

31/1975 Coll.  
GOVERNMENTAL ORDER  
of the Slovak socialist republic  
dated 26<sup>th</sup> March 1975  
**on penalties for infringing of obligations  
provided in the section of water management**

The Government of the Slovak Socialist Republic orders under Article 47 paragraph 1 Act No. 138/1973 Coll. on Waters (Water Act) and Article 24 paragraph 1 of the Act of the Slovak National Council Number 135/1974 Coll. on State Administration in Water Management :

PART ONE  
Imposing of Penalties upon Organisations

Article 1

General Provisions

The District National Councils 1) shall impose penalties upon organisations that will

- a) take or in a different way use surface or ground waters without permission from the water management institution or contrary to it (hereinafter only “not permitted use of waters”),
- b) discharge waste waters 2) into surface waters, ground waters or into public sewage system without permission from the water management institution or contrary to sewage order (hereinafter only “not permitted discharge of waters),
- c) contaminate surface or ground waters or endanger their quality or healthy faultlessness by not permitted handling with substances harmful to waters, which are not waste waters or as the case may be cause penetration of these substances into public sewage system contrary to sewage order (hereinafter only “not permitted handling with substances detrimental to waters”),
- d) damage the public water supply or public sewage system or will take water from the public water supply contrary to the adjustment under Article 30 paragraph 3 or paragraph 4 of the Water Act (hereinafter only “not permitted take-off of waters”),
- e) infringe other obligations provided by Water Act, Act on State Administration in water management or according to them imposed otherwise than stated under Letters a) to d) (hereinafter “other obligations”).

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- 1) Article 2 Act of the Slovak National Council No. 135/1974 Coll. on State Administration in Water Management.
  - 2) Article 22 Act No. 138/1973 Coll. on Waters (Water Act).

Article 2

Penalties for Not Permitted Use of Waters

- (1) The penalty for not permitted use of surface waters will be specified in the amount calculated as a multiple of the rate 1,-Sk for 1m<sup>3</sup> of not permitted use of surface waters and the total amount of these waters.
- (2) The penalty for not permitted use of ground waters will be specified in the amount calculated as a multiple of the rate 7,-Sk for 1 m<sup>3</sup> for not permitted used ground waters and the total amount of these waters.
- (3) The lowest penalty under paragraphs 1 and 2 is being provided in the amount of 5000,- Sk.

### Article 3

#### Penalties for Not Permitted Discharge of Waters

- (1) The amount of penalties imposed in cases entered in Article 1 Letter b) is being provided according to harmfulness of waste waters from individual kinds of production or sources of contamination (hereinafter only "production") and according to the amount of raw materials or finished products in these productions for a year or as the case may be processed or produced in one campaign.
- (2) According to harmfulness of waste waters individual kinds of production are divided into four categories with technical units of production or processed raw materials (hereinafter only "technical units") entered in the annex of this decree.
- (3) In case of doubts about including of the production into individual categories and technical unit the decision will be taken by the institution imposing penalty after deliberation with the Ministry of Forest and Water Economy of the Slovak Socialist Republic.
- (4) The amount of penalty is being specified by the multiple of the rate for technical unit and the total number of technical units for the last calendar year of operation or as the case may be for the last calendar year of operation or as the case may be for the last campaign; in case of newly introduced productions according to planned yearly or campaign production. The rate for a technical unit and the lowest penalty in individual categories is specified as follows :

#### rate for the technical unit the lowest penalty

in I. category	5,- Sk	15 000,- Sk
in II. category	3,- Sk	10 000,- Sk
in III. category	2,- Sk	5 000,- Sk
in IV. category	0,20 Sk	10 000,- Sk

- (5) If it is the same kind of production in one organisation divided into several production objects, decisive for the calculation of penalty is the number of technical units achieved only in those production objects, in which the water was discharged without permission.
- (6) The production of intermediaries is considered to be an independent production, if it is entered in the annex of this decree. In other cases under paragraph 3 it can be included into appropriate category only if it is a production in an independent production object.
- (7) The water management institution can decrease the calculated penalty in the following cases

- a) if the organisation properly keeps in operation at least some parts of water treatment plant
  - b) if the organisation proves that it is a quite exceptional case and that even in making all efforts it could not prevent the contamination
- (8) In the case under paragraph 7 Letter a) the calculated penalty shall be decreased by so many percents by how many percents the value of decisive indicator of contamination was decreased; the institution imposing the penalty will specify which indicator of contamination is decisive. The penalty decreased according to paragraph 7 must not be lower than the lowest penalty under paragraph 4.

#### Article 4

##### Penalties for Not Permitted Disposal of Substances Detrimental to Waters

- (1) The penalty for not permitted disposal of substances detrimental to waters will be set in the amount from 3000,- Sk to 500 000,- Sk according to significance of contamination or endangering of cleanness or the case may be of health of harmfulness of waters for health. In imposing of penalty regard is also taken to the circumstances under which the water was disposed without permission and also to the fact how the organisation contributed to removing or alleviating of harmful consequences.
- (2) In assessing of the significance of contamination or threat the regard is taken particularly to harmfulness and amount of harmful substance, detrimental consequences, possibilities of removing them, effect on surface waters or on reserves of ground waters and the possibility of their further use.

#### Article 5

##### Penalties for Damaging of Pubic Water supply or Public Sewage and for Not Permitted Consumption of Waters

- (1) The penalty is being provided for damaging of
- a) pipeline of water supply of the diameter 500 mm and larger or sewage pipeline of the diameter 800 mm and larger in the amount of 30 000,- Sk.
  - b) pipeline of water supply of the diameter smaller than 500 mm or sewage pipeline of the diameter smaller than 800 mm in the amount of 10 000,- Sk.
  - c) public part of connecting line of water supply in the amount of 500,- Sk
  - d) public part of sewage connecting line in the amount of 1000,- Sk
- (2) For not permitted consumption of waters the penalty is being provided in the amount of five multiple of the appropriate rate of water rate calculated for the amount of unauthorised consumed water, however at least in the amount of 1000,- Sk.

#### Article 6

##### Penalties for Infringement of Other Obligations

- (1) The penalty for infringing of other obligations under Article 1 Letter e) is being provided in the amount from 500,- Sk to 100 000,- Sk according to significance of infringing of obligations.

- (2) Upon imposing of the penalty regard is taken particularly to the fact, which consequences were caused or could have been caused by infringing of obligations, the to the circumstances under which the obligations were infringed and how the organisation contributed to removing or alleviating of detrimental consequences.
- (3) The penalty under paragraph 1 will not be imposed if simultaneously obligations were infringed for the which the penalty under Article 1 Letter a) to d) is being imposed.

#### Article 7

#### Penalties for Repeated Infringement of Obligations

If within the time of one year from coming of the decision on imposing of penalty into force the organisation infringes whichever obligation for which the penalty is being imposed under this decree another penalty shall be imposed in the double amount of the rate. If the fine has been specified by the range the highest and the lowest limit shall be increased to the double amount; the amounts of the lowest penalties under Article 2, Article 3 paragraph 4 and under Article 5 paragraph 2 shall be increased to the double value.

#### Article 8

#### The Highest Limit of the Penalty

The penalty also in the case of increase under Article 7 can be mostly 1000000,- Sk.

### PART TWO

#### Imposing of Penalties upon the Employees of Organisations

#### Article 9

- (1) The District National Councils impose penalties also upon employees of organisations that caused infringement of obligations of organisations entered in Article 1, if it is not a crime or an offence. The penalty can be mostly triple of the average monthly salary of the employee. 3) In specification of the amount of penalty regard is taken particularly to the degree of guilt and to the range of the caused damage.

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3) Article 275 of the Labour Code

### PART THREE

#### Common and Conclusive Provisions

#### Article 10

The penalty is due within fifteen days from the force of the decision in which it had been imposed.

#### Article 11

The proceedings on imposing of the penalty cannot be started after passing of one year from the day, when the water management institution learnt about the facts under Article 1, however not later than after passing of three years from the day, when they happened.

#### Article 12

In imposing of penalty under Article 7 the penalties imposed according to government decree No. 120/1966 Coll. on Imposing of Penalties for Infringing of Obligations Specified for Protection of Waters Against Contamination are considered to be penalties imposed according to this decree.

#### Article 13

The Governmental Order No. 120/1966 Coll. on Imposing of Penalties for Infringing of Obligations specified for Protection of Waters against contamination is hereby being repealed. The proceedings on imposing of penalty started under this order before the efficiency of this decree will be completed by the institution, which started this proceedings as competent under previous regulations.

#### Article 14

This decree comes into force as of 1<sup>st</sup> April 1975.

Dr. Colotka, sign manual

## ANNEX

### Division of Production according to Individual Categories

I. category	Technical units
1. production of sulphite pulp (not bleached)	1 t of the product
2. production of viscose fibres	1 t of the product
3. production of gley and gelatine	1 t of raw material
4. heat treatment of brown coal	10 t of reversing coal
5. wool laundries	500 kg of washed wool
6. production of hydrogen cyanide and cyanides	100 kg of product
7. rettery of flax and hemp	1 t of dry stalks
8. tanneries	1 t of raw material
9. galvanising and operations with thermal treatment of metals	1 kg of consumed chemicals containing cyanides or heavy metals or 10 kg of other kinds of consumed chemicals
10. division of butadiene by mercury salts	1 kg of consumed mercury salts
11. dry distillation of wood	2 t of processed wood
12. chemical treatment of uranium ore	5 t of as-mined ore
13. production of pesticidous substances on the basis of organic substances with contents of phosphorus, chlorinated hydrocarbons and on the basis on pentachlorphenol	100 kg of produced material
14. production of biologically not removable soap powders and soap detergents	1 t of active material in the product
15. production of greasing oils	10 t of raw material
16. production of synthetic phenol	1 t of the product
17. production of synthetic spirit	1 t of the product
18. production of pharmaceutic and pure chemicals by organic synthesis	100 kg of the product
19. production of pure chemicals with the	100 kg of the product

contents of heavy metals and radioactive substances

20.processing of technical fats

1 t of processed fat

II. category :	Technical units :
1. thermal treatment of black coal	10 t of reversed coal
2. production of chemical wood pulp	1 t of the product
3. production of sulphate pulp	1 t of the product
4. processing of tar	1 t of processed tar
5. production of starch	1 t of processed potatoes
6. production of citric acid	1 t of processed of molasses
7. production of yeast	500 kg of processed raw material
8. production of feed by fermentation	1 t of raw material
9. production of plastic leather	100 m <sup>2</sup> of produced leather
10.cheese making plants	10 hl of processed milk
11.slaughter houses	500 kg of meat in live weight
12.poultry processing	100 kg of processed poultry
13.production of artificial gley intestines	500 pcs. of processed raw material
14.soap production	1 t of the product
15.production of edible fats	3 t of the product
16.production of biologically removable soap powders and soap detergents	1 t of active substance in the product
17.chemical treatment of ores	10 t of raw material
18.production of pesticidous substances (if they are not entered in I. category	100 kg of produced material
19.products of organic chemistry, except for productions entered in other categories	1 t of the product
20.production of wood-fibre boards	1 t of the product
21.wet debarking of wood, steaming of wood	1 t of raw material
22.production of chloroprene rubber	1 t of the product

23.production of antibiotics	1 t of raw material on nutritive soil
24.wet laundries of operation of bast fibres	1 m3 of used water
25.egg production in poultry processing plants	100 kg of not thickened egg contents
26.sugar production	3 t of processed sugar beet
27.infectious ward of health facilities	20 m3 of the water demand
28.meat production	500 kg of meat products
29.drying plants of potatoes	1 t of raw material
30.neighbourhoods	1 attached equivalent citizen
31.chocolate plants - production of chocolate jelly and chewing gum	1 t of the product
32.mechanical production - use of cutting and cooling emulsions	10 kg of crude oil
33.feedlot of hogs	1 stock hog
34.distilleries	1 t of raw material

III.category :	Technical units :
1. production of boxboard (of old paper)	1 t of the product
2. breweries	10 hl of liable beer
3. malt houses	1 t of the product
4. canneries of vegetables and meat	500 kg of the product
5. production of soup spicery	1 t of raw material
6. feedlots of ducks	10 bred ducks
7. pickling plants of colour metals	1 m <sup>3</sup> of used water
8. pickling plants of iron	5 m <sup>3</sup> of used water
9. products of inorganic chemistry, except for productions entered in other categories	1 t of the product
10. production of butadiene rubber	1 t of the product
11. production of rubber industry reclaim	1 t of the product
12. washing of linens	100 kg of linens
13. refinery of benzol	1 t of the product
14. production of industrial fertilisers	10 t of the product telquel
15. paper production	1 t of the product
16. production of pulpboard and white hard-grained wood	1 t of the product
17. rolling mills of metals, drawing plants of wires	10 t of the product
18. dairies for production of standard milk	20 hl of milk
19. drying plants of milk	20 hl of milk
20. bleaching of pulp	10 t of bleached raw material
21. improving of textile and carbonising of wool	100 kg of the product
22. washing of transport, building and agricultural machines and their parts	1 m <sup>3</sup> of used water

23.rubber production	1 t of mixture
24.production of pure chemicals except for productions entered in I. category	100 kg of the product
25.production of polymers except for rubber	1 t of the product
26.final production and adjusting of medicines	100 kg of the product
27.not infectious ward of health facilities	20 m3 of the water demand
28.treatment and melting of cheese	500 kg of the product
29.operations for pearling of glass	100 kg of pearled glass
30.ship transport	20 kg of used fuel
31.production of soft drinks	50 hl of the product
32.operation of mills	3 t of washed grain
33.alkaline degreasing of metals	100 l of water demand
34.repair workshops of machines except for alkaline degreasing of metals	200 l of used water
35.flotation treatment of ores	5 t of ore batch
36.production of aluminium alloys	1 t of the product
37.production of lead and lead alloys	5 t of the product
38.boiler rooms for liquid fuels (only in case of discharging of waste waters the appearance of which has been technologically explained)	1 t consumed fuel
39.store houses of crude oil (only in case of discharging of waste waters the appearance of which has been technologically explained)	10 t of stored crude oil
40.production of panels	1 m3 of used water
41.disinfection stations (ČSD)	1 m3 of used water
42.grinding of glass	1 m3 of used water
43.grinding of putty	1 m3 of used water
44.mechanical production (if it is not entered in other categories)	1 m3 of used water



IV.category :

Technical units :

1. briquetting plants	5 t of the product
2. hydraulic transport of ashes and cinder	5 t of reversed coal
3. granulating of slag	5 t of raw material
4. processing of crude oil into fuels	5 t of processed crude oil
5. extraction of crude oil	5 t of extracted crude oil
6. washing plant of coal	2 t of the raw material
7. iron production	2 t of the product
8. washing plants of kaoline and clays	1 t of raw material
9. extraction of uranium	1 t of as-mined ore
10. chemical treatment plants of water	10 m <sup>3</sup> of treated water
11. magnetic and mechanic treatment of ore	1 t of processed as-mined ore