

USTAVA SLOVENSKEJ REPUBLIKY

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CONSTITUTION OF THE SLOVAK REPUBLIC

PREAMBLE

We, the Slovak People

Bearing in mind the political and cultural heritage of our predecessors, the experience gained through centuries of struggle for our national existence, and statehood,

Mindful of the spiritual bequest of Cyril and Methodius, and the historical legacy of Great Moravia,

Recognizing the natural right of nations to self-determination,

Together with members of national minorities and ethnic groups living in the Slovak Republic,

In the interest of continuous peaceful cooperation with other democratic countries,

Endeavouring to implement democratic forms of government, guarantee a life of freedom, and promote spiritual, cultural and economic prosperity,

We, the citizens of the Slovak Republic, have, herewith and by our representatives, adopted this Constitution:

Chapter One - General Provisions

Article 1

The Slovak Republic is a sovereign, democratic state governed by the rule of law. It is not bound by any ideology or religion.

Article 2

(1) The power of the state is vested in the citizens who shall exercise it directly or through their elected representatives.

(2) State bodies may act solely in conformity with the Constitution. Their actions shall be subject to its limits, within its scope and governed by procedures determined by law.

(3) Anyone may act in a way not forbidden by law and no one may be forced to act in a way not prescribed by law.

Article 3

(1) The territory of the Slovak Republic is integral and indivisible.

(2) The border of the Slovak Republic may be changed only by a constitutional statute.

Article 4

Raw materials, underground water, natural and thermal springs and streams are the property of the Slovak Republic.

Article 5

(1) Acquisition and loss of citizenship of the Slovak Republic shall be regulated by law.

(2) No person shall be deprived of Slovak citizenship against his or her will.

Article 6

(1) The Slovak language is the official language of the Slovak Republic.

(2) The use of languages other than the official language in official communications shall be determined by law.

Article 7

The Slovak Republic may, by its own discretion, enter into a union with other states. The right of secession from such unions shall not be restricted. The decision to enter into union with other states or to secede there from shall be subject to a constitutional statute and subsequent ratification by means of a public referendum.

Chapter Two - The State Symbols

Article 8

The state symbols of the Slovak Republic are the state emblem, the state flag, the state seal and the state anthem.

Article 9

- (1) The state emblem of the Slovak Republic consists of an early Gothic shield with a silver double cross erected on the central and highest of the three blue hills.
- (2) The state flag of the Slovak Republic has three horizontal stripes: white, blue and red. The state emblem of the Slovak Republic appears in the left half of the flag.
- (3) The state seal of the Slovak Republic consists of the state emblem encircled by the inscription "Slovenska republika".
- (4) The national anthem of the Slovak Republic is composed of the first two stanzas of the hymn "Nad Tatrou sa blýska".
- (5) Modifications and use of the state symbols shall be determined by law.

Chapter Three - The Capital of the Slovak Republic

Article 10

- (1) The capital of the Slovak Republic is the city of Bratislava.
- (2) The status of Bratislava as the capital of the Slovak Republic shall be defined by law.

Chapter One - General provisions

Article 11

International instruments on human rights and freedoms ratified by the Slovak Republic and promulgated under statutory requirements shall take precedence over national laws provided that the international treaties and agreements guarantee greater constitutional rights and freedoms.

Article 12

- (1) All human beings are free and equal in dignity and rights. Their fundamental rights and freedoms are inalienable, irrevocable, and absolutely perpetual.
- (2) Fundamental rights shall be guaranteed in the Slovak Republic to every person regardless of sex, race, colour, language, faith, religion, political affiliation or conviction, national or social origin, nationality or ethnic origin, property, birth or any other status, and no person shall be denied their legal rights, discriminated against or favoured on any of these grounds.
- (3) Every person has the right to freely decide which national group he or she is a member of. All manner of influence or coercion that may affect or lead to a denial of a person's original nationality shall be prohibited.
- (4) No person shall be prevented from exercising his or her fundamental rights and freedoms.

Article 13

- (1) No obligations shall be imposed on individuals unless such obligations are in accordance with the law and respect fundamental rights and freedoms.
- (2) Limitation of fundamental rights and freedoms shall be imposed only under the conditions set forth in this Constitution.
- (3) Restrictions of constitutional rights and freedoms shall be applied equally and consistently in all similar cases.
- (4) When imposing restrictions on constitutional rights and freedoms, respect must be given to the essence and meaning of these rights and freedoms and such restrictions shall be used only for specifically defined purposes.

Chapter Two - Fundamental Rights and Freedoms

Article 14

Every person shall be entitled to his or her rights.

Article 15

- (1) Everyone has the right to life. Human life is worthy of protection even before birth.
- (2) No person may be deprived of life.
- (3) The death penalty shall be inadmissible.
- (4) No infringement of rights shall occur if a person has been deprived of life as a result of an act not defined as unlawful.

Article 16

(1) The right of every individual to integrity and privacy shall be guaranteed. This right may be limited only in cases specifically provided by law.

(2) No person shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.

Article 17

(1) Personal liberty of every individual shall be guaranteed.

(2) No one shall be prosecuted or deprived of liberty unless for reasons and by methods set by law. No person shall be deprived of liberty merely for his or her inability to fulfil contractual obligations.

(3) A person charged with or suspected of an offence may be arrested only in circumstances provided by law. Anyone who is arrested must be promptly informed of the grounds thereof, and after interrogation within twenty-four hours, the individual must be either released or brought before a court and heard by the judge who shall determine whether the individual shall be kept in pre-trial detention or released.

(4) A person charged with an offence may be arrested only on a written order issued by a judge, and, within twenty-four hours, brought before and heard by the judge, who shall decide whether to release or detain the person.

(5) Pre-trial detention can be imposed only on the grounds and for the period provided by law and determined by the court.

(6) A person may be committed to or held in a medical institution without his or her consent only in cases stipulated by law. Such cases shall be reported to the court within twenty-four hours and the court shall make a decision on such placement within five days.

(7) A psychological examination of the person charged with an offence is permissible only on a written court order.

Article 18

(1) No one may be subjected to forced labour or services.

(2) Section (1) of this Article shall not apply to:

- a) prisoners or persons sentenced to alternatives of imprisonment,
- b) military service or other services performed in lieu of compulsory service in the armed forces,
- c) services lawfully required in cases of natural disasters, calamities and other events threatening the lives, health or valuable property of citizens,
- d) activities lawfully required for the protection of life, health and rights of other people.

Article 19

(1) Every person shall have the right to maintain and protect his or her dignity, honour, reputation and good name.

(2) Everyone shall have the right to be free from unjustified interference in his or her privacy and family life.

(3) Anyone has the right to be protected against unwarranted collection, disclosure, and other misuse of personal information.

Article 20

(1) Everyone has the right to own property. Property rights of all owners shall be uniformly construed and equally protected by law. The right of inheritance is guaranteed.

(2) For the purposes of safeguarding the needs of the society, the interests of the general public, and the advancement of the national economy, the law shall establish certain property (including that defined in Article 4) as the exclusive property of the State, the municipality or specific corporate bodies. In addition, the law can specify which property may be owned only by individual citizens or corporations residing in the Slovak Republic.

(3) Ownership limits. Property may not be misused to cause injury to another person or in contradiction to the public interests protected by law. The exercise of property rights must not

be detrimental to the health of other people, wild life, cultural sites or the environment beyond the standards fixed by law.

(4) Expropriation or restrictions on property rights shall be imposed only to the extent legally justified for the protection of the public interest and shall be justly compensated.

Article 21

(1) The sanctity of the home shall be inviolable. Entrance without permission of the person residing therein is unlawful.

(2) A search shall be justified only in circumstances connected with criminal proceedings and warranted by a written order issued by a judge. The methods of such a search shall be specified by law.

(3) Other infringements upon the inviolability of the home shall be legally justified only in circumstances where, in a democratic society, it is necessary to protect life, health, property, civil rights and freedoms or to avert a serious threat to public order. In cases where the home is used for business and other enterprising activities, such infringement may be legally justified for the purposes of public administration.

Article 22

(1) Secrecy of letters, other communications and written messages delivered by post and personal information shall be guaranteed.

(2) No one shall violate the secrecy of letters, other communications and written messages kept private or delivered by post or otherwise, except in cases specified by law. This provision applies to communications delivered by telephone, telegraph and other similar means.

Article 23

(1) Freedom of movement and residence shall be guaranteed.

(2) Everyone residing legally in the Slovak Republic has the right to leave the country.

(3) Freedoms defined in sections (1) and (2) of this Article may be limited by law only if such limits are necessary in order to protect national security, public order, the health, rights and freedoms of other people, or in order to protect the environment in designated areas.

(4) Every citizen is free to enter the Slovak Republic. No citizen may be forced to emigrate or be expelled from his or her native country or be extradited to a foreign country.

(5) Aliens may be expelled only in cases provided by law.

Article 24

(1) Freedom of thought, conscience, religion and faith shall be guaranteed. This right shall include the right to change religion or faith and the right to refrain from a religious affiliation. Every person shall be entitled to express his or her opinion publicly.

(2) Every person shall have the right to express freely his or her own religious conviction or faith alone or in association with others, privately or publicly, by worship, religious services or ceremonies and participation in religious instruction.

(3) Churches and ecclesiastical communities shall administer their own affairs. All ecclesiastic authorities and appointments, religious instruction, establishment of religious orders and other religious institutions shall be separate from the State authorities.

(4) The rights under sections (1) to (3) of this Article can be legally restricted only as a measure taken in a democratic society for the protection of the public order, health, morality, and rights and freedoms of other people.

Article 25

(1) The defence of the Slovak Republic is the honourable privilege and duty of every citizen.

(2) No person may be forced to perform military duties if it is contrary to his or her conscience or religious faith or conviction. Further details shall be specified by law.

Chapter Three - Political Rights

Article 26

(1) Freedom of expression and the right to information shall be guaranteed.

(2) Every person has the right to express his or her opinion in words, writing, print, images

and any other means, and also to seek, receive and disseminate ideas and information both nationally and internationally. No approval process shall be required for publication of the press. Radio and television companies may be required to seek permission from governmental authorities to set up private businesses. Further details shall be provided by law.

(3) Censorship shall be prohibited.

(4) Freedom of expression and the right to receive and disseminate information may be lawfully limited only where, in a democratic society, it is necessary to protect rights and freedoms of others, state security, law and order, health and morality.

(5) Governmental authorities and public administration shall be obligated to provide reasonable access to the information in the official language of their work and activities. The terms and procedures of the execution thereof shall be specified by law.

Article 27

(1) The right to petition shall be guaranteed. Every person shall have the right to address governmental authorities and public administration in individual and public matters with petitions, proposals, and complaints either individually or in association with other persons.

(2) No petition may involve the infringement of fundamental rights and freedoms.

(3) No petition may interfere with the independence of the judiciary.

Article 28

(1) The right to peaceful assembly shall be guaranteed.

(2) The conditions under which this right may be exercised shall be provided by law in cases of meetings held in public places where, in a democratic society, it is necessary to protect rights and freedoms of other persons, public order, health and morality, property or state security. No approval by public administration shall be required for such meetings.

Article 29

(1) The right of free association shall be guaranteed. Everyone has the right to associate freely with other persons in unions, societies and other associations.

(2) Citizens may form political parties and political movements and associate therein.

(3) The exercise of rights in sections (1) and (2) of this Article may be limited only in cases justified by law where, in a democratic society, it is necessary to protect national security and public order, prevent crime and protect rights and freedoms of other persons.

(4) Political parties and political movements, as well as unions, societies or associations shall be separate from the State.

Article 30

(1) Citizens shall have the right to participate in the administration of public affairs directly or by freely elected representatives.

(2) Elections shall be held within periods of time not exceeding the terms fixed by law.

(3) The right to vote shall be exercised through equal, universal and direct suffrage by secret ballot. The terms thereof shall be specified by law.

(4) All citizens shall have equal access to elected or public offices.

Article 31

The regulation of political rights and freedoms, and the interpretation and usage thereof shall facilitate and protect political competition in a democratic society.

Article 32

If the activities of constitutional authorities or the application of legal rules have become ineffective, every citizen shall have the right to resist anyone who would abolish the democratic functioning of human rights and fundamental freedoms set forth in this Constitution.

Chapter Four - The Rights of National Minorities and Ethnic Groups

Article 33

Membership in any national minority or ethnic group may not be used to the detriment of any individual.

Article 34

(1) Citizens of national minorities or ethnic groups in the Slovak Republic shall be guaranteed their full development, particularly the rights to promote their cultural heritage with other citizens of the same national minority or ethnic group, receive and disseminate information in their mother tongues, form associations, and create and maintain educational and cultural institutions. Details thereof shall be fixed by law.

(2) In addition to the right to learn the official language, the citizens of national minorities or ethnic groups shall, under provisions fixed by law, also be guaranteed:

- a) the right to be educated in a minority language,
- b) the right to use a minority language in official communications,
- c) the right to participate in decision-making in matters affecting the national minorities and ethnic groups.

(3) The exercise of rights by citizens of a national minority guaranteed by this Constitution may not threaten the sovereignty and territorial integrity of the Slovak Republic or discriminate against other citizens.

Chapter Five - Economic, Social and Cultural Rights

Article 35

(1) Every person shall have the right to choose freely his or her profession and to receive appropriate training, as well as the right to earn his or her living through entrepreneurial activities.

(2) Terms of, or restrictions on, specific professions, trades or activities may be regulated by law.

(3) Citizens shall have the right to work. The State shall guarantee, within reasonable limits, the material welfare of those who cannot enjoy this right through no fault of their own. The terms thereof shall be specified by law.

(4) The rights of aliens provided in sections (1) to (3) of this Article, as concerns aliens, may be governed under a separate law.

Article 36

All employees shall have the right to fair and satisfactory conditions at work. The law shall provide in particular for:

- a) the right to compensation for the work performed to secure a dignified standard of life,
- b) the security from arbitrary dismissal and discrimination at work,
- c) the protection of health and safety at work,
- d) the setting of maximum working hours,
- e) reasonable rest time after work,
- f) a minimum amount of paid vacation,
- g) the right of collective bargaining.

Article 37

(1) Every person shall have the right to associate freely with other persons to protect their economic and social interests.

(2) Trade unions shall be independent of the State. There shall be no restrictions on the number of trade unions, and no encouragement of specific unions in certain companies or industries.

(3) The activities of trade unions and other associations formed to protect economic and social interests may be limited by law only where, in a democratic society, such measures may be necessary for the protection of the national security, public order, and rights and freedoms of other persons.

(4) The right to strike shall be guaranteed. The terms thereof shall be provided by law. Judges, prosecutors, members of the armed forces, and members of fire squads shall be disqualified from the exercise of this right.

Article 38

(1) Women, minors, and disabled persons shall enjoy more extensive health protection and special working conditions.

(2) Minors and disabled persons shall enjoy special protection in employment relations and special assistance in training.

(3) Further details of the rights defined in sections (1) and (2) of this Article shall be specified by law.

Article 39

(1) Citizens shall be entitled to adequate material security in their old age, as well as in cases of disability, and death of the family's principal provider.

(2) Any person suffering material hardship, shall have the right to such assistance as may be necessary to secure his or her fundamental standard of life.

(3) Further details of rights defined in sections (1) and (2) of this Article shall be provided by law.

Article 40

Every person shall have the right to protect his or her health. Through medical insurance, the citizens shall have the right to free health care and medical equipment for disabilities under the terms to be provided by law.

Article 41

(1) Matrimony, parentage, and family shall be protected by law. Special protection shall be enjoyed by children and young persons.

(2) Pregnant women shall be entitled to special treatment, terms of employment, and working conditions.

(3) Equal rights shall be guaranteed to both children born of legitimate matrimony and those born out of lawful wedlock.

(4) Child care and upbringing shall be the right of parents; children shall have the right to parental care and upbringing. The rights of parents may be limited and minor children may be separated from parents against the parents' will only by a court order as provided by law.

(5) Parents taking care of their children shall have the right to assistance provided by the State.

(6) Further details of the rights defined in sections (1) to (5) of this Article shall be set by law.

Article 42

(1) Every person shall have the right to education. School attendance is compulsory. Length of attendance shall be fixed by law.

(2) Citizens shall have the right to free education in elementary and secondary schools, and, depending on the abilities of the individual and the potential of the society, also in institutions of higher education.

(3) The establishment of, and instruction in, schools other than state (public) schools shall be possible only under the terms provided by law; such schools may collect tuition fees.

(4) Eligibility for financial assistance for students from public funds shall be provided by law.

Article 43

(1) Freedom of scientific research and freedom of artistic expression shall be guaranteed. Intellectual property rights shall be protected by law.

(2) The right of access to cultural heritage shall be guaranteed under the terms fixed by law.

Chapter Six - The Right to Protect the Environment and Cultural Heritage

Article 44

(1) Every person shall have the right to favourable environment.

(2) Every person shall have a duty to protect and improve the environment and foster cultural heritage.

(3) No person shall imperil or damage the environment, natural wealth and cultural heritage beyond the limits set by law.

(4) The State shall be responsible for the economical use of natural resources, an ecological balance and an effective environmental policy.

Article 45

Every person shall have the right to full and timely information on the environmental situation, and reasons and consequences thereof.

Chapter Seven - Right to Judicial and Other Legal Protection

Article 46

(1) Every person may claim his or her right by procedures established by law at an independent and impartial court of law or other public authority of the Slovak Republic in cases specified by law.

(2) Any person who claims to have been denied his or her rights through a decision made by a public authority may turn to a court of law to have the legality of the decision reviewed, unless otherwise provided by law. The review of decisions in matters of fundamental rights and freedoms shall not be excluded from the jurisdiction of courts of law.

(3) Every person shall have the right to recover damages for a loss caused by an unlawful decision of the court, a governmental or public authority or by improper official procedure.

(4) Details and terms of the judicial and other legal protection shall be regulated by law.

Article 47

(1) Every person shall have the right to refuse to give testimony which might incriminate that person or another person close to him or her.

(2) Every person shall have the right to counsel from the outset of proceedings before any court of law, or a governmental or public authority as provided by law.

(3) All parties to any proceedings under section (2) of this Article shall be treated equally under the law.

(4) A person who claims not to know the language used in the proceedings under section (2) of this Article shall have the right to an interpreter.

Article 48

(1) No one may be taken out of the competence of his or her judge. The jurisdiction of courts shall be defined by law.

(2) Every person has the right to have his or her case tried publicly without unreasonable delay, to be present at the proceedings, and to object to any evidence given therein. The public can be excluded only in cases specified by law.

Article 49

The law shall define all offences, the punishment or the measure restricting personal or property rights to be imposed on the offender in particular cases.

Article 50

(1) The courts of law alone shall decide the guilt of, and punishment for, the offender.

(2) Any person charged with an offence shall be presumed innocent until proven guilty as finally adjudged by the court.

(3) Any person charged with an offence shall have the possibility to prepare his or her defence during such time as may be deemed necessary and shall have the right to defend the case by himself or herself and by a counsel.

(4) Any person charged with an offence shall have the right to refuse to give testimony. This right may not be denied to that person under any circumstances.

(5) When finally convicted or acquitted of an offence, no person may be prosecuted for that same offence again. This principle does not preclude an exceptional remedy provided by law.

(6) Any criminal conduct shall be determined by, and punished under, the law effective at the time of the act. The law passed after the commission of the offence shall apply only if the law is more beneficial to the offender.

Chapter Eight - Part One and Part Two Joint Provisions

Article 51

The rights defined in articles 35, 36, 37 section (4), 38 to 42 and 44 to 46 of this Constitution may be claimed only within the limits of the law providing for the exercise thereof.

Article 52

- (1) Whenever the term "citizen" is used in Part One and Part Two of this Constitution, it means a citizen of the Slovak Republic.
- (2) Unless expressly designated only for the citizens of the Slovak Republic, aliens shall enjoy the same fundamental rights and freedoms guaranteed by this Constitution.
- (3) Whenever the term "citizen" is used in any previous rules, it means any person provided the rights and freedoms are guaranteed by this Constitution, irrespective of the, citizenship.

Article 53

The Slovak Republic shall grant asylum to aliens persecuted for the exercise of political rights and freedoms. Such asylum may be denied to those who have acted to violate the fundamental human rights and freedoms. Details shall be provided by law.

Article 54

Judges and prosecutors may be denied the right of free enterprise and other business activities and the right defined in Article 29, section (2), civil servants holding offices specified by law may also be denied the right defined in Article 37 section (4), members of the armed forces may also be denied the rights defined in Articles 27 and 28 in cases where these rights interfere with the exercise of their duties. The right to strike may be denied to those working in professions immediately involved in the protection of life and health.

Chapter One - The Economy in the Slovak Republic

Article 55

- (1) The economy in the Slovak Republic shall be based on the principles of a socially and ecologically oriented market economy.
- (2) The Slovak Republic shall protect and encourage competition. Details shall be provided by law.

Article 56

The Slovak Republic shall establish a central Bank charged with the issue of currency. Details shall be regulated by law.

Article 57

The Slovak Republic is a customs bonded territory.

Article 58

- (1) The fiscal matters of the Slovak Republic shall be managed through the national budget. The national budget shall be adopted by an enactment.
- (2) Budgetary revenues, procedures of budgetary management and the relationships between the national and local budgets shall be regulated by law.
- (3) Specialized state funds linked with the national budget can be established by law.

Article 59

- (1) Taxes and duties shall be collected on the national and local levels.
- (2) Taxes and duties can be levied by and under the law.

Chapter Two - The Supreme Audit of the Slovak Republic

Article 60

The Supreme Audit Office of the Slovak Republic shall be an independent agency supervising the auditing of, and control over, budgetary funds, public property, public property rights, and public debts.

Article 61

- (1) The Supreme Audit Office shall be headed by the Chairman. The Chairman and Vice-Chairmen shall be elected and recalled by the National Council of the Slovak Republic.
- (2) Any citizen qualified to be elected to the National Council of the Slovak Republic may be elected to the office of Chairman of the Supreme Audit Office.
- (3) The same person may be elected to the office of Chairman of the Supreme Audit Office

for no more than two consecutive five-year terms.

(4) The Chairman and Vice-Chairmen of the Supreme Audit Office shall not be eligible for any position in the central or local governments or on boards of business corporations.

Article 62

The Supreme Audit Office shall submit annual reports of its work to the National Council of the Slovak Republic at least once a year or at any time when requested to do so by the National Council of the Slovak Republic.

Article 63

The authority, powers and structure of the Supreme Audit Office shall be regulated by law.

Article 64

(1) The basic unit of local administration shall be the municipality.

(2) The municipality is an independent territorial and administrative unit of the Slovak Republic extending to all persons permanently residing therein.

(3) Self-governing subdivisions at higher levels shall be defined by law.

Article 65

(1) The municipality is a corporate body responsible for the property and financial resources thereof as fixed by law.

(2) The municipality shall finance its needs primarily by its own funds and also by national subsidies. Taxes and duties to be raised by the municipality shall be determined by law. The municipalities can claim entitlement to subsidies only within the limits set by law.

Article 66

The municipality shall have the right to form associations with other communities in matters of common interest.

Article 67

Matters regarding local self-government shall be decided by municipalities, and any restrictions thereof may be imposed only by law. Local self-government shall be carried out by local assemblies, local referendum or through municipal authorities.

Article 68

The municipalities shall pass ordinances, generally binding decisions in matters of local government.

Article 69

(1) Municipal authorities include:

- (a) municipal office;
- (b) mayor's office

(2) Municipal offices shall consist of local elected representatives. Local government elections are based on universal, equal and direct suffrage by secret ballot.

(3) The mayor shall be elected by the local citizens in an election by universal, equal and direct suffrage by secret ballot. The mayor shall be the executive officer exercising executive powers and representing the municipality in all matters.

Article 70

The municipality can acquire the status of a town or a city under the procedures and terms prescribed by law which also determine the structure of municipal authorities.

Article 71

(1) The municipality may be delegated by law to exercise the powers of state administration. All expenses relating to such delegation of state administration shall be borne by the state.

(2) When exercising the powers of state administration, the municipality may, within its territorial jurisdiction, pass generally binding ordinances, as delegated by law. The exercise of state administration delegated to local communities shall be controlled and supervised by the Government. Further details shall be provided by law.

Chapter One - The National Council of the Slovak Republic

Article 72

The National Council of the Slovak Republic shall be the sole constitutional and legislative body of the Slovak Republic.

Article 73

(1) The National Council of the Slovak Republic shall consist of 150 members elected for a four-year term.

(2) The members shall be the representatives of the citizens, and shall be elected to exercise their mandates individually and according to their best conscience and conviction. They are bound by no directives.

Article 74

(1) The members are elected by universal, equal and direct suffrage by secret ballot.

(2) Any citizen who has the right to vote, has attained 21 years of age and has permanent residency in the Slovak Republic is eligible to be elected to the National Council of the Slovak Republic.

(3) Details relating to the election of the representatives shall be fixed by law.

Article 75

(1) A representative elected to the National Council of the Slovak Republic for the first time shall take the following vow: "I do solemnly pledge allegiance to the Slovak Republic to the best of my ability to exercise dutifully my obligations in the interests of all citizens. I will abide by the Constitution and all other laws and I will make every effort to implement them in everyday life."

(2) Any refusal to take the pledge or any reservation thereof shall result in the loss of the mandate.

Article 76

The legitimacy of the elected representatives shall be confirmed by the National Council of the Slovak Republic.

Article 77

(1) The mandate shall disqualify the representative from the offices of the President, the judge, public prosecutor, member of the police forces, member of prison or judicial guards, and career military officer.

(2) The mandate of a representative who has been appointed a member of the Government, though not fulfilled, shall not expire.

Article 78

(1) No member shall be prosecuted either during the term of office or at any other time for his or her vote in the National Council of the Slovak Republic or its committees. The members are subject to disciplinary powers of the National Council of the Slovak Republic for any statement made in the National Council of the Slovak Republic or its committees while holding mandates.

(2) No member shall be prosecuted, sanctioned by any disciplinary measure or held in pre-trial detention without the approval of the National Council of the Slovak Republic. Unless such approval is granted by the National Council of the Slovak Republic, the prosecution or the disciplinary measure shall be excluded.

(3) If a member has been arrested or detained while committing an offence, the appropriate agency shall be obliged to notify without delay the Speaker of the National Council of the Slovak Republic. Unless the arrest is approved by the Mandate and Immunity Committee, the member must be immediately released.

Article 79

A member may refuse to give testimony in matters of which he or she has been informed while he or she is in office or after the expiration of his or her mandate.

Article 80

(1) A member may interpellate the Government of the Slovak Republic, any member of the Government or any principal governmental official in matters within their official powers.

Any interpellation must be answered within thirty days.

(2) The response to interpellation shall have the form of a debate in the National Council of the Slovak Republic which may be followed by a vote of confidence.

Article 81

(1) Any representative may resign from his or her seat.

(2) The mandate of a representative lawfully sentenced for a serious malicious offence shall expire.

Article 82

(1) The National Council of the Slovak Republic shall be continually in session.

(2) The opening session of the National Council shall be convened by the President of the Slovak Republic not later than thirty days following the announcement of the election results. Otherwise, the National Council of the Slovak Republic shall meet on the thirtieth day after the announcement of the election results.

(3) The National Council may resolve to adjourn its session. The time of adjournment or recess may not exceed four months within a period of one year. The Speaker, the Deputy-Speaker and the Committees of the National Council shall continue to carry out their duties even during a recess.

(4) During a recess or adjournment, a session can be convened by the Speaker of the National Council before the designated date. He can do so upon a request submitted by the Government or one fifth of the members.

(5) A session of the National Council of the Slovak Republic shall end as a result of lapse of time or dissolution.

Article 83

(1) The sessions of the National Council of the Slovak Republic shall be convened by the Speaker of the National Council of the Slovak Republic.

(2) The Speaker of the National Council of the Slovak Republic shall convene a session also when so requested by no less than one fifth of the members. In this case the session shall be convened within seven days.

(3) Sessions of the National Council of the Slovak Republic are open to the public.

(4) Closed sessions may be held only in cases defined by law or when three fifths of all members have so resolved.

Article 84

(1) A quorum of the National Council of the Slovak Republic shall consist of the majority of all members.

(2) For an effective resolution, the consent of the majority of members present shall be required unless this Constitution stipulates otherwise.

(3) For the purposes of adopting or amending the Constitution, adopting constitutional statutes, adopting a decision about referendum on recalling the President of the Slovak Republic, for impeachment of the President and declaring war on other state, the consent of a three-fifths majority of all members shall be required.

Article 85

Any member of the Government of the Slovak Republic, or any principal official of any other body of governmental administration shall be obliged to participate in a session of the National Council of the Slovak Republic or in a meeting of a body thereof, when requested to do so by the National Council of the Slovak Republic.

Article 86

The powers of the National Council of the Slovak Republic shall be mainly to:

- a) make resolutions concerning the adoption of the Constitution, constitutional statutes and other laws, and to supervise their implementation;
- b) give consent to treaties of the union of the Slovak Republic with other states and to the termination of such treaties by means of constitutional statutes;

- c) propose the holding of a referendum;
- d) give consent, prior to ratification, on international political treaties, international economic agreements in general and any international agreements provided the execution thereof shall require legislation;
- e) establish governmental departments and other governmental bodies;
- f) debate on the governmental policy proclaimed in the Program of the Government of the Slovak Republic, monitor the activities of the Government, as well as debate on votes of confidence regarding the Government or an individual member of the Government;
- g) approve the national budget, supervise budgetary policy and approve the final national revenue balance;
- h) debate on basic issues relating to domestic, international, economic, social and other policies ;
- i) elect judges, the President and the Vice-President of the Supreme Court of the Slovak Republic, the President and the Vice-President of the Constitutional Court of the Slovak Republic and the Chairman and the Vice-Chairman of the Supreme Audit Office.
- j) declare war in the event of an act of aggression by parties hostile to the Slovak Republic or in the event that obligations under international joint defence treaties must be fulfilled, and
- k) give consent for a contingent of troops to be sent outside the Slovak Republic.

Article 87

- (1) Bills may be introduced by the Committees of the National Council of the Slovak Republic, members of the National Council and the Government of the Slovak Republic.
- (2) Laws passed by the National Council of the Slovak Republic shall be signed by the Speaker of the National Council of the Slovak Republic, the President of the Slovak Republic and the Prime Minister of the Slovak Republic.
- (3) If the President of the Slovak Republic returns a bill with comments, the National Council of the Slovak Republic shall reconsider the bill and when it is passed , such a law shall be promulgated.
- (4) For adoption of a bill returned by the President of the Slovak Republic under Art. 102 letter n) a consent of absolute majority of all members shall be required.
- (5) Any law shall enter into effect after promulgation. Details shall be defined by law.

Article 88

- (1) A vote of no-confidence in the Government of the Slovak Republic or a member thereof may be submitted to, and considered by, the National Council of the Slovak Republic provided one fifth of the members so require.
- (2) A no-confidence vote in the Government of the Slovak Republic or a member thereof shall be passed provided an absolute majority of all members concur.

Article 89

- (1) The Speaker of the National Council of the Slovak Republic shall be elected or recalled by secret ballot with the consent of an absolute majority of all members. The President shall be responsible exclusively to the National Council of the Slovak Republic.
- (2) The Speaker of the National Council of the Slovak Republic shall:
 - a) convene and direct the sessions of the National Council of the Slovak Republic;
 - b) sign the Constitution, constitutional statutes and other laws;
 - c) authorize the pledge taken by any member of the National Council of the Slovak Republic;
 - d) accept the pledge taken by the judges and the President of the Supreme Court,
 - e) announce the election of the National Council of the Slovak Republic, election of the President of the Slovak Republic and elections of local self-government authorities,
 - f) announce a referendum on the recall of the President of the Slovak Republic.

(3) The Speaker of the Slovak National Council shall remain in office after the expiry of the electoral term until the National Council of the Slovak Republic elects a new President.

Article 90

(1) The Speaker of the National Council of the Slovak Republic may be substituted by the Deputy-Speakers. The Deputy-Speakers are elected or replaced by the National Council of the Slovak Republic with the consent of an absolute majority of all members voting by secret ballot. The Deputy-Speakers shall be responsible to the National Council of the Slovak Republic.

(2) The provisions of Article 89, section (3) shall apply also to the Deputy-Speakers of the National Council of the Slovak Republic.

Article 91

The work of the National Council of the Slovak Republic shall be under the direction of the Speaker and the Deputy-Speakers.

Article 92

(1) The National Council of the Slovak Republic shall establish Committees composed of its own members for purposes of the introduction of legislation and supervision with chairmen elected by secret ballot.

(2) The procedures governing the debates and deliberations in the National Council of the Slovak Republic and its Committees shall be fixed by law.

Chapter Two - Referendum

Article 93

(1) A constitutional statute on the formation of a union with other states or a secession there from shall be confirmed by a public referendum.

(2) A referendum may also be used to decide on other crucial issues in the public interest. (3) No issues of fundamental rights, freedoms, taxes, duties or national budgetary matters may be decided by a public referendum.

Article 94

Every citizen qualified to elect the members of the National Council of the Slovak Republic shall have the right to vote in a referendum.

Article 95

A referendum shall be announced by the President of the Slovak Republic upon a petition submitted by no less than 350,000 citizens, or upon a resolution of the National Council of the Slovak Republic not later than thirty days after the petition or the resolution have been submitted by the citizens or by the National Council of the Slovak Republic, as the case may be.

Article 96

(1) The proposals for the adoption of a resolution by the National Council of the Slovak Republic on the holding of a referendum may be submitted by members of the National Council or the Government of the Slovak Republic.

(2) A referendum shall be held not later than ninety days after it has been announced by the President of the Slovak Republic.

Article 97

(1) No referendum shall be held less than ninety days before the date of the election of the National Council of the Slovak Republic.

(2) A referendum may be held on the date of the election of the National Council of the Slovak Republic.

Article 98

(1) The results of the referendum shall be valid provided an absolute majority of eligible voters have participated and the issue has been decided by an absolute majority of votes.

(2) The proposals adopted by a referendum shall be promulgated by the National Council of the Slovak Republic and shall become law.

Article 99

(1) The results of a referendum may be derogated or abrogated by a constitutional statute passed by the National Council of the Slovak Republic once a period of three years has passed since the date the outcome took effect.

(2) The referendum can be repeated no sooner than three years after the previous referendum held on the same issue.

Article 100

The procedures for holding a referendum shall be defined by law.

Chapter One - The President of the Slovak Republic

Article 101

(1) The Head of the Slovak Republic shall be the President. The President shall represent the Slovak Republic in external and internal relations and with his/her decisions ensures the normal functioning of the constitutional authorities. The President performs his office according to his/her best conscience and conviction. He is bound by no directives.

(2) The President shall be elected by the citizens of the Slovak Republic in direct elections by secret ballot for a five-year term. The right to elect the President have the citizens who are eligible to vote in election to the National Council of the Slovak Republic.

(3) The candidates for Presidency are nominated by a group of 15 Members of the National Council of the Slovak Republic or by the citizens who are eligible to vote for National Council of the Slovak Republic based on a petition signed by at least 15 000 citizens. The nominations are submitted to the President of the National Council of the Slovak Republic not later than 21 days after the elections have been announced.

(4) The president shall be the candidate who gets the absolute majority of all valid votes provided by eligible voters. If none of the candidates succeeds to get the required majority of votes by voters, a second ballot takes place within 14 days. Those two candidates progress to the second ballot who got the highest number of the valid votes. In the second ballot shall be elected to be a President that candidate who obtained the highest number of all valid votes of the participating voters.

(5) If one of the candidates obtaining in the first ballot the most valid votes is not eligible any more to be a President before the second ballot or he gives up his right to run for presidency, that candidate progresses to the second ballot who gets the next highest number of the votes in the first ballot. If there are not two candidates in the second ballot, it will be cancelled and the President of the National Council of the Slovak Republic shall announce new elections within seven days in a way that they could take place within 60 days after having been promulgated.

(6) If there is just one candidate running for presidency, the election will take place in a way that a vote will be taken on him; he shall be elected President if he gets the absolute majority of the valid votes from participating voters.

(7) The elected candidate takes up his office of a President taking the vow. The President shall be sworn before the National Council by the President of the Constitutional Court at noon when the former President's term of office ceases.

(8) If the President's term of office terminated earlier, the elected candidate takes the vow and takes up his office of the President at noon the following day after the announcement of the election results.

(9) The Constitutional Court of the Slovak Republic decides on the constitutionality or lawfulness of the elections.

(10) The details for presidential elections shall be defined by law.

Article 102

(1) The President

- a) shall represent the Slovak Republic in international relations, negotiate and ratify international agreements; he can delegate the power to the Government or, with the consent of

the Government, to individual members of the Government to negotiate those international agreements for which no consent by the National Council of the Slovak Republic is required;

- b) shall receive and accredit ambassadors;
- c) shall convene the opening session of the National Council of the Slovak Republic;
- d) may dissolve the National Council of the Slovak Republic provided the National Council of the Slovak Republic has rejected its program within six months, when the National Council of the Slovak Republic has not decided within three months about a Government bill which was connected with the vote of confidence, when the National Council of the Slovak Republic was incapacitated to resolution more than three months, although its session has not been adjourned notwithstanding it was repeatedly convened or if the session of the National Council of the Slovak Republic was adjourned for a longer time than the Constitution allows. The President cannot apply this right during the last six months of his term of office. The President shall dissolve the National Council of the Slovak Republic if in the referendum on his recalling he is not recalled;
- e) shall sign laws;
- f) shall appoint and remove the Prime Minister and other members of Government of the Slovak Republic, commission the heads of governmental departments and accept their resignation; he shall remove the Prime Minister and other Ministers in cases defined in Articles 115 and 116;
- g) shall appoint and remove the principal officers of national bodies and high officials as defined by law, university professors and presidents, and promote army generals;
- h) shall award decorations and honours, unless another authority has been delegated by him to do so;
- i) shall grant pardons and amnesty, mitigate sentences imposed by criminal courts, decrees to terminate or not to commence proceedings and to erase criminal records;
- j) shall be the Commander-in-Chief of the armed forces;
- k) shall declare, by the recommendation of the Government of the Slovak Republic, a state of war, and declare war by a resolution of the National Council of the Slovak Republic in the event of aggression by parties hostile to the Slovak Republic or in the event that obligations under international agreements requiring the joint defence against aggression must be fulfilled;
- l) shall declare a state of emergency by means of a constitutional statute;
- m) shall announce referenda;
- n) may return constitutional or other bills to the National Council of the Slovak Republic with his comments for reconsideration within fifteen days after getting/delivering the adopted law;
- o) shall inform the National Council of the Slovak Republic of the state of the Slovak Republic and of major political issues, and submit proposals and other measures;
- p) shall have the right to require from the Government of the Slovak Republic and from its members information needed for the fulfilment of his duties

(2) Decision of the President issued under Art. 102 letter b) and i) if it concerns granting amnesty shall be valid under letter j) if it is signed by the Prime Minister of the Slovak Republic or the appropriate/competent minister. In these cases the Government of the Slovak Republic shall be responsible for the President's decision.

Article 103

(1) Any citizen of the Slovak Republic eligible to be elected to the member of the National Council of the Slovak Republic who has attained forty years of age on the day of the election , may be elected President of the Slovak Republic.

(2) No one may be elected President for more than two consecutive terms.

(3) The election of the President shall be held during the last sixty days of the term of the acting President. In the event of a vacancy of the President's office before the expiration of the

official term, the President of the National Council of the Slovak Republic shall announce presidential elections within seven days in order that the first ballot would be held within 60 days after they have been promulgated.

(4) In cases where the President-elect is a member of the National Council of the Slovak Republic, a member of the Government of the Slovak Republic, a judge, a public prosecutor, a member of the armed forces or the armed corps, or a member of the Supreme Audit Office of the Slovak Republic, he must resign from his previous office on the day of his election.

(5) The President shall hold no other paid position in any profession, business or on any executive board of a corporation.

(6) The President may resign from his office at any time; his term of office ceases on the day of handing over to the President of the Constitutional Court of the Slovak Republic a written announcement of this decision.

(7) The President of the Constitutional Court of the Slovak Republic shall announce the President of the National Council of the Slovak Republic in writing the President's resignation from his office.

Article 104

(1) The President shall be sworn before the National Council by the President of the Constitutional Court of the Slovak Republic as follows:

"I do solemnly pledge allegiance to the Slovak Republic. I will protect the welfare of the Slovak people, and members of national minorities and ethnic groups living in the Slovak Republic. I will perform my duties in the best interests of all citizens, and abide by and defend the Constitution and other laws."

(2) A refusal to take the vow or expression of reservations thereto shall annul the presidential election.

Article 105

(1) In a case where the President has not been elected, or at the time of a vacancy before the election of the new President, or after the new President has been elected but before he has been sworn in, or he has been unable to perform his official duties, the powers of the President shall be delegated to the Government of the Slovak Republic except for those defined in Article 102 paragraph 1, subsections d) to g). In these cases the Government may vest some of the powers of the President in the Prime Minister. During such time the Prime Minister shall act as Commander-in-Chief of the armed forces. The powers of the President shall be delegated to the Chairman of the National Council of the Slovak Republic under Art. 102 paragraph 1 letter e), f) and g).

(2) In the event that the President has been unable to perform the duties of his office for more than six months, the Constitutional Court of the Slovak Republic shall proclaim the office of the President vacant. On the day of this promulgation, the acting President's term of office ceases.

Article 106

(1) The President may be recalled before the termination of his/her term of office by a referendum. A referendum on recalling the President shall be announced by the President of the National Council of the Slovak Republic based on the resolution of the National Council of the Slovak Republic adopted by not less than a three-fifths majority of all members of the National Council of the Slovak Republic. He must do so within thirty days from adopting the resolution in order that the referendum would take place within 60 days after having been promulgated.

(2) The President shall be recalled if in the referendum an absolute majority of all eligible voters voted for his recall.

(3) If the President has not been recalled in a referendum, he should dissolve the National Council of the Slovak Republic within 30 days after the results of the referendum have been announced. In this case a new President's term of office starts to run. The President of the

National Council of the Slovak Republic shall announce elections to the National Council of the Slovak Republic within 7 days after it has been dissolved.

(4) The procedure required for the recall of the President shall be specified by law.

Article 107

President may be arraigned/prosecuted only for deliberate violation of the Constitution or for high treason . About filing impeachment decides the National Council of the Slovak Republic by consent of a three-fifths majority of all members. The impeachment shall be filed by the National Council of the Slovak Republic that decides on it in a plenary session.". Condemning /convicting decision of the Constitutional Court of the Slovak Republic results the loss of the presidential office and the illegibility to regain this office.

Chapter Two - The Government of the Slovak Republic

Article 108

The Government of the Slovak Republic shall be the supreme executive body.

Article 109

(1) The Government shall consist of the Prime Minister, Deputy-Prime Ministers and Ministers.

(2) A member of the Government shall not be allowed to hold legislative or judicial office.

(3) A member of Government shall hold no other paid position in a profession, business or on the executive board of a corporation.

Article 110

(1) The Prime Minister shall be appointed and removed by the President of the Slovak Republic.

(2) Any citizen of the Slovak Republic eligible for election to the Slovak National Council may be appointed the Prime Minister.

Article 111

On the advice of the Prime Minister, the President of the Slovak Republic shall appoint and recall other members of the Government by granting commissions to carry out departmental duties. The President can appoint the Vice-President or a Minister from among the citizens eligible to be elected to the National Council of the Slovak Republic.

Article 112

The members of the Government shall be sworn in by the President by taking the following vow:

"I do solemnly pledge allegiance to the Slovak Republic. I will perform my duties in the best interests of the citizens. I will abide by the Constitution and all laws and will do my best to provide for their implementation."

Article 113

The Government shall be obliged, within thirty days of its formation, to present itself to all members of the National Council of the Slovak Republic and to submit to them its Government Program and thus initiate a vote of confidence.

Article 114

(1) The Government shall be collectively responsible for the exercise of governmental powers to the National Council of the Slovak Republic which may take a vote of confidence at any time.

(2) The Government may, at any time, invite the National Council of the Slovak Republic to hold a vote of confidence.

(3) The Government may initiate voting on a bill concerning any matter concurrently with a vote of confidence.

Article 115

(1) In the event that the National Council has passed a vote of no-confidence or overruled a motion for a vote of confidence, the President shall dismiss the Government.

(2) In the case where the President has accepted resignation of the Government, he shall delegate all powers continuously to be exercised by the former Government until a new Government has been appointed.

Article 116

(1) Members of the Government shall be individually accountable to the National Council of the Slovak Republic.

(2) Any member of the Government may submit his or her resignation to the President of the Slovak Republic.

(3) The National Council of the Slovak Republic may also pass a vote of no-confidence in an individual member of the Government; in such case the member shall be dismissed.

(4) A motion for the dismissal of a member of the Government may be presented also by the Prime Minister.

(5) In the event of the Prime Minister's resignation, the whole Government shall resign.

(6) In a case where the National Council of the Slovak Republic has passed a vote of no-confidence in an individual member of the Government, the member shall be dismissed by the President of the Slovak Republic. The dismissal of the Prime Minister shall result in the resignation of the Government.

(7) In a case where the President has accepted the resignation of a member of the Government, or if he has dismissed a member of the Government, he shall designate another member to be temporarily responsible for fulfilling the duties of the resigning member.

Article 117

The incumbent Government shall submit its resignation after the opening session of the newly elected National Council of the Slovak Republic; the former Government shall, however, remain in office until the new Government is formed.

Article 118

(1) The quorum of the Government shall consist of the majority of the members present.

(2) Adoption of a resolution by the Government shall require the consent of an absolute majority of all members of the Government.

Article 119

The Government shall decide collectively on:

- a) bills;
- b) regulations passed by the Government;
- c) its policy and implementation;
- d) principal measures to be taken to implement the economic and social programs of the Slovak Republic;
- e) proposals concerning the national budget and national revenue balance;
- f) international treaties entered into by the Slovak Republic;
- g) crucial issues in domestic and international affairs;
- h) the introduction of bills to the National Council of the Slovak Republic and initiation of public discussion on other major measures;
- i) motions for votes of confidence;
- j) granting pardon for administrative infringements;
- k) governmental appointments and dismissals as fixed by law, and
- l) other matters as may be defined by law.

Article 120

(1) The Government shall have the power to pass regulations for the implementation of laws within limits defined by law.

(2) Government decrees shall be signed by the Prime Minister.

(3) Decrees shall be promulgated by the procedures specified by law.

Article 121

The Government shall have the power to grant pardons in matters of administrative infringements.

Article 122

The Central and local government bodies shall be established by law.

Article 123

Ministries and other governmental bodies shall, by and under the law and within its limits, pass generally binding regulations provided they are empowered to do so by law. These generally binding rules shall be promulgated in a manner specified by law.

**Chapter One -
The Constitutional Court of the Slovak Republic**

Article 124

The Constitutional Court shall be an independent judicial authority vested with the mandate to protect the integrity of constitutional principles.

Article 125

The Constitutional Court shall have jurisdiction over constitutional conflicts between:

- a) laws and the Constitution or constitutional statutes;
- b) regulations passed by the Government or generally binding rules passed by the Ministries or other authorities of the central government and the Constitution, constitutional statutes, or other laws;
- c) generally binding rules passed by local self-governing bodies and the Constitution or other laws;
- d) generally binding rules passed by local government authorities and the Constitution, other laws or other generally binding rules, and
- e) generally binding rules and international instruments promulgated as fixed by law.

Article 126

The Constitutional Court shall decide disputes over powers distributed among central government authorities, unless these disputes are to be decided by another governmental authority as provided by law.

Article 127

The Constitutional Court shall review the challenges to final decisions made by central government authorities, local government authorities and local self-governing bodies in cases concerning violations of fundamental rights and freedoms of citizens, unless the protection of such rights falls under the jurisdiction of another court.

Article 128

(1) The Constitutional Court shall be responsible for the interpretation of constitutional statutes in conflicting cases. The terms shall be provided by law.

(2) The Constitutional Court shall not comment as to whether proposed legislation is consistent with the Constitution and constitutional statutes.

Article 129

(1) The Constitutional Court shall review challenges to decisions that confirm or reject the seat of a member of the National Council of the Slovak Republic.

(2) The Constitutional Court shall decide on the constitutionality and lawfulness of the elections and on recalling the President of the Slovak Republic. It shall decide whether the elections to the National Council of the Slovak Republic and to local self-governing bodies have been held in conformity with the Constitution and the law.

(3) The Constitutional Court shall review challenges to the results of a public referendum and complaints against results of a referendum on recalling the President of the Slovak Republic .

(4) The Constitutional Court shall decide whether a decision dissolving a political party/movement or suspending political activities thereof is consistent with the constitutional statutes and other laws.

(5) The Constitutional Court shall decide cases of deliberate violation of the Constitution and

treason allegedly committed by the President of the Slovak Republic upon an accusation by the National Council of the Slovak Republic.

Article 130

(1) The Constitutional Court shall commence the proceedings upon a petition submitted by:

- a) not less than one-fifth of all members of the National Council of the Slovak Republic;
- b) the President of the Slovak Republic;
- c) the Government of the Slovak Republic;
- d) any court;
- e) the Attorney-General, and
- f) any person whose rights shall be adjudicated as defined in Article 127.

(2) The law shall specify who can commence the proceedings under Article 129.

(3) The Constitutional Court may commence proceedings upon the information presented by an individual or a corporation claiming to have rights violated.

Article 131

All members of the Constitutional Court shall decide in cases set forth in Articles, 105 subsections 2, Article 107, Article 125 letters a) and b), Article 129 sections (2) up to (5), Article 138 sections 2 and 3 and matters regarding its internal procedures.

Article 132

(1) In cases where the Constitutional Court finds any contradictions in statutory rules as defined by Article 125, these rules, parts or clauses thereof shall become ineffective. The authorities that passed these rules shall be obliged to bring them to conformity with the Constitution and constitutional statutes not later than six months following the finding of the Constitutional Court; or in the case of rules defined by Article 125 subsection b) also with other laws; or in cases of rules defined by Article 125 subsection c) also with other laws, international instruments, regulations passed by the Government of the Slovak Republic, and with the generally binding rules issued by Ministries and other central government authorities. Otherwise these rules, parts or clauses thereof shall become ineffective after six months following the decision of the Constitutional Court.

(2) The decisions of the Constitutional Court made under section (1) shall be promulgated as defined by law.

Article 133

There shall be no appeal against a decision of the Constitutional Court.

Article 134

(1) The Constitutional Court shall be composed of ten judges.

(2) The judges of the Constitutional Court shall be appointed by the President of the Slovak Republic for a seven-year term from among the twenty nominees approved by the National Council of the Slovak Republic.

(3) A judge of the Constitutional Court must be a citizen of the Slovak Republic, eligible to be elected to the National Council of the Slovak Republic, not younger than forty years, and a law-school graduate with fifteen years of experience in the legal profession.

(4) A judge of the Constitutional Court shall be sworn in by the President of the Slovak Republic as follows:

"I do solemnly affirm that I will faithfully protect the inviolable natural human and civil rights, the rule of law, abide by the Constitution and constitutional statutes and decide cases independently and impartially to the best of my abilities and conscience."

(5) Upon taking this pledge, the judge shall assume the duties of judicial office on the Constitutional Court.

Article 135

The Constitutional Court shall be headed by a President who may be substituted by a Vice President. The President and the Vice President shall be appointed by the President of the Slovak Republic from among the judges of the Constitutional Court.

Article 136

(1) The judges of the Constitutional Court shall enjoy the same immunity as members of the National Council of the Slovak Republic.

(2) The judges of the Constitutional Court may be prosecuted and held in pre-trial detention only with the consent of the Constitutional Court.

(3) The Constitutional Court shall decide upon the legitimacy of the prosecution and pre-trial detention of the President of the Supreme Court and Vice Presidents of the Supreme Court of the Slovak Republic.

Article 137

(1) A judge appointed to the Constitutional Court shall resign from membership in a political party or movement prior to his or her solemn vow.

(2) The judges of the Constitutional Court shall hold their offices as a profession. The performance of this profession shall be incompatible with:

- a) any business activities and paying jobs except for one that concerns the administration of their own property, scientific activities, teaching, or literary and publishing activities;
- b) any post or employment in another public office.

(3) On the day a judge assumes his or her judicial office, his or her position as a parliamentary representative or member of the Government of the Slovak Republic shall expire.

Article 138

(1) Any judge of the Constitutional Court may resign from his or her office.

(2) The President of the Slovak Republic can remove a judge of the Constitutional Court upon a conviction by a court of law for a malicious offence or upon a disciplinary decision made by the Constitutional Court for misconduct, or for a conduct incompatible with the exercise of the office of a judge of the Constitutional Court.

(3) The President of the Slovak Republic shall remove a judge of the Constitutional Court from office if it is determined that the said judge has not participated in the work of the Constitutional Court for more than twelve months, or if the judge has been incapacitated by a court decree.

Article 139

In the case of a vacancy resulting from a resignation of, or removal from, office of the judge of the Constitutional Court, the President of the Slovak Republic shall appoint another judge for a new term from two nominees approved by the National Council of the Slovak Republic.

Article 140

The details of the structure of, and proceedings before, the Constitutional Court, and the status of judges therein shall be specified by law.

Chapter Two - The Judiciary of the Slovak Republic

Article 141

(1) The judiciary shall be administered by independent and impartial courts of the Slovak Republic.

(2) The judiciary shall be independent of other branches of government at all levels.

Article 142

(1) The courts shall rule on civil and criminal matters, and review decisions made by administrative bodies.

(2) A court of law shall consist of a bench of judges unless the law provides for a single judge. The law shall stipulate cases in which the bench shall be composed of lay and professional judges.

(3) Judgments shall be announced publicly in the name of the Slovak Republic.

Article 143

(1) The judicial system shall be composed of the Supreme Court of the Slovak Republic and other courts.

(2) Further details of the judicial system, jurisdiction of the courts, their structure, and procedural rules shall be established by law.

Article 144

(1) Judges shall be independent and bound only by law.

(2) Judges shall be bound also by international instruments if so provided by the Constitution or the law.

(3) In the case where the court establishes that a generally binding rule contradicts the law, the proceedings shall be postponed and a petition shall be filed in the Constitutional Court. The finding of the Constitutional Court of the Slovak Republic shall be binding on the original court and all other courts.

Article 145

(1) A judge shall be elected by the National Council of the Slovak Republic on the advice of the Government of the Slovak Republic for a four-year term. Upon the completion of this term, the National Council, on the advice of the Government of the Slovak Republic, shall elect the judge again for an indefinite term.

(2) The President of the Supreme Court and Vice-Presidents of the Supreme Court of the Slovak Republic shall be elected by the National Council of the Slovak Republic from among the judges of the Supreme Court for a five-year term for no more than two consecutive terms.

Article 146

Any judge may resign from office.

Article 147

(1) A judge shall be removed from office by the National Council of the Slovak Republic:

- a) upon a conviction of a malicious offence;
- b) upon a disciplinary measure imposed for professional misconduct.

(2) The National Council of the Slovak Republic may remove a judge

- a) who has been unable to perform judicial duties for reasons of bad health for not less than one year;
- b) who has attained sixty-five years of age.

(3) Prior to such removal, the National Council of the Slovak Republic shall require the opinion of the appropriate disciplinary tribunal.

Article 148

(1) The status, powers and duties of judges shall be fixed by law.

(2) The procedure required for the appointment of lay judges shall be specified by law

Article 149

Public prosecutors shall protect the legal rights and interests of the State, individuals, and corporations.

Article 150

The Office of public prosecutors shall be headed by the Attorney-General who shall be appointed and recalled by the President of the Slovak Republic on the advice of the National Council of the Slovak Republic.

Article 151

Further details of the appointment, recall, powers and duties of public prosecutors, as well as the structure of public prosecution shall be specified by law.

Article 152

(1) The constitutional statutes, laws and other generally binding rules shall remain in force in the Slovak Republic unless they are in contradiction with this Constitution. They can be derogated and abrogated by the appropriate authorities of the Slovak Republic.

(2) Laws and other generally binding regulations passed in the Czech and Slovak Federal

Republic shall become inoperative on the ninetieth day after the publication of a decision made by the Constitutional Court of the Slovak Republic on their invalidity and according to promulgation procedures fixed by law.

(3) The power to invalidate legislation shall be vested in the decision of the Constitutional Court of the Slovak Republic under the provisions defined in Article 130.

(4) Constitutional statutes, laws and other generally binding rules shall be interpreted and applied in conformity with this Constitution.

Article 153

The Slovak Republic shall be the successor to all the rights and duties ensuing from international treaties and agreements binding on the Czech and Slovak Federal Republic to the extent fixed by a constitutional statute issued in the Czech and Slovak Federal Republic or to the extent specified in an agreement made between the Slovak Republic and the Czech Republic.

Article 154

(1) The Slovak National Council elected under Article 103 of the Czecho-Slovak Federation Constitutional Act 143/1968 and its amendments shall operate under the new name of the National Council of the Slovak Republic as provided by this Constitution. Its term begins on the election date of the Slovak National Council.

(2) The Government of the Slovak Republic appointed under Article 122, section (1) a) of the Czecho-Slovak Federation Constitutional Act 143/1968 and its amendments shall be deemed to be the government appointed under this Constitution.

(3) The President of the Supreme Court of the Slovak Republic and the Attorney-General of the Slovak Republic appointed under the previous legislation shall remain in office until appointed under this Constitution.

(4) Judges elected under the previous statutory enactments shall be deemed to have been elected to office for indefinite term under this Constitution.

Article 154a

The President of the National Council of the Slovak Republic shall announce presidential elections under this constitutional statute within 30 days from entering into force of the law passed under Art. 101 section 10."

Article 155

The following laws are hereby abrogated: (1) The Slovak National Council Constitutional Statute 50/1990 concerning the name, the state emblem, the state flag, the state seal and the state anthem of the Slovak Republic;

(2) The Slovak National Council Constitutional Statute 79/1990 concerning the number of representatives in the Slovak National Council, the solemn vow taken by the representatives to the Slovak National Council, members of the Government of the Slovak Republic and the local government representatives in the National Committees and the official term of the Slovak National Council.

Article 156

This Constitution of the Slovak Republic shall enter into effect on the day of its Proclamation except for the following: Article 3, section (2), Article 23, section (4) in the cases of expelling or extraditing an alien; Articles 53 and 84, section (3) in the case of war against another state, Article 86 subsection k) and 1) and Article 102 subsection g) in the case of academic appointments of university professors, presidents of universities, and promotions of military generals, Article 102, subsections j) and k) and Article 152 section 1, second clause in the case of constitutional statutes, laws and other general binding rules issued by the appropriate authorities in the Czech and Slovak Federal Republic which shall become operative concurrently with the appropriate constitutional changes in the Czech and Slovak Republic under the provisions of this Constitution.