

128/1991
ACT
of the Slovak National Council
from 7 March 1991
on the State Fund of the Environment of the Slovak Republic

Amendment: 311/1992 Coll.
Amendment: 58/1995 Coll.

The Slovak National Council passed a resolution of the relevant law :

Article 1

The State Fund of the Environment of the Slovak Republic (hereafter only "Fund") has been established 1) with the purpose to gather financial resources and use them for the support of the environment.

.....
1) 23 par. 1 of the Act of the SNR (Slovak National Council) No. 592/1990 on the Budget Regulations of the Slovak Republic.

Article 2

- (1) The administration of the Fund is carried out by the Slovak Commission for the Environment.
- (2) The Fund is another state organization; 2) it may acquire rights and obligations on its own behalf.
- (3) The Fund is managed by a director. The director is appointed and recalled by the Minister-Chairman of the Slovak Commission for the Environment (hereafter only "Chairman").
- (4) The Chairman establishes the Board of Fund as his advisory body.
- (5) Details of the organization and activities of the Fund and the Board are set up by the statute of the Fund that is approved by the Slovak Government.

Article 3

The following mainly constitutes resources of the Fund:

- a) payments for sewage discharge into surface waters, 3)
- b) deleted,
- c) penalties imposed by authorities of the state administration of water management,
- d) fines for air pollution 6) from large and medium sources of air pollution,
- e) penalties imposed by authorities of the state administration of air protection
- f) penalties imposed by authorities for the protection of nature, 8)
- g) the interest from finances of the Fund deposited in financial institutions and from loans granted by the Fund based upon the permission according to a special provision, 9)
- h) subsidies from the state budget,
- i) bank credit and loans,
- j) payments of credits and loans that were granted by the Fund based upon the permission according to a special provision, 9)
- k) income from the public fund raising and lotteries,
- l) gifts and other contributions from home and foreign persons, legal entities and/or natural persons,
- m) income from the financial recourse of applicants for the unauthorized use or retention of finances granted by the Fund,
- n) other sources established by special provisions.

.....3) 44 of the Act No. 138/1973 Coll. on water (the Act on Water). The Governmental Decree of CSSR No. 35/1979 Coll. on Payments in Water Management in wording of later provisions.

4) 45 of the Act No. 138/1973 Coll.

5) 47 of the Act No. 138/1973 Coll.

6) 2 of the Act No. 35/967 Coll. on Measures Against Air Pollution

7) 4, 5, and 6 of the Act No. 35/1967 Coll.

8) The Act of the SNR No. 1/1955 Coll. SNR on the State protection of Nature in wording of the Act of SNR No. 100/1977 Coll. on operations in forests and the state administration for forest management and the Act of the SNR No. 72/1986 Coll.

9) The Act No. 58/1989 Coll. on Banks and Saving Banks.

Article 4

(1) Finances of the Fund may be used for:

- a) endowments and grants,
- b) credits and loans that were granted on the basis of permission according to a special provision, 9)
- c) assuming of liabilities of the applicant, especially the payment of interests from loans and credits of the applicant and duty surcharges,
- d) payment of expenses related to the administration of the Fund and the activity of the Board of Fund,
- e) support of ecological educational programs and spreading of information about the environment and support of ecological programs intended for the improvement of the environment.

(2) Endowments from the state budget of the Slovak Republic cannot be used for credits and loans according to par. 1b.

Article 5

(1) The Fund is required to find out all circumstances that are necessary for the decision on the efficient use of finances of the Fund. The state authorities, municipal authorities, organizations and citizens provide the Fund with the information for that purpose.

(2) Based upon a proposal of the Board of Fund, the chairman makes decisions on the use of finances.

(3) Nobody may claim the legal right to draw finances of the Fund.

(4) The Fund regulates the use of granted finances in concurrence with territorial authorities of the state administration for the environment.

(5) Finances of the Fund may be used only for the purpose for which they were granted; the applicant is required to return unused finances.

(6) If the applicant used the finances of the Fund in a manner inconsistent with established or agreed conditions, he is required to return them to the Fund and pay penalties at the same time according to a special provision. 10)

(7) Details of conditions for granting and using finances of the Fund shall be established by the Slovak Commission for the Environment through general obligatory legislation.

.....
10) 16 of the Act of the SNR No. 592/1991 Coll.

Article 6

General provisions on the administrative actions do not apply to the decision process according to 5 par. 2. 11)

.....
11) The Act No. 71/1967 Coll. on the Administrative Proceedings (Administrative Proceedings).

Article 7

The balance of finances of the Fund is not forfeited after the clearing of financial relations to the state budget of the Slovak Republic at the end of the year.

Article 8

The State Fund of Water Management and the Fund for Air Protection become a part of the Fund after this Act comes into force.

Article 9

The following is abrogated:

- a) 9 and 11 of the Act No. 35/1967 Coll. on Measures Against Air Pollution,
- b) 24 par. 3 of the Act of the Slovak National Council No. 135/1974 Coll. on the State Administration of Water Management,
- c) 19a par. 5 and 19b par. 8 of the Act of the Slovak National Council No. 72/1986 Coll. by which the Act of the Slovak National Council No. 1/1955 Coll. SNR on the State Protection of Nature in wording of the Act of the Slovak National Council No. 100/1977 Coll. is amended.

Article 10

This Act shall enter into force on the day of its announcement.

The Act No. 58/1995 Coll. shall enter into force on April 1, 1995.

F. Mikloško, sign manual

V. Mečiar, sign manual