal police forces.

(2) The armed forces, the armed security services, other armed services and the fire departments conduct all their administration and documentation in the state language.

(3) The disposition made in Paragraph 1 does not apply to the air fleet while in flight and the international activity of the armed forces and armed services.

§ 7

Usage of the State Language in Court and Public Administration Proceedings and the Bodies of Criminal Proceedings

(1) Mutual contact of the courts with citizens, court proceedings, public administration proceedings and criminal proceedings occur in the state language, the decisions and minutes of courts and public administrative bodies and bodies active in criminal proceedings are issued in the state language.

(2) The rights of persons belonging to national minorities and ethnic groups, or the rights of foreigners not having a command of the state language, resulting from specific regulations12), remain intact.

20. Footnote to reference 12 says:


21. In the title of § 8 the words “in industry, services and healthcare” are replaced by the words “in other fields of public relations”.

22. In § 8 paragraph 1 after the word „food“ is comma and the word „medicament“ is displaced with words „medicaments, electronics and drugs,“.

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23. In § 8 paragraph section 1 at the end dot is omitted and to reference 13 the following text is added: „to the extent and under conditions stated by specific regulation. 13)“.  

In the footnote to reference 13 the quotation “§ 9 sections 1 and 2 and § 11 of Act No. 634/1992 Coll. on consumer protection. The Act of the National Council of the Slovak Republic No. 152/1995 Coll. on food” is replaced by the quotation: For example the Act of the National Council of the Slovak Republic No. 152/1995 Coll. on food products in the wording of subsequent regulations, § 24 of Act No. 140/1998 Coll. on medicine and healthcare equipment, on the change of Act No. 455/1991 Coll. on trade (trade law) in the wording of subsequent regulations and on the change and completion of the Act of the National Council of the Slovak Republic No. 220/1996 Coll. on advertising, § 13 of Act No. 250/2007 Coll. on consumer protection and on the change of the Act of the Slovak National Council No. 372/1990 Coll. on offences in the wording of subsequent regulations”.

24. In § 8 sections 2 to 4 say:  
“(2) Written legal procedures in a labour relation or in an analogous labour relation are formulated in the state language; besides the version in the state language it is possible to formulate a version in another language with the identical content.

(3) Financial and technical documentation, constitutions of associations, societies, political parties, political movements and trade companies, are formulated in the state language; besides the version in the state language, it is possible to formulate a version in another language with the identical content. The usage of the state language for Slovak technical norms is modified by a particular regulation.14)

(4) The agenda of healthcare institutions and the institutions of social services is formulated in the state language. The communication of the staff of these institutions with patients or clients is generally carried out in the state language; if there is a patient or client who does not have a command of the state language, communication may be carried out in a language in which it is possible to understand the patient or client. The patient or client belonging to a national minority can use their own mother tongue when communicating with the staff of these institutions in settlements, where the language of the national minority is used in official contact according to a particular regulation15). The members of staff are not obliged to have a command of the language of the national identity.”

Footnotes to references 14 and 15 say:  
“14) Act No. 264/1999 Coll. on the technical conditions for products and on the judgement of accordance and on the change and completion of certain acts in the wording of subsequent regulations.

15) § 2 section 2 of Act No. 184/1999 Coll.”

25. In § 8 section 5 the words “public and legal authorities” are replaced by the words “authorities and legal persons according to § 3 section 1“.

26. In § 8 section 6 says:  
“(6) All writings, advertisements and announcements intended to inform the public, especially in shops, sports halls, restaurants, in the street, by and over the roads, at airports, bus stations and railway stations, in the vehicles of public transport are formulated in the state

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language. If translated into other languages, the other-language texts follow the texts in the state language and their content has to be identical with the content of the text in the state language. The other-language text is written with letters of the same or smaller size than the text in the state language.”

27. § 9 including the title says:

§ 9
Supervision

(1) Adherence to obligations according to § 3 to 4, § 5 section 3, section 4 letter b), sections 5 to 7 and § 6, § 7 in public proceedings and in the proceedings of the authorities of criminal proceedings, § 8 section 2 and 6 the communication of the personnel of health care institutions and social institutions except of advertisement with clients and patients apart from advertisements, on which the supervision is provided by authorities according to a particular regulation and § 11a is supervised by the Ministry of Culture. Besides the duty of supervision, the Ministry of Culture also takes account of the codified form of the state language according to § 2 section 3.

(2) When carrying out the duty of supervision, in line with the regulation on the supervision of state administration, the persons appointed with the duty of supervision according to section 1 are

a) obliged to show up a licence of the particular authority of supervision and a written commission of supervision,

b) authorised to claim for necessary collaboration, especially providing information, data, written or oral explanation, documents and appropriate written materials,

c) obliged to write minutes of accomplished supervision.

(3) Authorities and legal persons according to § 3 section 1, natural persons entrepreneurs and legal persons are obliged to enable supervision for authorised persons and provide them with necessary collaboration.”

Footnotes to references 16 and 17 say:

“16) § 3 section 6 and § 11 section 3 letter b) of Act No. 147/2001 Coll. on advertising and on the change and completion of certain acts in the wording of subsequent regulations.

17) § 8 to 13 and § 16 of the Act of the National Council of the Slovak Republic No. 10/1996 Coll. on the supervision of state administration.”

28. § 9 is replaced by § 9a, which, including the title, says:

“§ 9a
Fines

(1) If the Ministry of Culture discovers violation of obligations in the range according to § 9 section 1 and authorities and legal persons according to § 3 section 1, natural persons entrepreneurs or legal persons, after a repeated written notice still do not eliminate the illegal state within the given period or if they do not carry out the correction of discovered violations in the given period of time, authorities and legal persons according to § 3 section 1, natural persons entrepreneurs and legal persons are imposed a fine from 100 to 5 000 EUR by the Ministry of Culture.

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(2) The decree on imposing a fine has to include the deadline of eliminating the illegal state. If the state in accordance with this act is not reached within the period of time given in the decree, the Ministry of Culture imposes another fine which is the double amount of the originally imposed fine.\textsuperscript{18} Further fines can be imposed within two years from the day the defaults have to be eliminated, determined in the decree on imposing a fine.

(3) A fine can be imposed within one year from the day of the notification of default by the Ministry of Culture; the latest time is within three years from the day the obligation was violated. When imposing a fine, mainly the extent, consequences, duration and the repetition of illegal action is taken into consideration.

(4) The fine is due within 30 days from the time the decree that imposes the fine comes into force, if there is no other later deadline determined in it. A general regulation on administrative procedure\textsuperscript{18} refers to the process of imposing a fine.

(5) Yield of fines imposed according to this act is the income of the state budget.”

Footnote to reference 18 says:
\textsuperscript{18} Act No. 71/1967 Coll. on administrative proceedings (administrative order) in the wording of subsequent regulations”.

29. § 10 including the title says:

“\$ 10
Report on the State of the Usage of State Language

(1) The Ministry of Culture submits a report to the Government on the state of the usage of the state language on the territory of the Slovak Republic once every two years.

(2) For the purpose laid in section 1, the Ministry of Culture is entitled to request information and written documentation about the usage of the state language in their sphere of action from authorities and legal persons according to § 3 section 1.

(3) The Ministry of Culture submits the first report according to section 1 until 31\textsuperscript{st} March 2012.”

30. § 11, including the title, says:

“\$ 11
Common and Temporary Provisions

(1) The state language for the purposes of § 3 to 8 means the codified form of the Slovak language according to § 2 section 3; while the Act does not exclude the usage of new foreign-language scientific terminology, concepts or the designation of new phenomena, which do not have a codified and accustomed equivalent in the state language, as well as the functional usage of informal language especially in art and journalism.

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(2) The expenses of all modifications of information boards, titles and other texts according to this act are covered by the particular offices and other legal persons and natural persons. These modifications are carried out within one year from the day this Act enters into effect.

31. After § 11, § 11a is inserted, which, including the title, says:

§ 11a
Temporary Provision that Enters into Effect on 1st August 2009

Authorities and legal persons according to § 3 section 1, legal persons, natural persons entrepreneurs and natural persons are obliged to remove the state not adequate to provisions § 3 section 3 letter d), § 5 section. 5 and 7 and § 8 section. 6 until 31st December 2009. If its about inscription in memorial or tablet with text in language of national minority, that was placed in memorial or tablet before 1st of September 2009, and is followed by principle identical meaning in state language in the same or with bigger letters as language if national minority, this does not apply to that kind of inscription responsibility written in previous sentence.

ARTICLE 2

The Act of the National Council of the Slovak Republic No. 191/1994 Coll. on the naming of settlements in the languages of national minorities is changed in the following way:

In § 1 section 2 and in § 2 the words “in the official language” are replaced by the words “in the state language”.

In the footnote to reference 1 the quotation “§ 3 section 4 of the Act of the National Council of the Slovak Republic No. 428/1990 Coll. on the official language of the Slovak Republic” is replaced by the quotation “§ 3a of the Act of the National Council of the Slovak Republic No. 270/1995 Coll. on the state language of the Slovak Republic in the wording of Act .../2009 Coll.”.

ARTICLE 3


In § 9 Section 1. the words “in state language” are displaced by the words “in the codified version of the state language”.

ARTICLE 4


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In § 67 Section 2 Letter c, after the words “§ 23” comma and the words “§ 24” are inserted.

ARTICLE 5

Act No. 184/1999 Coll. on the usage of the languages of national minorities is changed in the following way:

§ 6 is left out.

ARTICLE 6


1. In § 67 section 1 the words “3 000 SKK to 1 000 000 SKK” are replaced by the words “99 EUR to 33 193 EUR”.

2. In § 67 section 2 the words “5 000 SKK to 200 000 SKK” are replaced by the words “165 EUR to 6 638 EUR” and the words “3 000 SKK to 50 000 SKK” are replaced by the words “99 EUR to 1 659 EUR”.

3. § 67 section 2 is completed with letter m), which says: “m) did not fulfil commitment according to § 16 letter g).”

4. In § 67 section 3 the words “20 000 SKK to 2 000 000 SKK” are replaced by the words “663 EUR to 66 387 EUR” and the words “3 000 SKK to 600 000 SKK” are replaced by the words “99 EUR to 19 916 EUR”.

5. In § 67 section 4 the words “50 000 SKK to 3 000 000 SKK” are replaced by the words “1 659 EUR to 99 581 EUR”.

6. In § 67 section 5 the words “100 000 SKK to 5 000 000 SKK” are replaced by the words “3 319 EUR to 165 969 EUR” and the words “15 000 SKK to 1 500 000 SKK” are replaced by the words “497 EUR to 49 790 EUR”.

7. In § 67 section 6 the words “100 000 SKK to 2 000 000 SKK” are replaced by the words “3 319 EUR to 66 387 EUR” and the words “30 000 SKK to 600 000 SKK” are replaced by the words “995 EUR to 19 916 EUR”.

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8. In § 67 section 7 the words “20 000 SKK to 4 000 000 SKK” are replaced by the words “663 EUR to 132 775 EUR” and the words “6 000 SKK to 500 000 SKK” are replaced by the words “199 EUR to 16 596 EUR”.

9. In § 67 section 8 and 9 the words “50 000 SKK to 5 000 000 SKK” are replaced by words “1 659 EUR to 165 969 EUR”.

ARTICLE 7

Act No. 757/2004 Coll. on courts and on the change and completion of certain acts is completed in the following way:

In § 74 section 1, after letter e), a new letter f) is inserted, which says: “f) guarantees the usage of state language in line with a particular regulation,34a)”. The present letters f) and g) are designated as letters g) and h).

Footnote reference 34a says: “34a) § 3 and 7 of the Act of the National Council of the Slovak Republic No. 270/1995 Coll. on the state language of the Slovak Republic in the wording of subsequent regulations.”.

ARTICLE 8

Act No. 250/2007 Coll. on Consumer Protection and on the modification of the Act No. 372/1990 Coll. on Offences in the wording of subsequent regulations in Act No. 397/2008 is changed in the following way:

In § 13 the words “in state language” are displaced by the words “in the codified version of the state language”.

ARTICLE 9


ARTICLE 10

This Act will enter into effect on 1st August 2009.

President of Slovak Republic

Speaker of the National Council of Slovak Republic

Prime Minister of Slovak Republic

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