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The content of this document is of informative nature.

**124.**

**ACT**

of 2 February 2006

**on occupational health and safety and on amendments and supplements to certain acts**

The National Council of the Slovak Republic has adopted the following Act:

## **Article I**

### **PART ONE**

#### **FUNDAMENTAL PROVISIONS**

##### **Section 1**

###### **Subject of the Act**

The Act stipulates the general principles of prevention and basic conditions for ensuring occupational health and safety, and for avoiding risks and factors causing occupational accidents, occupational diseases and other work-related damage to health.

##### **Section 2**

###### **Scope of the Act**

(1) The Act shall apply to the employers and employees in all manufacturing and non-manufacturing sectors.

(2) To the extent necessary for ensuring occupational health and safety in relation to the nature of the activity given, the obligations and measures stipulated by the Act shall also apply to:

- a) detention centres, correctional facilities, correctional facilities for minors, hospitals for the accused and convicts, legal entities assigning jobs to the accused and convicts and the accused and convicts such jobs are assigned to,
- b) natural person who is an entrepreneur<sup>1)</sup> and is not an employer and to such person's next of kin, siblings and spouses should they be involved in the execution of the person's business duties,
- c) organisers of voluntary community service activities and natural persons performing work in accordance with voluntary activity organiser's instructions,
- d) military units of the Armed Forces of the Slovak Republic, soldiers of voluntary military training in the execution of such training<sup>1a)</sup> and soldiers available for call-up to active duty during a regular exercise or fulfilment of tasks of the Slovak Armed Forces<sup>1b)</sup>,

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e) natural persons who, with their employer's knowledge, stay at the latter's workplace or on its premises,

(3) The scope of the Act may be limited or excluded by special acts for specific activities performed while in a service relationship. However, in the performance of such specific activities, the employer is obliged to ensure the highest level of occupational health and safety possible.

(4) This Act does not apply to activities performed by professional soldiers or citizens called upon to perform extraordinary service<sup>2)</sup> in the period after a declaration of war, declaration of a state of war, extraordinary situation or a state of emergency, or posted outside the territory of the Slovak Republic under a special regulation;<sup>3</sup> the highest possible level of safety and health shall be secured in that case.

(5) The Act shall not apply to the activities performed by the Police Force and Slovak Intelligence Service members performing tasks outside the territory of the Slovak Republic stipulated by special regulations <sup>3a)</sup>; in such a case, the highest possible level of health and safety shall be ensured.

### **Section 3**

#### **Definition of Certain Terms**

For the purposes of this Act:

- a) the employer shall be a natural person or a legal person
  - 1. employing a natural person on the basis of employment <sup>4)</sup> or similar job-related relationship <sup>5)</sup>,
  - 2. providing on-the-job training of vocational school, vocational training school, secondary school and university students;
- b) the employee will be
  - 1. natural person performing dependent work activities arising from their employment or similar job-related relationship for an employer for a wage or remuneration in accordance with the employer's instructions,
  - 2. on-the-job trained students of vocational schools, vocational training schools, secondary schools and universities,
- c) pregnant women, mothers until the end of the ninth month after giving birth, nursing women, adolescents and employees with disabilities will be regarded as special groups of employees,
- d) prevention will be as a system of measures planned and taken in all the areas of employer's activities that are aimed at the elimination or reduction of risks and factors causing occupational accidents, occupational diseases and other job-related damage to health, and the definition of the procedures to be followed in the event of an imminent and serious threat to the employee's life or health,
- e) danger will be the state or characteristic feature of a factor within the working process and working environment that can damage the employee's health,
- f) threat will be a situation, in which damage to the employee's health cannot be excluded,
- g) risk will be the likelihood of job/related damage to the employee's health and the degree of possible consequences for their health,
- h) unavoidable danger will be the danger which, in accordance with current scientific and technical knowledge, can neither be excluded nor restricted,
- i) unavoidable threat will be the threat which, in accordance with current scientific and technical knowledge, can neither be excluded nor restricted,
- j) dangerous event will be the event, in which the employee's health and safety is endangered but not damaged,

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- k) safety of the technical equipment are the conditions of technical equipment and the method of its use that does not jeopardize the employee's health and safety; the safety of technical equipment will form an integral part of occupational health and safety<sup>6)</sup>,
  - l) serious bodily harm is a serious disorder or a serious illness, such as
    - 1. mutilation,
    - 2. loss or substantive decrease of working ability,
    - 3. paralysis of a limb,
    - 4. loss or substantial weakening of sense organ functioning,
    - 5. damage to an important organ,
    - 6. disfiguration,
    - 7. incurring abortion or killing foetus, or
    - 8. torturous pain.

#### **Section 4**

##### **Measures to Ensure Occupational Health and Safety in Preproduction Stages**

(1) Designers, design technicians and authors of work procedures shall prepare projects, machine and other technical equipment designs and work procedures to be used for work execution in a manner complying with the requirements arising from legal and other regulations ensuring occupational health and safety. These projects, machine or other technical equipment designs and work procedures shall include the evaluation of the unavoidable hazards and threats resulting from proposed solutions under specified operating and user conditions, the assessment of the risk of their use and the proposal of protective measures against such hazards and threats.

(2) The projects, machine or other technical equipment designs and work procedures referred to in paragraph 1 include information on their safe location, installation, use, inspection, maintenance and repair.

#### **Section 5**

##### **General Principles of Prevention**

(1) The employer is obliged to apply the general principles of prevention when implementing measures necessary for ensuring occupational health and safety, including the provision of information, training and organization of work and working means.

(2) General Principles of Prevention are as follows:

- a) exclusion of danger and consequent risks,
- b) assessment of the risks that cannot be excluded, in particular with respect to the selection and use of working means, materials, substances and working procedures,
- c) implementation of measures to remove dangers at the place of their occurrence,
- d) giving priority to collective protective measures over individual protective measures,
- e) replacing the activities that could lead to any risk of health damage with safe work or with work involving a smaller risk of health damage,
- f) adapting work to the employee's capabilities and technical progress,
- g) taking into account one's competency, qualities and capabilities, especially in designing the workplace, and selecting working means, working procedures and manufacturing processes in order to eliminate or mitigate the effects of harmful factors of work, hard work, strenuous work and monotonous work on the employee's health,
- h) planning and implementing a prevention policy by introducing safe working means, technologies

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- and methods of work organization, improving working conditions with regard to working environment factors and through social measures,
- i) issuing instructions designed to ensure occupational health and safety.

(3) The employer is obliged to take the measures necessary for ensuring occupational health and safety in a proper and timely manner in order to fulfil their purpose and to ensure that these measures are applicable and accessible to the employee.

## **PART TWO**

### **EMPLOYER'S AND EMPLOYEES' RIGHTS AND OBLIGATIONS**

#### **Section 6**

##### **Employer's General Obligations**

- (1) In order to ensure occupational health and safety, the employer is be obliged to
- a) implement measures with regard to all work-related circumstances and in accordance with legal regulations and other regulations ensuring occupational health and safety,
  - b) improve working conditions and adapt them to their employees, taking into consideration the current and foreseeable changes of circumstances and the state of scientific and technological knowledge,
  - c) detect dangers and hazards, assess risks and prepare a written document on risk assessment for all the activities performed by employees,
  - d) ensure that employees' health and safety are not endangered by workplaces, roads, working means, materials, working procedures, manufacturing procedures, arrangements of workplaces and work organisation and provide for necessary maintenance and repairs for this purpose,
  - e) ensure that employees' health and safety are not endangered by chemical, physical or biological factors, factors influencing mental workload and social factors,
  - f) eliminate hazards and threats, and should that be impossible based on the latest knowledge in the field of science and technology, to implement measures for their reduction and to prepare measures for their elimination,
  - g) replace strenuous and monotonous work and work in difficult working conditions and working conditions hazardous or harmful to health by appropriate working means, working procedures, manufacturing procedures and improved work organization,
  - h) on the premises where dangerous substances are used or stored, or the technologies and equipment the failure of which might cause a threat to the lives and health of a large number of employees and other natural persons and to the surroundings are used and on premises where special hazards and hazards immanently and seriously endangering employees' lives and health are present,
    - 1. adopt measures to eliminate the threat to lives and health; should that be impossible based on the latest scientific and technological knowledge, implement measures to reduce them,
    - 2. implement necessary measures to reduce the possible consequences of threats to lives and health, and limit access to the endangered premises to the employees, whose presence is inevitable and who are duly and demonstrably informed, trained and equipped pursuant to legal regulations and other regulations in order to ensure occupational health and safety,
  - i) determine safe working procedures,
  - j) determine and ensure protective measures to be implemented, and, if necessary, determine and provide the protective equipment to be used,
  - k) to draw up and, where necessary, evaluate and update the concept of a policy on safety and health at work, setting out the fundamental objectives to be achieved in the field of safety and

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health at work, and a program for the implementation of that concept, setting out in particular the procedure, means and method of implementation; this does not apply to an employer who employs less than 11 employees and to an employer whose code according to the statistical classification of economic activities at the division or group level is not given in Annex no. 1,

- l) issue internal regulations and rules of occupational health and safety, and to give instructions to ensure occupational health and safety,
- m) draw up and, if necessary, update the employer's list of work and workplaces
  - 1. pregnant women, mothers until the end of the ninth month after giving birth and nursing women are prohibited to do and work at,
  - 2. connected with specific risks to pregnant women, mothers until the end of the ninth month after giving birth and nursing women,
  - 3. young employees are prohibited to do and work at,
- n) keep and archive required documentation, records and files relating to occupational health and safety, for five years from the day of the last record made therein, unless otherwise stipulated by a special regulation,
- o) assign work to employees while considering their state of health, especially the result reviewing their health capacity for work<sup>6aa)</sup>, their capabilities, age, qualifications and professional competence pursuant to the legal and other regulations pertaining to occupational health and safety, and not allow them to perform the work that does not correspond to their state of health, especially to the result reviewing their health capacity for work<sup>6aa)</sup> and capabilities not corresponding to their age, qualifications and to a document proving their professional competence pursuant to the legal and other regulations pertaining to occupational health and safety.
- p) arrange the assessment of employees' individual physical abilities to handle loads manually,
- q) ensure medical supervision <sup>6a)</sup> including medical pre-screening in relation to work <sup>6aa)</sup> executed in regular intervals while considering the nature of the work and the working conditions at the workplace or when employees ask for such pre-screening themselves,
- r) take care of ensuring the occupational health and safety of:
  - 1. employees at detached workplaces,
  - 2. employees working alone at workplaces,
  - 3. specific groups of employees, particularly in relation to specific hazards which mostly affect employees' health and safety,
- s) provide workers with breaks at work for the purpose of occupational health and safety<sup>7)</sup>,
- t) not to use a method of remuneration for the work, in the case of which workers are exposed to an increased risk of injury or other harm to health, which could result in an increased threat to employees' occupational health and safety.

(2) In order to ensure occupational health and safety using personal protective equipment, the employer shall:

- a) draw up a list of the personal protective equipment provided on the basis of risk assessment and the assessment of the hazards arising from the working process and working environment,
- b) provide employees with required effective personal protective equipment free of charge where it is required for their life or health protection and keep records of such provision,
- c) keep personal protective equipment in a usable and functional state and make sure that it is properly used.

(3) The employer shall do the following free of charge:

- a) provide workers with work clothes and work shoes<sup>8)</sup> if they work in an environment where clothing or footwear is subject to extraordinary wear or extraordinary pollution,

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b) ensure the employees have the right fluid intake if required to protect their lives or health and provide washing, cleaning and disinfecting agents necessary for their personal hygiene; the employer is obliged to stipulate fluid intake requirements by an internal regulation.

(4) The employer is obliged to ensure that other employers' staff and the natural persons who are entrepreneurs and are not employers who will perform work at employer's workplaces and on employer's premises are provided with the information and instructions necessary for the occupational health and safety requirements applicable to employer's workplaces and premises, in particular the information pursuant to Section 7, par. 8, letter (a) to (c). The employer may arrange the performance of work with a natural person who is an entrepreneur and is not an employer only if the natural person provides a relevant document proving their professional competence necessary to perform the work pursuant to the legal and other regulations pertaining to occupational health and safety.

(5) The employer is obliged to ban smoking at the workplaces where non-smokers work and to ensure compliance with this prohibition as well as with the ban on smoking at workplaces.<sup>9)</sup>

(6) In order to ensure occupational health and safety, the employer is obliged to inform the preventive and protective services (section 21) on the employment of a worker for a definite period of time and on the employment of an employee temporarily assigned to the employer under a special regulation.<sup>9a)</sup>

(7) The employer is obliged to ensure the health and safety of all the persons staying, to the knowledge of the employer, on the employer's premises or in the employer's area.

(8) The employer's tasks related to occupational health and safety shall be performed by managing employees at all the management levels in the scope of the tasks arising from their respective positions. These tasks form an equivalent and integral part of employees' work obligations.

(9) The employer that is a natural person and the statutory body of an employer that is a legal person are obliged to ensure the implementation of necessary preventive and protective measures upon being notified pursuant to section 12, par. 5 and section 22, par. 8 ; they shall act immediately in the event of any imminent threat to one's life or health.

(10) The employees' obligations related to occupational health and safety and to the implementation of necessary measures will not affect the employer's liability to meet the obligations concerning occupational health and safety.

(11) The costs connected to occupational health and safety shall be borne by the employer; such costs shall not be transferred to the employee.

## **Section 7**

### **Notifying and Informing Employees**

- (1) The employer shall regularly, understandably and demonstrably notify each of their employee
- a) of the legal and other regulations applicable to occupational health and safety<sup>10)</sup>, safe work principles, occupational health principles, safe work conduct principles and safe work procedures, and verify the employee' knowledge thereof,
  - b) of the existing and foreseeable hazards and threats with potential impact on health and of

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protection against them,

- c) of the prohibition to enter an area or stay in an area and to perform activities posing an imminent threat to employees' lives and health.

(2) The employer is obliged to understandably and demonstrably notify the employee of the list of work and workplaces pursuant to section 6, par. 1, letter m).

(3) In compliance with paragraphs 1 and 2, the employer shall notify the employee upon their recruitment, transfer to another workplace, assignment or transfer to a different job, and the introduction of a new technology, new working procedure or working equipment.

(4) The employer shall notify the employees in person or through other of their employees or through a natural person or legal person authorised to educate and train on occupational safety pursuant to section 27, par. 3 (hereinafter referred to as the 'person or entity authorised to educate and train'). The provisions of section 27, par. 4 to 17 shall not apply to the notification of employer's own employees in person or through other employees of such employer.

(5) The content of notification and the periodicity of repeated notification shall be adapted to the character of the work performed by the employee, to their workplace and to other circumstances concerning work performance, in particular to work means, working procedures and new or changed hazards and threats. The employer shall define the method of notification, specify the requirements related to their employees' professional competence to notify pursuant to paragraphs 1 and 2 and the periodicity of repeated notification so as to have it performed at least once in two years if the legal regulations pertaining to occupational health and safety do not stipulate a shorter period of time.

(6) Notification and other education of the employees and employees' representatives responsible for occupational health and safety (hereinafter referred to as 'employee safety representatives') in the field of occupational health and safety, the practical part of education and training included, shall be arranged for working hours.

(7) Notification shall have no effect on the obligation to pass training and refresher training pursuant to section 16.

(8) The employer shall suitably and understandably provide employees and employee representatives<sup>10a)</sup>, employee safety representatives included, with the necessary information about

- a) hazards and threats potentially occurring during work and in connection therewith, and about the results of the risk assessment,
- b) preventive and protective measures taken by the employer in order to ensure occupational health and safety and generally pertaining to the employees and to the work performed by them at individual workplaces,
- c) measures and procedures to be followed in the cases of damage to health, first-aid provision included, and measures and procedures to be followed in the event of a fire, rescue operations and evacuation,
- d) preventive and protective measures proposed and ordered by the competent labour inspectorate or supervisory bodies<sup>11)</sup> or supervisory bodies,<sup>12)</sup>
- e) occupational accidents, occupational diseases and other occupational damages to health that have occurred at the employer's workplace, including the results of investigation of their causes and adopted and implemented measures.

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(9) The employer shall provide the information necessary pursuant to paragraph 6, in particular about the factors influencing or potentially influencing the health and safety of employees, including the professionally competent employees (hereinafter referred to as the 'professional employee') assigned to perform preventive and protective services and those providing such services to the employer on a contractual basis (section 21).

## **Section 8**

### **Employer's Obligations in the Cases of Imminent and Serious Hazard to Life or Health**

(1) In order to ensure occupational health and safety of their employees in the event of imminent and serious threat to life or health occurrence, the employer shall do the following considering the size of the organisation, the character of work and hazards and the extent of the risk:

- a) implement preventive measures and provide the means necessary for the protection of employees' lives and health and for first-aid provision and shall, particularly for this purpose:
  - 1. determine in writing the procedure to be followed in the cases involving rescue operations, evacuation and damages to health, first-aid provision included,
  - 2. equip workplaces with necessary means, including equipment for first-aid provision,
  - 3. appoint the number of employees sufficient for the performance of rescue operations, evacuation, first aid provision and fire fighting and have them trained and regularly retrained by qualified persons,
  - 4. provide the required contacts of competent health centres, rescue centres and fire-fighting units.
- b) implement preventive measures enabling employees to provide for their health and safety or for the health and safety of others, and to prevent the consequences of such threat within their possibilities,
- c) immediately inform all the employees exposed or potentially exposed to a hazard about the hazard and about applicable protective measures,
- d) immediately give instructions and ensure that employees can stop their work, immediately leave their workplace and go to a safe place,
- e) not require employees to continue working or to be present at a workplace, where such hazard exists, except for justified and extraordinary cases.

(2) In the event that the employee refuses to perform work, interrupts work or leaves the workplace in order to go to a safe place because they reasonably presume that their lives or health, or the lives or health of other persons are under imminent and serious threat, the employer may not consider this as a failure to meet their obligations.

## **Section 9**

### **Inspection Activity**

(1) The employer shall systematically control and shall require compliance with the legal and other regulations applying to occupational health and safety and compliance with safe work principles, occupational health and safe conduct at workplaces and safe working procedures, in particular to check

- a) the state of occupational health and safety, including the state of the safety of technical equipment; for this purpose, the given state is inspected, the working environment factors are measured and evaluated, and official tests, expert inspections and professional examination of special technical equipment is performed in the intervals specified in special regulations,
- b) whether the employees are under the influence of alcohol, narcotics or psychotropic substances



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- during their working hours and whether they adhere to the issued prohibition to smoke on the employer's premises,
- c) activities of the employees working at detached workplaces and of the employees working at a workplace alone,
  - d) proper use of personal protective equipment, protective means and other protective measures.
- (2) The employer is obliged to remove shortcomings discovered by inspection activities.

## **Section 10**

### **Employer-Employee Cooperation**

The employer shall enable employees or employee safety representatives to participate in the resolving of occupational health and safety issues and discuss with them in advance any questions which might substantially influence occupational health and safety. The employer shall submit to employees or to employee safety representatives relevant documentation and shall give them reasonable time for expressing their standpoints concerning

- a) draft of the occupational health and safety policy, draft of the policy implementation programme and their assessment,
- b) proposed selection of the working means, technologies, work organisation for the working environment and the workplace given,
- c) proposals to appoint professional employees for the performance of preventive and protective services and tasks pursuant to section 8, par. 1, letter a), section 21, par. 1 and section 22, par. 1,
- d) implementation of tasks in the field of preventive and protective services, when supplied on a contractual basis,
- e) risk assessment, and determination and implementation of protective measures, including the provision of personal protective equipment and collective protective equipment,
- f) occupational accidents, dangerous events, occupational diseases and other work-related damages to health that occurred at the employer's workplace, including the results of investigations of their causes and proposed measures,
- g) method and scope of the information provided to employees, employee safety representatives and appointed professional employees related to the performance of preventive and protective services,
- h) planning the notification and information of employees and notifying and informing employees pursuant to section 7 and training employee safety representatives.

## **Section 11**

### **Medical Stays**

(1) To prevent the occurrence of occupational diseases the employer is obliged to organise medical stays for the employees performing listed jobs. Medical stay shall also include the work-related rehabilitation provided to the employee by the employer continuously in the course of job performance.

(2) For the purpose of medical stay provision, the listed occupations are those that comprise the work of category three or four determined by a state public health authority whereas the medical stay fulfils the condition of purposefulness with respect to the professional damage to health prevention.

(3) The condition of medical stay purposefulness with respect to occupational damage to health

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will not be met if the employee is exposed to any of the work environment factors in the course of work performance, namely:

- a) factors resulting in occupational skin allergy,
- b) biological factors,
- c) electromagnetic radiation,
- d) ultraviolet radiation,
- e) infra-red radiation,
- f) laser.

(4) Occupational medical stay or rehabilitation are recommended by the employer in cooperation with an occupational health service physician and upon agreement with employee representatives, including employee safety representatives.

(5) In cooperation with an occupational health service physician and upon agreement with employee representatives, employee safety representatives included, the employer shall prepare a list of employees performing selected occupations.

(6) The health service physician shall define the treatments of the medical stay upon agreement with employee representatives, employee safety representatives included. Prior to the commencement of a medical stay, the employer shall inform the employee on the treatments of their medical stay.

(7) The medical stay facility, in which the medical stay will take place shall meet accommodation and catering conditions stipulated by a special regulation.<sup>12a)</sup>

(8) The medical stay shall be organised and managed by the health care professionals licensed for physiotherapy and the specialised fields of physiotherapy, balneology and therapeutic rehabilitation who shall prepare a medical stay program based on a framework program, considering the employee's exposure to work factors and work environment; such professional cooperates with health-care specialists mostly licensed for preventive occupational health care and toxicology, food hygiene, health education and public health care and for the field of public health care and psychology.

(9) Based on the recommendations of an occupational health service physician and upon agreement with employees representatives, employee safety representatives included, the employer may also organise medical stays for the employees performing jobs in category two, provided such medical stay is useful for the prevention of occupational damage to health.

(10) The benefit of the above medical stay may be used by the employees without any signs of acute illness or infectious disease.

(11) The employee continuously performing a job classified in category three for minimum five years and the employee continuously performing a job classified in category four for minimum four years have to use the benefit of medical stays. Continuous job performance also includes a break of maximum eight weeks.

(12) The employee is obliged to use the benefit of a repeated medical stay once every three years, provided the employee has worked minimum 600 shifts in the given period and the employee working with a proven chemical carcinogen, who has worked minimum 400 shifts.

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(13) The employee is obliged to use the benefit of repeated medical stays once every two years, provided the employee works underground in mining operations or tunnelling and has worked minimum 275 shifts in the given period.

(14) For the purpose of a medical stay, any shift where the majority of its time is spent on a listed job is considered a shift worked. In case of an employee with unevenly distributed working hours, the conditions of shifts worked is considered to be met if their number equals the specified number of shifts of an employee with evenly distributed working hours.

(15) The employer shall define the starting day, place and duration of a medical stay based on the recommendations of an occupational health service physician. The duration of the medical stay shall be minimum seven days; work-related rehabilitation shall take minimum 80 hours in the course of two years. As a rule, the medical stay should be the continuation of vacation and may only be interrupted for a serious reason. Occupational rehabilitation does not have to be the continuation of vacation.

(16) For the entire stay duration, the employee shall be offered a program-based treatment, accommodation and full board; accommodation and full board shall not be provided in the case of job-related rehabilitation.

(17) In common with business trips, the employer shall determine the mode of transport and other conditions for the employee and shall provide them with allowances. <sup>13)</sup> Pursuant to section 6, par. 11, the medical stay shall be paid by the employer.

(18) The employer that decided on the availability of the medical stay benefit for an employee shall be liable for any damages incurred to the employee during their medical stay or in direct relation to such stay. Under the use of the medical stay benefit the observation of the treatment program shall be understood. Travelling to and from the medical stay location, catering and personal free time provided during such stay shall be considered a part of the use of the medical stay benefit; it shall not include any permitted outing or any trip not organised by the medical stay organiser.

## **Section 12**

### **Employees' Rights and Obligations**

(1) The employee has the right to:

- a) negotiate all the questions concerning occupational health and safety applying to their work; when necessary, experts in the given field, could be invited to such discussion upon mutual agreement,
- b) refuse to perform work or leave the workplace and go to a safe place should they reasonably presume that their lives or health or the lives or health of other persons are under imminent and serious threat.

(2) The employee is obliged to:

- a) comply with the legal and other regulations pertaining to occupational health and safety and with the principles of safe work, occupational health and safe conduct at the workplace, and with stipulated working procedures, of which the employee was duly and demonstrably notified,
- b) cooperate with the employer and with the employee safety representative to the extent required so as to enable them to fulfil their obligations connected with the provision of occupational health and safety, along with the tasks imposed upon them by the competent labour

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- inspectorate or supervisory body,
- c) perform work, operate and use working equipment, materials, hazardous substances and other means in compliance with:
    - 1. the instructions for their use, of which they have been duly and provably notified,
    - 2. information representing part of the knowledge and skills acquired within the professional qualification,
  - d) operate work equipment and perform activities with a higher risk according to legal regulations and other regulations to ensure occupational safety and health only on the basis of a license, certificate or document according to Section 16 par. 1 letter b) or letter c) or according to Section 16 par. 13 and only if entrusted by the employer with this service or with performing this activity.
  - e) properly use safety and protection equipment, not to exclude them from operation or arbitrarily modify them,
  - f) use all the assigned personal protective equipment in accordance with the designated methods of application,
  - g) comply with the prohibition to enter or stay in the area given and to perform the activities specified in special regulations that could be of direct threat to employees' lives or health,
  - h) attend training and other types of sessions arranged by the employer in the interest of occupational health and safety and have their knowledge acquired at such sessions verified,
  - i) undergo preventive medical examinations in relation to work <sup>6a)</sup>,
  - j) notify, without delay, the managing employee or, if necessary, the safety specialist or authorised safety specialist, the employee safety representative, the competent labour inspectorate or the competent supervisory body of any shortcomings that could potentially be of threat to occupational health and safety, particularly those which could directly and seriously endanger lives or health, and participate in their elimination within their possibilities,
  - k) refrain from consuming alcoholic beverages, and narcotic and psychotropic substances at employer's workplaces and on their premises and outside such workplaces and premises during working hours and refrain from reporting for work while under their influence,
  - l) undergo examinations organised by the employer or by the competent state authority<sup>14)</sup> in order to ascertain whether an employee is under the influence of alcohol, narcotic or psychotropic substances; in their working or other internal regulations, the employer shall identify the group of those employees and other persons authorised to instruct the employee to submit to such examination;
  - m) comply with the prohibition to smoke at workplaces,
  - n) use the benefit of medical stays.

(3) The prohibition to consume alcoholic beverages at and outside the employer's workplaces and on their premises during working hours shall not apply to those employees for whom the exceptional consumption of alcoholic beverages is a part of their work tasks or is usually connected to the performance of such tasks.

(4) The provisions of paragraph 2 and 3 shall adequately apply to the statutory body of an employer that is a legal person, and to a natural person who is an employer, when personally performing the work, and the provisions of paragraph 2, letters a) to m) and of paragraph 3 shall also adequately apply to a natural person who is an entrepreneur but not an employer.

(5) The managing employee shall notify their manager without delay of any identified shortcomings in the field of occupational health and safety should the performance of necessary preventive and protective measures exceed the scope of their work obligations.

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## **Section 13**

### **Safety of Constructions, Working Premises, Working Means and Working Procedures**

(1) The technical documentation to the working means and procedures applied at work shall include the requirements stipulated in special regulations<sup>15)</sup> and occupational health and safety requirements related to their production, transport, assembly, installation, operation, use, maintenance, repair, restoration and disposal. The technical documentation of constructions shall include occupational health and safety requirements related to their preparation, construction, reconstruction and future operation. The technical documentation shall include instructions for safe use and maintenance and the conditions for checks and inspections.

(2) While using constructions and parts thereof and working premises, and while operating working means and applying working procedures, the employer shall make sure the prescribed technical documentation corresponding to the actual conditions is maintained.

(3) The employer may only use constructions and parts thereof and working premises and operate working means and apply working procedures should these comply with the occupational health and safety regulations, and should the conditions specified by their designers, design technicians, creators or producers be adhered to, and upon completion of maintenance operations, inspections, checks, tests, official tests or expert inspections and expert tests stipulated by special regulations<sup>16)</sup> or technical documentation.

(4) The detailed requirements of constructions and parts thereof, roads, workplaces, working means, working procedures and activities from the perspective of occupational health and safety are stipulated<sup>16)</sup> in special regulations.

(5) The employer is obliged to appoint an employee to perform the activities stipulated by special regulations that are inevitable for occupational health and safety related to the use of constructions and parts thereof, the operation of working means and the use of working procedures.

(6) The employer is obliged to clearly mark the workplaces and equipment that are of potential threat or damage to employees' health and use safety and health-related signs at work pursuant to special regulations.<sup>17)</sup>

(7) Paragraphs 1 to 6 shall also apply to the common areas of buildings and common equipment in apartment buildings and to non-residential premises, except for the flats and houses in personal ownership; the employers' tasks shall be fulfilled by the association of flat owners and non-residential premises in a building, or by the provider of building services for the common areas of the building and for the equipment in such building, non-residential premises and conveniences co-owned by the owners of flats and non-residential premises.

## **Section 14**

### **Verifying the Fulfilment of the Requirements for the Safety of Technical Equipment**

- (1) The verification of the fulfilment of technical equipment safety requirements comprises:
- a) verification of the employer's professional competence for the execution of expert inspections, expert tests and repairs of special technical equipment pursuant to the legal regulations pertaining to occupational health and safety, and for filling pressure vessels designed to transport gases, including the filling of tanks of gas-driven engine vehicles, and the issuance of licences authorising

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for such activity execution,

- b) execution of inspections, the control, evaluation or execution of official and other tests pursuant to the legal regulations pertaining to occupational health and safety for working on special technical equipment, including the marking of special technical equipment and issuance of relevant documents,
- c) verification of professional knowledge of a natural person for the performance of examinations, technical inspections and professional examinations, repairs and operation of reserved technical equipment according to legal regulations to ensure occupational safety and health and issuing a license or certificate according to Section 16 par. 1(a) of the first point and
- d) assessing whether the technical equipment, material, design documentation of constructions that include technical equipment and changes thereof, and the documentation of technical equipment and technologies meet the occupational health and safety requirements and the issuance of expert's opinions.

(2) Compliance with the safety requirements of technical equipment pursuant to paragraph 1 may be verified by a legal entity authorized by the National Labour Inspectorate (hereinafter referred to as the "authorized legal entity"). The activity of the authorized legal entity does not apply to technical equipment subject to the supervision of authorities according to special regulations.<sup>18)</sup> The authorized legal entity is obliged to notify the National Labour Inspectorate or publish on its website the date, time and place of verification of expertise at least 15 days before its commencement and to submit to the National Labour Inspectorate information to the extent pursuant to paragraph 7 letter (b) on the licenses and certificates issued by it, no later than on the tenth day of the calendar month following the calendar month in which the licenses and certificates were issued.

(3) Having verified the fulfilment of the conditions stipulated herein, the National Labour Inspectorate shall issue a document authorising the legal person to review the fulfilment of technical equipment safety requirements pursuant to paragraph 1 on the basis of such entity's written application. The application stated in the previous sentence shall comprise the name, registered office and identification number of the applicant; it shall be delivered together with a document confirming the payment of the administrative fee and the documents, wherein the legal person shall demonstrate that

- a) it does not perform activities in which, pursuant to paragraph 1 letter a), professional competence is verified, it does not perform design, construction and supply activities in the field of technical equipment and structural engineering,
- b) it employs professionally competent natural persons who are to perform the activities pursuant to paragraph 1,
- c) it has technical equipment and instruments necessary for the performance of the activities pursuant to paragraph 1,
- d) the activities pursuant to paragraph 1, the corresponding working procedures for their performance included, are performed in a professional and organised manner and the entity has an established quality management system that guarantees the expertise, independence and impartiality of these activities performance, and
- e) it is accredited in compliance with a special regulation<sup>19)</sup> to:
  - 1. verify the fulfilment of technical equipment safety requirements pursuant to paragraph 1 or
  - 2. perform activities of an inspection body independent of the involved parties (type A) and to perform activities of a certification body with regard to the certification of products, persons and management systems.

(4) In its document, the National Labour Inspectorate shall state the name, registered office and identification number of the authorised legal person, or some other data. The certificate shall be

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issued for an indefinite period of time.

(5) The performance of the activities pursuant to paragraph 1 shall be charged for; the general regulation on the administrative proceedings shall not apply to these activities.

(6) The authorised legal person is obliged to adhere to the conditions specified in paragraph 3 throughout the entire course of the activities pursuant to paragraph 1; in the event of its failure to adhere to this obligation or in the event of violation of the legal or other regulations pertaining to occupational health and safety while performing activities pursuant to paragraph 1, the National Labour Inspectorate shall revoke the certificate for the verification of technical equipment safety requirement fulfilment.

(7) Within 15 days from the date of issue, the authorized legal entity is obliged to publish on its website a list of issued

a) authorizations referred to in paragraph 1(a), stating

1. the name and registered office of the legal person or the name, surname and address of permanent residence of the natural person who is the employer to whom the authorization was issued,
2. the type and scope of the activity for which the authorization was issued,
3. the date of issue of the authorization,

b) the licenses and certificates referred to in paragraph 1(c), stating

1. name, surname and permanent residence address of the natural person to whom the license or certificate was issued,
2. the activity for which the license or certificate was issued, including the scope of the activity,
3. date of issue of the license or certificate.

(8) The certificate for the verification of fulfilment of technical equipment safety requirements shall cease to exist by:

- a) the removal of the legal person from a business register,
- b) applicability of the decision to withdraw the certificate pursuant to paragraph 6.

(9) The authorised legal person shall inform the National Labour Inspectorate in writing on changes in its name, registered office or identification number stated in the authorising document for the verification of technical equipment safety requirements and shall submit documents proving such changes within 15 days. The National Labour Inspectorate shall issue a new up-to-date authorising document for the verification of fulfilment of technical equipment safety requirements on the basis of the announcement mentioned in the first sentence.

(10) The legal person that had its authorising document for the verification of fulfilment of technical equipment safety requirements withdrawn pursuant to paragraph 6 may request the re-issuance of such document for the verification of fulfilment of technical equipment safety requirements one year from the day the decision on document withdrawal became legally applicable at the earliest.

(11) The National Labour Inspectorate shall publish a list of authorised legal entities where the name, registered office and the list of withdrawn authorising documents are stated.

(12) Paragraphs 1 to 6 shall also apply to the common areas of buildings and common equipment in apartment buildings and to non-residential premises, except for the flats and houses in personal ownership; the employer's tasks shall be met by the association of the owners of flats and non-

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residential premises in a building, or by the provider of building services for the common areas of buildings and the equipment in such buildings, and for non-residential premises and conveniences co-owned by the owners of flats and non-residential premises.

## **Section 15**

### **Document Authorising to Execute Activities**

(1) The employer may only perform expert inspections and expert tests and repairs of special technical equipment pursuant to the legal regulations pertaining to occupational health and safety and to the filling of pressure vessels for gas transport, including the filling of tanks of gas-driven engine vehicles for another natural person or for another legal person on the basis of a document authorising them to execute such activities (hereinafter referred to as the 'authorising document').

(2) The document authorising to execute the activities specified in paragraph 1 shall be issued by the authorised legal person on the basis of a written application. The application, accompanied by documents demonstrating the fulfilment of the conditions pursuant to paragraph 3 comprises:

- a) name, surname, date of birth and permanent address of the natural person,
- b) in the case of a legal person, its name, registered office, identification number, if already assigned, and the name and the registered office of its organisational unit applying for the authorising document,
- c) type and scope of the activities subject to the application.

(3) The authorising document shall be issued under the following conditions:

- a) concluded labour contract by and between the employer and the employee holding a relevant document proving their professional competence pursuant to section 16 for the performance of the activities according to paragraph 1,
- b) adequate methods and scope for the execution of the activities from the technical, technological, personnel and organisational perspective.

(4) The authorised legal person shall issue an authorising document upon the verification of fulfilment of the conditions established herein, and of the legal and other regulations pertaining to occupational health and safety.

(5) The licence shall be issued for an indefinite period of time. The licence shall include:

- a) name and registered office of the authorised legal person that has issued the authorising document given,
- b) reference number of such authorising document,
- c) name and registered office of the legal person, or name, surname and permanent address of the natural person - employer for whom the authorising document has been issued,
- d) type and scope of the activity for which the authorising document has been issued, and if necessary, any specific conditions of its exercise,
- e) date of the issuance, imprint of the seal, name, position and signature of the authorised legal person's representative.



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(6) The employer to whom the authorising document has been issued is obliged to meet the conditions stipulated in paragraph 3 and paragraph 5, letter d) when performing the activities pursuant to the document given.

(7) The competent labour inspectorate shall withdraw the authorising document:

- a) for any serious or repeated breach of the legal and other regulations pertaining to occupational health and safety,
- b) for non-compliance with the conditions specified in paragraph 3 and paragraph 5, letter d),
- c) if requested by the employer for whom the authorising document has been issued.

(8) The validity of the authorising document shall expire:

- a) by the removal of the legal person from a business register,
- b) by the expiration of the trade licence,
- c) by legal applicability of the competent labour inspectorate's decision on withdrawal,
- d) by the death or declaration of death of the natural person holding the authorising document.

(9) The employer holding the authorising document shall inform the authorised legal person that has issued such document in writing and shall prove changes in the data stated in paragraph 5, letter c) by submitted documents. Based on the notification stated in the first sentence, the authorised legal person shall issue a new up-to-date authorising document for the employer.

(10) The employer that has had their authorising document withdrawn pursuant to paragraph 7 may apply for such document reissuing one year from the day, the decision to withdraw the document became legally applicable at the earliest.

(11) Any natural person - entrepreneur who is not an employer may execute the activities pursuant to paragraph 1 without any authorising document, provided they are qualified for their execution; professional competence shall be demonstrated by a document specified in section 16.

## **Section 16**

### **Licence, Certificate and Document**

(1) The natural person may only operate assigned working equipment and execute assigned activities determined in the legal and other regulations pertaining to occupational health and safety when doing so on the basis of

- a) valid license or certificate issued by
  - 1. an authorized legal entity, if it is an activity listed in Annex no. 1a letters a) to g), i) to k) and m),
  - 2. a person authorized for education and training, if it is an activity listed in Annex no. 1a letters h), l), n) to p) and t),
  - 3. secondary school or university in the preparation of pupils and students for the performance of a profession, if it is an activity listed in Annex no. 1a letters h), l), n) to p) and t),
- b) document proving the completion of operation-related staff education and training issued by a person/entity authorised to educate and train should the activity be listed in Annex No. 1a, letter q) to s) or
- c) document verifying technical knowledge issued by certified technician should the legal regulations stipulate so for the purpose of occupational health and safety.

(2) The issuance of the licence, certificate or permit pursuant to paragraph 1, letter b) is contingent upon the fulfilment of certain conditions; the candidate must:

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- a) be at least 18 years of age, unless otherwise specified in the legal and other regulations pertaining to occupational health and safety,
  - b) have education and experience pursuant to the legal regulations pertaining to occupational health and safety,
  - c) demonstrate their capacity to work required for the performance of the activities listed in Annex No. 1a,
  - d) complete vocational training in the scope stipulated by the legal regulations pertaining to occupational health and safety,
  - e) have their technical knowledge reviewed.

(3) The licence, certificate or permit pursuant to paragraph 1, letter b) shall be issued on the basis of a written application, in which the natural person will state their forename, surname, date of birth, permanent residence address and the activity, which such licence, certificate or document applies to. To their application, the natural person shall also attach the documents demonstrating the fulfilment of the conditions pursuant to paragraph 2, letter a) to c).

(4) The medical fitness for the work pursuant to paragraph 2, letter c) shall be assessed based on the result of a preventive medical examination pertaining to the work given.<sup>6aa)</sup> The medical fitness for the work stated in the first sentence shall be demonstrated by a medical report<sup>19a)</sup> not older than six months.

(5) The licence, certificate or document pursuant to paragraph 1, letter b) shall be issued for an indefinite period of time. The following shall be stated in the licence, certificate or document pursuant to paragraph 1, letter b):

- a) the name and registered office of the authorized legal person, the person authorized for education or training or the secondary school or university which issued the license, certificate or document pursuant to paragraph 1 letter b); the person authorized for education and training shall also state the registration number of its authorization,
- b) reference number of the licence, certificate or document pursuant to paragraph 1, letter b),
- c) provision of the generally binding legal regulation, in accordance with which the licence, certificate or document pursuant to paragraph 1, letter b) has been issued,
- d) activity, for which the licence, certificate or document pursuant to paragraph 1, letter b) has been issued and the scope of activity, if required,
- e) name, surname, date of birth and permanent residence address of the natural person to whom the licence, certificate or document pursuant to paragraph 1, letter b) has been issued,
- f) date of the final exam,
- g) date and place of the issuance of the licence, certificate or document pursuant to paragraph 1, letter b),
- h) the imprint of the stamp and the name, surname and signature of the natural person or representative of the legal person who issued the license, certificate or document referred to in paragraph 1(b).

(6) The natural person holding the licence, certificate or document is obliged to undergo a preventive medical examination in relation to work, which will assess such person's medical fitness to perform the given activity five years after

- a) the issuance of such licence, certificate or document pursuant to paragraph 1, letter b),
- b) undergoing the last preventive medical examination in relation to work.

(7) The preventive medical examination in relation to work for the purpose of paragraphs 4 and 6 shall also include medical examinations performed pursuant to a special regulation<sup>19b)</sup> should the operator of the working means defined in paragraph 1 be required to have a driving licence.

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(8) The natural person holding the licence, certificate or document pursuant to paragraph 1, letter b) shall attend refresher training conducted by a person/entity authorised to educate and train within five years as of the date of the issuance of such licence, certificate or document pursuant to paragraph 1, letter b). The natural person holding the licence, certificate or document pursuant to paragraph 1, letter b) shall attend the refresher training to follow the above refresher training within five years as of the previous refresher training completion. The person/entity authorised to educate and train shall state the date of refresher training completion in the licence, certificate or document pursuant to paragraph 1, letter b).

(9) The natural person holding the licence, certificate or document pursuant to paragraph 1, letter b) shall observe the legal and other regulations pertaining occupational health and safety in connection with their professional activity performance.

(10) If the natural person holding the licence, certificate or document pursuant to paragraph 1, letter b) seriously breached or repeatedly acts in conflict with the legal and other regulations pertaining to occupational health and safety in connection with their professional activity performance, the relevant labour inspectorate shall withdraw their licence, certificate or document pursuant to paragraph 1, letter b). The natural person that has had their licence, certificate or document withdrawn may apply for their reissuing one year from the day the decision to withdraw such certificates or documents became legally applicable at the earliest.

(11) The licence, certificate or document pursuant to paragraph 1, letter b) shall no longer be valid if/once:

- a) the decision to withdraw such licence, certificate or document pursuant to paragraph 10 becomes legally applicable,
- b) the natural person fails to undergo the preventive medical examination in relation to work pursuant to paragraph 6 or, based on the result of such preventive medical examination in relation to work, they are no longer physically fit to perform the activities for which the licence, certificate or document pursuant to par. 1, letter b) has been issued,
- c) the natural person failed to attend refresher training.

(12) Paragraphs 1 to 11 shall also apply to the common areas of buildings and common equipment in apartment buildings and to non-residential premises, except for the flats and houses in personal ownership; the employers' tasks shall be fulfilled by the association of the owners of flats and non-residential premises in a building, or by the provider of building services for the common areas of the building and for the equipment in such building, non-residential premises and conveniences co-owned by the owners of flats and non-residential premises.

(13) Instead of the license, certificate or document referred to in paragraph 1(b), a natural person may carry out activities under paragraph 1(a) or (b) carried out on the basis of

- a) a valid certificate of professional competence; <sup>19c)</sup> the provisions of paragraph 2(a) and (c), paragraphs 3 and 4, the first sentence of paragraph 5 and paragraphs 6 to 11 shall apply mutatis mutandis to that certificate; or
- b) a valid certificate of relevant professional competence issued in another Member State of the European Union, if it is a natural person who is a cross-border service provider<sup>19d)</sup> or who is posted to perform work in the provision of services from another Member State of the European Union to the territory of the Slovak Republic.

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**Section 17**  
**Occupational Accident, Other Accident, Occupational Disease,**  
**Dangerous Occurrences and Serious Industrial Accidents**

- (1) The employee shall notify the employer immediately upon the occurrence of
- a) any accident at work or accident while on duty <sup>20)</sup> (the “occupational accident”) suffered by the employee in the event that their state of health allows so,
  - b) any accident other than the occupational accident or any death occurring at the employer’s workplace or on employer’s premises that do not result from occupational accidents,
  - c) any dangerous occurrence,
  - d) any serious industrial accident.<sup>21)</sup>

(2) The obligation to notify the employer of the occurrence of an event pursuant to paragraph 1 also applies to the employee or natural person witnessing the occurrence of the aforementioned event. In their internal regulations, the employer shall determine, who should be notified of the occurrence of an event pursuant to paragraph 1 and how should it be done.

(3) Upon notification pursuant to paragraph 1, the employer shall take, without delay, measures necessary for the prevention of further threat to lives and health. In the case of the events pursuant to paragraph 5, letter a), points two and three, the workplace conditions may not be changed until the arrival of competent investigating authorities, except for taking measures inevitable for the protection of lives and health, or for the prevention of a major economic damage. If the workplace conditions change due to measures preventing further potential threat to lives and health or a major economic damage, the employer shall prepare the required documentation of the workplace conditions for investigating the causes of the event given.

- (4) The employer is obliged to record any occupational accidents resulting in more than three days of employee’s incapacity to work, or in the death of an employee resulting from an occupational accident (hereinafter referred to as the ‘registered occupational accident’) in such a way that they
- a) determine the cause and all the circumstances of its occurrence with the participation of the employee having suffered the injury if their state of health allows so, and with the participation of a competent employee safety representative; in the event of death, severe bodily harm (hereinafter referred to as the ‘serious occupational accident’), the employer shall ask an authorised safety technician to participate in the investigation,
  - b) prepare a report of the recorded occupational accident within four days from being notified of the occurrence of the recorded occupational accident,
  - c) accept and execute the necessary measures in order to prevent any repeated occurrence of similar occupational accidents.

- (5) Upon being notified, the employer shall report, without delay, the occurrence of:
- a) registered occupational accident to:
    - 1. employee representative, including the competent employee safety representative,
    - 2. competent unit of the Police Force,<sup>22)</sup> if the facts of the matter indicate the commission of a crime connected with such occupational accident,
    - 3. competent labour inspectorate or the competent supervising authority, in the case of a serious occupational accident,
  - b) serious industrial accident,<sup>21)</sup> to the competent labour inspectorate or supervisory body.

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(6) In the event that an employee suffers an occupational accident at the workplace of another employer, such other employer is obliged to immediately report the occurrence of the occupational accident to the employer of the injured employee. If the employee suffers a registered occupational accident at the workplace of another employer,

a) such other employer shall:

1. fulfil the obligation to notify pursuant to paragraph 5, letter a),
2. determine the cause of the occurrence of the recorded occupational accident pursuant to paragraph 4, letter a),
3. prepare the basic facts for the report of the registered occupational accident pursuant to paragraph 4, letter b) and send them to the employee's employer,
4. adopt and take the measures pursuant to paragraph 4, letter c),

b) the employee's employer shall fulfil their duties pursuant to paragraph 4, letters b) and c), and paragraph 5, letter a), and to paragraphs 7, 8 and 12.

(7) The employer is obliged to:

a) send the report of the registered accident to the following parties within eight days from acquiring knowledge of occupational accident given:

1. the competent labour inspectorate or the competent supervising authority,
2. the employee having suffered the registered occupational accident, or to their bereaved, if the employee died as a result of the occupational accident given,

b) send the report on adopted and taken measures to prevent similar occupational accidents to the competent labour inspectorate or to the competent supervising authority within 30 days from the day the employer became aware of the occurrence of the serious occupational accident.

(8) The employer shall keep records of:

- a) occupational accidents, in which they state the data necessary for recording registered occupational accidents, should the consequences of such occupational accidents take effect later,
- b) other than occupational accidents and dangerous occurrences, in which the data on the cause and on the adopted and performed measures to prevent similar accidents or events is stated.
- c) recognised occupational diseases<sup>23)</sup> and threats of occupational diseases, in which the cause of their occurrence and the measures adopted and taken to prevent the occurrence of the same or similar occupational diseases are stated.

(9) The employer is also obliged to fulfil the duties pursuant to paragraph 4, letters a) and c), and paragraph 5, letter a), point one, in the event of a dangerous occurrence, occupational accident, other accident, occupational disease or threat of occupational disease.

(10) Upon their request, the attending health care provider<sup>23a)</sup> shall notify, without delay, the employer, the competent labour inspectorate and the competent supervising authority in writing of

whether a serious occupational accident pursuant to paragraph 4, letter a) has occurred and should a serious bodily harm be of case, a serious health impairment or serious disease shall be determined pursuant to section 3, letter l).

(11) A state authority, insurance company<sup>24)</sup>, Social Insurance Agency, physician or other health care employee, natural person or legal person providing technical safety services and occupational health services shall notify, without delay, the competent labour inspectorate and the competent supervising authority on the occurrence of an occupational accident and serious industrial accident that they acquired knowledge of in the course of their activities, when there is a reasonable suspicion that such an event was not reported pursuant to paragraph 5. Such notification shall comprise the

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essential facts of the person and the employer concerned.

(12) The labour inspectorate competent for the purposes of par. 5, 7, 10 and 11, shall be the one in the territorial jurisdiction of which an occupational accident or a serious industrial accident<sup>21)</sup> has occurred.

## **Section 18**

### **Cooperating Employers**

(1) In the event that employees of several employers or natural persons holding trade licences fulfil their duties at a common workplace and their safety or health may be subject to a threat, relevant contracts shall stipulate cooperation between the employers and the aforementioned persons in the prevention, preparation and execution of measures to ensure occupational health and safety and in the coordination of activities and mutual notification. The contract shall determine which employer is obliged to establish the conditions of occupational health and safety at such common workplace and to what extent.

(2) The employers whose employees fulfil duties at a common workplace are obliged to inform each other, in particular, about possible threats and preventive measures and the measures concerning first-aid provision, fire fighting, rescue operation execution and employee evacuation. Each employer shall provide this information to their employees and to employee safety representatives.

(3) The employer and the natural person - entrepreneur, who is not an employer, engaged in the assembly, repair, construction and other work performed for other natural persons and legal entities are obliged to reach an agreement with the ordering party with a view of preparing and equipping the workplace for safe work performance. Work may only be commenced when the workplace is properly secured and equipped.

(4) The constructor, employer and natural person - entrepreneur who is not an employer, who perform construction work shall meet, in addition to their duties stipulated herein, occupational health and safety conditions throughout design preparation and project implementation in the scope defined by special regulations.<sup>25)</sup>

(5) If the design documentation of the project and its technical arrangements and amendments pursuant to section 14, par. 1, letter d), prepared in compliance with section 4, par. 1 is to be used for fulfilling the duties of an employer or a natural person - entrepreneur who is not an employer, the constructor shall, as part of the building permit procedure, submit it to an authorised legal person for approval. The authorised legal person shall mail a copy of its expert's opinion, issued in connection with this matter to the competent labour inspectorate or to the competent supervising authority without delay.

## **Section 19**

### **Employee Safety Representative**

(1) An employer who employs at least ten employees or whose code according to the statistical classification of economic activities at the division or group level is given in Annex no. 1 is obligated, and different employer may appoint one or more employees as employees' representatives for safety, on the basis of a proposal from the relevant trade union body, employee council or based on

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the election of employees if the employer does not have a trade union body or employee council. An employee may be nominated or elected as an employees' representative for safety only with their written consent.

(2) One employees' representative for safety at an employer whose code according to the statistical classification of economic activities at the division or group level is given in Annex no. 1 may represent a maximum of 50 employees. For other employers, one employees' representative for safety may represent more than 50 employees, but not more than 100 employees.

(3) The employee safety representative is authorised to:

- a) inspect workplaces and verify the fulfilment of measures adopted in order to provide for occupational health and safety,
- b) request information from the employer about the facts influencing occupational health and safety; discuss these with the trade union or employee council established at the employer's company and, upon agreement with the employer and experts in the given field, providing that no classified information protected under special regulations<sup>26)</sup> is disclosed,
- c) cooperate with the employer and submit proposals of measures for increasing the level of occupational health and safety,
- d) request that the employer eliminates the identified shortcomings and, in the event of the employer's failure to do so, to initiate actions with the competent labour inspectorate or supervising authority,
- e) participate in discussions organised by the employer and related to occupational health and safety, investigations of the causes of occupational accidents, occupational diseases and other events specified in section 17, measurements and evaluations of working environment factors, inspections executed by the competent labour inspectorate or supervising authority and request information from the employer on the results and conclusions of such inspections, measurements and evaluations and on the fulfilment of measures adopted therein,
- f) submit comments and proposals to the competent labour inspectorate or supervising authority in the course of labour inspection or supervision at the employer's company.

(4) If there is no employee safety representative appointed at the employer's company, then the powers specified in paragraph 3, letters b) to f) shall be exercised by the employees, and the employer shall fulfil the duties under this Act directly toward the employees, in the manner ensuring employee adequate participation in the issues concerning occupational health and safety.

(5) The employer is obliged to provide education and adequate time off with wage compensation to the employee safety representatives in the discharge of the duties pursuant to paragraph 3, and to create the conditions required for the discharge of their duties.

(6) The employer is obliged to display a list of employee safety representatives specifying their respective workplace in usual and freely accessible areas at employer's workplaces.

## **Section 20**

### **Occupational Health and Safety Committee**

(1) An employer who employs more than 100 employees shall establish a committee for occupational health and safety as their/its advisory body, comprising employee safety representatives and the employer's representatives, in particular professionals specialising in the given field; the employee safety representatives must represent more than a half of the committee members. The occupational health and safety committee shall meet minimum once a year.

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- (2) The occupational health and safety committee will be authorised to:
- a) regularly evaluate the conditions of occupational health and safety, the state and development of the rate of occupational accidents, occupational diseases and other events specified in section 17, and to evaluate other issues concerning occupational health and safety, the working environment and working conditions included,
  - b) propose measures concerning the management, audit and improvement of the state of occupational health and safety,
  - c) provide statements on all the issues connected to occupational health and safety,
  - d) request information from the employer as required for the execution of its activities.

(3) The establishment of the occupational health and safety committee shall not affect the powers of the employee safety representatives.

(4) Where the employer has no appointed employee safety representatives, the powers specified in paragraph 2 may be exercised by the employees.

## **Section 21**

### **Preventive and Protective Services**

(1) For the purpose of this Act, the preventive and protective services shall be professional services provided to the employer and related to the selection, organisation and execution of professional tasks in the field of occupational health and safety, mainly those concerning the prevention of risks including psycho-social risks and protection from such risks.

(2) The preventive and protective services are safety technical service (section 22) and occupational health service.<sup>6a)</sup>

(3) The employers are obliged to provide safety technical service for their employees. The employer shall appoint professionals employed by or being in a similar job-related relationship with the employer in the number sufficient for the provision of safety technical service. The employer providing safety technical service through their own professional employees shall be adequately equipped with necessary technical equipment and instruments.

(4) The employer shall be obligated to contractually agree on the execution of safety technical service by contracting one or more natural persons - entrepreneurs or a legal person authorised to

provide safety technical service, if, in consideration of the size of the organisation, the number of employees, working conditions, the scope, character and structure of the hazards and the risks evolving from them, the employer is not able to provide a sufficient number of professional employees.

(5) The employer is obligated to provide their own professional employee or agree with the natural person - entrepreneur or the legal person authorised to provide safety technical service, on the time sufficient for discharging their professional tasks pertaining to occupational health and safety that are required for establishing the necessary preventive and protective measures. When determining the sufficient time, the employer must take into consideration the size of the organisation, the number of employees, working conditions and the scope, character and structure of hazards and of the risks evolving from such hazards.



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(6) The professional employee shall demonstrate their professional ability by a relevant document proving their professional competence.

(7) The providers of the safety technical and occupational health services shall cooperate with the employer's relevant organisational units and employee representatives, the employee safety representatives included. The establishment of the safety technical and occupational health services, or the discharge of the duties related to such services by contracting suppliers for these purposes shall not have any effect on the employer's duties in the field of occupational health and safety or on employer's responsibility pertaining to the same.

(8) The natural person - entrepreneur or the legal person may, as a contracted supplier, only provide safety technical service and occupational health service when holding a certificate authorising them to provide safety technical service issued by the National Labour Inspectorate. In the absence of such certificate, the natural person - entrepreneur who is not an employer may only provide safety technical service in person when they are a safety technician or an authorised safety technician.

(9) The National Labour Inspectorate shall issue the authorising document pursuant to paragraph 8 on the basis of a written application, wherein the applicant shall specify their name, registered office and identification number. The written application shall be sent together with a proof of payment of the administrative fee, and with the documents demonstrating that, for safety technical service and occupational health service performance, the applicant:

- a) has professional employees with whom the applicant entered into employment or similar type of agreement,
- b) has elaborated the working procedures for the performance of individual professional activities and adequate organisational provisions for such activity performance,
- c) has adequate working areas,
- d) has adequate technical equipment and instruments,
- e) is not dependent in relation to the performance of professional activities for employers.

(10) The National Labour Inspectorate shall issue the authorising document pursuant to paragraph 8 upon verifying the fulfilment of conditions specified in paragraph 9. The authorising document shall contain the name, registered office and identification number of the natural person - entrepreneur or the legal person it has been issued for and such document reference number. The certificate shall be issued for an indefinite period of time. The National Labour Inspectorate shall keep records of the issued authorising documents and shall publish a list of the natural persons – entrepreneurs and legal entities, for which such documents enabling them to perform safety technical service and containing their name, registered office and identification number, have been issued.

(11) The natural person – entrepreneur or the legal person authorised to provide safety technical service is obliged to maintain impartiality, promote the employer's adherence to the legal and other regulations pertaining to occupational health and safety, and systematically fulfil the conditions specified in paragraph 9 and to enable the competent labour inspection authority to review their fulfilment when performing safety technical service.

(12) The National Labour Inspectorate shall withdraw the document authorising to provide safety technical service from the natural person – entrepreneur or the legal person that, within their professional activities, violates the conditions contained in paragraph 9, or repeatedly or seriously

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violates the legal regulations pertaining to occupational health and safety.

(13) The document authorising to perform safety technical service shall become invalid

- a) by the removal of the legal person from a business register,
- b) by the expiration of the trade licence,
- c) by the validity of the decision to withdraw the document authorising to perform safety technical service pursuant to paragraph 12,
- d) by the death or declaration of death of the natural person - entrepreneur authorised to perform safety technical service.

(14) The natural person - entrepreneur or the legal person authorised to perform safety technical service shall inform the National Labour Inspectorate in writing on any changes in the name, registered office or identification number stated in the authorising document and shall support them with documents within 15 days from such change introduction. On the basis of the notification pursuant to the first sentence, the National Labour Inspectorate shall issue a new up-to-date document authorising to perform safety technical service for the natural person - entrepreneur or the legal person in question.

(15) The natural person - entrepreneur or the legal person that has had their document authorising to perform safety technical service pursuant to paragraph 12 withdrawn, may ask for the re-issuance of such document authorising to perform safety technical service a year from the day the decision to withdraw the authorising document became valid at the earliest; this shall not apply to the withdrawal of the document due to the breach of the condition stated in paragraph 9, letter a).

## **Section 22**

### **Safety Technical Service**

(1) As part of the safety technical service, the employer shall be provided with advisory services in the field of professional, methodological, organisational, controlling, coordination and educational tasks and other duties pertaining to occupational health and safety, mainly in terms of the adequacy of working premises and constructions, work processes and procedures, working means and other technical equipment, working environment and of meeting their technical, organisational and human resources-related requirements. In order to optimise working conditions, the safety technical service shall influence the attitude of the employer, managing personnel and employees towards occupational health and safety.

(2) The duties of the safety technical service shall be discharged by safety technicians and authorised safety technicians, and if necessary, by other professionals working in the specific field of occupational health and safety.

(3) The tasks of the safety technical service are performed by a safety technician and, for an employer whose code according to the statistical classification of economic activities at the division or group level is given in Annex no. 1, it is performed independently by an authorized safety technician. A safety technician may perform expert tasks for an employer whose code according to the statistical classification of economic activities at the division or group level is given in Annex no. 1 only under the supervision of an authorized safety technician. For the purposes of performing the tasks of the safety technical service for an employer whose code according to the statistical classification of economic activities at the level of division or group given in Annex no. 1 is 05 to 09, a natural person who performs the function of a professionally qualified employee to perform tasks in the field of

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occupational health and safety and operational safety according to a special regulation is considered an authorized safety technician.

(4) When appointing one or more safety technicians or authorised safety technicians, the employer shall take into consideration the size of the organisation, number of its employees, working conditions, the diverse and demanding nature of work processes, and the scope, nature and distribution of hazards and risks arising from such hazards. The number of safety technicians shall guarantee the effective and efficient organisation and performance of the professional tasks pertaining to occupational health and safety, especially the prevention of risks and protection against such risks. The minimum number of safety technicians or authorised safety technicians, the employer is obliged to appoint on the basis of the size of their workforce, shall be stated in Annex No. 1b; the condition of the number of employees per safety technician or per authorised safety technician shall also apply to the cases when the safety technical service is arranged contractually.

(5) The duties of the safety technician and the authorised safety technician may be exceptionally joined only with other professional activities focusing on employee's health and safety, the prevention of serious industrial accidents, fire protection and the performance of professional inspections and professional tests of the special technical equipment.

(6) The employer who is a natural person or the statutory body of the employer that is a legal person may discharge the professional duties of a safety technician or an authorised safety technician in person at their workplaces, providing that they are professionally competent pursuant to paragraph 7 and that they:

- a) who employs less than five employees, if its code according to the statistical classification of economic activities at the division or group level is given in Annex no. 1,
- b) who employs less than 19 employees, if its code according to the statistical classification of economic activities at the division or group level is not given in Annex no. 1.

(7) The employer who is a natural person or the statutory body of the employer that is a legal person shall be considered professionally competent to discharge the safety technician's or authorised safety technician's professional duties at employer's workplaces, provided that they:

- a) have professional education in the field of occupational health and safety in the form of secondary school or university studies, or
- b) have completed at least 16 hours of vocational training in the field of occupational health and safety provided by a person/entity authorised to educate and train.

(8) The safety technician and the authorised safety technician executing professional activities on the employer's premises will have the right to instruct employer's managing employees to take measures inevitable for employee's health and safety at work in the event of imminent threats to their lives or health; such measures, the imposition of which must be notified to the employer's statutory body by the safety technician or by the authorised safety technician without delay, shall remain in force until cancelled or changed by the employer's statutory body.

## **Section 23**

### **Safety Technician**

- (1) The safety technician may be a natural person, who:
- a) has completed secondary education or secondary technical education, vocational training in the

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field of occupational health and safety and, on the basis of the exam taken, has been awarded a safety technician's qualification certificate (hereinafter referred to as the 'safety technician's certificate') from a person/entity authorised to educate and train or

- b) has completed professional education in the field of occupational health and safety and has been awarded a safety technician's certificate upon successful passing of an exam forming a part of secondary school studies concluded with a final examination or of university studies at a licensed school (hereinafter referred to as the 'school') where the content and scope of the occupational health and safety study courses shall be defined in agreement with the National Labour Inspectorate, thereby being awarded the licence to educate and train safety technicians.

(2) The minimum content and scope of safety technician's vocational training and professional education and the content of the employer's specific professional preparation pursuant to section 22, par. 7, letter b) shall be stipulated by a special regulation.

(3) A natural person taking the test shall demonstrate professional knowledge, familiarity with, and ability to apply the legal and other regulations in the field of occupational health and safety, and capability to actually meet the requirements of occupational health and safety. The examining committee established by a person authorised to educate and train, shall have minimum three members, of which at least one must be an authorised safety engineer. A natural person who does not pass the exam given, may retake the exam at the earliest a month from the date of its failing.

(4) The safety technician's certificate shall be issued within 15 days from the exam successful completion before the committee and shall be organised by the school or by the person authorised to educate and train. The school and the person licensed to educate and train, who is a legal person, must maintain records of the issued safety technician's certificates.

(5) The safety technician's certificate shall contain:

- a) name of the school or the person - legal person licensed to educate and train,
- b) number of the document authorising to educate and train,
- c) reference number of the certificate,
- d) generally binding legal regulation under which the safety technician's certificate has been issued,
- e) name, surname, date of birth and permanent residence address of the natural person the safety technician's certificate is issued for,
- f) period, in which the natural person attended a study program or vocational training,
- g) date of passing the test,
- h) date and place of the safety technician's certificate issuance,
- i) forename, surname and signature of the chair of the examining committee,
- j) imprint of the seal of the school or the person - legal person authorised to educate and train, the name, surname and signature of the statutory representative of the school or of the person - legal person authorised to educate and train.

(6) The safety technician's certificate shall be issued for an indefinite period of time. Minimum each five years from the safety technician's certificate issuance, the safety technician shall attend the refresher training pursuant to a special regulation provided by a person authorised to educate and train. The safety technician's certificate shall become invalid without a document proving the completion of refresher training.

(7) The safety technician shall notify in writing the school or the legal person having issued the safety technician's certificate of any change in the data specified in paragraph 5, letter e), and shall

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submit the documentation thereof. Upon submitting the original safety technician's certificate, the school or the legal person having issued the original safety technician's certificate shall issue a new up-to-date safety technician's certificate free of charge.

(8) The safety technician whose safety technician's certificate has been withdrawn may not be retested earlier than six months from the date of such safety technician's certificate withdrawal.

## **Section 24**

### **Authorised Safety Engineer**

(1) Pursuant to section 23, the authorised safety technician is a safety technician who, upon at least two years of professional experience in the field given and upon being awarded a safety technician's certificate, has successfully completed the exam before a committee appointed by the National Labour Inspectorate.

(2) The authorised safety technician is also a natural person for whom the National Labour Inspectorate shall issue an authorised safety engineer's certificate based on a written application containing the forename, surname, date of birth, address of permanent residence and documents demonstrating the fulfilment of the conditions presented in paragraph 3, letters a) and d) and at least five years of professional experience in the field of occupational health and safety gained as a state employee or on the basis of a service relationship. The issuance of the authorised safety engineer's certificate shall be applied for in writing within two years from the termination of the aforementioned professional activities.

(3) The candidate applying for the examination and issuance of the authorised safety engineer's certificate (hereinafter referred to as the 'applicant') shall submit an application containing their forename, surname, title, date of birth and the address of permanent residence to the National Labour Inspectorate. The following shall be attached to the application:

- a) document proving their secondary school, secondary vocational school or university education completion,
- b) safety technician's certificate,
- c) document proving the fulfilment of the professional experience condition,
- d) administrative fee.

(4) Pursuant to paragraph 1, professional experience shall be demonstrated by the employer's written confirmation of the performance of professional activities, including its length and the name

of employer's economic activities pursuant to the statistical classification of economic activities. The professional experience of the safety technician, whose duties are discharged on the basis of their contracted performance, shall be demonstrated by presenting the applicable contract for the performance of professional activities, stating the length of services performed for individual customers, the customer's code and the name of customer's economic activities pursuant to the statistical classification of economic activities.

(5) The chair and members of the examining committee shall be appointed from among specialists in the field of occupational health and safety. At least one appointed member of the committee shall be an authorised safety engineer, and another member shall be a labour inspector with at least three years of professional experience in the field given. The exam shall consist of a written and an oral part. The National Labour Inspectorate shall notify the applicant of the date of the

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examination at least three weeks in advance.

(6) As part of the professional exam given, the applicant shall demonstrate their knowledge of legal regulations pertaining to occupational health and safety, and their ability to apply such knowledge, along with the knowledge of the requirements concerning occupational health and safety, and the ability to practically apply such knowledge; the range of the requirements shall be published by the National Labour Inspectorate in a standard manner.

(7) The National Labour Inspectorate is obliged to issue an authorised safety engineer's certificate to the applicant within 15 days from passing the exam or within 30 days from submitting the application pursuant to paragraph 2. The authorised safety engineer's certificate shall be issued for an indefinite period of time and shall contain:

- a) name and registered office of the National Labour Inspectorate,
- b) generally binding legal regulation under which the authorised safety engineer's certificate is issued,
- c) reference number of the authorised safety engineer's certificate,
- d) forename, surname, date of birth and address of permanent residence,
- e) date of the exam; this shall not apply to the certificate pursuant to paragraph 2,
- f) date and place of the authorised safety engineer's certificate issuance,
- g) name, surname and signature of the chair of the examining committee; this shall not apply to the certificate pursuant to paragraph 2,
- h) imprint of the seal, forename, surname, position and signature of the representative of the National Labour Inspectorate.

(8) The applicant who has failed the exam may apply for re-examination within six months from failing the exam at the latest, on the condition of demonstrating additional professional experience of at least three months duration after failing the exam.

(9) The National Labour Inspectorate shall discontinue the proceedings concerning the issuance of an authorised safety engineer's certificate should the applicant fail to take or retake the exam without any excuse or should they have not asked for re-examination pursuant to paragraph 8 or should they fail the exam given.

(10) At least once every five years from the issuance of the authorised safety engineer's certificate, the authorised safety technician shall, pursuant to a special regulation, participate in refresher training conducted by a person/entity licensed to educate and train safety technicians.

(11) The authorised safety engineer, whose authorised safety engineer's certificate has been withdrawn, may apply for professional re-examination and issuance of the authorised safety engineer's certificate no earlier than a year from the date the decision to withdraw the authorised safety engineer's certificate became applicable.

(12) After verifying the change of name, surname or permanent residence address of the authorized safety technician, the National Labour Inspectorate is obliged to issue a new certificate of the authorized safety technician free of charge to the authorized safety technician if they notify the change of their name, surname or permanent residence address in writing and attach the original certificate of the authorized safety technician.

(13) The National Labour Inspectorate shall maintain records of the issued authorised safety

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engineer's certificates, and shall publish their lists. The National Labour Inspectorate shall remove the certificates withdrawn pursuant to section 25 from the records of the issued authorised safety engineer's certificates. The authorised safety engineer's certificate shall no longer be valid should the authorised safety technician fail to attend refresher training pursuant to paragraph 10.

## **Section 25**

### **Withdrawal of Certificates and Prohibition of Activities**

(1) The competent labour inspectorate is obliged to withdraw a safety technician's certificate, and the National Labour Inspectorate is obliged to withdraw an authorised safety engineer's certificate of that safety technician or authorised safety technician who has, while discharging their professional duties, seriously or repeatedly acted in conflict with the legal and other regulations pertaining occupational health and safety.

(2) The competent labour inspectorate is obliged to prohibit the execution of professional tasks of the safety technician or of the authorised safety technician by a natural person, who is an employer or by the statutory body of an employer - legal person, if they have, in the discharge of professional duties of the safety technician or authorised safety engineer, seriously or repeatedly acted in conflict with the legal or other regulations pertaining occupational health and safety.

## **Section 27**

### **Education and Training**

(1) The issues of occupational health and safety and risk prevention methods shall be included in the curricula of the schools providing vocational training for students and trainees, as well as adult training, retraining included.

(2) The employer is obliged to ensure that the education and professional training programme pertaining to all employees includes occupational health and safety and risk prevention.

(3) The natural person and the legal person may only organise and provide education and training in the field of occupational safety in the scope of individual activities specified in Annex No. 2 on the basis of an authorising document issued by the National Labour Inspectorate and, in the case of the activities stipulated by a special regulation,<sup>29)</sup> only on the basis of an authorising document issued by the relevant supervisory body; no licence shall be required for a secondary school or university professionally training students to perform work or for an employer educating and training their own employees and managers in the field of occupational protection pursuant to Annex No. 2, group 01, point 01.1. The document authorising to educate and train in the field of work occupational safety within the scope of the respective activities (hereinafter referred to as the 'document authorising to educate and train') shall be issued on the basis of a written application.

(4) The condition for the issuance of a document authorising to educate and train is as follows:

- a) should the applicant be a natural person, professional competence and experience pursuant to Annex No. 2 and competence to lecture,
- b) should the applicant be a natural person, who themselves does not meet the conditions stipulated in letter a) or a legal person, by the applicant-appointed professional representative qualified and experienced pursuant to Annex No. 2 and by the applicant-
  - 1. appointed lecturer, who meets the conditions stipulated for the applicant in letter a) or
  - 2. one or several appointed lecturers professionally qualified pursuant to Annex No. 2a, who are

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together professionally competent for all the areas of the general and special requirements concerning training and in accordance with professional experience pursuant to Annex No. 2a and lecturer's qualification,

- c) prepared model project of education and training,
- d) material and technical equipment for education and training.

(5) For the purpose of issuance of a document authorising to educate and train the following applies:

- a) professional competence shall be demonstrated by a relevant certificate or license or some other authorising document.
- b) lecturing competence shall be demonstrated by submitting the certificate issued by an accredited institution of further education pursuant to a special regulation or by another document proving the completion of a pedagogical study.

(6) The professional representative is responsible for the professional execution of the activity, for which the issuance of a document authorising to educate and train is required. The professional representative shall be an employee of the applicant applying for the issuance of the document authorising to educate and train or a partner or a member of a legal person, and may not execute the activity for another natural person or legal person.

(7) In their application for the document authorising to educate and train, the natural person shall state:

- a) forename, surname, date of birth and address of permanent residence,
- b) personal data of the professional representative that is specified in par. 4, letter b),
- c) lecturer's personal data,
- d) the activity, for which the document authorising to educate and train is applied for.

(8) In their application for the document authorising to educate and train, the legal person shall state:

- a) name, registered office and legal form,
- b) personal data of the statutory body,
- c) personal data of the professional representative,
- d) lecturer's personal data,
- e) the activity, for which the document authorising to educate and train is applied for.

(9) The natural person's or legal person's application for the document authorising to educate and train shall be accompanied by:

- a) document demonstrating their professional competence or the professional competence of their professional representative,
- b) document demonstrating their lecturing competence, in the event that they are to lecture,
- c) document demonstrating the lecturer's professional and lecturing competence,
- d) document demonstrating the meeting of the conditions of professional experience and professional representative's professional experience, should they be specified in paragraph 4, letter b) and a document of lecturer's professional experience issued by the employer or the customer ordering their services in the form of supplied service performance,
- e) model education and training project, elaborated separately for each education and training activity pursuant to Annex No. 2,
- f) statement demonstrating the availability of the materials and technology required for education and training and containing a list of material and technical equipment,
- g) copy of the employment contract concluded with the professional representative,



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h) administrative fee, paid for each requested activity separately.

(10) The model education and training project submitted by the applicant for each requested education and training activity separately shall contain the following:

- a) designation of the education and training activity in accordance with the activity for which the document authorising to educate and train is being requested,
- b) education and training objective,
- c) level of completed education required for the assignment of the candidates to education and training activities,
- d) Applied forms of education and training,
- e) teaching plan showing the specified number of hours and the curricula of the theoretical and practical parts of education and training,
- f) list of lecturers for individual topics stated in the teaching plan or curriculum,
- g) method of final verification of the participant's education and training activity, in particular the theoretical and practical part of education and training.

(11) The National Labour Inspectorate shall issue a document authorising to educate and train for the applicant within 60 days from the date the application was submitted.

(12) The document authorising to educate and train shall be issued for a period of five years and shall contain the following:

- a) personal data of the natural person,
- b) trade name, registered office and legal form of the legal person,
- c) provision of the generally binding legal regulation, under which the document authorising to educate and train is issued,
- d) reference number,
- e) designation of the activity for which the document authorising to educate and train will be issued pursuant to Annex No. 2,
- f) date, when the document authorising to educate and train was issued and became applicable.
- g) imprint of the seal and the signature of the National Labour Inspectorate representative.

(13) The person licensed to educate and train shall

- a) send any changes in data pursuant to paragraph 7, letter a) to c) and pursuant to paragraph 8, letter a) to d) and any changes in other terms and conditions under which the document authorising to educate and train was issued along with the relevant documents to the National Labour Inspectorate in writing without delay,
- b) systematically meet the conditions stated in paragraph 4: this shall not apply to the condition of having a professional representative appointed pursuant to paragraph 4, letter b) in the period of 15 days from the termination of professional representative's duty performance,
- c) in connection with education and training, meet the conditions stipulated by the legal regulations pertaining to occupational health and safety and educate and train in accordance with the approved model project of education and training,
- d) prepare the education and training project for each education and training activity targeted at the education and training of employees and managers pursuant to Annex No. 2, group 01, the contents of which are adapted, in accordance with Article 7, paragraphs 1 and 4, to the character of the work of the group of employees or managers being subjected to education; a copy of the project shall be submitted to the corresponding employer,
- e) start and maintain a book of records of education and training activities,
- f) have only the lecturers listed in the approved model education and training project or other lecturers registered pursuant to letter a) educate and train,

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- g) issue licenses, certificates and authorising documents pursuant to section 16, par. 1, letter b) or documents proving the completion of such education and training upon successful verification of the participants' knowledge,
  - h) keep separate records of issued licenses, certificates or authorising documents pursuant to section 16, par. 1, letter b) containing the identification number, forename, surname and the date of birth of the person, for which the license, certificate or authorising document pursuant to section 16, par. 1 letter b) was issued, date of the final exam, date of license, certificate or document issuance and activities stating the scope, in which the licence, certificate or authorising document pursuant to section 16, par. 1, letter b) was issued.

(14) The National Labour Inspectorate shall withdraw the document authorising to educate and train in the event:

- a) of serious or repeated shortcomings related to education and training performance,
- b) of serious or repeated cases of violation of the legal and other regulations pertaining to occupational health and safety while educating and training,
- c) person authorised to educate and train who is a natural person, by the expiration of the relevant licence, certificate or authorising document pursuant to section 16, par. 1, letter b) no longer meets the conditions of professional competence,
- d) person authorised to educate and train has no professional substitution pursuant to paragraph 4, letter b); this shall not apply if such substitute is not appointed in the period of 15 days from the termination of professional substitute activity termination.

(15) The natural person or the legal person, the document authorising to educate and train of which has been withdrawn pursuant to paragraph 14, may reapply for the issuance of such document authorising to educate and train in the scope of the same activities a year from the day the decision to withdraw the document authorising to educate and train became applicable at the earliest; this shall not apply to the withdrawal of the authorising document pursuant to par. 14, letter d).

(16) The validity of the document authorising to educate and train shall no longer be valid:

- a) by removing the legal person entitled to train and educate from the commercial register,
- b) by the expiration of the trade licence,
- c) by the validity of the decision to withdraw the document authorising to perform safety technical service pursuant to paragraph 14,
- d) by the death or declaration of death of the natural person licensed to educate and train,

(17) The person licensed to educate and train shall inform the National Labour Inspectorate in writing on any changes in the data stated in paragraph 12, letter a) and b) and shall prove changes in the data in writing by submitted documents. On the basis of the notification pursuant to the first sentence, the National Labour Inspectorate shall issue a new up-to-date document authorising to educate and train.

(18) The National Labour Inspectorate shall maintain the records of and shall publish the lists of the issued and withdrawn documents authorising to educate and train.

## **Section 28**

### **Accrediting Commission**

- (1) The accrediting commission, established under separate legislation<sup>11)</sup>
- a) shall evaluate the application for the issuance of:

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1. document authorising for the provision of safety technical service pursuant to section 21,
  2. authorised safety engineer's certificate pursuant to section 24, par. 1 and 3,
  3. document authorising to educate and train pursuant to section 27,
- b) verifies, upon applicant's initiative, refusals to issue the document authorising to execute activities pursuant to section 15, and the certificate or licence pursuant to section 16.

(2) Upon the verification of the initiative pursuant to paragraph 1, letter b) performed by the accrediting commission, the National Labour Inspectorate shall issue an expert's opinion, which is binding for further steps of the relevant person authorised to educate and train.

## **Section 29**

### **Inspection Activities of the Bodies Representing Employees**

Trade union organisations and other bodies representing employees control the employer's discharge of duties in the field of occupational health and safety. They may establish their own control systems for this purpose.

## **Section 30**

### **Empowering Provisions**

(1) The generally binding legal regulations issued by the Ministry of Labour, Social Affairs and Family of the Slovak Republic shall stipulate:

- a) details pertaining to occupational health and safety and the details of professional qualification for the execution of specific working activities and the operation of specific technical equipment,
- b) details of the requirements and scope of education and training activities, the education and training project, the maintenance of prescribed documentation and the verification of the knowledge of participants in the education and training activities,
- c) technical equipment considered to be classified as special technical equipment,
- d) minimum technical equipment and instruments designed to verify the fulfilment of conditions of technical equipment safety pursuant to section 14, par. 1.

(2) The generally binding legal regulations issued by the Ministry of Labour, Social Affairs and Family of the Slovak Republic in cooperation with the Statistical Office of the Slovak Republic shall establish the registered occupational accident report form containing classification elements pursuant to a special regulation.<sup>31)</sup>

(3) The generally binding legal regulation, issued by the Ministry of Health of the Slovak Republic shall stipulate details of the purpose, contents and framework programs of medical stays.

## **PART THREE**

### **TRANSFORMATION OF TECHNICAL INSPECTION**

## **Section 31**

### **Method of Establishment**

(1) The technical inspection established under the regulations applicable hitherto as a subsidised organization for the verification of the fulfilment of safety requirements pertaining to special

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technical equipment and technical equipment shall be transformed to Technical Inspection, a joint stock company (hereinafter referred to as the "joint-stock company").

(2) The founder of the joint stock company established pursuant to paragraph 1 is the state; to act in its name is the responsibility of the Ministry of Labour, Social Affairs and Family of the Slovak Republic. The Memorandum of Association of the joint stock company and its Articles of Association are subject to the approval by the Ministry of Labour, Social Affairs and Family of the Slovak Republic.

(3) The foundation, establishment, position and legal relationships of the joint stock company are regulated by the Commercial Code, unless otherwise specified in this act. A special regulation<sup>32)</sup> shall not apply upon the foundation and incorporation of the joint stock company.

## **Section 32**

### **Subject of Deposit**

(1) The state assets under the administration of the Technical Inspection, the state subsidised organization, shall be used to establish the joint stock company.

(2) The subject of a non-monetary deposit in the joint stock company are state assets under the administration of the Technical Inspection, a state subsidised organisation which, for the purposes of this Act, shall be deemed an enterprise pursuant to section 5 and section 59, paragraph 4 of the Commercial Code. The provisions on the transfer of liabilities and on the option to file a protest pursuant to section 477, paragraph 3 and section 478 of the Commercial Code shall not be applied.

## **Section 33**

### **Determination of the Value of Non-Monetary Deposits**

(1) The value of the non-monetary deposit in the joint-stock company shall be determined by an expert's opinion, elaborated to the date of joint-stock company foundation, as the general value of the deposited assets.

(2) The value of the non-monetary deposit in the joint-stock company determined pursuant to paragraph 1 shall be the financial expression of the sum of the value of the contribution to its registered capital and of the value of the reserve fund formed on the date of its establishment.

## **Section 34**

### **Transfer of Ownership Rights and the Rights and Duties Arising from Employment or Similar Relationships**

(1) The proposal to enter the joint-stock company in the companies register shall not be accompanied by a document proving the payment of the non-monetary deposit before joint-stock company establishment.

(2) The right of ownership to the non-monetary deposit shall pass onto the joint-stock company on the date of its establishment. The founder is obliged to deliver, and the joint-stock company is obliged to accept the items included in the non-monetary deposit to the date of joint-stock company establishment.

(3) The delivery and acceptance of items included in the non-monetary deposit shall be recorded

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in the form of a report signed by the both parties; the provisions devoted to the obligation to pay the value of the non-monetary deposit, to the administration of the deposit, and to the transfer of the rights of ownership pursuant to section 59, paragraph 2, section 60 and section 483 of the Commercial Code shall not apply.

(4) The rights and duties, including the cases of open activities and unsettled third-party claims arising from legal relationships, as well as the rights and obligations derived from employment relationships shall pass onto the joint-stock company as of the date of its establishment.

### **Section 35**

#### **Scope of Business Activities**

(1) The joint-stock company verifies the fulfilment of technical equipment safety requirements under section 14 of this Act.

(2) The joint-stock company may also perform other activities under the conditions specified in the Commercial Code.

### **Section 36**

#### **Registered Capital, Reserve Fund and Shares**

(1) Upon joint-stock company establishment, its registered capital shall be the value of the non-monetary deposit, reduced by the reserve fund value; the provision on the registered capital pursuant to section 58, paragraph 1 of the Commercial Code shall not be applied.

(2) At the time of joint-stock company establishment, its reserve fund shall represent 5 % of the value of the non-monetary deposit in the company's assets.

(3) The shares of the joint-stock company shall be registered shares, and shall have the form of a book-entry security. It is prohibited to perform any changes in their form or type.

### **Section 37**

The existence of the subsidised organisation Technical Inspection shall terminate on the date of joint-stock company establishment.

## **PART FOUR**

### **COMMON, TRANSITIONAL AND FINAL PROVISIONS**

### **Section 38**

(1) When the employer, and the natural person - entrepreneur who is not an employer fulfil the obligations stipulated herein and other generally binding legal regulations pertaining to occupational health and safety using the methods or procedures established in Slovak technical standards, then such fulfilment shall be deemed the fulfilment of the occupational health and safety requirements; such fulfilment may also be discharged by other, provably adequate methods.

(2) Employee safety representatives, employer's personnel providing safety technical service, the

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employees of the natural person or the legal person arranging safety technical service on a contractual basis, and the employees of the authorised legal person are obliged to maintain the confidentiality about the facts that comprise business secrets pursuant to special regulations <sup>26)</sup> and that they learn about while exercising their rights and discharging their duties, unless otherwise specified in this Act or in a special regulation or unless the person affected relieves them of this liability.

(3) If the employer and the natural person who is not an entrepreneur meet the occupational health and safety requirements using a method or procedure stipulated in a Slovak technical standard and provided that such requirements are not stipulated in the occupational health and safety regulations, this fulfilment shall be regarded as meeting the occupational health and safety requirements; the requirements may also be met in another demonstrably adequate manner.

(4) The legal entities and natural persons pursuant to section 14 to 16, section 21, and sections 22 and 27 shall record the information on the services provided on a contractual basis, i.e. the forename and surname or business name of the customer, the date of service provision, the time scope of service provision, a brief description of the service provided and, should technical equipment be involved, the list of the technical equipment used to provide the service given. The legal entities pursuant to the first sentence providing services on a contractual basis shall also record the forenames and surnames of professional employees, who have provided the service in question. The provisions of the first and the second sentence shall not apply to the filling of a pressure vessel designed to transport gases, filling of tanks of gas-driven engine vehicles pursuant to section 15 included.

(5) In all the provisions of the legal regulations pertaining to occupational health and safety, all the forms of the words 'Technical Inspection' have been replaced by relevant forms of the words 'authorised legal person'.

## **Section 38a**

### **Relation to the General Regulation Concerning the Internal Market Services**

To perform the activities pursuant to section 14, 15, 21 and 27, to submit applications for authorising document issuing and for deciding on the issuance of the authorising document pursuant to section 14, 15, 21 and 27 and to supervise pursuant to a special regulation 11), the provision of the general regulation concerning the internal market services <sup>32a)</sup> shall be applied unless otherwise stipulated in this act or in a special regulation <sup>11)</sup>.

## **Section 39**

### **Transitional Provisions**

(1) Until 31 December 2006, the joint-stock company Technical Inspection remains the legal person authorised to verify the fulfilment of technical equipment safety pursuant to Article 14.

(2) The conditions pursuant to section 14, par. 3 for the joint-stock company Technical Inspection, shall be deemed fulfilled until 31st December 2006.

(3) The safety technician's certificate issued on and before 30th June 2006 shall no longer be valid as of 31st December 2007 should the safety technician fail to attend the refresher training pursuant to section 23, par. 6.

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(4) The natural person holding a safety technician's certificate issued on and before 30th June 2006, may perform their authorised safety technician activities on the basis of a certificate issued by the National Labour Inspectorate even without taking the exam pursuant to section 24, provided that they have continuously performed the tasks of the safety technician for the employer, whose code of the sectoral classification of economic activities, is stated in Annex No. 1, and have attended refresher training pursuant to section 24, par. 9 on 31st December 2007 at the latest.

(5) The certificates and the licences issued on and before 30th June 2006 shall be deemed the certificates and licences pursuant to section 16, if the natural person, who holds a certificate or a license, has attended refresher training pursuant to section 16, par. 4; otherwise, the certificate or the license will no longer be valid as of 30th June 2008 at the latest.

(6) The documents authorising to perform professional inspections and professional tests and repairs of special technical equipment and fill pressure vessels designed to transport gases, the filling of the tank of a gas-driven engine car included, issued until 30th June 2006 pursuant to the regulations applicable hitherto, shall no longer be valid as of 31st December 2007 at the latest.

(7) The document authorising to educate and train shall no longer be valid as of:

- a) 31st August 2006, if, in accordance with the regulations applicable hitherto, issued until 31st December 1996,
- b) 31st December 2006, if, in accordance with the regulations applicable hitherto, issued until 31st December 1997,
- c) 30th April 2007, if, in accordance with the regulations applicable hitherto, issued from 1st January 1998 to 31st December 1998,
- d) 31st August 2007, if, in accordance with the regulations applicable hitherto, issued from 1<sup>st</sup> January 1999 to 31st December 2000,
- e) 31st December 2007, if, in accordance with the regulations applicable hitherto, issued from 1st January 2001 to 31st December 2002,
- f) 30th April 2008, if, in accordance with the regulations applicable hitherto, issued from 1st January 2003 to 30th June 2006.

(8) The document authorising to educate and train professional employees in the field of occupational safety issued on and before 30th June 2006 shall no longer be valid as of 31 August 2006.

(9) The document authorising to provide advisory services in the field of occupational safety issued in accordance with the regulations applicable hitherto shall no longer be valid as of 1st July 2006.

### **Section 39a**

One may apply for the issuance of the authorised safety engineer's certificate pursuant to section 39, par. 4 with the National Labour Inspectorate by 30th June 2008 at the latest.

### **Section 39b**

#### **Provisions on the Changes Effective as of 1st May 2010**

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(1) The duties of occupational health service provided by a doctor specialising in the fields pursuant to section 26, par. 3, may also be provided by a doctor specialising pursuant to the regulations effective on and before 20th March 2002 in the

- a) 'Hygiene and epidemiology' or
- b) 'Occupational hygiene and occupational health care' fields with experience in preventive occupational health care and toxicology.

(2) In the period of 1st May 2010 - 31st December 2011, a doctor or a public health care professional pursuant to section 26, par. 3, may also perform the duties of occupational health care pursuant to section 26, par. 1, letter a) to d), letter e) of the first point and letter g) for the employer, who employs less than 50 persons performing the work placed in category one and two or performing the work placed in category two.

### **Section 39c**

#### **Transitional Provision on Changes Effective as of 1st June 2010**

The document authorising to verify the fulfilment of technical equipment safety requirements pursuant to section 14, the document authorising to perform professional inspections, professional tests and repairs of special technical equipment and fill pressurised vessel designed to transport gases, the filling of the tank of gas-driven engine vehicle included, pursuant to section 15, the document authorising to provide safety technical service and occupational health service pursuant to section 21 and document authorising to educate and train in the field of occupational protection pursuant to section 27 issued in accordance with the regulations applicable on and before 31st May 2010 shall be deemed the authorising documents issued for an indefinite period of time.

### **Section 39d**

#### **Transitional Provision on Changes Effective as of 1st January 2012**

The applicant pursuant to section 24, par. 3, who did not pass the test by 31st December 2011, may ask the National Labour Inspectorate for such test re-taking in writing on 30th June 2012 at the latest; otherwise the National Labour Inspectorate shall discontinue the proceedings concerning the issuance of an authorised safety engineer's certificate.

### **Section 39e**

#### **Transitional Provision on Changes Effective as of 1st July 2013**

(1) The licences and certificates issued by an authorised legal person before 1st July 2013 pursuant to the regulations effective on and before 30th June 2013 shall stay valid.

(2) The authorised legal person holding the document authorising them to verify the fulfilment of technical equipment safety requirements pursuant to section 14 that was issued before 1st of July 2013 shall have the minimum technical equipment and instruments stipulated by the generally binding legal regulation pursuant to section 30, par. 1, letter d) by 30th June 2014 at the latest.

### **Section 39f**

#### **Transitional Provision on Changes Effective as of 1st January 2014**



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The natural person that holds the valid licence, certificate or authorising document pursuant to section 16, par. 1, letter b) for the activity stated in Annex No. 1a before 1st January 2014, shall undergo a preventive medical examination related to their job performance by 31st December 2014 if not having undergone the preventive medical examination related to their job performance in the period from 1st January 2010 to 31st December 2013; the preventive medical examination given shall be subject to section 16, par. 7. The valid license, certificate or authorising document pursuant to section 16, par. 1, letter b) to perform the activity stated in Annex No. 1a, which was issued before 1st January 2014, shall no longer be valid as of 31st December 2014 at the latest should the natural person

- a) fail to undergo the preventive medical examination related to job performance or
- b) based on the result of such preventive medical examination related to job performance, they are no longer physically fit to perform the activities for which the licence, certificate or authorising document pursuant to par. 1, letter b) has been issued.

### **Section 39g**

#### **Transitional Provision on Changes Effective as of 1st August 2014**

The provision of Sec. 39b par. 1 shall not apply as of 1st August 2014,

### **Section 39h**

#### **Transitional Provision on Changes Effective as of 1st July 2015**

(1) The valid document authorising to educate and train issued pursuant to the regulations effective by 30th June 2015 shall stay valid and the conditions under which it was issued shall be deemed met pursuant to the regulations effective as of 1st July 2015.

(2) The proceedings initiated before 1st July 2015 that have not been legally concluded shall be completed in accordance with the regulations effective on and before 30th June 2015. The condition, under which the authorising document issued pursuant to the first sentence, shall be deemed met pursuant to the regulations effective as of 1st of July 2015.

### **Section 39i**

#### **Transitional provisions applicable in the time of an extraordinary situation, state of emergency or extraordinary state declared in connection with the COVID-19 disease**

(1) The employer will not be obliged to inform the employee under Sec. 7, par. 3 if the hiring, transfer to a different workplace, assignment or transfer to a different job and the introduction of new technology, a new working procedure or a new working means took place during an extraordinary situation, state of emergency or extraordinary state declared in connection with the COVID-19 disease (hereinafter referred to as "crisis situation") and if such an obligation could not have been objectively met; the failure to meet such an obligation, however, must not pose any imminent or serious threat to anyone's life and health. When acting pursuant to sentence one, the employer shall inform the employee under Sec. 7, par. 1 and 2 as soon as possible, yet not later than within a month as of crisis situation lifting.

(2) The period under Sec. 7, par. 5, the end of which will fall on the time of a crisis situation, shall not continue running during such a crisis situation. The period under Sec. 7, par. 5, the end of which falls within one month as of crisis situation lifting, shall be considered adhered to provided the

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employer meets their obligation to notify within a month as of the day of crisis situation lifting at the latest. The provisions of sentence one and sentence two shall only be applicable if it is objectively impossible to meet the obligation to notify in the original period; the failure to meet the obligation to notify in the original period, however, must not pose any imminent or serious threat to anyone's life and health.

(3) The periods under Sec. 11, par. 12 and 13, Sec. 16, par. 6 and 8, Sec. 23, par. 6 and Sec. 24, par. 10, the end of which falls within the duration of a crisis situation shall not continue running during such crisis situation duration. The periods under Sec. 11, par. 12 and 13, Section 16, par. 6 and 8, Section 23, par. 6 and Section 24, par. 10, the end of which falls within one month as of crisis situation lifting, shall be considered adhered to if the relevant task is performed within a month as of crisis situation lifting at the latest.

(4) The period under Sec. 9, par. 1 (a) and Section 13, par. 3, maintenance periods excluded, the end of which will fall on the time of crisis situation duration, shall not continue running during such a crisis situation. The period under Sec. 9, par. 1 (a) and Sec. 13, par. 3, maintenance periods excluded, the end of which falls within one month as of crisis situation lifting, shall be considered adhered to if the employer meets their obligation to notify within a month as of the day of crisis situation lifting at the latest. The provisions of the sentences one and two shall only apply when it is not possible to objectively meet the given obligations in the original periods by the performance of the activities by the supplier, one's own employees or in some other appropriate manner, where the employer will be obliged to provide the highest possible level of safety of operating work means, including special technical equipment; the failure to meet the relevant obligations in the original periods, however, must not pose any imminent or serious threat to anyone's life of health.

### **Section 39j**

#### **Transitional provisions for adjustments effective from 1 April 2021**

(1) Valid licenses and certificates issued by a labour inspectorate in accordance with regulations effective until 31 March 2021 are considered to be licenses and certificates issued by an authorized legal entity pursuant to Section 14 par. 1(c) as in force 1 April 2021.

(2) A natural person who has a certificate of professional competence issued by the National Labour Inspectorate before 1 April 2021,<sup>32b)</sup> is obliged to complete refresher training and undergo a medical preventive examination in relation to work by 31 March 2026. The proof of professional competence referred to in the first sentence shall expire no later than 31 March 2026 if the natural person

- a) has not undergone refresher training,
- b) has not undergone a preventive medical examination in relation to work, or
- c) according to the result of the medical preventive examination in relation to work, does not possess medical fitness for the work necessary for the performance of the activity covered by the proof of professional competence.

### **Section 40**

This Act takes over the legal binding acts of the European Union listed in Annex 3.

### **Section 41**

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The following shall be hereby abrogated:

1. Act of the Slovak National Council No. 330/1996 Coll. on occupational health and safety in the wording of Act No. 95/2000 Coll., of Act No. 158/2001 Coll., of Act No. 215/2004 Coll., and of Act No. 479/2005 Coll.
2. Decree of the Slovak Occupational Safety Authority and the Slovak Mining Authority No. 111/1975 Coll. on recording and registering occupational accidents on reporting operation-related accidents and breakdowns of technical equipment in the wording of Decree of the Slovak Occupational Safety Authority and the Slovak Mining Authority No. 483/1990 Coll.
3. Decree of the Slovak Occupational Safety Authority No. 66/1989 Coll. on the safety of the technical equipment used in nuclear power plant engineering in the wording of Decree No. 31/1991 Coll.
4. Decree of the Ministry of Health of the Slovak Republic No. 504/2006 Coll. on the method of reporting, registering and recording occupational diseases and on threats of such occupational diseases in the wording of Decree of the Ministry of Health of the Slovak Republic No. 501/2011 Coll.
5. Decree of the Ministry of Health of the Slovak Republic No. 292/2008 Coll. on details of the scope and content of occupational health service performance and of the team comprising professionals who practice and of the requirements concerning their professional competence in the wording of Decree of the Ministry of Health of the Slovak Republic No. 135/2010 Coll.

## **Article II**

Act No. 455/1991 Coll. on trade licensing (Trade Licensing Act) in the wording of Act No. 231/1992 Coll., of Act No. 600/1992 Coll., of Act of the Slovak National Council No. 132/1994 Coll., of Act of the Slovak National Council No. 200/1995 Coll., of Act of the Slovak National Council No. 216/1995 Coll., of Act of the Slovak National Council No. 233/1995 Coll., of Act of the Slovak National Council No. 123/1996 Coll., of Act of the Slovak National Council No. 164/1996 Coll., of Act of the Slovak National Council No. 222/1996 Coll., of Act of the Slovak National Council No. 289/1996 Coll., of Act of the Slovak National Council No. 290/1996 Coll., of Act No. 288/1997 Coll., of Act No. 379/1997 Coll., of Act No. 70/1998 Coll., of Act No. 76/1998 Coll., of Act No. 126/1998 Coll., of Act No. 129/1998 Coll., of Act No. 140/1998 Coll., of Act No. 143/1998 Coll., of Act No. 144/1998 Coll., of Act No. 161/1998 Coll., of Act No. 178/1998

Coll., of Act No. 179/1998 Coll., of Act No. 194/1998 Coll., of Act No. 263/1999 Coll., of Act No. 264/1999 Coll., of Act No. 119/2000 Coll., of Act No. 142/2000 Coll., of Act No. 236/2000 Coll., of Act No. 238/2000 Coll., of Act No. 268/2000 Coll., of Act No. 338/2000 Coll., of Act No. 223/2001 Coll., of Act No. 279/2001 Coll., of Act No. 488/2001 Coll., of Act No. 554/2001 Coll., of Act No. 261/2002 Coll., of Act No. 284/2002 Coll., of Act No. 506/2002 Coll., of Act No. 190/2003 Coll., of Act No. 219/2003 Coll., of Act No. 245/2003 Coll., of Act No. 423/2003 Coll., of Act No. 515/2003 Coll., of Act No. 586/2003 Coll., of Act No. 602/2003 Coll., of Act No. 347/2004 Coll., of Act No. 350/2004 Coll., of Act No. 365/2004 Coll., of Act No. 420/2004 Coll., of Act No. 533/2004 Coll., of Act No. 544/2004 Coll., of Act No. 578/2004 Coll., of Act No. 624/2004 Coll., of Act No. 650/2004 Coll., of Act No. 656/2004 Coll., of Act No. 725/2004 Coll., of Act No. 8/2005 Coll., of Act No. 93/2005 Coll., of Act No. 331/2005 Coll., of Act No. 340/2005 Coll., of Act No. 351/2005 Coll., of Act No. 470/2005 Coll., of Act No. 473/2005 Coll., of Act No. 491/2005 Coll., of Act No. 555/2005 Coll., of Act No. 14/2015 Coll. and Act No. 567/2005 Coll. has been amended and supplemented as follows:

1. At the end of point 1, section 3, paragraph 1, letter d), the following words have been added:

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„and health care professionals providing occupational health services,<sup>2b)</sup>“.

The footnote related to reference 2b reads as follows:

„2b) Act No. 124/2006 Coll. on occupational health and safety and on amendments and supplements to certain acts.“.

2. In section 3, paragraph 2, letter zu) has been added that reads as follows: „zu)) verifying the fulfilment of the technical equipment safety requirements.<sup>2b)</sup>“.
3. In Annex No. 2 – REGULATED TRADES in GROUP 202 – Production of machines and equipment of general character and for certain economic sectors, Trade licence No. 2 reads as follows:

“2. Repairs, professional inspections and professional tests of special technical equipment	1. Authorising document	Sec. 15, par. 1 of Act No. 124/2006 Coll. on occupational health and safety and on amendments and supplements to certain acts
	2. Document on Professional competence	Sec. 15, par. 9 of Act No. 124/2006 Coll. on occupational health and safety and on amendments and supplements to certain acts

4. In Annex No. 2 – REGULATED TRADES in GROUP 202 – Production of machines and equipment of general character and for certain economic sectors, Trade licence No. 5 reads as follows:

“5. Designing and constructing special electric technical equipment	Authorising document	Sec.par. 1 of Decree of the Ministry of Labour, Social Affairs and Family of the Slovak Republic No. 718/2002 Coll. on the provision of occupational health and safety and technical equipment safety"
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5. In Annex No. 2 – REGULATED TRADES in GROUP 202 – Production of machines and equipment of general character and for certain economic sectors, trade licence No. 6 has been omitted.
6. In Annex No. 2 - REGULATED TRADES in GROUP 213 - Building sector, Trade assigned number 18b of the following wording has been added:

“18b. Performing the activities of a safety coordinator	1. University degree in building or architecture or technical secondary education in the building branch of study and minimum three years of experience in the field given	Sec. 22, par. 3 to 3 of Act No. 124/2006 Coll. on occupational health and safety and on amendments and supplements to certain acts section 5, par. 1 of Regulation of the Government of the Slovak Republic No. 510/2001 Coll. on minimum health and
	or	

		safety requirements on the site in the wording of Regulation of the Government of the Slovak Republic No. 282/2004 Coll."
	2. authorised safety engineer's certificate	

7. In Annex No. 2 - REGULATED TRADES in GROUP 214 - Other Trade No. 22 reads as follows:

"22. Consulting, education and training in the field of occupational protection *)	Authorising document	Sec. 5, par. 7 of Act No. 51/1988 Coll. on mining activities, explosives and on state mining administration as amended*) only in the field of supervision of state mining administration"
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8. In Annex No. 2 - REGULATED TRADES in GROUP 214 - Other Trade number 22a that reads as follows has been added after number 22:

'22a.Education and Training in the field of occupational protection	Authorising document	Sec. 27 of Act No. 124/2006 Coll. on occupational health and safety and on amendments and supplements to certain acts"
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9. In Annex No. 2 - REGULATED TRADES in GROUP 214 - Other Trade No. 54 reads as follows:

"54. Safety Technical Service	Authorising document	Sec. 21 of Act No. 124/2006 Coll. on occupational health and safety and on amendments and supplements to certain acts
	Safety technician's certificate	Sec. 23 of Act no. 124/2006 Coll. on occupational health and safety and on amendments and supplements to certain acts
	Authorised safety technician's certificate	Sec. 24 of Act no. 124/2006 Coll. On occupational health and safety and on amendments and supplements to certain acts"

10. In Annex No. 2 - REGULATED TRADES in GROUP 214 - Other Trade, the numbers 54a, 54b and 54c that read as follows have been added after number 54:

"54a. Safety Technician	Safety technician's certificate	Sec. 23 of Act No. 124/2006
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		Coll. on occupational health and safety and on amendments and supplements to certain acts
54b Authorised safety technician	Authorised safety technician's certificate	Sec. 24 of Act No. 124/2006 Coll. on occupational health and safety and on amendments and supplements to certain acts
54c. Occupational health service	Authorising document	Sec. 21 of Act No. 124/2006 Coll. on occupational health and safety and on amendments and supplements to certain acts"

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### Article III

Act of the National Council of the Slovak Republic No. 145/1995 Coll. on administrative fees in the wording of Act of the Slovak National Council No. 23/1996 Coll., of Act of the Slovak National Council 224/1996 Coll., of Act No. 70/1997 Coll., of Act No. 1/1998 Coll., of Act No. 232/1999 Coll., of Act No. 3/2000 Coll., of Act No. 142/2000 Coll., of Act No. 211/2000 Coll., of Act No. 468/2000 Coll., of Act No. 553/2001 Coll., of Act No. 96/2002 Coll., of Act No. 118/2002 Coll., of Act No. 215/2002 Coll., of Act No. 237/2002 Coll., of Act No. 418/2002 Coll., No. 457/2002 Coll., of Act No. 465/2002 Coll., of Act No. 477/2002 Coll., of Act No. 480/2002 Coll., of Act No. 190/2003 Coll., of Act No. 217/2003 Coll., of Act No. 245/2003 Coll., of Act No. 450/2003 Coll., of Act No. 469/2003 Coll., of Act No. 583/2003 Coll., of Act No. 5/2004 Coll., of Act No. 199/2004 Coll., of Act No. 204/2004 Coll., of Act No. 347/2004 Coll., of Act No. 382/2004 Coll., of Act No. 434/2004 Coll., of Act No. 533/2004 Coll., of Act No. 541/2004 Coll., of Act No. 572/2004 Coll., of Act No. 578/2004 Coll., of Act No. 581/2004 Coll., of Act No. 633/2004 Coll., of Act No. 653/2004 Coll., of Act No. 656/2004 Coll., of Act No. 725/2004 Coll., of Act No. 5/2005 Coll., of Act No. 8/2005 Coll., of Act No. 15/2005 Coll., of Act No. 93/2005 Coll., of Act No. 171/2005 Coll., of Act No. 308/2005 Coll., of Act No. 331/2005 Coll., of Act No. 341/2005 Coll., Act No. 342/2005 Coll. and Act No. 473/2005 Coll., Act No. 491/2005 Coll., Act No. 538/2005 Coll., of Act No. 558/2005 Coll., of Act No. 572/2005 Coll., of Act No. 573/2005 Coll., of Act No. 610/2005 Coll., of Act No. 14/2006 Coll., of Act No. 15/2006 Coll., of Act No. 24/2006 Coll. has been amended and supplemented as follows:

1. In the annex to Act No. 145/1995 Coll., part XIII Occupational safety and technical equipment, item 202 reads as follows:

“Item 202 reads as follows:

- |   |           |
|---|-----------|
| a) Issuing a document authorising the legal person to provide safety technical service <sup>42)</sup>   | SKK 5,000 |
| b) Issuing a document authorising the natural person, who is not an entrepreneur to provide safety technical service <sup>42)</sup>   | SKK 2,500 |
| c) Issuing a document authorising the legal person to educate and train in the field of occupational protection <sup>42)</sup>  | SKK 5,000 |
| d) Issuing a document authorising the natural person to educate and train in the field of occupational protection <sup>42)</sup><br>- employer and entrepreneur                               | SKK 2,500 |
| e) Issuing an authorised safety engineer's certificate <sup>42)</sup>   | SKK 1,000 |
| f) Issuing a permit for the employer allowing to have light work activities performed by the natural persons, who are younger than 15 years of age pursuant to the Labour Code <sup>42)</sup> | SKK 500   |

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2. In the footnote to reference 42 the wording 'section 4, par. 1, letter i) and section 6, letter d) of Act No. 95/2000 Coll. on labour inspection and on amendments and supplements to certain acts' has been replaced by "Act No. 125/2006 Coll. on labour inspection and on amendments and supplements to Act. No. 82/2005 Coll. on illegal work and illegal employment and on amendments and supplements to certain acts".

#### **Article IV**

Act No. 311/2001 Coll. Labour Code in the wording of Act No. 165/2002 Coll., of Act No. 408/2002 Coll., of Act No. 413/2002 Coll., of Act No. 210/2003 Coll., of Act No. 461/2003 Coll., of Act No. 5/2004 Coll., of Act No. 365/2004 Coll., of Act No. 82/2005 Coll., of Act No. 131/2005 Coll., of Act No. 244/2005 Coll. and of Act No. 570/2005 Coll. has been amended and supplemented as follows:

1. In section 11, par. 4, the word 'only' has been added after the term 'worked hours'.
2. In Sec. 11, par. 5 reads as follows:

"(5) The natural person of less than 15 years of age will be given the consent of the relevant labour inspectorate to perform light work activities upon agreement with the relevant state administration body acting in the field of public health care. The permit shall determine the number of hours and conditions for light work performance. In the case of failure to observe the permit conditions, the relevant labour inspectorate shall withdraw the permit."

3. In section 39, par. 2, the words 'upon agreement with the relevant body of labour inspection, relevant health body and employee representatives' have been omitted.
4. In Sec. 41, par. 2 reads as follows:

"(2) Should a special legal regulation require physical capacity to work, mental capacity to work or any other precondition, the employer may only conclude an employment agreement with the natural person physically or mentally fit for the work or with the natural person meeting some other precondition.'.

5. In section 75, paragraph 2 has had letter f) that reads as follows added:

"f) data on provision of the discharge benefit pursuant to section 76, par. 6."

6. In Sec. 76, par. 6 is as follows:

On the first termination of employment relationship after becoming entitled to an old age pension or an invalidity pension where the reduction in the ability to perform earning activity is greater than 70%, an employee shall be entitled to discharge benefit equal to at least the amount of their monthly earnings pursuant to section 134, if they apply for one of the above pensions before the termination of employment relationship or within ten working days of the termination thereof.

7. The wording of section 150 applicable hitherto has been named as paragraph 1 a and has been supplemented with paragraph 2 that reads as follows:

The employees who have suffered damages in consequence of a breach of the obligations resulting from labour-law relations may lodge a complaint at the competent labour inspection body."



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8. The wording of section 254 applicable hitherto has been named as paragraph 1 a and has been supplemented with paragraph 2 that reads as follows:

“(2) All the forms of the words „health bodies“ have been replaced by relevant forms of the words ‘state administration authorities acting in the field of public health care’ and all the forms of the words ‘employee with different capacity to work’ have been replaced by relevant forms of the words ‘disabled employee’ in the entire text.”.

#### **Article V**

#### **Entry into force**

This act enters into force on 1st July 2006.

**Ivan Gašparovič undersigned**  
**Pavol Hrušovský undersigned**  
**Mikuláš Dzurinda undersigned**

# LIST of Activities Showing Increased Risks Potentially Exposing Employees to Serious Damage to their Health or Connected with Frequent Damage to their Health

Activities showing increased risks that potentially expose the employees performing their working duties to serious damage to health or characterised by the frequent appearance of health damage have been categorised, on the basis of the following classification of economic activities, under this Act:

Code pursuant to the statistical classification of economic activities		Name
Division	Group	
01		Cultivation of crops and animal husbandry, hunting and related services
02		Forestry and timber exploitation
05		Mining of coal and lignite
06		Mining of oil and natural gas
07		Mining of metal ores
08		Other mining and extraction
09		Auxiliary mining activities
10		Food production
11		Production of beverages
12		Production of tobacco products
15		Production of paper and paper products
16		Processing and production of wood and cork products except furniture; production of products from straw and wickerwork
17		Production of paper and paper products
	18.1	Print and print-related services
19		Production of coke and refined mineral oil products
20		Production of chemicals and chemical products
21		Production of basic pharmaceutical products and pharmaceutical preparations
22		Production of rubber and plastic products
23		Production of other non-metallic mineral products
24		Production and processing of metals
25		Production of metal constructions except machines and
26		Production of computer, electronic and optical products
27		Production of electrical equipment
28		Production of machines and equipment classified
29		Production of motor vehicles, semi-trailers and trailers
30		Production of other means of transport

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<b>31</b>		Furniture manufacturing
<b>32</b>		Other production
<b>35</b>		Supply of electric power, gas, steam and cold air
<b>36</b>		Water collection, treatment and supply
<b>41</b>		Construction of buildings
<b>42</b>		Engineering constructions
<b>43</b>		Specialised construction work
<b>49</b>		Ground transport and pipeline transport
<b>50</b>		Water transport
<b>52</b>		Storage and auxiliary activities in transportation
<b>53</b>		Postal services and courier services
<b>75</b>		Veterinary activities
<b>86</b>		Healthcare
<b>87</b>		Care in residential facilities (residential care)
<b>88</b>		Social work, accommodation excluded

**ACTIVITIES THAT THE NATURAL PERSON MAY ONLY PERFORM ON THE BASIS OF A VALID LICENSE, CERTIFICATE OR AUTHORISING DOCUMENT PURSUANT TO section 16, par 1, letter b)**

The natural person may perform the following activities only on the basis of a valid license, certificate or authorising document pursuant to section 16, par. 1, letter b):

- a) technical inspector of special pressurised technical equipment,
- b) person operating the boilers of classes I to V,
- c) person repairing the boilers of classes I to V and the pipelines supplying hazardous liquids with the highest permissible pressure exceeding 1 MPa,
- d) technical inspector or special lifting technical equipment,
- e) person operating mobile cranes of boom type and tower cranes of boom type,
- f) person operating mobile work platforms reaching the lift height of over 1,5 m, standing on a motor-driven chassis and designed to be used on roads,
- g) person repairing man lifts and combined load and man lifts,
- h) rigger,
- i) technical inspector or special gaseous technical equipment,
- j) person operating special gas technical equipment of a high degree of threat (group A) and working with hazardous gases, except for the equipment designed to supply gas from stable metal pressurised vessels, or metal pressurised vessels designed to transport gases (pressurised stations) and equipment designed to distribute gases,
- k) person repairing special gas technical equipment of a high degree of threat (group A) and working with hazardous gases,
- l) electro-technician, independent electro-technician and electro-technician managing activities or operation of special electric technical equipment,
- m) technical inspector or special electric technical equipment,
- n) person repairing power trucks,
- o) person working at the height of 1.5 m and more above the surface level and using special climbing and speleological equipment,
- p) personnel erecting and dismantling scaffolding (scaffolders),
- q) person operating listed agricultural machinery and equipment, namely:
  - 1. machines and equipment designed for civil works (dozer, excavator and grab, loading and unloading machine, cutter and slotting machine, scraper, pipe laying machine, compacter),
  - 2. machines and equipment designed for the preparation, processing and transport of concrete mixtures (concrete mixers),
  - 3. special motor-driven snow machine, compressor,
- r) operators of selected agricultural machinery and equipment, namely:
  - 1. self-propelled cutters,
  - 2. combines,
  - 3. special harvesters,

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- s) operators of listed forest machinery and equipment, namely:
1. withdrawing devices,
  2. general- and special-purpose tractors used for wood collection,
  3. wheeled and tracked skidders for wood and wood materials,
  4. stable cable installations used in forestry,
  5. single- and multi-purpose equipment designed for timber felling, lopping, shortening and removing bark from trees and wood materials,
- t) person operating a manual power chain saw for the purpose of timber felling and a manual power chain used for other activities.

**Minimum number of safety technicians or authorised safety technicians based on the number of employees**

- A. The minimum number of authorized safety technicians or safety technicians at an employer the code of which according to the statistical classification of economic activities at the division or group level is given in Annex no. 1

<b>Number of employees</b>	<b>Number of authorised safety technicians or safety technicians</b>
Up to 400 employees	Minimum one authorised safety technician
From 401 to 800 employees	Minimum two authorised safety technicians
From 801 to 1,200 employees	Not less than three authorised safety technicians or not less than two authorised safety technicians and one safety technician
Over 1,200 employees	Not less than three authorised safety technicians or not less than two authorised safety technicians and one safety technician and for each employee in excess of one thousand employees, not less than one additional authorised safety technician or safety technician so that at least two thirds of the overall number of authorised safety technicians and safety technicians are authorised safety technicians

- B. The minimum number of safety technicians at an employer the code of which according to the statistical classification of economic activities at the division or group level is not given in Annex no. 1

<b>Number of employees</b>	<b>Number of safety technicians</b>
Up to 600 employees	Minimum one safety technician
From 601 to 1,200 employees	Minimum two safety technicians
From 1,201 to 15,000 employees	No less than two safety technicians and for each employee in excess of 1,000 employees, not less than one additional safety technician
Over 15,000 employees	Not less than 12 safety technicians and for each employee in the excess of 1,500 employees not less than one additional safety technician

## **TYPES OF DOCUMENTS AUTHORISING TO EDUCATE AND TRAIN IN THE FIELD OF OCCUPATIONAL PROTECTION**

The documents authorising to educate and train shall be issued by the relevant inspection body and the relevant supervisory body pursuant to section 27, par. 3 in the following scope:

Group 01 Occupational health and safety and stipulated work conditions

The activities within this group comprise the education and training

- 1.1 of employees and managers
- 1.2 safety technicians
- 1.3 employers, who will perform the duties of safety technicians and authorised safety technicians in person

group 02 Occupational health and safety for working with special pressurised technical equipment

The activities within this group comprise the education and training of:

- 2.1 technical inspectors
- 2.2 operators
- 2.3 repair personnel

group 03 Occupational health and safety for working with special lifting technical equipment

The activities within this group comprise the education and training of:

- 3.1 technical inspectors
- 3.2 operators
- 3.3 repair personnel
- 3.4 riggers

group 04 Occupational health and safety for working with special gas technical equipment

The activities within this group comprise the education and training of:

- 4.1 technical inspectors
- 4.2 operators
- 4.3 repair personnel

group 05 Occupational health and safety for working with special electrical technical equipment

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The activities within this group comprise the education and training of:

- 5.1 electro-technicians, independent electro-technicians and electro-technicians managing activities and operation
- 5.2 technical inspectors

group 06 Occupational health and safety for operating power trucks

The activities within this group comprise the education and training of:

- 6.1 power truck operators
- group 07 Occupational health and safety and for working at heights The activities within this group comprise the education and training of:
- 7.1 persons working at heights and using special climbing and speleological equipment
  - 7.2 persons erecting and dismantling scaffolding (scaffolders)
- group 08 Occupational health and safety when working with building machinery and equipment The activities within this group include the education and training of:
- 8.1 operators of special building machines and equipment

group 09 Occupational health and safety for working with agricultural machines and equipment

The activities within this group comprise the education and training of:

- 9.1 operators of listed agricultural machines and equipment
- group 10 Occupational health and safety for working with forest machines and equipment The activities within this group comprise the education and training of:
- 10.1 operators of listed forestry machines and equipment
  - 10.2 hand-held chain saws used for timber felling
  - 10.3 hand-held chain saw used for other activity performance.



# **PROFESSIONAL COMPETENCE AND EXPERIENCE AS PRECONDITIONS FOR THE ISSUANCE OF THE DOCUMENT AUTHORISING TO EDUCATE AND TRAIN**

The following groups meet the precondition of professional competence of the applicant concerning the issuance of a document authorising to educate and train pursuant to Sec. 27, par. 4, letter a), and of the professional representative and lecturer in connection with individual educational and training activities pursuant to Annex No. 2;

Group pursuant to Annex No. 2	Person applying for the issuance of a document authorising to educate and train	Professional representative	Lecturer		
			General Requirements	Special requirements	
				for the theoretical part	for the practical part
<b>01</b>	Authorised safety technician	Authorised safety technician	- Authorised safety technician Person holding a relevant authorising document - Other professionally competent person	- Authorised safety technician Person holding a relevant authorising document Other professionally competent person	
<b>02</b>	- Relevant technical inspector Person holding a relevant authorising document	Relevant technical inspector	- Authorised safety technician - Relevant technical inspector Person holding a relevant authorising document - Other	Relevant technical inspector Person holding a relevant authorising document Other professionally competent person	
<b>03</b>					
<b>04</b>					
<b>05</b>					
<b>06</b>	Person holding a relevant authorising document	Authorised safety technician	- Authorised safety technician Person holding a relevant authorising document - Other professionally competent person	- Authorised safety technician Person holding a relevant authorising document - Other professionally competent person	Person holding a relevant authorising document

<b>07</b>	Person holding a relevant authorising document	Authorised safety technician - construction sector	- authorised safety technician - construction sector - Person holding a relevant authorising document - Other professionally competent person	- authorised safety technician - construction sector - Person holding a relevant authorising document - Other professionally competent person	
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			Person holding		
<b>08</b>	Person holding a relevant authorising document	Authorised safety technician - construction sector		- authorised safety technician - construction sector - Person holding a relevant authorising document - Other professionally competent person	- Person holding a relevant authorising document - Other professionally competent person
<b>09</b>	Person holding a relevant authorising document	Authorised safety technician - agricultural sector	- authorised safety technician - agricultural sector - Person holding a relevant authorising document - Other professionally competent person	- authorised safety technician - agricultural sector - Person holding a relevant authorising document - Other professionally competent person	
<b>10</b>	Person holding a relevant authorising document	Authorised safety technician - forestry	- authorised safety technician - forestry - Person holding a relevant authorising document - Other professionally competent person	- authorised safety technician - forestry - Person holding a relevant authorising document - Other professionally competent person	

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In order to fulfil the condition of professional competence and experience by those applying for the document authorising to educate and train pursuant to section 27, par. 4, letter a) and of the professional representatives and lecturers,

- a) the natural person professionally competent to perform the activities for which they need the document authorising to educate and train to be issued and having professional experience of minimum three years in the field given in the preceding seven year period shall be understood under the term 'the person holding the relevant authorising document',
- b) the technical inspector of special technical equipment having an adequate scope of certification and at least three-year professional experience of the technical inspector gained in the preceding seven-year period shall be understood under the term 'relevant technical inspector',
- c) the authorised safety technician having minimum three-year professional experience of the authorised safety technician gained in the preceding seven-year period shall be understood under the term 'authorised safety technician',
- d) the authorised safety technician in the field of construction having minimum three-year professional experience of the authorised safety technician in the sector given gained in the preceding seven-year period shall be understood under the term 'authorised safety technician in the field of construction',
- e) the authorised safety technician in the field of farming having minimum three-year professional experience of the authorised safety technician in the sector given gained in the preceding seven-year period shall be understood under the term 'authorised safety technician in the field of farming',
- f) the authorised safety technician in the field of forestry having minimum three-year professional experience of the authorised safety technician in the sector given gained in the preceding seven-year period shall be understood under the term 'authorised safety technician in the field of forestry',
- g) The natural person the professional competence and experience of minimum three years of whose gained in the preceding seven-year period is in accordance with the professional specialisation of the relevant topic of general requirements and special requirements concerning education and training shall be understood under the term 'other professionally competent person'.

### **The list of transposed legally binding acts of the European Union**

1. Council Directive 89/391 / EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (Official Journal of the European Union, Chapter 5 1; Ú. v. ES L 183, 29th June 1989).
2. Directive 2006/123 / EC of the European Parliament and of the Council of 12 December 2006 on temporary agency work (OJ L 376, 27th December 2006).
  - 1) Sec. 2, par. 2 of the Commercial Code.
    - 1a) Act no. 378/2015 Coll. on voluntary military service and on amendments and supplements to certain acts.
    - 1b), section 13, par. 5, letter a) and section 14d) of Act No. 570/2005 Coll. on compulsory military service and on and supplements to certain acts in the wording of Act No. 378/2015 Coll.
  - 2) Sec. 2, par. 1, letters c) and e) and section 15 of Act No. 570/2005 Coll. as amended.
  - 3) Section 12 of Act no. 321/2002 Coll. on the Armed Forces of the Slovak Republic
    - 3a), sections 77a) and 77b) of Act of the Slovak National Council No. 171/1993 Coll. in the wording of Act No. 490/2001 Coll.Sec. 2, par. 1 to 4 of Act of the Slovak National Council No. 46/1993 Coll. on the Slovak Intelligence Service as amended.
  - 4) Labour Code.
    - Act No. 552/2003 Coll. on the performance of work in the public interest as amended,
  - 5) For example, Act No. 73/1998 on the state service of Police Force members, Slovak Intelligence Service members, the Prison and Judicial Guard members of the Slovak Republic and Railway Police members as amended, Act No. 200/1998 Coll. on the state service of customs officers and on amendments and supplements to certain acts as amended, Act No. 312/2001 Coll. on state service and on amendments and supplements to certain acts as amended, Act No. 315/2001 Coll. on the Fire and Rescue Corps as amended, Act No. 346/2005 Coll. on the state service of professional soldiers of the Armed Forces of the Slovak Republic and on amendments and supplements to certain acts.
  - 6) Sec. 146 par. 2 of the Labour Code.
    - 6a), sections 30a and 30d of Act No. 355/2007 Coll. in the wording of Act no. 204/2014 Coll.
    - 6aa), section 5a, par. 3 of Act No. 355/2007 Coll. on the protection, support and development of public health and on amendments and supplements to certain acts in the wording of Act No. 140/2008 Coll.
  - 7) For example the Labour Code, Act No. 121/2004 Coll. on working time and rest periods in transport and on amendments and supplements to certain acts.
  - 8) Regulation of the Government of the Slovak Republic No. 395/2006 Coll. on minimum requirements concerning the provision and use of personal protective equipment.
  - 9) For example, Act No. 377/2004 Coll. on the protection of non-smokers and on amendments and supplements to certain acts, Regulation of the Government of the Slovak Republic No. 393/2006 Coll. on minimum requirements concerning occupational health and safety in explosive environments.

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9a) section 58 of the Labour Code.

10) Section 39 of the Labour Code. 10a), section 11a of the Labour Code.

11) Act No. 125/2006 Coll. on labour inspection and on amendments and supplements to Act. No. 82/2005 Coll. on illegal work and illegal employment and on amendment of certain acts.

12) Act of the Slovak National Council No. 51/1988 Coll. on mining activities, explosives and on state mining administration as amended.

Act No. 73/1998 Coll. as amended. Act No. 200/1998 Coll. as amended.

12a) section 20, 21 and 26 of Act No. 355/2007 Coll.

13) Act No. 283/2002 Coll. on travel reimbursements as amended,

14) For example, Act of the Slovak National Council No. 51/1988 Coll. as amended, Act No. 125/2006 Coll.

15) For example, Act No. 264/1999 Coll. on the technical requirements on products, conformity assessment and on amendments and supplements to certain acts, Regulation of the Government of the Slovak Republic No. 571/2001 Coll. establishing the particulars of technical requirements and conformity assessment procedures relating to lifts in the wording of Regulation of the Government of the Slovak Republic No. 327/2003 Coll. and Regulation of the Government of the Slovak Republic No. 310/2004 Coll. establishing the particulars of technical requirements and conformity assessment procedures relating to machinery.

16) For example, Regulation of the Government of the Slovak Republic No. 391/2006 Coll. on the minimum health and safety requirements concerning workplaces, Regulation of the Government of the Slovak Republic No. 392/2006 Coll. on the minimum health and safety requirements concerning the use of working equipment, Regulation of the Government of the Slovak Republic No. 396/2006 Coll. on the minimum health and safety requirements concerning construction sites.

17) Regulation of the Government of the Slovak Republic No. 387/2006 Coll. on the requirements concerning health and safety signs at work.

18) Act of the Slovak National Council No. 51/1988 Coll. as amended.

Section 49 of Act No. 143/1998 Coll. on civil aviation (Civil Aviation Act) and on amendments and supplements to certain acts as amended.

Section 39 of Act No. 338/2000 Coll. on inland navigations and on amendments and supplements to certain acts as amended.

Sec. 3 and 5 of Act No. 435/2000 Coll. on maritime navigation.

Sec. 6, par. 3, letter i) of Act No. 321/2002 Coll.

Act No. 513/2009 Coll. on railroads and on amendments and supplements to certain acts as amended.

19) Act No. 264/1999 Coll. as amended.

19a) Section 1, letter a) 1 of Act No. 576/2004 Z. z. on healthcare and healthcare-related services and on amendments and supplements to certain acts.

19b) Section 1 to 4 of Act No. 8/2009 coll. on road traffic and on amendments and supplements to certain acts.

20) For example, Labour Code, Act No. 73/1998 Z. z. as amended, Act No. 200/1998 Coll. as amended.

21) Act no. 128/2015 Z. z. on the prevention of major industrial accidents and on amendments and supplements to certain acts.

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- 22) Act of the Slovak National Council No. 171/1993 Coll. as amended.
- 23) Act No. 461/2003 Coll. on social insurance as amended.
- 23a) Section 4 of Act No. 578/2004 Coll. on healthcare providers, healthcare professionals, professional healthcare organizations and on amendments and supplements to certain acts as amended.
- 24) Act no. 95/2002 Coll. on insurance and on amendments and supplements to certain acts as amended.
- 25) For example, Act No. 50/1976 Coll. on zoning and on the rules of construction (Building Act), as amended; Regulation of the Government of the Slovak Republic No. 396/2006 Coll.
- 26) Par. 17 of the Commercial Code.  
Act No. 215/2004 Coll. on protection of classified information and on amendments and supplements to certain acts.
- 27a) Section 5, par. 3, letter e) of Act of the Slovak National Council No. 51/1988 Coll. in the wording of Act No. 58/2014 Coll.
- 29) Act of the Slovak National Council No. 51/1988 Coll. as amended.
- 30) Act No. 568/2009 Coll. on lifelong learning and on amendments and supplements to certain acts as amended.
- 31) Section 19, par. 2 of Act No. 540/2001 Coll. on state statistics
- 32) Act No. 92/1991 Coll. on the conditions of transfer of state property to other persons, as amended.
- 32a) Sec. 3 to 8 and Sec. 10 to 16 of Act No. 136/2010 Coll. on the services in the internal market and on amendments and supplements to certain acts-
- 33) Decree of the Statistical Office of the Slovak Republic No. 306/2007 Coll., through which the Statistical Classification of Economic Activities is issued.  
Decree of the Statistical Office of the Slovak Republic No. 552/2002 Coll., through which the Statistical Sectoral Classification of Economic Activities is issued.