



CONSTITUTION OF THE SLOVAK REPUBLIC

Act no. 460/1992 Coll.

as amended by the constitutional acts no.: 244/1998 Coll., 9/1999 Coll., 140/2004 Coll., 323/2004 Coll., 463/2005 Coll., 92/2006 Coll., 210/2006 Coll., 100/2010 Coll., 356/2011 Coll., 232/2012 Coll., 161/2014 Coll., 306/2014 Coll., 427/2015 Coll., 44/2017 Coll., 71/2017 Coll., 137/2017 Coll., 99/2019 Coll., 422/2020 Coll., 378/2022 Coll., 24/2023 Coll., 241/2023 Coll., and by the finding of the Constitutional Court no. 40/2019 Coll.

THE PREAMBLE

We, the Slovak Nation,

*Bearing in mind the political and cultural heritage of our ancestors and the experience
gained through centuries of struggle for our national existence and Statehood,*

*Mindful of the spiritual heritage of Cyril and Methodius and the historical legacy of Great
Moravia,*

Recognizing the natural right of nations to self-determination,

*Together with members of national minorities and ethnic groups living on the territory of
the Slovak Republic,*

In the interest of continuous peaceful cooperation with other democratic States,

*Seeking the application of the democratic form of Government, guarantees of a free life,
development of spiritual culture and economic prosperity,*

*Thus, we, the citizens of the Slovak Republic, have herewith and through our
representatives, adopted this Constitution:*

CHAPTER ONE

Part One BASIC PROVISIONS

Article 1

- (1) The Slovak Republic is a sovereign, democratic State governed by the rule of law. It is not bound by any ideology or religion.
- (2) The Slovak Republic acknowledges and honours the general rules of international law, international treaties by which it is bound, and its other international obligations.

Article 2

- (1) The State power originates from citizens, who exercise it through their elected representatives or directly.
- (2) State bodies may act solely based on the Constitution, within its scope and to the extent and in a manner which shall be laid down by law.
- (3) Everyone may do what is not prohibited by law and no one may be forced to do what is not stipulated by law.

Article 3

- (1) The territory of the Slovak Republic is unitary and indivisible.
- (2) Borders of the Slovak Republic may be changed only by a constitutional act.

Article 4

- (1) The non-renewable wealth, caves, underground waters, natural medicinal sources, and waterways are the property of the Slovak Republic. The Slovak Republic is protecting and enhancing this wealth, thriftily and efficiently using non-renewable wealth and natural heritage for the benefit of its citizens and future generations.
- (2) The transport of water taken from the water bodies located in the territory of the Slovak Republic across the borders of the Slovak Republic utilizing transport or pipelines shall be prohibited; the prohibition shall not apply to water for personal consumption, drinking water packaged in consumer packaging filled-in in the territory of the Slovak Republic and natural mineral water packaged in consumer packaging filled-in in the territory of the Slovak Republic and for the provision of humanitarian aid and emergency assistance. Details of conditions for transporting water for personal consumption and water to provide humanitarian aid and emergency assistance shall be laid by law.

Article 5

- (1) Conditions for the acquisition and loss of the citizenship of the Slovak Republic shall be laid by law.
- (2) No one shall be deprived of the citizenship of the Slovak Republic against his or her will.

Article 6

- (1) The official language in the territory of the Slovak Republic is the Slovak language.
- (2) The use of languages other than the official language in official communications shall be laid down by law.

Article 7

- (1) The Slovak Republic may, at its discretion, enter into a state union with other states. A constitutional act, which shall be confirmed by a referendum, shall decide on the entry into a state union, or the secession from the union.
- (2) The Slovak Republic may, by an international treaty, ratified and promulgated in a manner laid down by law, or based on the treaty, transfer the exercise of a part of its powers to the European Communities and the European Union. Legally binding acts of the European Communities and the European Union shall have primacy over the laws of the Slovak Republic. The transposition of legally binding acts which require implementation shall be executed by law or a Government ordinance pursuant to Article 120 paragraph 2.
- (3) The Slovak Republic may for the purpose of maintaining peace, security and democratic order, under conditions established by an international treaty, join an organization of mutual collective security.
- (4) For any international treaties on human rights and fundamental freedoms, international political treaties, international treaties of a military nature, international treaties establishing the membership of the Slovak Republic in international organizations, international economic treaties of a general nature, international treaties whose execution requires an act and international treaties which directly constitute rights or obligations of natural persons or legal persons to be valid, shall require approval of the National Council of the Slovak Republic prior to their ratification.
- (5) International treaties on human rights and fundamental freedoms and international treaties for which an act is not required and international treaties that directly lay down rights and duties of natural persons or legal persons and which were ratified and promulgated in a manner laid down by law, shall have primacy over acts.

Article 7a

The Slovak Republic supports the national awareness and cultural identity of the Slovaks living abroad and supports the institutions established to achieve this purpose and their relations with the mother country.

Part Two STATE SYMBOLS

Article 8

The state symbols of the Slovak Republic are the state coat of arms, the national flag, the State seal and the national anthem.

Article 9

- (1) The state coat of arms of the Slovak Republic consists of a red early Gothic shield featuring a silver double cross erected on the central, elevated hill of three blue hills.
- (2) The national flag of the Slovak Republic consists of three horizontal bands – white, blue and red. The left half of the national flag of the Slovak Republic features the State coat of arms of the Slovak Republic.
- (3) The state seal of the Slovak Republic consists of the State coat of arms encircled by the inscription “Slovenská republika” [the Slovak Republic].

- (4) The national anthem of the Slovak Republic is composed of the first two stanzas of the song, “Nad Tatrou sa blýska” [Lightning Flashes Over the Tatra Mountains].
- (5) Details on the State symbols and their use shall be laid down by law.

Part Three
THE CAPITAL OF THE SLOVAK REPUBLIC

Article 10

- (1) The capital of the Slovak Republic is Bratislava.
- (2) The status of Bratislava as the capital of the Slovak Republic shall be laid down by law.

CHAPTER TWO FUNDAMENTAL RIGHTS AND FREEDOMS

Part One GENERAL PROVISIONS

Article 11 Repealed

Article 12

- (1) All human beings are free and equal in dignity and rights. Fundamental rights and freedoms are inviolable, inalienable, imprescriptible and irreparable.
- (2) Fundamental rights and freedoms shall be guaranteed in the Slovak Republic to everyone regardless of sex, race, colour, language, belief and religion, political affiliation or other conviction, national or social origin, affiliation to a nation or ethnic group, property, descent or any other status. No one shall be harmed, discriminated against or favoured on any of these grounds.
- (3) Everyone has the right to freely decide on their nationality. Any influence on this decision and any form of pressure aimed at suppressing anyone's nationality is prohibited.
- (4) No one may be harmed in their rights for exercising their or her fundamental rights and freedoms.

Article 13

- (1) Duties may be imposed by
 - a) act and or based on an act, within its limitations and while complying with fundamental rights and freedoms,
 - b) an international treaty pursuant to Article 7 paragraph 4 which directly establishes rights and imposes duties on natural persons or legal persons, or
 - c) Government ordinance pursuant to Article 120 paragraph 2.
- (2) Limitations to fundamental rights and freedoms may be set only by law under conditions laid down in this Constitution.
- (3) Legal restrictions of fundamental rights and freedoms shall be applied equally to all cases which meet prescribed conditions.
- (4) When restricting fundamental rights and freedoms, respect must be given to their essence and meaning. The pertinent restrictions may only be used for the prescribed purpose.

Part Two FUNDAMENTAL HUMAN RIGHTS AND FREEDOMS

Article 14

Everybody has the capacity to possess rights.

Article 15

- (1) Everyone has the right to life. Human life is worthy of protection even before birth.
- (2) No one shall be deprived of life.
- (3) The capital punishment shall be inadmissible.

- (4) It is not a violation of rights under this article if someone is deprived of life as a result of an action that is not deemed criminal under the law.

Article 16

- (1) The inviolability of the person and her privacy is guaranteed. They may be limited only in cases laid down by law.
- (2) No one shall be subjected to torture or cruel, inhuman, or degrading treatment or punishment.

Article 17

- (1) Personal freedom is guaranteed.
- (2) No one shall be prosecuted or deprived of freedom other than for reasons and in a manner which shall be laid down by law. No one shall be deprived of liberty solely for his or her inability to fulfil a contractual obligation.
- (3) A person accused or suspected of a criminal offence may be detained only in cases laid down by law. A detained person must be immediately informed of the reasons for detention, interrogated and at the latest within 48 hours and in the case of criminal offences of terrorism within 96 hours must be either released or brought before a Court. The judge must interrogate the detained person within 48 hours and in cases of particularly serious criminal offences within 72 hours, and must decide whether to detain or free the person.
- (4) A person accused of a criminal offence may be arrested only upon a written order issued by a Judge. An arrested person must be brought before a Court within 24 hours. A Judge must, within 48 hours and, for particularly serious offences within 72 hours from bringing before court, interrogate the arrested person and decide on his or her detention or release.
- (5) Pre-trial detention can be imposed only on the grounds and for the period provided by law and determined by the court.
- (6) The law shall lay down in which cases a person may be admitted to or kept in institutional health care without his or her consent. The measure must be reported to the court within 24 hours and the court shall make a decision on the placement within five days.
- (7) Examination of the mental condition of a person accused of a criminal offence is permissible only upon a written court order.

Article 18

- (1) No one shall be subject to forced labour or forced services.
- (2) The provision of paragraph 1 of this article shall not apply to:
- a) work assigned according to law to persons serving a prison sentence or to persons serving a sentence substituting imprisonment,
 - b) military service or other service performed based on law in lieu of compulsory military service,
 - c) service required based on law in cases of natural disasters, accidents or other dangers posing a threat to life, health, or property of great value,
 - d) activity imposed by law for the protection of life, health or rights of other people,
 - e) smaller community services based on the law.

Article 19

- (1) Everyone has the right to the preservation of dignity, personal honour, reputation and the protection of good name.

- (2) Everyone has the right to protection against unauthorised interference in private and family life.
- (3) Everyone has the right to protection against unauthorised collection, disclosure and other misuse of personal data.

Article 20

- (1) Everyone has the right to own property. Property rights of all owners shall be uniformly construed and equally protected by law. Property acquired contrary to law, shall not enjoy protection. The right of inheritance shall be guaranteed.
- (2) The law shall lay down which property, other than property specified in Article 4 of this Constitution, necessary to ensure the needs of society, national food security, the development of the national economy and public interest, may be owned only by the state, municipality, or designated legal persons or designated natural persons. The law may also lay down that certain things may be owned only by citizens or legal persons residing in the Slovak Republic.
- (3) Ownership binds. It shall not be misused to the detriment of the rights of others or in contradiction with the public interests protected by law. The exercise of the right to property must not be detrimental to human health, nature, cultural sites or the environment beyond limits laid down by law.
- (4) Expropriation or enforced restrictions of the right to property may be imposed only to the extent necessary and in the public interest, based on the law and for adequate compensation.
- (5) Other interference with rights to property may be permitted only if the property was acquired in an unlawful manner or from means acquired illegally and if the measure is necessary in a democratic society to protect the security of the state, public order, morals or the rights and freedoms of others. Conditions shall be laid down by law.

Article 21

- (1) The home is inviolable. It shall not be permissible to enter without the consent of the person residing therein.
- (2) A search shall be allowed only in connection with criminal proceedings and only upon a reasoned written order issued by a judge. The law shall lay down the manner of the search execution.
- (3) Other infringements of the inviolability of one's home shall be legally justified only if it is necessary in a democratic society to protect life, health, or property, to protect the rights and freedoms of others, or to avert a serious threat to public order. If the home is used for business or other economic activities, the infringements may be allowed by the law for the purposes of fulfilling the tasks of public administration.

Article 22

- (1) The privacy of letters and secrecy of mailed messages and other written documents and the protection of personal data are guaranteed.
- (2) No one shall violate the privacy of letters, nor the secrecy of other communications and written messages kept private or delivered by post or otherwise except for cases laid down by law. The same applies to communications delivered over telephone, telegraph or other similar equipment.

Article 23

- (1) Freedom of movement and residence is guaranteed.

- (2) Everyone legally residing in the territory of the Slovak Republic has the right to leave its territory freely.
- (3) Freedoms defined in paragraphs 1 and 2 may be restricted by law if it is necessary for the security of the state, to maintain public order, for the health protection or the protection of the rights and freedoms of others, and in the interest of the environment protection in specified territories.
- (4) Every citizen has the right to freely enter the territory of the Slovak Republic. A citizen may not be forced to leave the homeland and may not be deported.
- (5) A foreign national may be deported only in cases laid down by law.

Article 24

- (1) Freedom of thought, conscience, religion and belief is guaranteed. This right also encompasses the possibility of changing one's religious creed or faith. Everyone has the right to be without a religious creed. Everyone has the right to express their mind publicly.
- (2) Everyone has the right to manifest freely religion or belief either alone or in association with others, privately or publicly, in worship, religious acts, maintaining ceremonies or to participate in teaching.
- (3) Churches and ecclesiastical communities shall administer their affairs themselves, in particular, they shall establish their bodies, appoint clergymen, provide for theological education and establish religious orders and other clerical institutions independent from the state authorities.
- (4) The exercise of rights under paragraphs 1 to 3 may be restricted only by law if the measure is necessary in a democratic society to protect public order, health, morals, or the rights and freedoms of others.

Article 25

- (1) The defence of the Slovak Republic is a duty and a matter of honour for citizens. The law shall lay down the scope of the compulsory military service.
- (2) No one shall be forced to perform military service if it is contrary to his or her conscience or religion. The law shall lay down details.

Part Three POLITICAL RIGHTS

Article 26

- (1) Freedom of expression and the right to information is guaranteed.
- (2) Everyone has the right to express his or her opinions in words, writing, print, images or by other means and also to seek, receive and disseminate ideas and information freely, regardless of the state borders. No approval process shall be required for press publishing. Entrepreneurial activity in the field of radio and television broadcasting may be subject to permission from the state. The conditions shall be laid down by law.
- (3) Censorship is prohibited.
- (4) Freedom of expression and the right to seek and disseminate information may be restricted by law only if the measure is necessary in a democratic society to protect the rights and freedoms of others, security of the state, public order, and protection of health and morals.

- (5) Public authority bodies shall be obliged to provide information about their activities in an appropriate manner and the state language. The conditions and manner of the execution thereof shall be laid down by law.

Article 27

- (1) The right of petition is guaranteed. Everyone has the right to address state bodies and territorial self-administration bodies in matters of public interest or other common interest with petitions, proposals and complaints either individually or in association with others.
- (2) A petition must not call for the violation of fundamental rights and freedoms.
- (3) A petition must not interfere with the independence of a court.

Article 28

- (1) The right to peaceful assembly is guaranteed.
- (2) The conditions under which this right may be exercised shall be provided by law in cases of assemblies held in public places, if the measures are necessary in a democratic society to protect the rights and freedoms of others, for the protection of public order, health and morals, property or security of the state. An assembly shall not be subject to a permission by public administration body.

Article 29

- (1) The right to peaceful assembly is guaranteed. Everyone has the right to associate with others in unions, societies or other associations.
- (2) Citizens may establish political parties and political movements and associate therein.
- (3) The exercise of rights pursuant to paragraphs 1 and 2 may be limited only in cases laid down by law if it is necessary in a democratic society for the security of the state, to protect public order, to prevent criminal acts or to protect the rights and freedoms of others.
- (4) Political parties and political movements, as well as unions, societies or other associations, shall be separated from the state.

Article 30

- (1) Citizens have the right to participate in the administration of public affairs directly or through the free election of their representatives. Foreigners with permanent residence in the territory of the Slovak Republic have the right to vote and be elected to self-administration bodies of municipalities and self-administration bodies of the higher territorial units.
- (2) Elections shall be held within periods of time not exceeding the regular electoral term provided by law.
- (3) The right to vote shall be exercised through universal, equal and direct suffrage by secret ballot. Conditions for exercising the right to vote shall be laid down by law.
- (4) Citizens have access to elected and public offices under equal conditions.

Article 31

Legal regulation of all political rights and freedoms and the interpretation and use thereof shall enable and protect the free competition of political forces in a democratic society.

Article 32

Citizens have the right to resist anyone who would eliminate the democratic order of basic human rights and freedoms listed in this Constitution if the activity of constitutional bodies and the effective use of legal means are rendered impossible.

Part Four
THE RIGHTS OF NATIONAL MINORITIES AND ETHNIC GROUPS

Article 33

Membership in any national minority or ethnic group may not be used to the detriment of any individual.

Article 34

- (1) The comprehensive development of citizens belonging to national minorities or ethnic groups in the Slovak Republic is guaranteed, particularly the right to develop their own culture together with other members of the minority or ethnic group, the right to disseminate and receive information in their mother tongue, the right to associate in national minority associations and the right to establish and maintain educational and cultural institutions. Details shall be laid down by law.
- (2) In addition to the right to master the official language, citizens belonging to national minorities, or ethnic groups, also shall have, under conditions defined by law, guaranteed
 - a) right to education in their language,
 - b) right to use their language in official communications,
 - c) right to participate in the decision-making in matters concerning national minorities and ethnic groups.
- (3) The exercise of the rights of citizens belonging to national minorities and ethnic groups guaranteed by this Constitution must not lead to jeopardizing the sovereignty and territorial integrity of the Slovak Republic and to discrimination of other populations.

Part Five
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Article 35

- (1) Everyone has the right to free choice of profession and appropriate training for it, as well as the right to engage in entrepreneurial or other gainful activity.
- (2) Law may lay down terms of, or restrictions on certain professions or activities.
- (3) Citizens have the right to work. The state shall guarantee, to an appropriate extent, the material welfare of those who cannot enjoy this right without their fault. Conditions shall be laid down by law.
- (4) A different regulation of rights listed under paragraphs 1 to 3 may be laid down by law for foreign nationals.

Article 36

- (1) Employees have the right to fair and satisfactory conditions of work. The law guarantees above all:
 - a) the right to remuneration for the work performed, sufficient to secure a dignified standard of living,
 - b) the protection against arbitrary dismissal and discrimination at work,

- c) the safety and health protection at work,
 - d) the longest admissible working time,
 - e) the adequate rest time after work,
 - f) the shortest admissible period of paid leave,
 - g) the right to collective bargaining.
- (2) Each employee has the right that his or her remuneration for the work performed is not lower than the minimum wage. Details of the minimum wage shall be laid down by law.

Article 37

- (1) Everyone has the right to associate freely with others to protect their economic and social interests.
- (2) Trade unions are established independently of the state. It is inadmissible to limit the number of trade unions, as well as to give some of them preferential status in an enterprise or a branch of the economy.
- (3) The activity of trade unions and founding and activities of other associations protecting economic and social interests may be restricted by law only if the measure is necessary in a democratic society to protect the security of the state, public order, or the rights and freedoms of others.
- (4) The right to strike is guaranteed. The conditions shall be laid down by law. Judges, prosecutors, members of the armed forces and armed corps, and members and employees of fire and rescue brigades shall not have this right.

Article 38

- (1) Women, minors and persons with disabilities are entitled to an enhanced protection of their health at work and special working conditions.
- (2) Minors and persons with disabilities are entitled to special protection in employment relations and assistance in professional training.
- (3) Details concerning rights listed in paragraphs 1 and 2 shall be laid down by law.

Article 39

- (1) Citizens have the right to adequate material security in their old age, in the event of work disability, as well as after losing the provider.
- (2) Adequate retirement benefits are provided through a pay-as-you-go pension scheme and an old-age pension savings system scheme. The state shall support voluntary pension savings.
- (3) After reaching the prescribed period of participation in the system of adequate material security in old age, a person who has reached the prescribed age shall be entitled to adequate material security in old age. The system of adequate material security in old age may also provide for a person who, after reaching the set period of participation in this system, has reached the set number of years of service. Everyone who is in material need is entitled to the assistance necessary to ensure basic living conditions.
- (4) The impossibility of performing a gainful activity due to the long-term care of a child during the legally set period after birth shall not have a negative impact on adequate material security in old age.
- (5) Everyone has the right to decide that part of the paid tax or a part of the paid payment connected with participation in the system of adequate material security in old age shall be provided to the person who raised him or her and to whom material security in old age is provided. The exercise of the right according to the first sentence must not have a negative impact on adequate material security in old age.

- (6) Everyone who is in financial need has the right to the kind of help that is necessary to ensure basic living conditions.
- (7) Details concerning rights listed in paragraphs 1 to 6 shall be laid down by law.

Article 39a

- (1) Issuance of cash as legal tender is guaranteed.
- (2) Everyone has the right to make payment for the purchase of goods and the provision of services in cash in legal tender, and the acceptance of the payment may be refused only for reasonable or generally applicable reasons. The right to perform a cash operation in a bank or branch of a foreign bank is guaranteed.
- (3) The law shall establish the conditions and restrictions of the right according to paragraph 2.

Article 40

Everyone has the right to the protection of health. Based on public insurance, citizens shall have the right to free health care and medical supplies under conditions laid down by law.

Article 41

- (1) Marriage is a unique bond between a man and a woman. The Slovak Republic comprehensively protects and cherishes its good. Marriage, parenthood and family shall be protected by law. Special protection for children and adolescents is guaranteed.
- (2) A pregnant woman shall be guaranteed special treatment, protection in employment, and adequate working conditions.
- (3) Children born in and out of wedlock enjoy equal rights.
- (4) Childcare shall be the right of parents; children shall have the right to parental upbringing and care. The rights of parents may be restricted and minor children may be separated from their parents against the parents' will only by a court decision based on law.
- (5) Parents taking care of their children shall have the right to assistance from the state.
- (6) Details concerning rights under paragraphs 1 to 5 shall be laid down by law.

Article 42

- (1) Everyone has the right to education. School attendance is compulsory. Its period and age limit shall be laid down by law.
- (2) Citizens have the right to free education at primary and secondary schools and, depending on their abilities and society's resources, also at universities.
- (3) Schools other than state schools may be established, and teaching in them provided only under conditions laid down by law; education in these schools may be provided for payment.
- (4) Law shall lay down conditions under which citizens are entitled to assistance from the state in their studies.

Article 43

- (1) Freedom of scientific research and freedom of artistic expression is guaranteed. Intellectual property rights are protected by law.
- (2) The right to access cultural heritage is guaranteed under conditions laid down by law.

Part Six

THE RIGHT TO THE PROTECTION OF THE ENVIRONMENT AND THE CULTURAL HERITAGE

Article 44

- (1) Everyone has the right to a favourable environment.
- (2) Everyone shall be obliged to protect and improve the environment and foster cultural heritage.
- (3) No one shall threaten nor damage the environment, natural resources and cultural heritage beyond the extent laid down by law.
- (4) The state shall care for the thrifty use of natural resources, the protection of agricultural land and forestland, the ecological balance and the effective care of the environment and shall ensure the protection of designated species of wild plants and wild animals.
- (5) Agricultural land and forestland as non-renewable natural resources shall enjoy special protection from the state and society.
- (6) Details on the rights and duties according to paragraphs 1 to 5 shall be laid down by law.

Article 45

Everyone has the right to timely and complete information about the environmental situation and the reasons and consequences thereof.

Part Seven

RIGHT TO JUDICIAL AND OTHER LEGAL PROTECTION

Article 46

- (1) Everyone may claim his or her right to procedures laid down by law at an independent and impartial court or, in cases provided by law, at other authority of the Slovak Republic.
- (2) Anyone who claims to have been deprived of his rights by a decision of a public administration body may turn to the court to have the lawfulness of the decision reviewed unless laid down otherwise by law. The review of decisions concerning basic rights and freedoms may not, however, be excluded from the court's authority.
- (3) Everyone is entitled to compensation for damage incurred as a result of an unlawful decision by a court, another state or public administration body, or as a result of an improper official procedure.
- (4) Conditions and details concerning judicial and other legal protection shall be laid down by law.

Article 47

- (1) Everyone has the right to refuse to testify if, doing so, might bring on the risk of criminal prosecution of himself or herself or a close person.
- (2) Everyone has the right to legal assistance in court proceedings, or proceedings before other state or public administration bodies from the commencement of the proceedings, under conditions laid down by law.
- (3) All participants are equal in proceedings according to paragraph 2.
- (4) Anyone who declares that he or she does not have a command of the language in which the proceedings under paragraph 2 are conducted shall have the right to an interpreter.

Article 48

- (1) No one must be removed from his assigned judge. The jurisdiction of a court shall be laid down by law.

- (2) Everyone has the right to have his or her case tried publicly without undue delay, and in his or her presence at the proceedings and to deliver the opinion on all pieces of evidence. The public may be excluded only in cases laid down by law.

Article 49

Only the law shall lay down which conduct constitutes a criminal offence, and what punishment, or other forms of deprivation of rights, or property, may be imposed for its commitment.

Article 50

- (1) Only the court decides on guilt and punishment for criminal offences.
- (2) Everyone, against whom a criminal proceeding is conducted, is presumed innocent until found guilty by a legally valid judgment of the court.
- (3) The accused has the right to be granted the time and opportunity to prepare the defence and to defend himself or herself either alone or through a defence counsel.
- (4) The accused has the right to refuse to testify; this right may not be denied under any circumstances.
- (5) No one may be criminally prosecuted for an act for which he or she has already been sentenced, or of which he or she has already been acquitted. This principle does not rule out the application of extraordinary remedies in compliance with the law.
- (6) Whether any act is assessed criminal and punishment is determined in accordance with the law valid at the time when the act was committed. A more recent law shall be applied, if it is more favourable for the perpetrator.

Part Eight

COMMON PROVISIONS FOR CHAPTERS ONE AND TWO

Article 51

- (1) The rights listed under Articles 35, 36, 37 paragraph 4, Articles 38 to 42 and 44 to 46 of this Constitution may be claimed only within the limits of the laws implementing these provisions.
- (2) The conditions and extent of restrictions of the fundamental rights and freedoms and the extent of duties during war, state of war, state of extreme emergency and state of emergency shall be laid down by the constitutional law.

Article 52

- (1) Whenever the term “citizen” is used in Chapter One and Chapter Two of this Constitution, it means a citizen of the Slovak Republic.
- (2) Foreign nationals enjoy in the Slovak Republic fundamental human rights and freedoms guaranteed by this Constitution unless these are expressly granted only to citizens.
- (3) Whenever the term “citizen” is used in any legal regulations heretofore, it means everyone, provided the rights and freedoms are guaranteed by this Constitution, irrespective of the citizenship.

Article 53

The Slovak Republic shall grant asylum to foreign nationals persecuted for the exercise of political rights and freedoms. Asylum may be denied to those who have acted in contradiction with fundamental human rights and freedoms. Details shall be laid down by law.

Article 54

The law may restrict the right of judges and prosecutors to engage in entrepreneurial and other business activity and the right listed under Article 29, paragraph 2; the right of employees of state administration bodies and territorial self-administration bodies in designated functions listed also under Article 37, paragraph 4; and the rights of members of armed forces and armed corps listed also under Articles 27 and 28, if these are related to the execution of their duties. The law may restrict the right to strike for persons in professions that are vital for the protection of life and health.

CHAPTER THREE
Part One
THE ECONOMY OF THE SLOVAK REPUBLIC

Article 55

- (1) The economy of the Slovak Republic is based on the principles of a socially and ecologically orientated market economy.
- (2) The Slovak Republic protects and promotes economic competition. Details shall be laid down by law.

Article 55a

The Slovak Republic protects the long-term sustainability of its economy, which is based on the transparency and efficiency of spending public funds. To support the objectives according to the previous sentence, the constitutional law regulates the rules of budgetary responsibility, the rules of budgetary transparency and the powers of the Council for Budgetary Responsibility.

Article 56

- (1) The National Bank of Slovakia is an independent central bank of the Slovak Republic. The National Bank of Slovakia may, within its competence, issue generally binding legal regulations if authorized so by law.
- (2) The supreme managing body of the National Bank of Slovakia is the Bank Council of the National Bank of Slovakia.
- (3) Details pursuant to paragraphs 1 and 2 shall be laid down by law.

Article 57

The Slovak Republic is a customs territory.

Article 58

- (1) The financial management of the Slovak Republic is administered according to its state budget. The state budget shall be adopted by law.
- (2) State budget revenues, the procedures of budget management and the relationship between the state budget and budgets of territorial units shall be laid down by law.
- (3) Special-purpose state funds linked to the state budget of the Slovak Republic are established by law.

Article 59

- (1) Taxes and duties shall be national and local.
- (2) Taxes and duties may be levied by law or based on law.

Part Two
SUPREME AUDIT OFFICE OF THE SLOVAK REPUBLIC

Article 60

- (1) The Supreme Audit Office of the Slovak Republic is an independent body carrying out audits of the management of
 - a) budgetary resources approved under the law by the National Council of the Slovak Republic or Government,

- b) property, property rights, funds, obligations and claims of state, public institutions, the National Property Fund of the Slovak Republic, municipalities, higher territorial units, legal persons with ownership interest of the state, legal persons with ownership interest of public institutions, legal persons with ownership interest of the National Property Fund of the Slovak Republic, legal persons with ownership interest of municipalities, legal persons with ownership interest of higher territorial units, legal persons established by municipalities, or legal persons established by higher territorial units,
 - c) property, property rights, funds and claims that were provided from abroad to the Slovak Republic, to legal persons or natural persons within the framework of development programs, or for other similar reasons,
 - d) property, property rights, funds, obligations and claims for which the Slovak Republic has assumed the guarantee,
 - e) property, property rights, funds, obligations and claims of legal persons carrying out activities in the public interest.
- (2) The supervisory power of the Supreme Audit Office shall apply, to the extent specified in paragraph 1, to:
- a) the Government of the Slovak Republic, ministries and other central bodies of the state administration of the Slovak Republic and their subordinated bodies,
 - b) state bodies and legal persons if the function of a founder or institutor is pursued by a central body of the state administration or by another state body,
 - c) municipalities and higher territorial units, legal persons established by municipalities, legal persons established by higher territorial units, legal persons with ownership interest of municipalities and legal persons with ownership interest of higher territorial units,
 - d) special-purpose state funds, public institutions established by law, legal persons with ownership interest of public institutions, legal persons with ownership interest of the state,
 - e) the National Property Fund of the Slovak Republic, legal persons with a specified ownership interest of the National Property Fund of the Slovak Republic,
 - f) natural persons and legal persons.

Article 61

- (1) The Supreme Audit Office is headed by the president. The president and vice-presidents of the Supreme Audit Office are elected and recalled by the National Council of the Slovak Republic.
- (2) Any citizen who may be elected to the National Council of the Slovak Republic may be elected the president and the vice-president of the Supreme Audit Office.
- (3) The same person may be elected the president and the vice-president of the Supreme Audit Office for a maximum of two consecutive seven-year terms.
- (4) The office of the president and the vice-president of the Supreme Audit Office is incompatible with the discharge of an office in another public authority body, with an employment relation or with a similar labour relation, with a business activity, with membership in a management or supervisory body of a legal person which performs a business activity, or with other economic or gainful activity, except for administration of his or her property or scientific, pedagogical, literary or artistic activity.

Article 62

The Supreme Audit Office shall submit reports about the results of its auditing activity to the National Council of the Slovak Republic at least once a year and whenever requested to do so by the National Council of the Slovak Republic.

Article 63

The status, powers, internal organizational structure and basic rules of auditing activity of the Supreme Audit Office shall be laid down by law.

CHAPTER FOUR

TERRITORIAL SELF-ADMINISTRATION

Article 64

A municipality is the fundamental element of territorial self-administration. Territorial self-administration comprises a municipality and a higher territorial unit.

Article 64a

A municipality and higher territorial unit are independent territorial and administrative units of the Slovak Republic comprising persons who are permanently residing on its territory. Details shall be laid down by law.

Article 65

- (1) A municipality and higher territorial unit are legal persons, which manage their property and their financial means independently, under the conditions laid down by law.
- (2) A municipality and higher territorial unit shall finance their needs primarily from their revenues as well as from state subsidies. The law shall lay down which taxes and fees are municipalities' revenue and which taxes and fees are revenue of higher territorial units. State subsidies may be claimed only within the limits laid down by a law.

Article 66

- (1) A municipality shall have the right to associate with other municipalities in order to provide for matters of common interest; higher territorial units shall likewise have the right to associate with other higher territorial units. Conditions shall be laid down by law.
- (2) Uniting, splitting, or dissolution of a municipality will be regulated by law.

Article 67

- (1) The territorial self-administration shall be performed at meetings of municipality residents, by a local referendum, by a referendum on the territory of a higher territorial unit, and by the municipality bodies or bodies of a higher territorial unit. The manner of execution of the local referendum and the referendum on the territory of a higher territorial unit shall be laid down by law.
- (2) Duties and restrictions in the realization of territorial self-administration may be imposed upon a municipality and a higher territorial unit by law and based on an international treaty according to Article 7, paragraph 5.
- (3) The state may intervene in the activities of a municipality and a higher territorial unit only in a manner laid down by law.

Article 68

A municipality and a higher territorial unit may issue generally binding regulations in matters of local self-administration and in order to provide for the tasks ensuing from the self-administration from the law.

Article 69

- (1) Municipal bodies are
 - a) the municipal council,
 - b) the mayor of a municipality.

- (2) The municipal council consists of the municipal council deputies. The deputies are elected for a four-year term by residents of the municipality with permanent residence on its territory. Elections of deputies are held by universal, equal and direct right to vote by secret ballot.
- (3) The mayor of a municipality shall be elected by the residents of the municipality permanently residing therein based on a universal, equal and direct right to vote by secret ballot for a four-year term. The municipality mayor is the executive authority of the municipality; the mayor shall perform municipality administration and shall represent the municipality externally. Reasons and manner of the mayor's removal from the office prior to the expiry of the term shall be laid down by law.
- (4) Bodies of a higher territorial unit are
 - a) council of the higher territorial unit,
 - b) chair of the higher territorial unit,
- (5) The council of the higher territorial unit is composed of deputies to the higher territorial unit. The deputies are elected for a four-year term by citizens of the higher territorial unit with permanent residence in its territory. Elections of deputies are performed based on universal, equal and direct right to vote by secret ballot.
- (6) The chair of the higher territorial unit is elected for a four-year term by citizens of the municipality with permanent residence in its territory by secret ballot, based on universal, equal and direct right to vote by secret ballot for a four-year term. The reasons and manner of the chair's removal prior to the expiry of the term shall be laid down by law. The chair of the higher territorial unit is the executive authority of the higher territorial unit, performs the administration of the higher territorial unit and represents the higher territorial unit externally.

Article 70

The prerequisites for a municipality to be declared a town, and the method of doing so, shall be laid down by law; it shall also designate the names of town bodies.

Article 71

- (1) The exercise of certain powers of local self-administration may be delegated to the municipality and higher territorial unit by law. The costs of the delegated exercise of state administration shall be covered by the state.
- (2) When exercising the powers of state administration, a municipality and a higher territorial unit may also issue generally binding regulations within their territory upon authorization by law and within its limitations. Exercise of state administration transferred to a municipality or a higher territorial unit by law shall be governed and controlled by the Government. Details shall be laid down by law.

CHAPTER FIVE LEGISLATIVE POWER

Section One THE NATIONAL COUNCIL OF THE SLOVAK REPUBLIC

Article 72

The National Council of the Slovak Republic is the sole constitutional and legislative body of the Slovak Republic.

Article 73

- (1) The National Council of the Slovak Republic consists of 150 Members of Parliament, elected for a four-year period.
- (2) Members of Parliament are representatives of the citizens. They shall exercise their mandates individually and according to their best conscience and conviction and they are not bound by orders.
- (3) The ongoing term of the National Council of the Slovak Republic according to paragraph 1 may be shortened based on the resolution of the National Council of the Slovak Republic, which shall determine the time of calling and conducting elections to the National Council of the Slovak Republic. A proposal for a resolution on shortening the term of the National Council of the Slovak Republic may be submitted by at least one-fifth of the Members of Parliament. The resolution on shortening the term of the National Council of the Slovak Republic will be published in the Collection of Laws of the Slovak Republic. The shortened term of the National Council of the Slovak Republic shall expire on the day of the elections to the National Council of the Slovak Republic.

Article 74

- (1) Members of Parliament are elected by universal, equal and direct right to vote by secret ballot according to the principles of proportional representation.
- (2) Any citizen who has the right to vote, has attained 21 years of age and has permanent residency in the Slovak Republic is eligible to be elected to the National Council of the Slovak Republic.
- (3) The territory of the Slovak Republic forms one electoral district for elections to the National Council of the Slovak Republic.
- (4) Details on the election of Members of Parliament shall be laid down by law.

Article 75

- (1) A Member of Parliament participating in the session of the National Council of the Slovak Republic for the first time shall take the following oath:
“I swear on my honour and conscience allegiance to the Slovak Republic. I will discharge my duties in the interest of its citizens. I will abide by the Constitution and all other laws and work the way to bring them to life.”
- (2) Any refusal to take the oath or any reservation thereof shall result in the loss of the mandate.

Article 76

The validity of the election of Members of Parliament is verified by the National Council of the Slovak Republic.

Article 77

- (1) The office of a Member of Parliament is incompatible with the office of a judge, a prosecutor, a public defender of rights, a member of the Armed Forces, a member of the Armed Corps and a member of the European Parliament.
- (2) If a Member of Parliament has been appointed member of the Government, the mandate shall not terminate within this period but shall not be exercised.

Article 78

- (1) No Member of Parliament shall be prosecuted for voting in the National Council of the Slovak Republic or its committees, not even after termination of the mandate.
- (2) No Member of Parliament shall be prosecuted for statements presented in the National Council of the Slovak Republic or its body when performing the mandate, not even after termination of the mandate. The Member of Parliament is subject to disciplinary powers of the National Council of the Slovak Republic.
- (3) The Member of Parliament cannot be taken into custody without the consent of the National Council of the Slovak Republic.
- (4) If a Member of Parliament has been arrested and detained *in flagrante delicto*, the competent authority shall immediately notify the Speaker of the National Council of the Slovak Republic and the Chair of the Mandate and Immunity Committee of the National Council of the Slovak Republic. If the Mandate and Immunity Committee of the National Council of the Slovak Republic does not give subsequent consent to the detention, the Member of Parliament shall be released immediately.
- (5) If a Member of Parliament is in custody the mandate is not terminated but shall not be performed.

Article 79

A Member of Parliament may refuse to testify in matters about which he or she learned while discharging his office, even after ceased to be a Member of Parliament.

Article 80

- (1) A Member of Parliament may interpellate the Government of the Slovak Republic, any member of the Government or a head of any other central body of state administration in matters within their competence. The Member of Parliament shall receive the response within thirty days.
- (2) The response to interpellation shall have the form of a debate in the National Council of the Slovak Republic, which may be followed by a vote of confidence.

Article 81

A Member of Parliament may resign the mandate by personal statement at a session of the National Council of the Slovak Republic. If serious circumstances prevent a Member of Parliament from doing so, he or she may do so in written form to the hands of the Speaker of the National Council of the Slovak Republic; in this case, the mandate of the Member of Parliament shall terminate on the date of delivery of the decision on resignation of the mandate of the Member of Parliament in writing to the Speaker of the National Council of the Slovak Republic.

Article 81a

The Member of Parliament's mandate shall terminate by

- a) the termination of the electoral term;
- b) the resignation;

- c) the loss of eligibility;
- d) the dissolution of the National Council of the Slovak Republic,
- e) the incompatibility according to Art. 77, para. 1,
- f) the date of validity of a judgment under which a Member of Parliament was convicted of an intentional criminal offence or under which a Member of Parliament was convicted of a criminal offence and in his or her case the Court did not decide on a probationary suspension of the imprisonment sentence.

Article 82

- (1) The National Council of the Slovak Republic shall be continually in session.
- (2) The inaugural session of the National Council shall be convened by the Speaker of the Slovak Republic not later than thirty days following the announcement of the election results. Otherwise, the National Council of the Slovak Republic shall meet on the thirtieth day after the announcement of the election results.
- (3) The National Council may resolve to adjourn its session. The time of adjournment may not exceed four months within a period of one year. The Speaker, the Deputy Speaker and the Committees of the National Council shall continue to carry out their duties even during an adjournment.
- (4) During an adjournment, the Speaker of the National Council may convene a session, even before the designated date. He or she shall always do so upon a request submitted by the Government or one-fifth of the Members of Parliament.
- (5) A session of the National Council of the Slovak Republic shall end as a result of a termination of the electoral period or its dissolution.

Article 83

- (1) The meetings of the National Council of the Slovak Republic shall be convened by its Speaker.
- (2) The Speaker of the National Council of the Slovak Republic shall convene a meeting also when so requested by at least one-fifth of the Members of Parliament. In this case, the meeting shall be convened within seven days.
- (3) Sessions of the National Council of the Slovak Republic are open to the public.
- (4) Closed sessions may be held only in cases laid down by law or when three-fifths of all Members of Parliament have so decided.

Article 84

- (1) The National Council of the Slovak Republic has a quorum if more than half of all Members of Parliament are present.
- (2) For a valid resolution, the consent of more than half of the Members of Parliament present shall be required, save this Constitution provides otherwise.
- (3) In approving an international treaty according to Art. 7 paras. 3 and 4, and in adopting an Act vetoed by the President of the Slovak Republic according to Art. 102 letter o), the consent of the absolute majority of all Members of Parliament shall be required.
- (4) For the adoption of the Constitution, the amendment of the Constitution and Constitutional Act, and the approval of the international treaty according to Art. 7 para. 2, for the adoption of a resolution on the popular vote on the recall of the President of the Slovak Republic, the prosecution of the President, the termination of war against another state and the annulment of the President's decision pursuant to Art. 102 para. 1 letter j) needs the approval of at least three-fifths of all Members of Parliament.
- (5) The consent of at least a three-fifths majority of all Members of Parliament shall also be required for the election of a candidate for a judge of the Constitutional Court; if the

National Council of the Slovak Republic does not elect by this majority the required number of candidates for judges of the Constitutional Court not even in a repeated election, the consent of at least an absolute majority of all Members of Parliament shall be sufficient for the election of a candidate for judge of the Constitutional Court in the new election and every subsequent election.

Article 85

At the request of the National Council of the Slovak Republic, or its body, a member of the Government of the Slovak Republic, or head of another body of state administration, must participate in its session or the meeting of its body.

Article 86

The National Council of the Slovak Republic shall particularly encompass the power to:

- a) adopt the Constitution, Constitutional Acts and other laws, and supervise their implementation,
- b) approve the treaties on a union of the Slovak Republic with other states and the repudiation of these treaties by a Constitutional Act,
- c) decide on a proposal for the declaration of a referendum,
- d) prior ratification approve the international treaties on human rights and fundamental freedoms, international political treaties, international treaties of military nature, international treaties from which membership of the Slovak Republic in international organizations arises, international economic treaties of general nature, application of international treaties for which adoption of an act is necessary and international treaties which directly confer rights or impose duties on natural persons or legal persons, and at the same time to decide on whether they are international treaties according to Art. 7 para. 5,
- e) establish ministries and other Governmental bodies by means of law,
- f) debate on the Manifesto of the Government of the Slovak Republic, monitor the activities of the Government, as well as debate on a vote of confidence regarding the Government or its member,
- g) approve the state budget, supervise budgetary policy and approve the state closing account,
- h) debate on fundamental issues relating to domestic, international, economic, social and other policies,
- i) resolve on the annulment of a decision of the President under Article 102, para. 1, letter j) if it contravenes the principles of democracy and the rule of law; the resolution adopted shall be generally binding and shall be promulgated in the same manner as a law,
- j) elect and recall the President and Vice-President of the Supreme Audit Office of the Slovak Republic and three members of the Judicial Council of the Slovak Republic,
- k) declare war in the event of an act of aggression against the Slovak Republic or in the event that obligations under international joint defence treaties arise and after the end of the war on concluding the peace,
- l) express consent for despatching the military forces outside of the territory of the Slovak Republic, if it does not concern a case Stated in Art. 119, letter p),
- m) approve the presence of foreign military forces in the territory of the Slovak Republic,
- n) decide on a proposal to shorten the electoral term of the National Council of the Slovak Republic.

Article 87

- (1) A bill may be introduced by the Committees of the National Council of the Slovak Republic, Members of Parliament and the Government of the Slovak Republic.
- (2) If the President of the Slovak Republic vetoes an act with comments, the National Council of the Slovak Republic shall discuss the act repeatedly and in case it is adopted, the act must be promulgated.
- (3) The act shall be signed by the President of the Slovak Republic, the Speaker of the National Council of the Slovak Republic and the Prime Minister of the Government of the Slovak Republic. If the National Council of the Slovak Republic, after repeated discussion, adopts the act even despite the comments of the President of the Slovak Republic, and the President of the Slovak Republic does not sign the act, the act shall be promulgated even without the signature of the President of the Slovak Republic.
- (4) An act shall become valid on its promulgation. Details on the promulgation of acts, of international treaties and legally binding acts of an international organization pursuant to Art. 7, para. 2 shall be laid down by law.

Article 88

- (1) A motion of no confidence in the Government of the Slovak Republic or a member thereof shall be discussed by the National Council of the Slovak Republic, provided one-fifth of its Members of Parliament so requests.
- (2) To pass a motion of no confidence in the Government of the Slovak Republic or a member thereof an absolute majority of all Members of Parliament shall be required.

Article 88a

The National Council of the Slovak Republic shall discuss a motion to annul a decision of the President under Article 102, para. 1, letter j) when at least one-fifth of its members so request.

Article 89

- (1) The Speaker of the National Council of the Slovak Republic shall be elected or recalled by the National Council of the Slovak Republic by secret ballot with the consent of an absolute majority of all Members of Parliament. The Speaker shall be accountable only to the National Council of the Slovak Republic.
- (2) The Speaker of the National Council of the Slovak Republic shall
 - a) convene and chair sessions of the National Council of the Slovak Republic,
 - b) sign the Constitution, Constitutional Acts and other laws,
 - c) accept the oath taken by Members of Parliament,
 - d) call elections to the National Council of the Slovak Republic, the election of the President of the Slovak Republic and elections to bodies of territorial self-administration,
 - e) declare plebiscite on the recall of the President of the Slovak Republic.
 - f) perform other tasks if provided in Law.
- (3) The Speaker of the Slovak National Council shall remain in office even after the expiry of the electoral term until the National Council of the Slovak Republic elects a new Speaker.

Article 90

- (1) The Deputy Speakers may substitute for the Speaker of the National Council of the Slovak Republic. The Deputy-Speakers are elected and recalled by the National Council of the Slovak Republic with the assent of an absolute majority of all Members of

Parliament voting in secret ballot. The Deputy Speakers shall be responsible to the National Council of the Slovak Republic.

- (2) The provision of Art. 89, para. 3 shall apply also to the Deputy Speaker of the National Council of the Slovak Republic.

Article 91

The activity of the National Council of the Slovak Republic shall be chaired and organized by the Speaker and the Deputy Speakers.

Article 92

- (1) The National Council of the Slovak Republic shall establish Committees composed of its Members of Parliament as its initiative and supervision bodies; their chairpersons shall be elected by secret ballot.
- (2) The deliberations of the National Council of the Slovak Republic and its committees shall be laid down by law.

Section Two REFERENDUM

Article 93

- (1) A constitutional act on joining a union with other states or secession from it shall be ratified by a referendum.
- (2) A referendum may also be used to decide on other crucial issues of the public interest.
- (3) Fundamental rights and freedoms, taxes, levies and the state budget may not be the subject of a referendum.

Article 94

Every citizen of the Slovak Republic, who has the right to vote in elections to the National Council of the Slovak Republic, has the right to vote in a referendum.

Article 95

- (1) A referendum shall be declared by the President of the Slovak Republic upon a petition submitted by at least 350,000 citizens, or upon a resolution of the National Council of the Slovak Republic within thirty days after receipt of the petition of citizens or the resolution of the National Council of the Slovak Republic had been adopted.
- (2) The President of the Slovak Republic may, before declaring a referendum, submit to the Constitutional Court of the Slovak Republic a petition for a decision on whether the subject of a referendum shall be called upon a petition of citizens or a resolution of the National Council of the Slovak Republic according to paragraph 1 is in conformity with the Constitution or a constitutional act. If the President of the Slovak Republic submits to the Constitutional Court of the Slovak Republic a proposal for a decision on whether a subject of referendum which shall be called upon a petition of citizens or a resolution of the National Council of the Slovak Republic is in conformity with the Constitution or a constitutional act, from the submission date of the petition of the President of the Slovak Republic to the date of effectuality of the decision by the Constitutional Court of the Slovak Republic, the term according to paragraph 1 shall not lapse.

Article 96

- (1) Members of Parliament may submit the proposals for the adoption of a resolution by the National Council of the Slovak Republic on the declaration of a referendum.

- (2) A referendum shall be held not later than ninety days after the President of the Slovak Republic has declared it.

Article 97

- (1) A referendum shall not be held less than ninety days before the date of the election to the National Council of the Slovak Republic.
- (2) A referendum may be held on the date of the election to the National Council of the Slovak Republic.

Article 98

- (1) The results of a referendum shall be valid provided an absolute majority of eligible voters have participated and the issue has been decided by an absolute majority of the voters participating in the referendum.
- (2) The National Council of the Slovak Republic shall promulgate the proposals adopted by a referendum in the same manner as an act.

Article 99

- (1) The result of a referendum may be amended or repealed by a constitutional act adopted by the National Council of the Slovak Republic once a period of three years since the entry into force of the results has elapsed.
- (2) The referendum on the same issue may be repeated not earlier than three years after the previous referendum was held.

Article 100

The procedures for holding a referendum shall be laid down in an act.

CHAPTER SIX EXECUTIVE POWER

Section One THE PRESIDENT OF THE SLOVAK REPUBLIC

Article 101

- (1) The Head of the Slovak Republic is the President. The President represents the Slovak Republic externally and internally and ensures the regular operation of constitutional bodies by his or her decisions. The President performs the office according to his or her conscience and convictions, and shall not be bound by orders.
- (2) Citizens of the Slovak Republic shall elect the President by secret ballot in direct elections for a five-year term. Citizens who have the right to vote for the National Council of the Slovak Republic shall have the right to vote for a President.
- (3) Candidates for President shall be proposed by at least 15 Members of Parliament or by citizens who have the right to vote for the National Council of the Slovak Republic based on a petition signed by at least 15,000 citizens. Proposals for elections shall be delivered to the President of the National Council of the Slovak Republic at the latest within 21 days of the call of elections.
- (4) A candidate shall be elected a President if he or she receives an absolute majority of valid votes of legitimate voters. If none of the candidates receives the necessary majority of votes, a second round shall be held within 14 days of the voting. The two candidates who gained the highest number of valid votes shall proceed to the second round. In the second round, the candidate who gained the majority of valid votes from participating voters shall be elected President.
- (5) If one of the two candidates who gained the most valid votes in the first round ceases to be eligible for election as President before the second round of voting or resigns his or her right as a candidate, the candidate who received the next highest number of valid votes shall proceed to the second round of voting. If there are not two candidates for the second round of voting, the second round shall not be held, and the President of the National Council of the Slovak Republic shall call new elections so that they take place within 60 days of their call.
- (6) If only one candidate stands for the office of President, the elections shall be held; he or she shall be elected President if he or she gains an absolute majority of the valid votes of participating voters.
- (7) The elected candidate shall take up the office of President upon taking an oath. The oath shall be taken before the National Council of the Slovak Republic to the President of the Constitutional Court of the Slovak Republic at noon of the day on which the term of office of the previous President is to terminate.
- (8) If the term in office of the President ends prematurely, the elected candidate shall take the oath and take up the office of President at noon of the day following the day when the results of the election are announced.
- (9) The Constitutional Court of the Slovak Republic shall decide whether Presidential elections have been held in conformity with the Constitution and the Law.
- (10) Details of the presidential elections shall be laid down by law.

Article 102

(1) The President

- a) shall represent the Slovak Republic externally, and negotiate and ratify international treaties. The President may delegate the negotiating of international treaties to the Government of the Slovak Republic or, upon the consent of the Government, to its members,
- b) may submit to the Constitutional Court of the Slovak Republic a proposal for a decision on the conformity of a negotiated international treaty, for which the consent of the National Council of the Slovak Republic is necessary, with the Constitution or with a constitutional act,
- c) shall receive, appoint and recall heads of diplomatic missions,
- d) shall convene the inaugural session of the National Council of the Slovak Republic,
- e) may dissolve the National Council of the Slovak Republic if the National Council of the Slovak Republic, within a period of six months from the nomination of a Government of the Slovak Republic, has not passed its Manifesto, if the National Council of the Slovak Republic has not passed within three months of the formation of a Government a bill with which the Government has joint a vote of confidence if the National Council of the Slovak Republic has convened to hold a session for longer than three months although its session has not been adjourned and it has been during this time repeatedly called for a session, or if a session of the National Council of the Slovak Republic has been adjourned for a longer time than is allowed by the Constitution. This right may not be exercised during the last six months of the term of office, during war, state of war or state of extreme emergency. The President shall dissolve the National Council of the Slovak Republic in the case, the President has not been dismissed in plebiscite,
- f) shall sign acts,
- g) shall appoint and dismiss the Prime Minister and other members of the Government of the Slovak Republic, entrust them with the management of Ministries and accept their resignation; he shall dismiss the Prime Minister and other Ministers in cases defined in Arts. 115 and 116,
- h) shall appoint and recall heads of central bodies, high-level state officials and other officials in cases laid down by law; shall appoint and dismiss rectors of universities, shall appoint university professors and shall appoint and promote generals,
- i) shall award honours, unless empowers another body to do so,
- j) remits and commutes sentences imposed by criminal courts in criminal proceedings and expunges sentences in the form of individual pardons or amnesty,
- k) shall be the Commander in Chief of the armed forces,
- l) shall declare war based on a decision of the National Council of the Slovak Republic if the Slovak Republic is attacked or if it arises from obligations under international treaties and collective defence against attack, and conclude peace,
- m) may, upon a proposal of the Government of the Slovak Republic, order a mobilization of the military forces, declare a state of war or state of extreme emergency and their termination,
- n) shall declare a referendum,
- o) may veto an act with comments to the National Council of the Slovak Republic up to 15 days after delivery of an adopted act,
- p) shall present to the National Council of the Slovak Republic the State of the Slovak Republic and reports on important political issues,

- r) has the right to request of the Government of the Slovak Republic and its members for any information necessary for the accomplishment of his or her tasks,
 - s) shall appoint and dismiss judges of the Constitutional Court of the Slovak Republic, the President and Vice-President of the Constitutional Court of the Slovak Republic; shall accept the oath of judges of the Constitutional Court of the Slovak Republic and the oath of the Prosecutor General,
 - t) shall appoint and dismiss judges, the Chief Justice and the Deputy Chief Justice of the Slovak Republic, Prosecutor General and three members of the Judicial Council of the Slovak Republic; shall accept the oath of judges,
 - u) shall decide on the delegation of powers to the Government and give consent for the exercising of its competencies in accordance with Article 115 para. 3.
- (2) A decision of the President issued pursuant to Art. 102, para. 1 letter c) and letter j) if it concerns granting an amnesty, and to letter k), is valid if signed by the Prime Minister of the Government of the Slovak Republic or a Minister authorized by him or her; in these cases, the Government of the Slovak Republic shall be responsible for the decision of the President,
- (3) Conditions for declaring war, state of war, state of extreme emergency, state of emergency and the manner of exercising public authority during war, state of war and state of emergency shall be laid down by a constitutional act.
- (4) Details of exercising the constitutional powers of the President according to paragraph 1 may be laid down by law.

Article 103

- (1) A citizen of the Slovak Republic eligible to vote, who has attained 40 years of age on the day of the election, may be elected President of the Slovak Republic.
- (2) The same person may be elected President for not more than two consecutive terms.
- (3) The Speaker of the National Council of the Slovak Republic shall call a presidential election in the manner, that the first round of the election shall take place at the latest within 60 days before the end of the term of the incumbent President. If the office of President becomes vacant before the end of the term of office, the Speaker of the National Council of the Slovak Republic shall announce the election of a President within seven days so that the first round of the election for President shall take place at the latest within 60 days of the day of the call of the election of a President.
- (4) Should a Member of Parliament, member of the Government of the Slovak Republic, judge, Prosecutor, member of the armed forces or armed corps, or President or Vice-President of the Supreme Audit Office of the Slovak Republic be elected President, he or she will cease executing his or her previous office from the day of his or her election.
- (5) The President shall hold no other paid position in any profession, or business or shall not be a member of the executive board of a legal person conducting entrepreneurial activity.
- (6) The President may resign from the office at any time; the term of the office shall terminate on the day of delivery of a written announcement of this decision to the President of the Constitutional Court of the Slovak Republic.
- (7) The President of the Constitutional Court of the Slovak Republic shall announce in writing the resignation from the office of President to the Speaker of the National Council of the Slovak Republic.

Article 104

- (1) The President shall take before the National Council of the Slovak Republic in by the President of the Constitutional Court of the Slovak Republic the following oath:
“I swear on my honour and conscience allegiance to the Slovak Republic. I will dedicate my effort to the well-being of the Slovak nation and the national minorities and ethnic groups living in the Slovak Republic. I will perform my duties in the interest of citizens, uphold and defend the Constitution and other laws.”
- (2) Refusing to take the oath, or taking it with reservations, shall result in the invalidity of the election of the President.

Article 105

- (1) If the President is not elected, or if the Office of the President is vacant and a new president is not elected yet, or if a new President is elected but before taking the oath, or if the President is unable to discharge his or her office for serious reasons, the powers of the President pursuant to Art. 102, para. 1, letters a), b), c), n) and o) shall pass to the Government of the Slovak Republic. In these cases, the Government may vest some of the powers of the President in the Prime Minister. During the pertinent time, the Prime Minister shall act as Commander-in-Chief of the armed forces. Powers of the President according to Art. 102, para. 1, letters d), g), h), l), m), s) and t) shall pass to the Speaker of the National Council of the Slovak Republic at that time.
- (2) Provided that the President is unable to perform the duties of his or her office for more than 6 months, the Constitutional Court of the Slovak Republic shall declare that the office of President has become vacant. The term of the office of the incumbent President shall terminate as of the day of this declaration.

Article 106

- (1) The President may be recalled from office before the end of the term in office by a plebiscite. A plebiscite to recall the President shall be declared by the Speaker of the National Council of the Slovak Republic based on a resolution by the National Council of the Slovak Republic adopted by at least a three-fifths majority of all Members of Parliament within 30 days of the adoption of a resolution so that the plebiscite shall be held within 60 days of its declaration.
- (2) The President shall be dismissed if an absolute majority of all legitimate voters votes for his or her recall in a plebiscite.
- (3) If the President was not recalled in a plebiscite, the President shall dissolve the National Council of the Slovak Republic within 30 days of the announcement of the results of the plebiscite. In the pertinent case, a new presidential electoral term shall begin. The Speaker of the National Council of the Slovak Republic shall call elections to the National Council of the Slovak Republic within seven days of its dissolution.
- (4) Further details to recall the President shall be laid down by an Act.

Article 107

The President may be impeached only for an intentional infringement of the Constitution or for treason. The National Council of the Slovak Republic shall impeach the President by a three-fifth majority of all Members of Parliament. The National Council of the Slovak Republic shall file with the Constitutional Court of the Slovak Republic, which shall decide on it in a plenary session. A condemning judgment of the Constitutional Court of the Slovak Republic shall mean the loss of the presidential office and of the eligibility to hold the office again.

Section Two
THE GOVERNMENT OF THE SLOVAK REPUBLIC

Article 108

The Government of the Slovak Republic shall be the supreme body of executive power.

Article 109

- (1) The Government shall consist of the Prime Minister, Deputy Prime Ministers and Ministers.
- (2) The discharge of the office of a member of the Government shall be incompatible with the discharge of a Member of Parliament mandate, the discharge of an office in another public authority, civil service employment, employment or a similar labour relation, entrepreneurial activity, membership in governing or controlling body of a legal person, which pursues an entrepreneurial activity or other economic or gainful activities apart from the administration of his or her property and scientific, pedagogical, literary or artistic activity.

Article 110

- (1) The Prime Minister shall be appointed and recalled by the President of the Slovak Republic.
- (2) Any citizen of the Slovak Republic eligible for election to the National Council of the Slovak Republic may be appointed Prime Minister.

Article 111

On a proposal by the Prime Minister of the Government, the President of the Slovak Republic shall appoint and recall other members of the Government and empower them with the administration of Ministries. A citizen who is eligible for election as a Member of Parliament may be appointed a Vice-Prime Minister of the Government.

Article 112

Members of the Government shall take before the President the following oath:

"I swear on my honour and conscience allegiance to the Slovak Republic. I will discharge my duties in the interest of its citizens. I will abide by the Constitution and all other laws and work the way to bring them to life."

Article 113

The Government shall be obliged, within thirty days of its nomination, to present itself to the National Council of the Slovak Republic, submit its Manifesto and ask for a vote of confidence.

Article 114

- (1) The Government shall be responsible for the exercise of Governmental powers to the National Council of the Slovak Republic. The National Council of the Slovak Republic may take a vote no confidence of no confidence at any time.
- (2) The Government at any time may invite the National Council of the Slovak Republic to take a vote of confidence.
- (3) The Government may initiate voting on a bill or another matter joint with a vote of confidence.

Article 115

- (1) Provided that the National Council has passed a vote of no confidence or overrules its motion for a vote of confidence, the President shall dismiss the Government.
- (2) In case the President has accepted the resignation of the Government, he shall delegate all powers to be exercised continuously until a new Government is appointed.
- (3) If the President of the Slovak Republic dismisses the Government according to paragraph 1, by a decision promulgated in the Collection of Laws of the Slovak Republic, the President shall entrust it with the exercise of its powers until the appointment of a new government, but exclusively to the extent according to Art. 119 letters a), b), e), f), m), n), o), p) and r); the exercise of the powers of the government according to Art. 119 letters m) and r) is in each individual case subject to the prior consent of the President of the Slovak Republic.

Article 116

- (1) A Member of the Government shall be accountable for the discharge of his or her function to the National Council of the Slovak Republic.
- (2) A Member of the Government may submit his or her resignation to the President of the Slovak Republic.
- (3) The National Council of the Slovak Republic may also take a vote of no confidence in an individual member of the Government; in this case, the President of the Slovak Republic shall dismiss the member of the Government.
- (4) A motion for the recall of a member of the Government may also be presented by the Prime Minister.
- (5) In the event of the Prime Minister's resignation, the whole Government shall resign.
- (6) If the National Council of the Slovak Republic has passed a vote of no confidence in an individual Member of the Government, the President of the Slovak Republic shall dismiss the Member. The dismissal of the Prime Minister shall result in the resignation of the Government.
- (7) If the President has accepted the resignation of a member of the Government, or if he has dismissed a member of the Government, he shall designate another member to be temporarily responsible for fulfilling the duties of the resigning member.

Article 117

The Government shall submit its resignation after the inaugural session of the newly elected National Council of the Slovak Republic; the Government shall, however, remain in office until the new Government is formed.

Article 118

- (1) The Government has a quorum if more than half of its members are present.
- (2) Adoption of a resolution by the Government shall require the consent of an absolute majority of all members of the Government.

Article 119

The Government shall decide as a body on:

- a) bills,
- b) government regulations,
- c) the Manifesto and its implementation,
- d) principal measures to be taken to guarantee the economic and social policy of the Slovak Republic,
- e) draft state budget and state closing account,

- f) international treaties entered into by the Slovak Republic the negotiation thereof the President of the Slovak Republic has delegated to the Government,
- g) the consent with the delegation of negotiation of international treaties according to Art. 102, para. 1, letter a) to its members,
- h) submitting a proposal to the Constitutional Court of the Slovak Republic to decide on the conformity with the Constitution and constitutional Law of a negotiated international treaty for which the approval of the National Council of the Slovak Republic is required,
- i) fundamental issues of internal and foreign policy,
- j) submitting a draft Act/Bill or a draft of other binding measure for public discussion,
- k) submitting a request for a vote of confidence,
- l) granting amnesty in the cases of offences,
- m) the appointment and dismissal of other State officials in cases laid down by Law and three Members of the Judicial Council of the Slovak Republic,
- n) a proposal for declaring a state of war, on proposal for ordering a mobilization of the military forces, on proposal for declaring a state of extreme emergence and a proposal for their termination, on declaring and on termination of a state of emergency,
- o) despatching the military forces outside of the territory of the Slovak Republic for the purpose of humanitarian aid, military exercises or peacekeeping missions, on the consent of the presence of foreign military forces on the territory of the Slovak Republic for the purpose of humanitarian aid, military exercises or peacekeeping missions, on consent with the passing of the territory of the Slovak Republic by foreign military forces,
- p) despatching the military forces outside of the territory of the Slovak Republic if it regards the performance of obligations resulting from international treaties on joint defence against attack for a maximum period of 60 days; the Government shall announce this decision without undue delay to the National Council of the Slovak Republic,
- r) other issues if the law provides so.

Article 120

- (1) The Government shall have the power to issue regulations to implement acts within limits laid down by the law.
- (2) If laid down by law, the Government shall also be authorized to issue regulations on the implementation of the European Association Agreement between the European Communities and their Member States on the one part, and the Slovak Republic on the other part, and the execution of international treaties according to Art. 7, para. 2.
- (3) The Prime Minister shall sign Government regulations.
- (4) A Government regulation shall be promulgated in the manner laid down by law.

Article 121

The Government shall have the power to grant amnesty in cases of offences. Details shall be laid down by law.

Article 122

Central bodies of state administration and local bodies of state administration shall be established by law.

Article 123

Ministries and other state administration bodies may, under the laws and within their limits, adopt generally binding legal regulations provided they are empowered to do so by law. These generally binding legal regulations shall be promulgated in a manner laid down by law.

CHAPTER SEVEN JUDICIAL POWER

Section One THE CONSTITUTIONAL COURT OF THE SLOVAK REPUBLIC

Article 124

The Constitutional Court shall be an independent judicial authority vested with the mandate to protect constitutionality.

Article 125

- (1) The Constitutional Court shall decide on the conformity of
 - a) acts with the Constitution, Constitutional Acts and international treaties to which the National Council of the Slovak Republic has expressed its consent and which were ratified and promulgated in the manner laid down by law,
 - b) government regulations, generally binding legal regulations of Ministries and other central bodies of the state administration with the Constitution, with Constitutional Acts, with international treaties to which the National Council of the Slovak Republic has expressed its assent and which were ratified and promulgated in the manner laid down by law and with acts,
 - c) generally binding regulations pursuant to Art. 68, with the Constitution, with Constitutional Acts and with international treaties to which the National Council of the Slovak Republic has expressed its consent and which were ratified and promulgated in the manner laid down by law, save another Court shall decide on them,
 - d) generally binding legal regulations of the local bodies of state administration and generally binding regulations of the bodies of territorial self-administration pursuant to Art. 71 para. 2, with the Constitution, with constitutional acts, with international treaties promulgated in the manner laid down by law, with laws, with Government regulations and with generally binding legal regulations of Ministries and other central bodies of the state administration, save another Court shall decide on them.
- (2) If the Constitutional Court admits a petition for a proceeding pursuant to paragraph 1, it may suspend the effect of the challenged legal regulations, their parts or some of their provisions, if their further application could jeopardize the fundamental rights and freedoms, if there is a threat of substantial economic damage or other serious irreparable consequence,
- (3) If the Constitutional Court states by its decision that there is inconformity between the legal regulations referred to in paragraph 1, the effect of the respective regulations, their parts or their provisions shall terminate. The bodies that issued these legal regulations are obliged to ensure within six months from promulgation of the decision of the Constitutional Court their compliance with the Constitution, constitutional acts and international treaties promulgated in a manner laid down by law and with respect to the regulations referred to in paragraph 1, letters b) and c) also with other laws, with respect to the regulations referred to in paragraph 1, letter d) with Government regulations and with generally binding legal regulations issued by Ministries and other central bodies of the state administration. If they fail to do so, the validity of the regulations, their parts or provisions shall terminate six months from promulgation of the decision.

- (4) The Constitutional Court shall not decide on conformity of a bill or a draft of other generally binding legal regulation with the Constitution, with an international treaty that was promulgated in the manner laid down by law or with the constitutional act. The Constitutional Court does not rule on the constitutionality of a constitutional law.
- (5) The validity of a decision on the suspension of effect of the challenged legal regulations, their parts or some of their provisions terminates by the promulgation of a decision of the Constitutional Court in the case if the Constitutional Court has not already cancelled the decision on suspension of the effect of the challenged legal regulation because the reasons for which it was adopted have ceased.
- (6) A decision of the Constitutional Court issued pursuant to paragraphs 1, 2 and 5 shall be promulgated in the manner laid down for the promulgation of acts. The valid judgement of the Constitutional Court shall be generally binding.

Article 125a

- (1) The Constitutional Court shall decide on the conformity of negotiated international treaties to which the consent of the National Council of the Slovak Republic with the Constitution and constitutional act is required.
- (2) The President of the Slovak Republic or the Government may file a petition for a decision pursuant to paragraph 1 with the Constitutional Court prior to the submission of a negotiated international treaty for discussion by the National Council of the Slovak Republic.
- (3) The Constitutional Court shall decide on a petition pursuant to paragraph 2 within a period laid down by law; if the Constitutional Court holds in its decision that the international treaty is not in conformity with the Constitution or constitutional act, the international treaty shall not be ratified.

Article 125b

- (1) The Constitutional Court shall decide on whether the subject of a referendum is to be declared upon a petition of citizens or a resolution of the National Council of the Slovak Republic according to Art. 95, para. 1 is in conformity with the Constitution or constitutional act.
- (2) The petition for a decision according to paragraph 1 may be filed with the Constitutional Court by the President of the Slovak Republic prior to calling a referendum if the President disputes whether the subject of the referendum, which is to be called upon a petition of citizens or a resolution of the National Council of the Slovak Republic according to Art. 95 para. 1 is in conformity with the Constitution or constitutional act.
- (3) The Constitutional Court shall decide on a petition pursuant to paragraph 2 within 60 days from the date of its delivery; if the Constitutional Court holds in its decision that the subject of referendum to be called upon a petition of citizens or a resolution of the National Council of the Slovak Republic according to Art. 95, para. 1 is not in conformity with the Constitution or constitutional act, the referendum may not be called.

Article 126

- (1) (1) The Constitutional Court decides competence disputes between the Supreme Court of the Slovak Republic and the Supreme Administrative Court of the Slovak Republic. The Constitutional Court decides on jurisdiction disputes among central bodies of state administration unless the law specifies that these disputes are decided by another state body.
- (2) The Constitutional Court decides on disputable cases regarding the supervisory power of the Supreme Audit Office.

Article 127

- (1) The Constitutional Court shall decide on complaints of natural persons or legal persons if they plead the infringement of their fundamental rights or freedoms, or human rights and fundamental freedoms resulting from the international treaty ratified by the Slovak Republic and promulgated in the manner laid down by law, save another Court shall decide on the protection of these rights and freedoms.
- (2) If the Constitutional Court admits a complaint, it shall hold in its decision that the rights or freedoms according to paragraph 1 were infringed by a valid decision, by a measure or by other action and it shall repeal the decision, measure or other action. If the infringement of rights or freedoms according to paragraph 1 arises from inactivity, the Constitutional Court may order the one who has infringed these rights or freedoms to act in the matter. The Constitutional Court may at the same time remand the matter for further proceedings, prohibit continuing in the infringement of fundamental rights and freedoms or human rights and fundamental freedoms resulting from the international treaty ratified by the Slovak Republic and promulgated in the manner laid down by law, or if possible, to order the one who has infringed the rights or freedoms according to paragraph 1 to reinstate the status before the infringement.
- (3) The Constitutional Court may, by the decision by which it allows a complaint, award the one whose rights according to paragraph were infringed an adequate financial satisfaction.
- (4) The responsibility of the one who has infringed the rights or freedoms according to paragraph 1, for the damage or other injury shall not be affected by the decision of the Court.

Article 127a

- (1) The Constitutional Court shall decide on complaints by the bodies of territorial self-administration against unconstitutional or unlawful decisions or against other unconstitutional or unlawful actions in the matters of territorial self-administration, save another Court shall decide on its protection.
- (2) If the Constitutional Court admits a complaint by a body of territorial self-administration, it will state the reasons why the decision, or intervention in the matters of the territorial self-administration, is unconstitutional, or unlawful, which constitutional act or which law was violated and what decision, or act, caused the violation. The Constitutional Court will repeal the challenged decision, or if a violation of law was constituted by another act than a decision, it will prohibit further violation of the right and it orders, if possible, that the state before the violation is restored.

Article 128

The Constitutional Court shall give a construction of the Constitution or constitutional act if the matter is disputable. The judgement of the Constitutional Court on the construction of the Constitution or constitutional act shall be promulgated in the manner laid down for the promulgation of acts. The construction is generally binding from the date of its promulgation.

Article 129

- (1) The Constitutional Court shall decide on a complaint against a decision verifying or rejecting verification of the mandate of a Member of Parliament.

- (2) The Constitutional Court decides on the constitutionality and legitimacy of elections to the National Council of the Slovak Republic and elections to the European Parliament.
- (3) The Constitutional Court shall decide on a complaint against the result of a referendum and a complaint against the result of a plebiscite on the dismissal of the President of the Slovak Republic.
- (4) The Constitutional Court shall decide whether a decision dissolving a political party or movement or suspending political activities thereof is in conformity with the constitutional acts and other laws.
- (5) The Constitutional Court shall decide on an impeachment by the National Council of the Slovak Republic against the President of the Slovak Republic in matters of an intentional infringement of the Constitution or treason.
- (6) The Constitutional Court shall decide on whether a decision on declaring a state of extreme emergency or state of emergency and other decisions related to this decision were issued in conformity with the Constitution and constitutional act.
- (7) The decisions of the Constitutional Court according to the previous paragraphs shall be binding for all bodies of public authority, natural persons or legal persons whom they concern. The respective body of public authority shall be obliged, without undue delay, to ensure their enforcement. Details shall be laid down by law.

Article 129a

The Constitutional Court decides on the conformity of the resolution of the National Council of the Slovak Republic on the abolition of amnesty or individual pardon taken pursuant to Art. 86 letter i) with the Constitution of the Slovak Republic. The Constitutional Court shall initiate proceedings on the matter under the first sentence without a motion; Art. 125 shall be applied accordingly.

Article 130

- (1) The Constitutional Court initiates proceedings based on a petition by
 - a) at least one-fifth of the Members of Parliament,
 - b) the President of the Slovak Republic,
 - c) the Government of the Slovak Republic,
 - d) the Court,
 - e) the Prosecutor General,
 - f) the Chair of the Court of Justice of the Slovak Republic in matters of conformity with the legislation under Art. 125 para. 1 related to the exercise of justice,
 - g) the Public Defender of Rights in cases of compliance of legal regulations pursuant to Art. 125 para 1, if their further application could jeopardize the basic rights and freedoms ensuing from the international treaty ratified by the Slovak Republic and promulgated in a manner laid down by law,
 - h) the Supreme Audit Office of the Slovak Republic in the case stipulated in Art. 126 para. 2, In cases listed under Art. 127 and 127a,
 - i) anyone whose rights are to become the subject of inquiry,
 - j) anyone objecting to the supervisory power of the Supreme Audit Office of the Slovak Republic in the case laid down in Art. 126 paragraph 2.
- (2) An Act shall lay down who is entitled to submit a petition to initiate proceedings according to Art. 129.

Article 131

- (1) The Constitutional Court shall decide in plenary on matters referred to in Art. 105 para. 2, Art. 107, Art. 125 para. 1 letter a) and b), 125a para 1, Art. 125b para. 1, Art. 126, Art.

128, Art. 129 para. 2 to 6, Art. 129a, Art. 136 para. 2 and 3, Art. 138 para. 2 letter b) and c), on the unification of the legal opinions of the panels, on the adjustment of their internal relations and on the draft budget of the Constitutional Court. The Plenum of the Constitutional Court shall be decided by a majority of all judges. Provided that the Constitutional Court in a case under Art. 129a did not reach a majority of all judges, the proceedings shall be suspended.

- (2) The Constitutional Court shall decide on other matters in panels of three members. A panel shall be decided by an absolute majority of its members.

Article 132

(Repealed)

Article 133

A decision of the Constitutional Court shall not be appealable; this does not apply if, by the decision of an authority of an international organization established for ensuring the observance of international agreements binding the Slovak Republic, the obligation for the Slovak Republic arises in proceedings before the Constitutional Court to review an adopted decision of the Constitutional Court.

Article 134

- (1) The Constitutional Court shall be composed of thirteen judges.
- (2) Judges of the Constitutional Court are appointed by the President of the Slovak Republic on the proposal of the National Council of the Slovak Republic. The National Council of the Slovak Republic shall propose twice the number of candidates for judges to be appointed by the President of the Slovak Republic; the National Council of the Slovak Republic shall vote on the proposals in public after hearing the persons proposed to the National Council of the Slovak Republic. If the National Council of the Slovak Republic does not elect the necessary number of candidates for judges of the Constitutional Court within two months of the expiry of the term of office of a judge of the Constitutional Court or within six months of the termination of the office of a judge of the Constitutional Court for other reasons, the President of the Slovak Republic may appoint the judges of the Constitutional Court from among the elected candidates for judges of the Constitutional Court.
- (3) The term of office of a judge of the Constitutional Court is twelve years. A judge of the Constitutional Court remains in office after the expiry of the term of office until the new judge of the Constitutional Court takes the oath of office.
- (4) A citizen of the Slovak Republic who is eligible for election to the National Council of the Slovak Republic has reached the age of 40, is impeccable, has a university degree in law, has been practising law for at least 15 years, and whose previous life and moral qualities are a guarantee to perform the office of a Constitutional Court judge properly may be appointed as a judge of the Constitutional Court. The same person may not be reappointed as a judge of the Constitutional Court.
- (5) A judge of the Constitutional Court shall take the following oath before the President of the Slovak Republic:
- “I swear on my honour and conscience that I will protect the inviolability of natural human rights and rights of a citizen, the principles of rule of law, uphold the Constitution, Constitutional Laws and international treaties that were ratified by the Slovak Republic and were promulgated in the manner laid down by law and decide cases to the best of my abilities and conscience independently and impartially.”*
- (6) Having taken this oath, the judge shall assume the judicial office.

Article 135

The head of the Constitutional Court shall be the President, he or she may be substituted by the Vice-President. The President and the Vice-President shall be appointed by the President of the Slovak Republic from among the judges of the Constitutional Court.

Article 136

- (1) It is not possible to prosecute the Judge of the Constitutional Court for the judgements rendered while performing the office, even after this office has ceased to exist.
- (2) If a judge of the Constitutional Court has been arrested and detained *in flagrante delicto*, the competent authority is obliged to immediately notify the President of the Constitutional Court and, in the case of the President of the Constitutional Court, the Vice-President of the Constitutional Court. A judge of the Constitutional Court may not be taken into custody without the consent of the Constitutional Court.
- (3) The Constitutional Court carries out disciplinary proceedings against the President and Vice-President of the Supreme Court of the Slovak Republic and the President and Vice-President of the Supreme Administrative Court of the Slovak Republic.

Article 137

- (1) An appointed judge of the Constitutional Court shall renounce his or her membership in a political party or a political movement prior to taking the oath.
- (2) The judges of the Constitutional Court shall hold their offices as a vocation. The performance of this vocation shall be incompatible with the office in another body of public authority, public service relationship, employment, a similar labour relation, an entrepreneurial activity, membership in the governing or controlling body of a legal person which pursues an entrepreneurial activity or another economic or gainful activities apart from the administration of his or her property, and scientific, pedagogical, literary or artistic activity.
- (3) On the day when a Judge assumes the judicial office, his or her mandate as a Member of Parliament and membership in the Government of the Slovak Republic shall terminate.

Article 138

- (1) A Judge of the Constitutional Court may resign from the office in a written note addressed to the President of the Constitutional Court. In the pertinent case, the office terminates at the elapse of the month in which the written note of this resignation has been delivered.
- (2) The President of the Slovak Republic dismisses a judge of the Constitutional Court
 - a) based on the valid judgement by which he or she was sentenced for an intentional criminal offence, or a criminal offence and the court did not decide in his or her case on probationary suspension of the imprisonment sentence,
 - b) based on a disciplinary decision made by the Constitutional Court for conduct that is incompatible with holding the office of a judge of the Constitutional Court,
 - c) if the Constitutional Court has announced that the judge does not participate in proceedings of the Constitutional Court for over one year, or
 - d) if his or her eligibility for being voted into the National Council of the Slovak Republic ceased to exist.
- (3) The office of a judge of the Constitutional Court terminates on the last day of the month in which the judge of the Constitutional Court reaches the age of 72.

Article 139

If a judge of the Constitutional Court resigns from the office as a judge of the Constitutional Court, if is dismissed or if his or her office is terminated pursuant to Art. 138 para. 3, the President of the Slovak Republic shall appoint another judge for a new term of office pursuant to Art. 134 para. 2.

Article 140

Details of the organisation of the Constitutional Court, the manner of proceedings before it, the status of its judges and their impeccability shall be laid down by law.

Section Two

THE COURTS OF THE SLOVAK REPUBLIC

Article 141

- (1) The judiciary in the Slovak Republic shall be administered by independent and impartial courts.
- (2) The judiciary shall be independent of other state authorities at all levels.

Article 141a

The Judicial Council of the Slovak Republic

- (1) The Judicial Council of the Slovak Republic is a constitutional body of judicial legitimacy.
- (2) The Chair and the Vice-Chair of the Judicial Council of the Slovak Republic shall be elected and dismissed by the Judicial Council of the Slovak Republic from its members. Members of the Judicial Council of the Slovak Republic are:
 - a) one judge elected and dismissed by the judges of the Supreme Court of the Slovak Republic and the judges of the Supreme Administrative Court of the Slovak Republic from the judges of these courts,
 - b) eight judges elected and dismissed by judges of other courts in several constituencies formed in the way that a comparable number of votes of judges is required for election or dismissal,
 - c) three members elected and dismissed by the National Council of the Slovak Republic,
 - d) three members appointed and dismissed by the President of the Slovak Republic,
 - e) three members appointed and dismissed by the Government of the Slovak Republic.
- (3) A person may be appointed as the Chair, the Vice-Chair and member of the Judicial Council of the Slovak Republic pursuant to paragraph 2 letter c) to e) if he or she is impeccable, has a university degree in law and has at least 15 years of professional experience; only a person who is not a judge may be appointed as a member of the Judicial Council of the Slovak Republic pursuant to paragraph 2 letter c) to e).
- (4) The performance of the office of the Chair and the Vice-Chair of the Judicial Council of the Slovak Republic is incompatible with that of another public authority, civil service employment, employment or a similar labour relation, an entrepreneurial activity, membership in governing or controlling body of a legal person, which pursues an entrepreneurial activity or other economic or gainful activity apart from the administration of his or her property and scientific, pedagogical, literary or artistic activity.
- (5) The term of office of the members of the Judicial Council of the Slovak Republic is five years. The same person may be elected as Chair of the Judicial Council of the Slovak Republic, elected or appointed as a member of the Judicial Council of the Slovak

Republic for a maximum of two consecutive terms. The Chair, Vice-Chair and member of the Judicial Council of the Slovak Republic may be dismissed at any time before the end of their term of office.

- (6) The competence of the Judicial Council of the Slovak Republic includes:
- a) to ensure the fulfilment of public judicial controlling tasks,
 - b) to adopt an opinion as to whether the candidate for the appointment of a judge meets the prerequisites of judicial competence which guarantee that the office of the judge will be properly performed,
 - c) to submit to the President of the Slovak Republic proposals for candidates for the appointment of judges and proposals for the dismissal of judges,
 - d) to decide on the assignment and transfer of judges,
 - e) to submit to the President of the Slovak Republic proposals for appointment of the Chair and Vice-Chair of the Supreme Court of the Slovak Republic and the Chair and Vice-Chair of the Supreme Administrative Court of the Slovak Republic and proposals for their dismissal,
 - f) to submit to the Government of the Slovak Republic proposals for candidates for judges who should act for the Slovak Republic in international judicial bodies,
 - g) to comment on the draft budget of the courts of the Slovak Republic when drawing up the draft state budget and to submit an opinion on the draft budget of the courts to the National Council of the Slovak Republic,
 - h) to supervise whether the judge meets the prerequisites for judicial competence, which guarantee that he or she will perform the office of a judge properly for the entire duration of the judge's office,
 - i) to supervise and act in matters of the financial situation of the judge,
 - j) to issue principles of judicial ethics in cooperation with the bodies of judicial self-government,
 - k) the other scope, if so provided by law.
- (7) The consent of an absolute majority of all members of the Judicial Council of the Slovak Republic is necessary for the adoption of a ruling.
- (8) The activity of the Judicial Council of the Slovak Republic is managed and organised by the Chair.
- (9) The Chair of the Judicial Council of the Slovak Republic may submit to the Constitutional Court a motion for the commencement of proceedings in matters of compliance with the Acts according to Art. 125 para. 1 relating to the performance of the judiciary.
- (10) Details on the election and dismissal of the Chair and Vice-Chair of the Judicial Council of the Slovak Republic, on the manner of appointment and dismissal of members of the Judicial Council of the Slovak Republic, on its competence, on the substitution of the Chair of the Judicial Council of the Slovak Republic, on the organization and relations with the bodies of the judiciary administration and the bodies of the judiciary self-government, on the exercise of competence pursuant to Art. 141b shall be laid down by law. The law shall also establish the constituencies for the election and recall of members of the Judicial Council of the Slovak Republic pursuant to paragraph 2 letter b).

Article 141b

- (1) The Judicial Council of the Slovak Republic shall adopt opinions according to Art. 141a par. 6 letters b), h) and i) based on its examination, documents procured by it or obtained from state authorities and the statement of the person concerned.

- (2) The loss of the prerequisites of a judge's judicial competence, which provide a guarantee that he will perform the function of a judge properly during the duration of the performance of the function of a judge, shall be decided in disciplinary proceedings.

Article 142

- (1) The Courts shall rule on civil and criminal matters; courts examine the lawfulness of public administration bodies' decisions and lawfulness of decisions, measures, or other actions of the public authority bodies if so laid down by law.
- (2) The Supreme Administrative Court of the Slovak Republic decides
 - a) on the constitutionality and legality of elections to local self-government bodies,
 - b) on the dissolution or suspension of the activity of a political party or political movement,
 - c) on the disciplinary liability of judges, prosecutors and, if the law provides, also other persons.
- (3) The court shall decide in panels unless the act provides that the matter shall be decided by a single judge. The act shall lay down in which cases the lay judges from the citizenry shall participate in the decision-making of the panels and in which cases a Court employee authorised by a judge can decide. A judicial remedy is admissible against a decision made by a Court employee authorized by a judge, on which a judge shall always decide.
- (4) Judgements shall be announced in the name of the Slovak Republic and always publicly.

Article 143

- (1) The judicial system shall be composed of the Supreme Court of the Slovak Republic, the Supreme Administrative Court of the Slovak Republic and other courts.
- (2) Further details of the judicial system, jurisdiction of the Courts, their structure, and procedural rules shall be laid down by law.
- (3) To the extent laid down by law, the bodies of judicial self-administration shall participate in the management and administration of courts.

Article 144

- (1) Judges, in the performance of their office, shall be independent and, in decision making shall be bound by the Constitution, by constitutional acts, by international treaty pursuant to Art. 7, paras. 2 and 5, and by law.
- (2) If a court assumes that another generally binding legal regulation, its part, or its individual provisions concerning a pending matter contradicts the Constitution, constitutional act, or international treaty pursuant to Art. 7, para. 5 or law, it shall adjourn the proceedings and shall submit a proposal for the commencement of proceedings according to Art. 125, para. 1. The legal opinion of the Constitutional Court of the Slovak Republic contained in the decision shall be binding for the court.

Article 145

- (1) The President of the Slovak Republic shall appoint and dismiss judges based on a proposal of the Judicial Council of the Slovak Republic; they are appointed without a time limit.
- (2) A citizen of the Slovak Republic eligible to be elected to the National Council of the Slovak Republic may be nominated for a judge, if he or she has reached the age of 30 years, has a law degree in law and meets the prerequisites of the judge's competence, which guarantees to perform the office of the judge properly. Further prerequisites for

appointment as a judge and his or her functional progress as well as the extent of the immunity of judges shall be established by an act.

- (3) The Chair and Vice-Chair of the Supreme Court of the Slovak Republic are appointed by the President of the Slovak Republic from the ranks of judges of the Supreme Court of the Slovak Republic for a period of five years upon a proposal of the Judicial Council of the Slovak Republic. The Chair and Vice-Chair of the Supreme Administrative Court of the Slovak Republic are appointed by the President of the Slovak Republic from the ranks of judges of the Supreme Administrative Court of the Slovak Republic for a period of five years upon a proposal of the Judicial Council of the Slovak Republic. The same person may be appointed the Chair and the Vice-Chair of the Supreme Court of the Slovak Republic or the Chair and Vice-Chair of the Supreme Administrative Court of the Slovak Republic for a maximum of two consecutive terms. The President of the Slovak Republic may dismiss the Chair the Vice-Chair of the Supreme Court of the Slovak Republic and the Chair the Vice-Chair of the Supreme Administrative Court of the Slovak Republic for reasons stipulated in Art. 147.
- (4) A judge shall take this oath in by the President of the Slovak Republic:
“I swear on my honour and conscience that I shall abide by the Constitution, constitutional acts, international treaties, which were ratified by the Slovak Republic and were promulgated in the manner laid down by law, and by laws; I shall construe acts and decide according to my profound convictions, independently and impartially.”
- (5) Upon taking this oath, a judge assumes the office.

Article 145a

- (1) If an appointed judge is a member of a political party or a political movement, he or she shall be obliged to resign from the membership prior to taking the oath.
- (2) The judge carries out the office as a vocation. The performance of a judge's office is incompatible with that in another public authority, including the office of the Chair of the Judicial Council of the Slovak Republic, civil service employment, with employment or with a similar labour relation, entrepreneurial activity, membership in governing or controlling body of a legal person, which pursues an entrepreneurial activity or other economic or gainful activities apart from the administration of his or her property and scientific, pedagogical, literary or artistic activity and membership in the Judicial Council of the Slovak Republic.

Article 146

- (1) A Judge may resign from the office by written notice to the President of the Slovak Republic. The office, in pertinent case, shall expire at the elapse of the calendar month in which the notice of resignation from the office is delivered.
- (2) A judge shall cease to hold office on the last day of the month in which the judge reaches the age of 67 years.

Article 147

- (1) The President of the Slovak Republic shall immediately dismiss a judge
 - a) based on a valid conviction for an intentional criminal offence,
 - b) if was sentenced for an intentional criminal offence and the court has not decided in his or her case on a suspended sentence of imprisonment,
 - c) based on a disciplinary decision for an act incompatible with the exercise of judicial office,
 - d) based on the decision according to Art. 141b par. 2, or

- e) if his or her eligibility for election to the National Council of the Slovak Republic has terminated.
- (2) The President of the Slovak Republic, on a proposal of the Judicial Council of the Slovak Republic, may dismiss a judge if the judge's health condition does not allow them to properly perform the judicial duties for a long period of time, at least for one year.

Article 148

- (1) A judge may be transferred to another court only with his or her consent or based on a disciplinary decision. The judge's consent to the transfer shall not be required when changing the system of courts if it is necessary to ensure the proper performance of the judiciary; the details shall be established by law.
- (2) Temporary suspension of the office of a judge may not interfere with the independent exercise of the judiciary. Reasons for suspension of the performance of the judge's function, conditions for the temporary assignment of the judge and other conditions for temporary suspension of the office of a judge shall be laid down by law.
- (3) The method of appointing lay judges shall be laid down by an act.
- (4) It is not possible for a judge or a lay judge to be prosecuted for the ruling rendered, even after their office ceases, save the cases where a criminal offence is committed; the disciplinary liability of the judge is not hereby affected.
- (5) Against the decision to commence the prosecution of a judge, the judge concerned may file a complaint, which shall be decided by the Prosecutor General.

CHAPTER EIGHT
THE OFFICE OF THE PUBLIC PROSECUTION OF THE SLOVAK REPUBLIC
AND THE PUBLIC DEFENDER OF RIGHTS

Section One
THE OFFICE OF THE PUBLIC PROSECUTION OF THE SLOVAK REPUBLIC

Article 149

Public prosecution protects rights and interests protected by the law of natural and legal persons and the state.

Article 150

The head of the Office of the Public Prosecution is the Prosecutor General who shall be appointed and dismissed by the President of the Slovak Republic on the proposal of the National Council of the Slovak Republic.

Article 151

Further details of the appointment, dismissal, powers and duties of public prosecutors, as well as the structure of the public prosecution office shall be laid down by an act.

Section Two
PUBLIC DEFENDER OF RIGHTS

Article 151a

- (1) The Public Defender of Rights is an independent body of the Slovak Republic which, within the scope and as laid down by law, protects fundamental rights and freedoms of natural and legal persons in proceedings before public administration bodies and other bodies of public authority, if their conduct, decision-making, or inactivity, is in conflict with the legal order. In cases laid down by law, the Public Defender of Rights may participate in holding the persons working in the public administration bodies accountable, if those persons violated a fundamental human right or freedom of natural or legal persons. All bodies of public authority shall give the Public Defender of Rights necessary assistance.
- (2) The Public Defender of Rights may file a motion with the Constitutional Court of the Slovak Republic to initiate a proceeding pursuant to Article 125 if a generally binding regulation violates a fundamental human right or freedom granted to a natural or a legal person.
- (3) The Public Defender of Rights is elected by the National Council of the Slovak Republic for a period of five years from candidates proposed by at least 15 Members of Parliament. Any citizen of the Slovak Republic who can be elected to the National Council of the Slovak Republic and reaches 35 years of age on the election day may be elected the Public Defender of Rights. The Public Defender of Rights shall not be a member of any political party or political movement. The Public Defender of Rights shall remain in office after the expiry of the term of office until the newly elected Public Defender of Rights is sworn in.
- (4) The tenure of the Public Defender of Rights terminates on the day of validity of a judgment under which the Public Defender of Rights was convicted of an intentional criminal offence or under which was convicted of a criminal offence and in his or her

case the Court did not decide on a probationary suspension of the imprisonment sentence or by the loss of eligibility.

- (5) The National Council of the Slovak Republic may dismiss the Public Defender of Rights if the state of health prevents him or her over the long term, for a period of at least three months, to properly discharge the duties.
- (6) Details on the election and dismissal of the Public Defender of Rights, on the competence, on the conditions for the performance of the powers, on the manner of legal protection, on the submission of petitions to commence proceedings before the Constitutional Court of the Slovak Republic pursuant to Art. 130 para (1) letter g), and on the exercise of the rights of natural persons and legal persons shall be established by law.

CHAPTER NINE TRANSITIONAL AND FINAL PROVISIONS

Article 152

- (1) Constitutional acts, acts and other generally binding legal regulations shall remain in force in the Slovak Republic unless they are in contradiction with this Constitution. They may be amended and repealed by the appropriate authorities of the Slovak Republic.
- (2) Laws and other generally binding legal regulations promulgated in the Czech and Slovak Federal Republic shall become void on the ninetieth day after the publication of a decision made by the Constitutional Court of the Slovak Republic on their invalidity and according to promulgation procedures laid down by law.
- (3) The Constitutional Court of the Slovak Republic shall decide on the invalidity of legal regulations upon the motion of persons laid down in Art. 130.
- (4) Constitutional acts, acts and other generally binding legal regulations shall be construed and applied in conformity with this Constitution.

Article 153

The Slovak Republic shall be the successor to all the rights and duties resulting from international treaties binding the Czech and Slovak Federal Republic to the extent laid down by a constitutional act of the Czech and Slovak Federal Republic or to the extent agreed between the Slovak Republic and the Czech Republic.

Article 154

- (1) The Slovak National Council elected under Art. 103 of the Constitutional Act no. 143/1968 Coll. on Czech-Slovak Federation as amended, shall discharge its function under the new name of the National Council of the Slovak Republic according to this Constitution. Its electoral term begins on the election date of the Slovak National Council.
- (2) The Government of the Slovak Republic appointed under Art. 122, para. 1 letter a) of the Constitutional Act No. 143/1968 Coll. on Czech-Slovak Federation as amended shall be deemed to be the Government appointed under this Constitution.
- (3) The Chair of the Supreme Court of the Slovak Republic and the Prosecutor General of the Slovak Republic appointed under the legislation heretofore shall remain in their offices until being appointed under this Constitution.
- (4) Judges elected under the legislation heretofore shall be deemed to have been elected to office without a time limit under this Constitution.

Article 154a

According to this Constitutional Act, the President of the National Council of the Slovak Republic shall announce the election of the President of the Slovak Republic within 30 days of the taking effect of an Act promulgated pursuant to Art. 101 para.10.

Article 154b

- (1) The President of the Slovak Republic shall, on a proposal from the Judicial Council, appoint a judge elected for four years before the time of taking effect of this Constitutional Act, a judge without a time limit on the expiration of the term of office, even if he had, not attained the age of 30 years on the date of his or her appointment.

- (2) Judges elected according to present regulations without time limit shall be considered judges appointed according to this Constitutional Act.
- (3) The provisions of Art. 134 para. 2, first sentence, and para. 3, the second sentence shall not apply to Constitutional Court judges appointed before taking effect of this Constitutional Act.

Article 154c

- (1) International treaties on human rights and fundamental freedoms which the Slovak Republic ratified and were promulgated in the manner laid down by an Act before taking effect of this Constitutional Act, shall be a part of its legal order and shall have precedence over acts if they provide a larger scope of constitutional rights and freedoms.
- (2) Other international treaties which the Slovak Republic has ratified and were promulgated in the manner laid down by an act before taking effect of this Constitutional Act, shall be a part of its legal order, if so provided by law.

Article 154d

- (4) The office of the Chair of the Judicial Council of the Slovak Republic, established under the regulations heretofore, terminates on the date of entry into force of this Constitutional Act. The Chair of the Judicial Council of the Slovak Republic shall be a member of the Judicial Council of the Slovak Republic until the end of the term of those members of the Judicial Council of the Slovak Republic who have been elected by the judges of the Slovak Republic according to regulations heretofore.
- (5) Members of the Judicial Council of the Slovak Republic elected by the Judges from the Slovak Republic, elected by the National Council of the Slovak Republic, appointed by the President of the Slovak Republic and appointed by the Government of the Slovak Republic under the regulations heretofore shall be considered members of the Judicial Council of the Slovak Republic pursuant to this Constitutional Act; their membership shall be governed by prior regulations.

Article 154e

- (1) Deputies of the higher territorial units and chairs of higher territorial units shall be elected in the elections in 2017 by residents residing in the territorial area of a higher territorial unit based on universal, equal and direct right to vote by secret ballot for a five-year term.
- (2) The provisions of Art. 69 para. 5, second sentence, and para. 6, the first sentence, shall not apply to the term of office of deputies representing the higher territorial units and the chairs of the higher territorial units for the term of office beginning in 2017.

Article 154f

- (1) The provisions of Art. 86 letter i), Art. 88a and Art. 129a shall also apply to Article V and Article VI of the Decision of the Prime Minister of the Slovak Republic of 3 March 1998 on amnesty published under no. 55/1998 Coll., Decision of the Prime Minister of the Slovak Republic of 7 July 1998 on amnesty published under no. 214/1998 Coll. and the decision of the President of the Slovak Republic in the pardon procedure for the accused of 12th December 1997 no. 3573 / 96-72-2417.

- (2) Abolition of amnesties or pardons under paragraph 1 shall mean that
- a) the decisions of the national authorities are revoked in so far as they were issued and justified based on the amnesty and mercy referred to in paragraph 1; and
 - b) the legal barriers to criminal prosecution which were based on the amnesty and pardon of the offences referred to in para. 1 shall be void; the duration of these legal barriers shall not be taken into account in the statute of limitations relating to the acts to which the amnesty and pardon referred to in para. 1.

Article 154g

- (1) Members of the Judicial Council of the Slovak Republic elected by judges, elected by the National Council of the Slovak Republic, appointed by the President of the Slovak Republic and appointed by the Government of the Slovak Republic according to the regulations heretofore shall be considered members of the Judicial Council of the Slovak Republic according to this Constitutional Act.
- (2) The provision of Art. 138 para. 3 shall not apply to a judge of the Constitutional Court appointed to office by 31 December 2020.
- (3) A judge in office as of 1 January 2021 and who has reached the age of 67 prior to 1 January 2021, shall cease to be a judge by 31 January 2021.
- (4) The Supreme Administrative Court of the Slovak Republic shall commence its operation on the date prescribed by law.
- (5) Until the operation of the Supreme Administrative Court of the Slovak Republic commences, its competence shall be exercised by those bodies that exercised it according to the regulations in force before the Supreme Administrative Court of the Slovak Republic commenced its operation.
- (6) Proceedings started before the competent authorities according to paragraph 5 before the day of commencement of the Supreme Administrative Court's operation shall be closed by these authorities if the law does not stipulate that they shall be closed by the Supreme Administrative Court of the Slovak Republic.
- (7) The first President of the Supreme Administrative Court of the Slovak Republic shall be nominated to the President of the Slovak Republic by the Judicial Council of the Slovak Republic from the judges of the courts referred to Art. 143 para. 1 as in force by 31 December 2020 or persons who are not judges and who meet the requirements referred to Art. 134 para. 4 as in force from 1 January 2021. If a judge who is not a judge of the Supreme Administrative Court of the Slovak Republic, or a person who is not a judge, is appointed to the office of the first President of the Supreme Administrative Court of the Slovak Republic, on the day of appointment to the office of the President of the Supreme Administrative Court of the Slovak Republic becomes a judge of the Supreme Administrative Court of the Slovak Republic.
- (8) The Judicial Council of the Slovak Republic performs its duties according to Art. 141a para. 5 letter g) in force until 31 December 2020, until the Supreme Administrative Court of the Slovak Republic commences its operation. The office of the Chair of the Disciplinary Chamber and the member of the Disciplinary Chamber elected according to Art. 141a para. 5 letter g) in force until 31 December 2020, or according to the first sentence, it shall cease on the day when the Supreme Administrative Court of the Slovak Republic commences its operation.
- (9) Term of office in order of
 - a) the first four judges of the Constitutional Court appointed after 1 January 2021 will terminate on 30 October 2037,

- b) four more judges of the Constitutional Court appointed after 1 January 2021, after the judges of the Constitutional Court pursuant to letter a) terminate on 30 October 2041,
 - c) five more judges of the Constitutional Court appointed after 1 January 2021, after the judges of the Constitutional Court pursuant to letter b) will expire on 30 October 2045.
- (10) If the term of office of a judge of the Constitutional Court is to exceed 15 years according to paragraph 9, the office of a judge of the Constitutional Court shall terminate after the elapse of 12 years; a new judge of the Constitutional Court is appointed for the remainder of the term of office according to paragraph 9, but at least for six years.
- (11) When several judges of the Constitutional Court are appointed simultaneously for different terms of office pursuant to paragraph 9, the order of the appointed judges of the Constitutional Court shall be determined according to the number of votes obtained in the election in the National Council of the Slovak Republic; in the event of a tie, the decision shall be made by lot.

Article 154h

The provisions of Art. 73 para. 3, Art. 84 para. 4 and Art. 86 letter n) as in force on the date of promulgation of this Constitutional Act, they also apply to the electoral term of the National Council of the Slovak Republic commencing in 2020.

Article 155

The following Acts are hereby repealed:

1. The Constitutional Act of the Slovak National Council no. 50/1990 Coll. on the name, the state emblem, the state flag, the state seal and the national anthem of the Slovak Republic,
2. The Constitutional Act of the Slovak National Council no. 79/1990 Coll. on the number of deputies in the Slovak National Council, the solemn oath taken by the deputies of the Slovak National Council, members of the Government of the Slovak Republic and the representatives in the National Committees and the official electoral term of the Slovak National Council,
3. The Constitutional Act of the Slovak National Council no. 7/1992 Coll. on the Constitutional Court of the Slovak Republic.

Article 156

The Constitution of the Slovak Republic shall come into force on the date of promulgation with the exception of Article 3 para. 2; Article 23 para. 4, as regards the deportation or extradition of a citizen to another state; Article 53; Article 84 para. 3, as regards the declaration of war on another state; Article 86 letters k) and l); Article 102 letter g), as regards the appointment of university Professors and Rectors and the appointment and promotion of Generals, and letter j) and k); Article 152 para. 1, second sentence, as regards constitutional acts, acts, and other generally binding legal regulations issued by CSFR bodies, which came into force simultaneously with the appropriate changes in the constitutional arrangement of the CSFR, in conformity with this Constitution.

Ivan Gašparovič m. p.

Vladimír Mečiar m. p.