

440
ACT
of 26 November 2015
on sport and on the amendment of certain acts

The National Council of the Slovak Republic has enacted as follows:

Article I

PART ONE
GENERAL PROVISIONS

§1

Scope

This Act governs sport, persons involved in sport, legal relations in sports activities, the purview of public bodies and public authorities operating in sport and measures against negative phenomena in sport.

§2

Public interest in sport

The public interest in sport is the promotion and development of sport among youth, ensuring the preparation and participation of the sports representation of the Slovak Republic (hereinafter referred to as "Sports Representation") at a major sports competition, the protection of the integrity of sport and the promotion of a healthy way of life for the population.

§3

Interpretation

For the purposes of this Act –

- a) sports activity means the performance, organisation, controlling, management, promotion and development of sport;
- b) professional sport means the systematic preparation of an athlete with a view to achieving top sports results in a competition and his or her participation in an international competition or the highest national competition;
- c) governmental sports centre means a state budget organisation,¹⁾ ensuring
 1. the preparation of professional athletes included in the governmental sports centre on the basis of a proposal from the national sports federation selected from the list of the best athletes for the Sports Representation,
 2. the employment and social security of professional athletes included in the governmental sports centre,
 3. the provision of health care by a health care provider under a special regulation²⁾ to professional athletes included in the governmental sports centre, and
 4. care for sports infrastructure in its administration;
- d) list of elite athletes means a list of sports representatives in the category of adult and talented athletes selected on the basis of performance criteria;
- e) sport for all means sport intended for the population, performed in an organised or unorganised manner for the purposes of fulfilling the social, cultural and health benefits of sport;
- f) recognised sport means sport recognised by
 1. the International Olympic Committee and international sports organisation SportAccord,
 2. International Paralympic Committee,
 3. International Committee of Sports for the Deaf, or
 4. international movement of Special Olympics;
- g) sporting event means organised performance of sports under the rules set out by a sports organisation, the aim of which is to achieve sports results or score or compare sports performance;

¹ § 21 of Act no. 523/2004 Coll. of the budgetary rules of general government and on the amendment of certain acts as later amended.

² § 4 of Act no. 578/2004 Coll. on health care providers, health care workers, professional associations in health care and on the amendment of certain acts as later amended.

- h) major sporting event means
1. international sporting event under the jurisdiction of the International Olympic Committee and International Paralympic Committee,
 2. international sporting event in the jurisdiction of the International Committee of Sports for the Deaf, international movement of Special Olympics, International University Sports Federation and International School Sport Federation,
 3. world championships, European championships, world cup and other world sporting event in a recognised sport under point (f) of the first and second points, or
 4. world and European championships in a recognised sport under point (f) of the third and fourth point,
- i) sporting event rules means rules for a specific sporting event specified by its organiser which include mainly
1. conditions for participation of individuals or participation conditions for teams in the sporting event,
 2. sporting rules governing the sporting event, and
 3. means of settling disputes arising in connection with participation in a sporting event;
- j) integrity in sports means principles safeguarding the natural uncertainty and unpredictability of the course and results of a competition and the same rules and conditions for participants in a sporting event before the start and throughout the course of the competition;
- k) sports organisation membership means membership based on
1. participation in a sporting event for a sports organization,
 2. participation in a sporting event organised or controlled by a sports organisation or other legal entity commissioned by the sports organisation to organise or control such sporting event,
 3. participation in organising or controlling a sporting event by a sports organisation or other legal entity commissioned by the sports organisation to organise or control such sporting event,
 4. registration for a sports organization,
 5. sports representation,
 6. membership or volunteering relationship in respect of a sports organisation,
 7. contractual relationship with a sports organisation concerning sports activities in the case of an athlete or a sports expert,
 8. participation in controlling and governance of a sports organisation,
 9. participation in the preparation for a sporting event and participation in a sporting event as an athlete's or team's entourage,
 10. membership in another sports organisation that is a member of the sports organisation;
- l) foundation document means statutes, articles of incorporation, foundation charter, memorandum of association, memorandum of foundation, founders' deed or other document proving the foundation or establishment of the sports organisation;
- m) sports federation means a sports organisation that is a civil association bringing together other sports organisations, athletes and sports experts;
- n) youth means athletes under 23 years of age; in the case of an athlete participating in a sporting event, until the end of the competition period in which he or she has reached 23 years of age;
- o) sports infrastructure means stadium, sports hall, pitch, gym and other indoor or outdoor sports facility intended for performing sports;
- p) sports infrastructure of national importance means sports infrastructure meeting the requirements of the international sports organization and which is intended for an international sporting event or for preparation of sports representatives;
- q) source records mean records of a sports organisation where the data regarding an individual or a legal entity originated;
- r) publication means publication of information in an sports information system;
- s) entry means entering data, data changes or deleting data on individuals or legal entities in sport in or from the sports information system.

PART TWO PERSONS IN SPORT

CHAPTER ONE ATHLETE AND SPORTS EXPERT

Athlete

§4

- (1) An athlete performs sport as a professional athlete, an amateur athlete or as unorganised athlete.
- (2) A professional and amateur athlete performs sport in a sports organisation in which he or she is registered in its source records.
- (3) Professional athlete performs sport

- a) under a professional sports contract, if the performance of his or her activity qualifies as dependent work,³⁾
- b) on the basis of employment or similar labour relationship under a special regulation⁴⁾ in a governmental sports centre, or
- c) as a self-employed person.

(4) Amateur athlete performs sport

- a) under an amateur sports contract, if
 1. the extent of sport performed and if qualified as a dependent work, does not for the period of one calendar year exceed eight hours a week, five days a month or 30 days in a calendar year,
 2. the sports contract does not oblige the athlete to participate in the preparation for a sporting event, or
 3. sport is performed within one sporting event or multiple interrelated sporting events within a brief time period,
- b) under a contract on the preparation of a talented athlete,
- c) under a work agreement outside employment, or
- d) without a contract.

(5) Talented athlete means an athlete under 18 years of age, who has shown a high level of talent, sports skills and abilities and who is included in the list of talented athletes; the regulation of the national sports federation may determine a higher age limit for talented athletes, at most under 23 years of age.

(6) Active athlete means an athlete that in the last year participated in a sporting event in the sport for which he or she is registered in the source records, organised by a sports organisation.

§5

(1) The athlete has the right to choose the sports club in which he or she will perform the sport. Where the regulations of the national sports federation do not preclude so, the athlete may perform sport simultaneously in several sports clubs.

(2) The athlete's right referred to in paragraph 1 above is limited if

- a) the legal relationship between the athlete and the sports clubs established under a professional sports contract, amateur sports contract, contract on the preparation of a talented athlete or work agreement outside employment is still effective, or
- b) sports club chosen by the athlete, in accordance with the regulations of the sports federation where the sports club is a member, does not agree with the registration of the athlete.

(3) In order to protect the integrity of sport the sports federation can, within the scope of its purview, restrict the athlete's right under paragraph 1 above by means of regulations of the sports federation, where it shall determine

- a) the period of time during one competition period in which the change of club membership of the athlete is restricted or prohibited,
- b) conditions for making the change in the athlete's club membership during the commenced competition period,
- c) the conditions for cancelling a sports club registration and for a new registration for a different sports club,
- d) the maximum number of changes in the athlete's club membership during one competition period or period of time otherwise defined.

(4) A change in an athlete's club membership shall not be conditional upon financial consideration or other fulfilment between sports clubs; this does not apply if the athlete's legal relationship takes to the sports club is established by a professional sports contract, an amateur sports contract, contract for the preparation of a talented athlete or an work agreement outside employment. Claims of the sports club for training and other performances related to the preparation of the athlete in the sports club according to the regulations of the sports federation are not affected by this. Change in athlete's club membership shall not be conditioned on financial consideration or other fulfilment from the side of the athlete or his or her legal representative. The period for changing club membership based on a request of a sports club and the period for making the change in club membership based on a request of the athlete or his or her legal representative shall be determined by the regulations of the sports federation and shall be of equal duration“.

(5) Sports organizations can cancel registration of the athlete for the sports organisation without the athlete's consent or without the consent of the legal guardian of a minor athlete only for the reasons determined in the regulations of the national sports federation or national sports organisation.

(6) When performing sport an athlete may without his or her consent be monitored by the athlete's home sports organisation, unless § 90 (5) stipulates otherwise. The monitoring can constitute video, audio, audiovisual records and records on the physical performance of the athlete. Records resulting from the monitoring shall be safekept by the athlete's home sports organisation, at most for 12 years from the day of their creation.

(7) Monitoring of an athlete pursuant to paragraph 6 above may be carried out solely for the purposes of assessing the sporting performance of the athlete, the athlete's preparation or property assessment of the records by the sports organisation. Use of recordings may not be in conflict with the legitimate interests of the athlete and may not interfere unjustifiably with his or her right to privacy protection beyond what is necessary to achieve the purpose of monitoring and recording of the athlete's sporting performance.

³ § 1 (2) of the Labour Code as later amended.

⁴ For example, § 16 of Act no. 73/1998 Coll. on civil service of the members of the Police Force, Slovak Intelligence Service, Prison and Court Guard of the Slovak Republic, and Railway Police as amended by Act no. 201/2004 Coll., § 16 of Act no. 200/1998 Coll. on civil service of customs officer and on the amendment of certain further act as later. amended, Act no. 281/2015 Coll. on civil service of professional soldiers and on the amendment of certain acts

(8) The medical fitness of elite athlete and talented athlete to conduct a specific sport shall be assessed by a physician specialising in the field of sport and exercise medicine, on the basis of a medical examination carried out by such physician. An amateur athlete who is not an elite or talented athlete, and an athlete in sport for all performs sport at their own liability. The national sports federation, national sports organisation or other organiser of a sporting event may in its regulations or rules for the sporting event define, as a condition of participation in the sporting event, that athlete must produce a proof of his or her medical fitness to conduct the sport.

(9) Medical services included in the medical examination of an elite athlete and talented athlete are not covered by public health insurance; this does not apply in the case of medical services that are part of preventive examination under a special regulation.⁵⁾

Sports expert

§6

(1) A sports expert is

- a) Sports coach and instructor;
- b) an individual carrying out professional activities in sport on the basis of professional qualifications acquired under a special regulation,⁶⁾
- c) an individual carrying out professional activities in sport on the basis of qualifications specified in the regulations of the sports federation;
- d) an individual carrying out professional activities in sport requiring professional qualifications in accordance with the rules of a sporting event and the regulations of the sports federation;
- e) sports organisation controller (hereinafter referred to as the "Controller");
- f) sports organisation officer;
- g) anti-doping commissioner.

(2) Sports expert shall be entitled to conduct activities pursuant to paragraph 1 (a) to (e) from the day of sports expert's registration in the register of individuals in sport.

(3) Sports expert under paragraph 1 (a) to (e) performs the activities of a sports expert as a self-employed individual, unless

- a) the activities qualify as dependent work 2); or
- b) agrees otherwise with the sports organisation.

§7

(1) Integrity is required to pursue the activities of a sports expert. The condition of integrity must be met at all times of conducting the activities of a sports expert.

(2) A person of integrity is deemed to be a person who has not been convicted for a particularly serious crime;

- a) premeditated offence against life and health, premeditated offence against freedom and human dignity, premeditated offence against the family and youth, generally dangerous premeditated offence, premeditated offence against the republic, premeditated offence against the public order matters, premeditated offence against other rights and freedoms; or
- b) other offence other than that specified in points (a) and (b), committed using gun, violence, threat of imminent violence, threat of other serious harm or coercion.

(3) A person of integrity is also deemed to be the individual who has been vindicated of the criminal conviction under paragraph 2 above or who is looked upon as if not convicted for such offence.

(4) Integrity is proven at the time of registration of individuals in sport by way of a written affidavit; in the case of carrying out activities of a sports expert in youth sport, by way of criminal records extract not older than three months. Where the competent authorities of the Member States of the European Union or the competent authorities of third countries do not issue such a document, the criminal records extract shall be replaced by a similar document issued by the competent authority, not older than three months.

(5) A sports expert shall forthwith notify the sports organisations where he or she works as a sports expert of the loss of integrity.

(6) The sports expert shall upon request demonstrate without delay a document on his or her professional qualifications to pursue the activities of a sports expert.

(7) In carrying out the activities of a sports expert, the sports expert can be, without his or her consent, monitored by sport expert's home sports organisation, and video, audio or audiovisual records may be made, unless § 90 (5) stipulates otherwise. The monitoring conditions under §5 (6) and (7) shall equally apply to the sports expert.

⁵ § 2 (2) to (4) of Act no. 577/2004 Coll. on the scope of health care covered on the basis of public health insurance and on the healthcare services related payments.

⁶ For example, § 33 of Act no. 578/2004 Coll. as later amended, §§ 10 to 13a of Act no. 1/2014 Coll. on organising public sporting events and on the amendment of certain acts as amended by Act no. 440/2015 Coll.

CHAPTER TWO SPORTS ORGANISATIONS

Sports organisation

§8

(1) Sports organisation means a legal entity whose line of business or aim of activities are sports activities; a sports organisation is not a public authority.

(2) It is mandatory that a sports organisation be entered in the register of legal entities in sport.

(3) A sports organisation shall keep source records of persons, its members. Data kept on natural persons in the source records shall be in the scope of § 80 (2) (a), (b), (d) to (r) and (4) to (7).

(4) Sports organisation that has concluded with an athlete a professional sports contract, amateur sports contract, or contract on the preparation of a talented athlete shall be required to present such contract within 30 days of its execution for the purposes of entering the contract in the register of contracts and agreements maintained by the national sports federation or home sports organisation.

(5) The meeting of the supreme body of a sports organisation and elections to the bodies of a sports organisation are recorded in the minutes that are safekept by the sports organisation for the period specified in the founding document, and which shall not be less than six years. The minutes shall also contain the full name and position of persons participating at the meeting.

(6) A sports organisation shall be required to

- a) ensure within its competence that the rules of the World Anti-Doping Programme, measures against manipulation of sports competition course and results and other measures against negative phenomena in sport under international laws and decisions are complied with; and
- b) arrange in its regulations the negative phenomena under point (a) above as serious disciplinary offences.

(7) If the performance of sports activities require professional qualifications, the sports organisation is obliged to ensure that such sports activity is performed under the expertise of a sports expert.

(8) A sports organisation has the right to grant its consent to the use of video, audio and audiovisual transmissions and recordings from competitions and other events it organises.

(9) Sports organisation organising a sporting event holds the exclusive rights to the designation of the sporting event with the name, distinctive visual symbol, distinctive audio signal, and exclusive rights to use such designation.

A sports organisation is required to enable a person who is its member to participate in the sports representation team.

§9

Financial management of a sports organisation

(1) A sports organisation having the legal form of a civic association and being a beneficiary of public funds⁷⁾ collects from its members an annual membership fee for its activities.

(2) A sports organisation can in relation to its sports activities also carry out other gainful activities that may constitute gainful activity.

(3) The accounting period of a sports organisation is a calendar year.

(4) A sports organisation having the legal form of a civic association and being a beneficiary of public funds is required to have annual financial statements and annual report audited by an auditor if

- a) revenues from public funds during the accounting year for which the annual financial statements are prepared exceed EUR 100 000; or
- b) all revenues of the sports organisation in the fiscal accounting year for which the annual financial statements are prepared exceed EUR 400 000.

(5) The annual report shall contain

- a) overview of the activities and projects performed;
- b) overview of sports results attained;
- c) annual financial statement, evaluation of basic data contained therein and the auditor's opinion on the annual financial accounts, if audited;
- d) overview of revenues by source and origin;
- e) name, surname of natural persons and name, address and identification number of legal entities to whom the sports organisation provided funds from its budget in excess of EUR 5 000, and the purpose for which the funds were intended;
- f) overview of costs of the sports organisation and separately an overview of costs outlaid in running the sports organisation, labour costs, remuneration or reimbursement expenses under a special regulation;⁸⁾

⁷⁾ § 2 (a) of Act no. 523/2004 Coll.

⁸⁾ Act no. 283/2002 Coll. on travel expense reimbursement as later amended.

- g) balance and movement of assets and liabilities;
- h) proposal for the use of profit or settlement of the loss;
- i) changes made in the founding document and other regulations;
- j) changes in the composition of bodies;
- k) other data according to the regulations of the sports organisation.

(6) If under paragraph 4 the sports organisation is the founder of or associate in a commercial company and holds a stake or shares in a commercial company, the annual report shall also include information under paragraph 5 concerning such commercial company.

(7) The annual report shall be prepared within the time given by the supreme body of the sports organisation or within the time defined in the founding document, not later than six months after the end of the accounting period. The annual report shall be published within 15 days after its consideration by the supreme body of the sports organisation and archived in the register of annual financial statements under a special regulation,⁹⁾ not later than on 31 July of the following calendar year following the end of the accounting period.

Control at a sports organisation

§ 10

(1) A sports organisation that is a beneficiary of public funds shall be obliged to create conditions for independent internal control. If the sports organisation has received for two immediately consecutive accounting periods public funding in excess of EUR 50 000 per year, it shall be required to set up and fill the position of a controller, not later than on 30 June of the following year.

(2) A sports organisation with the position of a controller pursuant to paragraph 1 above shall be required to keep the position of a controller set up and filled throughout the period in which it is the beneficiary of the funds from the state budget.

§ 11

Conditions for the position of controller

(1) For a controller may be elected or otherwise established a natural person who

- a) has full legal capacity;
- b) is a person of integrity; and
- c) fulfils the qualification requirements.

(2) Qualifications to perform the duties of a controller are

- a) four years' experience in organising, managing or governing sport;
- b) attainment of at least the general secondary education or secondary vocational education and at least two years of experience in organising, managing or governing sport;
- c) attainment of at least first degree of university education in economics, management or law; or
- d) attainment of at least a master's university degree in a field of study other than that of point (c) above and at least one year experience in organising, managing or governing sport.

(3) In order to perform the duties of the controller in a national sports federation and the controller in a national sport organisation, in addition to meeting the conditions referred to in paragraph 2 the controller is required also to possess expertise demonstrated by passing a written expertise test focused on the areas related to the control and governance of the sports organisation. Performance of the controller's test is ensured by the Ministry of Education, Science, Research and Sport of the Slovak Republic (hereinafter referred to as the "Ministry of Education"). The test must be carried out within three months of establishing the controller into the function. The controller shall prove his or her expertise by passing the test every two years from the day of taking the test.

(4) Fulfilment of the condition under paragraph 1 (c) is confirmed by a certificate of education and a certificate of practice.

(5) The controller shall lose his or her competence to perform the duties of the controller, if

- a) he/she no longer fulfils the conditions under paragraph 1; or
- b) he or she fails to demonstrate the professional expertise under paragraph 3.

(6) The duties of a controller are incompatible with the duties of a member of the supreme body, statutory body, executive body, disciplinary body, dispute settlement body and licensing body of the sports organisation, in which the duties of a controller are being performed.

§ 12

Controller

(1) The controller is the supreme control body of a sports organisation.

⁹ § 23 of Act no. 431/2002 Coll. on the accounting as later amended.

(2) Where, in accordance with the founding document of the sports organisation a control body is established, this body performs the role of controller. If the control body is a collective body, the duties of the controller are performed by its chairman.

(3) The controller, according to the founding document of the sports organisation, is elected or otherwise appointed to the post by the supreme body of the sports organisation for a term of office that is at least one year longer than the term of office of the chief executive body, for at least three years.

(4) The position of the controller shall be terminated with the loss of capacity to perform the duties of the controller according to § 11 (5), or on the basis of a decision of the disciplinary body of the sports organisation due to a serious breach of the duties of the controller.

(5) The controller may be recalled from the position by the supreme body of the sports organisation, by a two-thirds majority of all the members of the supreme body, stating the reason for the recall.

(6) The controller shall be entitled to reimbursement of expenses effectively and demonstrably incurred in relation to the duties of the controller. Travel allowance shall be provided under a special regulation.⁸⁾

(7) The controller may be paid compensation for lost time and remuneration for performing the duties of the controller, the amount or method of determining its amount shall be approved by the supreme body of the sports organisation.

§ 13

Tasks of the controller

(1) The controller in performing his or her duties shall proceed in a manner that prevents any serious breach of an obligation arising from legal regulations, regulations and decisions of the sports organisation (hereinafter referred to as a “Shortcoming”) and any sanctions, measures and other negative consequences for the sports organisation and people within its purview, imposed by virtue of such Shortcoming. To that end the controller shall provide consultation and counselling for the bodies of the sports organisation and bodies of its members.

(2) The controller shall continuously carry out control activities focused in particular on

- a) economy, efficiency, effectiveness and expedience of the use of public funds;
- b) compliance with legal regulations; and
- c) compliance with regulations and decisions of the sports organisation.

(3) The controller shall also

- a) perform continuous control of the minutes of the supreme body meetings and their proper publication;
- b) advise the statutory body of any discrepancy between the information subject to mandatory publication and the information contained in the source records;
- c) advise the statutory body, supreme body and supreme executive body of any identified Shortcomings and recommend the procedure that is in accordance with the law and regulations of the sports organisation; when finding a serious Shortcoming, the controller shall propose preventive and corrective measures and set the period for its remedy;
- d) consult with a controller of the home sports organisation if a significant Shortcoming has been identified;
- e) prepare an annual report on the activities of the controller and presented to the supreme body of the sports organisation.

(4) The controller of the national sports federation and national sports organisation holds jurisdiction pursuant to paragraphs 2 and 3 and

- a) carries out consulting activities for the controllers of sport organisations that are members of the national sports federation or national sports organisation;
- b) assesses compliance of the course of meetings, practices and decisions of bodies of the national sports federation or national sports organisation with the legal regulations, regulations and decisions of the national sports federation or national sports organisation, international sports organization and other sports organisation, where the national sports federation or national sports organisation is a member;
- c) participate at meetings of the supreme body, supreme executive body, control bodies, and if the controller deems it necessary, also at meetings of other bodies of the national sports federation or national sports organisation;
- d) supervise the preparation and orderly conduct of elections of members in the bodies of national sports federation or national sports organisation and participate in the meetings of the election commission, including the counting of votes.

(5) The comptroller of the national sports federation and national sports organisation is authorised to carry out the duties under paragraph 4 (b) to (d) also in a sports organisation that is a member of the national sports federation or national sports organisation.

§ 14

Control practice

(1) The controller carries out control activities on the basis of

- a) own initiative;
- b) initiative of the bodies of sports organisation;
- c) initiative of a person belonging to the home sports organisation;
- d) Initiative of the main sports controller; or

e) initiative of the Ministry of Education.

(2) In performing control activities the controller is entitled to require within the necessary extent and time period defined by the controller

- a) the provision of originals or certified copies of documents, papers, data records on computer storage media, their statements, manifestations, outcomes, information, documents, and other source documents other than those already available to the controller;
- b) fulfilment of measures to correct Shortcomings identified in control and removal of their causes.

(3) The controller is entitled to make copies of the source documents pursuant to paragraph 2 (a) in order to carry out control and other procedures justified by the control outcomes. The controller shall confirm receipt of these documents in writing and return them without delay to the person from whom the documents were requested, unless they are needed for carrying out further control.

(4) A sports organisation and the people within its purview shall be obliged to provide the controller in his or her control activities the necessary cooperation within the scope of paragraphs 2 and 3, within the time period defined by the controller.

(5) A sports organisation shall be required to ensure for the controller the access to the source documentation under paragraph 2 (a) in commercial companies in which the sports organisation holds a stake or shares of the company with the related majority of voting rights, and to provide the controller with the necessary cooperation.

(6) Cooperation to the extent under paragraphs 3 to 5 shall be provided by the sports organisation and person within its purview also to the main sports controller.

(7) Sports organisation shall be entitled to make a manifestation in writing as regards the identified Shortcomings, proposed measures and periods for meeting the measures referred to in the draft report on control activity, within the period defined by the controller.

(8) If a sports organisation after being notified of a serious Shortcoming identified during control activity fails to remove such serious Shortcoming within the period specified by the controller, the controller shall immediately, not later than ten days after the vain expiry of the specified period, notify the main sports controller of the matter in the form of an initiative. The initiative shall include an advice, notification of the reasons for non-compliance and other source documents necessary for assessment of the matter. The controller shall proceed similarly also when the competent body of a sports organisation fails to notify within a specified period the reasons for refusal to comply.

(9) The results of control activity shall be processed by the controller into a report on control activity within ten days from the day of completing the control activity. In carrying out control activities without initiative the report shall be drawn up in case of detecting a serious Shortcoming. The report on control activity carried out at the initiative, after its consultation with the person whose activities were the subject of the control, shall be immediately sent by the controller to the body or person providing the initiative to carry out the professional control. Report on control activity shall include

- a) name, surname and date of birth of the natural person referred to in the report on control activity;
- b) origin of the initiative;
- c) subject of control;
- d) findings;
- e) control outcome and proposed actions;
- f) time period to respond to the Shortcomings identified;
- g) time period to meet the measures adopted to remedy the Shortcomings;
- h) date of commencement and completion of the control activity.

(4) The controller's practice during control activity shall not affect the performance of control under a special regulation.¹⁰⁾

§15

Sports club

(1) A Sports Club is a sports organisation that creates favourable conditions for performing sport, organising sporting events and the preparation and participation of individuals or teams in a sporting event.

(2) For the purposes of participation in a sporting event, dispute solving and disciplinary purposes the sports club is also deemed to be an association of persons grouped under an association contract,¹¹⁾ if a responsible representative has been determined.

(3) A sports club is required to ensure that an elite athlete and a talented athlete within its purview who performs sport that is based on physical activity, undergoes at least once a year a medical examination according to § 5 (8) in order to assess his or her medical fitness to perform the sport. Sports club is obliged to ensure that the athlete within its purview undergoes a medical examination also in cases when the proof of medical fitness to perform the sport has been prescribed in a regulation or rules of a sporting event by the national sports federation, national sports organisation or other organiser of the sporting event as a condition of athlete's participation at the competition for the sports club.

(4) When changing club membership through a transfer of the athlete to another sports club or in case of re-registration of the athlete in the same sports federation for another sports club, the new sports club shall pay education fee to the sports clubs in which the athlete was last registered, if so specified in the regulations of the sports federation; sports federation's regulations shall also determine the amount of or the method of determining the amount of the education fee. An education fee is paid up until reaching 23 years of age of the athlete provided that the athlete has not conclude his or her first professional sports contract before that.

¹⁰⁾ Act no. 357/2015 Coll. on the fiscal control and audit and on the amendment of certain acts.

¹¹⁾ §§ 829 to 841 of the Civil Code.

(5) Education fee means the costs incurred by the sports club in the preparation and training of the athlete; if the athlete was prepared in a team, the education fee shall also take into account the cost of preparing the team. The education fee shall not include the cost outlaid or secured via funding by the athlete or a person close to the athlete.

(6) An individual or legal entity may not have control or influence over two or more sports clubs whose teams of adults or adult individuals participate in the same sporting event, in particular such entity may not simultaneously be an associate, hold office in the bodies or hold a share in the voting rights of the bodies in such sports clubs, not even through a controlled or controlling person or through a holding company or an affiliate party under special regulations.¹²⁾

National sports federation

§16

National sports federation and its roles

(1) A national sports federation is a sports federation recognised by the Ministry of Education which meets the following conditions:

- a) it is a member of the worldwide governing international sports organisation for the particular sport;
- b) it has exclusive purview for the particular sport within the Slovak Republic;
- c) it has at least five competing sports clubs registered in the register of legal entities in sport and at least 100 active athletes registered for the sports club in the register of individuals in sport;
- d) it organises a national sporting event for adults and national sporting event for youth for at least two consecutive years;
- e) it ensures the selection and preparation of athletes for the sports representation and their participation for international sporting events; and
- f) it provides care for talented athletes.

(2) The national sports federation also

- a) represents, protects and promotes the interests of the particular sport in relation to the public authorities, international sports organisations and other sports organisations of which it is a member;
- b) proposes sports representatives for inclusion in the governmental sports centre;
- c) includes athletes in the list of talented athletes subject to performance criteria determined by the regulation of the national sports federation;
- d) maintains and annually publishes the list of talented athletes containing information within the scope of § 80 (2) (a), (b), (f), (k), (n) to (q);
- e) methodically manages and guides the preparation of talented athletes;
- f) organises and controls national sporting events and other competitions or delegates their organisation and control to another sports organisation;
- g) approves the terms and conditions for participation of a sports organisation in a sporting event under point (f) and grants to the sports organisation the right to participate in the sporting event on the basis of the satisfaction of such terms and conditions;
- h) maintains the list of sports representatives containing information within the scope of § 80 (2) (a), (b), (f), (k), (n) to (q);
- i) specifies the types of sports experts for the relevant sport, including the required professional qualifications to carry out the professional activities in sport, ensures their professional training and verifies their professional expertise;
- j) rewards athletes who have achieved outstanding sports results in elite sport, and personalities who have contributed to promoting and developing the particular sport;
- k) recognises professional qualifications of sports experts, unless a special regulation¹³⁾ applies to the recognition of the relevant professional qualifications;
- l) supports the construction of sports infrastructure.

(3) A national sports federation is also deemed to be a sports organisation whose members

- a) are members of various the worldwide governing international sports organisation for the particular sport;
- b) individually satisfy the conditions under paragraph 1 (c) to (f); and
- c) jointly satisfy the condition under paragraph 1 (b).

§17

Rights and obligations of a national sports federation

(1) A national sports federation shall publish on its website and in the sports information system

¹²⁾ § 66a of the Commercial Code.

§ 9 of Act no. 7/2005 Coll. on bankruptcy and restructuring and on the amendment of certain acts as amended by Act no. 348/2011 Coll.

¹³⁾ § 49 (1) (d), third point of Act no. 422/2015 Coll. on recognising documents on education and on recognising professional qualifications and on the amendment of certain acts.

- a) statutes and other regulations and amendments thereto no later than 15 days from the date of their approval,
- b) a list of members of the supreme body and their deputies in the scope of first name, last name, permanent address or similar place of residence and, in the case of deputies, also data on whom in the supreme body they represent,
- c) information on the date of meetings of the supreme body at least 15 days prior to the meeting,
- d) invitation and draft agenda for the meeting of the supreme body at least seven days prior to the meeting,
- e) minutes and attendance sheet from the meeting of the supreme body and the supreme executive body no later than 10 days from the date of the meeting,
- f) the report of the electoral commission no later than 15 days from the date of the elections,
- g) the composition, term of office, method and conditions of proposing candidates for elected positions and the elections to elected bodies,
- h) candidates for members of bodies, including their proposers no later than three days prior to the election day,
- i) rules of quorum of the various bodies of the national sports federation,
- j) the number of votes necessary for passing a decision at the various bodies of the national sports federation, and the number of votes necessary for constituting a qualified majority, number of votes necessary for a decision of the individual organs of the national sports federations and the number of votes required to reach a qualified majority,
- k) decisions of disciplinary bodies and decisions of dispute resolution bodies,
- l) information on the manner of using a contribution to a recognised sport.

(2) A national sports federation is required to

- a) have statutes in accordance with §19 to §23,
- b) incorporate into the national sports federation's regulations the rules of the World Anti-Doping Programme, measures against manipulation of the course and results of competitions, and other rules and safeguards against negative phenomena in sport, arising from international regulations and decisions,
- c) keep a register of contracts and agreements according to § 35, 39, 43, 47 and 48, and of amendments to them,
- d) provide cooperation to the Ministry of Education and other public authorities in carrying out tasks in the field of sport.

(3) A national sports federation, in the interest of protecting the integrity of sport, may set of rules and limitations in its regulations

- a) in connection with the passage or transfer of competition rights between sports clubs,
- b) in a change to the legal form or in the case of another legal-organisational change at a sports club as a participant in a competition of which it is the organiser.

§18

(1) A national sports federation may, for the purposes of doing business in connection with sports representation, set up a commercial company or acquire a shareholding in a commercial company, if it is the sole company partner in it, or if it is a company partner jointly with the state, a higher territorial unit, or municipality. the transfer of a shareholding or shares in such a commercial company to other persons is forbidden, other than the transfer of a shareholding or shares to the state, higher territorial unit, or municipality.

(2) A national sports federation may, for the purposes of the construction and operation of sports infrastructure, establish a commercial company or acquire a shareholding in a commercial company.

(3) A national sports federation can use profit company under paragraphs 1 and 2 or a share in the profits of the company in accordance with paragraphs 1 and 2 only to perform tasks according to § 16 paragraph. 1(d) to (f) and §2(l).

§19

Bodies of a national sports federation

(1) A national sports federation shall create its bodies and ensure their activity according to the following rules:

- a) members of the supreme body with a voting right shall be representatives of sports clubs, athletes, sports professionals and other members of the national sports association or representatives elected by sports clubs, athletes, sports professionals and other members of the national sports federation,
- b) members of the supreme body with a voting right may not be an official of the national sports federation only on the basis of performing an office in a body of the national sports federation,
- c) an elected member of the supreme body shall participate at meetings of the supreme body in person, or a deputy elected in the same way as a member of the supreme body may represent him; an elected member or his representative shall demonstrate their entitlement to participate at the meeting of the supreme body by submitting minutes of his election,
- d) a member of a supreme body who represents a sports organisation shall be the statutory body of the sports organisation or a person authorised by such body in writing, unless the sports organisation in its supreme body is not represented by a member elected under subparagraph (c),
- e) a member of the supreme body and supreme executive body shall be at least one representative of athletes, if he is proposed by an interest organisation of athletes, or at least 50 athletes,

- f) the supreme body shall elect members of the supreme executive bodies, chairman and vice-chairman of disciplinary bodies, dispute resolution bodies, licensing bodies and control bodies, if they are not elected by members of the national sports federation directly,
- g) disputes arising in the sporting activity of a national sports federation and in the sporting activities of persons affiliated to it, shall be resolved by dispute resolution bodies,
- h) bodies with decision-making competence shall exercise their competence independently of other bodies of the national sports federation,
- i) each member of a national sports federation may propose a candidate for elected office in the bodies of the national sports federation,
- j) each individual may candidate for elected office in the bodies of the national sports federation if he is proposed by a member of the national sports federation; where this concerns the election of a representative of an interest group of persons affiliated to the national sports federation, candidates are proposed by persons from this interest group,
- k) the recall of a member of an executive body, disciplinary body, dispute resolution body, licensing body or control body of a sports organisation shall be decided by the supreme body,
- l) the term of office of members of elected bodies shall be at most six years,
- m) members of bodies whose term of office has expired shall be entitled to perform the necessary steps and actions for ensuring the functioning of the national sports federation and sporting activity of its members up until election or appointment of new members to those bodies.

(2) The number of members, the method of creation and the method of voting by members of a supreme body (hereinafter referred to as the “delegates key”) must be set out in the statutes of the national sports federation.

(3) The delegates key must take into account

- a) the number of athletes or number of sports organisation associations and the level of competition in which it competes, and
- b) the principle of territoriality, if it is defined in the national sports federation statutes.

(4) Elections to the bodies of the national sports federation are performed at meetings of the supreme body or electronically via the sports information system in accordance with the national sports federation’s regulations.

(5) A statutory member and members of bodies of the national sports federation are required to perform their duties with due care and, in decision-making, to take account of the opinions of the controller and of expert bodies of the national sports federation; if their opinion differs, they are required to justify their decision and to publish it together with the relevant standpoint.

§20

Conflict of interests

(1) A national sports federation shall guard against a conflict of interests by providing for the incompatibility of the performance of an office in

- a) the control body, with office in the executive body, a disciplinary body, dispute resolution body or licensing body,
- b) the statutory body or in the executive body of the national sports federation of a member with duties of a position in the statutory body, or in the executive body of a supplier of goods or services for the national sports federation or of a member thereof.

(2) If, in a particular case there is or is a risk of a conflict of the interests of a member of a body of the national sports federation, or of a member thereof, this member may not participate in its discussions or decision-making. If there is doubt as to the existence or risk of a conflict of interests, the chair of the body shall decide as to which member this concerns; if it concerns the chair, the existence or a risk of conflict of interests, shall be decided by other members of the respective body by way of a secret ballot.

(3) A member of a national sports federation or a member thereof who decided in a matter at any stage shall be excluded from the decision-making in the same matter in the body deciding in a different stage or performing control activity in the same matter, or which performs review activity regarding the final decision of the sports Federation body, or a member thereof.

§21

Meetings of the national sports federation

(1) Meetings of the supreme body of the national sports federation are carried out under the following rules:

- a) ordinary meeting is held at least once a year;
- b) the invitation, draft agenda and documents for the meeting shall be sent to the persons entitled to participate in the ordinary meeting not later than seven days in advance;
- c) the agenda and proposals for its amendment shall be approved at the beginning of the meeting; as regards an issue which is not included in the approved agenda the supreme body may adopt only recommendations and opinions;
- d) in order to have a quorum for the meeting, the presence of an absolute majority of all the members of the supreme body with the right to vote shall be required and the decisions shall be adopted by a simple majority of the members present holding the right to vote; the statutes shall specify which decisions require a qualified majority;
- e) if the meeting fails to gain a quorum even an hour after the notified beginning of the meeting, the decision shall require an absolute majority of the members present provided that the practice referred to in point (b) has been complied with and provided that the subject of the meeting concerns only the agenda referred to in point (b);

f) an extraordinary meeting of the supreme body may be convened by the number of members as defined in the statutes, the supreme executive body, controller or other body empowered under the statutes; if the tenure of the members of bodies has expired and the new members of the bodies for a further tenure have not as yet been elected, any member of the national sports federation shall be entitled to convene an extraordinary meeting.

(2) Minutes of the meetings of the body with decision-making power shall include

- a) the approved agenda;
- b) the attendance sheet, minutes containing information on the election of a member to the body under § 19 (1) (c) and written powers of attorney, if presented;
- c) the list of source documents for individual items on the agenda and the method of approach used;
- d) important opinions and statements of the members of the body regarding the individual items on the agenda;
- e) decisions taken on individual items on the agenda, including voting results and dissenting opinion of a member who disagreed with the adopted decision or with its rationale, if requested so;
- f) first name, last name and signature of the chairman and the minute taker.

(3) The minutes of the meeting of the decision-making body shall be sent to all persons entitled to attend meetings of the competent body not later than 15 days from the date of the meeting.

§22

Decisions of the bodies of the national sports federation

(1) Decisions of the supreme body which, according to the statutes, require the approval of a qualified majority are the following:

- a) changes to the statutes;
- b) reorganisation of the sporting events;
- c) approval of entering into contracts, if the value of performance of the contract is greater than that set by the statutes;
- d) creation of a commercial company in accordance with § 18 of a commercial company of which the national sports federation is an associate or shareholder;
- e) transfer of a stake or shares held in a commercial company pursuant to § 18 or in a commercial company of which the national sports federation is an associate or shareholder;
- f) other decisions defined in the statutes of the national sports federation.

(2) The non-acceptance as a member of the national sports federation or the expulsion of a member from the national sports federation shall be decided by the supreme body; a decision on the expulsion of a member may also be taken by the disciplinary body on the basis of a serious disciplinary offence.

§23

Elections to the bodies of the national sports federation

(1) The preparation and proper conduct of elections to the bodies of the national sports federation shall be ensured by the election commission elected by the supreme body.

(2) At the request of a member of the supreme body or a member of the national sports federation the Ministry of Education shall determine an independent observer who shall be entitled to participate at the elections and the election commission meeting, including the vote count.

(3) The independent observer shall make a written report on the findings about the preparation, course and results of the elections, outlining the shortcomings detected. The observer shall be required to notify the election commission and the controller of the identified deficiencies immediately after their detection. The report of the independent observer shall be attached to the minutes of the elections.

(4) Reimbursement of reasonable and demonstrable costs related to the participation of an independent observer at the elections shall be borne by the relevant national sports federation.

CHAPTER THREE NATIONAL SPORTS ORGANISATIONS

§24

(1) National sports organisations are the Slovak Olympic Committee, Slovak Paralympic Committee and other sports organisation recognized by the Ministry of Education, which has been a member of a worldwide governing international sports organisation for at least two years and holds sole jurisdiction within the Slovak Republic for an Olympic sport for the deaf, sport of the special Olympics, university sport, school sport, sport for all, or for any other field of sport.

(2) The national sports organisation must have statutes in accordance with § 19 to 23.

§25

Slovak Olympic Committee and its tasks

- (1) The Slovak Olympic Committee is a national sports organisation that is a civic association.
- (2) The Slovak Olympic Committee, as a member of the international Olympic movement, enjoys the status and powers of a national Olympic committee under the Olympic Charter.
- (3) The statutes of the Slovak Olympic Committee are ratified by the International Olympic Committee.
- (4) The Slovak Olympic Committee performs in particular the following tasks:
 - a) control, develop, promote and protect the Olympic movement in the Slovak Republic;
 - b) ensure compliance with the Olympic Charter in the Slovak Republic;
 - c) support the development of sport in the Slovak Republic;
 - d) control and organise the sports representation at the Olympic Games and other sporting events organised by the International Olympic Committee, European Olympic Committees and Association of National Olympic Committees;
 - e) represent the Slovak Republic in the Olympic Games and other sporting events organised by the International Olympic Committee or national Olympic committees of other countries;
 - f) holds sole jurisdiction in the matters defined by the Olympic Charter.
- (5) The Slovak Olympic Committee has the exclusive right to use the Olympic symbols of the Slovak Olympic Committee and grants consent to use these by other individuals and legal entities. The Olympic symbols of the Slovak Olympic Committee and their depictions are given in Annex 1.

§26

Slovak Paralympic Committee and its tasks

- (1) The Slovak Paralympic Committee is a national sports organisation that is a civic association grouping together sports federations of athletes with physical disabilities.
- (2) The Slovak Paralympic Committee as a member of the International Paralympic Committee also holds sole jurisdiction for the entire territory of the Slovak Republic for disabled sports recognised by the International Paralympic Committee.
- (3) The Slovak Paralympic Committee performs in particular the following tasks:
 - a) control, develop, promote and protect the Paralympic movement in the Slovak Republic;
 - b) support the development of Paralympic sports in the Slovak Republic;
 - c) control and organise the sports representation in sporting events organised by the International Paralympic Committee, European Paralympic Committee, national Paralympic committee of other countries or international disability sports organisations;
 - d) publish on its website a list of sports recognised by the International Paralympic Committee.
- (4) The Slovak Paralympic Committee holds the exclusive right to use the Paralympic symbols and to grant the consent to use these by other individuals and legal entities. The Paralympic symbols of the Slovak Paralympic Committee and their depiction is given in Annex 2.

§27

Use of Olympic and Paralympic symbols

- (1) The Olympic symbols may be used by individuals and legal entities in the territory of the Slovak Republic with the consent of the International Olympic Committee or the Slovak Olympic Committee. The Paralympic symbols may be used with the consent of the International Paralympic Committee or the Slovak Paralympic Committee.
- (2) Individuals and legal entities may apply for consent of the International Olympic Committee to use the Olympic symbols through the Slovak Olympic Committee. The consent to the use of Paralympic symbols of the International Paralympic Committee may be requested through the Slovak Paralympic Committee.
- (3) Individuals and legal entities may use the Olympic symbols or Paralympic symbols solely within the areas, periods and in accordance with the purpose specified in the consent granted by the relevant committee.

§28

Protection of Olympic and Paralympic symbols

- (1) It is prohibited to
 - a) use the Olympic or Paralympic symbols that would be inappropriate, misleading, unreasonable or defaming;
 - b) use the Olympic or Paralympic symbols for production, trading or other purposes without the consent of the relevant committee;
 - c) breach the conditions for using Olympic and Paralympic symbols specified in the consent of the relevant committee.
- (2) If the Olympic and Paralympic symbols are used by an unauthorised person or if they are used in breach of the conditions specified in the consent, the relevant committee shall notify that person to cease the unauthorized use and to compensate any damage.

(3) Disputes arisen under paragraph 2 shall be heard and decided by the competent court.

CHAPTER FOUR SPORTS REPRESENTATION

§29

(1) Sports representation means the participation of a sports representative at a major sporting event, including the preparation for such sporting event according to the preparation plan approved by the national sports federation.

(2) Sports representative means a Slovak citizen who has been nominated as an athlete to be a member of the sports representation by national sports federation or other sports organisation, holding such authorisation by virtue of the international sporting rules, regulations or decisions.

(3) The rights and obligations of the sports representative are governed by the regulation of the sports organisation under paragraph 2.

(4) The sports representation also includes the members of the entourage and other persons nominated by the national sports federation or other sports organisation, holding such authorisation by virtue of the international sporting rules, regulations or decisions.

(5) Provided that the rules, regulations or decisions of the international sports organisation or organiser of a major sporting event stipulate that the sports representation must be provided by a legal entity that is not a national sports federation, the tasks associated with the provision of the sports representation shall be performed by such legal entity.

(6) A sports representation member is obliged to respect the commitments of the sports organisation which nominated him or her as a member of the sports representation, associated with the use and appreciation of his or her personality rights, unless agreed otherwise. This restriction shall last no longer than the expiry of one year from the date of his or her last participation at a major sporting event.

(7) Preparation according to the preparation plan approved by the national sports federation and participation of a sports representative at a major sporting event and the participation of a member of the entourage at a major sporting event is considered to be another act in the general interest,¹⁴⁾ for which the time off shall be provided for the required time period.

§30

Remuneration for sports representation

(1) The national sports federation shall be entitled to awards and remunerations for the sports representation, in addition to those specified by the organiser of the major competing directly for the sport representative.

(2) Income from the sports representation may only be used to perform tasks under § 16 (1) (d) to (f) and to pay the solidarity contribution under paragraph 3.

(3) The beneficiary of the remuneration referred to in paragraph 1 shall distribute and pay the solidarity contribution in the amount of 5% of the remuneration granted to the sports clubs that provided the preparation and training to a sports representative up to 23 years of age, depending on the duration of preparation and training; the regulations of the national sports federation may set out

- a) the minimum age of a sports representative for the purposes of distributing the solidarity contribution; and
- b) distribution of the solidarity contribution between all the sports clubs that are its members and provide preparation and training of youth.

(4) If the solidarity contribution is distributed in a manner specified under paragraph 3 (b), at least 50% of the solidarity contribution provided shall be distributed between the sports clubs that provided the preparation and training to the sports representative up to 23 years of age, depending on the duration of the preparation and training.

PART THREE LEGAL RELATIONS IN SPORTS ACTIVITIES

CHAPTER ONE CONTRACTUAL RELATIONS IN SPORT

§31

General provisions

(1) Before concluding a contract between an athlete and sports organisation, the sports organisation is obliged to familiarise the athlete with the rights and obligations ensuing from the contractual relationship for the athlete.

(2) An athlete's eligibility to have the rights and obligations in contractual relationships under this Act, the eligibility to acquire through own legal acts such rights and take on such obligations, unless provided otherwise in paragraph 3, shall begin on the day when

¹⁴ §§ 136 and 137 of the Labour Code as later amended.

the athlete reaches 15 years of age; nonetheless, the sports organisation must not agree as the first day of sport performance a day preceding the date on which the individual completes compulsory education.

(3) In order to conclude a written contract with an athlete 15 to 18 years of age, the legal guardian's consent is required in the form of a signature attached to the contract or to a separate document that forms an integral part of the contract.

(4) The contract between an athlete and sports organisation concerning the performance of sport by the athlete for the sports organisation, and the contract between a sports expert and sports organisation concerning the performance of the activities of a sports expert for the sports organisation, must not contain restrictions on sporting activities after the expiry of their contractual relationship.

(5) The period between the date of signing the contract and the date of its effectiveness must not be longer than one year, otherwise it becomes invalid.

Professional sports

§32

Fundamental obligations of the athlete

An athlete who performs sport under a professional sports contract has the following basic responsibilities:

- a) participate in sporting events and competitions determined by the sports organisation;
- b) In the sporting event make the effort needed to achieve the best sporting performance and the best sports result;
- c) constantly prepare for the sporting event in accordance with the instructions of the sports organisation;
- d) not to participate in person or through a third party in betting on the sport the athlete performs;
- e) respect the diet to the extent agreed with the sports organisation;
- f) abide by the regulations of the sports organisation for which the athlete performs sport and with which the sports organisation has properly familiarised the athlete;
- g) familiarise himself or herself and follow the regulations and rules of the sport;
- h) follow the instructions of coaches and members of the entourage of the sports organisation; this shall not apply in the case of an instruction that is contrary to the generally applicable law or morality or if following the instruction means immediate and serious threat to life or health of the athlete or other person;
- i) to not perform dangerous activities without the prior written consent of the sports organisation;
- j) protect the property of the sports organisation entrusted to the athlete against its loss or damage and return the entrusted property at the end of the professional sports contract to the sports organisation;
- k) notify the sports organisation forthwith of any injury, illness or loss of medical fitness to perform sport;
- l) undergo medical examination or other medical operation after consulting the sports organisation, unless it concerns an emergency health care;
- m) undergo medical examination, medical treatment or other medical operation based on the instruction of the sports organisation;
- n) refrain from any action that might damage the good name of the sports organisation, unless this Act or special regulation provides otherwise.¹⁵⁾

§33

Basic duties of a sports organisation

The sports organisation for which an athlete performs sport under a professional sports contract shall have the following basic responsibilities:

- a) ensure continuous preparation of the athlete for a sporting event and participation of the athlete at the sporting event under the guidance of a coach with the required professional expertise;
- b) pay the athlete the agreed salary;
- c) create favourable conditions for performing the sport;
- d) enable the sports representative to participate in the sports representation;
- e) with regard to the performance of the sport arrange for healthcare, regeneration and recovery of the athlete;
- f) allow the athlete vocational training in the case of secondary school or university student.

§34

Pre-contractual relations

¹⁵ For example, § 340 of Act no. 300/2005 Coll. the Criminal Code, Act no. 307/2014 Coll. on certain measures related to reporting of anti-social activities and on the amendment of certain acts.

(1) Prior to signing a professional sports contract the sports organisation shall be entitled to require the athlete to undergo a medical examination, the costs of which shall be borne by the sports organisation, in order to verify the athlete's medical fitness to perform sport.

(2) The sports organisation must not require from the athlete the following information

- a) family history;
- b) political affiliation, trade union membership and religious affiliation.

(3) The sports organisation shall be entitled to require from the athlete the following information

- a) medical fitness to perform the sport;
- b) integrity, including disciplinary sanctions imposed upon the athlete by a sports federation, sports federation of another state or international sports organisation;
- c) contractual relationship with another sports organisation and its duration and information on the contractual relationship concerning the use and appreciation of personality rights.

(4) The athlete shall be obliged to notify the sports organisation of matters preventing him or her from performing the sport or which could cause harm to the sports organisation, and of contractual relations with other sports organisation and their duration.

(5) Upon reading the professional sports contract the sports organisation shall be required to treat athletes in accordance with the equal treatment principle under a special regulation.¹⁶⁾

(6) Before reaching 15 years of age a professional sports contract shall be concluded between the athlete's legal guardian and sports organisation. At the time of concluding a professional sports contract by an athlete under 15 years of age or an athlete above 15 years of age but before the end of the compulsory education, a permit is required that shall be issued by the competent labour inspectorate following an agreement with the competent public authority in the field of the public health. The permit may be issued only if the performance of sport will not jeopardise the athlete's health, safety, further development or compulsory education. The permit shall determine the conditions for performing the sport. The competent labour inspectorate will revoke the permit if the permit conditions are not observed.

§35

Professional sports contract

(1) In the professional sports contract the athlete commits to pursue sport for a sports organisation against payment.

(2) The professional sports contract must be concluded in writing and must contain the essential particulars under paragraph 3.

(3) The professional sports contract shall contain the following essential particulars:

- a) first name, surname, date of birth, nationality and permanent address or similar place of residence of the athlete or the athlete's guardian;
- b) the name of the sports organisation, identification number of the organisation, legal form, registered office, the designation of the competent register incorporating the sports organisation, and the registration number, surname, address or similar place of residence and the position of the person authorised to act on behalf of the sports organisation;
- c) duration of the contract;
- d) type of sport the athlete is to pursue;
- e) wages and wage conditions of the athlete;
- f) use and appreciation of the athlete's personality rights;
- g) duration of holiday and a method of taking the leave;
- h) the start day for performing the sport may not be earlier than the contract's effective date;
- i) date on which the contract enters into effect;
- j) place and date of signing the contract.

(4) Other conditions may also be agreed in the professional sports contract, in particular

- a) the place of regular performance of the sport for the purposes of travel allowances under a special regulation;⁸⁾
- b) period of notice;
- c) expenses incurred by the athlete in performing the sport and reimbursement conditions by the sports organisation;
- d) rules for cutting a holiday short;
- e) provision for contractual rights and obligations;
- f) penalties for breaching contractual obligations;
- g) governing law;
- h) governing language, if the contract is drawn up in multiple languages;
- i) scope of confidentiality.

§36

¹⁶ § 2 of Act no. 365/2004 Coll. on equal treatment in certain areas and on the protection against discrimination and on the amendment of certain acts (the Anti-Discrimination Act) as later amended.

Wage and average earnings

(1) The wage of an athlete performing sport on the basis of a professional sports contract shall be deemed to constitute wages under Labour Code.¹⁷⁾ Wages must not be below the minimum wage according to a special regulation.¹⁸⁾ Maturity, payment and deductions of the wage are governed mutatis mutandis by the provisions of the Labour Code.¹⁹⁾

(2) The average monthly earnings shall mean monthly revenues attributable under the professional sports contract to a calendar month for which the average earnings are to be used. The average daily earnings shall be calculated as a ratio of the monthly earnings attributable under the professional sports contract to a calendar month for which the average earnings are to be calculated and the number of calendar days in that calendar month.

§37

Working time and rest

(1) The daily working time of an athlete means a time period of 24 consecutive hours during which the athlete is available to the sports organisation for performing the sport.

(2) In the daily working time the athlete is available for the sports organisation at the time intervals agreed in the professional sports contract or determined by the sports organisation under the conditions required for the performance of the particular type of sport.

(3) During the daily working time the athlete shall have the right to continuous rest and regeneration under the conditions required for the performance of the particular type of sport. Continuous rest shall not be less than six hours per 24 hour time interval.

(4) The sports organisation shall be required to ensure that the athlete has one day of continuous rest once a week. If it is not possible to ensure a rest under the first sentence on the grounds that the conditions required for performing the particular kind of sport do not so allow, the sports organisation shall ensure continuous rest so that the athlete has at least two days of continuous rest once a fortnight.

(5) The sports organisation shall keep records of days worked and days of rest.

§38

Termination of performing professional sport

(1) The contractual relationship based on a professional sports contract shall expire through

- a) expiry of the period for which the contract was concluded;
- b) athlete's death or declaration of death;
- c) termination of the sports organisation without a legal successor.

(2) The contractual relationship established on a professional sports contract may be terminated through

- a) agreement;
- b) notice; or
- c) immediate termination.

(3) The contractual relationship established on a professional sports contract concluded with a foreign athlete or a stateless person shall end on the day when the person's residence permit for the Slovak Republic under a special regulation²⁰⁾ expires.

§39

Agreement on the end of professional sports

(1) If a sports organisation and an athlete agree on the termination of the contractual relationship established on a professional sports contract, it shall be terminated on the day specified in the agreement on terminating the contractual relationship, which may not be earlier than the effective date of the agreement on terminating the contractual relationship.

(2) The agreement on terminating the contractual relationship established by a professional sports contract shall be concluded in writing. The agreement shall also specify the grounds for termination of the contractual relationship, if requested by the athlete.

§40

Notice of termination

(1) Notice must be in writing and delivered to the other party.

¹⁷⁾ § 118 of the Labour Code as later amended.

¹⁸⁾ Act no. 663/2007 Coll. on the minimum wage as later amended.

¹⁹⁾ §§ 129 to 132 of the Labour Code as later amended.

²⁰⁾ For example, § 65 of the Criminal Code as later amended, §§ 35, 36, 49, 50, 77 to 87 of Act no. 404/2011 Coll. on the residence of foreigners and on the amendment of certain acts as later amended.

(2) The notice of termination shall specify the reason for termination in facts so that it cannot be confused with another reason. The reason for the notice of termination cannot be subsequently changed.

(3) A notice of termination already delivered to the other party may be revoked only with the consent of this party. Revocation of a notice of termination and consent to its revocation must be made in writing.

(4) A sports organisation shall be entitled to terminate the professional sports contract if

- a) the athlete has over the long term failed to meet medical fitness to perform sport under the professional sports contract; the loss of medical fitness is demonstrated by a medical opinion according to which the athlete must not perform sport over the long term under the professional sports contract;
- b) the athlete violated the fundamental obligation under § 32 (e) to (n) and concurrently has over the past six months been advised in writing of the possible notice of termination in connection with the violation of the basic obligation of the athlete;
- c) the sports organisation or part thereof is being cancelled;
- d) in the case of the athlete there are reasons for which the sports organisation could immediately terminate the professional sports contract.

(5) The athlete is entitled to terminate the professional sports contract if

- a) the sports organisation has violated the obligation under § 33 (a), (c) or (d);
- b) the sports organisation has failed to enable the athlete to pursue sport under the professional sports contract for more than two consecutive months;
- c) the sports organisation has failed in the competition season to enable the athlete to participate at more than 10% of sporting events on behalf of the sports organisation despite being medically fit to take part in the sporting event.

§41

Notice period

(1) If a notice of termination has been given, the contractual relationship established by the professional sports contract shall be terminated upon expiry of the notice period.

(2) The notice period shall be one month, unless the regulations of the sports federation, professional sports contract or collective agreement stipulate a longer notice period.

(3) The period of notice shall start to lapse on the first day of the calendar month following the delivery of the notice of termination and ends through elapsing of the last day of the respective calendar month.

(4) If an athlete fails to stay during the notice period at the sports organisation, the sports organisation shall have the right to financial compensation at least in the amount that equals the product of the monthly earnings of such athlete under the professional sports contract and the notice period, provided that the monetary compensation has been agreed in the professional sports contract.

§42

Immediate termination of professional sport performance

(1) A sports organisation shall be entitled to immediately terminate the contractual relationship established by a professional sports contract if the athlete

- a) has violated a fundamental obligation under § 32 (a) to (d);
- b) without the consent of the sports organisation has participated in a sporting event on behalf of other sports organisation;
- c) has severely breached sporting rules, regulations or decision of the relevant sports federation,
- d) has violated the anti-doping prohibition;
- e) has manipulated the course or results of a sporting event or failed to report the manipulation of the course or results of a sporting event to the sports organisation in charge of controlling the sporting event or the law enforcement authorities; or
- f) has been sentenced to a term of imprisonment.

(2) The athlete shall be entitled to immediately terminate the contractual relationship established by a professional sports contract, if

- a) the sports organisation has failed to pay the wages to the athlete for at least three individual months over the course of 12 consecutive months or over the course of the duration of the professional sports contract, provided that the latter has been concluded for a period shorter than 12 months, properly and on time despite a prior written advice from the athlete;
- b) the sports organisation has in relation to the athlete severely violated the sporting rules, regulations or decisions of the relevant sports federation or the generally binding regulations; or
- c) the athlete has over the long term lost medical fitness to pursue sport under the professional sports contract, or further performance of the sport would seriously endanger the life or health of the athlete; the loss of medical fitness shall be demonstrated through a medical opinion according to which the athlete must not over long term perform the sport under the professional sports contract.

(3) Immediate termination of the contractual relationship established by a professional sports contract shall be done in writing and delivered to the other party.

(4) Immediate termination of the contractual relationship established by a professional sports contract shall contain the reason for immediate termination. The reason for immediate termination shall be defined in facts so that it cannot be confused with another reason. The reason cannot be subsequently changed.

(5) The athlete or sports organisation may immediately terminate the contractual relationship established by a professional sports contract within the period of one month from the day when the athlete or sports organisation learnt of the reason for immediate termination.

§43

Athlete on loan

An athlete that has a professional sports contract concluded with a sports organisation may be on the basis of a written agreement concerning a loan deal between the athlete, sports organisation with which the athlete has a professional sports contract concluded and another sports organisation sent to join the other sports organisation on loan, even abroad. In concluding the agreement on loan deal the athlete and sports organisation shall agree on an amendment to the provisions of the professional sports contract affected by the agreement on loan deal.

§44

Holiday and obstacles to the performance of sport

(1) The athlete has the right to holiday.

(2) The athlete is entitled to annual holiday in the extent of at least 20 calendar days.

(3) For each month of the contractual relationship the athlete is entitled to 1/12 of the annual holiday.

(4) Taking of leave shall be determined by the sports organisation so that the athlete can generally take leave as a whole and out of the competition season defined in the regulations of the sports federation. In determining holiday it is necessary to take account of the role of the sports organisation and the athlete's eligible interests.

(5) The sports organisation can determine for an athlete to take holiday, even if the athlete has not met the conditions for entitlement to the leave, provided that it can be assumed that the athlete will meet the conditions by the end of the calendar year in which the leave is being taken or by the end of the contractual relationship established by a professional sports contract.

(6) If an athlete cannot take the leave within a calendar year for the reason that the sports organisation fails to determine its drawing, or due to obstacles in performing the sport on the part of the athlete, the sports organisation shall provide the athlete with leave so that it is completed not later than by the end of the following calendar year.

(7) The sports organisation must not determine the taking of holiday for the period when the athlete is recognised as temporarily incapable of work on the grounds of illness or injury, and for the period during which the athlete is on maternity leave or parental leave. For other obstacles in the performance of sport on the part of the athlete the sports organisation may determine for the athlete to take holiday only at his or her request.

(8) If an athlete cannot take leave due to drawing maternity leave or parental leave, not even by the end of the following calendar year, the sports organisation shall provide the athlete with the outstanding leave after the expiry of the maternity leave or parental leave.

(9) If an athlete cannot take leave on the grounds when the athlete has been recognised as temporarily incapacity to work due to illness or injury, not even by the end of the following calendar year, the sports organisation shall provide the athlete with the outstanding leave following the end of the temporary incapacity to work of the athlete.

(10) If during the holiday the athlete is recognised as temporarily incapable of work because of illness or injury or if attending to a sick family member, the leave shall be interrupted. This shall not apply if the sports organisation determines leave for attending to a sick family member at the athlete's request. Holiday shall be interrupted also through the commencement of maternity or parental leave.

(11) The provisions of the Labour Code²¹⁾ shall apply mutatis mutandis on cutting the leave short, unless the athlete and sports organisation agree otherwise.

(12) The athlete shall be entitled to the pay for holiday.

(13) Leave shall be granted at least in the scope of a week as seven consecutive calendar days.

(14) Certain provisions of the Labour Code concerning the obstacles in work on the part of the employee²²⁾ shall apply mutandis mutatis to the obstacles in the performance of sport on the part of the athlete.

(15) In the case of the reasons for absence under the preceding paragraph that affected the time which the sports organisation designated as time for performing sport, the sports organisation shall be obliged to apologise such absence. Provision of pay shall be set out in the professional sports contract.

(16) A pregnant athlete shall have the right to refuse to perform sport, if according to a medical opinion the performance of sport restricts the life or health of the conceived child. During the period when the pregnant athlete does not perform sport due to pregnancy, she shall not be entitled to the pay or wage compensation, unless the sports organisation and the athlete agree otherwise.

(17) The provisions of the Labour Code²³⁾ shall apply mutatis mutandis to the maternity leave and parental leave.

§45

²¹⁾ §§ 109 and 144a of the Labour Code as later amended.

²²⁾ §§ 141 (1), 141a, 144 (1) and (2) of the Labour Code as later amended.

²³⁾ §§ 166 and 170 of the Labour Code as later amended.

Collective relationships in the performance of sport

(1) Athletes performing sport on the basis of a professional sports contract have the right to associate in trade unions to protect their economic and social interests.

(2) Athletes have the right to collective bargaining²⁴⁾ with the sports organisation or with an organisation of sports organisations through the trade union.

(3) The representatives of athletes shall not be disadvantaged or otherwise sanctioned by the sports organisation for performing tasks ensuing from carrying out their duties.

(4) In the collective agreement the parties may to agree on conditions that are more advantageous for the athletes than those set out by this Act, regulations of the sports organisation, regulations of the federation, unless they are expressly prohibited by this Act, or unless its provisions stipulate that no derogation from them is possible. The collective agreement and amendments thereto shall be made public; at the same time they shall also be published in a place accessible to the athletes.

§46

Common provisions

(1) The contractual relationship established by a professional sports contract shall be deemed to be a different labour relationship.²⁵⁾

(2) Legal relations in performing sport on the basis of a professional sports contract shall be governed mutatis mutandis by §§ 27 to 31, § 40 (3) to (7), § 64, § 75 (2) to (4), §§ 146 to 150, §§ 177 to 181, §§ 185 to 188, §§ 191 to 198, §§ 217 to 222, § 229 (1) and (2), (5) and (6), §§ 230, 231, 232, 238 and 239 of the Labour Code.

(3) The athlete and sports organisation may agree on the scope of other provisions of the Labour Code such as provisions referred to in paragraph 2, provided that the provisions the scope of which has been agreed are not inconsistent with this Act.

(4) A professional sports contract may be concluded only for a definite period, not longer than five years from the effective date of the contract, unless the regulations of a sports federation provide for a shorter period of time.

(5) In case of any doubts as regards the content of the professional sports contract, the content of the contract registered in the register under § 17 (2) (c) shall prevail.

(6) The regulations of the sports federation can provide that a professional sports contract may be entered into only by a sports organisation that has remitted a financial security to an account maintained at a bank or a branch of a foreign bank branch²⁶⁾ (hereinafter referred to as the “bank account”) of the sports organisation that controls a sporting event.

(7) A regular place of performing sport in order to provide the reimbursement of the expenses related to a business trip or a business trip abroad shall mean the place specified in the professional sports contract.

(8) The athlete who, under the guidance of a sports organisation, performs sport outside the place of the regular place for performing sport shall be entitled during such period to allowances under a special regulation⁸⁾ as in the case of a business trip.

Amateur sports

§47

Amateur sports contract

(1) In an amateur sports contract the athlete undertakes to pursue sport for a sports organisation.

(2) The amateur sports contract shall be concluded in writing and contain essential particulars under paragraph 4.

(3) An amateur sports contract may be concluded only for a definite period, not longer than two years from the effective date of the contract, unless the regulations of a sports federation provide for a shorter period of time.

(4) The amateur sports contract shall contain the following essential particulars:

- a) first name, surname, date of birth, nationality and permanent address or similar place of residence of the athlete or the athlete's guardian;
- b) the name of the sports organisation, identification number of the organisation, legal form, registered office, the designation of the competent register incorporating the sports organisation, and the registration number, surname, address or similar place of residence and the position of the person authorised to act on behalf of the sports organisation;
- c) duration of the contract;
- d) type of sport that the athlete is to pursue;
- e) the amount of athlete's remuneration and conditions of its payment, if the performance of sport is subject to payment;
- f) the start day for performing the sport that may not be earlier than the contract's effective date;
- g) date on which the contract enters into effect;

²⁴⁾ Act no. 2/1991 Coll. on collective bargaining as later amended.

²⁵⁾ § 1 (3) of the Labour Code.

²⁶⁾ § 2 (1), (5) and (8) of Act no. 483/2001 Coll. on banks and on the amendment of certain acts as later amended.

h) place and date of signing the contract.

(5) Also other conditions may be agreed in the amateur sports contract, in particular

- a) use and appreciation of the athlete's personality rights;
- b) conditions pursuant to § 35 (4) (c) and (e) to (i).

(6) If the amateur sports contract is subject to payment, the athlete shall perform sport as other self-employed gainful activity. The amount of the athlete's remuneration may not exceed the minimum wage.

(7) The legal relations of the athlete and sports organisation under an amateur sports contract shall be governed *mutatis mutandis* by the provisions of § 32 (a), (b), (d) to (k), (m) and (n), §§ 33, 38, 39, 40 (1) to (3), §§ 42 and 46 (5) and (7).

§48

Contract on the preparation of a talented athlete

(1) In a contract on the preparation of a talented athlete the talented athlete commits to pursue sport for a sports organisation and the sports organisation undertakes to ensure the preparation and training of a talented athlete.

(2) The contract on the preparation of a talented athlete shall be concluded in writing and contain the essential particulars pursuant to paragraph 4.

(3) The contract on the preparation of a talented athlete shall be concluded for a period not longer than to the end of the competition season as determined by the regulations of the sports federation in which the athlete has reached the age referred to in § 4 (5). Unless the regulations of the sports federation determine the end of the competition season, it shall apply that the contract is concluded until the moment when the talented athlete reaches the upper age limit.

(4) The contract on the preparation of a talented athlete shall contain the essential particulars according to § 35 (3) (a) to (d), (f), (h) to (j) and the undertaking of the sports organisation to

- a) cover the cost of preparing a talented athlete to pursue sport at the sports organisation;
- b) ensure health care and regeneration of a talented athlete;
- c) respect the choice of a talented athlete in the selection of secondary or higher education school and vocational training;
- d) organise the talented athlete's performance pathway so as to ensure the education process of a talented athlete;
- e) monitor the individual sports skills and abilities of the talented athlete;
- f) compose an individual training plan aimed at developing the sports skills and abilities of a talented athlete in response to the monitoring referred to in point (e);
- g) ensure education of the talented athlete in the fight against negative phenomena in sport.

(5) In concluding a contract for the preparation of a talented athlete the sports organisation and the talented athlete may agree that the contract on the preparation of a talented athlete will include an undertaking of the sports organisation regarding a professional sports contract concluded with the talented athlete for the maximum period of three years at the time of expiry of the contract on the preparation of a talented athlete.

(6) The contract on the preparation of a talented athlete under paragraph 5 shall include an undertaking of a talented athlete to conclude with the sports organisation a professional sports contract for the maximum period of three years at the time of expiry of the contract on the preparation of a talented athlete. If a talented athlete fails to comply with this undertaking, the sports organisation may request from the talented athlete compensation for costs incurred on the athlete's performance pathway.

(7) The conclusion of a professional sports contract may be rejected by the sports organisation if, due to changes in its tasks for the talented athlete, it no longer has a suitable position, for the loss of medical fitness of the talented athlete or if, during his or her preparation, the athlete has failed to meet the conditions set by the sports organisation as agreed in the contract on the preparation of a talented athlete.

(8) A talented athlete shall not pay the costs of the sports organisations referred to in paragraph 6 if

- a) the athlete has lost medical fitness to perform the sport;
- b) the sports organisation due to changes in its tasks no longer holds a suitable position for the talented athlete;
- c) the sports organisation violates the obligations under paragraph 4; or
- d) the sports organisation terminates the contractual relationship with the talented athlete under § 40 (4) (c).

(9) The legal relationships of a talented athlete and sports organisation under the contract on the preparation of a talented athlete shall be governed *mutatis mutandis* by the provisions of § 32 (a) to (k), (m) and (n), §§ 33, 38 to 42 and § 46 (5) and (7).

§49

Performance of sport without a contract

(1) An athlete can perform sport for a sports organisation also without a written contract.

(2) The athlete under paragraph 1 shall not be entitled to receive consideration for performing sport for a sports organisation. Consideration shall not mean

- a) reimbursement of proven efficient costs related to the preparation and competition of the athlete and the related fulfilments in kind;
- b) non-monetary reward for sporting performance, especially a cup, medal or other material prize.

Sports sponsorship contract

§50

(1) In a sports sponsorship contract the sponsor undertakes to provide direct or indirect payment in cash or kind (hereinafter referred to as the “sponsorship”) to an athlete, sports expert under § 6 (1) (a) or sports organisation who are the members of a national sports federation or international sports organisation (hereinafter referred to as the “sponsorship recipient”), and the sponsorship recipient undertakes to allow the sponsor to associate the name or trade name of the sponsor or the sponsor’s logo or product with the sponsorship recipient and use the sponsorship for the agreed purpose in connection with sports activity performed by the sponsorship recipient. If the sponsorship recipient is an athlete or sports expert under § 6 (1) (a), who are the members of a national sports federation, national sports organisation or international sports organisation, the purpose of the sponsorship shall not include their wage or remuneration for performing sport or other sporting activity, or reimbursement of their personal costs unrelated to the performance of their sporting activities.

(2) The sponsorship recipient may indicate the name or trade name, seat, logo of the sponsor or logo of its product in connection with the purpose for which the sponsorship has been provided. The cost of placing the sponsor’s name may not exceed 10% of the sponsorship value.

(3) The sports sponsorship contract shall be concluded in writing and shall contain the following essential particulars:

- a) identification data of the contracting parties;
- b) duration of the contract, at most until the end of the fourth year following the year in which the sponsorship recipient received the first part of the sponsorship;
- c) manner of the contract’s expiry;
- d) purpose and scope of the sponsorship, including the time schedule and method of its provision and use;
- e) conditions the sponsorship recipient must satisfy in order to receive the sponsorship, including the notification period of their fulfilment.

(4) The sports sponsorship contract shall contain

- a) an extract from the sports information system concerning the eligibility of the public funds beneficiary of the sponsorship recipient;
- b) an affidavit of the sponsor’s statutory body that
 1. the sponsor’s financial relations with the state budget are settled;
 2. no bankruptcy proceedings are being conducted against the sponsor, that it is not in bankruptcy, in restructuring and that a petition for the declaration of bankruptcy has not been rejected for lack of assets; and
 3. no arrears on contributions to health insurance, social insurance and contributions to retirement savings are registered against the sponsor.

(5) The sponsor shall be entitled to withdraw from the sports sponsorship contract if the sponsorship recipient uses the sponsorship in breach of the agreed purpose.

§51

(1) The sports sponsorship contract, any amendments thereto shall be published by the sponsorship recipient not later than 30 days of its signing by both parties.

(2) If the sponsorship has not been used by the end of the period for which the sports sponsorship contract was concluded, or if the sponsorship was not used in accordance with the agreed purpose, the sponsorship recipient shall be required to return the outstanding amount of the sponsorship, or the amount used in breach of the agreed purpose to the sponsor.

(3) The sponsor shall be entitled to request information on the use of sponsorship and documents proving the use of the sponsorship and the sponsorship recipient shall be required to provide these without delay.

(4) The sponsorship recipient shall be required to continuously publish information on the manner in which the sponsorship is used not later than on the 25th day of the following calendar month, unless the sponsorship recipient keeps sponsorship revenues and expenses on a separate bank account pursuant to paragraph 5.

(5) Details on the separate bank account under paragraph 4 must be freely remotely and continuously accessible to third parties and must display an overview of payment transactions within the scope of information concerning the amount, remittance date, payer’s name and surname, or if this concerns a legal person, the payer’s name, text of the accounting entry and variable symbol. The address of the website where such information is displayed shall be communicated by the sponsorship recipient in paper form or electronically to the Ministry of Education, which shall publish it.

CHAPTER TWO DISPUTE RESOLUTION IN SPORT

Dispute resolution by the bodies of a sports organisation

§52

General provisions

(1) In accordance with its regulations a sports organisation has the jurisdiction to resolve disputes under paragraph 2 of persons within its purview.

(2) The dispute settlement bodies are eligible to

- a) decide the disputes arisen in connection with sporting activities of the sports organisation and entities within its purview;
- b) impose sanctions and measures for a breach of the rules of a sporting event, of regulations or decisions of bodies of a sports organisation;
- c) review the decisions of bodies of sports organisations within its purview;
- d) examine the compliance between the regulations of sports organisations within its purview and its founding document in the section binding upon such sports organisations.

(3) Dispute settlement bodies carry out duties referred to in paragraph 2 in accordance with the rules of the sporting event, regulations of their home sports organisation, international sports rules, regulations and decisions while adhering to the principles of fair hearing.

(4) The bodies of sports organisations deciding the disputes under paragraph 2 shall ensure that in decision-making on factually and legally identical or similar cases there are no unjustified differences.

§53

Dispute settlement during a sporting event

(1) A sporting event related dispute means a dispute that originated during the course of a specific game or a particular sporting performance, and the subject of it is to assess any violation of a specific rule of the sporting event.

(2) Sporting event related disputes shall be decided upon by a sports referee kept in the source records of the relevant sports federation. For the purposes of settling sporting event related disputes, another individual designated for the specific sporting event by the sports organisation on the basis of the rules and regulations of the sports federation shall also be deemed a sports referee.

(3) Sporting event related disputes shall be decided on by the sports referee immediately during the sporting event, directly at the sports place and in compliance with rules of the sporting event. If the sports referee decides the dispute with the result that the rule of the sporting event has been infringed, the sports referee shall currently, subject to the rules of the sporting event and regulations of the sports federation, decide on the sanction or action against the person that violated the rule.

(4) The sports referee's decision on the sporting event related dispute is final, unless the rules of the sporting event or regulations of the sports federation stipulate otherwise.

§54

Disciplinary proceedings

(1) Disciplinary proceedings may be held by the disciplinary bodies of a sports organisation in respect of an athlete, sports expert, sports organisation or any other party falling within the purview of the sports organisation, for infringing the rules of a sporting event, regulations of the sports federation or decision of the sports federation, committed at the time when the party fell within the purview of the sports organisation.

(2) In the framework of the disciplinary proceedings only sanctions and actions provided for in the regulations of the sports federation may be imposed.

(3) A decision of a sports federation disciplinary body concerning a serious infringement of the rules of a sporting event, regulations or decisions of the sports federation, a decision against which the appeal was made, and a decision on the appeal must be reasoned.

(4) The regulations of the sports federation shall determine which breach of the rules of a sporting events, regulations or decisions of the sports federation are considered substantial.

(5) For the person upon whom the disciplinary proceedings imposed a sanction or action connected with financial expenses, the court may grant a right for compensation from the party that committed the offence or is responsible for the unlawful conduct which gave rise to the imposition of the sanction or action. When making a claim under this provision the procedure under a special regulation²⁷⁾ shall apply.

PART FOUR

Public bodies and public authorities in sport

§55

The Government of the Slovak Republic

(1) The Government of the Slovak Republic (hereinafter referred to as the "Government")

²⁷⁾ §§ 415 and 450 of the Civil Code.

- a) approves the sports development concept and other papers of the state policy in sports;
- b) approves guarantees for a major sporting event the organisation of which an international sports organisation makes conditional upon a guarantee provided by the state on whose territory the major sporting event is to take place;
- c) decides on the construction, modernisation or reconstruction of the sports infrastructure of national importance;
- d) decides on specifically supported sports in the framework of sports for all.

(2) The Government shall control and coordinate ministries in performing their duties in the area of sports representation at governmental sports centres. To that end the Government shall in the form of a regulation set out uniform rules for

- a) inclusion/engagement of individual sports for which the governmental sports centre ensures activities under § 3 (c);
- b) creation of a list of the elite athletes and the manner of determining performance criteria;
- c) engagement of athletes and sports experts in the governmental sports centres and their dismissal;
- d) economic provision of care for athletes and sports experts;
- e) arrangement for health care and testing of athletes;
- f) mutual cooperation between governmental sports centres.

Awards of honorary state titles

§56

(1) The Government or, if deputy, the Minister of Education, Science, Research and Sport of the Slovak Republic (hereinafter referred to as the “Minister of Education”) can award the following honorary state titles for outstanding sporting performance and spreading the good name of the Slovak Republic in sport abroad or for outstanding contributions to the development in sports

- a) “Master of Sports”;
- b) “Merited Master of Sports”;
- c) “Merited Expert of Sports”;
- d) “Merited Worker of Sports”.

(2) The honorary state title “Master of Sports” may be awarded to a citizen of the Slovak Republic that achieved outstanding sporting performance in international-level competitions and spreads the good name of the Slovak Republic in sport abroad.

(3) The honorary state title “Merited Master of Sports” can be awarded to a sports representative who achieved several outstanding sporting performances in international-level competitions and spreads the good name of the Slovak Republic in sport abroad.

(4) The honorary state title “Merited Expert of Sports” may be awarded to a sports expert that contributed outstandingly to the development of sporting activities and whose long-term activities, personal, moral and professional prerequisites inspire the development of sport.

(5) The honorary state title “Merited Worker of Sports” may be awarded to another worker in sports whose long-term activities, moral and professional prerequisites have inspired significant development of sport.

§57

(1) The honorary state title may be used solely by the holder of the title.

(2) During the award the holder of the honorary state title shall also receive a certificate on the award of the honorary state title. If the honorary state title is awarded posthumously, the certificate on the award shall be presented to the surviving spouse or other close person.

(3) Proposals to award an honorary state title may be submitted to the Government or the Minister of Education by the sports organisations. An honorary state title may be also awarded without such a proposal.

(4) Upon awarding an honorary state title, reaching a life anniversary of the holder of an honorary state title or achieving an outstanding sporting performance in international-level competitions, the Government may decide to provide a material gift or remuneration for the outstanding contribution to the sport of the Slovak Republic.

(5) The awarded holders of honorary state titles shall be published by the Ministry of Education.

(6) The holder of the honorary state title shall be entitled to attend public sporting events free of charge.

Ministry of Education

§58

The Ministry of Education

- a) prepares a draft sports development concept for a minimum period of five years;
- b) coordinates the implementation of the sports development concept;
- c) provides sports funding from the state budget;

- d) maintains and publishes the list of recognised sports;
- e) promotes and coordinates the construction of sports infrastructure;
- f) ensures the operation of governmental sports centres established by the Ministry in accordance with uniform rules pursuant to § 55 (2);
- g) creates conditions for the selection and preparation of sports representatives;
- h) creates conditions for the selection and preparation of talented athletes;
- i) supports the development of sport for all and sport for the physically disabled;
- j) issues a certificate to a national sports federation confirming the fulfilment of conditions for granting a contribution to the recognised sport;
- k) provides education and testing of controllers;
- l) maintains and operates a sports information system;
- m) recognises national sports federations and national sports organizations;
- n) publishes the acquisition and restoration of eligibility of the public funds beneficiaries;
- o) issued a certificate confirming the loss of eligibility of the public funds beneficiary;
- p) once a year in conjunction with primary schools, universities and sports organisations, ensures nationwide testing of physical prerequisites of pupils of the first and third year of elementary schools;
- q) supports the organisation of major sporting events and other international sporting events;
- r) maintains and publishes a list of elite athletes containing information within the scope of § 80 (2) (a), (b), (f), (l) to (r).

§59

Recognition of national sports federations

- (1) The Ministry of Education shall issue a certificate confirming the recognition of a national sports federation at the request of a sports federation, with the following attachments
 - a) confirmation by the appropriate the worldwide governing international sports organisation for the recognised sport proving the membership of the national sports federation in that organisation; where there are multiple international sports organisations for the one recognised sport, membership of the international sport organisation in the International Olympic Committee shall be decisive;
 - b) certificates or declarations proving the fulfilment of conditions pursuant to § 16 (b) to (e).
- (2) the application together with the attachments pursuant to paragraph 1 shall be filed through the sports information system.
- (3) If the Ministry of Education issues a certificate confirming the recognition of a national sports federation, such recognition shall be made public.
- (4) If a sports federation fails to meet the conditions pursuant to § 16 (1), the Ministry of Education shall decide on the denial to issue the certificate confirming the recognition of a national sports federation.
- (5) If the Ministry of Education finds that a national sports federation, which holds a certificate in accordance with paragraph 3, no longer fulfils the conditions for its issue, it shall issue a decision revoking the certificate even without a proposal for such action, and shall make the change public.
- (6) The decision of the Ministry of Education subject to paragraphs 4 and 5 shall be delivered to the relevant sports federation.

Principal Sports Auditor

§60

- (1) The principal sports auditor carries out expert audit in sports organisations that are public funds beneficiaries or sponsorship recipients. In performing his or her duties the principal sports auditor proceeds according to the provisions of a special regulation¹⁰⁾ concerning the implementation of follow-up financial audit.
- (2) A principal sports auditor shall be appointed and recalled by the Government at the proposal of the Minister of Education.
- (3) The principal sports auditor performs civil service for the Ministry of Education.
- (4) The appointment of the principal sports auditor may be given to an individual fully competent in legal acts, with integrity and having university master's degree education and at least a five-year experience in economics or law and being at least 35 years of age.
- (5) The principal sports auditor's term of office is five years; the position may be occupied by the same auditor at most for two consecutive terms. The principal sports auditor shall remain in office also following the expiry of the term, until the Government appoints a new principal sports auditor.
- (6) The principal sports auditor may be recalled from the post if
 - a) the state of health of the principal sports auditor has prevented him or her over the long term, but at least for six months, from properly performing the duties of his or her office;
 - b) the principal sports auditor has breached the confidentiality obligation as regards facts of which he or she learnt in connection with performing his or her duties; or

c) the principal sports auditor has repeatedly failed to perform the tasks set out in § 61 (1) or violates service discipline, and if in the last six months the Minister of Education has repeatedly advised the principal sports auditor in writing to remedy the shortcomings and the principal sports auditor has failed to do so within a reasonable period.

(7) The principal sports auditor shall be recalled from the post by the Government if he or she has grossly neglected the obligations imposed by this Act, unless the principal sports auditor proves that the fault for the cause is not on his or her part or that he or she could not have prevented the fault, or for gross violation of service discipline.

(8) Before the expiry of the term of office, the performance of the post of the principal sports auditor shall be terminated through

- a) resignation;
- b) final judgement convicting the principal sports auditor for a premeditated offence or convicting the principal sports auditor for an offence for which sentence was not suspended;
- c) performance of an activity which is incompatible with the performance of his or her duties; or
- d) death or declaration as dead.

(9) The office of the principal sports auditor is incompatible with the duties of the statutory body, executive body, supervisory body, disciplinary body, dispute settlement body and licensing body of a sports organisation.

§61

(1) In performing a sports audit the principal sports auditor shall

- a) check the fiscal management, efficient, effective and expedient use of public funds granted for sporting activities;
- b) check the manner of using the sponsorship granted under the published sports sponsorship contract;
- c) check compliance with the uniform rules on the control and coordination of governmental sports centres;
- d) check the compliance of the statutes with §§ 19 to 23;
- e) provides methodological guidance in carrying out the tasks of controllers according to § 13 and training of controllers;
- f) supervises the examination of controllers;
- g) checks compliance with the generally binding legal regulations by a national sports federation and a university in providing education in sports where it concerns the provision of training to become a coach - level I, coach – level II, coach – level III or professional qualifications as a sports instructor.

(2) The principal sports auditor shall assess the compliance of the statutes with §§ 19 to 23 on the basis of

- a) the procedure used for recognition of a national sports federation or national sports organisation;
- b) a notification made by a national sports federation or national sports organisation concerning the amendment of statutes;
- c) notification of the Ministry of Education concerning a request of the national sports federation or national sports organisation for the provision of public funding;
- d) an initiative of a controller.

(3) If the principal sports auditor in performing his or her control activities referred to in paragraph 1 finds a serious shortcoming, the principal sports auditor shall forthwith report it to the Ministry of Education or other body responsible for taking action in the matter or to a party responsible for remedying the shortcoming found, and this by way of ensuring the fulfilment of the breached duty, removing the consequence or taking other corrective action.

(4) In performing a sports audit the principal sports auditor shall be entitled to enter the lands, buildings and other premises of a sports organisation, unless the purpose of the control may be achieved otherwise, and to verify the identity of a person belonging to the sports organisation.

(5) Individual acts of the audit may be also performed by the principal sports auditor through an employee of the Ministry of Education authorised by the principal sports auditor in writing.

(6) § 14 shall apply to the performance of the controller's control activities.

(7) At least once a year the principal sports auditor shall submit to the Government a report on his or her activities, not later than 90 days after the end of the calendar year.

§62

Other central government bodies

The Ministry of Defence of the Slovak Republic (hereinafter referred to as the “Ministry of Defence”) and the Ministry of Interior of the Slovak Republic (hereinafter referred to as the “Ministry of Interior”) shall within the scope of their purview

- a) promote and ensure the operation of the governmental sports centres established by them in accordance with the uniform rules pursuant to § 55 (2); and
- b) promote sports organisations of professional soldiers and policemen.

§63

Local government region

In performing its duties the local government region

- a) elaborates the sports development concept in terms of the region;
- b) promotes the construction, modernisation, reconstruction, maintenance and operation of the sports infrastructure in the local government region in cooperation with national sports federations, sports organisations and municipalities in the local government region;
- c) provide for the use, at most at the related cost, of the sports infrastructure by secondary schools of which it is a founder, and of the sports infrastructure owned or administered by the local government region for sport for all, focusing on youth;
- d) can, with a sports federation and sports clubs, set up a sports centre for performing sport for all, with a focus on the youth, under the guidance of a sports expert;
- e) supports the organisation of sporting events in sport for all and sport for physically disabled persons within the local government region;
- f) contributes to creating conditions for the sport for all and sport for physically disabled persons within the local government region;
- g) awards athletes and sports experts working within the local government region.

§64

Municipality

A municipality in implementing self-government

- a) elaborates the sports development concept in terms of the municipality;
- b) promotes the construction, modernisation, reconstruction, maintenance and operation of the sports infrastructure in the municipality in cooperation with sports organisations;
- c) provide for the use, at most at the related cost, of the sports infrastructure by primary schools of which it is a founder, and of the sports infrastructure owned or administered by the municipality for sport for all, focusing on the youth;
- d) can, with a sports federation and sports clubs, set up a sports centre for performing the sport for all, with a focus on the youth, under the guidance of a sports expert;
- e) supports the organisation of sporting events in the sport for all and sport for physically disabled persons within the municipality;
- f) contributes to creating conditions for the sport for all and sport for physically disabled persons within the municipality;
- g) awards athletes and sports experts working within the municipality.

PART FIVE

Funding of sport

§65

- (1) Public authorities that are the providers of public funds intended for sports activities,²⁸⁾ shall publish information on their funding.
- (2) Public funding can be provided for a sporting activity only to a party in the capacity of a public funds beneficiary.
- (3) Public funding intended for a sporting activity shall be made in the form of

- a) a contribution to the recognised sport;
- b) subsidy;
- c) contribution to a national sports project;
- d) contribution for a sports voucher.

(4) The provider of public funding for a sporting activity shall be entered in the register of legal entities in sport.

(5) The Ministry of Education shall publish a list of the providers of public funding for a sporting activity.

(6) The beneficiary of public funding shall be required to continuously publish information concerning the receipt and use of public funds not later than by the 25th day of the calendar month following the calendar month in which the public funds were received or used, unless the revenues and expenses of public funds are held on a separate bank account.

(7) Details on the separate bank account under paragraph 6 must be freely, remotely and continuously accessible to third parties and must display an overview of payment transactions within the scope of information concerning the amount, remittance date, payer's name and surname or the payer's business name, text of the accounting entry and variable symbol. The address of the website where such information is displayed shall be communicated by the public funds beneficiary in paper form or electronically to the Ministry of Education, which shall publish it.

Eligibility of a public funds beneficiary

²⁸⁾ For example, § 2 (1) (f) of Act no. 524/2010 Coll. on granting subsidies within the competence of the Government Office of the Slovak Republic as later amended, § 2 (g) of Act no. 526/2010 Coll. on granting subsidies within the competence of the Ministry of Interior of the Slovak Republic.

§66

(1) Each provider of public funding is required prior to the provision of public funds demonstrably verify in the sports information system whether the applicant or sports organisation invited in writing pursuant to § 75 (7) is eligible as a public funds beneficiary.

(2) Eligibility of the beneficiary of public funds is presumed for each individual on which the register of individuals contains data in the scope of § 80 and who meets the following basic conditions:

- a) over the period of the past six months preceding the application for public funds no sanction for a serious breach of obligations under § 98 (1a) has been imposed upon such individual;
- b) she or he holds a separate bank account to receive public funds.

(3) The eligibility of the beneficiary of public funds is presumed for each sports organisation on which the register of legal entities contains data in the scope of § 81 and which meets the following conditions:

- a) it has statutes in accordance with §§ 19 to 23, if this concerns a sports federation or national sports organisation;
- b) the activities of a sports federation or sports organisation incorporated as a civic association are in accordance with §§ 19 to 23;
- c) over the period of the past six months preceding the application for public funds no sanction for a serious breach of obligations under § 98 (1a) has been imposed upon such entity;
- d) it holds a separate bank account to receive public funds.

(4) An individual shall lose the eligibility as a beneficiary of public funds, if he or she ceases to satisfy the conditions under paragraph 2 or the conditions under a special regulation.²⁹⁾

(5) A sports organisation shall lose its eligibility as a beneficiary if it ceases to satisfy the conditions under paragraph 3 or under a special regulation.²⁹⁾

(6) A person who is not an eligible beneficiary of public funds may not receive public funds until the moment when the fulfilment of the eligibility conditions of a public funds beneficiary has been proven to the Ministry of Education.

(7) A municipality is eligible as a beneficiary of public funds under this Act if it is entered in the register of legal entities in sport. A municipality is entered in the register of legal entities in sport within the scope of the data under § 81 (1) (a) to g), (k) to (n).

§67

(1) In addition to the procedure under § 66 (4) and (5) an individual shall lose the eligibility of a beneficiary of public funds also in the following cases

- a) on the date when the decision becomes final, imposing a sanction upon an individual as a result of committing an offence under § 96 (3) (g), (h) or (i), of the year following the calendar year in which the decision became final;
- b) on the day when the anti-doping audit was completed by the principal sports auditor which established that
 - 1. the sports federation failed to incorporate into its rules the anti-doping rules of the World Anti-Doping Programme,
 - 2. the sports federation does not follow its rules,
 - 3. the sports organisation failed to adjust its regulations in accordance with the regulations of the sports federation, or
 - 4. the sports organisation does not follow its regulations in for the fight against doping in sport;
- c) on the effective date of a decision ruling on the infringement of the rules under § 88 (3), according to which the sports organisation or the organiser of a sporting event has violated such rules or was involved in their violation, and this by the end of the calendar year following the calendar year in which the decision became final;
- d) on the effective date of a decision imposing a disciplinary sanction on an athlete or athlete's entourage as a result of breaching the rules under § 88 (3), and this for the period when the sanction is exercised.

(2) A sports organisation shall lose its eligibility of a beneficiary of public funds if

- a) it fails to provide for the performance of sporting activity for which professional qualifications are required of a competent sports expert pursuant to § 8 (7);
- b) it fails to allow an individual within its purview to participate in a sports representation pursuant to § 8 (10);
- c) as a beneficiary of public funds it fails to collect an annual membership contribution from entities within its purview pursuant to § 9 (1);
- d) it fails to prepare annual financial statements and annual report verified by an auditor pursuant to § 9 (4);
- e) it fails to fulfil the obligation to publish its annual report pursuant to § 9 (7), having the content pursuant to § 9 (5) and (6);
- f) it fails to create the conditions for an independent audit pursuant to § 10 (1);
- g) it fails to establish or fill the position of controller pursuant to § 10 (1) and (2).

(3) A national sports federation shall lose the eligibility as a beneficiary of public funds if

- a) it fails to publish on its website or in the sports information system information pursuant to § 17 (1);

²⁹ For example, § 8a of Act no. 523/2004 Coll. as later amended, §§ 7 (4) and 8 (5) of Act no. 583/2004 Coll. on budgetary rules of local governments and on the amendment of certain acts as later amended, § 2 (1) (f) of Act no. 524/2010 Coll. as later amended, § 2 (g) of Act no. 526/2010 Coll.

- b) it fails to fulfil the obligation pursuant to § 18 (1) or (3);
- c) it fails to lay down the key for delegates in its statutes pursuant to § 19 (2);
- d) the key for delegates fails to take into consideration the facts pursuant to § 19 (3);
- e) it fails to fulfil the obligation referred to in § 20 (1);
- f) it fails to hold the ordinary meeting the supreme body at least once a year;
- g) the minutes from a meeting of a decision-making body fail to contain the particulars pursuant to § 21 (2);
- h) it has failed to remit a solidarity contribution pursuant to § 30 (3) as an entity that is a recipient of remuneration under § 30 (1);
- i) it fails to use revenues from sports representation to fulfil the tasks pursuant to § 30 (2).

(4) In addition to the cases under paragraph 1 and § 66 (4) and (5) an entity shall lose the eligibility of a beneficiary of public funds also if, upon request of the principal sports auditor, Ministry of Education or public funds provider, the entity fails to prove within the period set that

- a) the data concerning the entity and entered in the sports information system in the scope of §§ 80 to 82 is complete, true and in accordance with the data entered on the entity in the source records;
- b) due to the entity's conduct there were no circumstances evidencing the committal of an administrative offence or an offence by such entity as referred to in § 98.

(5) The entity under paragraph 4 shall lose the eligibility as a beneficiary of public funds on the day of the vain expiry of the period set.

(6) The period during which a sports federation or sports organisation loses its eligibility as a beneficiary of public funds under paragraph 1 (b) shall be determined by the Ministry of Education on the basis of the opinion of the Anti-Doping Agency of the Slovak Republic (hereinafter referred to as the "Agency"), and which was the basis for the principal sports auditor.

(7) Where a serious shortcoming identified cannot be remedied, the Ministry of Education shall determine the extent to which the sports federation or sports organisation is to lose its eligibility as a beneficiary of public funds, and the conditions for the restoration of the eligibility on the basis of the opinion of the principal sports auditor.

(8) If there is a dispute concerning the loss or restoration of eligibility as a beneficiary of public funds, the dispute shall be resolved at the request of the affected legal entity or individual by a court.

Allowance for recognised sports

§68

(1) Allowance for a recognised sport means a financial allowance, for which a national sports federation for the recognised sport is eligible pursuant to the first point of § 3 (f), and which is eligible as a beneficiary of public funds and which has applied for its provision.

(2) The allowance for the recognised sport is directly proportional to the added value of the recognised sport for the Slovak Republic and is calculated according to the model set out in Annex 3 on the basis of parameters expressing interest in the recognised sport in the Slovak Republic and abroad, achieved sports results of athletes or teams in the adult category and in the youth categories, and the number of active athletes in the age group below 18 years of age.

(3) Annually by 31 October the Ministry of Education shall publish the determined values and parameters and calculated percentage proportions of the recognised sports for the following calendar year.

(4) The methodology to ascertain values and parameters in order to calculate the percentage proportion of the recognised sport by the model shall be set out by the Government in a regulation.

(5) The total amount of public funds intended for allowances for recognised sports shall also include the public funds for the preparation and participation of athletes or teams in sporting events, provided in addition to the allowance for the recognised sport; this shall not apply in the case of an allowance for a national sports project pursuant to § 75 (2) (a), (4) or in the case of an allowance for a sports voucher pursuant to § 76.

§69

(1) An application for an allowance for a recognised sport shall be filed via the sports information system by 30 September of the relevant calendar year.

(2) In order to receive and use the allowance a national sports federation shall be required to set up a separate bank account.

(3) The allowance for recognised sport shall be paid in four instalments of 25% of the calculated share of the recognised sport, in the terms 31 January, 30 April, 31 July and 31 October of the calendar year.

(4) A national sports federation shall be required to continuously published information on the way it uses the allowance for recognised sport, not later than on 25th day of the calendar month following the calendar month in which the allowance was used.

(5) A national sports federation shall be obliged to distribute at least 10% of the allowance for recognised sport among the sports clubs within its purview, proportionally according to the number of athletes competing in individual sports or the number of teams competing in team sports.

(6) Unless the members of the national sports federation under § 16 (3) have agreed otherwise, § 68 (2) shall be applied mutatis mutandis in distributing the allowance for recognised sport among the members of the national sports federation.

Subsidy

§70

(1) The Ministry of Education may grant a subsidy for

- a) promotion and development of sport for all, elite sport and disability sport;
- b) construction, modernisation and reconstruction of the sports infrastructure;
- c) hiking trails;
- d) Promotion of good governance in sport.

(2) The list of areas under paragraph 1 above shall be published by the Ministry of Education in the sports information system and on its website.

(3) The subsidy cannot be granted or used for

- a) settlement of liabilities from previous years other than the liabilities concerning sports infrastructure of special importance;
- b) reimbursement of expenses paid in previous years other than expenses on sports infrastructure of special importance;
- c) reimbursement of expenses that are not consistent with the purpose defined in the subsidy agreement.

(4) The subsidy may be granted to an applicant who is

- a) an individual entered in the register of individuals;
- b) a sports organisation entered in the register of legal entities;
- c) a municipality entered in the register of legal entities in sport.

§71

(1) The Ministry of Education shall publish a call for applications for subsidies (hereinafter referred to as the “call”).

(2) The call shall contain mainly

- a) areas of activities in which applications for subsidies may be submitted (hereinafter referred to as the “application”);
- b) end date for submitting applications that shall be no less than 30 days from the day of publishing the call;
- c) the amount of funds available for cofinancing where cofinancing is required for implementing the subsidy’s purpose;
- d) selection criteria and their order of importance;
- e) range of eligible applicants;
- f) amount of funds available for distribution;
- g) the highest and the lowest amount of a subsidy per applicant;
- h) a timetable for the evaluation of applications.

(3) The application shall be submitted through the sports information system. The application shall be published.

(4) An application shall include

- a) definition and justification of the specific activities which the subsidy is applied for, including the designation of the area pursuant to paragraph 2 (a);
- b) date and place of implementing the activity;
- c) Budget of revenues and expenditure connected with the implementation of the activities;
- d) amount of the subsidy applied for;
- e) a document proving the ownership right or tenancy relationship with regard to the land or building, if the application concerns a subsidy for the implementation of a building or modification of a building;
- f) other particulars according to a special regulation.³⁰⁾

§72

(1) The applications shall be assessed by a commission set up by the Ministry of Education.

(2) The commission shall comprise at least three members, of whom at least one member shall be a member of staff of the Ministry of Education. A member of the commission or a person close to such member may not be

- a) an applicant or be biased towards the applicant;
- b) the statutory body or a member of the statutory body of the applicant;
- c) an associate of a sports organisation that is the applicant;
- d) in the employment relationship with the applicant.

³⁰⁾ § 8a (5) of Act no. 523/2004 Coll. as later amended.

(3) In assessing the applications the commission shall be independent and shall evaluate them subject to the criteria specified in the call.

(4) The provisions of paragraphs 1 and 2 shall not apply to the applications that are assessed only on the basis of the criteria in which a score is assigned in only one possible way, on the basis of objectively verifiable data.

§73

(1) The Ministry of Education shall publish

- a) a list of applicants who were granted the subsidy, and the amount thereof;
- b) a list of applicants not awarded the subsidy, giving the reasons for rejection;
- c) agreements on subsidy;
- d) evaluation of the results obtained with the aid of already provided subsidies, if the Ministry of Education has such information available;
- e) information about when the Ministry of Education decided to grant or not grant a subsidy contrary to the proposal by the commission established for evaluating the applications and the reasoning for such decision.
- f) the composition of the commission established for evaluating the applications.

(2) A subsidy cannot be granted if the application fails to meet the requirements established by this Act, it is submitted late or fails to be submitted in accordance with the call.

(3) There is no legal entitlement to subsidies.

§74

(1) A subsidy shall be granted on the basis of a written agreement on a subsidy concluded between the Ministry of Education and an applicant.

(2) The agreement shall include in particular

- a) identification data of the contracting parties;
- b) Bank details and bank account number of the applicant;
- c) amount of the subsidy approved;
- d) purpose for which the subsidy is being provided;
- e) terms and periods for using the subsidy;
- f) clearing date/settlement date of the subsidy;
- g) period for returning unused funds and bank account of the Ministry of Education where the funds are to be remitted;
- h) period for remitting revenues and bank account of the Ministry of Education where the funds are to be remitted;
- i) conditions for granting the subsidy, where the failure to meet such conditions is connected with the obligation to return the funds;
- j) method of controlling the use of the subsidy provided;
- k) the amount and method of proving the use of funds intended for cofinancing where cofinancing is required for the implementation of the subsidy's purpose;
- l) undertaking to use the building for which the subsidy was provided for the sporting purpose throughout the contractually defined period, even in the event of a transfer of ownership.

Contribution for a national sports project

§75

(1) The Government may decide to grant a contribution through the relevant chapter of the state budget to a sports organisation entered in the register of legal entities in sport, for a national sports project that is

- a) construction, modernisation and reconstruction of the sports infrastructure of national importance;
- b) support of a national project of sport for all, focusing on youth;
- c) organisation of a major sporting event under § 55 (1) (b).

(2) The Ministry of Education may from the public funds provide a sports organisation entered in the register of legal entities in sport a contribution for a national sports project that is

- a) participation at a major sporting event under § 3 (h) of the first point above;
- b) participation at a major sporting event under § 3 (h) of the second to fourth points, including the preparation for this sporting event;
- c) performance of public interest tasks in sport by the national sports organisations.

(3) A national sports project is also considered to be

- a) ensuring the preparation of athletes according to the list of elite athletes and their participation in a major sporting event;

- b) ensuring the performance of tasks of the Slovak Olympic Committee;
- c) ensuring the preparation of physically disabled athletes and performance of the tasks of the Slovak Paralympic Committee.

(4) The Ministry of Education shall annually provide an allowance for athletes according to the list of elite athletes. The amount of the allowance for individual athletes shall be determined by the Ministry of Education subject to the ranking of the athletes included in the list of elite athletes. The allowance shall be remitted to the national sports federation where the athlete is a member. The national sports federation shall use no more than 30% for the preparation of the athlete and the remaining part shall be provided to the athlete.

(5) The Ministry of Education shall annually provide the contribution to the Slovak Olympic Committee in order to fulfil the tasks under § 25 (4) in quarterly instalments.

(6) The Ministry of Education shall annually provide an allowance for disabled sport. The allowance shall be provided in quarterly instalments through the Slovak Paralympic Committee and it shall be also intended for ensuring the performance of tasks according to § 26 (3).

(7) The promotion of a national sports project shall be provided to a sports organisation called upon in writing, on the basis of a contract on the promotion of a national sports project concluded between the public funds provider and the relevant sports organisation. A contract on the promotion of a national sports project shall contain the particulars pursuant to § 74 (2).

§76

Allowance for a sports voucher

(1) The Ministry of Education may provide an allowance for a sports voucher, depending on the amount of the public funds available.

(2) The allowance for a sports voucher shall be provided for performing the sport for all and disabled sports for a child who is a resident or has a similar place of residence in the Slovak Republic from the age of five years by the end of the calendar year in which the child reaches 14 years of age.

(3) The application for a sports voucher allowance shall be submitted on behalf of the child by the child's legal guardian through the sports information system. The application may be submitted during the month of February and September of the relevant calendar year. The application shall contain

- a) first name, surname and date of birth of the child;
- b) permanent address or similar place of residence of the child; and
- c) first name and surname of the child's legal guardian.

(4) Where the conditions in accordance with paragraphs 2 and 3 have been satisfied, the eligible applicant shall receive a sports voucher via the sports information system. The sports voucher shall be provided in the month of February and September of the relevant calendar year and shall be applied for through the sports information system. The sports voucher shall indicate the first name, surname and date of birth of the child, identification number of the sports voucher and the validity period of the sports voucher. The value of the sports voucher can be assigned to no more than two sports organisations or sports experts.

(5) Based on a sports voucher a sports expert or sports organisation registered in the register of legal entities in sport shall provide for the sports voucher holder the performance of sport under the guidance of a coach, sports instructor or academic employees who shall meet the qualification requirements for teaching the subject of physical education and sports education, for which the sports expert or sports organisation shall receive the allowance in the value of the sports voucher granted or part of it.

(6) The allowance shall be paid out by the Ministry of Education to the sports expert or sports organisation in quarterly instalments in the amount of the fully drawn value of the sports voucher applied.

(7) The payment of the allowance in the full amount of the sports voucher shall be conditional on the continuous maintenance and publication of electronic attendance sheets of children in the scope of § 80 (2) (a), (b) and (f), including information on the sports expert in the scope of § 80 (2) (a), (b) and (f) and (6) (a) to (f), who guided the performance of the sport.

§77

Sources of state budget funding of sport

(1) Sources of funding the sport from the state budget are

- a) state budget funds in the budget chapter of the Ministry of Education allocated for sport; the amount of these funds, after deducting allowances for a national sports project pursuant to § 75 (1), must not be below the balance for the preceding budget year;
- b) state budget funds in the amount of the levy on the operation of lottery games³¹⁾ to the state budget in the fiscal year preceding the current budget year; 25% of this levy in 2016, 50% of this levy in 2017 and 75% of this levy in 2018 and 100% of the levy from 2019 onward;
- c) state budget funds earmarked for the allowance for a national sports project pursuant to § 75 (1).

(2) The funds under paragraph 1 (a) and (b), other than the allowance for a national sports project under § 75 (1), if included in the funds under paragraph 1 (a), shall be used

- a) in the minimum amount of 80% for the allowance for recognised sport;

³¹⁾ § 4 of Act no. 171/2005 Coll. on gambling and on the amendment of certain acts as amended by Act no. 135/2013 Coll.

- b) in the minimum amount of 7% for the national sports project pursuant to § 75 (4);
- c) in the minimum amount of 2 % for the national sports project pursuant to § 75 (5);
- d) in the minimum amount of 3.5 % for the national sports project pursuant to § 75 (4); and
- e) the outstanding amount for the provision of the subsidy pursuant to § 70, the national sports projects pursuant to § 75 (2), expenditure on maintaining and operation of the sports information system and education and examination of controllers.

§78

Control of the use of public funds

- (1) The public funds provider shall carry out an audit of the use of public funds under a special regulation.¹⁰⁾
- (2) The public funds beneficiary shall be obliged to submit to the public funds provider also the documents proving the use of the funds intended for cofinancing of the purpose of the contribution.
- (3) If the public funds beneficiary violates financial discipline, the procedure under a special regulation³²⁾ shall apply.

PART SIX SPORTS INFORMATION SYSTEM

§79

- (1) Sports information system means an information system of the public administration, which is administered and operated by the Ministry of Education.
- (2) The sport information system consists of the following modules:
 - a) register of individuals in sport;
 - b) register of legal entities in sport;
 - c) public portal of the sports information system portal (hereinafter referred to as the “sports portal”);
 - d) of professional preparation of sports experts.
- (3) For the identification purposes the sports information system shall assign every individual in sport and every legal entity in sport with a unique entity identifier.³³⁾
- (4) The data contained in the sports information system shall be considered to be complete, accurate and true, unless it is proven otherwise. The person making an entry shall be responsible for the completeness, accuracy and veracity of the data entered in the sports information system.
- (5) Mandatory information shall be entered in the sports information system by direct entry or automatic synchronisation of the data in the source records of a sports organisation and the data in the sports information system.
- (6) The provision of data from the sports information system shall not be subject to a special regulation.³⁴⁾

§80

Register of individuals in sport

- (1) In the register of individuals in sport there are entered data on natural persons performing sporting activities such as
 - a) professional athlete;
 - b) amateur athlete;
 - c) sports expert pursuant to § 6 (1);
 - d) sports voucher holder.
- (2) About every individual in the register of individuals in sport there are entered the following data:
 - a) first name, surname, title;
 - b) date of birth;
 - c) identification number of the organisation, if it concerns a self-employed person;
 - d) unique identifier of the person;
 - e) birth identification number;
 - f) nationality;
 - g) address or similar place of residence;
 - h) business name and place of business in case of a natural person entrepreneur;

³²⁾ § 31 of Act no. 523/2004 Coll. as later amended.

³³⁾ § 21 (1) (b) of Act no. 305/2013 Coll. on the electronic governance of public authorities and on the amendment of certain acts (e-Government Act).

³⁴⁾ Act no. 211/2000 Coll. on free access to information and on the amendment of certain acts (Freedom of Information Act) as later amended.

- i) correspondence address;
- j) e-mail address;
- k) bank account number to receive and use
 - 1. subsidy,
 - 2. sponsorship;
- l) type of sport;
- m) type of professional activity pursued in sport;
- n) the title by virtue of which the natural person performs the sporting activity for a sports organizations; in case of the contractual relationship, information on the contract period shall be indicated;
- o) sports results in major sporting events;
- p) honorary state titles and awards;
- q) membership in sports organisations;
- r) date of last participation in a sporting event;
- s) date of payment of the membership fee, if paid;
- t) designation of the source record.

(3) In addition to the data entered in accordance with paragraph 2 above, as regards an individual the entry in the register of individuals in sport shall also include any information on a serious infringement of obligations under § 98.

(4) About a professional athlete the following data shall be also entered in the register of individuals in sport

- a) verification of medical fitness;
- b) sports representation, including the name of the state the athlete represents.

(5) About an amateur athlete the following data shall be also entered in the register of individuals in sport

- a) verification of medical fitness;
- b) sports representation, including the name of the state the athlete represents.

(6) About a sports expert the following data shall be also entered in the register of individuals in sport:

- a) type of professional activities in sport;
- b) number of a certificate on professional competence;
- c) start and end date of the professional competence, if limited in time;
- d) designation of the person who verified the professional competence of the sports expert;
- e) designation of the person who issued the certificate on professional competence;
- f) information concerning the verification of integrity;
- g) information on the start and end date of the term of office and designation of the function performed, if this concerns a sports expert pursuant to § 6 (1) (e) to (g).

(7) If the person under paragraph 1 (c) carries out a sporting activity as a volunteer, the following data shall be also entered in the register of individuals in sport:

- a) designation of the beneficiary of the volunteering;
- b) designation of the posting organisation;
- c) place, content and duration of volunteering;
- d) sporting event or project in respect of which the volunteering was performed;
- e) provided material support and reimbursement.

(8) A sports organisation shall be obliged to enter the information under paragraphs 2, 4 to 7 within ten days of entering such information in its source records.

(9) The entry of the information under paragraph 3 shall be made within ten days of issuing the decision, by the body issuing such decision.

(10) If a natural person carrying out a professional activity in sport under § 6 has no affiliation to a sports organisation, the information under paragraphs 2 and 6 shall be entered at his or her request by the Ministry of Education.

§81

Register of legal entities in sport

(1) About every legal entity in sport the following data shall be entered in the register:

- a) name or business name;
- b) address of registered office;
- c) legal form;
- d) organisation identification number;
- e) unique identifier of the person;
- f) bank account number and receipt and use of

1. allowance for the recognised sport,
2. subsidy,
3. allowance for a national sports project,
4. allowance for sports vouchers,
5. sponsorship;
- g) e-mail address;
- h) type of sports organisation;
- i) type of sport;
- j) type of a sporting activity performed;
- k) name and surname of the statutory body;
- l) e-mail address of the statutory body;
- m) first name and surname of the controller;
- n) e-mail address of the controller;
- o) list of individuals within the purview of a sports organisation in the scope of their first name, surname, date of birth and legal title and start date of affiliation to the sports organisation;
- p) list of legal entities within the purview of a sports organisation in the scope of their name or business name, registered office, legal form, organisation identification number, legal title and start date of affiliation to the sports organisation;
- q) membership fee, if paid;
- r) date of payment of the membership fee, if paid;
- s) affiliation to sports organisations;
- t) list of sporting competitions or sporting events organised in the following calendar year;
- u) eligibility of the public funds beneficiary;
- v) designation of the source records.

(2) In addition to the data entered in accordance with paragraph 1 above, as regards a legal entity the entry in the register of legal entities in sport shall also include any information on serious infringement of obligations under § 98.

(3) In addition to the data pursuant to paragraph 1 above, as regards a national sports federation and national sport organisation the entry in the register of legal entities in sport shall also include

- a) data on affiliation to the worldwide governing international sports organisation for a particular sport;
- b) first name and surname of the members of the supreme body and their substitutes, and indication as to who they represent in the supreme body according to the founding document;
- c) key of delegates of the supreme body;
- d) composition, tenure, method of nomination and election of members of elected bodies and their substitutes;
- e) rules of the quorum of the elected bodies and the majority required for adopting decisions.

(4) The relevant sports organisation shall be obliged to enter the information under paragraph 1 within ten days of entering such information in its source records.

(5) The entry of the information under paragraph 2 shall be made within ten days of issuing the decision, by the body issuing such decision.

(6) Entry of information on a person pursuant to paragraph 3 (a) shall be made by the Ministry of Education, based on the recognition for a national sports federation or for a national sports organisation.

§82

Sports portal

(1) The sports portal displays information according to §§ 80 and 81, except for information under § 80 (2) (e) and (g) that is not disclosed.

(2) In addition to the data referred to in paragraph 1 there shall also be displayed

- a) the founding document;
- b) regulations governing the implementation of sport or sporting activity, where it concerns a national sports federation or national sport organisation;
- c) budgets, annual reports, financial statements of sports organisations and the auditor's report, where it concerns national sports federations and national sports organisations;
- d) reports, alerts, recommendations, proposed measures and initiatives of the controller, where it concerns national sports federations and national sports organisations;
- e) annual reports of the controller, where it concerns national sports federations and national sports organisations;
- f) invitations, agendas, attendance sheets, minutes of meetings and decisions of the bodies of a national sports federation or national sport organisation that are
 1. supreme body,

2. supreme executive body,
 3. control bodies,
 4. dispute settlement bodies,
 5. disciplinary bodies,
 6. licensing bodies;
- g) reports of the election commission, where it concerns a national sports federation or national sports organisation;
- h) decisions of the bodies of a national sports federation and national sports organisation as to the method of use of public funds;
- i) decisions on
1. initiation and termination of bankruptcy proceedings or restructuring, and rejection of the petition for bankruptcy for lack of assets,
 2. initiation and termination of the enforcement;
 3. entry into liquidation and termination of liquidation;
- j) contracts and interim financial reporting of the use of
1. allowance for the recognised sport,
 2. subsidy,
 3. allowance for a national sports project,
 4. allowance for a sports voucher,
 5. sponsorship,
 6. funds intended for cofinancing where the implementation of the project according to the first to fifth point was cofinanced;
- k) records on the sports infrastructure;
- l) catalogue of activities, commodities and services.

PART SEVEN EDUCATION IN SPORT

§83

Professional competence to pursue professional activities of a coach

(1) Coach means a sports expert under whose guidance a professional athlete or amateur athlete performs sport or under whose guidance an athlete performs sport for all.

(2) A coach provides sports guidance in the following coach categories

- a) qualification level I;
- b) qualification level II;
- c) qualification level III;
- d) qualification level IV; or
- e) qualification level V.

(3) Education in order to obtain professional competence to pursue professional activities of coach shall be provided by

- a) university through a faculty organising study programmes of the first or second degree in the field of
 1. sports, or
 2. teacher training in art and humanities subjects;
- b) secondary sports school;
- c) national sports federation in cooperation with the university faculty organising study programmes of the first or second degree in the field of sports.

(4) Professional competence to pursue professional activities of a qualification level I and II coach shall be acquired through

- a) complete secondary vocational education in a study field of a secondary sports school;
- b) vocational training required by the regulations of a international sports organisation where a national sports federation is a member; vocational training shall be provided by a national sports federation in cooperation with the faculty pursuant to paragraph 3 (a) (1.);
- c) vocational training provided by a national sports federation; vocational training shall be provided by a national sports federation in cooperation with the faculty pursuant to paragraph 3 (a) (1.); or
- d) vocational training provided by the faculty pursuant to paragraph 3 (a) (1.) in the framework of further education.

(5) Professional competence to pursue professional activities of a qualification level III coach shall be acquired through

- a) complete secondary vocational education in a study field of a secondary sports school;
- b) a university first or second degree education in the study field of study teacher training in art and humanities subjects, provided that the relevant study programme included the passing of a state exam or test for the relevant period of the studies relating to a particular sport;

- c) vocational training required by the regulations of a international sports organisation where a national sports federation is a member; vocational training shall be provided by a national sports federation in cooperation with the faculty pursuant to paragraph 3 (a) (1.);
- d) vocational training provided by a national sports federation; vocational training shall be provided by a national sports federation in cooperation with the faculty pursuant to paragraph 3 (a) (1.); or
- e) vocational training provided by the faculty pursuant to paragraph 3 (a) (1.) in the framework of further education.

(6) Professional competence to pursue professional activities of a qualification level IV coach shall be acquired by obtaining the first degree of university education in the study field of sports.

(7) Professional competence to pursue professional activities of a qualification level V coach shall be acquired by obtaining the second degree of university education in the study field of sports.

(8) As certificate shall be issued confirming the acquisition of professional competence to pursue professional activities of a coach; the certificate shall contain

- a) the name of organisation that issued the certificate; if a university, the name of the faculty is also indicated;
- b) information regarding the natural person to whom the certificate is being issued in the scope of the first name, surname, academic degree, title in arts or science, scientific degree and date of birth;
- c) certificate number;
- d) indication of the qualification level;
- e) designation of sport for which it professional competence was acquired;
- f) date and place of issue of the certificate;
- g) first name, surname and signature of the statutory body of the organisation that issued the certificate, or a person authorised;
- h) imprint of the stamp of the organisation that issued the certificate.

(9) Where the professional competence to pursue the professional activities of a coach was acquired through complete secondary vocational education or higher education, the certificate referred to in paragraph 8 shall be issued in addition to the document on the relevant education.

(10) A national sports federation may determine in its regulations

- a) which qualification level of professional competence to pursue professional activities of a coach shall be required for the relevant level of competition;
- b) conditions which the coach must meet at various levels and categories of competition in the particular sport.

§84

Professional competence to pursue professional activities of a sports instructor

(1) Sports instructor means a sports expert under whose guidance an athlete performs sport for all.

(2) The sports instructor provides sports guidance in the following categories of sports instructor

- a) qualification level I;
- b) qualification level II; or
- c) qualification level III.

(3) Education for obtaining professional qualifications in order to pursue professional activities of a sports instructor shall be provided by

- a) university through a faculty organising study programmes of the first or second degree in the field of sports;
- b) secondary sports school;
- c) national sports federation in cooperation with the university faculty organising study programmes of the first or second degree in the field of sports.

(4) Professional competence to pursue professional activities of a sports instructor shall be acquired through

- a) complete secondary vocational education in a study field of a secondary sports school;
- b) vocational training required by the regulations of a international sports organisation where a national sports federation is a member; vocational training shall be provided by a national sports federation in cooperation with the faculty pursuant to paragraph 3 (a);
- c) vocational training provided by a national sports federation; vocational training shall be provided by a national sports federation in cooperation with the faculty pursuant to paragraph 3 (a); or
- d) professional training provided by the faculty pursuant to paragraph 3 (a) in the framework of further education.

(5) The acquisition of professional competence to pursue professional activities of a sports instructor shall be confirmed by a certificate, containing

- a) the name of organisation that issued the certificate; if a university, the name of the faculty is also to be indicated;
- b) information regarding the natural person to whom the certificate is being issued in the scope of the first name, surname, academic degree, title in arts or science, scientific degree and date of birth;
- c) certificate number;
- d) indication of the qualification level;
- e) designation of sport for which professional competence was acquired;

- f) date and place of issue of the certificate;
- g) first name, surname and signature of the statutory body of the organisation that issued the certificate, or of a person authorised by such body;
- h) imprint of the stamp of the organisation that issued the certificate.

(6) Where the professional competence to pursue professional activities of a sports instructor was acquired through complete secondary vocational education, the certificate referred to in paragraph 5 shall be issued in addition to the document on the relevant education.

§85

Professional competence to pursue activities of a different sports expert

Where the performance of professional activities in sport is conditional on the professional competence, the conditions for obtaining the professional competence, scope and content of the vocational training and method of testing to demonstrate professional competence to pursue professional activities of a particular sports expert are set out in the following regulations

- a) of an international sports organisation; vocational training and testing shall be provided by a national sports federation subject to the conditions of a particular type of sport,
- b) of a national sports federation; vocational training and testing shall be provided by a national sports federation subject to the conditions of a particular type of sport; the national sports federation may specify in its regulations that the vocational preparation and testing of the professional competence of a sports expert shall be provided by a sports organisation that is its member.

PART EIGHT

MEASURES IN THE FIGHT AGAINST NEGATIVE PHENOMENA IN SPORT

Agency

§86

(1) An agency is being established as an independent organisation fulfilling in the Slovak Republic the role of prevention and control in the field of doping.

(2) The agency is a government-subsidised organisation³⁵), financially linked to the budget of the Ministry of Education.³⁶⁾

(3) The statutory body of the Agency is its manager, appointed and recalled by the Minister of Education on the basis of selection proceedings. The manager's term of office is five years; re-appointment is possible.

(4) Agency

- a) performs the role of the World Anti-Doping Programme;
- b) conducts, organises and governs doping controls;
- c) prepares an annual plan of doping controls;
- d) provides analysis of samples collected for the purposes of doping control;
- e) notifies the Ministry of Education of any change in the list of prohibited substances and methods;
- f) grants to an athlete who is not an international-level athlete an exemption for therapeutic use of a substance or method from the list of prohibited substances and methods (hereinafter referred to as "Therapeutic Use Exemption");
- g) maintains a national register of athletes for testing, processing athlete's information pursuant to § 80 (2) (a), (b), (g), (i), (j) and (l) and information pursuant to § 80 (4) or (5), telephone number and his or her likeness;
- h) Notifies the World Anti-Doping Agency of final decisions on the matter of infringement of anti-doping rules; this shall not apply in case of an international-level athlete;
- i) issue opinions for control purposes regarding
 1. the incorporation of rules of the World Anti-Doping Programme by a sports federation into the sports federation's regulations,
 2. the compliance with the rules of the World Anti-Doping Programme by a sports federation and sports organisations, and
 3. adjustment of the regulations of a sports organisation in the field of doping in sport;
- j) cooperates in the fight against doping in sport, especially with the World Anti-Doping Agency, anti-doping agencies of other countries, international sports organisations, national sports federations, Slovak Olympic Committee and Slovak Paralympic Committee;
- k) provides cross-border cooperation in
 1. the movement of the doping control team in carrying out its activities in the framework of a doping control,
 2. the timely transportation of samples collected for testing so as to maintain their safety and integrity;

³⁵ § 21 (5) (a) of Act no. 523/2004 Coll.

³⁶ § 21 (7) of Act no. 523/2004 Coll. as amended by Act no 584/2005 Coll.

- l) concludes reciprocal testing agreements in accordance with the World Anti-Doping Programme;
 - m) recognizes the doping control practices and tests of anti-doping organisations in other countries that are in compliance with the World Anti-Doping Programme, and sporting sanctions resulting therefrom;
 - n) supports research and education in the fight against doping;
 - o) prepares an annual report on activities and fiscal management, containing primarily
 - 1. information on changes in the Agency's regulations,
 - 2. information on the bodies, changes to the latter and their activities,
 - 3. an overview of doping controls over the preceding calendar year,
 - 4. evaluation of the annual plan of doping controls in the preceding year,
 - 5. annual financial statements,
 - 6. statement of revenue and expenditure.
- (5) In a statement under paragraph 4 (i) the Agency shall also specify the period during which a sports federation or sports organisation is to lose its eligibility as a public funds beneficiary.
- (6) Details of tasks and organisation of the Agency shall be laid down in a statute to be issued by the Ministry of Education.

§87

- (1) The Agency shall be obliged to
- a) adopt rules in accordance with the World Anti-Doping Programme;
 - b) develop practices for sports federations for incorporating the World Anti-Doping Programme rules in the regulations of sports federations;
 - c) each year save the annual report on activities and fiscal management in the public section of the register of financial statements.⁹⁾
- (2) The Agency's purview applies to
- a) a sports organisation seated in the Slovak Republic;
 - b) the organiser of a sporting event competition established in the Slovak Republic;
 - c) an athlete who is a citizen of the Slovak Republic;
 - d) regardless of nationality, to
 - 1. an athlete and his or her entourage as members of a national sports federation or sports club with a binding membership in the national sports federation;
 - 2. an athlete and his or her entourage participating in a sporting event that is organised by the national sports federation or sports club with a binding membership in the national sports federation;
 - 3. a natural person who, for the purposes of the fight against doping in sport, is a member of a sports organisation,
 - 4. an athlete and his or her entourage participating at a national sporting event not organised by a national sports federation or sports club with a binding membership in a national sports federation,
 - 5. an athlete who is not an athlete under the first, second and fourth paragraph, and wishes to participate in an international sporting event or a national sporting event,
 - 6. an athlete who in and out of competition is in the territory of the Slovak Republic,
 - 7. an athlete who is a resident of the Slovak Republic.

Anti-doping measures

§88

- (1) Doping means in sport a violation of anti-doping rules pursuant to paragraph 3, both in or out of competition, when related to the participation of an athlete in competition.
- (2) Doping is prohibited.
- (3) The following constitute violations of anti-doping rules
- a) presence of a prohibited substance or its metabolites or markers in a biological sample of an athlete;
 - b) use or attempted use of a prohibited substance or method by an athlete;
 - c) avoidance, denial or failure to undergo the collection of a biological sample;
 - d) failure to give information on the athlete's place of stay ;
 - e) falsification or attempted falsification during a doping control;
 - f) frustration of a doping control;
 - g) possession of a prohibited substance or means allowing the use of a prohibited method;
 - h) trafficking or attempted trafficking in any prohibited substance or method;
 - i) administration or attempted administration of a prohibited substance or method to an athlete in or out of competition;

- j) encouraging, assisting, abetting, concealing or other form of engaging in the violation of an anti-doping rule; and
- k) for the purpose of a sporting activity association of an athlete or sports expert with an individual upon whom a sanction or other measure has been imposed due to the violation of an anti-doping rule, at the time of duration of such sanction or measure.

(4) Where a Therapeutic Use Exemption has been granted to an athlete, the following shall not constitute the violation of anti-doping rules, to the extent applicable to the Therapeutic Use Exemption

- a) the presence of a substances from the list of prohibited substances and methods, its metabolites or markers;
- b) the use or attempted use of a substance or method from the list of prohibited substances and methods;
- c) possession of a substance from the list of prohibited substances or objects for the use of prohibited methods; or
- d) administration or attempted administration of a substance or method from the list of prohibited substances and methods.

Doping control

§89

(1) Violation of the rules under § 88 (3) shall be ascertained through doping control, which shall include in particular

- a) test planning;
- b) sample collection, handling and analysis;
- c) results management of the analysed samples collected;
- d) hearings and decisions.

(2) Individuals within the competence of the Agency shall be required to undergo a doping control.

§90

(1) The Agency shall carry out a doping control based on

- a) own initiative;
- b) a request of a sports association;
- c) a request of an international sports organisation;
- d) a request of an organiser of a sporting event.

(2) The costs of a doping control carried out at a request shall be borne by the entity requesting the control. The costs of a doping control shall be borne by a national sports federation if it organises a major sporting event, regardless of whether or not it requests a doping control.

(3) The method of choosing the names of athletes and athletes selected for doping control may not be disclosed before the delivery of the notification to the selected athlete for a doping control.

(4) A doping control notification shall be delivered to a selected athlete by a doping control officer or a DCO assistant, as a rule immediately after a sporting event. The athlete shall confirm its receipt through his or her signature. If an athlete refuses to take receipt or confirm the receipt of the notification with a signature, the DCO shall mark this fact in the notification form. The notification shall be done in paper form.

(5) In the doping control station premises provided for this purpose by the organiser of a sporting event no video, audio or video and sound recordings may be made.

(6) Throughout a doping control the athlete may leave the doping control station only with the prior consent of the DCO. Throughout the time of leaving the doping control station the athlete must be escorted by a DCO or a DCO assistant.

(7) No persons may be present at the doping control station other than

- a) DCO;
- b) DCO assistant;
- c) the athlete;
- d) the escort;
- e) interpreter;
- f) doctor or nurse if a blood sample is not collected by a DCO who is a doctor or nurse;
- g) deputy organiser of the competition or deputy organiser of the sporting events;
- h) representative of the international sports organisation; and
- i) representatives of the World Anti-Doping Agency.

(8) If during the doping control the athlete is given a soft drink, the latter shall be in its original sealed packaging and only the athlete or a person authorised by the athlete shall be authorised to open it.

§91

Doping control officer

(1) A doping control shall be conducted by the Agency via doping control officers (DCOs) who are appointed and recalled by the Agency director. In relation to a doping control a DCO holds the position of a public official.

(2) The performance of a doping control may be delegated to a DCO who is not

- a) a member of the sports organisation in which the athlete is tested by the doping control;
- b) a person close to the athlete tested by the doping control;
- c) entourage of the athlete tested by the doping control, or a close person of the athlete's entourage.

(3) When performing a doping control a DCO shall show his or her DCO accreditation and a written authorisation for performing a doping control.

(4) The authorisation to perform a doping control shall generally include

- a) identification of the agency;
- b) first name, surname and accreditation number of the DCO;
- c) Identification of the competition at which the DCO is collecting samples;
- d) subject of the doping control;
- e) signature of the Agency's manager or the authorised deputy;
- f) Agency's stamp.

(5) DCO's accreditation shall be issued by the Agency and it shall indicate

- a) first name and surname of the holder;
- b) facial image of the holder of the dimensions of at least 2.0 cm x 3.0 cm and at most 3.0 cm x 4.0 cm;
- c) designation "DOPING CONTROL OFFICER";
- d) Agency's name in the Slovak and English language;
- e) Agency's logo;
- f) accreditation's number;
- g) expiry date in the form "VALID: YYYY", where YYYY stands for the digital number of the year;
- h) other information, if required by the Agency, indicated in a manner which does not impede the readability of information under points (a) to (g).

(6) A DCO shall be also authorised to

- a) assess the suitability of the facilities provided by the organiser to perform a doping control; and
- b) determine the method of selecting athletes for doping control.

(7) A DCO shall notify the Agency that he or she no longer meets the conditions under § 7, within 15 days of the day when the DCO ceased to fulfil the conditions.

(8) The Agency's manager shall recall a DCO, if he or she no longer meet the conditions under § 7.

§92

Hearing for breach of anti-doping rules

(1) A doping hearing panel, whose members are appointed and recalled by the competent national sports federation or organiser of the competent sporting event, shall be competent to hear the proceedings concerning a first violation of the rules under § 88 (3).

(2) A doping hearing panel, whose members are appointed and recalled by the supreme body of a competent national sports federation, shall be competent to hear the proceedings concerning a second violation of the rules under § 88 (3), where

- a) at least one panel member has a master's degree university education in law or tertiary university education in any of the fields of study in a subset of the fields of study of law, obtained at a university in the Slovak Republic; or education obtained abroad equivalent in scope and content; where the university education was first obtained at the first degree and then in the second degree, it is required that both degrees were in an identical the study field;
- b) at least one panel member has a master's degree university education in general medicine or pharmacy, or tertiary university education in any of the fields of study in a subset of the fields of study of medical sciences or pharmacy, obtained at a university in the Slovak Republic; or education obtained abroad equivalent in scope and content.

(3) Member of the panel pursuant to paragraphs 1 and 2 may be appointed or elected an individual who

- a) has full legal capacity;
- b) is not a member of the sports organisations where the athlete is tested in the doping control;
- c) is not a person close to the athlete tested in the doping control;
- d) is not part of the entourage of the athlete tested in the doping control, or a close person of the entourage; and
- e) is a person of integrity.

(4) There may not be appointed or elected as a member of the panel pursuant to paragraphs 1 and 2 a natural person whose impartiality may be doubted in terms of his or her relation to the matter, to the athlete tested in the doping control, or to the entourage of such athlete.

(5) If the particular sport has no national sports federation, the Slovak Olympic Committee shall appoint a national sports federation of another sport which shall exercise the powers referred to in paragraphs 1 and 2 for that particular sport; where this concerns a disabled sport, the national sports federation of another sport shall be specified by the competent national disability sports organisation.

(6) In the hearing by the panel pursuant to paragraphs 1 and 2 the Agency's representative has the right to be present.

(7) The competent national sports federation or organiser of the competent sporting event shall be obliged to deliver a copy of the file on the matter in question to the Agency forthwith after the decision is issued.

§93

Decision

(1) A decision in the matter of a violation of the rules pursuant to § 88 (3) and a decision in the matter of therapeutic use exemption shall contain the statement, reasoning and instruction.

(2) The reasoning of a decision shall indicate which facts underlay the decision, how the evidence was assessed, how the competent body handled the proposals and objections of the parties to the hearing and their statements regarding the grounds for the decision.

(3) The instruction shall indicate whether the decision is final or whether an appeal may be filed against it, in what period of time, to which body it should be addressed and where the appeal should be filed.

(4) The written counterpart of the decision shall also indicate the name of the body issuing the decision, date of decision, first name and surname of a natural person and the name of a legal entity which the decision concerns. The decision must contain a stamp and signature indicating the full name and position of the authorised person.

(5) Against the decision on the violation of rules pursuant to § 88 (3) and on the therapeutic use exemption, an appeal may be filed by the natural person or legal entity concerned by the decision, in the manner and procedure set out in the rules issued pursuant to § 87 (1), within 15 days of receipt of the decision.

Measures against match-fixing

§94

(1) In order to protect the integrity of sport everyone shall be obliged to notify a national sports federation of any suspicion or finding that the course of a competition or competition results are being manipulated.

(2) Manipulation of a sporting event means a premeditated illegal influencing of the course or outcome of the competition, including an attempt at such action aimed as a rule at gaining an advantage for oneself or for another person, and at a partial or full removal of uncertainty associated with the course or outcome of the competition.

(3) A natural person may not place bets directly or via a third party on competitions in which the person participates as an athlete, sports expert or other person involved in the competition through his or her position, function or activity.

(4) A natural person must not exploit or disseminate confidential information about a sports organisation and its sporting activities that could jeopardize the integrity of the sporting event.

(5) For the purpose of disciplinary proceedings a national sports federation shall be entitled to request prosecuting authorities and court for information from a criminal proceedings.

(6) The sports organisation shall be required to suspend the sporting activity of a person within its purview that was charged with an indictment for the offence of corruption in sport until the end of criminal proceedings for such offence.

(7) A sports organisation shall be required to prohibit the sporting activity of a person within its purview that was convicted of an offence of corruption in sport for at least two years; in case of repeated convictions a lifetime prohibition to perform the sporting activity shall be imposed.

PART NINE

ADMINISTRATIVE OFFENCES AND MISDEMEANOURS

§95

Administrative offences

(1) A sports organisation shall commit an administrative offense if it

- a) performs a sporting activity as a sports organisation without being entered in the register of legal entities in sport pursuant to § 8 (2);
- b) fails to ensure for the performance of the sporting activity requiring professional competence a professionally competent sports expert pursuant to § 8 (7);
- c) fails to ensure the compliance with the obligations concerning the measures against negative phenomena in sport pursuant to § 8 (6);
- d) fails to submit a contract for the purpose of registration of contracts and agreements pursuant to § 8 (4);
- e) fails to comply with the obligation to keep the minutes pursuant to § 8 (5);

- f) fails to ensure a verification of its financial statements or annual report by auditor pursuant to § 9 (4);
- g) fails to comply with the obligation to prepare an annual report pursuant to § 9 (4);
- h) fails to comply with the obligation to prepare an annual report with the particulars pursuant to § 9 (5) or (6);
- i) fails to cooperate with the controller pursuant to § 14 (4) or the principal sports controller pursuant to § 14 (6);
- j) fails to allow the controller access to source documents pursuant to § 14 (2) (a);
- k) at variance with § 31 (4) applies in relation to an athlete or sports expert a restriction in the pursuit of a sporting activity at the end of their mutual contractual relationship;
- l) fails to notify an athlete of his or her rights and obligations pursuant to § 31 (1);
- m) infringes the principle of equal treatment pursuant to § 34 (5);
- n) fails to suspend the pursuit of a sporting activity pursuant to § 94 (6);
- o) fails to prohibit the pursuit of a sporting activity pursuant to § 94 (7).

(2) A national sports federation shall commit an administrative offence if it

- a) fails to cooperate with the controller pursuant to § 14 (4) or the principal sports controller pursuant to § 14 (6);
- b) fails to comply with the obligations pursuant to § 17 (2);
- c) fails to comply with the obligation pursuant to § 18 (1) or (3);
- d) fails to comply with any obligation pursuant to § 21 (1) (b);
- e) fails to use the revenues from sports representation to perform tasks pursuant to § 30 (2).

(3) A sports expert, who is an individual entrepreneur, shall be deemed to have committed an administrative offence if he or she

- a) commits misrepresentation in a affidavit pursuant to § 7 (4);
- b) fails to notify of a loss of integrity pursuant to § 7 (5);
- c) fails to present the professional competence accreditation pursuant to § 7 (6);
- d) fails to cooperate with the controller pursuant to § 14 (4);
- e) violates the prohibition of placing bets on competitions pursuant to § 94 (3).

(4) A natural person entrepreneur or a legal person shall commit an administrative offence if it

- a) pursues the activity of a sports expert without registration in the relevant register pursuant to § 6 (2);
- b) does not allow a holder of an honorary state title to enter an event pursuant to § 57 (6);
- c) controls or has influence over two or more sports clubs whose teams of adults or adult individuals compete in the same sporting event pursuant to § 15 (6);
- d) fails to notify a national sports federation of any suspicion or discovery that the course or outcome of a competition are manipulated pursuant to § 94 (1);
- e) uses the Olympic or Paralympic symbols at variance with § 25 (5), § 26 (4) or § 27;
- f) fails to provide cooperation to the principal sports controller pursuant to § 14 (6);
- g) fails to allow access of the principal sports controller to lands, buildings or other premises of the sports organisation pursuant to § 61 (4);
- h) refuses to show identity pursuant to § 61 (4);
- i) commits misrepresentation in the affidavit pursuant to § 50 (4) (b);
- j) based on a control carried out by the principal sports controller it is ascertained that the generally binding legal regulations in the field of education in sport have been breached.

(5) A penalty of 50 EUR to 3 000 EUR may be imposed for an administrative offence under paragraph 1 (a),(d), (e), (k) to (m), paragraph 2 (d), paragraph 3 (a) and (b), and paragraph 4 (a), (b) and (h).

(6) A penalty of 100 EUR to 10 000 EUR may be imposed for an administrative offence under paragraph 1 (f) to (j), paragraph 2 (e), paragraph 3 (c) to (e), and paragraph 4 (c), (f), (g) and (j).

(7) A penalty of 300 EUR to 30 000 EUR may be imposed for an administrative offence under paragraph 1 (b), (c), (n) and (o), paragraph 2 (a) to (c), and paragraph 4 (d), (e) and (i).

§96

Misdemeanours

(1) An athlete shall commit a misdemeanour if, as a sports representative, he or she refuses without justification to participate in an international sporting event in which he or she has been duly nominated by the national sports federation or other sports organisation, if public funds were used for the athlete's preparation over the period of the last two years.

(2) A sports expert shall commit a misdemeanour if he or she

- a) commits misrepresentation in the affidavit pursuant to § 7 (4);
- b) fails to notify of a loss of integrity pursuant to § 7 (5);
- c) fails to show the professional competence accreditation pursuant to § 7 (6);
- d) fails to cooperate with the controller pursuant to § 14 (4);

- e) violates the prohibition of placing bets on competitions pursuant to § 94 (3);
- f) fails to provide cooperation to the principal sports controller pursuant to § 14 (6);
- g) fails to allow access of the principal sports controller to lands, buildings or other premises of a sports organisation pursuant to § 61 (4);
- h) refuses to show identity pursuant to § 61 (4).

(3) A natural person shall be deemed to have committed a misdemeanour if he or she

- a) pursues the activity of a sports expert without registration in the relevant register pursuant to § 6 (2);
- b) controls or has influence over two or more sports clubs whose teams of adults or adult individuals compete in same sporting event pursuant to § 15 (6);
- c) as an independent observer fails to state his or her findings concerning the preparation, course and outcome of the elections in a written report or fails to forthwith notify the election commission and controller pursuant to § 23 (3);
- d) uses the Olympic or Paralympic symbols at variance with § 25 (5), § 26 (4) or § 27;
- e) fails to remit the solidarity contribution pursuant to § 30 (3) as an entity that is a recipient of remuneration under § 30 (1);
- f) in establishing the eligibility of a public funds beneficiary, states untrue or incomplete information pursuant to § 66 (2) as an applicant for public funds for a sporting activity;
- g) in an authorised manner produces, transports or has transported, possesses, offers, traffics, provides or administers to other person a substance with anabolic or other hormonal effect that is included in the list of prohibited substances and methods for a purpose other than therapeutic;
- h) uses against another person a method consisting in increasing the oxygen transfer in the human body or the method of genetic doping, included in the list of prohibited substances and methods, for a purpose other than therapeutic; or
- i) arranges for activities referred to in points (g) or (h);
- j) fails to notify a national sports federation of any suspicion or discovery that the course or outcome of a competition are being manipulated pursuant to § 94 (1).

(4) A controller shall be deemed to have committed a misdemeanour if he or she

- a) fails to perform control activity pursuant to § 14 (1) (b) to (e);
- b) fails to prepare a report pursuant to § 14 (9);
- c) fails to send forthwith a report on the control activity pursuant to § 14 (9);
- d) fails to comply with any obligation pursuant to § 13 (3) (b) to (e);
- e) performs the duties of the controller and concurrently performs another position referred to in § 11 (6);
- f) fails to confirm in writing the acceptance of documents or fails to return documents without delay to the entity from whom the documents were requested, unless they are necessary for further control pursuant to § 14 (3).

(5) A penalty of 50 EUR to 1 000 EUR may be imposed for a misdemeanour under paragraph 3 (a), (c), (d), (g) to (i), paragraph 4 (c) and (f).

(6) A penalty of 100 EUR to 5 000 EUR or the prohibition of activity for up to two years may be imposed for a misdemeanour under paragraphs 1 and 2 (a) to (d), (f) to (h), paragraph 3 (e), (f) and paragraph 4 (a), (b) and (d).

(7) A penalty of 500 EUR to 10 000 EUR or the prohibition of activity for up to five years may be imposed for a misdemeanour under paragraph 2 (e), paragraph 3 (b) and (j) and paragraph 4 (e).

§97

Common provisions on misdemeanours and administrative offences

(1) In imposing sanctions for administrative offences pursuant to §§ 95 and 96 the administrative body shall take into account the severity, method, duration and consequences of the misconduct, the repeated violation of the legal obligation and the multiplicity of violated obligations.

(2) A sanction for an administrative offence may be imposed within one year from the day when the breach of an obligation was discovered by the administrative body, but not later than three years from the day when the breach was committed.

(3) Where the administrative offence or misdemeanour concerns a breach of obligation with consequences that can be removed or remedied, the sanction may be imposed with the conditional deferral of a part of the sanction, up to a half of the penalty imposed, specifying the period for the fulfilment of the obligation, removing the effects or performance of the specified remedial action. Provided that a natural person upon whom such a sanction was imposed removes within the specified period the violation or effects or meets the corrective action, the body imposing the sanction shall decide on the waiver of that part the sanction the exercise of which was conditionally deferred. Removing of the unlawful condition and performance of the corrective actions shall be assessed by the administrative body issuing the decision.

(4) Misdemeanours shall be heard and decided on by the district office at the county seat, and the administrator for the state's claims resulting from the imposed sanctions shall be the Ministry of Interior. The general regulation on misdemeanours shall apply on the misdemeanours and their hearings.

(5) Administrative offences of a sports organisation, public funds provider, sports clubs, sports federations shall be heard and decided upon by the district office at the county seat. Administrative offences of a national sports federation and national sports organ shall be heard and decided upon by the Ministry of Education, which administers the state's claims resulting from penalties imposed.

(6) The Ministry of Education may, after the commencement of an administrative proceedings for an administrative offence pursuant to § 95 (1) (b), (c), (f) to (j), (n) and (o), § 95 (2) (d), § 95 (3) (c) to (e), § 95 (4) (c) to (g), impose upon a sports organisation a preliminary prohibition to apply for public funds.

(7) An entity finally penalised for an administrative offence or misdemeanour shall lose its eligibility as a public funds beneficiary until the sanction or action imposed upon the entity has been discharged.

(8) Where the decision on a misdemeanour imposed upon the guilty entity the obligation to pay compensation, the eligibility of a beneficiary of public funds shall not be restored before the settlement of damages or before an agreement on the settlement of damages in instalments, the entity shall be obliged to comply with the agreement.

(9) The loss of eligibility as a public funds beneficiary shall enter into effect when the decision becomes final, unless the administrative body decides on an earlier loss of eligibility through a preliminary injunction.

(10) The Ministry of Education may, for an administrative offence pursuant to § 95 (1) (b), (c), (f) to (j), (n) and (o), § 95 (2) (d), § 95 (3) (c) to (e), § 95 (4) (c) to (g), also impose a prohibition to apply for public funds for a period of up to five years.

(11) The district office at the county seat shall notify the Ministry of Education of the date when the decision on an administrative offence pursuant to § 95 and a decision on a misdemeanour pursuant to § 96 entered into force.

(12) Fines pursuant to §§ 95 and 96 shall be state budget income.

§98

Serious breach of obligation

(1) Serious breach of obligation shall be deemed to constitute the commitment of an administrative offence pursuant to § 95 (1) (b), (c), (f) to (j), (n) and (o), § 95 (2) (d), § 95 (3) (c) to (e), § 95 (4) (c) to (g) or commitment of a misdemeanour pursuant to § 96 (1), § 96 (2) (d) to (h), § 96 (3) (b), (c), (e) to (j) or § 96 (4) (a), (b), (d) and (f).

(2) For a misdemeanour or administrative offence deemed as a serious breach of obligation committed within one year from the day on which a decision on a penalty for a misdemeanour or administrative offence entered into force and which constitutes a serious breach of obligations, a penalty may be imposed up to the double the ceiling set out in §§ 95 and 96.

PART TEN

COMMON, TRANSITIONAL AND REPEALING PROVISIONS

Common provisions

§99

(1) Decisions to be made public under this Act shall be made public only after they have acquired effect, unless the regulations of a sports federation stipulate otherwise.

(2) If the act to be executed through the sports information system cannot be performed, the obliged person shall execute it in paper form. Where publication is not possible, the obliged person shall publish the information on its own website.

(3) Where for a particular sport there is no national sports federation operating in the Slovak Republic, the role of the national sports federation shall be carried out by a sports organisation that is a member of a international sports organisations associating sports clubs and athletes in that sport.

(4) Written documents shall be delivered

- a) to the addressee's e-mail address as indicated for the delivery purpose in the sports information system;
- b) according to a special regulation³⁷⁾ to an email box, if set up by the addressee;
- c) through a postal service; or
- d) through a public decree via the sports information system.

(5) In the processing and protection of personal data under this Act, a special regulation³⁸⁾ shall apply.

(6) The procedure under this Act shall not affect the special regulations concerning state aid.³⁹⁾

(7) Where certain issues cannot be resolved in accordance with the provisions of this Act, civil law regulations shall apply.

§ 100

Enabling clauses

³⁷⁾ §§ 29 to 34 of Act no. 305/2013 Coll.

³⁸⁾ Act no. 122/2013 Coll. on the protection of personal data and on the amendment of certain acts as amended by Act no. 84/2014 Coll.

³⁹⁾ For example, Article 107 and 108 of the Treaty on the functioning of the European Union, Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187, 26.6.2014).

(1) In a generally binding regulation the Ministry of Education shall set out

- a) details on the method and format of the publication of data, information and documents on the website of a sports organisation and in the sports information system;
- b) details on the method and rules for data synchronisation in the sports information system of a sports organisation or on the website of a sports organisation with the data in the sports information system;
- c) details on the execution of electronic elections for the sports organisation bodies through the sports information system;
- d) a list of prohibited substances and methods in accordance with the international convention binding upon the Slovak Republic,⁴⁰⁾
- e) details on the method of entering data in the register of individuals in sport and in the register of legal entities in sport, its modification and deletion;
- f) the extent of education, knowledge, skills and abilities required for the acquisition of professional competence to pursue the professional activity of a coach broken down by individual qualification levels;
- g) the extent of education, knowledge, skills and abilities required for the acquisition of professional competence to pursue a professional activity of a sports instructor broken down by individual qualification levels;
- h) details on the professional competence of individuals ensuring professional training according to §§ 83 and 84.

(2) Medical acts that are part of a medical examination of an elite athlete and talented athlete shall be laid down in a generally binding legal regulation issued by the Ministry of Education following the agreement with the Ministry of Health of the Slovak Republic.

§ 101

Relationship to the Code of Administrative Procedure

(1) Proceedings under this Act shall not be governed by the general regulation on administrative proceedings, with the exception of cases of proceedings under § 95 to 97.

(2) Provision of public funds for the development of sport shall not be governed by the general regulation on administrative proceedings.

Transitional provisions

§ 102

(1) A national sports federation shall harmonize its statutes and regulations governing disciplinary proceedings and dispute settlement proceedings carried out by its bodies, and regulations under § 5 (3) and (4) with this Act, no later than by 30 June 2016.

(2) A sports organisation shall fulfil the obligation under § 8 (6) (b) no later than by 30 June 2016.

(3) An application for a subsidy that was decided on before 1 January 2016 shall be assessed under this Act.

(4) Sports clubs in which athletes pursued up until 31 December 2015 sport in a manner complying with the features of dependent work, shall modify their contractual relationships with athletes in accordance with this Act by 31 December 2018. Following the expiry of this period, the contract between the athlete and sports club pursuing sport in a manner complying with the features of dependent work shall be deemed to be a professional sports contract under this Act.

(5) Legal relations and claims and rights ensuing therefrom established before the effective date of this Act shall be governed by the existing regulations.

(6) Legal effects of acts that happened before the effective date of this Act shall be preserved.

(7) The honorary title “Merited Worker in Physical Education and Sports”, “Merited Master of Sports”, “Merited Master of Hiking”, “Merited Sports Instructor”, “Merited Coach” and “Master of Sports” acquired prior to 15 October 1990 shall be considered an honorary state title under § 56.

(8) The project of the construction of the National Football Stadium in Bratislava and of the project Financing for the Reconstruction, Modernisation and Building of League Football Stadiums for 2013 – 2022 shall be considered national sports projects under § 75 (1).

§ 103

(1) Accreditation of an educational facility accredited for training sports experts under the current regulations shall remain preserved until the expiry date of the accreditation certificate.

(2) The accreditation procedure of an educational facility that was commenced before 31 December 2015 shall be completed in accordance with existing regulations.

(3) A professional competence certificate of a sports expert issued under the existing regulations shall remain valid until the expiry date of the certificate.

⁴⁰⁾ Article 2 (17) and Article 4 (3) of the International Convention against Doping in Sport (notification no. 347/2007 Coll.).

(4) Where a sports expert acquired his or her professional competence to pursue professional activities after 1 January 2016 at an educational facility pursuant to paragraph 1 or at an educational facility accredited pursuant to paragraph 2, the certificate confirming professional competence may be issued with a maximum validity to 31 December 2021.

(5) Professional competence to pursue the professional activities of a coach – qualification level II under this Act shall be granted also to a person who shall have by 31 December 2018 commenced his or her studies at a college included in the network of high school and educational institutions called “sports high school” and complete the studies with the final examination in the subject of sports preparation.

(6) Professional competence to pursue the professional activities of a coach – qualification level II shall be preserved if acquired according to

- a) paragraph 5; or
- b) regulations in force to 31 December 2015 by an individual who has completed general secondary education at a high school included in the network of schools and educational institutions designated a “sports high school” and completed studies with final examination in the subject of sports preparation.

§ 104

(1) Public administration sports information system established under the existing regulations shall be a sports information system under this Act. A sports register under the existing regulations shall be modified by the Ministry of Education into the registers according to §§ 80 to 82 by 30 April 2016.

(2) Sports organisations required to publish data on their website shall be required to do so by 31 March 2016.

(3) The obligation to publish data on the website of a sports organisation shall apply until such information is published in the relevant registers of the sports information system.

(4) Sports organisations and other entities entering data in the sports information system shall be required to add the data to each register within three months of a notification advising them of the functionality of the register.

§ 105

(1) A governmental sports centre established under the existing legislation shall be considered as a governmental sports centre under this Act.

(2) The Ministry of Education, Ministry of Interior and Ministry of Defence shall by 31 December 2016 elaborate a project for optimising the activities of departmental sports centres, while ensuring the state representation, and submitted to the Government for approval.

(3) The Ministry of Education in cooperation with the relevant sports federations shall by 30 June 2016 ensured the entry of information on

- a) individuals pursuant to § 80, maintained in source records, including already deleted or modified data, if available to the sports federations, so that on the last day of the specified period the data entered in the sports information system corresponds to the values of data entered in the source records; and
- b) legal entities pursuant to § 81, maintained in source records, including already deleted or modified data, if available to sports federations, so that on the last day of the specified period the data entered in the sports information system corresponds to the values of data entered in the source records.

(4) The Ministry of Education shall by 30 June 2016 ensure the entry of information on national sports federations and sports federations maintained in other records of the Ministry of Education, including already deleted or modified data, if available, so that on the last day of the specified period the data entered in the sports information system complies with the value of the data entered in other records of the Ministry of Education.

(5) Data provision pursuant to paragraph 3 shall occur with regard to the possibilities available to the particular sports federation in order to eliminate any conflicts between the data maintained by the particular sports federation and the data entered in the sports information system. To this end the Ministry of Education and the relevant sports federation shall cooperate in verifying the validity of the data, changes thereto, corrections and amendments, and this electronically and free of charge.

§ 106

(1) The Anti-Doping Agency of the Slovak Republic established through a founding charter under the existing regulations is repealed.

(2) As of 1 January 2016 the Agency shall assume

- a) the rights and obligations of the Anti-Doping Agency of the Slovak Republic established under the existing regulations, ensuing from employment relationships and other legal relationships of employees as at 31 December 2015;
- b) the rights and obligations of the Anti-Doping Agency of the Slovak Republic established under the existing regulations, ensuing from other legal relationships as at 31 December 2015;
- c) asset management concerning the assets owned by the Slovak Republic and under the administration of the Anti-Doping Agency of the Slovak Republic established under the existing regulations;

d) claims and liabilities of the Anti-Doping Agency of the Slovak Republic established under the existing regulations.

§ 107

Repealing provisions

This Act repeals:

1. Act of the National Council of the Slovak Republic no. 226/1994 Coll. on the use and protection of the Olympic symbols and on the Slovak Olympic Committee as amended by Act no. 300/2008 Coll. and Act no. 438/2013 Coll.;
2. Act no. 288/1997 Coll. on physical culture and on the amendment of Act no. 455/1991 Coll. on trade licensing (Trade Licensing Act) as amended, amended by Act no. 416/2001 Coll., Act no. 553/2001 Coll., Act no. 5/2005 Coll., Act no. 300/2008 Coll., Act no. 479/2008 Coll., Act no. 375/2013 Coll. and Act no. 1/2014 Coll.;
3. Act no. 300/2008 Coll. on the organization and promotion of sports and on the amendment of certain acts as amended by Act no. 462/2008 Coll., Act no. 528/2010 Coll., Act no. 1/2014 Coll. and Act no. 377/2014 Coll.;
4. Act no. 384/2013 Coll. on the use and protection of Paralympic symbols and on the Slovak Paralympic Committee;
5. Decree of the Ministry of Education of the Slovak Republic no. 444/2008 Coll. on the accreditation commission for the field of physical culture and the Common Education System of Sports Experts in the Slovak Republic;
6. Decree of the Ministry of Education of the Slovak Republic no. 542/2008 Coll. on procedures of doping control and handling of biological samples collected from an athlete.

§ 108

This Act transposes the legally binding acts of the European Union listed in Annex 4.

Article II

Act no. 311/2001 Coll. the Labour Code as amended by Act no. 165/2002 Coll., Act no. 408/2002 Coll., Act no. 210/2003 Coll., Act no. 461/2003 Coll., Act no. 5/2004 Coll., Act no. 365/2004 Coll., Act no. 82/2005 Coll., Act no. 131/2005 Coll., Act no. 244/2005 Coll., Act no. 570/2005 Coll., Act no. 124/2006 Coll., Act no. 231/2006 Coll., Act no. 348/2007 Coll., Act no. 200/2008 Coll., Act no. 460/2008 Coll., Act no. 49/2009 Coll., Act no. 184/2009 Coll., Act no. 574/2009 Coll., Act no. 543/2010 Coll., Act no. 48/2011 Coll., Act no. 257/2011 Coll., Act no. 406/2011 Coll., Act no. 512/2011 Coll., Act no. 251/2012 Coll., Act no. 252/2012 Coll., Act no. 345/2012 Coll., Act no. 361/2012 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 233/2013 Coll., Act no. 58/2014 Coll., Act no. 103/2014 Coll., Act no. 183/2014 Coll., Act no. 307/2014 Coll., Act no. 14/2015 Coll., Act no. 61/2015 Coll., Act no. 351/2015 Coll. and Act no. 378/2015 Coll. is amended as follows:

1. In § 2, the following paragraph 3 shall be inserted:

“(3) Legal relationships of professional athletes in performing sport on the basis of a professional sports contract shall be governed by this Act only when specified by a special regulation.”.

2. In § 3 (2), the comma after the words “of the Republic” shall be replaced by the word “and” and the words “and professional athletes” shall be deleted.

Article III

Act no. 300/2005 Coll. the Criminal Code as amended by Act no. 650/2005 Coll., Act no. 692/2006 Coll., Act no. 218/2007 Coll., Act no. 491/2008 Coll., Act no. 497/2008 Coll., Act no. 498/2008 Coll., Act no. 59/2009 Coll., Act no. 257/2009 Coll., Act no. 317/2009 Coll., Act no. 492/2009 Coll., Act no. 576/2009 Coll., Act no. 224/2010 Coll., Act no. 547/2010 Coll., Act no. 33/2011 Coll., Act no. 262/2011 Coll., Act no. 313/2011 Coll., Act no. 246/2012 Coll., Act no. 334/2012 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 428/2012 Coll., Act no. 204/2013 Coll., Act no. 1/2014 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 260/2014 Coll., Act no. 73/2015 Coll., Act no. 78/2015 Coll., Act no. 87/2015 Coll., Act no. 174/2015 Coll., Act no. 397/2015 Coll. and Act no. 398/2015 Coll. is amended as follows:

1. In § 30 (3), the word “or” before the words “§ 336” should be replaced by a comma and after the figure “(1)” a comma and the words “336a or § 336b” shall be inserted.

2. After § 336a, the following wording, including the title, of § 336b shall be inserted:

“§ 336b

Sports corruption

(1) Who directly or through an intermediary promises, offers or provides a bribe to another in order to act or refrain from acting in order to influence the course or outcome of a competition, shall be punished by imprisonment for one to five years.

(2) Likewise as in paragraph 1 shall be punished anyone who directly or through an intermediary, for himself or for another person, receives, requests or has a promise of a bribe to act or refrain from acting and thus influence the course or outcome of a competition.

(3) The offender shall be punished by imprisonment for two to eight years, if he commits the offence referred to in paragraph 1 or 2

- a) and the offender was convicted of the same offence in the preceding twenty-four months or has been penalised for a similar offence in the preceding twenty-four months concerned;
- b) in the form of a more serious misconduct; or
- c) in a major scale.

(4) The offender shall be punished by imprisonment for four to ten years, if he commits the offence referred to in paragraph 1 or 2

- a) as the referee, delegate of a sports federation or an official of a sports organisation;
- b) in a competition organised by an international sports organisation; or
- c) to a significant extent.

(5) The offender shall be punished by imprisonment for 5 to 12 years, if he commits the offence referred to in paragraph 1 or 2 in a large scale.”

Article IV

Act no. 301/2005 Coll. the Code of Criminal Procedure as amended by Act no. 650/2005 Coll., Act no. 692/2006 Coll., Act no. 342/2007 Coll., Act no. 643/2007 Coll., Act no. 61/2008 Coll., Act no. 491/2008 Coll., Act no. 498/2008 Coll., Act no. 5/2009 Coll., Act no. 59/2009 Coll., Act no. 70/2009 Coll., Act no. 97/2009 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 290/2009 Coll., Act no. 291/2009 Coll., Act no. 305/2009 Coll., Act no. 576/2009 Coll., Act no. 93/2010 Coll., Act no. 224/2010 Coll., Act no. 346/2010 Coll., Act no. 547/2010 Coll., Act no. 220/2011 Coll., Act no. 262/2011 Coll., Act no. 331/2011 Coll., Act no. 236/2012 Coll., Act no. 334/2012 Coll., Act no. 345/2012 Coll., Act no. 204/2013 Coll., Act no. 305/2013 Coll., Act no. 1/2014 Coll., Act no. 195/2014 Coll., Act no. 307/2014 Coll., Act no. 353/2014 Coll., Act no. 78/2015 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 139/2015 Coll., Act no. 174/2015 Coll., Act no. 397/2015 Coll., Act no. 398/2015 Coll. and Act no. 401/2015 Coll. is amended as follows:

In § 14, after point (h) the following point (i) shall be inserted:

“i) the offence of sports corruption under § 336b of the Criminal Code.”

The existing points (i) to (m) shall be renamed as points (j) to (n).

Article V

Act no. 455/1991 Coll. on the trade licensing (the Trade licensing Act) as amended by Act no. 231/1992 Coll., Act no. 600/1992 Coll., Act of the National Council of the Slovak Republic no. 132/1994 Coll., Act of the National Council of the Slovak Republic no. 200/1995 Coll., Act of the National Council of the Slovak Republic no. 216/1995 Coll., Act of the National Council of the Slovak Republic no. 233/1995 Coll., Act of the National Council of the Slovak Republic no. 123 / 1996Z.z., Act of the National Council of the Slovak Republic no. 164/1996 Coll., Act of the National Council of the Slovak Republic no. 222/1996 Coll., Act of the National Council of the Slovak Republic no. 289/1996 Coll., Act of the National Council of the Slovak Republic no. 290/1996 Coll., Act no. 288/1997 Coll., Act no. 379/1997 Coll., Act no. 70/1998 Coll., Act no. 76/1998 Coll., Act no. 126/1998 Coll., Act no. 129/1998 Coll., Act no. 140/1998 Coll., Act no. 143/1998 Coll., Act no. 144/1998 Coll., Act no. 161/1998 Coll., Act no. 178/1998 Coll., Act no. 179/1998 Coll., Act no. 194/1998 Coll., Act no. 263/1999 Coll., Act no. 264/1999 Coll., Act no. 119/2000 Coll., Act no. 142/2000 Coll., Act no. 236/2000 Coll., Act no. 238/2000 Coll., Act no. 268/2000 Coll., Act no. 338/2000 Coll., Act no. 223/2001 Coll., Act no. 279/2001 Coll., Act no. 488/2001 Coll., Act no. 554/2001 Coll., Act no. 261/2002 Coll., Act no. 284/2002 Coll., Act no. 506/2002 Coll., Act no. 190/2003 Coll., Act no. 219/2003 Coll., Act no. 245/2003 Coll., Act no. 423/2003 Coll., Act no. 515/2003 Coll., Act no. 586/2003 Coll., Act no. 602/2003 Coll., Act no. 347/2004 Coll., Act no. 350/2004 Coll., Act no. 365/2004 Coll., Act no. 420/2004 Coll., Act no. 533/2004 Coll., Act no. 544/2004 Coll., Act no. 578/2004 Coll., Act no. 624/2004 Coll., Act no. 650/2004 Coll., Act no. 656/2004 Coll., Act no. 725/2004 Coll., Act no. 8/2005 Coll., Act no. 93/2005 Coll., Act no. 331/2005 Coll., Act no. 340/2005 Coll., Act no. 351/2005 Coll., Act no. 470/2005 Coll., Act no. 473/2005 Coll., Act no. 491/2005 Coll., Act no. 555/2005 Coll., Act no. 567/2005 Coll., Act no. 124/2006 Coll., Act no. 126/2006 Coll., Act no. 17/2007 Coll., Act no. 99/2007 Coll., Act no. 193/2007 Coll., Act no. 218/2007 Coll., Act no. 358/2007 Coll., Act no. 577/2007 Coll., Act no. 112/2008 Coll., Act no. 445/2008 Coll., Act no. 448/2008 Coll., Act No.186 / 2009 Coll., Act no. 492/2009 Coll., Act no. 568/2009 Coll., Act no. 129/2010 Coll., Act no. 136/2010 Coll., Act no. 556/2010 Coll., Act no. 249/2011 Coll., Act no. 324/2011 Coll., Act no. 362/2011 Coll., Act no. 392/2011 Coll., Act no. 395/2011 Coll., Act no. 251/2012 Coll., Act no. 314/2012 Coll., Act no. 321/2012 Coll., Act no. 351/2012 Coll., Act no. 447/2012 Coll., Act no. 39/2013 Coll., Act no. 94/2013 Coll., Act no. 95/2013 Coll., Act no. 180/2013 Coll., Act no. 218/2013 Coll., Act no. 1/2014 Coll., Act no. 35/2014 Coll., Act no. 58/2014 Coll., Act no. 182/2014 Coll., Act no. 204/2014 Coll., Act no. 219/2014 Coll., Act no. 321/2014 Coll., Act no. 333/2014 Coll., Act no. 399/2014 Coll., Act no. 77/2015 Coll., Act no. 79/2015 Coll., Act no. 128/2015 Coll., Act no. 266/2015 Coll., Act no. 272/2015 Coll., Act no. 274/2015 Coll., Act no. 278/2015 Coll., Act no. 331/2015 Coll., Act no. 348/2015 Coll., Act no. 387/2015 Coll. and Act no. 412/2015 Coll. is amended as follows:

1. In paragraph 1 of § 3, the following points (e) and (f) shall be inserted:

“e) the activity of an athlete and sports expert under a special regulation,^{11b)}

f) the operation of educational facilities for the preparation and verification of professional competence of sports experts.”

The footnote 11b shall have the following wording:

“(1b) §§ 4 and 6 of Act no. 440/2015 Coll. on sport and on the amendment of certain acts.”.

2. After § 80aa, the following § 80ab, including the title, shall be inserted:

“§ 80ab

Transitional provisions to amendments effective as of 1 January 2016

(1) A trading licence to operate educational facilities for the preparation of pursuing specialised activities in physical culture, acquired pursuant to the regulations effective until 31 December 2015 shall remain valid until the expiry date of the accreditation.

(2) A trading licence to pursue specialised activities in physical culture, acquired pursuant to the regulations effective until 31 December 2015 shall remain valid until the expiry date of the accreditation document.

3. In Annex 2 REGULATED TRADES in GROUP no. 214 – Others, seq. no. 27, column Trading Licence, the words “other than the activities of a sports agent” shall be inserted at the end.

4. In Annex 2 REGULATED TRADES in GROUP no. 214 – Others, seq. no. 28, column Trading Licence, the words “other than the activities of a sports agent” shall be inserted at the end.

5. In Annex. 2 REGULATED TRADES in GROUP no. 214 – Others, trading licences under sequence numbers 29 and 30 shall be deleted.

Article VI

Act of the Slovak National Council no. 323/1992 Coll. on notaries and notarial activities (the Notarial Code) as amended by Act of the National Council of the Slovak Republic no. 63/1993 Coll., Act of the National Council of the Slovak Republic no. 232/1995 Coll., Act no. 397/2000 Coll., Act no. 561/2001 Coll., Act no. 526/2002 Coll., Act no. 527/2002 Coll., Act no. 357/2003 Coll., Act no. 514/2003 Coll., Act no. 420/2004 Coll., Act no. 562/2004 Coll., Act no. 757/2004 Coll., Act no. 126/2005 Coll., Act no. 521/2005 Coll., Act no. 477/2008 Coll., Act no. 304/2009 Coll., Act no. 141/2010 Coll., Act no. 335/2012 Coll., Act no. 299/2013 Coll., Act no. 366/2013 Coll., Act no. 267/2015 Coll. and Act no. 390/2015 Coll. is amended as follows:

In § 6 (2), the words “interpreting activity and translating activity” shall be replaced by the words “interpreting activity, translating activity and sporting activity”.

Article VII

Act of the National Council of the Slovak Republic no. 233/1995 Coll. on court executors and execution activity (the Execution Code) and on the amendment of other acts as amended by Act no. 211/1997 Coll., Act no. 353/1997 Coll., Act no. 235/1998 Coll., Act no. 240/1998 Coll., Act no. 280/1999 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 415/2000 Coll., Act no. 291/2001 Coll., Act no. 32/2002 Coll., Act no. 356/2003 Coll., Act no. 514/2003 Coll., Act no. 589/2003 Coll., Act no. 613/2004 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 125/2005 Coll., Act no. 341/2005 Coll., Act no. 585/2006 Coll., Act no. 84/2007 Coll., Act no. 568/2007 Coll., Act no. 384/2008 Coll., Act no. 477/2008 Coll., Act no. 554/2008 Coll., Act no. 84/2009 Coll., Act no. 192/2009 Coll., Act no. 466/2009 Coll., Act no. 144/2010 Coll., Act no. 151/2010 Coll., Act no. 102/2011 Coll., Act no. 348/2011 Coll., Act no. 230/2012 Coll., Act no. 335/2012 Coll., Act no. 440/2012 Coll., Act no. 461/2012 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 14/2013 Coll., Act no. 180/2013 Coll., Act no. 299/2013 Coll., Act no. 355/2013 Coll., Act no. 106/2014 Coll., Act no. 335 / 2014 Coll., Act no. 358 / 2015 Coll. is amended as follows:

In § 4, the words “artistic and journalistic” shall be replaced by the words “artistic, journalistic and sports”.

Article VIII

Act no. 200/1998 Coll. on the civil service of the customs officers and on the amendment of certain acts as amended by Act no. 54/1999 Coll., Act no. 337/1999 Coll., Act no. 417 / 2000Z. ., Act no. 328 / 2002Z. ., Act no. 664 / 2002Z. ., Act no. 251/2003 Coll., Act no. 464/2003 Coll., Act no. 199/2004 Coll., Act no. 365/2004 Coll., Act no. 382/2004 Coll., Act no. 652/2004 Coll., Act no. 732/2004 Coll., Act no. 258/2005 Coll., Act no. 623/2005 Coll., Act no. 330/2007 Coll., Act no. 537/2007 Coll., Act no. 166/2008 Coll., Act no. 465/2008 Coll., Act no. 583/2008 Coll., Act no. 305/2009 Coll., Act no. 465/2009 Coll., Act no. 151/2010 Coll., Act no. 543/2010 Coll., Act no. 48/2011 Coll., Act no. 389/2011 Coll., Act no. 546/2011 Coll., Act no. 69/2012 Coll., Act no. 441/2012 Coll., Act no. 462/2013 Coll. and Act no. 307/2014 Coll. is amended as follows:

In § 44 (7), the words “literary activity or artistic activity” shall be replaced by the words “literary activity, artistic activity or sporting activity”.

Article IX

Act no. 461/2003 Coll. on social insurance as amended by Act no. 551/2003 Coll., Act no. 600/2003 Coll., Act no. 5/2004 Coll., Act no. 43/2004 Coll., Act no. 186/2004 Coll., Act no. 365/2004 Coll., Act no. 391/2004 Coll., Act no. 439/2004 Coll., Act no. 523/2004 Coll., Act no. 721/2004 Coll., Act no. 82/2005 Coll., Act no. 244/2005 Coll., Act no. 351/2005 Coll., Act no. 534/2005 Coll., Act no. 584/2005 Coll., Act no. 310/2006 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 460/2006 Coll., Act no. 529/2006 Coll., Act no. 566/2006 Coll., Act no. 592/2006 Coll., Act no. 677/2006 Coll., Act no. 274/2007 Coll., Act no. 519/2007 Coll., Act no. 555/2007 Coll., Act no. 659/2007 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 204/2008 Coll., Act no. 434/2008 Coll., Act no. 449/2008 Coll., Act no. 599/2008 Coll., Act no. 108/2009 Coll., Act no. 192/2009 Coll., Act no. 200/2009 Coll., Act no. 285/2009 Coll., Act no. 571/2009 Coll., Act no. 572/2009 Coll., Act no. 52/2010 Coll., Act no. 151/2010 Coll., Act no. 403/2010 Coll., Act no. 543/2010 Coll., Act no. 125/2011 Coll., Act no. 223/2011 Coll., Act no. 250/2011 Coll., Act no. 334/2011 Coll., Act no. 348/2011 Coll., Act no. 521/2011 Coll., Act no. 69/2012 Coll., Act no. 252/2012 Coll., Act no. 413/2012 Coll., Act no. 96/2013 Coll., Act no. 338/2013 Coll., Act no. 352/2013 Coll., Act no. 183/2014 Coll., Act no. 195/2014 Coll., Act no. 204/2014 Coll., Act no. 240/2014 Coll., Act no. 298/2014 Coll., Act no. 25/2015 Coll., Act no. 32/2015 Coll., Act no. 61/2015 Coll., Act no. 77/2015 Coll., Act no. 87/2015 Coll., Act no. 112/2015 Coll., Act no. 140/2015 Coll., Act no. 176/2015 Coll., Act no. 336/2015 Coll., Act no. 378/2015 Coll. and Act no. 407/2015 Coll. is amended as follows:

1. In footnote 5, the words “to (h)” shall be replaced with the wording “to (h) and (m).”.
2. After § 293dn, the following § 293do, including the title, shall be inserted:

“§ 293do

Transitional provisions effective as of 1 January 2016

The employee under this Act is not, in the period from 1 January 2016 to 31 December 2018, an individual in the legal relationship based on a professional sports contract under a special regulation.¹²⁴⁾”.

Footnote 124 shall have the following wording:

“¹²⁴⁾ § 35 of Act no. 440/2015 Coll. on sport and on the amendment of certain acts.”.

Article X

Act no. 586/2003 Coll. on advocacy and on the amendment of Act no. 455/1991 Coll. on trade licensing (the Trade licensing Act) as later amended and as amended by Act no. 8/2005 Coll., Act no. 327/2005 Coll., Act no. 331/2007 Coll., Act no. 297/2008 Coll., Act no. 451/2008 Coll., Act no. 304/2009 Coll., Act no. 136/2010 Coll., Act no. 332/2011 Coll., Act no. 335/2012 Coll. and Act no. 339/2013 Coll. is amended as follows:

In § 3 (1) (i), the words “scientific or artistic” shall be replaced by the words “scientific, artistic or sports”.

Article XI

Act no. 595/2003 Coll. on income tax as amended by Act no. 43/2004 Coll., Act no. 177/2004 Coll., Act no. 191/2004 Coll., Act no. 391 / 2004 Coll., Act no. 538/2004 Coll., Act no. 539/2004 Coll., Act no. 659/2004 Coll., Act no. 68/2005 Coll., Act no. 314/2005 Coll., Act no. 534/2005 Coll., Act no. 660/2005 Coll., Act no. 688/2006 Coll., Act no. 76/2007 Coll., Act no. 209/2007 Coll., Act no. 519/2007 Coll., Act no. 530/2007 Coll., Act no. 561/2007 Coll., Act no. 621/2007 Coll., Act no. 653/2007 Coll., Act no. 168/2008 Coll., Act no. 465/2008 Coll., Act no. 514/2008 Coll., Act no. 563/2008 Coll., Act no. 567/2008 Coll., Act no. 60/2009 Coll., Act No.184 / 2009 Coll., Act no. 185/2009 Coll., Act no. 504/2009 Coll., Act no. 563/2009 Coll., Act no. 374/2010 Coll., Act no. 548/2010 Coll., Act no. 129/2011 Coll., Act no. 231/2011 Coll., Act no. 250/2011 Coll., Act no. 331/2011 Coll., Act no. 362/2011 Coll., Act no. 406/2011 Coll., Act no. 547/2011 Coll., Act no. 548/2011 Coll., Act no. 69/2012 Coll., Act no. 189/2012 Coll., Act no. 252/2012 Coll., Act no. 288/2012 Coll., Act no. 395/2012 Coll., Act no. 70/2013 Coll., Act no. 135/2013 Coll., Act no. 318/2013 Coll., Act no. 463/2013 Coll., Act no. 180/2014 Coll., Act no. 183/2014 Coll., Act no. 333/2014 Coll., Act no. 364/2014 Coll., Act no. 371/2014 Coll., Act no. 25/2015 Coll., Act no. 61/2015 Coll., Act no. 62/2015 Coll., Act no. 79/2015 Coll., Act no. 140/2015 Coll., Act no. 176/2015 Coll., Act no. 253/2015 Coll., Act no. 361/2015 Coll., Act no. 375/2015 Coll., Act no. 378/2015 Coll., Act no. 389/2015 Coll. and Act no. 437/2015 Coll. is amended as follows:

1. In § 5 (1), the following point m) shall be inserted:
“m) income from the athlete’s activities based on a professional sports contract under a special regulation.^{22a)}”.

Footnote 22a shall have the following wording:

“^{22a)} § 35 of Act no. 440/2015 Coll. on sport and on the amendment of certain acts.”.

2. In § 6 (2), the following point (e) shall be inserted:

“e) income from the athlete’s or sport expert’s activity under a special regulation^{29aa}), including income under a sports sponsorship contract.^{29ab)}”.

Footnotes 29aa and 29ab shall have the following wording:

^{29aa}) § 4 (3) (c), (4) (a), (b) and (d) and § 6 (1) (a) to (d) and § 45 of Act no. 440/2015 Coll.

^{29ab}) §§ 50 and 51 of Act no. 440/2015 Coll.”

3. In § 8 (1), the following points (p) and (r) shall be inserted:

“p) income based on a sports sponsorship contract^{29ab}) received by the athlete under a special regulation,^{37afa})

r) compensation for loss of time of a volunteer entered in the sports information system under a special regulation.^{37afb)}”.

Footnotes 37afa and 37afb shall have the following wording:

^{37afa}) § 4 (3) (a) and (b) of Act no. 440/2015 Coll.

^{37afb}) § 6 (2) (e) of Act no. 406/2011 Coll. on the volunteering as amended by Act no. 440/2015 Coll.”.

4. In § 8, the following paragraph 15 shall be inserted:

“(15) In case of revenues pursuant to paragraph 1 (p), the expenses shall be considered all expenses demonstrably incurred under a sports sponsorship contract. Revenues from the sports sponsorship contract for a period exceeding the tax period shall be gradually included in the tax base in the period when the revenues based on the sports sponsorship contract were received, up to the amount of expenditure incurred in the relevant fiscal year pursuant to a special regulation.^{37ah)}”.

Footnote 37ah shall have the following wording:

^{37ah}) § 50 (3) (d) of Act no. 440/2015 Coll.”

5. In § 9 (1), the following point m) shall be inserted:

“m) under § 8 (1) (r), if the aggregate of such revenues in the tax period does not exceed 500 EUR, while the income thus defined exceeds 500 EUR, the tax base shall include only the revenues in excess of the amount thus specified; expenses to the revenues included in the tax base shall be determined using the ratio equal to that of the revenues included in the tax base to the total revenues.”.

6. In § 12 (2), the word “allowances and revenues taxed under § 43” shall be replaced with the words “allowances and revenues taxed under § 43 and revenues based on the sports sponsorship contract^{29ab)}”.

7. In § 13 (1) (a), after the word “except” the words “income from the sale of assets, income from rent, advertising revenues, income from membership fees, unless exempted under points (b) to (f) or paragraph 2, revenues based on a sports sponsorship contract,^{29ab)}” shall be inserted.

8. In § 17 (3), the following points (k) and (l) shall be inserted:

“k) income based on a sports sponsorship contract^{29ab}) of a taxpayer keeping a single-entry accounting or who keeps tax records pursuant to § 6 (11) in the tax period in which he received the income, provided that it was not used for the payment of tax expenditures; such revenues not used to pay tax expenses shall be included in the tax base

1. gradually in the amount of the depreciation of assets acquired from such revenues or in a proportional part corresponding to the amount of the revenues used for the acquisition of depreciated assets;

2. in the period of receiving sponsorship, if such revenues are not related to the expenditure charged to the tax period in which they were received;

l) income (revenue) based on a sports sponsorship contract^{29ab}) used for the acquisition of depreciable fixed assets in the tax period in which it was charged to the income side under a special regulation;¹⁾ such sponsorship shall be included in the tax base during the period of depreciation of such assets under § 26 and in the depreciation amount under § 27 or § 28 or in a proportional part corresponding to the amount of income used for the acquisition of these assets.”.

9. In § 17 (19), the following point (h) shall be inserted:

“h) expenses (costs) on sponsorship for the sponsor under a sports sponsorship contract^{29ab}) provided during the term of the sports sponsorship contract^{29ab}) in the scope according to its actual use in the relevant tax year, provided that in the relevant tax year the sponsor has a positive tax base; expenses (costs) on sponsorship shall not be deemed to be the provision of the sponsorship for an athlete^{79c)} other than a sports representative.^{79d)}”.

Footnotes 79c and 79d shall have the following wording:

^{79c}) § 4 (4) (a), (c) and (d) of Act no. 440/2015 Coll.

^{79d}) § 29 (2) of Act no. 440/2015 Coll.”

10. In § 17, the following paragraph 38 shall be inserted:

“(38) The tax base of a taxpayer who is a legal entity, or the income tax base (partial tax base) pursuant to § 6 (1) and (2), or the income tax base (partial tax base) pursuant to § 6 (3) and (4) of a taxpayer who is an individual for the purposes of applying paragraph 19 (h), paragraphs 34, 35 and 37, § 19 (3) (n) and § 21 (1) (h) means the tax base of a taxpayer that is a legal entity, or the income tax base (partial tax base) pursuant to § 6 (1) and (2), or the income tax base (partial tax base) pursuant to § 6 (3) and (4) of a taxpayer who is an individual, as determined under §§ 17 to 29, except the provisions of § 17 (19) (h), paragraphs 34, 35 and 37, § 19 (3) (n) and § 21 (1) (h).”.

11. In § 50 (5) (b), the words “physical culture” shall be replaced with the words “of sport”.

12. After § 52zg, the following § 52zh, including the title, shall be inserted:

“§ 52zh

Transitional provisions to amendments effective as of 1 January 2006

(1) Provisions of § 12 (2), § 17 (3) (k) and (l) and § 17 (19) (h) in the wording effective as of 1 January 2016 shall be used for the first time for a tax period that begins no sooner than on 1 January 2016.

(2) Provisions of § 13 (1) (a) in the wording effective as of 1 January 2016 shall be used for the first time for a tax period that begins no sooner than on 1 January 2016 with the exception of taxpayers who are ministries and budgetary organisations and government-subsidised organisations established by such ministries, and in the case of each this provision shall be used for the first time as regards advertising income (revenues) following 31 March 2017.”.

Article XII

Act no. 125/2006 Coll. on labour inspection and on the amendment of Act no. 82/2005 Coll. on illegal work and illegal employment and on the amendment of certain acts as amended by Act no. 309/2007 Coll., Act no. 462/2007 Coll., Act no. 555/2007 Coll., Act no. 400/2009 Coll., Act no. 52/2010 Coll., Act no. 67/2010 Coll., Act no. 182/2011 Coll., Act no. 223/2011 Coll., Act no. 254/2011 Coll., Act no. 257/2011 Coll., Act no. 469/2011 Coll., Act no. 512/2011 Coll., Act no. 361/2012 Coll., Act no. 154/2013 Coll., Act no. 308/2013 Coll., Act no. 307/2014 Coll., Act no. 128/2015 Coll. and Act no. 351/2015 Coll. is amended as follows:

In § 7 (3), the following third point shall be inserted in subsection (d):

“3. permit for performing sport by an individual pursuant to a special regulation,^{17aaa)}”.

Footnote 17aaa shall have the following wording:

^{“17aaa)} § 34 (6) of Act no. 440/2015 Coll. on sport and on the amendment of certain acts.”.

Article XIII

Act no. 245/2008 Coll. on upbringing and education (the School Act) and on the amendment of certain acts as amended by Act no. 462/2008 Coll., Act no. 37/2009 Coll., Act no. 184/2009 Coll., Act no. 37/2011 Coll., Act no. 390/2011 Coll., Act no. 324 / 2012z. ., Act no. 125/2013 Coll., Act no. 464/2013 Coll., Act no. 307/2014 Coll., Judgement of the Constitutional Court of the Slovak Republic no. 330/2014 Coll., Act no. 377/2014 Coll., Act no. 61/2015 Coll. and Act no. 188/2015 Coll. is amended as follows:

1. In § 9 (6), after the words “of the education of a secondary vocational school,” there shall be inserted the words “of a secondary sports school,”.

2. In § 16 (4) (b) and (d), after the words “of the education at a secondary vocational school” there inserted the words “or at a secondary sports school”.

3. In § 16 (4) (c), after the word “high school” there inserted the words “or at a secondary sports school”.

4. In § 27 (2), after the point (d), the following point (e) shall be inserted:

“e) secondary sports school,”.

The existing points (e) to (h) shall be renamed as points (f) to (i).

5. In § 27 (3), the words “(b) to (f)” shall be replaced with the words “(b) to (g)”.

6. In § 27 (5), the words “(b) to (g)” shall be replaced with the words “(b) to (d) and (f) to (h)”.

7. In § 27 (6), the words “(b) to (g)” shall be replaced with the words “(b) to (h)” and the words “(a), (h)” shall be replaced with the words “(a), (i)”.

8. In § 32, the following new point (c) shall be inserted after point (b):

“c) secondary sports school,”. The existing point (c) shall be renamed as point (d).

9. In § 35 (1), after the words “of a secondary vocational school” there shall be inserted the words “of a secondary sports school”.

10. In § 35 (2), after the words “an apprenticeship” there shall be inserted a comma and the words “into a secondary sports school”.

11. In § 35, the following sentence shall be added to the end of paragraph 3: “In the case of a transfer to a secondary sports school, the transfer shall also be conditional on the submission of a confirmation by a national sports federation that the student is included in the list of talented athletes under a special regulation;^{34a)} this shall not apply in the case of a transfer from another secondary sports school.”.

Footnote 34a shall have the following wording:

^{34a)} § 16 (2) (c) of Act no. 440/2015 Coll. on sport and on the amendment of certain acts.”.

12. In § 41, the words “administration, culture and sport” shall be replaced with the words “administration and culture”.

13. After § 42, the following § 42a, including the title, shall be inserted:

“§ 42a

Secondary sports school

(1) Secondary sports school is a internally differentiated secondary school preparing students gifted with sporting abilities in an educational programme of the relevant field of education.

(2) The education programmes of a secondary sports school focus on preparing students gifted with sporting abilities for university studies and for pursuing occupations and professional activities in sport. Vocational education and training at a secondary sports school develop knowledge, skills and abilities of a student gifted with sporting abilities acquired in the previous education, and provide knowledge, skills and abilities essential for pursuing occupation and professional activities in sport.

(3) An integral part of education and training at a secondary sports school is sports preparation organised by sports field.

(4) A secondary sports school shall provide sports preparation in at least five sports fields, of which at least is one is a team sport.

(5) The sports preparation organised by the secondary sports school during the main summer break may be also attended by a student admitted to the first grade of the study programme of the secondary sports school to be started from the following academic year, and this under the same conditions as those for the students of the secondary sports school.

(6) A secondary sports school shall provide

- a) secondary vocational education;
- b) comprehensive general secondary education; or
- c) comprehensive secondary vocational education.

(7) A student who has already sat his or her school-leaving examination in another field of study, shall study at the secondary sports school only vocational subjects.”.

14. In § 62, the following new paragraph 7 shall be inserted after paragraph 6:

“(7) An applicant for the first year of the educational programme at a secondary sports school can be accepted if he or she satisfies the conditions under paragraphs 1 and 5 or paragraph 6 according to the type of educational programme and after proving the sporting talent under § 105.”.

The existing paragraphs 7 to 14 shall be renumbered as paragraphs 8 to 15.

15. In § 63, the following paragraph 9 shall be inserted:

“(9) If an applicant submits a study application for a secondary sports school, the applicant shall attach to the application a confirmation from a national sports federation that he or she is included in the list of talented athletes under a special regulation.³⁴¹⁾”.

16. In § 65 (8), the words “high school specialising in physical education” shall be replaced with the words “secondary sports school”.

17. In § 67(3), the full stop at the end shall be replaced with a semicolon and the following words shall be inserted: “this shall not apply in the case of a secondary sports school.”.

18. In § 70(1), the full stop at the end shall be replaced with a semicolon and the following words shall be inserted: “where this concerns the acceptance for a secondary sports school, the condition shall also include the presentation of a confirmation of a national sports federation that the student is included in the list of talented athletes under a special regulation.^{34a)}”.

19. In § 74 (2), after the word “conservatoire” a comma and the words “and in the case of vocational education and training at a secondary sports school, also the school leaving examination at the secondary sports school,” shall be inserted.

20. In § 74 (10), the words “§ 44 (8) and the student under § 42 (5)” shall be replaced with the words “§ 42 (5), the student under § 42a (7) and the student under § 44 (8)”.

21. In § 88 (2), after the words “post-school-leaving examination” a comma and the words “the student of secondary sports school” shall be inserted.

22. In § 90 (4), after the word “school” a comma and the words “and in the case of vocational education and training at a secondary sports school, also for the student of the secondary sports school,” shall be inserted.

23. In § 91 (2), after the word “school” the words “or the student of a secondary sports school” shall be inserted.

24. In § 104, paragraph 10 shall have the following wording:

“(10) Classes for children and pupils gifted with sporting abilities are sports classes. A sports class cannot be established at a secondary school; this shall not apply in the case of a secondary sports school. At a secondary sports school all classes are established as sports classes.”.

25. In § 104, the following sentence shall be inserted at the end of paragraph 11: “A joint sports class may be established for a number of sports.”.

26. In § 104, paragraph 13 shall be deleted.

27. In § 105 (3), the words “of a sports school or” shall be deleted.

28. In § 106, the following sentence shall be inserted at the end of paragraph 3: “The sports preparation shall also include regeneration, testing and theoretical preparation.”.

29. In § 110 (5), the words “§ 62 (1) to (7)” shall be replaced with the words “§ 62 (1) to (8)”.

30. In § 110 (6), the words “§ 62 (8) to (11)” shall be replaced with the words “§ 62 (9) to (12)”.

31. In § 130 (5) and (7) and § 131 (2), the words “points (a) to (f)” shall be replaced with the words “points (a) to (g)”.

32. In § 134 (1) and § 135 (1), the words “points (b) to (f)” shall be replaced with the words “points (b) to (g)”.

33. After § 161, the following § 161h, including the title, shall be inserted:

“§ 161h

Transitional provisions to amendments effective as of 1 January 2019

(1) High schools included in the network of schools and school facilities under a special regulation⁸⁾ under the name “sports high school” established under regulations effective until 31 December 2018 shall become secondary sports schools under the regulations as of 1 January 2019.

(2) A student of a high school under paragraph 1, who began his or her studies under regulations effective until 31 December 2018, shall complete the studies according to the regulations effective until 31 December 2018.

(3) A student of a sports class of a high school or secondary vocational school who began his or her studies under the regulations effective until 31 December 2018, shall complete the studies according to the regulations effective until 31 December 2018.

(4) The provisions on the presentation of a confirmation of a national sports federation that the applicant is included in the list of talented athletes under a special regulation,^{34a)} shall be used for the first time for the admission procedure of the academic year 2021/2022.”.

Article XIV

Act no. 406/2011 Coll. on volunteering and on the amendment of certain acts is amended as follows:

In § 6 (2), after the point (d), the following point (e) shall be inserted:

“e) compensation for loss of time of a volunteer entered in the sports information system for every hour of voluntary activities in sport, at most in the amount of the hourly minimum wage,^{12a)}.”

The existing points (e) and (f) shall be renamed to point (f) and (g).

Footnote 12a shall have the following wording:

“^{12a)} § 2 (2) of Act no. 663/2007 Coll. on the minimum wage.”.

Article XV

Act no. 1/2014 Coll. on organising public sporting events and on the amendment of certain acts is amended as follows:

1. In § 1 (2), the words “point (e)” shall be replaced with the words “point (b)”.

2. In § 1 (5), § 4 (1), § 4 (2) (b), § 4 (3) (p), § 18 (4), after the words “this concerns”, the words “a high-risk event,” shall be inserted.

3. In § 2 (a), the word “sports” shall be deleted.

4. In § 2 (d), the first point shall be deleted.

The existing second to fourth points shall be renamed to the first to third points.

5. In § 6 (1), the following points (s) to (v) shall be inserted:

“s) provide for the professionally competent employees of the security service reflective vests or reflective uniforms with distinctive inscription “SECURITY” and number on the front and back side of the vest, in a different colour from the colour of the reflective vest or reflective uniforms of the organiser;

- t) at request, provide a DCO with one or more assistants to perform the tasks necessarily related to the performance of doping control;
- u) provide a DCO with suitable premises necessary for the performance of a doping control, mark it and provide the DCO with all information and materials necessary for the performance of a doping control;
- v) upon request, enable the holder of a honorary state title free entry to an event, provided that the capacity of the sports facilities so allows.”.
- 6. In § 66 (3) (d), the following words shall be inserted at the end: “on the basis of the proof of identity”.
- 7. In § 6 (4), after the word “Organiser” the words “of the high-risk event” shall be inserted.
- 8. In § 7 (1), at the end of the first sentence the full stop shall be replaced by a semicolon and the following words shall be added: “if this concerns a high-risk event, the organiser of the event shall request in writing the assistance of the head of the security section of the Police Force who during the high-risk event shall be present in the control room of the sports facility, if established.
- 9. In § 10 (1), the words “organises and manages the activity of the stewarding service” shall be replaced with the words “manages the organisation of the event”.
- 10. In § 11 (1), the words “in cooperation with the main organiser” shall be replaced with the word “organised and managed the activity of the stewarding service”.
- 11. In § 12 (3), after the words “professional preparation” the words “consisting of theoretical preparation and practical training, aimed at the acquisition of knowledge, abilities and skills in the areas under § 13 (5) required for pursuing the activity of an organiser” shall be inserted.
- 12. In § 12 (6), the full stop at the end shall be replaced with a semicolon and the following words shall be inserted: “intended for this purpose by the sports federation.”.
- 13. In § 13 (5), the following point (f) shall be inserted:
“f) other areas determined by the regulations of a national sports federation.”.
- 14. After § 13 the following § 13a, including the title, shall be inserted:

“§ 13a

Conditions for pursuing the activity of a federation delegate

- (1) The professional competence for performing the activities of a delegate of a federation shall be obtained by completing the vocational training and passing of the test. A delegate proves his or her identity by a federation delegate certificate.
- (2) (5)The professional preparation of a federation delegate shall include the theoretical and practical training focused on acquiring knowledge, abilities and skills in accordance with § 13 (5) required to pursue the activity of a federation delegate.
- (3) The professional preparation of a federation delegate shall be provided by a national sports federation via persons who are professionally qualified for each area according to § 13 (5), and that determine the scope of theoretical and practical training.
- (4) The professional preparation and testing of a federation delegate are governed by § 10 (6) and (7). Following a successful test, a national sports federation shall issue to the applicant a certificate of the federation delegate.
- (5) The federation delegate certificate shall contain
 - a) first name, surname, date of birth;
 - b) identification number;
 - c) validity period of the federation delegate certificate;
 - d) designation of the person responsible for the professional training;
 - e) designation of the national sports federation that issued the federation delegate certificate; and
 - f) place and date of issue of the federation delegate certificate.
- (6) § 13 shall apply mutatis mutandis to the conditions for pursuing the activity of a federation delegate.”.

- 15. In § 14 (2), the following fifth point shall be inserted in subsection (e):
“5. who is the high-risk participant of the event;”.
 - 16. In § 14 (2) (h), after the word “ORGANISER”, the words “or “SECURITY”” shall be inserted.
 - 17. In § 14, the following paragraph 3 shall be inserted:
“(3) The members of the stewarding service shall make use of authorisations and performed their obligations under paragraphs (1) and (2), with an emphasis on individualisation of the measures adopted.”.
 - 18. In § 16 point (a), the word “and” shall be replaced with the word “or”.
 - 19. In § 16 (b), after the word “event” there shall be inserted the word “apparently”.
 - 20. In § 17 (5), the words “48 hours” shall be replaced with the words “seven days”.
 - 21. In § 18 (4), after the point (c) a new following point (d) shall be inserted:
“d) principles of information exchange on high-risk participants of the event and the deployment of forces and resources of the Police Force at the premises of the sports facility;”.
- The existing points (d) to (f) shall be renamed to points (e) to (g).

22. In § 19 (1) and § 29 (2), after the words “this concerns” there shall be inserted the words “high-risk event or”.

23. In § 19 (8), after the words “surveillance at” there shall be inserted the words “the high-risk event or”.

24. In § 20, paragraph 4 shall have the following wording:

“(4) In organising an event at a sports facility standing areas for spectators shall be prohibited, if so determined by an international sports organisation, national sports federation, event’s organiser or the Police Force.”.

25. In § 21 (1), after the word “adult” there shall be deleted the word “and”.

26. In § 21 (6), after the word “installation” there shall be inserted a comma and the words “of the specified parameters” and the words “in cooperation with the Police Corps” shall be deleted.

27. In § 21, paragraph 7 shall have the following wording:

“(7) The organiser of a high-risk event involving the use of a mobile camera system shall ensure the performance of a control to the extent under paragraph 6 by the Police Force.”.

28. In § 22 (5) and (6), in the opening sentence, the words “managers and organisers” shall be replaced with the words “managers, organisers and federation delegates”.

29. In § 22 (6) (a), the words “manager and organiser” shall be replaced with the words “manager, organiser and federation delegate”.

30. In § 22 (6) (j), the word “and” after the word “manager” shall be replaced with a comma and at the end the following words shall be inserted: “and federation delegate certificate”.

31. In § 22 (12), after the word “authority” there shall be inserted the words “at the county seat”.

32. In § 23, the following paragraphs (6) and (7) shall be inserted:

“(6) The national sports federation, whose members organise an event with a special regime or a high-risk event shall be required to send, by 30 June and 31 December, to the information system administrator an overview of paid fines imposed in disciplinary proceedings of the competent national sports federation or its members concerning the impropriety and riots by participants at an event and concerning the breach of organiser’s or stewarding service’s obligations in organising an event, as specified by the competent sports federation, and of the performance of the obligation under paragraph 3.

(7) The overview under paragraph 6 shall contain

a) first name, surname and date of birth or name and address of the entity who paid the fine;

b) date and amount of the fine paid; and

c) reference to the decision imposing the fine.”.

33. In § 24 (1), in the opening sentence and after word “authority”, there shall be inserted the words “at the county seat”.

34. In § 24 (1) (u) and § 25 (6) (b), the words “with the special regime” shall be deleted.

35. In § 24 (1), the following point (r) shall be inserted: “x) fails to fulfil the obligation under § 23 (6).”.

36. In § 24 (3), the words “(h) and (j)” shall be replaced with the words “(h), (j) and (x)”.

37. In § 26, the following paragraph 5 shall be inserted:

“(5) For an offence under paragraph 1 (a), (c), (d) or (e) or paragraph 2 committed at an event with a special regime or high-risk event within the period of one year from the day when the decision on a penalty for a similar offence became final, a restrictive measure shall be imposed, meaning a prohibition against participating in the specified events for at least six months.”.

38. In § 27, the following paragraphs (10) and (11) shall be inserted:

“(10) When imposing a restrictive measure or interim measure, the administrative body may impose on the offender an obligation to appear at a specified time at the relevant Police Force unit, as determined according to the place of residence, in justified cases also repeatedly.

(11) Where the misdemeanour concerns a breach of obligation with consequences that can be removed or remedied, the sanction may be imposed with the conditional deferral of a part of the sanction, up to a half of the penalty imposed, specifying the period for the fulfilment of the obligation, removing the effects or performance of the specified corrective action. Provided that a natural person upon whom such a sanction was imposed removes within the specified period the violation or effects thereof or meets the corrective action, the body imposing the sanction shall decide on the waiver of that part the sanction the exercise of which was conditionally deferred.”.

39. After § 31, the following § 31a, including the title, shall be inserted:

“§ 31a

Transitional provisions to amendments effective as of 1 January 2016

Professional competence of a federation delegate acquired under the regulations effective until 31 December 2015 shall remain preserved until 31 December 2018. From 1 January 2019 such a federation delegate shall be subject to a repeated verification of professional competence pursuant to § 13a (6).”.

Article XVI

This Act shall enter into effect on 1 January 2016 with the exception of Article XIII, which shall enter into effect on 1 January 2019.

Andrej Kiska in his own
hand

Peter Pellegrini in his
own hand

Robert Fico in his own
hand

OLYMPIC SYMBOLS OF THE SLOVAK OLYMPIC COMMITTEE

1. The Olympic symbols of the Slovak Olympic Committee shall mean:

- a) The Olympic emblem / emblems of the Slovak Olympic Committee and Slovak Olympic and Sports Museum in the Slovak and English version, as approved by the International Olympic Committee;



- b) Olympic flag of the Slovak Olympic Committee (with the Olympic emblem of the Slovak Olympic Committee).

2. The Olympic symbols of the International Olympic Committee shall mean:

- a) Olympic symbol, Olympic flag, Olympic anthem, Olympic motto: Citius, Altius, Fortius;
b) Olympic identification sayings referred to in the Olympic Charter, Article 7 (2).

3. The Olympic symbols referred to in paragraph 1 are the exclusive property of the Slovak Olympic Committee. The Olympic symbols of the Slovak Olympic Committee shall be subject to approval by the International Olympic Committee in accordance with Article 31 of the Olympic Charter.

Slovenský paralympijský výbor



FAREBNOSŤ:

červená CMYK 0 91 100 24

modrá CMYK 100 38 0 15

zelená CMYK 100 0 79 27

čierna CMYK 0 0 0 100



Slovak Paralympic Committee



FAREBNOSŤ:

červená CMYK 0 91 100 24

modrá CMYK 100 38 0 15

zelená CMYK 100 0 79 27

čierna CMYK 0 0 0 100



Slovenské paralympijské družstvo - ZIMA



**Slovenské
paralympijské
družstvo**



**Slovak
Paralympic
Team**



**Slovenské
paralympijské
družstvo**



**Slovak
Paralympic
Team**

FAREBNOSŤ:

tmavomodrá CMYK 100 69 0 11

svetlomodrá CMYK 50 0 0 0

červená CMYK 0 91 100 24

zelená CMYK 100 0 79 27

čierna CMYK 0 0 0 100

Slovenské paralympijské družstvo - LETO



**Slovenské
paralympijské
družstvo**



**Slovak
Paralympic
Team**



**Slovenské
paralympijské
družstvo**



**Slovak
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SPORTS PROPORTION MODEL

1. The sports proportion **P** shall be calculated as follows:

$P = (A \times \dot{U}_D \times K_{VV} + A \times \dot{U}_M \times K_{VV}) \times (B \times Z_D + C \times Z_Z) + (1 - 2 \times A) \times M_{18}$, where

A means the percentage of the weighting of the achieved sporting success;

B means the percentage of the weighting of domestic interest in the sport;

C means the percentage of the weighting of foreign interest in the sport;

K_{VV} means the coefficient of importance of the result according to **Table 1**.

\dot{U}_D means the achieved sporting success in the adult category for the past four years, expressed as a percentage ranking of Slovakia in the adult chart of the world federation as at 30 September of the year in which the calculation is made;

\dot{U}_M means the achieved sporting success in the youth category for the past four years, expressed as a percentage ranking of Slovakia in the youth chart of the world federation as at 30 September of the year in which the calculation is made;

Z_D means the interest among the Slovak inhabitants in the sport, determined by opinion surveys to be ensured by the Ministry of Education every two years, always within 1 month after the end of the Olympic Games, and the results of which shall be made public. The first survey shall be conducted in 2016;

Z_Z means foreign/international interest of people in the sport, determined by foreign media viewing figure surveys, to be ensured by the Ministry of Education every two years, always as at 30 September, and the results of which shall be made public. The first survey shall be conducted in 2016;

M₁₈ means the average number of active athletes in a recognised sport at the age of 18 years over the past two years. The number shall always be assessed as at 30 September in the year in which the calculation is made, and the number of active athletes shall also include all the athletes reaching the age of 18 years in the period assessed.

2. The sporting success **\dot{U}_D** and **\dot{U}_M** in the individual sport shall reflect the position of Slovakia in the world in the particular individual sport.

The sporting success **\dot{U}_D** and **\dot{U}_M** in the individual sport shall be calculated as the weighted average of Slovakia's ranking in the official chart of the world federation for the particular sport in the adult category (men and women) and youth category, reduced with respect to whether it concerns an Olympic or non-Olympic sport under the rules set out by the Government in its decree, and converted to 100%.

In the case that in a particular individual sport there is no official world federation chart, the sporting success **\dot{U}_D** and **\dot{U}_M** shall be calculated as the average of the specified number of best results of athletes in the particular sport, achieved over the past four years, reduced to the results of the world championships under the rules laid down by the Government in its decree, and converted to 100% and multiplied by the year-on-year **attenuation coefficient K_{MRÚ}** according to Table 2. The number of results in the adult category and the youth category shall be determined by the government in its regulation. If in an individual sport there is a less frequent number of opportunities to achieve the result than that specified under the preceding sentence, the sporting success **\dot{U}_D** and **\dot{U}_M** shall be calculated using the maximum number of opportunities.

In case of the youth category of an individual sport, the calculation shall include the results from one of the two top age categories in which the world championships are held, and in which better results were attained in the particular sport.

\dot{U}_D , or $\dot{U}_M = (\text{Result} + \text{Reduction}) \times K_{MRÚ}$

The Government may in a regulation determine the selected sports also another method of determining the Slovakia's ranking in an individual sport so that it is determined in the most objective manner possible. This provision shall apply only if the particular individual sport does not have an official world federation chart.

3. The sporting success **\dot{U}_D** and **\dot{U}_M** in a team sport shall be calculated as the weighted average of Slovakia's ranking in the official chart of the world federation for the particular sport in the adult category (men and women) and youth category, reduced with respect to whether it concerns an Olympic or non-Olympic sport under the rules set out by the Government in its decree, and converted to 100%.

For team sports where competition takes place in multiple fields of sport and in the categories of men and women, the Government shall determine by way of a regulation weightings for individual sports disciplines and categories. This shall also apply to sports which include team as well as fields of individual sport.

In team sport, in the youth category, the calculation shall include the better ranking of the two top age groups in which the world championships or the Olympic Games are held.

Table. 1 Result importance coefficient Kvv

U	Kvv	U	Kvv	U	Kvv	U	Kvv	U	Kvv
1	100,3	11	21,4	21	9,9	31	5,7	41	3,7
2	79,7	12	19,4	22	9,3	32	5,5	42	3,5
3	64,6	13	17,7	23	8,7	33	5,2	43	3,4
4	53,5	14	16,3	24	8,2	34	5,0	44	3,2
5	45,2	15	15,0	25	7,8	35	4,8	45	3,1
6	38,8	16	13,9	26	7,4	36	4,5	46	3,0
7	33,7	17	12,9	27	7,0	37	4,4	47	2,9
8	29,7	18	12,0	28	6,6	38	4,2	48	2,8
9	26,4	19	11,2	29	6,3	39	4,0	49	2,7
10	23,7	20	10,5	30	6,0	40	3,8	50	2,6

U	Kvv	U	Kvv	U	Kvv	U	Kvv	U	Kvv
51	2,5	61	1,7	71	1,1	81	0,7	91	0,4
52	2,4	62	1,6	72	1,1	82	0,7	92	0,4
53	2,3	63	1,5	73	1,0	83	0,7	93	0,4
54	2,2	64	1,5	74	1,0	84	0,6	94	0,3
55	2,1	65	1,4	75	0,9	85	0,6	95	0,3
56	2,0	66	1,4	76	0,9	86	0,6	96	0,3
57	2,0	67	1,3	77	0,9	87	0,5	97	0,3
58	1,9	68	1,3	78	0,8	88	0,5	98	0,2
59	1,8	69	1,2	79	0,8	89	0,5	99	0,2
60	1,7	70	1,2	80	0,8	90	0,4	100	0,2

Table 2 Year-on-year attenuation coefficient KMRÚ

Year	Y-3	Y-2	Y-1	Y
KMRÚ	10 %	20 %	30 %	40 %

4. The maximum percentage share of the allowance per sports federation and the maximum year-on-year fall in the allowance value per sports federation shall be determined by the Government in its regulation.

LIST OF TRANSPOSED LEGALLY BINDING ACTS OF THE EUROPEAN UNION

Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011).