

# THE ACT ON SLOVAK TELEVISION

## *Text*

The National Council of the Slovak Republic has adopted the following act:  
*on the status of Slovak Television*

### Section 1

#### **Subject matter of the act**

This act governs the status, mission, role and activity of Slovak Television, its bodies, and the economic management and financing of Slovak Television.

### Section 2

#### **The status of Slovak Television**

(1) Slovak Television is a public, national, independent institution providing public television broadcasting services in the fields of information, culture and education.

(2) Slovak Television is a legal entity registered in the commercial register.

### Section 3

#### **The mission of Slovak Television**

(1) Slovak television is a broadcaster<sup>1</sup> whose mission is to provide public television broadcasting services.

(2) Under this act, public services in the area of television broadcasting shall mean the delivery of programming<sup>2</sup> that is universal in terms of its geographical coverage, diversity of programmes, prepared according to principles of editorial independence by qualified workers and with a sense of social responsibility, and which raises the cultural level of viewers, gives space to contemporary cultural and artistic activities, communicates the cultural values of other nations and is financed mainly from public funds.

(3) The programming<sup>2</sup> delivered by Slovak Television shall comprise current affairs, documentary, drama, arts, music, sports, entertainment and educational programmes, programmes for children and young people in a range of genres and other programmes that

- a) are based on principles of democracy and humanism and contribute to the legal awareness, ethical awareness and environmental responsibility of the population of the Slovak Republic,
- b) provide impartial, verified, undistorted, up-to-date, comprehensible information on happenings in the Slovak Republic and abroad with overall balance of a variety of views permitting freedom in the formation of opinions,
- c) develop the cultural identity of the population of the Slovak Republic regardless of their sex, race, skin colour, language, age, faith and religion, political or other opinions, national or social origin, nationality or ethnic group, property, gender or other status by reflecting a diversity of opinions and political, religious, philosophical or artistic directions.
- d) create conditions for social agreement in public affairs in order to strengthen mutual understanding, tolerance and support for solidarity in a diverse society.

### Section 4

#### **The roles of Slovak Television**

(1) Slovak Television carries out its activities in its own name, for its own account and on its own responsibility and cannot transfer its rights and obligations as a broadcaster of television programmes<sup>1</sup> by contract or any other legal instrument to any other legal entity or natural person.

(2) Slovak Television shall protect and respect the independence of its programme-making workers and co-workers in accordance with the Statute for programme-making workers and co-workers of Slovak Television [Point d) of Section 8 (1)].

---

<sup>1</sup> Act No. 308/2000 Coll. on Broadcasting and Retransmission and on amendments of Act No. 195/2000 Coll. on Telecommunications as amended

<sup>2</sup> Section 3 of Act no. 308/2000 Coll.

(3) Slovak Television shall share archive material in the area of television broadcasting produced before 1 July 1991 with other legal entities for broadcasting or the creation of new works. The conditions for the lending of archive material shall be approved by the Council of Slovak Television at the proposal of the Director General.

## Section 5 The activities of Slovak Television

- (1) The main activity of Slovak Television is
- a) to broadcast<sup>2</sup> television programmes on two national terrestrial channels,<sup>3</sup>
  - b) providing for the creation, production and purchase of programmes and their distribution,
  - c) broadcasting a majority of public interest programming,<sup>4</sup>
  - d) broadcasting teletext,
  - e) providing for regional broadcasting through television studios; the content of the regional broadcasting of every television studio must be balanced in its coverage of the territory for which the studio is responsible,
  - f) broadcasting programmes in the language of national minorities and ethnic groups living on the territory of the Slovak Republic that are balanced in their content and regional coverage; Slovak Television shall establish independent organisational units to provide for the production and broadcasting of programmes for national minorities and ethnic groups,
  - g) taking into consideration the needs of the hard of hearing and other social minorities in its broadcasting,<sup>5</sup>
  - h) providing space for the activities of registered churches and religious societies<sup>6</sup> in broadcasting,
  - i) live broadcasting and recording of selected socially significant events in the areas of politics, culture, religion, the arts and sport,
  - j) providing broadcasting time for the broadcasting of political advertising in accordance with special regulations,<sup>7</sup>
  - k) providing necessary broadcasting time to the state authorities for instructions in crisis situations and for other important public announcements,<sup>8</sup>
  - l) maintaining the Slovak Television archive,<sup>9</sup>
  - m) providing for the protection of works and artistic performances in accordance with special regulations,<sup>10</sup>
  - n) taking part in the activities of international broadcasting organisations.

(2) Slovak Television broadcasts advertising and sponsorship of programmes in accordance with special regulations.<sup>11</sup>

(3) Slovak Television shall store materials in the area of television broadcasting of which it is the author in the Slovak Television archive, protect them, make them accessible and grant access to

---

<sup>3</sup> Section 69 of Act no. 308/2000 Coll.

<sup>4</sup> Point h) of Section 3 and Point d) of Section 18 (2) of Act no. 308/2000 Coll.

<sup>5</sup> E.g. Point b) of Section 18 (2) of Act no. 308/2000 Coll. And Point c) of Section 4 of Act no. 149/1995 Coll. on sign language for deaf persons.

<sup>6</sup> Agreement between the Slovak Republic and Registered Churches and Religious Communities published in the Collection of Laws of the Slovak Republic under no. 250/2002 Coll.

<sup>7</sup> E.g. Section 32 (11) of Act no. 308/2000 Coll., Act of the Slovak National Council no. 80/1990 Coll. on elections to the Slovak National Council, as amended, Act of the Slovak National Council no. 346/1990 Coll. on Municipal Elections, as amended, Act of the Slovak National Council no. 564/1992 Coll. on the Method of Holding a Referendum as amended, Act no. 46/1999 Coll. on Way of Election of the President of the Slovak Republic and Plebiscite on His/Her Dismissal, Act no. 302/2001 Coll. on the Self-Government of Higher Territorial Units (Self-Governing Regions Act), as amended, Act no. 445/2001 Coll. And Act no. 331/2003 Coll. on Elections to the European Parliament, as amended.

<sup>8</sup> E.g. Section 3 of Act no. 319/2002 Coll. on the defence of the Slovak Republic, Section 16 (5) Act of the Slovak National Council no. 42/1994 Coll. on civil protection of inhabitants, as amended, Section 4 of Act no. 414/2002 Coll. on economic mobilisation and on amendment of Act of the National Council of the Slovak Republic no. 274/1993 Coll. on jurisdiction of authorities in consumer protection, as amended, Section 5 of Act no. 170/2001 Coll. on the compulsory stocks of oil and oil products and oil crisis management.

<sup>9</sup> Act no. 395/2002 Coll. on Archives and Registries and Supplements to Certain Acts.

<sup>10</sup> Act no. 618/2003 Coll. on copyright and rights connected with copyright (Copyright Act).

<sup>11</sup> Sections 32 to 39 of Act no. 308/2000 Coll. as amended by Act no. 147/2001 Coll.

them. Slovak Television shall provide copies of archived documents relating to television broadcasting for a fee.

## Section 6

### **The business activities of Slovak Television**

(1) Slovak Television is authorised to carry on only business activities that relate to its main activity and that do not threaten the performance of its mission in accordance with Section 3 and its main activities in accordance with Section 5. Slovak Television shall use the funds that it obtains through business activity in the performance of its main activities.

(2) Except in the cases specified in Subsection 3, Slovak Television is entitled to share in the establishment of a company or establish a company itself, to acquire a participation interest in a company or become the sole owner or shareholder of a company, if this company's business activities relate to the mission and main activities of Slovak Television and if such an ownership interest helps Slovak Television to carry out its tasks more efficiently.

(3) Slovak Television is not empowered to conclude agreements on silent partnerships<sup>12</sup> or to be a participant in the commercial activity of company or partnership with unlimited liability,<sup>13</sup> nor may it establish such companies.

## *Bodies of Slovak Television*

### Section 7

The bodies of Slovak Television are:

- a) The Council of Slovak Television
- b) The Oversight Commission of Slovak Television,
- c) the General Director.

## *The Council of Slovak Television*

### Section 8

#### **Areas of activity of the Council of Slovak Television**

- (1) The Council of Slovak Television (hereinafter referred to as "the Council")
- a) supervises compliance with this act and the performance of tasks that Slovak Television is required to perform under special regulations,<sup>7</sup>
  - b) elects and dismisses the director general and awards him or her bonuses, though annual bonuses may not exceed his or her annual salary,
  - c) expresses its opinion on the appointment of at most two statutory deputies of the director general,
  - d) approves the statute of Slovak Television, the statute of the Oversight Commission of Slovak Television (hereinafter referred to as "the oversight commission"), the organisational regulation of Slovak Television, the Statute for programme-making workers and co-workers of Slovak Television in accordance with Section 4 (2) and the conditions for providing archive documents in accordance with Section 4 (3),
  - e) approves long term plans and concepts for the development of programming in Slovak Television submitted by the director general in accordance with points a) and b) of Section 17 (3), discusses and approves the draft budget of Slovak Television, the financial statements and proposals for the use of the reserve fund after studying the opinion of the oversight commission.
  - f) discusses the annual report on the activities of Slovak Television presented by the director general after studying the opinion of the oversight commission,
  - g) approves the business objectives in accordance with Section 6 (2) and proposals for sharing resources in partnerships in accordance with Section 20 (8) after studying the opinion of the oversight commission,
  - h) approves, after studying the opinion of the oversight commission, proposals of the director general for making use of advertising time on Slovak Television<sup>11</sup> as a whole in cooperation with an exter-

---

<sup>12</sup> Sections 673 and 681 of the Commercial Code.

<sup>13</sup> E.g. Section 86 of the Commercial Code.

nal company and also the procedure that the director general proposes for the selection of such a company,

- i) approves, after studying the opinion of the oversight commission, proposals of the director general to transfer ownership of non-essential real estate or moveable assets whose acquisition price was greater than SKK 500 000 and whose net book value in the accounts under special regulations<sup>14</sup> is greater than SKK 300 000, the rental of real estate for a period longer than one year or for an indefinite period and the creation of a security interest or the transfer of security rights<sup>15</sup> over real estate as security for an obligation,
- j) instructs the oversight commission to carry out an inspection of the economic management of Slovak Television or the disposal of its property,
- k) adopts resolutions on the findings, proposals and opinions of the oversight commission,
- l) discusses complaints and other proposals on the activity of Slovak Television and its bodies in relation to this act that are addressed to the council,
- m) decides on appeals against decisions of the director general in accordance with the applicable act.<sup>16</sup>

(2) The council must submit a report on its activities, the activities of the oversight commission and the annual report on the activities of Slovak Television in the previous calendar year to the National Council of the Slovak Republic (hereinafter referred to as "the National Council") every year by 30 April.

(3) The council cooperates with the Council for Broadcasting and Retransmission<sup>1</sup> in issues relating to the performance of the duties of Slovak Television under special regulations.<sup>1</sup>

#### Section 9

##### **Composition of the council**

(1) The council has 15 members.

(2) The fifteen members of the council are elected by the National Council from candidates for membership of the council who are proposed to it by the relevant committee of the National Council; candidates for membership of the council are proposed to the relevant committee of the National Council by members of parliament or the legal entities specified in special regulations<sup>17</sup> who are active in the fields of audiovisual media, mass information media, culture, science, education, the development and protection of spiritual values, human rights and the environment, health promotion, who represent or stand for the interests of national minorities or ethnic groups, other minorities, or registered churches and religious societies.<sup>18</sup>

#### Section 10

##### **Membership of the council**

(1) Persons elected or nominated for membership of the council must be citizens of the Slovak Republic, aged 25 years or over with competence to perform legal acts and a clean criminal record.

(2) For the purposes of this act a person has a clean criminal record if a final court ruling has not found them guilty of an intentional criminal offence; this shall be proved by the presentation of an extract from the criminal records no more than three months old.

(3) The function of a member of the council cannot be combined with the function of president of the Slovak Republic, member of the national council, member of the government of the Slovak Republic (hereinafter referred to as "the government"), state secretary, head of a service office of a ministry, chairperson (head) of another central body of the state administration, member of the Council for

---

<sup>14</sup> Act no. 431/2002 Coll. on Accounting.

<sup>15</sup> Section 553 of the Civil Code, as amended by Act no. 509/1991 Coll.

<sup>16</sup> Act no. 211/2000 Coll. on Free Access to Information and on Amendment and Supplementation of Certain Acts (Freedom of Information Act).

<sup>17</sup> Act no. 83/1990 Coll. on association of citizens, as amended. Act no. 34/2002 Coll. on Foundations and on Amendment to the Civic Code as amended. Act no. 147/1997 Coll. on non-investment funds and amending Act No. 207/1996 Coll. Act no. 213/1997 Coll. on non-profit organisations providing publicly beneficial services, as amended. Sections 20 (f) to 21 of Act no. 40/1964 Coll. Civil Code.

<sup>18</sup> Act no. 308/1991 Coll. on freedom of religious faith and the position of churches and religious societies as amended by Act no. 394/2000 Coll.

Broadcasting and Retransmission,<sup>19</sup> member of a body of Slovak Radio<sup>20</sup> or employment by Slovak Television or any other legal relationship with Slovak Television. This restriction shall also apply to persons who have a close relationship<sup>21</sup> with a member of the council. The function of a member of the council cannot be combined with a function in a state administration body, with a function in a body of a higher territorial unit, with the function of a mayor of a town or village, with the function of a public prosecutor, with the function of a judge or with the function of a judge of the Constitutional Court of the Slovak Republic.

(4) No member of the council may perform a function in a political party or political movement, act in its name or act for its benefit.

(5) A member of the council cannot be a broadcaster of programmes or a retransmission operator,<sup>22</sup> the statutory body or a member of the statutory body, the executive body, the supervisory body, or an employee of such an organisation, nor may they do business in this area; this restriction shall also apply to persons who have a close relationship<sup>21</sup> with the member of the council. A member of the council cannot be the publisher of a periodical,<sup>23</sup> the operator of a news agency, the statutory body or a member of the statutory body, the executive body or the supervisory body of such an organisation, the owner, co-owner or statutory body or a member of the statutory body, the executive body or the supervisory body of an organisation that provides services relating to the production of programmes, advertising and promotion, technical provision for the broadcasting of programmes or the operation of retransmission, with the production and distribution of audiovisual works, audio recordings or audiovisual recordings.

(6) A member of the council must inform the chairperson of the council of any change in the areas specified in Subsections 2 to 5 without delay.

(7) In performing their function, members of the council must always act impartially and refrain from actions that give preference to a personal interest before the public interest. A member of the council cannot be deputised.

#### Section 11

##### **The term of office of a member of the council**

(1) The term of office of a member of the council is six years. A member of the council can be re-elected but at most for two consecutive terms of office.

(2) One third of the members of the council shall be replaced every two years.

(3) When the council is elected for its first term of office under this act, or if all members of the council have been dismissed in accordance with Section 12 (5), the members of the council shall draw lots at their first meeting to select five members whose term of office shall be two years and five members whose term of office shall be four years.

(4) If membership of the council ends before the expiry of the term of office for a reason specified in points b), c) or e) of Section 12 (1), a new council member shall be elected for the remainder of the term of office of the council member whom they replace in function.

#### Section 12

##### **Termination of performance of the function of a member of the council**

(1) The performance of the function of a member of a member of the council shall end

- a) on expiry of the term of office of a member of the council in accordance with Section 11,
- b) by resignation of the council member; their membership ends on the date when notification of resignation is delivered to the chairperson of the council,
- c) by dismissal of the council member,
- d) by the dismissal of all members of the council or
- e) the death of the member of the council.

(2) The National Council shall dismiss a council member if he or she

---

<sup>19</sup> Section 7 of Act no. 308/2000 Coll.

<sup>20</sup> Section 7 of Act no. 619/2003 Coll. on Slovak Radio.

<sup>21</sup> Section 116 of the Civil Code.

<sup>22</sup> Sections 2 and 3 of Act no. 308/2000 Coll.

<sup>23</sup> Act no. 81/1966 Coll. on Periodicals and Other Mass Media as amended.

- a) performs a function or activity that is incompatible with the function of a council member under Subsections 3 to 5 of Section 10,
- b) receives a final conviction for an intentional criminal offence,
- c) has lost the capability to perform legal acts or if their capability to perform legal acts has been limited with final effect, or
- d) he or she fails to perform the function of a council member for at least three consecutive calendar months.

(3) If a situation arises as defined in points b) and e) of Subsection 1 or in Subsection 2, the chairperson of the council must inform the chairperson of the National Council of this situation without delay.

(4) The chairperson of the National Council shall schedule discussion of the dismissal of the council member according to Subsection 2 for the earliest session of the National Council. If the National Council decides to dismiss the council member, the chairperson of the National Council shall schedule the election of a new council member for the earliest session of the National Council following the dismissal decision.

(5) The National Council may dismiss all members of the council only if it passes resolutions twice within six months that the council is not performing its duties or that Slovak Television is not performing its tasks under this act and obligations under special regulations despite warnings from the Council for Broadcasting and Retransmission.<sup>24</sup>

(6) A proposal for the dismissal of all members of the council under Subsection 5 must be submitted by a group of at least 30 members of the National Council. The chairperson of the National Council shall schedule discussion of this proposal for the next session of the National Council. If the National Council decides to dismiss the members of the council under Subsection 5, the chairperson of the National Council shall schedule the election of a new council members according to Section 9 (2) for the earliest session of the National Council.

(7) If the term of office of council members ends in accordance with Subsection 1 (a), the National Council must take all necessary measures to ensure that new council members are elected for a new term of office 15 days before the end of the term of office.

### Section 13

#### **Matters associated with membership of the council**

(1) The performance of the function of a council member is considered to be another act in the public interest.<sup>25</sup>

(2) A council member is entitled to payment of expenses related to the performance of this function in accordance with special regulations.<sup>26</sup>

(3) Council members are entitled to a monthly fee for the performance of their function amounting to two times the minimum wage.<sup>27</sup>

### Section 14

#### **Rules of procedure of the council**

(1) The first session of the council after the first election of members of the council under this act or after the dismissal of members of the council in accordance with Section 12 (5) shall be convened by the chairperson of the National Council no later than 30 days after the election of the new council members. A quorum shall be present in the first session of the council if more than half the council members are present. At this session the council shall elect a chairperson, first vice-chairperson and second vice-chairperson.

(2) A quorum shall be present in the session of the council if more than half the council members are present, one of whom must be the chairperson of the council or one of the vice-chairpersons.

(3) The council adopts a resolution if more than half the present members of the council vote for it, unless this act stipulates otherwise.

---

<sup>24</sup> Point f) of Section 5 (2) of Act no. 308/2000 Coll.

<sup>25</sup> Section 136 and Section 137 (1) of Act no.311/2001 Coll. Civil Code, as amended by Act no. 210/2003 Coll.

<sup>26</sup> Act no. 283/2002 Coll. on Reimbursement of Travelling Expenses, as amended.

<sup>27</sup> Act of the Slovak National Council no. 90/1996 Coll. on Minimum Wages, as amended.

- (4) A majority of more than half of all the members of the council is required
- a) to elect the chairperson, the first vice-chairperson and the second vice-chairperson of the council for a term of office of two years,
  - b) to dismiss the chairperson, the first vice-chairperson and the second vice-chairperson.

(5) The chairperson of the council shall convene a session at least once every calendar month. The first vice-chairperson of the council shall deputise for the chairperson of the council in his or her absence in the extent of his or her rights and duties. The second vice-chairperson of the council shall deputise for the first vice-chairperson of the council in his or her absence. The chairperson of the council or one of the vice-chairpersons shall lead the session of the council.

(6) The sessions of the council are public. If the council discusses matters that require the protection of information in accordance with special regulations,<sup>28</sup> the council must take measures to protect such information.

(7) Minutes shall be taken of every session of the council. Resolutions that are adopted must be made available to the public with 24 hours of the end of the session of the council and the minutes of the session of the council must be made available to the public no later than five days from the end of the session of the council.

(8) Particulars of the sessions of the council are governed by the rules of procedure approved by the council.

(9) Particulars of the activities of the council are governed by the statute of the council, which is approved by the chairperson of the National Council after studying the opinion of the relevant committee of the National Council on the proposed statute submitted by the council.

## **O v e r s i g h t   c o m m i s s i o n**

### Section 15

#### **Area of activity of the oversight commission**

(1) The oversight commission performs some of the tasks associated with supervision over the due and effective economic management of Slovak Television, disposal of the property of Slovak Television and use of funds under this act.

- (2) The area of activity of the oversight commission includes
- a) submitting the draft statute of the oversight commission to the council,
  - b) submitting opinions to the council in accordance with points e), g), h) and i) of Section 8 (1),
  - c) performing tasks assigned by the council under point j) of Section 8 (1),
  - d) submitting proposals to the council for inspections of the economic management of Slovak Television or the disposal of its property,
  - e) informing the council of the results of its activities and its findings, making proposals to the council to remove deficiencies that it identifies,
  - f) to express an opinion on the section on the economic management of Slovak Television in the annual report on the activities of Slovak Television in accordance with Point f) of Section 8 (1) paying particular attention to the business activities of Slovak Television under Section 6 and the combining of resources under Section 20 (8),
  - g) submitting a report on its activities to the council by 31 March of each year.

(3) In carrying out their activities under Subsection 2 (c) the members of the oversight commission are entitled to look into all accountancy, economic, financial and other documents and legal documents relating to the economic management of Slovak Television and the disposal of the property of Slovak Television.

(4) The members of the oversight commission may not disclose any matters that they become aware of in carrying out their activities under Subsection 3. They may disclose matters in the findings of the oversight commission under Points c) and e) of Subsection 2.

---

<sup>28</sup> E.g. Act no. 428/2002 Coll. on Protection of Personal Data, Sections 17 to 20 of the Commercial Code, Act no. 241/2001 Coll. on Protection of Confidential Matters, as amended, and on Changes and Supplements to Certain Acts.

## Section 16

### Membership of the oversight commission

(1) The oversight commission has three members, of whom one is elected by the National Council and one is appointed by each of the president of the Slovak Republic and the government. The members of the oversight commission must have at least the second level of university education in law or economics, five years of professional experience and must satisfy the conditions given in Section 10. The term of office of members of the oversight commission is three years.

(2) If a member of the oversight commission resigns, the chairperson of the council shall ask the chairperson of the National Council, the president of the Slovak Republic or the government to appoint a new member depending on which of them appointed or elected the member to be replaced. The chairperson of the oversight commission must inform the chairperson of the National Council, the president of the Slovak Republic or the government of situation as defined in Subsection 3.

(3) A member of the oversight commission shall be dismissed if he or she

- a) performs a function or activity that is incompatible with the function of a member of the oversight commission under Subsections 3 to 5 of Section 10,
- b) receives a final conviction for an intentional criminal offence,
- c) has lost the capability to perform legal acts or if their capability to perform legal acts has been limited with final effect, or
- d) he or she fails to perform the function of a member of the oversight commission for at least three consecutive calendar months.

(4) Council members are entitled to a monthly fee for the performance of their function amounting to two times the minimum wage.<sup>27</sup> Other particulars relating to the activity of the oversight commission are governed by the statute of the commission, which is approved by the council. The performance of the function of a council member is considered to be another act in the public interest.<sup>25</sup>

## *Director general*

### Section 17

#### Status of the director general

(1) The director general is the statutory body of Slovak Television, who directs its activities and acts in its name. The director general decides on all issues relating to Slovak Television that are not reserved by this act to the sole competence of the council.

(2) A statutory deputy selected by the director general shall deputise for the director general in his or her absence.

(3) The main activities of the director general are

- a) submitting long term plans and concepts for the development of the programming of Slovak Television to the council for approval,
- b) submitting to the council the draft budget for Slovak Television, which includes the draft budget for providing for the activities of the council and the oversight commission and the programming concept for the broadcasting of Slovak Television in the relevant budget period; the programming concept shall include a proposal for the overall broadcasting schedule for each channel broadcast by Slovak Television and a proposed weekly breakdown of broadcasting time for each channel of Slovak Television, a proposed breakdown by type of programmes to be broadcast on each channel of Slovak Television, the proposed share of production and broadcasting to consist of programmes produced by Slovak Television in each programme type, the proposal for the minimum proportion of broadcasting time reserved for original Slovak audiovisual works<sup>29</sup> in relation to overall broadcasting time on each channel and overall broadcasting time of original programmes in the period under consideration, the proposal for the minimum proportion of broadcasting time reserved for independent productions<sup>30</sup> in each channel of Slovak Television and the proposal for the minimum proportion of production and broadcasting of audiovisual productions of independent producers<sup>31</sup> based in the Slovak Republic or co-productions of such producers and Slovak Television,

---

<sup>29</sup> Point b) of Section 2 (1) of Act of the National Council of the Slovak Republic no. 1/1996 Coll. on Audiovisual media.

<sup>30</sup> Section 24 (2) of Act no. 308/2000 Coll. as amended.

<sup>31</sup> Section 24 (1) and Section 26 of Act no. 308/2000 Coll., as amended.

- c) submitting to the council the annual report on the activity of Slovak Television in accordance with Section 20 (12) by 15 April,
  - d) providing for the performance at set intervals of corrective measures proposed by the council or the relevant supervisory body in the event of a breach of the obligations placed upon Slovak Television by this act or generally applicable legal regulations,
  - e) submitting to the council the business objectives in accordance with Section 6 (2), proposals for combining resources in accordance with Section 20 (8) and proposals under Points d) and i) of Section 8 (1),
- (4) The director general has the right to take part in all sessions of the council except the election of the director general.

#### Section 18

##### **Conditions for performing the function of director general**

- (1) The council shall elect the director general in a secret ballot. The election requires a two-thirds majority of all members of the council after a public interview.
- (2) The term of office of the director general begins on the date of his or her election and lasts for five years. The director general can be re-elected but only for a maximum of two consecutive terms of office.
- (3) The council may elect as general director a natural person who is fully competent to carry out legal acts, has at least the second level of university education, at least three year's professional experience in management and who satisfies the conditions given in Subsections 2 to 5 of Section 10.
- (4) The director general must inform the council in writing without delay of any change in the areas specified in Subsection 3.
- (5) The director general is entitled to a monthly salary equal to two times the pay of a member of the National Council.
- (6) The director general must present evidence of his or her personal property to council in the manner defined by special regulations<sup>32</sup> within 30 days of his or her election to office and no later than 31 March in each calendar year.

#### Section 19

##### **Termination of the performance of function of the director general**

- (1) The performance of the function of director general shall end
- a) on expiry of the term of office of a member of the council in accordance with Section 18 (2),
  - b) by resignation of the director general; the performance of function ends on the date when notification of resignation is delivered to the chairperson of the council,
  - c) on the dismissal of the director general from function or
  - d) on the death of the director general
- (2) The council shall dismiss the director general if he or she
- a) is found guilty of an intentional criminal offence or a criminal offence for which they were sentenced to imprisonment,
  - b) has lost the capability to perform legal acts or if their capability to perform legal acts has been limited with final effect, or
  - c) he or she performs a function or activity that is incompatible with the function of director general under Subsections 3 of Section 18,
- (3) The council may dismiss the director general if
- a) he or she fails to perform his or her function for at least three consecutive months.
  - b) the council adopts at least two resolutions within six consecutive calendar months stating that Slovak Television is not performing the tasks and obligations set by this act or the obligations set by special regulations<sup>1</sup> and has been repeatedly warned of this by the Council for Broadcasting and Retransmission,
  - c) he or she has not carried out the obligations stipulated in Point b) of Section 17 (3) or the obligation stipulated in Point f) of Section 17 (3) before starting to act in the matters that are the subject matter of these provisions,

---

<sup>32</sup> Section 54 (2, 3, 4 and 6) of Act no.312/2001 Coll. on Civil Service and on Changes and Supplements to Certain Acts.

d) he or she has not performed the obligations given in Point c) of Section 17 (3) or Section 18 (6).

(4) The votes of at least two thirds of all members of the council in a public vote are required in order to dismiss the director general.

(5) The council must set a date for the submission of applications by candidates for the function of director general no later than 90 days before expiry of the term of office of the director general, and provide for publication of the call for applicants.

(6) If the performance of the function of director general ends prematurely, the council must set a date for the submission of applications by candidates for the function of director general and provide for publication of the call for applicants within 15 days of the end of the function of director general.

## *Economic management of Slovak Television*

### Section 20

(1) Slovak Television shall manage the property of Slovak Television in accordance with this act.

(2) The property of Slovak Television comprises the sum of tangible values of real estate, moveable property, receivables and other rights and other values that can be valued in monetary terms.

(3) Slovak Television makes use of its own financial resources and public funds in accordance with special regulations.<sup>33</sup> Slovak Television is required to maintain the highest level of economy and efficiency in the use of such funds.<sup>34</sup>

(4) The financial resources that Slovak Television uses in its affairs can be used only for purposes in accordance with this act and in the necessary extent.

(5) Slovak Television may not use public finances for business activities under Section 6. Expenses for business activities and revenues from the business activities of Slovak Television shall not be included in the budget. Expenses for business activities must be covered by revenues from such activities. If this condition is not satisfied, business activities must be terminated and the losses that they create must be covered from the reserve fund. Separate analytical records shall be kept of business activities in the accounts and funds from such activities shall be kept in a separate account in a bank or branch of a foreign bank.<sup>35</sup>

(6) Slovak Television shall provide its services for payment.<sup>34</sup>

(7) The financial resources and property of Slovak Television cannot be used to finance a political party, political movement or in support of a candidate for public office.

(8) Slovak Television may use its real estate, moveable assets or financial resources for the purposes of a partnership agreement under special regulations,<sup>36</sup> only where the agreed purpose of the partnership relates to the main activities of Slovak Television.

(9) Slovak Television must use the property of Slovak Television defined in Subsection 2 to carry out the obligations established by this act, must keep this property in an appropriate condition, must make use of all legal means for its protection and must take due care to ensure that it is not damaged, lost or abused. Slovak Television must dispose of property that does not serve and in future will not serve for the performance of its tasks in accordance with Point i) of Section 8 (1) and with the greatest economy.

(10) Execution of a decision under special regulations shall not apply to<sup>37</sup> a) funds on the accounts of Slovak Television that derive from income under Points a) to c) of Section 21 (1), b) property of Slovak Television acquired under Section 23 (1).

---

<sup>33</sup> Act of the Slovak National Council no. 212/1995 Coll. on Concessionary Fees and on Amendment and Supplementation of Act no. 468/1991 Coll. on Radio and Television Broadcasting, as amended.

<sup>34</sup> Act of the Slovak National Council no. 18/1996 Coll. on Prices as amended.

<sup>35</sup> Section 2 (1, 5 and 8) of Act no. 483/2001 Coll. on Banks and on Amendment and Supplementation of Certain Acts as amended.

<sup>36</sup> Sections 829 to 841 of the Civil Code.

<sup>37</sup> E.g. Point d) of Section 57 (1) and Section 114 of Act of the Slovak National Council no. 233/1995 Coll. on court executors, and executionary activity (Execution Order) and on Changes and Supplements to Certain Acts, as amended, Point d) of Section 268(1) and Section 321 of the Civil Court Rule, as amended.

(11) Slovak Television shall keep accounts in accordance with the relevant regulations<sup>14</sup> and accounting procedures for accounting units that are not founded or established for business purposes.<sup>38</sup> Statements of accounts must be audited by an auditor<sup>15</sup> and, after approval by the council, published in the Commercial Bulletin<sup>39</sup> no later than the end of the fourth month of the following accounting year.

(12) In addition to the compulsory particulars<sup>14</sup> the annual report on the activities of Slovak Television must include:

- a) an overview and evaluation of Slovak Television's performance of its mission and duties as defined in this act and special regulations,<sup>1</sup>
- b) the council's evaluation of the programmes broadcast,
- c) the opinion of the oversight commission on the results of the economic management of Slovak Television,
- d) changes in the composition of the bodies of Slovak Television that took place in the course of the year,
- e) any other significant information on the activities of Slovak Television.

(13) Slovak Television shall publish the annual report on its activities discussed in the National Council on its website, in its registered office and publish it as a non-periodical publication.

## Section 21 The financing of Slovak Television

(1) The main revenues of Slovak Television shall be

- a) licence fees under special regulations,<sup>33</sup>
- b) a transfer from the state budget in accordance with the act on the state budget for the relevant year, which is intended to pay for the production of certain public interest programmes,
- c) a capital transfer from the state budget for the implementation of specific investment projects,
- d) income from the broadcasting of advertising and teleshopping,
- e) sponsorship payments in accordance with special regulations<sup>40</sup> intended for the direct or indirect financing of programmes,
- f) revenue from the rental and sale of the property of Slovak Television,
- g) interest on deposits in a bank or branch of a foreign bank<sup>35</sup> and from financial investments; interest on deposits of revenues under Points b) and c) are revenue of the state budget,
- h) gifts from natural persons and legal entities that are not sponsorship payments under Point e),
- i) inheritance for the benefit of Slovak Television,
- j) grants from natural persons and legal entities for the performance of tasks in the public interest, which are not sponsorship payments under Point e),

(2) The financial resources of Slovak Television shall be kept on accounts in a bank or a branch of a foreign bank.<sup>35</sup>

(3) The financial resources of Slovak Television and the property of Slovak Television can be used only to finance activities permitted by this act.

(4) Slovak Television shall cover expenditure for the activities of the bodies of Slovak Television from its budget.

(5) The Supreme Audit Office of the Slovak Republic shall carry out inspection of the economic management of Slovak Television.<sup>41</sup>

## Section 22 The reserve fund

(1) Slovak Television shall create a reserve fund.

---

<sup>38</sup> Measure of the Ministry of Finance of the Slovak Republic of 10 December 2002 No. 22502/2002-92, stipulating details of accounting procedures and accounting system for accounting units not established or incorporated for business enterprising purposes (Notice No. 734/2002 Coll.)

<sup>39</sup> Decree of the Government of the Slovak Republic No. 100/1993 Coll. on the Commercial Bulletin, as amended by Decree of the Government of the Slovak Republic No.50/1998

<sup>40</sup> Section 38 (1) of Act no. 308/2000 Coll.

<sup>41</sup> Act of the Slovak National Council no. 39/1993 Coll. on the Supreme Audit Office of the Slovak Republic, as amended.

- (2) The reserve fund shall comprise
- a) after tax profits of the main activity of Slovak Television,
  - b) after tax profits of the business activity of Slovak Television,
  - c) financial resources acquired through partnership activities in accordance with special regulations,<sup>36</sup>
  - d) gifts,
  - e) funding from state funds and European Union structural funds.

- (3) The reserve fund shall be used
- a) to cover needs that are not covered by the budget including payroll expenses,
  - b) to cover penalties for breach of generally applicable legal regulations,
  - c) to cover losses from main activities,
  - d) to bridge time difference between income and expenditure during the budget year,
  - e) to acquire securities, financial investments and capital deposits,
  - f) to share resources in partnerships in accordance with special regulations,<sup>36</sup>
  - g) to cover losses from business activities,
  - h) instalments for credit and interest on credit.

### *Transitional, final and repeal provisions*

#### Section 23

(1) Property owned by the Slovak Republic which is under the administration of Slovak Television on the date when this act becomes effective shall be transferred to the ownership of Slovak Television on the date when this act becomes effective.

(2) Slovak Television shall exercise right to television programmes produced by Czechoslovak Television in Slovakia. Slovak Television has the right to use television programmes produced by Czechoslovak Television before 1 July 1991. Slovak Television has the right to use television programmes produced by Czechoslovak Television after 1 July 1991 in the scope defined by agreements concluded with Czechoslovak Television and Czech Television. Copyright, the rights of performing artists and related property rights shall be settled in accordance with the agreements with Czechoslovak Television and Czech Television; if these agreement do not state otherwise, the right to use television programmes shall be transferred to Slovak Television where Czechoslovak Television acquired the usage right from foreign subjects.

(3) The council elected before this act became effective shall be considered a part of the council elected under Section 9 (2). These council members shall present proof to the National Council that they satisfy the conditions given in Subsections 2 to 5 of Section 10 within 30 days of this act becoming effective. Failure to comply with this obligation shall be considered reason for dismissal in accordance with Section 12 (2).

(4) The National Council shall elect six council members in accordance with Section 9 (2) within 60 days of this act becoming effective. The new term of office of the council members under Section 11 (1) shall begin 60 days after this act becomes effective. The council members shall draw lots to determine the length of their term of office in accordance with Section 11 (3) at the first meeting of the expanded council.

(5) The central director of Slovak Television elected under Act of the National Council of the Slovak Republic no. 254/1991 Coll. on Slovak Television, as amended, who performs this function on the date when this act becomes effective shall be considered the director general under this act. His or her term office shall continue in accordance with the previous regulations. The director general of Slovak Television shall present proof that he or she complies with the conditions given in Section 18 (3) to the chairperson of the council within 30 days of this act becoming effective. Failure to comply with this obligation shall be considered reason for dismissal in accordance with Section 19 (2).

(6) The National Council, the president of the Slovak Republic and the government shall appoint members of the oversight commission in accordance with Section 16 within 60 days of this act becoming effective.

Section 24

**Repeal provisions**

The following are repealed

1. Act of the National Council of the Slovak Republic no. 254/1991 Coll. on Slovak Television as amended by Act of the National Council of the Slovak Republic no. 482/1992 Coll., Act of the National Council of the Slovak Republic no. 166/1993 Coll., Act of the National Council of the Slovak Republic no. 82/1995 Coll., Act of the National Council of the Slovak Republic no. 321/ 1996 Coll., Act no. 335/1998 Coll., Act no. 418/2003 Coll. and Act no. 442/2003 Coll.,
2. Act of the National Council of the Slovak Republic no. 166/1993 Coll. on measures in the area of radio and television broadcasting as amended by Act of the National Council of the Slovak Republic no. 321/1996 Coll. Section 25

**Effect**

This act shall become effective on 1 February 2004.

Rudolf Schuster, in his own hand

Pavol Hrušovský, in his own hand

Mikuláš Dzurinda, in his own hand