

**Act No. 237**  
of 20 June 2000

**amending the Act No. 50/1976 Coll. on territorial planning and building order  
(Building Act) as amended by later regulations and on change and amendment  
of certain acts**

The National Council of the Slovak Republic has decided upon the following act:

Part I

The Act No. 50/1976 Coll. on territorial planning and building order (Building Act) as amended by the Act No. 103/1990 Coll., the Act No. 262/1992 Coll., the Act No. 136/1995 Coll. of the National Council of the Slovak Republic, the Act No. 199/1995 Coll. of the National Council of the Slovak Republic, the Finding No. 286/1996 Coll. of the Constitutional Court of the Slovak Republic, the Act No. 229/1997 Coll., and the Act No. 175/1999 Coll. shall be amended as follows:

1. Article 1 and 2 shall read:

”Article 1

(1) The territorial planning shall continually and comprehensively design the spatial arrangement and the functional use of a territory, define its principles, propose material and time coordination of activities influencing the environment, ecological stability, cultural and historical values of a territory, territorial development and landscape creation in compliance with principles of sustainable development.<sup>1)</sup>

(2) The territorial planning shall create conditions for permanent harmony of all activities over territory with particular regard to the care for environment, achievement of the ecological stability and provision of sustainable development, protective use of natural resources and conservation of natural, civilization and cultural values.

Article 2

(1) The territorial planning shall include these tasks and activities:

- a) it shall determine the regulations of spatial arrangement and functional use of territory;
- b) it shall determine necessary interventions into territory for sanitation, reconstruction or recultivation purposes and it defines the manner of its further use;
- c) it shall define protected territories, protected objects, rest areas and protective zones (hereinafter ”protected parts of the country”), be they not established under special regulations, and it shall provide the protection of all protected parts of the country;

- d) it shall define the principles and conditions for material and time co-ordination of locally concentrated construction by one or more builders;
- e) it shall assess and evaluate territorial and technical effects of prepared constructions and other measures on the territory and propose their scope, which underlies their environmentally sound and safe use;
- f) it shall regulate the location of constructions and define technical, urban planning, architectonic and environmental requirements for their planning and execution;
- g) it shall define the principles of the use of natural resources, conditions of territory and overall environment in order that the activities shall not exceed the bearable loading of the territory<sup>1a)</sup> and to create and maintain the ecological stability<sup>1b)</sup> of the landscape;
- h) it shall create materials for creation of construction conceptions and technical facilities in a territory;
- i) it shall propose the order of construction and the use of a territory;
- j) it shall propose territorial and technical and organizational measures necessary for improvement of the environment, achievement of the ecological stability and provision of sustainable development.

(2) The tasks of territorial planning shall be provided through

- a) Monitoring, evaluation and recording of data and information about the territory, especially by
  - 1. Permanent monitoring of spatial arrangement and functional use of the territory;
  - 2. Regular evaluation of regulations for spatial arrangement and functional use of the territory applied;
  - 3. Monitoring of the ecological stability and bearable loading of the territory;
- b) Operation of territorial planning information system and construction information system;
- c) Territorial planning activity;
- d) Decision making in territorial proceedings.

(3) The territorial planning activity shall be

- a) Procurement and elaboration of territorial planning materials and their update;
- b) Procurement, elaboration, hearing and approval of territorial planning documentation and its update;

(4) The territorial planning activity shall be carried out according to the newest knowledge of social, natural and technical sciences and knowledge of the state of environment in compliance with procedures and methods of this Act;

(5) The maps of basic state map-work, automated information system of geodesy, cartography and cadastre or other specific maps shall be used for the territorial planning activity.

(6) General provisions on administrative procedure<sup>1c)</sup> shall not relate to the territorial planning activity.

(7) Basic tools for territorial planning shall be territorial planning materials, territorial planning documentation and territorial decision.”.

The footnotes 1, 1a, 1b, and 1c shall read:

1) Article 6 of the Act No. 17/1992 Coll. on environment.

1a) Article 5 of the Act No. 17/1992 Coll.

1b) Article 4 of the Act No. 17/1992 Coll.

1c) The Act No. 71/1967 Coll. on administrative procedure (Administration Code).”.

The Article 2a including the title shall be inserted after Article 2, which shall read:

Provision of procurement of territorial planning documentation and territorial planning materials by municipalities.

(1) The municipality shall provide for the procurement of territorial planning documentation and territorial planning materials by professionally qualified person.

(2) Professional qualification shall be understood as the education, experience and summary of theoretical knowledge, practical experiences and knowledge of generally binding regulations necessary for provision of territorial planning documentation and territorial planning materials.

(3) A person that may be appointed as a professionally qualified person shall be a natural person, who

a) is unimpeachable;

b) is university graduated or has appropriate bachelor’s degree and at least three-year experience in relevant field or the person has finished secondary school education with leaving examination and at least five-year experience in relevant field;

c) passes required exam.

(4) Professional qualification shall be verified by the Ministry of Environment of the Slovak Republic (hereinafter the ”Ministry” only) by an exam.

(5) Professional qualification shall be certified by professional qualification license and shall be verified each ten years.

(6) The Ministry shall maintain the register of professionally qualified persons.”.

3. Article 3 including the title shall read:

”Article 3

## B Territorial planning materials

Territorial planning materials shall be:

- a) An urban planning study;
- b) A general building scheme
- c) A territorial forecast;
- c) Technical materials.”.

4. The second sentence of Article 4, paragraph 1 shall read: ”It shall be processed at the preparation of territorial plan as the proposal of conception of spatial arrangement and functional use of the territory or for more detailed description or verification of a territorial plan, and at changes and amendments of a territorial plan or for designing of some specific technical, landscape-ecological, environmental, planning or architectonic problems in a territory as a material for territorial decision, or if it is established by a special regulation<sup>1d)</sup>”.

The footnote 1d) shall read:

”1d) The Act No. 129/1996 Coll. of the National Council of the Slovak Republic on some measures to accelerate the preparation of highways and roads construction for motor vehicles.”

5. The word ”other” shall replace the words ”other categories or levels” in Article 5.

6. Present text in Article 5 shall be denoted as the paragraph 1 and Article 5 shall be amended by paragraph 2, which shall read:

”(2) Content and scope of general building scheme shall be defined in the assignment. The general building scheme shall be procured by the competent territorial planning authority.”.

7. Article 6 including the title shall read:

”Article 6

Territorial forecast

(1) The territorial forecast designs the options for long-term spatial arrangement and functional use of a territory. It shall be processed on the basis of analysis and evaluation of technical conditions, environmental conditions, economic conditions and social conditions of the territory, as well as on the basis of the analysis and evaluation of the territorial system of ecological stability, trends of territorial development and care for the environment.

(2) The territorial forecast is procured by the territorial planning authority. The content, goals and scope of territorial forecast shall be defined in the assignment. The territorial planning authority shall discuss the assignment with affected state administration authorities and affected municipalities.”.

8. The word ”Ministry” shall replace the words ”the Ministry of the Slovak Republic (hereinafter the ”Ministry” only) in Article 7, paragraph 3.”.

9. Articles 4 to 6 shall be inserted to Article 7, which shall read:

”(4) The technical material for overall territory of the Slovak Republic is the Strategy of territorial development of Slovakia, which shall establish the basic principles, priorities and goals of long-term territorial development and care for the environment based on the conditions of the territory, state of the environment, the needs of its protection and landscape creation and on the basis of evaluation of spatial requirements of sustainable development strategy, strategy of the state environmental policy, environmental action programs and sector conceptions; it shall contain also research, analysis, and evaluation for processing of the Territorial Development Conception of Slovakia.

(5) The territorial planning authority procuring the materials shall be responsible for completeness and correctness of elaborated technical materials determining the way of their

- a) Use and application according to the purpose, for which they were elaborated or for which they are applicable;
- b) Deposition at the territorial planning authorities and in territorial planning information system.

(6) The territorial planning authorities that procured technical documents shall access them according to special provision. <sup>1e)</sup>”.

The footnote 1e shall read:

”1e) The Act No. 171/1998 Coll. on access to environmental information. Regulation No. 273/1998 Coll. of the Ministry of Environment of the Slovak Republic on fees for access to environmental information.”.

10. Articles 7a to 13 including titles shall:

”Article 7a

Other materials

(1) Existing documents and files of information on the territory (hereinafter ”other documents” only) shall be used for territorial planning activity.

(2) The documents referred to in paragraph (1) that shall be obligatory used are:

- a) Strategies of sustainable development, strategies of state environmental policy, environmental action programs, and sector conceptions
- b) Projects of land modifications, forest, water management, irrigation and melioration conditioning of land;
- c) Documents for territorial system of ecological stability, territorial project plans of nature and landscape protection;
- d) Programs of cultural and historical heritage conservation;
- e) Waste management programs;
- f) Conceptions of development of individual spheres of the community life.

## SECTION 3

### TERRITORIAL PLANNING DOCUMENTATION

#### Article 8

(1) Territorial planning documentation shall comprehensively design spatial arrangement and functional use of the territory, harmonizes interests and activities determining territorial development, environment and ecological stability, and lays down regulations of spatial arrangement and functional use. Territorial and planning documentation shall be elaborated for national level, regional level, for municipalities and their parts.

(2) Territorial planning documentation shall consist of:

- a) The Territorial Development Conception of Slovakia;
- b) A regional territorial plan;
- c) A municipal territorial plan;
- d) A zonal territorial plan.

(3) Territorial planning documentation shall be a basic tool for territorial development and care for environment of the Slovak republic for regions and municipalities. Sector conceptions of central bodies of state administration and municipality development conceptions and other programs related to economic, social or cultural development shall be in compliance with obligatory parts of territorial planning documentation (Article 13).

#### Article 9

##### Territorial Development Conception of Slovakia

(1) Territorial Development Conception of Slovakia shall be processed for the whole territory of the Slovak republic. It shall design spatial arrangement and functional use

of the territory of the Slovak republic and establish the framework for national social, economic, environmental and cultural requirements on the territorial development, care for environment and the landscape creation of the Slovak republic and its regions. Territorial planning material for its elaboration shall be the Territorial Development Strategy of Slovakia.

(2) The Territorial Development Conception of Slovakia shall establish in particular:

- a) Arrangement and the hierarchy of the settlement structure and nodes of residential and commercial agglomerations in international and national contexts;
- b) Development of main urbanization axes over the territory of the Slovak republic;
- c) Principles of territorial development regulation aimed at the creation of equivalent life conditions at the whole territory of the Slovak republic and the creation of territorial premises to improve environment, to provide ecological stability, to retain cultural and historical heritage and for sustainable development.

## Article 10

### Regional territorial plan

(1) The regional territorial plan shall be elaborated for a part of the landscape with several municipalities, in which it is necessary to design specific development plans or to carry out activities with significant impact to the spatial arrangement and functional use of the territory. The regional territorial plan shall take into account obligatory part of the Territorial Development Conception of Slovakia and shall result from guiding part of the Territorial Development Conception of Slovakia.

(2) The regional territorial plan shall establish in particular:

- a) Principles and regulations of the settlement structure, spatial arrangement and functional use of the territory from the point of view of its sustainable development and development of urbanization, industry, agriculture, forest management, water management, environment and tourism;
- b) Principles and regulations of public transport and technical facilities arrangement;
- c) Principles and regulations of care for environment, territorial system of ecological stability, landscape creation, protection of cultural monuments, monument reservations and monument zones;
- d) Principles and regulations of spatial requirements for the protection and use of natural resources and important landscape items;
- e) Mutual links of regional territorial development to its municipalities and relations to Neighboring regions;
- f) Public constructions and protected parts of the country.

(3) The territorial planning authority procuring a regional territorial plan shall define boundaries of designed territory in the assignment.

## Article 11

### Municipal territorial plan

(1) A municipal territorial plan shall be elaborated for a territory of one municipality or for a territory of two or more municipalities.

(2) Cities and municipalities with more than 2 000 citizens shall have municipal territorial plan. Other municipalities shall be obliged to have municipal territorial plan, if

a) it is necessary to design the conception of their territorial development, to carry out large new construction or reconstruction in the municipality or to build up public constructions;

b) it results from obligatory part of regional territorial plan, and particularly in order to comply with international commitments or in order to build territorial public transport and technical facilities of national importance.

(3) If two or more municipalities make an agreement they may have one common municipal territorial plan.

(4) If a municipality is under 2 000 citizens and has not its territory designed by a common municipal territorial plan according to Article 3, the municipal territorial plan may be elaborated with the details of zonal territorial plan. In this case the procedure of procurement, elaboration and hearing shall take into account the procedures for municipal territorial plan as well as for zonal territorial plan.

(5) A municipal territorial plan shall define in particular

a) Principles and regulations of spatial arrangement and functional use of the municipal territory in connection to surrounding territory;

b) Acceptable, restricted and forbidden functional use of areas;

c) Principles and regulations of care for environment, territorial system of ecological stability, landscape creation including greenery areas;

d) Principles and regulations of protection and use of natural resources, cultural and historical values and important landscape items;

e) The boundaries of the continually developed territory of the municipality or the territory intended for developing (hereinafter "developed territory" only) and other territory of the municipality;

f) Principles and regulations of public transport and technical facilities and civic facilities;

g) Areas for public constructions, areas intended for sanitation and for protected parts of the landscape;

(6) A municipal territorial plan shall establish the parts of the municipality, for which the procurement and approval of a zonal territorial plan is needed.

(7) A military district territorial plan shall be elaborated for a military district instead of the municipal territorial plan. The territorial plan of the military district shall be prepared according to decision of the procurement authority to the extent of the municipal territorial plan or zonal territorial plan.

## Article 12

### Zonal territorial plan

(1) The zonal territorial plan shall be elaborated for a part of the municipality, if approved municipal territorial plan establishes that

- a) The zonal territorial plan for a specific part of the municipality is to be provided;
- b) A land or a construction for public purposes is to be specified.

(2) The zonal territorial plan shall define in particular

- a) Principles and regulations of detailed spatial arrangement and functional use of lands, buildings and public transport and technical facilities of the territory;
- b) Principles and regulations of construction locations to particular lands, to urban areas and developing conditions for particular building lands;
- c) lands located at the developed territory of a municipality, buildings at building plots and the portion of potential development and loading capacity of territory use;
- d) Vacant lands as building plots including definition of lands, that may be not invariably classified as building plots according to the territorial plan;
- e) Protected parts of the landscape;
- f) Principles and regulations of essential equipment for constructions and the connection to public transport and technical facilities of the territory;
- g) Principles and regulations of integrating buildings into surrounding developed area, historical reservations, and monument zones and into the remaining landscape;
- h) Location of greenery, important landscape items, and other items of the territorial system of ecological stability at particular lands;
- i) Material and time co-ordination of new construction and sanitation of existing buildings;
- j) Lands for public constructions, building prohibition and for carrying out the sanitation.

## Article 13

### Obligatory part and guiding part of territorial planning documentation

(1) Territorial planning documentation shall be divided to an obligatory part and a guiding part. The principles and regulations governing the requirements particularly of sector conceptions regarding the spatial arrangement and functional use of the territory of the Slovak republic and its regions in compliance with principles of sustainable development, protection of the environment, natural and cultural heritage, are defined in the Territorial Development Conception of Slovakia as obligatory.

(2) The obligatory part and the guiding part of the territorial planning documentation shall be defined by the approval authority. In the obligatory part the body shall always define public constructions and protected parts of the landscape.

(3) The following regulations and principles shall be approved in the obligatory part of territorial planning documentation:

- a) in the region of settlement structure, spatial arrangement and functional use of the region territory, the territorial system of ecological stability, care for environment, landscape creation, protection and protective use of natural resources, protection of historical monuments, monument reservations, monument zones and significant landscape items, arrangement of public transport and technical facilities, establishment of areas for public constructions and protected parts of the landscape;
- b) in the municipality, spatial arrangement and functional use of the municipal territory, the boundaries of developed municipality territory, public transport, civil and technical facilities, establishment of areas for public constructions, carrying out of the sanitation and for protected parts of the landscape, protection and use of natural resources, cultural and historical values and significant landscape items, territorial system of ecological stability, care for environment, landscape creation including greenery areas;
- c) in the zone, detailed spatial arrangement and functional use of lands, buildings and public transport and technical facilities, sitting of constructions on particular lands, into urban areas and developing conditions for particular building plots, essential equipment for constructions and the connection to public transport and technical facilities of the territory, integrating of the buildings into surrounding developed area, monument reservations, monument zones and into the remaining landscape.

(4) The following shall be defined in obligatory part of territorial planning documentation:

- a) Public constructions and protected parts of the landscape in the region;
- b) Areas for public constructions, for carrying out of the sanitation, and for protected parts of the country in the municipality;
- c) Lands located in developed territory of the municipality and lands for public constructions and for carrying out of the sanitation in the zone."

11. Article 14 and 15 shall be deleted.

12. The title of Article 16 shall read:

"The territorial planning authorities".

13. The paragraph 4 shall amend Article 16, which shall read:

"(4) The Ministry of Defense of the Slovak Republic (hereinafter only the "Ministry of Defense") is the territorial planning authority, that procures the territorial plans of military districts."

14. Article 17, paragraph 1 shall read:

"(1) The territorial planning authorities shall procure the territorial planning documentation in compliance with the needs of territorial development and the care for environment in an adequate and economical scope. Municipal territorial plans and zonal territorial plans shall always be provided for building of new municipalities, for sitting of public constructions and substantial reconstruction, completion of construction or sanitation of existing municipalities or the parts thereof for purposes to improve environment, secure the ecological stability and sustainable development."

15. The words "Territorial Development Conception of Slovakia" shall replace the words "Territorial Development Conception of the Slovak republic" in Article 18, paragraph 1 and Article 26, paragraph 1.

16. The word "region" shall replace all forms of the words "large territorial unit" in Article 18, paragraph 2 and Article 26, paragraph 1.

17. Paragraph 3 of Article 18 shall read:

"(3) If the design of territorial planning documentation extends to the territories of two or more regions, the regional offices shall make an agreement on who shall procure the documentation. The Ministry shall decide on territorial planning authority which shall procure territorial planning documentation in the case of not concluded agreement."

18. The word "municipalities" shall replace the words "settlement formations" in Article 18, paragraph 4 and Article 26, paragraph 2.

19. The words "two or" shall be inserted after the word "territory" in Article 18, paragraph 5.

20. Articles 19a to 19c shall be inserted after Article 19 including the titles, which shall read:

## ”Article 19a

(1) The procurement of territorial planning documentation shall include:

- a) Preparatory works;
- b) Provision of research and analysis elaboration;
- c) Provision of assignment elaboration and the hearing thereof;
- d) Provision of concept elaboration on design of territorial and planning documentation (hereinafter the ”concept” only), supervision of the elaboration and the hearing thereof;
- e) Provision of the elaboration of the proposal on territorial planning documentation, supervision of the elaboration and the hearing thereof;
- f) Preparation of materials for approval of the proposal on territorial planning documentation.

(2) General regulations on procurement<sup>1f)</sup> shall be used for provision of territorial planning documentation provider.

(3) The provider shall carry out the research and the analysis, the concept and proposal on territorial planning documentation.

## Article 19b

### Preparatory works

(1) The territorial planning authority that procures territorial planning documentation shall carry out preparatory works. The content of preparatory works shall be

- a) Publication of announcement on beginning of territorial planning documentation procurement by the means appropriate in the place;
- b) Concentration of territorial planning materials and other materials, determination of their binding character and assessment of the possibility of their use;
- c) Definition of the purpose of the territorial planning documentation and the subject of the design;
- d) Definition of boundaries of designed territory.

(2) The territorial planning authority that procures territorial planning documentation shall carry out preparatory works and provides them in co-operation with other state administration authorities, municipalities and legal and natural persons sharing the use of the territory.

(3) The body of territorial planning that procures territorial planning documentation shall provide the elaboration of the research and the analysis essential for elaboration of the assignment, concept and proposal for territorial planning documentation based on preparatory works.

## Article 19c

### Research and analysis

(1) The goal of the research and the analysis is to obtain the knowledge, based particularly on territorial planning materials and other binding materials, about the condition of spatial arrangement and functional use of the territory, and the possibilities of its development, definition of problems and interest collision in the designed territory necessary for the elaboration of the assignment, the concept and the proposal for the territorial planning documentation.

(2) The optimal spatial arrangement and functional use of the territory with regard to landscape ecological, cultural and historical, social and economical conditions (hereinafter only "landscape ecological plan") shall be elaborated for the regional territorial plan and municipal territorial plan within the framework of the research and the analysis.

(3) The Strategy of territorial development of Slovakia shall contain the research and the analysis for the Territorial Development Conception of Slovakia."

The footnote 1f shall read:

"1f) The Act No. 263/1999 Coll. on public procurement and on change and amendment of certain acts."

21. Article 20 to 24 including the titles shall read:

"Article 20

### Assignment

(1) The territorial planning authority, which procures the territorial planning documentation, shall secure the elaboration of the assignment in accordance with the results of the research and the analysis. The assignment shall contain particularly the main goals and requirements, which are to be designed in procured territorial planning documentation, and detailed requirements for the form, scale and content of the territorial planning documentation elaboration.

(2) The competent territorial planning authority, which procures the territorial planning documentation, shall discuss the assignment with

a) The affected municipalities and legal persons and it shall make an agreement on the assignment with affected state administration authorities. The municipality shall discuss the assignment for municipal territorial plan with regional office and the

assignment for zonal territorial plan with district office, which shall elaborate summary opinion for all of the state administration authorities.;

b) The affected territorial planning authority; The municipality shall discuss the assignment for municipal territorial plan with regional office, which shall elaborate its opinion in collaboration with district office; The municipality shall discuss the assignment for zonal territorial plan with district office; regional office shall discuss the assignment for regional territorial plan with the Ministry. The Ministry shall determine the way in which the assignment for the Territorial Development Conception of Slovakia shall be discussed.

(3) The territorial planning authority that procures the territorial planning documentation shall notify the public on the discussion on the assignment of the territorial plan in the usual manner and form that is appropriate in the place. The assignment proposal shall be available for a period of 30 days to public view. The public shall be entitled to raise comments on the proposal within 30 days from the day of announcement.

(4) The authority that procures the territorial planning documentation shall appoint an appropriate period for the discussion on the assignment according to paragraph (2) being not shorter than 30 days from the delivery day of the announcement on the discussion on the assignment proposal. Should affected municipality or affected state administration authority not submit its statement within defined period, it shall be presumed, that it has no comments to the assignment, if not agreed with the procurement authority for territorial planning documentation otherwise.

(5) The Ministry, regional office and district office shall assess in a discussion according to paragraph (2), whether

a) The content of the assignment proposal is in compliance with obligatory part of approved territorial planning documentation of higher level;

b) The content of the assignment proposal and the procedure of its procurement and discussion is in compliance with relevant regulations.

(6) The discussed assignment after the elimination of disputes shall be approved by

a) The Government of the Slovak republic (hereinafter only the "Government"), if it is an assignment for the elaboration of the Territorial Development Conception of Slovakia, or regional territorial plan;

b) The municipality, if it is a municipal or zonal territorial plan.

(7) The community may not approve an assignment contrary to the opinion of district or regional office. Nevertheless the municipality should approve such contrary assignment the approval shall be invalid in the whole scale.

Article 21

## Concept

(1) The provider of territorial planning documentation shall elaborate its concept based on the approved assignment and under the supervision of territorial planning authority that procures territorial planning documentation. The concept shall be elaborated in variants.

(2) The concept need not be elaborated for the municipal territorial plan with the territory of less than 2000 citizens or for a zonal territorial plan. The provider shall elaborate the proposal for territorial plan based on the approved assignment, if a concept is not being elaborated.

(3) The territorial planning authority, that procures the territorial planning documentation, shall discuss the concept with municipalities of which territories are affected, with the authorities of state administration affected, with natural persons and legal persons affected; this discussion shall be public. The territorial planning authority, that procures the territorial and planning documentation, shall inform on the public discussion of the concept in the manner that is appropriate in the place, and it shall provide that the concept is available for public view from the day of announcement and shall set the period of at least 30 days within which the public may raise comments to the concept. Before expiration of the period the territorial planning authority shall call for public discussion and shall provide generally comprehensive interpretation there. The territorial planning, authority, that procures the territorial planning documentation, shall deliver the announcement on public discussion of the concept design separately to affected state administration authorities, municipalities and competent territorial planning authority and at the same time it shall invite them to express their opinion within 30 days from the date of the delivery of the announcement. Opinions presented after this period shall not be taken into account.

(4) The Ministry procuring the Territorial Development Conception of Slovakia shall

- a) publish basic data on the concept in at least two national newspapers with notification on the place, where it is possible to view the concept in detail and at the same time it shall inform the public about the possibility to raise the comments within defined period not shorter than 30 days;
- b) notify international organizations engaged in territorial planning activities.

(5) The territorial planning authority, that procures the regional territorial plan, shall

- a) ask the municipalities in the designed territory to issue a notification for the public, in the manner and form that is appropriate in the place in order to raise comments to the concept within defined period not shorter than 30 days and to present the municipalities' opinion to the concept;

- b) provide for the notification of municipalities and authorities of neighboring regions;
- c) provides for the notification of the territorial planning authorities of the country neighboring to the region.

(6) The purpose of the concept discussion shall be in particular:

- a) Assessment of the correctness of the basic urban design to spatial planning and functional use of the territory and complexity of proposed solution;
- b) Assessment of the loading capacity of the territory, protective use of natural resources, provision of the territorial system of ecological stability and the capacity of public transport and technical facilities
- c) Verification concerning the adequacy of the proposed solution in terms of the location of public transport and technical facilities and public constructions;
- d) Assessment of variants.

(7) The territorial planning authority, that procures the territorial planning documentation, shall prepare a summary opinion based on the results of discussion. If necessary it shall order new discussion of the concept. If a change of the assignment occurs, based on the results of the concept discussion, summary opinion including the change of the assignment shall be submitted for an approval to the authority, which approved the original assignment.

(8) It shall be possible to abandon the elaboration of the concept on the proposal of the territorial planning authority, which procures the territorial planning documentation, during the approval of the assignment, if the design was verified prior to the assignment by urban study discussed according to paragraphs 3, 5 and 6. In this case the assignment shall have also the function of the summary opinion.

(9) The territorial planning authority, that procures the territorial planning documentation, shall again discuss the opinions and the written comments to the concept, which have not been taken into account, together with those applying for them.

## Article 22

### Proposal for territorial planning documentation

(1) The territorial planning authority, that procures the territorial planning documentation, shall notify the public on the discussion about the proposal for territorial planning documentation in a manner and form that is appropriate in the place. The proposal for the territorial planning documentation shall be available during 30 days for a public view. The public shall be entitled to raise the comments on the proposal within 30 days from the day of the announcement.

(2) The territorial planning authority shall notify the affected state administration authorities and municipalities on the discussion about the proposal for the territorial planning documentation always separately.

(3) The territorial planning authority, that procures the territorial planning documentation, shall discuss the proposal for the territorial planning documentation with affected municipalities, of which territory is being designed and affected legal persons.

(4) The territorial planning authority, that procures the territorial and planning documentation, shall make an agreement on the proposal for the territorial planning documentation with state administration authorities affected.

(5) The municipalities and affected state administration authorities shall be obliged to present their opinions on the proposal for the territorial planning documentation within 30 days from the date of they have been notified about it. Should the required authority not give its opinion within defined period, it shall be presumed, that it has no comments to the proposal for the territorial planning documentation.

(6) The territorial planning authority may extend adequately the period according to paragraph 1, provided that the discussed proposal for territorial planning documentation, designs a territory with intricate relations.

(7) The territorial planning authority, that procures the territorial planning documentation, shall again discuss the opinions and written comments to the proposal, which have not been taken into account, with those applying for them.

## Article 23

### Proposal for the zonal territorial plan

(1) The municipality shall publish the proposal for zonal territorial plan for at least 30 days on the office board and invite natural and legal persons to raise the comments in the manner and form that is appropriate in the place. Before the expiration of a period designated for comments, the municipality shall call for a public discussion involving the community citizens and shall secure the expert interpretation of the provider there.

(2) The municipality shall notify affected state administration authorities, natural persons and legal persons, of which ownership is influenced by the design of the zonal territorial plan, and owners of public transport and technical facilities in the territory on the date of the discussion about proposal of the zonal territorial plan in the manner that is appropriate in the place at the territory of the zone designed.

(3) The municipality is obliged to discuss the proposal for zonal territorial plan with stakeholders, whose land is being proposed for development conditions, regulations of inadmissible functional use of lands or building prohibition, and with stakeholders of public transport and technical facilities of the territory designed.

(4) The municipality shall assess opinions on the zonal territorial plan in coordination with the provider. The community shall discuss those opinions of the persons according to paragraph (3), which may not be taken into account, with persons applying for them, if the opinions are in direct relation to property or other rights concerning lands or buildings.

## Article 24

### Materials for approval of territorial planning documentation

The territorial planning authority, that procures the territorial planning documentation, shall submit to approval authority the report on discussion on territorial planning documentation together with assessment of all opinions and comments and with proposal for decision on the objections and comments, proposal for territorial planning documentation and proposal for the generally binding regulation declaring the obligatory part of territorial planning documentation.”.

22. Article 25 shall read:

## ”Article 25

(1) Prior to the submission of proposal for territorial plan for approval, it shall be examined, whether

- a) The content of the proposal is in compliance with obligatory part of the approved territorial planning documentation of a higher level;
- b) The content of the proposal and the procedure of its procurement and discussion are in compliance with relevant regulations;
- c) The proposal is in compliance with the assignment;
- d) The proposal is in compliance with the content of the territorial plan;
- e) The obligatory part of the territorial plan proposed for declaration by general regulation is in compliance with Article 13.

(2) The material for examination according to paragraph 1 shall be the proposal for the territorial plan, evaluation of opinions and comments raised at the discussion on the proposal and the proposal for generally binding regulation declaring the obligatory part of territorial plan. The competent authority shall notify on the result of an assessment according to the paragraph 1 with a positive or negative opinion on the proposal for the territorial plan with its justification to the provider within 30 days.

- (3) The regional office shall request the Ministry to examine the compliance of the proposal for the regional territorial plan according to paragraph 1.
- (4) The district office shall request the regional office to examine the compliance of the proposal for the municipal territorial plan according to paragraph 1.
- (5) The municipality shall request the district office to examine the compliance of the proposal for zonal territorial plan according to paragraph 1.
- (6) Proposal for the territorial plan, of which content is not in compliance with the obligatory part of the territorial planning documentation of a higher level or relevant generally binding regulations or which procedure of procurement and discussion is not in compliance with relevant generally binding regulations, may not be approved. Nevertheless the approval of such contrary assignment occurs, the approval shall be invalid in whole of its scope.”.

23. Paragraph 3 shall be deleted from Article 26.

24. New Section 6 shall be inserted above Article 27 and shall read including the title, which shall read:

## ”SECTION 6

### OBLIGATORY CHARACTER OF TERRITORIAL PLANNING DOCUMENTATION

#### Article 27

- (1) The Government shall declare obligatory parts of territorial and planning documentation approved by the Government in the regulation. Obligatory parts of military district territorial plan shall not be published.
- (2) The municipality shall approve the territorial planning documentation and declare the obligatory parts thereof in a generally binding regulation.
- (3) The municipality shall publish obligatory parts of the territorial planning documentation by:
  - a) Displaying on the official table for at least 30 days as well as in other manner, that is appropriate in the place;
  - b) The delivery to state administration authorities affected.
- (4) The municipality shall individually notify on the approval of the zonal territorial plan persons, with whom it discussed the proposal for territorial plan separately.

(5) The territorial planning documentation approved shall be within defined scope obligatory or guiding material for the elaboration and approval of further territorial planning documentation, for territorial decision making and for elaboration of the construction documentation.

## Article 28

### Deposition of territorial planning documentation

(1) The territorial planning authority, that procures the territorial planning documentation, shall mark the text part of territorial planning documentation, main plans and the obligatory part in approved territorial planning documentation with an approval clause containing

- a) Identification of the approval authority;
- b) Number of decision and the date of the approval;
- c) Stamp imprint, the name and the signature of authorized person.

(2) The territorial planning documentation approved by the Government shall be deposited at the Ministry. Regional territorial plans shall be deposited both in regional offices and district offices; military district territorial plans are deposited at the Ministry of Defense.

(3) The municipality territorial plan shall be deposited at the municipality, the building office and the regional office.

(4) Zonal territorial plan approved shall be deposited at the municipality and at the competent building office.

(5) The territorial planning authority, that procures the territorial planning documentation, shall elaborate the registration letter on the content of the territorial plan, which shall be delivered to the Ministry together with the copy of the approval decision.”.

25. Former Section 6 shall be marked as Section 7 and its title shall read:

”TERRITORIAL PLANNING DOCUMENTATION UPDATE”.

26. Article 29 shall be deleted.

27. Former text Article 30 shall be marked as paragraph (1) and paragraphs 2 a 3 shall be inserted, which shall read:

”(2) The municipality shall procure the change or amendment of the municipal territorial plan, if it is essential for compliance with the regional territorial plan or its changes and amendments.

(3) The municipality shall periodically and at least every four years, review the approved territorial plan, whether the changes or amendments or procurement of new territorial plan are needed”.

28. Paragraph (2) of Article 31 shall read:

”(2) The procedures according to Articles 22 to 25 shall apply to discussions on changes and amendments of territorial planning documentation, as appropriate”.

29. Former Section 7 shall be marked as Section 8.

30. Article 33a shall be deleted.

31. Article 34 including the title shall read:

”Article 34

Participants in territorial proceedings

(1) The participants of territorial proceeding shall be the proponent, municipality and the entity, that is entitled to this position on the grounds of special regulations.<sup>1g)</sup>

(2) The participants of territorial proceedings concerning the sitting of a construction, use of a territory, building prohibition and protective zone shall be natural and legal persons, too, of which property and other rights to lands or buildings, as well as to adjacent lands and buildings including flats may be directly affected by the decision.

(3) The participants of territorial proceeding shall not be users of flats and non-flat premises.”.

The footnote 1g shall read:

”1g) For example Article 9, par. 4 of the Act No. 127/1994 Coll. of the National Council of the Slovak Republic on Environmental Impact Assessment.”.

32. The words ”authorized person (Article 45, par. 4)” shall replace the words ”professionally qualified person” in Article 35, par. 1.

33. The words ”on a building prohibition and on a protective zone” shall be inserted after the words ”use of territory” in Article 36, par. 4, first sentence.

34. The words ”of municipalities and zones” shall replace the words ”and territorial projects” in first sentence of Article 37, par. 1 and the words ”for the municipality or zone, or the urban study” shall replace the words ”or territorial project” in second sentence.

35. The par. 1 shall be deleted from Article 38. The identification of paragraph 2 shall be deleted at the same time.

36. Articles 39a to 39d shall be inserted after Article 39, which including titles shall read:

”Article 39a

Decision on construction sitting

(1) Decision on construction sitting shall define the building plot, the location of construction upon it, and it shall define conditions for construction sitting, requirements for the content of project documentation and the period of decision validity. Construction sitting shall be indicated in the graphical annex to the territorial decision.

(2) The following requirements shall be defined in conditions for construction sitting

- a) Nature and landscape protection and provision of care for environment;
- b) Provision of urban design and architectonic design compliance with surrounding environment, with special regard to vertical and positional sitting of the construction , including spacing from the land boundaries and from adjacent buildings, construction elevation, access and use of the construction by the persons with limited capability of movement and orientation, connection to technical facilities network, connection to surface roads, portion of developed and vacant area of the building plot including requirements for arranging of its vacant areas;
- c) Requirements resulting from protected parts of landscape or their vicinity;
- d) Requirements resulting from opinions of state administration authorities affected;

(3) Decision on construction sitting shall not be requested for

- a) Constructions, of which conditions for sitting are designed in detail in the zonal territorial plan, if it is laid down in its obligatory part;
- b) Small buildings;
- c) Construction modifications and maintenance works;
- d) constructions situated in closed spaces of existing constructions, if outside floor projection boundaries and vertical space arrangement are not be changed;
- e) Information facilities, advertising facilities and promotion facilities.

(4) Building office shall merge the territorial proceedings on construction sitting with building proceedings for simple construction or an extension and add-on thereof, if the conditions of sitting are unambiguous as regards the territory relations; the same procedure shall refer to the other constructions, provided that the conditions for their sitting result from zonal territorial plan.

## Article 39b

### Decision on the use of territory

(1) A New use of the territory shall be permitted by a decision on the use of territory, it shall define conditions and period of validity of the use..

(2) The conditions of the new use of the territory shall include particularly the method of territory conditioning, arrangement, forestation, drainage, connection to surface roads, connection to networks and facilities of technical equipment of the territory, and method of providing the requirements, which result from the vicinity of protected parts of landscape and from opinions of state administration authorities affected and from a definition of requirements for the protection of existing buildings and greenery.

(3) Decision on the use of territory shall be requested for

a) Carrying out of ground works that substantially changes territorial system of ecological stability, landscape appearance, the use of important landscape items or runoff coefficients in the territory, particularly for excavation or filling of ditches, land-fill, for embankments and amelioration;

b) Creation or removal of public gardens, parks, decorative gardens and other greenery if they are in relation to ground works, greenery removal, construction of walkways and other reinforced areas, location of small garden architecture and technical service equipment for lighting and greenery maintenance;

c) Creation or removal of playgrounds, parking and storage areas;

d) Partition and merging of lands, if conditions thereof are not defined in zonal territorial plan, project of land consolidation, other decision or provision;

e) Mining works, similar works and related works if special regulations do not set otherwise. <sup>1h)</sup>

(4) Building office may withdraw from ground work permission in the decision on the use of territory.

(5) Decision on the use of territory shall be combined with the decision on construction sitting, if the construction shall be carried out on the land addressed by the decision, too.

## Article 39c

### Decision on the protected part of landscape

(1) Decision on the protected part of the landscape shall establish its boundaries, forbid or restrict certain activities due to protection of public interest <sup>1i)</sup> and define the requirements for its protection, particularly the activities, which are not to be

carried out in the territory and activities, which may be carried out if meeting the defined conditions.

(2) The conditions of the decision according to paragraph (1) shall define the method of protection, particularly the prohibition, the restriction or the method of execution of constructions, ground works, mining works, planting of trees and spraying of trees, soil fertilization, operation of high frequency devices and the requirements of affected state administration authorities shall be *inter alia* provided there.

(3) If any of the protected parts of landscape, particularly the protected territory or protective zone, shall be defined by a generally binding regulation or by a decision of competent administrative authority issued according to the regulation, the decision on the protected part of landscape shall not be issued.

(4) If the purpose, for which decision on the protected part of landscape was issued, lapsed, or the same territory is designed in an approved zonal territorial plan, the building office shall repeal the decision even without a proposal. If an easement, established by the decision was recorded in a land register, the building office shall submit the proposal for its expungement after the repeal of the decision or after the expiration date, for which the validity was restricted.

## Article 39d

### Decision on building prohibition

(1) Decision on building prohibition shall define a territory, in which construction activities shall be temporarily forbidden or restricted, particularly if this activity could obstruct or exclude a future use of the territory or its organization according to the prepared territorial plan.

(2) Building prohibition shall be determined only for the essential time period, no longer than five years from the date of decision on building prohibition entering into force..

(3) Decision on building prohibition may not forbid or restrict the execution of maintenance works.

(4) If the purposes, for which the decision on building prohibition was issued, lapsed or the same territory is designed in approved zonal territorial plan, the building office shall repeal the decision even without a proposal. If an easement established by the decision was recorded in a land register, the building office shall submit the proposal for its expungement after the repeal of the decision or after the expiration date for which the validity was restricted,.”.

Footnotes 1h and 1i shall read:

”1h) Article 27 of the Act no. 44/1988 Coll. on protection and utilization of mineral resources (the Mining Act) as amended by the Act No. 498/1991 Coll. of the Slovak National Council.

1i) For example the Act No. 309/1991 Coll. on air protection against pollutants (Act on Air), the Act No. 44/1988 Coll., the Act No. 195/2000 Coll. on telecommunication, the Act No. 164/1996 Coll. of the National Council of the Slovak republic on rails and on change of the Act No. 455/1991 Coll. on small business (Small Business Act) as amended by the Act No. 58/1997 Coll., the Act No. 143/1998 Coll. on civil aviation (Civil Aviation Act) and on change and amendments of some acts, the Act No. 281/1997 Coll. on military zones and the act amending the Act No.222/1996 Coll. of the National Council of the Slovak republic on organization of state administration and on change and amendment of some acts as amended, the Act No. 455/1991 Coll. on small business (Small Business Act) as amended, the Act No. 215/1995 Coll. of the National Council of the Slovak republic on geodesy and cartography.”.

37. Paragraphs 2 a 3 of Article 40 shall read:

(2) The Building Office shall determine the period of decision validity regarding the protected part of landscape as well as the period regarding the building prohibition. If the period of decision validity cannot be specified in advance, the Building Office shall decide on the expiration date, after the purpose, for which it was issued, shall have lapsed..

(3) The Building Office may extend the validity period of territorial decision upon the application of a proponent if it is submitted prior to the expiration of period. The period of decision validity regarding the building restriction shall not be longer than five years, including the extension, from the date of territorial decision entering into force.. The period of validity of territorial decision may not be extended, if the zonal territorial plan, which designs the subject of the territorial decision, was approved for the same territory.”.

38. In second part the sections 1 to 3 including the titles shall read:

”SECTION 1

BASIC PROVISIONS

Article 43

Construction

The construction is a building structure constructed by building operations from construction products, which is fixedly connected to the ground or which setting requires base treatment. Fixed connection to the ground is

- a) The connection by fixed foundation;
- b) Fastening onto fixed foundation or other construction by mechanical components or welding
- c) Anchoring by piles or ropes with anchors in the ground or to other construction;
- d) Connection to the networks and equipment of technical facilities of the territory;
- d) Sitting under the ground level.

Article 43a

Classification of constructions

(1) The constructions shall be classified as building constructions or engineering structures according to structural and technical design and purpose.

(2) Building constructions are spatially concentrated roofed buildings including underground spaces, which are technically and structurally appropriate and intended for protection of humans, animals or things; they do not need to have walls, but roof. They are classified to residential and non residential buildings according to the purpose.

(3) Engineering structures are

- a) Highways, common roads, local and special roads, quays, walkways and uncovered parking places;
- b) Railways, cableways and other tracks;
- c) Approach runways and rolling runways of airports;
- d) Bridges, overpasses, tunnels, overpasses, underpasses;
- e) Ports, canals and tail bays, regulation of flows, dams and protective dams, irrigation and melioration systems, fishponds;
- f) Distant pipelines and gas tubing, local gas distribution;
- g) Distant and local distribution of water or steam, water purification plant, local sewerage and waste water treatment plant;
- h) Distant and local telecommunication networks and wiring, telecommunication towers, transforming stations;
- i) Distant and local distribution of electric power, towers, transforming stations, TV-cable distribution;
- j) Mining constructions and mining facilities;
- k) Power plants, gas works and waste incineration plants;
- l) Constructions for treatment and storage of nuclear material;
- m) Constructions of chemical plants, refineries and coke plants;

- n) Constructions of heavy industry, for example blast furnaces, rolling mills and foundries;
- o) Uncovered playgrounds, car, motorcycle and bike roads, golf courses, ski tracks and ski-lifts;
- p) Entertainment and vacation parks, zoos and botanical gardens;
- r) Other engineering structures, for example landfills of waste.

## Article 43b

### Residential buildings

(1) Residential buildings are constructions, of which at least a half of the floor area is intended for housing. Residential buildings are *inter alia*:

- a) Flat-buildings;
- b) Single houses;
- c) Other building for housing, for example foster homes, hostels, retirement homes and homeless asylums.

(2) Flat-building is the building intended for housing consisting of four and more flats with common main entry from public road.

(3) Single house is the building intended for family housing all above, with separate entry from public road, which has no more than three flats, two elevated floors and an attic.

(4) The flat is housing room or set of housing rooms with accessories arranged to functional unit with separate closing, intended for permanent housing.

(5) Housing room is a room, of which technical and structural solution and equipment meets the requirements for permanent housing.

(6) For the purpose of this Act accessories of the flat shall mean rooms pursuing communication, economic or hygienic functions of the flat.

## Article 43c

### Non residential buildings

(1) Non residential buildings are constructions, where more than a half of the useful floor area is intended for non residential purposes. Non residential buildings are *inter alia*:

- a) Hotels, motels, pensions and other accommodation facilities for temporary residence;

- b) Buildings for administration, government and control, banks and post-offices;
- c) Buildings for business and services including service stations and petrol stations;
- d) Transport and telecommunication buildings, railway stations, hangars, depots, garages and covered parking places;
- e) Industrial buildings and storage places, tanks and silos;
- f) Buildings for culture and public entertainment, museums, libraries and galleries;
- g) Buildings for education and research;
- h) Hospitals, hospital and social facilities,
- i) Covered buildings for sports;
- j) Agricultural buildings and storage places, stables and shelters;
- k) Buildings and places for practicing of religious activities, crematories and cemeteries;
- l) Cultural monuments, which are not residential buildings;
- m) Other non residential buildings, for example correctional facilities or military barracks.

(2) If buildings are intended for different purposes, they shall be classified according to their main purpose, for which the largest useful floor area is dedicated.

(3) If a part of non residential building serves for housing, requirements for residential buildings shall apply to this part.

#### Article 43d

##### Basic requirements for constructions

(1) The construction shall comply with basic requirements for constructions during the whole time of economically reasoned life-cycle. Basic requirements for constructions are:

- a) Mechanical resistance and stability of construction;
- b) Fire safety of construction;
- c) Hygiene and protection of health and environment;
- d) Safety of construction during its use;
- e) Protection from noise and vibrations;
- f) Energetic economy and thermal protection of construction.

(2) From the point of view of mechanical resistance and stability the construction shall be designed and constructed in such manner, that influences, which are likely to have an impact on the construction during its development and in the period of its use, do not cause

- a) Collapse of whole construction or any of its parts;
- b) Inadmissible deformation;

- c) Damage to other parts of the construction, equipment or installations due to deformation of bearing structure of construction;
- d) Damage of construction, which is excessive in comparison to the original reason.

(3) From the point of view of fire safety the construction shall be designed and constructed in such manner, that during fire

- a) The load capacity and stability of bearing structure of the construction is retained for the defined period;
- b) The generation and propagation of fire and smoke from fire is reduced in the construction;
- c) The possibility of fire propagation from fireplace to adjacent constructions is reduced;
- d) People are able to leave the construction in time or save themselves in other manner;
- e) The safety of fire department units is ensured.

(4) From the point of view of hygiene and protection of health and environment the construction shall be designed and constructed in such manner, that it complies with environmental soundness and safety and shall not endanger the hygiene and health of its users and neighbors particularly due to

- a) Release of pollutants;
- b) Occurrence of hazardous substances or gases in the air;
- c) Emission of hazardous radiation;
- d) Pollution, even damage delivered to environment including water or land contamination;
- e) Insufficient disposal of effluents, smoke and solid or liquid waste;
- f) Occurrence of humidity in building structures or at surfaces inside the construction.

(5) From the point of view of safety of the construction during its use including the operation, the construction shall be designed and constructed in such manner, that inadmissible danger of accident by slipping, falling, hitting, cutting, scorching, scalding, hitting by electric current, explosion, moving vehicle or by fall of released part of the construction do not occur.

(6) From the point of view of protection against noise and vibration, the construction shall be designed and constructed in such manner, that the noise and vibrations perceived by the users of the construction and persons in its vicinity do not exceed a level endangering their health, further that they are able to sleep, rest and work in satisfactory conditions.

(7) From the point of view of energetic economy and thermal protection stability of construction, the construction and its equipment for heating, cooling, ventilation and water heating shall be designed and constructed in such manner, that the energy

consumption for their operation is the lowest possible in relation to ambient conditions, sitting of construction and requirements of its users.

(8) Life-cycle of the construction shall be the period of time, during which indicators of use properties of the construction are in compliance with basic requirements for constructions. If indicators of use properties of the construction are mentioned in generally binding regulation <sup>1j)</sup> or technical regulations, the construction shall be designed, constructed and maintained in compliance with them.

#### Article 43e

##### General technical requirements for construction

General technical requirements for construction including general technical requirements for constructions used by persons with limited capability of movement and orientation shall define requirements for territorial and technical planning of development, structurally technical and special planning of constructions, according to which legal and natural persons, state administration authorities and municipalities shall proceed at sitting, designing, permitting, executing, approving, using and removing of constructions.

#### Article 43f

##### Construction products

Only the construction products, which are suitable for the use at the construction for intended purpose (hereinafter only "suitable construction product") under special regulations<sup>1k)</sup> may be proposed and used for the execution therein.

#### Article 43g

##### Construction work

(1) Construction work is a professional activity, through which the construction is carried out using construction products. Building work includes an assemblage if

- a) The construction products are permanently and fixedly build in to the construction or they are removed from it, particularly operation equipment and devices of technical, energetic and technological equipment of the construction;
- b) The construction connects to public transport and technical facilities of the territory.

(2) Should the execution of certain construction work require professional or sanitary qualification under special regulation, , it may be carried out only by natural person having the required professional and sanitary qualification. Should the construction

work be the subject to safety or hygienic regulations, technical standards, generally used working procedures and producers' manuals on methods of construction product use the building works shall be carried out in compliance with them.

#### Article 43h

##### Building plot

(1) The building plot shall mean a part of territory designed by a municipal territorial plan or by zonal territorial plan, or by territorial decision for development and a plot covered with a construction.

(2) Bare ground constituting a part of agricultural soil fund<sup>11a)</sup> or forest soil fund<sup>11b)</sup> may be designed as a building plot in a municipal territorial plan or zonal territorial plan, providing that the conditions for its permanent abstraction from agricultural soil fund or forest soil fund are met or it is in a developed territory.

#### Article 43i

##### Construction site

(1) The construction site is an area intended for carrying out of construction work on the construction, for storage of construction products and transport and other equipment necessary for carrying out of the construction and for emplacement of construction facilities, during the execution of the construction; it includes building plot, eventually other lands or parts thereof in defined scope.

(2) Construction site facilities shall mean the constructions and facilities, which serve the operational, production, storage and social purposes during the execution of construction, change of construction or maintenance works; they shall serve these purposes temporally.

(3) The construction site shall

- a) Be secured from any entry of unauthorized persons to the places, where life threat or health hazard may occur, even by closed fencing;
- b) Labeled as a construction site with introduction of necessary construction data and participants of the construction;
- c) Have built an entry and exit from local road or special road for supplying with construction products, disposal of spoil and construction waste and for access of ambulance and fire department vehicles; this roads shall be cleaned.
- d) Facilitate safe storage of construction products and building machinery and emplacement of construction facilities;
- e) Facilitate safe movement of personnel carrying out the construction work;
- f) Have provided waste removal or disposal;

- g) Have equipment necessary for carrying out the construction work and for staying of personnel carrying out the construction work;
- h) Be established and operated in a manner providing health protection of personnel at the construction site and its surroundings<sup>1m)</sup> as well as the protection of environment under special regulations.<sup>1n)</sup>

(4) Should it be the construction site in a developed territory, construction site of a linear structure or large construction site of other engineering structure, the building office may desist from some special technical requirements for the construction site according to paragraph (3) in building permission.

(5) Project documentation necessary for the execution of the construction and for the operation of state building control and authorized by the building office shall be kept within the construction site during the whole period of construction.

## SECTION 2

### AUTHORIZATION FOR EXECUTION OF CONSTRUCTIONS AND SELECTED ACTIVITIES IN CONSTRUCTION

#### Article 44

##### Authorization for execution of constructions

(1) Only legal person or natural person authorized for performing of construction works according to special regulations<sup>2)</sup> may execute the construction or its change. Superintendent shall control the execution of the construction.

(2) The contractor may carry out simple constructions and their changes for himself on his own, provided that the control of its execution is carried out by a supervisor. It shall be sufficient if the contractor provides professional control of self-help execution of simple constructions [Article 139, paragraph 1, points b) and c)] and small constructions and their changes by a person having university degree in structural engineering or architecture or bachelor's degree in structural engineering and at least three-year experience in the field (hereinafter only "qualified person"), if the contractor himself shall not comply with these requirements.

#### Article 45

##### Selected activities in construction

(1) Selected activities, the result of which has an influence on the protection of public interest in construction (hereinafter only "selected activities in construction"), shall be:

- a) Project planning activity;
- b) Control of construction execution;
- c) Selected geodetic and cartographic activities.<sup>2a)</sup>

(2) The project planning activity shall be:

- a) The elaboration of territorial planning materials, and territorial planning documentation;
- b) The elaboration of documentation necessary for issuing of the territorial decision;
- c) The elaboration of the construction plan necessary for issuing of building permission including static and dynamic calculations of construction structures.

(3) The control of construction execution shall be the organization, management and co-ordination of construction work and other activities at the construction site and on the construction, monitoring of the method and progress of construction execution, responsibility for compliance of spatial location with the construction documentation and for compliance with general technical requirements for construction.

(4) Natural persons may carry out selected activities in construction only if they received the authorization for execution of these activities according to special regulations<sup>2b)</sup> (hereinafter only "authorized person"). Authorized persons shall be obliged to protect the public interest in the course of this activity.

(5) Legal persons may carry out selected activities in construction if provide for their execution by authorized persons.

(6) The following activities shall not be considered as selected activities:

- a) the elaboration of documentation and plan of simple constructions, small constructions and their change, which may be prepared by a person with appropriate professional education;
- b) the control of execution of simple constructions referred to in Article 139b, par. 1, points b) and c), small constructions and changes of these constructions.

## Article 46

### Designer

The designer shall carry out projecting activity and shall be responsible for correctness and completeness of elaborated documentation according to Article 45, par. 2. Moreover the designer of elaborated project shall be responsible for its feasibility. Static calculation shall be elaborated in a form that allows its control. The designer shall be obliged to invite other authorized designers for elaboration of parts of territorial planning materials, proposal for territorial planning documentation or construction design, if he is not authorized for the elaboration of any part himself.

## Article 46a

### Superintendent

(1) Superintendent shall organize, manage and co-ordinate construction works and other activities at the construction site and on the construction and shall keep records about them in building log.

(2) Superintendent shall be entitled:

- a) To determine the opening and termination of particular construction work and other activities at the construction site and on the construction;
- b) To issue orders relating to the execution of construction work, organization of the work and personnel movement at the construction site and on the construction;
- c) To take a delivery of construction products, examine their suitability and determine their location and storage at the construction site;
- d) To issue orders for immediate cessation of construction work and other activities at the construction yard and on the construction, if a hindrance occurs, due to which the further carrying out of work is inadmissible;
- e) To co-ordinate the order of construction works;
- f) To banish unauthorized personnel from the construction site and from the construction.

## Article 46b

### Supervision

The person carrying out the supervision shall

- a) Monitor method and progress of construction execution in such manner that ensures safety and health protection at work, proper installation and operation of technical equipment in the construction, professional storage of construction products and materials, suitability of their use and professional emplacement of machinery and devices; monitor the record keeping in a building log;
- b) Bear responsibility for compliance of spatial position with construction documentation, for compliance with general technical requirements for construction and take shared responsibility for compliance with decisions issued for construction execution, particularly territorial decision and building permission;
- c) Induce for the elimination of irregularities found in the construction; if an irregularity may not be eliminated within the performance of supervision, the supervisor shall immediately notify the building office.

## Article 46c

### Construction geodesist and cartographer

The construction geodesist and cartographer shall be responsible for proper establishment and update of survey control stations, elaboration of proposal for setting-out nets, establishment of setting-out nets, setting and checking measurement of geometrical parameters of spatial position of the construction, marking of existing underground mains on the surface, measurement and indication of items belonging to real construction execution in compliance with territorial decision and building permission.

#### Article 46d

#### Building log

(1) Building log is a document, which is a component part of documentation deposited at the construction site; all important events occurring at the construction site shall be recorded there. All important data about the constructions work, on carrying out of state building control, state supervision, designer's supervision on the construction execution and author supervision and on other activities influencing the construction work and construction development shall be recorded to the building log.

(2) Superintendent or the builder shall keep the building log from the first day of preparatory works till the termination of construction work.

(3) Following persons shall be entitled to make records, namely the date of visit of construction site, facts detected and measures carried out, into building log:

- a) The person authorized to carry out state building control;
- b) Construction geodesist and cartographer;
- c) The builder or its empowered representative and construction owner, if he is not the builder;
- d) Designer and designer of partial plans of the construction;
- e) Provider (supplier) of the construction;
- f) The person carrying out the supervision;
- g) The person carrying out the state supervision.

### SECTION 3

#### GENERAL TECHNICAL REQUIREMENTS FOR CONSTRUCTION

#### Article 47

#### General technical requirements for planning of constructions

Constructions shall be planned in such manner, that they are during the whole life-cycle in compliance with basic requirements for constructions, development conditions and produced from suitable construction products and that

- a) The construction is incorporated into the territory in compliance with urban planning, architectural and environmental principles and requirements for nature and landscape and monument conservation in manner excluding negative impacts of the construction to the surroundings from the point of view of health and environmental protection eventually limiting them to acceptable extent;
- b) The construction shall be accessible from the road, local road or special road;
- c) The construction with its building and technical equipment is in compliance with the purpose and the manner of its use, and in the case of construction intended only for use by persons with limited capability of movement and orientation or the construction accessible to wide public, it is in compliance with special requirements for use of construction by the persons with limited capability of movement and orientation, particularly with the requirement of being barrier-free;
- d) The construction is connected to public water supply and public sewerage, provided that the construction is in vicinity of sufficient public water supply and public sewerage;
- e) Energetic equipment of the construction is the most economic and the safest in consideration to climatic factors of the construction location and to the purpose and manner of its use;
- f) Waste waters discharged to public sewerage are in compliance with requirements of special regulations<sup>2c)</sup> and in compliance with sewage order;
- g) Each connection to public technical facilities of the territory may be separately closed or disconnected and the places of closure, disconnection and measuring equipment are easily accessible and permanently marked;
- h) Removal or other method of disposal of waste from the construction use is provided;
- i) Disposal and operating plan of the construction takes into account climatic factors of the construction location and land properties most appropriately, in order to the best use of solar radiation and daily light;
- j) Maximal protection of the construction against the wind, rain, noise, vibrations, disturbances, ionizing radiation from geologic base, impacts of geo-pathogenic zones, lost streams, and underground and surface water is provided;
- k) Emissions polluting the air, luminous, caloric and other electromagnetic radiation and conditions of their release to external environment during the execution of the construction, operation of the construction and relating activities are in compliance with special regulations<sup>2c)</sup>, if such requirements are not established to be solved with state of art technology existing in the time of planning of particular construction;
- l) The construction with nuclear equipment meets requirements of special regulation.<sup>4)</sup>

General technical requirements for execution of constructions

## Article 48

- (1) Constructions shall be realized in compliance with verified plan and building permission and shall meet the basic requirement for constructions.
- (2) The constructions shall be established in the way corresponding to subsurface conditions of the land and to the ground water condition. The heed shall be paid not to threat the stability of adjacent constructions and not to change subsurface conditions of adjacent lands by during the construction foundation. Adjacent constructions and lands, of which stability or foundation conditions should be threatened by the construction foundation, shall be secured prior to the opening of construction works.
- (3) Ground works at the construction foundation and at the emplacement of underground constructions being carried out at the same time and same place shall be coordinated. Excavations and landfills may not prevent the access or approach to adjacent constructions and lands. Excavations on roads and public places shall be appropriately furnished with sufficiently safe and capacitive suitable passages, crossings or circuits and shall be marked;
- (4) Construction foundations shall safely transfer to construction sub-base the load invoked by the construction structures and by useful load. Footing bottom shall be placed in non-freezing depth.
- (5) Loading structures shall permanently and safely resist the load invoked by the use of the construction, construction itself and external impacts and transfer this load to the construction foundations. Loading structures shall permanently and safely resist the fire load.
- (6) The constructions on the lands within the reach of effect originating from mining activities or any activity made by the mining method or within the reach of underground structures shall meet the requirements for construction foundation and for construction structures appropriate to these conditions.
- (7) The constructions on the territory with seismic threat shall meet the requirements appropriate to the degree of possible seismic activity of the territory.

## Article 49

- (1) The walls and floors of constructions shall render necessary insulating properties according to the class of construction.
- (2) External walls shall resist all external climatic influences.

(3) The roofs of constructions shall retain and lead away rainfalls and prevent their intrusion into construction structures.

(4) Roof covering shall resistant to climatic influences and effects and to the loading caused by snow.

#### Article 50

(1) Staircases shall be operationally safe and appropriate to the class of construction, purpose and manner of the construction use.

(2) Stair halls shall be sufficiently lighted and furnished with safe handrail, appropriate to the class of construction, purpose and manner of the construction use.

(3) The number of staircases in constructions shall satisfy operational conditions and requirements for fire protection.

#### Article 51

(1) Chimneys and flues shall safely conduct away waste gases from burning fuel equipment and other technological equipment to the ambient air and shall resist flue gas effects.

(2) Chimneys shall be structurally built in a manner allowing their cleaning.

#### Article 52

(1) Internal distribution shall be safe and shall facilitate the use of the construction for intended purpose.

(2) Internal distribution of large and multi-storey buildings shall have the closings also inside the construction allowing closing or interrupting of energy or water supply to any part of a structure in case of breakdown or maintenance.

#### Article 53

Technological equipment of constructions shall allow technological process, for which it is designed and at the same time meet the requirements for safety and health protection during work and safety of technical devices, fire protection, protection of public health and environment.”.

The footnotes 1j, 1k, 1l, 1la, 1lb, 1m, 1n, 2, 2a, 2b, 2c, 3 and 4 shall be read:

”1j) Article 3 of the Act No. 90/1998 Coll. on construction products.

1k) The Act No. 90/1998 Coll.

- 1l) The Act No. 272/1994 Coll. of the National Council of the Slovak Republic on protection of the public health;
- 1la) The Act No. 307/1992 Coll. on protection of agricultural soil fund as amended;
- 1lb) The Act No. 61/1977 Coll. on forests as amended;
- 1m) For example the Act No. 272/1994 Coll.;
- 1n) For example the Act No. 287/1994 of the National Council of the Slovak Republic on nature and landscape protection as amended by the Act No. 222/1996 Coll., the Act No. 309/1991 Coll., and the Act No. 138/1973 Coll. on water (Water Act) as amended;
- 2) Article 2, paragraph 2 of Commercial Code;
- 2a) Article 6 of the Act No. 215/1995 Coll. of the National Council of the Slovak Republic on geodesy and cartography;
- 2b) The Act No. 138/1992 Coll. of the Slovak National Council on authorized architects and authorized civil engineers as amended by the Act No. 236/2000 Coll. Article 7 of the Act No. 215/1995 Coll. of the National Council of the Slovak Republic;
- The Act No. 216/1995 Coll. of the National Council of the Slovak Republic on Chamber of geodesists and cartographers;
- 2c) The Act No. 138/1973 Coll.
- 3) For example the Act No. 309/1991 Coll.
- 4) The Act No. 130/1998 Coll. on peaceful use of nuclear energy and on change and amendment of the Act No. 174/1968 Coll. on state professional supervision over work safety as amended by the Act No. 256/1994 Coll. of the National Council of the Slovak Republic.”.

39. The points d) to f) shall be added to paragraph 2 of Article 55, which shall be read:

- ”d) For telecommunication constructions ( telecommunication equipment carriers) placed on existing objects not exceeding elevation 6 m, width 2.5 m and not intervening to loading structures of construction;
- e) For ground telecommunication constructions, if their developed surface is not exceeding 25 m<sup>2</sup> and elevation 4.5 m;
- f) For exchange or supplying telecommunication equipment on existing telecommunication constructions, if the construction is not changed.”.

40. Paragraph 3 of Article 55 shall be omitted.

41. The points i) and j) shall be added to Article 56, which shall be read :

- ”i) For elevated and underground wiring of non-public telecommunication network including reference and setting points;
- j) For wiring of telecommunication network and lead-in of antennas placed in enclosed areas of constructions.”.

42. New second sentence shall be inserted to paragraph 2 of Article 57, which shall be read:

”The building office shall attach verified simple situation plan to the written notification.”.

43. Paragraph 5 shall be added to Article 57, which shall be read:

”(5) Notification to the building office shall not replace the decisions, opinions, statements, approvals or other measures of affected state administration authorities, requested according to special regulations.<sup>1n)</sup> The building office shall notify the builder thereupon along with the notification on obligation to comply with relevant Slovak technical standards during the time of construction execution and use.”.

44. Following title shall be inserted above Article 58:

”Application for building permission”

and at the same time the title below Article 58 shall be deleted.

45. Paragraph 1 of Article 58 shall read:

”(1) The builder shall submit the application for building permission together with documents and prescribed documentation prepared by an authorized person to the building office. The builder shall lay down the purpose and manner of construction use, construction location and expected date of its completion and for the construction designed for a limited period also the period of construction use in the application”.

46. The words ”other right to the land or buildings” shall replace the words ”the usage right to the land, eventually consent of the owner or user of the land or building” in paragraph 4 of Article 58.

47. Article 58a shall be inserted after Article 58, which shall be read:

”Article 58a

(1) The application for building permission shall be submitted for

- a) Single building or its change;
- b) Building set including buildings of construction site facilities;
- c) Single buildings of building set according to the point b), if they will be capable of independent usage after completion;
- d) Conditioned diversions of networks and devices of technical equipment.

(2) The building office may notify the builder on carrying out building proceedings only after extension of application to other buildings, or, if appropriate, to the whole building set [Article 62, par. 1, points b) and c)].”.

48. Article 59 including the title shall read:

”Article 59

Participants of building permission

Participants of building permission shall be:

- a) The builder;
- b) The persons having property rights or other rights to the lands and constructions thereupon including adjacent lands and constructions, if their property or other rights to these lands and constructions may be directly affected by this building permission;
- c) Other persons, whom this position results from special regulations;<sup>1g)</sup>
- d) Supervisor or authorized person;
- e) Designer in the part related to the construction plan.”.

49. The point a) of par. 2, Article 60 shall read:

”a) has not submitted documentation elaborated by authorized person;”.

50. The point e) shall be added to paragraph 2 of Article 60, which shall be read:

”e) has withdrawn the application for building permission.”.

51. The words ”or zonal territorial project” shall be deleted from third sentence of paragraph 1, Article 61.

52. The points a), b) and d) in paragraph 1, Article 62 shall read:

- ”a) Whether the documentation meets the developing criteria set out in zonal territorial plan or criteria set out in territorial decision;
- b) Whether the documentation meets the requirements relating to public interest, particularly protection of the environment, public health and life protection, and whether it is in compliance with general technical requirements for construction set out in this Act and special regulations;<sup>4a)</sup>
- d) Whether the construction will be executed by an authorized person for construction execution, or in the case that the construction will be executed by builder’s self-help, whether there is control of construction execution by a supervisor or authorized person; if construction supplier is defined in a tender, the builder shall notify the construction supplier to the building office within fifteen days after tender termination.”.

The footnote 4a shall read:

”4a) For example the Order No. 297/1994 Coll. of the Ministry of Interior of the Slovak republic on structural and technical requirements for constructions and on technical conditions of equipment regarding in regard of requirements of civil emergency planning in the wording of Order No. 349/1998 Coll., the Order No.

406/1992 Coll. of the Ministry of Health of the Slovak republic on requirements for limiting the radiation from radon and other natural radio nuclides, the Order No. 138/1995 Coll. Ministry of Interior of the Slovak republic establishing principles of fire safety during the construction and use of facilities and other places, where the surface treatment of products by coating substances is carried out.”.

53. The words ”criteria defined in zonal territorial plan” shall replace the words ”criteria defined in territorial decision” in paragraph 2 of Article 64.

54. Former text of Article 66 shall be marked as paragraph 1 and the paragraphs 2 and 3 shall be added as follows:

”(2) The binding criteria for execution of construction shall secure, or, if appropriate determine:

- a) The location of construction on the land in the case of joint proceedings for construction emplacement and building proceedings;
- b) Protection of public interest, particularly public health protection and protection of the environment;
- c) Compliance with relevant technical regulations, the access and use of construction by persons with limited capacity of movement and orientation;
- d) Date of construction completion;
- e) Compliance of the requirements claimed by the municipality and affected state administration authorities, should they not be defined by administration decisions, or by owners of networks and equipment of public technical facilities for connection to these networks;
- f) Supervisor or authorized person;
- g) The use of suitable construction products;<sup>1k</sup>
- h) Obligation to notify on the opening of construction.

(3) The binding criteria for execution of construction shall further determine, where appropriate:

- a) the submission of more detailed documentation prior to the construction opening, which is necessary for checking of compliance with criteria set out for construction execution;
- b) Notification on the specific stage of construction in order to carry out state building control;
- c) Submission of documents, expert opinions, measurements and evidences;
- d) More detailed requirements for execution of construction, particularly from the point of view of complexity and fluency, connection to the networks and equipment of technical facilities, surface roads, surface water draining, tidying up of site surroundings and conditions for greenery protection, or greenery relocation if appropriate;
- e) Definition of indispensable size of land areas that will be a part of the construction site;

- f) Details regarding the measures on adjacent land or construction according to Article 135;
- g) Specification of static calculations for carrying out of construction;
- h) Notification of the name and address of the construction supplier should he be selected by a tender [Article 62, par. 1, point d)];
- i) Dispensation for setting out of the construction (Article 75a, par. 1);
- j) Requirements for marking of construction at the construction site.”.

55. Former text of Article 67 shall be marked as paragraph 2 and paragraph 1 shall be added as follows:

”(1) The building office shall send project documentation after issuing building permission to the builder, to the municipality, in which territory the construction will be executed, and to the owner of construction, if he is not the builder, one certified copy each; the building office shall keep one copy of project documentation. The building office may send only part of the documentation for linear structures.”.

56. Article 75a shall be inserted after Article 75, which shall be read:

”Article 75a

(1) The building office may withdraw from the requirement that the setting out should be carried out by authorized persons according to Article 45, paragraph 4 in the case of simple, small and temporary constructions and their changes and at ground works of smaller extent.

(2) The builder shall be responsible for compliance of spatial location of the construction with the documentation verified in building proceedings, where the requirement for setting out being provided by authorized persons according to paragraph 1 has been dropped..

(3) A person applying to building office for permission to ground works shall be responsible for determination of spatial location in the case where the requirement for setting out being provided by authorized persons has been dropped.

(4) The builder shall submit the documents on setting out of spatial location to the building office at approval of construction. The builder shall attach the document on setting out to the stored documentation of his own in the case of constructions and site works not requiring inspection.”.

57. Second sentence of par. 2, Article 79 shall read as follows:

”The identification and place of construction, ground works or mining works, estimated time for completion of construction or ground works or mining works including cleaning of construction site and completion of tidying ups in the surroundings of the construction and information, whether the operational tests will be carried out and the time of their duration shall be presented in the proposal.”.

58. The comma and the words "the municipality" shall be inserted after the words "the participants of the proceedings" and the words "10 days" shall replace the words "7 days" in paragraph 1 of Article 80.

59. The words "developing criteria set out in zonal territorial plan or" shall be inserted after the word "observed" and the words "public interest" shall replace the words "interests of the public" in par. 1 of Article 81.

60. The words "in national technical standards or other regulations" shall be deleted from paragraph 2 of Article 81.

61. Article 81a to 81c shall be inserted after Article 81, which shall be read:

"Article 81a

(1) The building office shall write down a protocol on oral proceedings containing:

- a) Construction identification;
- b) The finding, whether compliance with requirements of territorial decision and building permission has been attained and whether the general technical requirements for construction have been met;
- c) Comparison of actual execution of the finished construction with project documentation verified by the building office;
- d) Statement on found deviations from actual execution of the construction, or reference to materials of approval decision, if appropriate;
- e) Objections of participants to proceedings;
- f) Opinions of state administration authorities affected.

(2) The building office may replace the protocol according to paragraph 1 by a simple record, particularly if the construction was finished in compliance with verified documentation, if deviations from actual execution of the construction were not found and objections of participants to proceedings were not raised.

Article 81b

Approval decision shall not be issued, if the safety and protection of public health and environment as well as proper use of the construction for an intended purpose is not secured and particularly if

- a) The heating and the connection to water and electric distribution and sewerage has not been provided according to the documentation verified by the building office in building proceedings;
- b) Safe and continuous operation of lifts according to approved documentation has not been provided;

- c) Safe access and approach to the constructions has not been provided;
- d) The criteria of building permission for indispensable complexity of the construction and for elimination of negative impacts of the construction on surrounding environment, or their limitation to admissible level, if appropriate have not been met;
- e) The documents on satisfactory results of required tests and documents on attestation of suitable construction products (Article 43) have not been submitted.

#### Article 81c

The building office may withdraw from an approval process in the case of

- a) Small constructions, building changes and maintenance works, where the building office stated their liability to building permission after their notification;
- b) Simple constructions and their changes except of constructions for housing, constructions for individual relaxation, garages and constructions with processing or manufacturing equipment.”.

New paragraph 3 shall be inserted after paragraph 2 in Article 82, which shall be read:

”(3) According to the kind and purpose of the construction, the building office shall lay down in conditions for construction use particularly the requirement for identification of small deviations in verified documentation of the construction, which the building office accepted, and other liabilities to secure public interest, protection of participants’ rights and justified interests, protection of the environment, safety and public health protection, fire safety and provision of access to the persons with limited capability of movement and orientation.”.

Former paragraph 3 shall be marked as paragraph 4.

63. Article 84 shall read as follows:

#### "Article 84

(1) For constructions, where complex testing continuously changes into a testing run, the testing run may start after an approval of the building office under conditions set out in an agreement with the municipality and state administration authorities affected.

(2) Should the assessment of construction capability for the use need the evaluation of the testing run or its time period, the building office shall decide on temporary use of the construction for testing run and shall set the conditions thereof in an agreement with state administration authorities affected.

(3) The building office shall issue the approval decision upon a proposal of builder after completion and evaluation of testing run or the time period thereof.”.

64. Second sentence of paragraph 1, Article 85 shall read:

”Changes of the purpose of construction use consisting of the change in the manner of construction use, its operational equipment, in change of the manner and significant extension of production or activities, which could threaten life and health of humans beings or the environment, shall require the decision of the building office on change in the construction use; the provisions of Articles 34, 76, 77, 79 to 84 shall relate to the proceedings on change in the construction use as appropriate.”.

65. The words ”in public interest” shall be inserted after the words ”the building office” in paragraph 2, Article 86

66. Article 87 including the title shall read:

”Article 87

Essential changes

(1) Should the construction not comply with basic requirements for constructions (Article 43d) and thereby threaten or offend the users and construction surroundings, the building office shall order owner of the construction to carry out essential changes at the construction or building plot. The owner shall carry out imposed changes at his own expenses.

(2) Should the execution of essential changes require the documentation or other basic materials, the building office shall oblige the owner of construction or building plot to submit them within specified size and time period. In the case the imposed obligation be not fulfilled, the building office may provide necessary documentation or basic materials at the expense of the obligatory. The building office shall order the change to be carried out and shall define the conditions and time period of its execution after the provision of the documentation.

(3) Should the essential changes to be ordered not require documentation or other basic materials, the building office shall oblige the owner of the construction or building plot to carry out changes and shall define the scope, method, conditions and time period of its execution.

(4) The construction or its part, where essential construction changes have been ordered, maybe used only on the basis of approval decision, unless the building office has withdrawn from the approval process”.

67. The words "public interest" in corresponding form shall replace the words "interest of the public" in all forms in Article 88, par. 1, point b), Article 98, par. 1, Article 101, and Article 102, par. 5, point b).

68. The following sentence shall be added to the end of Article 88, par. 2:  
"The owner of construction shall specify in an application for permission the kind, purpose, site and identification of construction, reasons for construction removal and the date of supposed opening and termination of works, whether the construction will be removed by self-help or by a supplier, how the waste and released land will be handled and what measures are necessary for safety of adjacent constructions and lands."

69. Paragraph 7 shall be added to Article 88a, which shall be read:  
"(7) The provisions of Articles 58 to 66 shall be applied accordingly for proceedings on additional permission of construction."

70. New paragraph 3 and paragraph 4 shall be inserted after paragraph 2 of Article 90, which shall be read:

"(3) The building office shall provide by criteria for a decision on construction removal particularly:

- a) Compliance with general technical requirements for construction;
- b) Compliance with requirements of affected state administration authorities and municipality;
- c) Protection of rights and legally protected interests of proceedings participants;
- d) Carrying out of the works at a construction removal by authorized legal or natural person; for constructions not to be removed by such person, the building office shall appoint a person providing professional supervision over the works.

(4) In criteria of decision on construction removal the building office may

- a) Lay down the obligation to notify on arriving at certain state of the works in order to provide the execution of state building control;
- b) Oblige owners of adjacent lands to tolerate some works being carried out from their lands or constructions during the definite period;
- c) Define more detailed criteria for progress and method of works, particularly in order to provide stability of adjacent constructions, to ensure safe use of adjacent constructions, traffic on adjacent roads etc.
- d) Lay down the obligation to tidy up the land, to provide surface water drainage and to plant the greenery after removal of the construction;
- e) Lay down the obligation to submit documentation of the construction for purposes of recording and archiving."

Former paragraph 3 shall be marked as paragraph 5.

71. The words "or assembling" and the words "and works in a vicinity of endangered construction" shall be removed from paragraph 2 of Article 94.

72. The words "to the flat or to the non-flat premises" shall replace the words "to the lands or to the construction" in paragraph 2 of Article 97.

73. Former text of Article 98 shall be marked as paragraph 1 and paragraph 2 shall be added as follows:

"(2) State building control authorities shall be entitled to investigate, whether

- a) The construction, construction changes or maintenance works are carried out according to building permission or based on notification;
- b) Criteria for construction execution are met according to Article 44;
- c) The construction project verified in building proceedings is present at the construction and whether the building log is being kept;
- d) The execution of the construction, construction changes or maintenance works are in compliance with criteria of building permission, generally binding regulations and technical standards related to building works and construction products;
- e) The construction is used in a manner permitted by approval decision;
- f) The construction is maintained in a good building condition;
- g) Conditions of permission or an order of construction removal or ordered building changes and maintenance works are observed;
- h) Ground works or mining works are carried out according to permission;
- i) The removal of a construction does not put in danger adjacent lands and constructions."

74. The words "which are not building offices" shall be removed from Article 99, point b).

75. Point c) of paragraph 5, Article 102 shall read:

"c) shall notify the building office, that authorized persons do not carry out the activities on the construction site in compliance with their authorization; the building office may submit the proposal for their examination."

76. The words "the building office" shall be removed from point a) of paragraph 1, Article 105.

77. The comma after the word "modifications" shall be replaced by the word "and" and the words "or facilities" shall be removed from point b) of paragraph 1, Article 105.

78. Point f) of paragraph 1, Article 105 shall read:

”f) carries out control of construction execution and in spite of the notice by state building control authority does not observe his responsibilities;”.

79. The point g) shall be added to paragraph 1 of Article 105, which shall be read:

”g) provides or uses information, advertising or promotion equipment without permission or contrary to the permission.”.

80. The following words shall be attached to the end of point b) of paragraph 2, Article 105 ” as an owner of construction or other person authorized for its use will allow any person to use the construction prior to issuing of building approval decision or contrary to it ”.

81. The words ”from SKK 100.000” shall be removed from initial sentence of paragraph 3, Article 105.

82. The words ”on the use of territory, protected area or buffer zone” shall be removed from point a) of paragraph 3, Article 105.

83. The words ”from SKK 1 million” shall be removed from paragraph 4 of Article 105.

84. The words ”from SKK 100.000” shall be removed from initial sentence of paragraph 1, Article 106.

85. The words ”the building office” shall be removed from point a) of paragraph 1, Article 106.

86. The comma after the word ”modifications” shall be replaced by the word ”and” and the words ”or facilities” shall be removed from point b) of paragraph 1, Article 106.

87. The point e) of paragraph 1, Article 106 shall read:

”e) provides or uses information, advertising or promotion equipment without required permission or contrary to this permission.”.

88. The words ”from SKK 500.000” shall be removed from initial sentence of paragraph 2, Article 106.

89. Point a) of paragraph 2, Article 106 shall read:

”a) has used for the construction the construction product, which is not suitable (Article 43f);”.

90. The points f) and g) shall be removed from paragraph 2 of Article 106. Former points h) and i) shall be marked as points f) and g).

91. The words "from SKK 2 million" shall be removed from initial sentence of paragraph 3, Article 106.

92. The words "on the use of territory, protected area or buffer zone" shall be removed from point a) of paragraph 3, Article 106.

93. The following words shall be attached to the end of point d) of paragraph 3, Article 106 "as an owner of construction or other person authorized person for its use will allow using the construction prior to issuing of building approval decision or contrary to it".

94. Paragraph 2 of Article 107 shall read as follows:

"(2) The fines shall be the income of State Environmental Fund. The fines imposed by a municipality shall be the income of a municipal budget."

95. The following words shall be removed from second sentence of paragraph 3, Article 108 "(constructions for the waste disposal, water supply, sewage waters drainage and its treatment, public transport, public education, public administration etc.)"

96. Paragraphs 3 and 4 shall be added to Article 112, which shall read:

"(3) Expropriation proposal shall include the identification of proceedings participants, identification of expropriation land or construction, proposed extent and reasoning of the requirement with a statement of purpose of proposed expropriation, the proposal of refund and evidence that the attempt for acquirement of the right to the land or construction by an agreement was unsuccessful. The details on the content of the proposal shall be laid down in generally binding regulation [Article 143, paragraph 1, point c)]

(4) Ineffectualness of agreement shall be proved by the advice of delivery of the sent written notice for agreement containing applicant's demand, reasons of requested right transfer or rise of easement, proposal for the refund at least in the amount determined according to special regulation<sup>10k</sup>) and warning, that, if the owner of land or construction does not give an answer within 15 days from the day of delivery, it shall be presumed that he is refusing the agreement."

97. New paragraph 2 shall be inserted after paragraph 1 of Article 114, which shall be read:

"(2) Decision on expropriation besides properties set out in special regulation<sup>1c</sup>) shall particularly define:

a) A subject, extent and purpose of expropriation;

- b) Refund for expropriation and a method of refunding;
- c) A period, in which the land or construction use has to be started for purpose of which it was expropriated;
- d) Criteria for submission of application for cancellation of decision on expropriation.”.

Former paragraph 2 shall be marked as paragraph 3.

98. In second sentence of paragraph 1, Article 116, the words ”within six month” shall be replaced by the words ”within two years”.

99. Last sentence shall be removed from paragraph 1 of Article 116.

100. Division of fifth part to sections shall be removed and the titles of sections 1 to 4 shall be removed.

101. The following title shall be inserted above Article 117:

”Building Offices”.

102. The points e) and f) shall be added to paragraph 2 of Article 117, which shall be read:

”e) Articles 90 and 93 for information, promotion and advertising equipment;  
f) Article 105, par. 1, point a) to g) and Article 106, par. 1, points a) and e) for negotiating of offences and imposing of fines.”.

103. Paragraph 1 of Article 120 shall read:

”(1) The functions of a building office shall be carried out by bodies exercising state administration for construction of airports, constructions in territories of airports and constructions of flight ground facilities, constructions of runways and on the runways, constructions of surface roads, constructions of water management, with the exception of power in matters of territorial decision-making and expropriation, according to special regulations (hereinafter only ”special building offices”).”.

104. In Article 121, paragraphs 1 and 2 and in Article 125, paragraphs 2 and 4 the words ”Ministry of Interior of the Slovak Republic” shall be replaced in all forms by the words ”Ministry of Interior” in appropriate form.

105. In Article 121, par. 2 the comma and the words ”Slovak Information Service” shall be inserted after the words ”police corps”.

106. Paragraph 3 of Article 121 shall be removed.

107. Footnote 12 shall read:

”12) The Act No. 281/1997 Coll.”.

108. Article 123a including the title shall be inserted after Article 123, which shall be read:

”Article 123a

Slovak Environmental Inspection

(1) Slovak Environmental Inspection (hereinafter only ”Inspection”) is a professional inspection authority, through which the Ministry carries out main national supervision in matters of territorial planning and building order.

(2) Inspection shall order removal of shortcomings found by its inspection activity. The procedures for simultaneous proceedings of Inspection and building office shall be analogous as it is for imposing of fines. The Inspection shall impose the fines for violation of obligations laid down in this Act, in generally binding regulations published for its provision and decisions issued on the basis of these regulations.”.

109. Article 127a including the title shall be inserted after Article 127, which shall be read:

”Article 127a

Dispensation at natural calamities and accidents

(1) If due to a natural calamity, accident or other emergency event, or their immediate danger it is necessary to execute a construction, remove a construction, and carry out construction changes or safety works on constructions and to carry out ground works on the lands, it may be done without prior permission or notification. A person realizing the work shall be obliged to notify upon it without delay the Building Office, which shall appoint further procedure.

(2) Should any constructions or lands destroyed by natural calamity, accident or other emergency event be restored in compliance with original permissions, it shall be sufficient to notify the municipality in advance on the restoration. Provision of Article 57 shall be applied accordingly for the procedure.

(3) Should the execution of construction, construction changes or ground works be necessary for moderation of consequences or for averting of a risk of natural calamity, accident or other emergency event, Building Office may

a) Limit the scope of applications for building permission or proposal for permission of ground works and their annexes to the extent essential for an assessment and decision

- b) Withdraw from territorial proceedings or join territorial proceedings with building proceedings or other proceedings;
- c) Allow submission of documents additionally;
- d) Issue preliminary permission, where the period for additional submission of documents should be defined; after their submission it shall carry out proceedings and shall issue decision.”.

110. Article 130 including the title shall be inserted after Article 129, which shall be read:

"Article 130

#### Information systems

(1) The Ministry shall be the operator of territorial planning information system and development information system. The information systems shall be a part of a national information system.

(2) Regional offices, district offices and municipalities shall participate in performance of information activities according to standards and based on approved projects in the scope of their activities.

(3) The content of information systems under paragraph 1 shall be based on single method of territorial identification and data structure and information acquired and processed according to single methodology and it shall be recorded on unique recording sheets.

(4) Information system on territorial planning shall contain

- a) Territorial planning materials and other data and information on the state of the territory, particularly on spatial arrangement and functional use of territory and on limits relating to the territory;
- b) Territorial planning documentation;
- c) Other materials.

(5) Development information system shall contain

- a) Data and information on buildings and on building plots, particularly on their type, functional use, location, owners and on build-up conditions related to them;
- b) Decisions of building offices and municipalities, particularly territorial decisions, building permissions and building approval decisions.”.

111. In Article 134, par.1 the words ”Employees and officials of municipalities” shall be replaced by the words “Mayors and employees of municipalities”

112. Paragraph 4 shall be removed from Article 138.

113. Articles 139a and 139b including titles shall be inserted after Article 139, which shall be read:

”Article 139a

Terms of territorial planning

(1) Regulation of spatial arrangement and functional use of the territory shall be an obligatory directive regulating the location and arrangement of certain object or performance of certain activity in the territory. It shall be expressed in values of items properties of landscape structure, words, numbers and, if possible in graphics. The nature of a regulation shall be that of a prohibition, restriction, or supporting factors in relation to spatial arrangement and functional use of a territory. The regulation thereby shall define prohibited, restricted, and admissible activity or function in a territory.

(2) Spatial arrangement and functional use of territory shall be a complex process of mutual harmonization of requirements regarding the economic and other human activities in the environment.

(3) Landscape shall be a complex system of space, location, geologic relief and other material natural items and items created and/or transformed by humans mutually interconnected, particularly geologic foundation and pedogenic substratum, waters, soil, flora and fauna, artificial objects and items of territory use, as well as commitments resulting from social and economic events in a landscape. The landscape is environment for life of humans and other living organisms.

(4) Ecologically optimal spatial arrangement and functional use of the territory (landscape ecological plan) shall be a complex process of mutual harmonization of spatial requirements of economic and other human activities with landscape and ecological conditions resulting from landscape structure. Ecologically optimal spatial arrangement and functional use of the territory shall provide concurrently for acceptable ecological stability of landscape spatial structure, protection and rational use of nature, biodiversity and natural resources, creation and protection of territorial system of ecological stability and immediate environment of a man. The structure of the landscape and its items show limits, restrictions or supporting factors of requested activities in a given territory.

(5) State and conditions of a territory is showed by data on spatial arrangement and functional use of the territory and on obligatory restrictions resulting from generally binding regulations, approved territorial planning documentation and from relevant administrative decisions in force.

(6) Urban space shall be a part of urbanized environment of a municipality, where material, spatial and functional principles of urbanism are applied; it is particularly the street, yard and the space created by compact or free pattern development.

(7) Territorial development shall be a development, which in sustainable manner satisfies basic living needs of humans in a landscape, while not reducing its diversity, provides an optimal spatial arrangement and functional use of a territory, environmental safety and soundness of buildings and facilities, creation and conservation of territorial system of ecological stability, economical use of natural resources, protection of natural and cultural heritage.

(8) Developed municipal territory shall consist of one or more spatially separated developed territories in cadastre territory of the municipality, eventually in a set of cadastre territories in municipal administration. Developed area is a set of

- a) Building plots, developed areas, yards and adjacent allotments used for the purpose for which the buildings were provided;
- b) Agricultural lands and bodies of water surrounded by allotments defined in the point a);
- c) Lands of other areas;
- d) Lands suitable for development, defined for that purpose by an approved municipal territorial plan or zonal territorial plan.

(9) Greenery shall be planted or cultivated plants in settlements and their surroundings, as well as at the linear structures in the rest of a landscape.

(10) Public transport and technical equipment of the territory shall be

- a) Highways, roads and local roads;
- b) National and regional railways, tramways, trolley ways and special ways;
- c) Airports;
- d) Harbors;
- e) Unified telecommunication network;
- f) Wiring and facilities of public electricity distribution and public electric lighting;
- g) Gas pipes of transit gas transportation and facilities of public gas distribution;
- h) Networks of public distribution of heat;
- i) water management works for public water supplying, water lines for public water supplying and sewage lines with sewage waste water treatment plants, dams, water reservoirs, canals and floating channels;
- j) Water gates and open upstream waterways;
- k) Protective dikes of water courses and other structures of territorial flood protection
- l) Landfills of waste and other facilities for waste handling;
- m) Protection buildings of civil emergency.

Article 139b

## Terms of the building order

### (1) Simple buildings shall be:

- a) Buildings for housing, of which built-up area does not exceed 300 m<sup>2</sup> and having one elevated floor; it may have an attic;
- b) Buildings for individual relaxation;
- c) Ground level buildings and buildings of construction site facilities, if their built-up area does not exceed 300 m<sup>2</sup> and elevation 15 m.
- d) Bearing walls;
- e) Substructures, if their built-up area does not exceed 300 m<sup>2</sup> and depth 6 m.

(2) Simple buildings shall not be the constructions of storage houses for combustibles and explosives, constructions for civil emergency planning, constructions for fire protection, constructions for uranium industry and nuclear power facilities.

(3) Changes of constructions prior to their completion shall be the changes in relation to building permission, or to the documentation of construction verified by the building office in building proceedings, if appropriate.

### (4) Changes of finished constructions shall be

- a) Extensions elevating constructions;
- b) Additional constructions extending the floor projection of constructions and operationally connected to the actual construction;
- c) Construction modifications conserving former outside demarcation of floor projection and elevation of constructions.

(5) Small buildings shall be constructions which have an additional function for main building, (e.g. housing building, civic facilities building, building for production and storage, building for individual relaxation) and which cannot considerably influence the environment and they are:

- a) Ground level buildings, if their built-up area is not exceeding 25 m<sup>2</sup> and elevation 5 m, for example hovels, laundries, summer kitchens, shelters, facilities for trash-cans, buildings for raising of small domestic animals, saunas, deposits for bikes and strollers, waiting-rooms and buildings of sport facilities;
- b) Substructures, if their built-up area is not exceeding 25 m<sup>2</sup> and depth 3 m, for example cellars, sumps.

### (6) Small buildings shall be also

- a) Buildings of companies on forest soil providing a forest production and hunting, if their built-up area does not exceed 30 m<sup>2</sup> and elevation 5 m, for example stores of feed, tools and fertilizers;
- b) Fencing;
- c) Connections of buildings to public distribution networks and public sewerage of all constructions and connection of small buildings to distribution networks and sewerage of a main building;
- d) Islands of public transportation, passes through walkways and to adjacent lands, outlets etc.

(7) Small buildings shall not be the constructions of storage houses for combustibles and explosives, constructions of civil emergency planning, constructions for fire protection, constructions of uranium industry and nuclear power facilities, and water management facilities.

(8) Buildings of military administration outside military territories<sup>12)</sup> shall be buildings serving for defense of the state established under the Ministry of Defense.

(9) Buildings serving for defense of the state shall be buildings under administration of the Ministry of Interior of the Slovak republic, Police Corps and Slovak Information Service used for service purposes and other buildings of these authorities intended for service use.

(10) Buildings of Prison and Justice Sentry of the Slovak republic shall be buildings for service activities of this Sentry and buildings under its administration and use for service purposes of its units.

(11) Buildings of uranium industry shall be buildings built or serving for the purposes of mining, treatment, transport and storage of radioactive materials in a territory designed for this purpose.

(12) Buildings of surface quarries and extraction spoils shall be buildings inside the boundaries defined by the line of actually performed extraction spoil or performed mining, or inside the territory exposed to direct impacts of the mining (e.g. blasting works) if appropriate, provided that the lands were not reclaimed.

(13) Special regulations<sup>4)</sup> shall be applied for buildings of nuclear power facilities.

(14) Maintenance works, where the notification is not required (common maintenance works) shall be in particular

- a) Reparations of the front, repairing and change of a roof covering or the surface of flat roofs, change of eaves gutter and spouts, repair of fencing and change of its parts, provided that its path is not changed;

- b) Repair and change of secondary building structures, particularly partition walls, renderings, wall coverings, floors and paving, chimneys, windows, doors and stairway rails ;
- c) Maintenance and repair of technical, power or technological equipment of the building, as well as change of its component parts, should it not essentially change the connection to public facilities in the territory, or deteriorate an impact of the building on the surroundings or the environment, particularly a change of air conditioning, elevator, heating boilers and bodies and inside distribution;
- d) Change of furniture items, especially kitchen units, baths, built-in wardrobes;
- e) Paint and coating works.”.

114. Paragraph 3 of Article 141 shall read:

(3) The municipalities set out in Article 11, paragraph 2 which do not have a municipal territorial plan shall be obliged to procure and approve it till 30 June 2005.”.

115. Paragraph 1 of Article 143 shall read:

”(1) A generally binding regulation issued by the Ministry shall set out details on

- a) A content and method of elaboration of basic territorial planning materials, territorial planning documentation and their assignment, recording sheets of territorial plans and on a content of territorial planning activities;
- b) A content of applications for the authorization of professional qualification to provide basic territorial planning materials, territorial planning documentation of municipalities and on the method of its verification;
- c) A content of decisions, proposals for issuing and the scope and content of attached documentation, notification on small buildings, construction modifications and maintenance works;
- d) General technical requirements for construction and general technical requirements for buildings used by persons with limited capacity of movement and orientation.”.

116. Article 114a shall be inserted after Article 144 as follows:

”Article 144a

There shall be repealed

1. Article 1, par. 3, point d) and Article 13, par. 5 and items 28 to 33 of Annex A, items 14 and 15 of Annex B, items 69 to 90 of Annex C, items 5 to 25 of Annex D, Annex E of the Act No. 595/1990 Coll. of Slovak National Council (SNC) on state administration for environment as amended by the Act No. 494/1991 Coll. of Slovak National Council, the Act No. 134/1992 Coll. of Slovak National Council, the Act No. 287/1994 Coll. of National Council of the Slovak republic and the Act No. 222/1996 Coll. of National Council of the Slovak republic;

2. Regulation No. 128/1945 Coll. of the Staff of Representatives of Slovak National Council on development of towns and municipalities in Slovakia as amended by the Act No. 280/1949 Coll. on territorial planning and development of municipalities;
3. Regulation No. 51/1946 Coll. of Slovak National Council on expropriation for purposes of construction and extension of production companies;
4. Order No. 90/1946 Coll. SNC of State Planning and Statistic Office issuing guide for provision of regulation plans of towns and municipalities in the Slovakia;
5. Order No. 83/1976 Coll. of Federal Ministry for Technical and Investment Development on general technical requirements for construction as amended by Order No. 45/1979 Coll., Regulation No. 376/1992 Coll. and Order No. 204/1996 Coll.;
6. Order No. 84/1976 Coll. of Federal Ministry for Technical and Investment Development on territorial planning materials and territorial planning documentation as amended by Order No. 377/1992 Coll.;
7. Order No. 85/1976 Coll. of Federal Ministry for Technical and Investment Development on detailed modification of territorial proceeding and building order as amended by Order No. 155/1980 Coll. and Order No. 378/1992 Coll.”.

## Part II

The Act No. 69/1998 Coll. on State Environmental Fund shall be amended as follows:

1. The words ”at most 21” shall replace the word ”11” in paragraph 3 of Article 2.
2. The comma shall replace the dot at the end of paragraph 5, Article 4 and the words ”Territorial Development Conception of Slovakia and approved territorial plans.” shall be added.

## Part III

The Act No. 222/1996 Coll. of National Council of the Slovak republic on organization of local state administration and on change and amendment of certain acts as amended by the Act No. 58/1997 Coll., Act No. 229/1997 Coll., Act No. 281/1997 Coll., Act No. 288/1997 Coll., Act No. 384/1997 Coll., Act No. 117/1998 Coll., Act No. 195/1998 Coll., Act No. 241/1998 Coll., Act No. 337/1998 Coll., finding No. 185/1999 Coll. of Constitutional Court of Slovak republic, Act No. 263/1999 Coll., Act No. 313/1999 Coll., and Act No. 83/2000 Coll. shall be amended as follows:

1. The word ”zones” shall replace the words ”municipalities except territorial plan of capital of the Slovak republic Bratislava and city Košice” in point a) of paragraph 3, Article 5.

2. The word "municipalities" shall replace the words "capital of the Slovak republic Bratislava and city Košice" in point c) of paragraph 2, Article 6.

#### Part IV

The chairman of National Council of the Slovak republic shall be empowered to declare in Collection of laws of the Slovak republic the full wording of the Act No. 50/1976 Coll. on territorial planning and building order (the Building Act), as it results from amendments effected by the Act No. 103/1990 Coll., Act No. 262/1992 Coll., Act No. 136/1995 Coll. of National Council of the Slovak Republic, Act No. 199/1995 Coll. of National Council of the Slovak Republic, find out No. 286/1996 Coll. of Constitutional Court of the Slovak Republic, Act No. 229/1997 Coll., Act No. 175/1999 Coll., and by this Act.

#### Part V

This Act shall enter into force on 1 August 2000 except Article 2a, paragraph 1 and Article 123a, which shall enter into force on 1 July 2001.

**Jozef Migaš** s.m.

According to Article 105, par. 1 of the Constitution of the Slovak Republic on behalf of the president of the Slovak Republic

**Jozef Migaš** s.m.

**Mikuláš Dzurinda** s.m.