The National Council of the Slovak Republic has agreed upon the following Act:

CHAPTER I
TASKS, ORGANISATION AND CONTROL OF THE POLICE FORCE

Article 1
Introductory provisions

1. The Police Force is armed security corps, which performs the tasks in matters of internal order, security, fighting against crime included all of its organised forms and international forms, and tasks according to the international obligations of the Slovak Republic.

2. The activity of the Police Force is subordinated to the control of the National Council of the Slovak Republic and the Government.

3. The Police Force in the performance of their tasks are governed by the Constitution, constitutional laws, laws and other generally binding legal regulations and international treaties, to which is Slovak Republic bound.

Article 2
Tasks of the Police Force

1. The Police Force perform the following tasks:

a. co-operate in protecting fundamental human rights and freedoms, especially by safeguarding the life, health, personal freedom and security of persons and in the protection of property,

b. detect criminal acts and identify their perpetrators,

c. co-operate in detection of tax evasions, illicit financial transactions and legalisation of incomes from criminal activities,

d. carry out investigations of criminal offences and checks of the reports on facts indicating the commission of a criminal offence, and other accusations to criminal prosecution,

e. lead combat against terrorism and organised crime,

f. ensure personal security of the President, chairman of the National Council of the Slovak Republic, prime minister of the Government of the Slovak Republic, chairman of the Constitutional Court of the Slovak Republic, The Minister of the Interior of the Slovak Republic (to be referred to as „Minister“) and other persons designated by the Government,

g. ensure protection of the diplomatic missions and other premises designated by the Government a

h. ensure protection of the state borders, if not stated otherwise by a special regulation,

i. co-operate in safeguarding public order and in case of its breach take measures for its renewal,

j. monitor and co-ordinate safety and smooth flow of traffic,

k. disclose minor offences and identify their perpetrators, and if included in a special statute, investigate and resolve them,

l. carry out searches for missing persons and things,
m. offer protection and help to the threaten witness a protected witness,

n. carry out forensic investigation.

2. The Police Force perform the tasks of public administration and other designated duties, if included in a special statute.
3. The Police Force perform crime prevention within the scope of the law.
4. While performing its tasks, the Police Force uses technical means, means of transport, including air conveyances.

Article 3
Co-operation of the Police Force

The Police Force perform their duties in co-operation with public authorities, armed forces, armed security forces, Slovak Information Service, legal persons and natural persons; with authorities of the self-government co-operate mainly by setting priorities for the prevention of criminality, protection of public order and aiming the fight against criminality.

Organisation of the Police Force
Article 4

1. The Police Force consist of the services of the criminal police, service of the financial police, service of the public order, service of the traffic police, service for the protection of premises, service of border police and special police services.
2. The services referred to in Article 1, operate within the divisions of the Police Force, which are, as a rule, organised in accordance with the administrative arrangement of the Slovak Republic.
3. The special police services of the Police Force are represented by the service of the protection of designated persons and inspection service.
4. Separate police investigation offices are organised in accordance with the court structure.

Article 5

1. The establishment of the Police Force is regulated by the Government.
2. Minister establishes and dissolves departments of the Police Force, departments of special services of the Police Force and investigation within the Police Force, and defines their role and duties.

Article 6
Control of the Police Force

1. The Police Force is subordinated to the Minister.
2. The services referred to in Article 4, Subsection 1, and the departments of the Police Force referred to in Article 4, Subsection 2, are directed by the President of the Police Force.
3. Police investigation offices is governing by General Director of Forensic Investigation of the Police Force.
4. The President of the Police Force and General Director of Forensic Investigation of the Police Force is appointed and discharged by the Minister.
5. The President of the Police Force and General Director of Forensic Investigation of the Police Force is answerable to the Minister.

CHAPTER II
INVESTIGATORS OF THE POLICE FORCE
Article 7

1. Repealed from 1 April 1998.
2. Repealed from 1 April 1998.
3. Repealed from 1 April 1998.
4. Repealed from 1 April 1998.
5. Repealed from 1 April 1998.
6. Repealed from 1 April 1998.
7. The investigator in the matters being investigated is remedial independent and only bound by the Constitution, Constitutional Acts, Acts and other general statute, international treaties, to which is Slovak Republic bound and in the scope of the Criminal Rule of Procedure, also by directions of the prosecutor and court.

8. Investigator in matters of service is subordinated to the Director of the Police Investigation Office.
9. The investigator in the matters being investigated is empowered to ask from services of the Police Force according to acts and other general regulations execution of necessary acts needed for investigation and in regard to its nature an investigator cannot ensure alone.

CHAPTER III
OBLIGATIONS, POWERS AND OPERATIONAL INSTRUMENTS OF THE POLICE OFFICER AND THE POLICE FORCE
Part I
Obligations of the Police Officer
Article 8

1. In the course of his operational duties a police officer of the Police Force (to be referred to as „police officer“) is obliged to respect the honour, esteem and dignity of another person, as well as his own, and not to allow unfounded detriment or possible violations of this person’s rights or freedoms in connection with his activity in excess of ones necessary to achieve the aim pursued by his operational activity. In the course of his operational duties a police officer is obliged to respect ethical code of the policeman issued by the Minister.

2. While performing his operational duties interfering with the rights or freedoms of another person, the police officer is obliged to inform this person about his /her rights as soon as possible, which are laid down by the present Act or another general binding legal regulation.

3. Operational duty pursuant to Subsection (1) herein means the activity of the police officer related to the performance of duties set by the present Act or other general binding legal regulations.

Article 9

1. A police officer on duty is obliged to intervene within the scope of the present Act if there is a criminal act or offence being committed, or there exist
2. A police officer off duty is obliged to intervene within the scope of the present Act if there is a criminal act or offence being committed, which directly threatens life, health or property.
3. Service action means activity of a police officer set forth by and performed within the scope of the present Act, which directly interferes in the fundamental rights and freedoms of another person.

Article 10

1. A police officer is not obliged to take service action when
   a. his physical condition and ability to act are considerably affected by medical or other substances,
   b. he / she is not trained in the type of action to be taken and such action requires special training and if this service action need such kind of special training,
   c. he / she is prevented from intervention due to an important service interest of the duty,
   d. concrete situation is not given a presumption any success of the service action.
2. If the service action by the police officer is hindered because of reasons referred to in Subsection 1, herein, he shall notify the nearest division of the Police Force.

Article 11
1. By the important interest of the duty pursuant to Article 10, Subsection 1, Paragraph c) is meant that a police officer performs or ensures:
   a. an immediate pursuit of the perpetrator of the criminal activity,
   b. an operation and search activities or the use of information and technical means,
   c. intervention under united command,
   d. safety of protected persons,
   e. coding or courier duty which would be likely to delay the delivery of coded message or threaten items being conveyed,
   f. air force activity,
   g. working with explosives,
   h. taking an action for the removal of immediate danger, otherwise the consequences would be more serious than taking no action, or measures necessary.

2. While performing tasks as in Subsection 1, herein, the police officer is, however, obliged to intervene, except activity of the police officer in Article 39a, Subsections 2 and 3, order to remove immediate danger if:
   a. there is a threat to life or threat of considerable damage to property,
   b. there is a threat to the matter of higher interest than the one he is engaged in at the time.

3. By considerable damage as referred to in Subsection 2, Paragraph a), is meant the damage evidently higher than the damage incurred in the consequence of non-action.

Article 12

1. While performing service action the police officer is obliged, as far as the nature of the incident allows, to use a suitable challenge.
2. If demanded by circumstances of the incident before the challenge, the police officer shall use the words: “In the name of the law”.

Proving Identity as a Member of the Police Force

Article 13

1. Before taking service action the police officer is obliged to prove his identity as a member of Police Corps as far as the nature and circumstances of the action permit.
2. A police officer proves his identity as a member of the Police Force by:
   a. his uniform with an identification number,
   b. official ID card,
   c. badge of the criminal police,
   d. verbal warning “Police“ (hereafter only „verbal warning“).
4. A police officer identifies himself as a member of the Police Force by verbal warning only in exceptional circumstances when the nature of service action does not allow identification by uniform with an identification number, official ID card or the badge of the criminal police or financial police. However, as soon as possible thereafter, he is required to identify himself immediately by means described above. As soon as the circumstances of the service action allow, the police officer is required to identify himself by uniform with an identification number, official ID card or the badge of the criminal police or financial police.

Article 14

1. A police officer in uniform with identification number is obliged to prove his identity as a member of the Police Force also by his official ID card, and depending on circumstance also by verbal warning when:
   a. entering premises where entry is controlled by an authorised person,
   b. asked to do so in the course of intervention.
2. A police officer under Subsection 1, herein, does not identify himself by his official ID
card when
a. acting under united command,
b. protecting designated or guarded premises, premises of special importance (hereafter to be referred to as „guarded premises),
c. engaged in service action against an obviously drunk person, a person caught when committing a crime or an offence, armed with a weapon, who escaped from lawful custody or prison, or against a person brought in to the Police Office, detained, arrested or put in custody, or having crossed the border illegally.
3. Weapon meant under Subsection 2, Paragraph c), anything to make attack against body more massive.

Article 15

1. A police officer that fulfils his tasks in civilian clothes prior to service action shall identify himself as police officer orally and by official ID card or badge of the criminal police or financial police.
2. In cases as referred to in Article 14, Subsection 2, a police officer is obliged to orally identify himself as a member of Police Force only. If the circumstance of the case allow it, proof by official ID card or badge of the criminal police or financial is required.

Article 16

A police officer while proving his identity as a member of Police Force must not hand over his official ID card or badge of the criminal police or financial police to any other person; on request he will show the front page. At the same time, he is not obliged to state neither his name, surname, rank nor his function.

Part II
Authority of the Police Officer

Article 17
Authority to Demand Explanation

1. A police officer has authority to demand a necessary explanation from a person that is likely to assist in clarification of facts important for the detection of a criminal act or offence and its perpetrator, as well as for the search of wanted or missing persons or things. If necessary, a police officer is authorised to instruct the person to immediately attend the division of the Police Force or arrange a time in order to make a written statement on the explanation given.
2. If the person fails to answer the police officer’s request without reasonable apology or good reasons as in Subsection 1, herein, he/she can be brought in to the division of the Police Force to make a written explanation. A police officer shall make an official record.
3. A written explanation must be made immediately upon the person’s arrival.
4. Any person has the right to withhold an explanation if by any disclosure he/she would implicate himself/herself or other persons close to him/her the possibility of criminal prosecution and where an offence is concerned, prosecution for the offence.
5. An explanation must not be demanded from the person who would by compliance be in breach of nondisclosure set forth or recognised by law, unless he/ she has not been released from his/ her oath of secrecy.
6. Police officer is obliged to notify the person that he/ she may withhold an explanation pursuant to Subsections 4 and 5, herein.
7. A police officer is obliged to hand over the person brought in to the law enforcement agency or other relevant authority if he finds out grounds for doing so, otherwise the person shall be immediately released, a police officer shall make a notice in official record.
8. The person referred to in Subsection 1, herein, is entitled to reimbursement of necessary expenses and loss of wages (to be referred to as „reimbursement”). Reimbursement is provided by the Police Force. This entitlement does not apply to the person who attended only in his/ her own interest or for his/ her unlawful conduct.
9. The entitlement to reimbursement under Subsection 8, herein, ceases if not claimed by the entitled person within 8 days from the day he/she attended as referred to in Subsection 1; the entitled person should be notified accordingly.

Article 18
Authority to Demand Proof of Identity

1. If necessary for the performance of tasks under the present Act, a police officer has authority to demand any person to prove his/ her identity by an identity document.

2. Instead of the identity document as referred to in Subsection 1, herein, identity can be proved by
   a. ID of a member of the National Council of the Slovak Republic,
   b. ID of a member of the Government,
   c. official ID document of a judge,
   d. official ID document of a prosecutor,
   e. official ID document of an officer of armed force,
   f. acknowledgement of handing over, loss or theft of identity card.

3. If the person recalled refuses to prove his/her identity pursuant to Subsection 1 or 2, herein, a police officer is authorised to bring in the person to the division of Police Force for the purpose to establish his/ her identity.

4. If the person recalled is unable to prove his/ her identity pursuant to Subsection 1 or 2, herein, and even after having been given necessary help he /she cannot provide authentic proof of his/ her name, surname, date of birth and address, the police officer has authority to act pursuant to Subsection 3, herein. A police officer’s evaluation of authenticity of the proof of the first name and surname, date of birth and address depends on the reason of proving identity.

5. A police officer is obliged to hand over the person brought in to the law enforcement agency or other relevant body or institution if he finds grounds for doing so, otherwise he shall release this person without delay.

6. If the person is announced as a missing person, the police officer shall notify the informant who reported the missing person about his/ her occurrence. If this person is a minor, he will hand him/ her over to the legal representative or relevant institution; if the person was incapacitated for legal acts, the police officer will hand over such person to his/ her counsel or relevant institution, and if the person is mentally ill, he/she will be taken in relevant institution.

7. If a police officer fails to establish identity of a person within 24 hour from the time of detainment, he is obliged to release the person.

8. A police officer shall submit official report regarding the detainment or release of the person.

Article 19
Authority to Detain

1. A police officer has authority to detain a person who
   a. by his/her actions poses immediate threat to his/ her life or health, or another life or health or to property,
   b. was caught committing offence and there is a reasonable suspicion that he/ she will continue doing so, or it is inevitable for proper investigation or clarification of the matter,
   c. was attempted to escape from detainment referred to Article 17, or Article 18, and remaining a reasonable doubt from escape,
   d. slander a police officer on the police department or another person, or has aggressive behaviour.

2. A police department shall make a written decision regarding the detainment or handing over the person without delay, in which specify a reason of detainment and without delay put it to the detained person. A detained person shall put a recourse against decision of the police department. A recourse do not possess a dilatory effect.

3. Proceeding and decision making is subject to the general rules on the administrative law.

4. A police officer is obliged to hand over a detained person to the law enforcement agency or other competent body after having established grounds to do so.

5. If a police officer does not hand over a detained person to law enforcement agencies or other competent body, he must release the person immediately. Detainment for the reasons referred to in Subsection 1, herein must not last longer than 24 hours from the time when his/ her personal freedom was restricted.
6. A detained person under Subsection 1, herein shall be enabled without delay to notify some of the persons close to him/her or a attorney for legal aid.

7. Police officer shall submit official report regarding the commitment.

Article 20
Authority to Detain an Alien

1. A police officer is authorised to detain an alien, if:
   a. who is subject to extradition pursuant to a legal decision, or
   b. whose extradition procedure has started and there is a well-grounded suspicion that he/ she will hamper or make hard the implementation of a decision or purpose of proceeding.

2. A police officer is authorised to detain a person that was brought in to the division of the Police Force for the purpose to establish his/ her identity pursuant to Article 18 if there is a reasonable suspicion that the person concerned is a foreigner whose stay in the territory of the Slovak Republic is illegal and his identity cannot be established otherwise.

3. An alien detained pursuant to Subsection 1 or 2, can be placed in a police cell, or given an order to reside at the division of police department or at another place for the period not exceeding 30 days.

4. The alien detained pursuant to Subsection 1 or 2, shall be enabled, if requested, to notify some of the persons close to him/her or his/her legal representative about the detainment.

5. The relevant division of the Police Force, whose police officer has detained the person, shall immediately issue the decision on detainment and deliver it to the alien detained and to his legal representative, as well. An alien can appeal against the decision on detainment within the period of 15 days from delivery of the decision.

Article 20a
Authority to Take of Fingerprints

1. A police officer has authority referred to Article 18, Subsection 3 and 4, if obtained data or registry office not allows identification of him/her, executed body referred to Article 19, Subsection 1 and 2, detained person, arrested person, accused person from committed crime, founded or detected person, to take of fingerprints, measure the body proportions, a screen and sound or another records and take samples of biological materials. A police officer has authority to take of identification marks an alien as well after illegal entrance on the territory of the Slovak Republic or his/her staying on the territory of the Slovak Republic is not legal or who is subject of the administrative procedure for expulsion from the territory of the Slovak Republic.

2. Measurement of body proportions and examination of body identification marks must be carry out by a person of the same sex or on his/her written request medical skilled person; blood withdrawal or marks of biological materials withdrawal from secret parts of the human body carry out on the written request of the police officer medical skilled person. Take of marks of biological materials carry out within the procedure not threatening the health of the person.

Article 21
Authority to Interim Seizure of a Thing

1. A police officer has authority to seize a thing with view of necessary action if he suspects some relation of the thing to the commission of a criminal offence or an offence, and its seizure is necessary for the clarification of the matter at hand of the decision of law enforcement agency, or the decision of the body involved in the hearing the case concerned. The police officer shall make out a receipt of the thing seized with its detailed description. which could enable identification of the thing, hand it over to the person whose thing has been seized. The seizure of a thing must exceed 90 days.

2. If an operation carried out proves any connection between the thing seized and a criminal offence or an offence, a police officer is obliged to submit the thing seized without delay to the law enforcement agency or the body competent to deal with the offence.
3. If the reasons for the seizure of a thing pursuant to Subsection 1, have ceased, it shall be handed back to the person it was seized from. The receiving of the thing handed over is confirmed by the signature of this person on the written official report regarding handing back of the thing.

4. If an operation carried out proves that secured thing is a property of another person the relevant division of the Police Force inform on possibility to hand it over within 90 days. This person is obliged to reimburse by handing over the thing seized to the division of the Police Force all of relevant expenses related to the deposit by handing over the thing seized connected with seizure and depository.

5. Subsections 1 and 2, not apply if the goods is subject of a bonded warehouse.

6. If a person with unquestioned right to the thing seized does not take it back within one year from the date of seizure, the division of the Police Force shall hand over the thing to the Ministry of Interior of the Slovak Republic (to be referred to as „Ministry“).

7. If the owner or any other authorised holder of the thing seized are unknown (to be referred to as „authorised person“), the division of the Police Force shall hand over the thing to the Ministry and publicise the description of the thing. This will be done in the most effective possible way with a view to find out the authorised person challenging this person to make a claim within one year from the seizure of a thing.

8. In cases referred to in Subsections 6 a 7, a thing becomes state property after expiration of the term.

9. The Ministry decides which of the newly acquired state property will be used for the needs of state administration, or the Police Force. Upon the decision of the Ministry the things not utilizable by the state administration or the Police Force will be submitted to a legal body which shall put them up for auction. In case of unsuccessful auction of the things referred to in Subsections 7 and 8, the legal body designated by the Ministry shall ensure ecological disposal of them.

10. If any doubts arise of whether the thing seized belong to the person it has been seized from, or if another person makes a claim to the thing seized, the division of the Police Force shall deposit the thing and notify the claimant to make a claim at civil proceedings.

11. If the division of the Police Force cannot ensure deposit of the thing seized, the division will ensure it through a legal body or private person running analogous business pursuant to special regulations.

12. The procedure and decision making on a thing seized are ruled by general regulations regarding administrative action, if not stated otherwise by the present Act.

Article 22
Authority to take away a weapon

1. A police officer is authorised to check if the person against whom he is taking action is in possession of a weapon (Article 14, Subsection 3), and to take it away.

2. Pursuant to Subsection 1 a police officer on duty safeguarding protected premises has authority to check also a person entering or leaving these premises. For this purpose a police officer is authorised to challenge the person to undergo examination of his/ her luggage, control of the motor or another type of vehicle, or when entering or leaving a protected premise to go through detector.

3. A police officer is obliged to hand back the weapon taken away pursuant to Subsections 2 and 3, after the end of intervention, or upon the departure of the person. If legal reasons prevent return of the weapon, the police officer shall give the person a receipt confirming seizure of the weapon.

Article 23
Authority to Stop and Search Conveyances

1. While performing tasks following from the present Act, a police officer is authorised to give orders to stop a vehicle.

2. A police officer is authorised to search a vehicle
   a. if there is a suspicion that while using the vehicle a criminal act has been committed, or the vehicle is connected to that act,
   b. while searching wanted persons, firearms, ammunition, explosives, narcotic or psychotropic substances, poisons and articles originating in or connected with criminal activities.
Authority while Safeguarding Civil Air Transport

1. While safeguarding civil air transport against terrorist raids, a police officer has authority to search the aeroplane, as well as persons and their luggage to ascertain whether they convey articles which could be used for a terrorist attack.

2. An article under Subsection 1, herein, means particularly a firearm, a stabbing or a cutting weapon, explosive, explosive object or caustic matter.

Article 25
Authority while Safeguarding Designated Persons

1. In connection with safeguarding designated persons [(Article 2, Subsection 1, Paragraph f)] a police officer is authorised to search persons, luggage, conveyances and premises situated in an area from which the security of designated persons could be threatened.

2. A police officer has authority to search persons only if upon his challenge they have not left the above described area, or there is a threat of danger from delay.

3. Searches of persons, luggage, articles, conveyances and premises must not be done for any other purposes than ensuring security of designated persons.

Article 26
Authority while Safeguarding the Protection of State Borders

1. While safeguarding protection of the state borders, a police officer is authorised to check travelling documents of persons crossing the state borders.

2. If a person crossing the state borders is suspicious of having committed a criminal offence, the police officer is authorised to search the person, luggage and vehicle. A police officer has the same authority if there is a suspicion that an offence connected with crossing the state border, an offence related to the travelling abroad and aliens stay in the territory of the Slovak Republic has been committed.

3. Repealed.

Article 27
Authority to Forbid Entry into a Designated Place, or Order to Remain at a Designated Place

If required for the national security, maintenance of public peace, the protection of health or the protection of rights and freedoms of other persons, a police officer is authorised to order anybody

a. not to unnecessarily enter a designated place or remain there,

b. to remain at a designated place for inevitably necessary time.

Article 28
Authority to Close Places Open to Public

1. While searching perpetrators of deliberate criminal acts, wanted persons, weapons, ammunition, narcotic and psychotropic substances and poisons, or things originated in criminal activity or connected with a criminal act, police officers have authority to close the places open to public and carry out searches in order to see whether the aforementioned persons or things are present there.

2. A police officer is authorised to check if the person being present at a public place, which has been closed pursuant to Subsection 1, is in possession of a weapon [(Article 14, Subsection 3)], and to take it away. If the public place is open again, and legal reasons prevent return of the weapon, the police officer shall give the person a receipt confirming seizure of the weapon.

Article 29
Authority to Enter Forcibly a Flat

1. If there is a well-grounded suspicion of a threat to life or a serious threat to health of a person, or a threat of damage to property [Article 11, Subsection 3] and any delay of the matter is unacceptable, or if the
perpetrator of a serious crime is staying in a flat or another closed room (hereafter to be referred to as „flat“) and does not respect challenges of the police to leave, the police officer is authorised to forcibly enter the flat and take measures to avert immediate danger.

2. The authority of the police officer referred to in Subsection 1, herein also applies if there is a reasonable suspicion to find a dead person in the flat.

3. For the implementation of the authority referred to in Subsections 1 or 2, herein a police officer will ensure the presence of an unrelated person; he is not obliged to do so if the person’s life or health might be endangered or there is a threat of danger from delay.

4. Having taken measures pursuant to Subsection 1, herein, the police officer will immediately notify the occupant of the flat or its owner, and will ensure that the flat is locked if its occupant, owner, occupier or another authorised person cannot do this.

5. Forcible entry into a flat must not be done for other than purposes referred to in Subsection 1 or 2, herein.

6. A police officer will make a written statement regarding forcible entry into a flat and measures taken.

§ 29a

Authority while Disclosing Tax Evasions and Illicit Financial Transactions and Legalisation of Incomes from Criminal Activities

1. A police officer in service of the Financial Police or Criminal Police while disclosing while disclosing tax evasions and illicit financial transactions or legalisation of incomes from criminal activities, where a substantial damage or a damage of a large scope of tax evasions and illicit financial transactions or legalisation of incomes from criminal activities, where a substantial damage or a damage of a large scope is presumed
   a. enter any place of business or business premises, as well as conveyances used for business purposes,
   b. enter also a dwelling place if used for business purposes,
   c. inspect the record-keeping, accounting written documents, papers and other documents, files and records kept on a data carrier, and to take excerpts, notes and copies of them, to require these things to be handed over, or to seize them pursuant to Article 21. If a thing has been seized, he shall issue a receipt to the person concerned and to an officer of the tax collector’s office. The receipt must contain a proper list of things seized, imprint of an official stamp and signatures of authorised persons.

2. The provision of Subsection 1, does not apply to a criminal offence committed in connection with the use of customs regulations.

3. While performing operations pursuant to Subsection 1, a police officer in service of the Financial Police or Criminal Police is obliged to enable the attendance of the persons concerned.

4. While disclosing tax evasions and illicit financial transactions or legalisation of incomes from criminal activities and criminal activities related and its perpetrators referred to in Article 2, Subsection 1, Paragraph b) and c), is police officer in the service of the Financial Police authorised to request from banks and foreign bank branches the reports on their clients matters or foreign bank branches which are subject to bank secrecy.

5. A police officers in service of the Financial Police setting up a claim to prevention legalisation and while disclosing legalisation of incomes from criminal activities referred to in special law.

Article 30

Authority to Use Explosives and Exploding Articles

A police officer is authorised to use explosives and exploding articles in connection with ensuring the security of persons and property protection, particularly the removal of secreted exploding systems and ammunition, or within the fight against terrorism.

Article 31

Authority to Possess Harmful Substances and Prohibited Things

A designated police officer is authorised to possess, store or use harmful substances or thing particularly for the purpose of training, teaching, tests or expertise or for performing its duties referred to in Article 36, Subsection 1. By the aforementioned substances and things are meant particularly fire arms or massive effective weapons, ammunition, explosives, exploding articles, narcotic and psychotropic
substances, cadaveric smells, precursors, poisons, nuclear and other similar nuclear materials, pornographic works, counterfeited money, stamps or bonds.

Article 32
Authority while Detecting Offences

1. While clearing up offences, a police officer has authority to demand in cases referred to in special law medical examination with a view to determine the amount of alcohol consumed or other addictive drugs applied.
2. A police officer is authorised to search the scene of crime and the thing that might have any connection with the offence committed, and consequently discover and secure any clues.
3. Blood must be taken from the person suspicious of the commission of an offence if requested by this person.

Article 33
Repealed from 1 April 1997.

Article 34
General Provisions

Everybody is obliged to respect the challenge, instruction, order and demand given by the police officer during the performance of his authorities pursuant to subsections Article 17 - Article 33.

Part III
Information and technical means and means of investigative operational activities

Article 35

For the purposes of the present Act the information and technical means are understood to be particularly electrotechnical, radio engineering, phototechnical, optical, mechanical and other technical means and equipment or sets used undercover while

a. detecting, disclosing and investigating consignments conveyed and their assessment with the help of investigative methods,

b. interception, recording, storing information and data learning by means of the telecommunication, radio-communication, computer and other technique,

c. making audio, visual or other types of records.

Article 36

1. The Police Force is authorised to use information and technical means while performing tasks connected with the combat of terrorism, legalisation of incomes from criminal activities, disclosure of international organised crimes and organised criminal activities related to illicit manufacturing, possession and spread of narcotic and psychotropic substances and poisons, precursors and nuclear stuff, to smuggling, fraud and counterfeiting of money, stamps or bonds, the disclosure of other extremely serious criminal acts, offer protection and help to the threaten witness a protected witness referred to in special law, operative control of legalised person and agent, disclosure of tax evasions and illicit financial transactions, disclosure of deliberate criminal offences referred to in second and third chapter of Penal Code which are liable to imprisonment not exceeding 2 years, or other deliberate criminal offences, which are prosecuted pursuant to the international agreement binding for the Slovak Republic, and while detecting their perpetrators and investigation is the Police Force authorised to use information and technical means. The provision of the preceding sentence shall not apply during the time when accused is contacting his defence counsel.

2. The Police Force is authorised to use information and technical means also while disclosing another deliberate criminal activity referred to in subsection 1 herein if agreed by the person whose rights and freedoms are going to be intervened.

Conditions for the use of information and technical means

Article 37
1. The police Force may use information and technical means only in cases when the disclosure of criminal acts referred to in Article 36, detection of their perpetrators and gathering of necessary evidence would be otherwise ineffective or considerably more difficult.

2. Information and technical means can be used only on the basis of previous written consent of the judge, and for only unavoidably necessary time, however, not exceeding the period of 6 months from the day the consent was issued.

3. The judge, who has issued a consent for the used of information and technical means, can prolong the term of their use upon a new request, but not for more than six months each time.

4. In exceptional cases, if the case cannot be delayed and a written consent of the judge cannot be obtained in advance, the information and technical means can be used without this consent. The Police Force is obliged, however, to request the written consent of the judge afterwards. If the Police Force does not receive the additional written consent of the judge within 24 hours from the time the information and technical means were applied, or if the judge denies to issue such consent, the Police Force is obliged to stop the use of information and technical means. The information thus obtained must not be used by the Police Force and must be destroyed at the presence of the judge who would have been otherwise authorised to issue the additional consent.

5. The request for the use of information and technical means is submitted in writing by the Police Force to the court; it must contain data about the person concerned with the use of information and technical means, the type of information and technical means, place, time, length and reasons for their use.

6. The judge, who has issued a consent for the use of information and technical means, is obliged to permanently examine the validity of the reasons for their further use; if the reasons cease, he is obliged to immediately terminate their use.

7. The Police Force can use information and technical means also without previous written consent of the judge referred to in Subsections 2 a 3, if agreed in written form by the person whose rights and freedoms are being intervened. The person having given the consent shall be notified about the end of the use of information and technical means. If the person additionally cancels the consent given by him/her, the Police Force is obliged to immediately stop the use of information and technical means.

Article 38

1. While using the information and technical means, the Police Force are obliged to permanently monitor if the reasons for their use remain valid. If these reasons have passed over, the Police Force is obliged to terminate the use of the information and technical means.

2. The Police Force is obliged to inform the judge, who has issued the consent, about the termination of the use of the information and technical means pursuant to Subsection 1.

3. Information obtained by the information and technical means can be used exclusively with a view to achieve the goals referred to in Article 36.

4. The use of information and technical means to the extent necessary can affect the privacy of the dwelling place, secrecy of mail and the secrecy of conveyed messages.

5. The information obtained by information and technical means can be only exceptionally used as evidence in criminal proceedings by criminal offences referred to in Article 36, while such evidence cannot be obtained by any other means. In the case the record produced shall be supplemented with a protocol specifying the reason, place, time, the means and content of the record.

Investigative Operational Activity

Article 38a

1. Investigative operational activity is system of secret, intelligence measures as a rule carry out by the Police Force for the purposes of prevention, prohibition, disclosing and registering of the criminal activity and investigating for perpetrators, assurance of protection entailed persons and watched premises, technical watched premises, assurance and offer protection and help to the threatened witness a protected witness, protection of the state border and searching for persons and things.

2. Investigative operational activity carry out designed services of the Police Force authorised on this purpose to use service dog for the odour works.

Article 39
Means of Investigative Operational Activities

1. For the purposes of the present Act by the means of investigative operational activities is meant surveillance of persons and things, controlled delivery, criminal intelligence, the use of undercover documents, trap and alarm systems and the use of persons collaborating with the Police Force, premises and places used under a legend and disguised transfer of a thing.

2. The Police Force is authorised to use means of investigative operational activities by disclosing wilful criminal acts and by investigating for perpetrators, protection of legalised person and agent, protection of the watched premises, protection of the state border and in cases referred to in Article 36; means of investigative operational activities is Police Force authorised to use by carry out of the security check referred to in a special law.

Article 39a
Criminal Intelligence, Legalised Person and Agent

1. For the purposes of the present Act by criminal intelligence is meant the activity focused on obtaining, gathering and evaluating information on criminal offences and their perpetrators, and creating the conditions for an agent to be used.

2. For carry out of task in the field of criminal intelligence can be used police officer - legalised person, which activity is under permanent legend or limited legend.

3. The police officer carrying out under permanent legend or limited legend can be used as an agent when is entitled to perform the tasks of criminal intelligence, under conditions referred to in a special law.

4. The Police Force is authorised for the criminal intelligence to use information and technical means by carry out security checks referred to in a special law.

Article 39b
Protection of a Police Officer

If necessary in the course of performance of the tasks of criminal intelligence and for an agent to be used for the protection of a police officer, a legend can be created with a view to conceal his action, and in this connection all necessary data can be recorded and selected in information systems of the police Force (Article 69), information systems of the state bodies and information systems of the bodies of self-government; allowed is the use of special means for the elaboration of the statement of the state budget utilisation, including the management of the foreign currency utilisation, tax returns, statements of general health insurance, of social security insurance and dues to the unemployment insurance.

Article 39c
Special Funds

1. Special funds mean finances which have been singled out of the budget of the Ministry of Interior of the Slovak Republic and used by the Police Force to cover expenses on the performance of investigative operational activities, criminal intelligence services, the sue of an agent and the witness protection.

2. The utilisation and control by special funds is regulated by the Minister of Interior of the Slovak Republic.

Article 40
Undercover Documents

1. For the purposes of the present Act by undercover documents are meant documents and objects serving to conceal the real identity of the police officer, witness, protected witness, agent and persons collaborating with the Police Force (Article 41). To conceal the operation of a police officer, witness, protected witness and agent, a legend can be created, and in this connection all necessary data can be recorded and selected in the information systems of the Police Force (Article 69), information systems of the state bodies, information systems of the public institutions and information systems of the self-government bodies.

2. For this purpose are state body, organs of the public institutions and self-government bodies obliged provide to the Police Force uncompleted blanks issued under its authority, other documents and parts for its finalisation included.
3. As an undercover document must not be used
   a. ID of a member of the National Council of the Slovak Republic,
   b. ID of a member of the Government,
   c. official ID of a judge,
   d. official ID of a prosecutor,
   e. diplomatic passport.
4. Undercover documents are issued by the Police Force on the basis of the Minister’s decision or its nominee.
   The Police Force issues these documents also for other state bodies if these are allowed to use them in accordance with special legal regulations.
5. The Police Force maintains registration of undercover documents.

Article 41
Persons Collaborating with the Police Force

1. For the purposes of the present Act a person collaborating with the Police Force is understood to be a private person that wilfully, in a secret manner provides information and services for the Police Force when disclosing criminal activities.
2. The Police Force can maintain the register of persons collaborating with the Police Force only in the course of the fulfilment of each individual task.

Article 41a
Disguised Transfer of a Thing

For the purposes of the present Act by the disguised transfer of a thing is meant a simulation of purchase, sale or other kind of transfer of a thing the possession of which requires a special permit, or it prohibited.

Article IV
Cells of Police Detainment
Article 42

1. A police officer is authorised to place the person detained pursuant to Article 19 or Article 20 into the cell of police detainment (to be referred to as „cell“) established for this purpose at the division of the Police Force.
2. A police officer is also authorised to place into the cell a person who
   a) was detained,
   b) arrested on warrant,
   c) was brought out by the police officer for necessary proceeding regarding detention, imprisonment, or
   d) shall be transported to serve detention or the sentence of deprivation of liberty.

Article 43

1. Before placing a person into a cell, a police officer on jailer duty shall take away everything that could be used to threaten his/her own life or the health or another person.
2. A police officer shall make a list of the things taken away and sign it together with the person concerned. Upon release the police officer shall return this person’s effects, confirmed by the person’s signature.

Article 44

1. Persons are placed in a cell separately
   a. according to sex,
   b. under 18 and adults,
   c. if detained or arrested on warrant on joint criminal proceedings or any connection between their criminal acts.
2. A person obviously affected by alcohol, narcotic or psychotropic substances or medication cannot be placed in a cell.
3. If a police officer finds that the person supposed to be sent in a cell is injured, or this person indicates serious illness or injury, the police officer shall arrange medical examination and a doctor’s opinion regarding the possibility to place the person in a cell.

**Article 45**

1. A cell must meet the sanitary code and correspond to the purpose of the person’s detainment.
2. A cell can be equipped with audio-visual technical means to ensure connection with the police officer safeguarding the protection of the cell.
3. There must not be any objects in the cell which could be abused to threaten life and health of the detainee or a police officer.

**Article 46**

If the person, who is about to be placed in the cell, has inadequate clothing, or it does not correspond to sanitary requirements, the division of the Police Force to which the cell is affiliated shall lend the person suitable clothing.

**Article 47**

A person placed in a cell is provided a meal with respect to local conditions. A detainee is provided a meal within six hours from the time of his/her placement in a cell.

**Article 48**

1. If the person placed in a cell falls ill, injures himself/herself or attempts suicide, the police officer on jailer duty shall take necessary measures to save this person’s health and life, namely give first aid and call the doctor.
2. A police officer shall immediately notify the facts referred to in Subsection 1, as well as the case of a person deceased while in the cell to the commander of the division of the Police Force to which the cell is affiliated. The commander of the division of the Police Force shall immediately notify the aforementioned cases to the doctor and competent public prosecutor, and notify the next of kin.\(^8\)

**Section 49**

1. A person placed in the cell can make proposals, suggestions or bring complaints. Written suggestions, complaints or proposals shall be passed to the commander of the division of the Police Force for further consideration. Verbal suggestions, complaints or proposals will be written down by the police officer on jailer duty and passed to the commander for further consideration.
2. Supervision of the lawful placement and stay of persons in cells exercised by a public prosecutor is governed by special regulations.\(^9\)

**Section V**

**The Use of Forcible Means by the Police Officer**

**Article 50**

**Forcible Means**

1. Forcible means are
   a. different hand holds, punches and kicks of self-defence,
   b. means for removing defiance or avert an attack,
   c. handcuffs,
   d. a police dog,
e. mounted crowd control by motor vehicles and mounted crowd control,
f. technical means to prevent a vehicle drive off,
g. arresting belt and other means for stopping a vehicle by force,
h. special water cannon,
i. stun device,
j. strike by a firearm,
k. threat by a firearm,
l. warning shot in the air,
m. use a special ammunition,
n. use a plane,
o. a weapon.

2. The means for removing defiance or avert an attack include truncheons, defence clubs, defence shields, tear-gas and an electric probe.

3. Before forcible means can be used, the police officer is obliged to challenge the person he is acting against to stop the unlawful conduct, and warn him/her that one of the forcible means will be applied. The police officer can omit the challenge or warning only if he himself has been attacked, or the life and health of another person is endangered and the matter cannot be delayed, or if permitted by other circumstances.

4. The choice of a forcible means to be used is decided by the police officer with respect to actual situation so that the purpose of the intervention could be attained, and the forcible means and intensity of their application are not clearly inadequate to the dangerousness of the attack.

**Article 51**
The Use of Hand Holds, Punches and Kicks of Self-defence to Remove Defiance and Avert an Attack

1. A police officer is authorised to use handholds, kicks of self-defence and other means to overcome resistance and avert an attack in order to
   a. safeguard his or another person’s protection against an attack if after a challenge the attack does not stop, there is an immediate threat of an attack, the attack continues or by all symptoms is likely to continue,
   b. to prevent a disturbance, fight, deliberate damage of property or otherwise rowdy conduct whereby the public peace is breached,
   c. bring in, detain, arrest or put in custody or convey to prison a person who actively resists,
   d. prevent forcible entry of an unauthorised persons into guarded premises or a place where entry is forbidden.

2. A police officer is authorised to use handholds to bring in, detain or arrest a person passively resisting or resisting by take in an identification marks according Article 20a.

**Article 52**
The Use of Handcuffs

(1) A police officer is authorised to use handcuffs
   a. to handcuff a person being brought in, caught, detained or arrested, or a person who should be conveyed to prison or put in custody and who actively resists or attacks other persons or a police officer, damages property even after an unsuccessful challenge to refrain from such conduct,
   b. to handcuff together two or more persons being brought in, caught, detained or arrested under the conditions referred to in Paragraph a) herein,
   c. while carrying actions or procedures regarding the persons brought in, detained, caught or arrested, or the persons in lawful custody or deprived of liberty in prison if there is a well-grounded suspicion that they will attempt to escape.

(2) The person referred to in Subsection 1, herein, can be handcuffed also to an appropriate object if required by circumstances, however, only until the reasons under Subsection 1, herein, remain.

**Article 53**
The Use of a Police Dog

(1) A police officer is authorised to use a police dog in order to
a. ensure his own or another person’s safety if after a challenge the attack has not ceased, there is an immediate threat of an attack, if continues or by all symptoms is likely to continue,
b. prevent a disturbance, fight, deliberate damage of property or otherwise rowdy conduct whereby the public peace is breached,
c. prevent forcible entry of unauthorised persons into guarded premises or a place where entry is forbidden.
d. pursue a person on the run, who is to be detained, arrested or put in lawful custody or conveyed to prison,
e. force a hiding person to leave his/her hideaway who is to be detained, arrested or put in lawful custody or conveyed to prison,
f. guard a person brought in, detained, caught or arrested who is to be put in lawful custody or conveyed into prison,
g. pursue a person who near the state border has not stopped when challenged, and tries to escape and cannot be stopped in another way.

2. A police officer uses a muzzled dog. If required by the nature and intensity of an attack, or in order to overcome a person’s resistance or character of carrying actin, he can use a police dog without a muzzle guard.

Article 54
Crowd Control by Mounted Police

Police officers on cars or horses can crowd control participants of a gathering, sports and public cultural events, (to be referred to as „event“) if
a. the peaceful conduct of the event is being breached and its organisers or convenors failed to ensure order,
b. the demonstrators do not peacefully disperse after the end of the event,
c. participants of the event commit criminal acts which cannot be rectified by other means, particularly by actions taken against individual perpetrators.

Article 55
The Use of Technical Means to Prevent a Vehicle Drive off

A police officer is authorised to use technical means to prevent a vehicle drive off if
a. a vehicle is stationary at a place where it is forbidden and the driver is not nearby,
b. the driver of a vehicle refuses, even after a repeated challenge, to submit to the procedures carried out by the police officer, and his conduct apparently signifies his intention to drive off,
c. it is confirmed that the vehicle was stolen,
d. exist well-grounded suspicion that the vehicle can be used for conveying perpetrator of criminal act.

Article 56
The Use of Arresting Belt or other Means to Forcibly Stop a Vehicle

(1) A police officer is authorised to use an arresting belt or other means to forcibly stop a vehicle whose driver, after repeated challenges or a sign given in accordance with special regulations does not stop and if there is
a. a serious threat to life, health or property caused by careless driving,
b. well-grounded suspicion that the vehicle is conveying perpetrators of deliberate criminal acts, wanted persons, weapons, ammunition, explosives, narcotic and psychotropic substances and poisons, things originated in or connected with crime,
c. an undoubted suspicion that the driver will attempt to forcibly enter guarded premises or places where entry is forbidden,
d. a well-grounded suspicion of an attempt to forcibly cross /trespass the state borders.
(2) By other means according to Subsection 1, is understood particularly a police vehicle, other conveyance or building and construction equipment.

Article 57
The Use of Special Water Cannon
A special water cannon can be used by police officers in order to disperse participants of an event under the conditions stated in Article 54.

**Article 58**

The Use of Stun Device

A police officer is authorised to use a stun device against a dangerous perpetrator in a closed space who after having been challenged does not give up or hesitates to leave his/her hideaway.

**Article 59**

The Use of Strike by a Firearm

A police officer is authorised to strike a person by a firearm in necessary self-defence, as a rule when fighting against an assailant whose resistance cannot be suppressed by other means.

**Article 60**

The Use of a Threat by a Weapon and Warning Shot in the Air

A police officer is authorised to fire a warning shot in the air in order to:

a. ensure his or another person’s safety if the person challenged does not desist from the attack, there is an immediate threat of an attack, it continues or by all symptoms is likely to continue,

b. bring in, detain, catch, arrest or bring to prison a person who actively resists,

c. prevent a disturbance, fight, deliberate damage of property or otherwise rowdy conduct whereby the public peace is breached,

d. prevent forcible entry of unauthorised persons into guarded premises or a place where entry is forbidden.

e. prevent escape of a pursued or guarded person who is to be detained, arrested or put in lawful custody or conveyed to prison,

f. to prevent an illegal crossing of the state border.

**Article 61**

The Use of a Weapon

1. A police officer is authorised to use a weapon only

a. in necessary self-defence and extreme danger,

b. if a dangerous perpetrator, against whom the police officer is taking an action, after having been challenged, does not give up or hesitates to leave his/her hideaway,

c. if the resistance, which is about to hamper his service action, cannot be suppressed by any other means,

d. in order to prevent escape of a dangerous perpetrator who cannot be stopped by any other means,

e. if a person having been challenged by the use of a weapon or a warning shot in the air does not observe the police officer’s instructions aimed at ensuring his or another person’s safety,

f. if there is no other possibility to stop a vehicle whose driver after a repeated challenge or a sign given in accordance with special regulations does not stop and by his careless driving seriously endangers life and health of other persons,

g. in order to avert a dangerous attack which threatens guarded premises or a place where entry is forbidden, and after an unsuccessful challenge to stop the attack,

h. to make harmless an animal threatening life or health of people,

i. to make stop a vehicle within the area of state border when its driver after a repeated challenge or a sign given in accordance with special regulations does not stop.

2. By a weapon according Subsection 1, and Article 50, Subsection 1, Paragraph o), is meant a firearm and a stabbing weapon, and a weapon of mass effectiveness.

3. Before using a weapon, a police officer is obliged to challenge the person he is taking action against to desist from unlawful conduct, and to warn this person that a weapon will be used. Before using a firearm the police officer is obliged to fire a warning shot in the air. A police officer can refrain from a challenge and a warning shot in the air only if he personally is attacked or the life or health of another person is endangered, or the matter cannot be delayed.
4. While using a weapon, the police officer is obliged to be cautious and shoot only to injure a person so that the life and health of others is not endangered.

**Article 61a**

**To Use a special ammunition**

1. The police officer is authorised to use a special ammunition while carrying out service interventions under the united command in accordance with Article 66 and while carrying out service interventions under the united command in accordance Article 68.

2. For the purposes of the present Act, the special ammunition is understood to be ammunition with a rubber charge, ammunition filled with a colour charge, and ammunition filled with a tear-gas charge.

3. The police officer is authorised to use while carrying out service interventions
   a. Rubber charges
      (1) When necessary in necessary self-defence and extreme danger if there are no alternate conditions for using a weapon to ensure his own safety or the safety of another person, or if the challenged person does not desist from unlawful conduct,
      a. If the resistance, which is about to hamper service action, cannot be suppressed by any other means,
      b. charges filled with marked colours for marking the beginning of an attack or other unlawful conduct,
      c. charges filled with tear-gas for the dispersing of demonstrators after events in accordance Article 54, if the perpetrator, against whom the police officer is taking action, after having been challenged, does not give up, or hesitates to leave his/her hideaway, or if the resistance, which is about to hamper his service action, cannot be suppressed by any other means.

4. When using a special ammunition, the police officer is obliged to be cautious and shoot only to injure a person so that the health and life of other not disinterested persons is not endangered.

**Article 61b**

**To use planes**

1. The Police Force is authorised to use a plane while to carry out duty activities and service actions against perpetrators of extremely serious criminal acts for of the following nature
   a. carrying out a service action,
   b. when using special boarding equipment while carrying out service activities and when the Police Force is authorised to use this means for investigative operational activities,
   c. carrying out air activities of the special intervention units,
   d. stopping the vehicle of criminals or suspects,
   e. to throwing limiting substances or defeating of perpetration of criminal acts.

2. The Police Force is authorised to use a plane for the special training activities in accordance Subsection 1, Paragraphs a) - e).

**Article 62**

**Special Forcible Means, Special Weapons and their Use**

(1) Special forcible means and special weapons are
   a. temporarily incapacitating means,
   b. special throwing and striking means not having the nature of a weapon,
   c. mechanical firearms,
   d. a firearm with a silencer,
   e. a firearm with a target lighting device,
   f. special adapted firearms,
   g. special exploding articles and special charge.

2. The use of special forcible means and special weapons is appropriately governed by the provisions of Article 50, Subsection 3 and 4, Article 51, Article 59 - Article 61 and Article 63 - Section 65.

Part VI
Obligations of a Police Officer after the Use of Forcible Means

Article 63

As soon as the police officer discovers that having used forcible means a person was injured, he is obliged, if circumstance allow, to give the injured person first aid and ensure his /her medical treatment.

Article 64

1. A police officer is obliged to report immediately to his superior officer report each service action where he used forcible means.
2. If any doubts arise with regard to rightfulness or adequacy of the use of forcible means, or if their use resulted in death, detriment to health or damage to property, the superior officer is obliged to ascertain that they were used in accordance with the law. He shall submit an official record on his findings.
3. If a police officer has used forcible means in area other than his operational task force, he shall report its use at the nearest division of the Police Force. The subsequent procedures are governed by Subsection 2.

Article 65

Special Restrictions

During a service action against a pregnant woman, an elderly person, or a person clearly physically handicapped or ill, and against a person under age 15, a police officer has the authority to use only handholds and handcuffs. A police officer is authorised to use other forcible means only if the attack by these persons imposes immediate threat to other persons, or the police officer's life and health, or if there is a serious threat of damage to property, and this danger cannot be averted by any other means.

Article 66

Service Interventions and the Use of Forcible Means under the United Command

1. If police officers intervene under the united command, the use of forcible means under the conditions referred to in the present Act are decided by the commander of the operating unit. The use of forcible means directly at the scene of intervention can be decided also by the superior officer of this commander. The decision of the commander of the intervening unit or his superior officer must be kept on an oral or written record.  
2. The commander of the intervening unit who has taken a decision regarding the use of forcible means in accordance with Subsection 1, as well as his superior officer, are ruled by the relevant provisions of Article 63 and Article 64, Subsections 1 and 2.

Service Interventions and the Use of Forcible Means by a Police Officer in Special Services

Article 67

1. A police officer in special services intervenes against
   a. terrorists,
   b. kidnappers and hijackers,
   c. dangerous perpetrators of organised crimes and perpetrators of deliberate serious criminal acts,"}

2. A police officer in the special services can be ordered to rescue operations, particularly natural disasters and catastrophes, serious traffic accidents, and industrial breakdowns.
3. Police officers in the special services are charged with tasks upon the decision of the President of the Police Force.

Article 68

1. Service interventions by the police officers in special services are carried out under the direct command of the intervening unit commander.
2. The commander of the intervening unit makes the decisions on the use of forcible means, special forcible means, or special weapons during service interventions. Decisions of the commander of the intervening unit or his superior officer must be kept on a oral or written record.

3. The commander of the intervening unit, who has made a decision pursuant to Subsection 2, as well as his superior officer, are ruled by the relevant provisions of Article 63 and Article 64, Subsection 1 and 2.

4. If necessary, and in the interest of the personal safety of the police officers on special services duty and of the persons close to them, police officers have the authority to use balaclava helmets during the service action. The commander of the intervening unit makes the decision on their use.

Article 68a
Special Circumstances when Balaclava Helmet is used by the Police Officer

If necessary, and in the interest of the personal safety of a police officer, and or persons close to him, the police officer has the authority to use a balaclava helmet while taking service action against a person suspicious of having committed an extremely serious criminal act, or against a dangerous perpetrator. In the course of such action, the police officer must have a visible mark „Police Force“ and his ID number. The commander of the intervening unit makes the decision on the use of a balaclava helmet.

CHAPTER IV
DATA PROCESSING INFORMATION OF THE POLICE FORCE

Article 69

1. The Police Force within the scope of this Act and Special Act process information and personal data assembled during the performance of duties of the Police Force, information and personal data provided from abroad, to include information within the indispensable scope for carrying out this duty.

2. The Police Force is authorised while performing these tasks, in case of need, elaborated sound, picture, or other records of the public available places, and sound, picture and other records on the process of service activity or service act.

3. If the need exists for the elaboration of records using automatic technical systems in accordance with Subsection 2, the Police Force is obliged to make public all information by proper manner on the creation of such systems.

4. Information and personal data from informational systems, managed by the Police Force in accordance with Subsection 1, such as sound, picture or other records of public available places, as well as that information managed by the Police Force in accordance with Subsection 2, for use by the Slovak Information Service, Military Intelligence, Military Police, Penitentiary and Justice Guard Force, Railway Force, Customs Directorate of the Slovak Republic, municipal police in accordance with special regulations; other juridical or physical persons, shall be used only in case of necessity and in accordance with the special laws and used abroad only in accordance with Article 69e, Subsection 5.

5. There is no possibility to provide false personal data; unchecked personal data must be marked before being provided, and the degree of reliability must be established. If false, or wrong information is provided, the Police Force is obligated to inform, without delay, all the recipients that were provided such personal data.

6. Information and personal data from the information systems in accordance with Subsection 4 are not to be publicly available, and information about persons alleged in Subsection 4 can provided to the third persons only with approval of the Police Force.

7. If the personal data obtained by screening or through processed information of the Police Force becomes useless for the performance of designated tasks, the Police Force is obligated to destroy it without delay.

8. The Police Force, at least every three years, must screen these files and determine if the personal data is or the subject of the processed information are henceforth needed for performing tasks of the Police Force.

Article 69a
Processing of personal data by performing tasks of the Police Force for the purposes of criminal proceedings
1. By prevention and disclosure of the criminal activity, disclosure of offenders of the criminal acts, an investigation of the criminal acts (to be referred to as „performing tasks of the Police Force for the purposes of the criminal proceeding“) by learning and by processing personal data, the Police Force is obliged to:
   a. appoint in the written form, the purpose for the use of that data and the reason to process that personal data,
   b. gathering of personal data for a limited time which is needed for the purposes of the processing of personal data,
   c. saving personal data only for the time period necessary for fulfilling the purposes of the personal data process,
   d. process of personal data learned from this kind of purpose is separate from the processing of personal data learned by performing tasks of the Police Force,
2. The Police Force, by processing personal data within the performance of the Police Force tasks for the purposes of the criminal proceeding, is authorised, in the scope needed for the performing tasks of the Police Force in connection with the criminal proceeding,
   a. to use personal data learned for different purposes,
   b. process false personal data; this personal data must be marked such a way.
3. The Police Force is authorised, by processing personal data during the performance of Police Force tasks in connection with the criminal proceeding, to process special categories of the personal data, depending on the gravity of the criminal act required.
4. The Police Force is authorised to process personal data within the performance of Police Force tasks for the purposes of the criminal proceeding, without the approval of the person involved, while continuing to protect his/her privacy. If there not exist an assumption of the menace of performing tasks of the Police Force, the Police Force destroys a personal data; if such personal data has not been destroyed, the Police Force must let the affected person know that they are keeping the personal data on the person.
5. The police Force does not destroy the personal data saved in the files and not through automatic processing.
6. The Police Force must process personal data in accordance with Subsections 1-5; Personal data learned by arresting, disclosing, and finding perpetrators, or other criminal acts, committed by persons that cannot be punished because of being underage or mental incapacity.

**Article 69b**
Processing personal data acquired during searches

1. The Police Force is authorised to collect the following information during searches:
   a. personal data obtained for different purposes,
   b. processing special category of the personal data about such persons, if the discovering is required,
2. The Police Force after discovering the missing or searching person destroys all personal data of such person. Destroying personal data should not be carry out if:
   a. the person comes up missing or is searched again,
   b. if there is reasonable suspicion that such person will disappear or needs to be searched again,
   c. Personal data of such persons are processed during the performance of tasks of the police Force in connection with the criminal proceeding.

**Article 69c**
Providing personal data and untrue or inaccurate personal data purification

1. Everyone has a right to request the Police Force on what kind of information or personal data is processed on his/her person. The Police Force is required to provide the information free of charge within 30 days from the date of receiving such written request.
2. The Police Force, upon written request, destroys or corrects free of charge, any false personal data concerning of the applicant.
3. The Police Force or the Ministry, must notify the applicant of the destruction of false data, if it finds any; the Police Force or the Ministry must notify the applicant of any corrections to inaccurate personal data, if it finds any; otherwise it must notify the applicant that it conducted a check upon his/her request.

4. The general administrative regulations are not applied on a proceeding referred to in Subsections 1-3.

Article 69d
Providing personal information

1. The Police Force provide the personal data information to another authorities or persons if:
   a. it is stated in the act,
   b. it is in the interest of person to whom the personal data concerns and this person has agreed with the provision,
   c. the provision of the personal data information are necessary for the removal of serious imminent danger of persons or public order or,
   d. it is stated in the international treaty, to which is Slovak Republic is bound to.
2. The Police Force must provide the personal data information on written request, in accordance with Article 1, Paragraphs a), b) and d), containing the purpose of the provided personal information data. The Police Force should provide the personal data information in accordance with Subsection 1, Paragraphs c), to other authorities or persons without previous approval made by the written form; an authority or person, to which the data has been provided, and after falling away of the impediment for delivery of a written request, is obligated to submit a written request to the Police Force.
3. There must be information on final decisions of the law enforcement agency attached to the provided personal data information, if the information is related hereby.
4. The recipient of the data is authorised the personal data information only with approval of the Police Force in accordance with Subsections 1-3, for processing of personal data for another purpose for which it has been provided.
5. The personal data information should be provided in foreign agencies abroad without written request, if the international treaty applies and that treaty binds the Slovak Republic.

Article 69e
Publication of the personal data information

The Police Force is authorised to publish personal data information in the scope needed for performance of Police Force tasks, and for the purposes of a criminal proceeding, or for searching persons.

Article 69f
Registration of information systems of the Police Force

Information systems operated in accordance with the Articles 69a and 69b are not subject of registration in accordance with special act.

CHAPTER V
CALL UP OF SOLDIERS TO PERFORM TASKS OF THE POLICE FORCE

Article 70

1. The Government can for the time necessary subordinate soldiers in active service to the command of the Police Force if the resources and means of the Police Force are not sufficient to safeguard protection of the state border, guarded premises or public peace.
2. The soldiers called up in accordance with Subsection 1, herein are subject to relevant provisions of Article 8 - Article 14, Article 17 - Article 20, Article 22, Article 23, Article 26 - Article 28, Article 33 subsection 1, Article 50 - Article 61, Article 63 - Article 66 and Article 80 of the present Act. The Ministry will lay down further details by a general binding legal regulation.

Article 71

The soldiers in active service called up in accordance with Article 70, Subsection 1, prove their authority to perform the duties of the Police Force by their military uniform and identification on the outside „POLICE‘.

CHAPTER VI

RELATIONS OF THE POLICE FORCE TO THE STATE BODIES, MUNICIPALITIES, PRIVATE ENTERPRISE AND THE GENERAL PUBLIC AND TO ABROAD

Article 72

Everybody has the right to turn to police officers and the divisions of the Police Force with a request for help. Police officers and the divisions of the Police Force are obliged within the scope of the present Act to render the requested help.

Article 72a

1. The Minister of Finance of the Slovak Republic and the Governor of the National Bank of Slovakia (to be referred to as „Governor“) can make request to the Minister that the Service of the Financial Police shall perform the tasks connected with the disclosure of tax evasions and illicit financial transactions, or with the legalisation of incomes from the criminal activity, if the Ministry of Finance or the National bank of Slovakia cannot ensure the fulfilment of these tasks by their own resources and means; this does not apply if the tax evasions and illicit financial operations or the legalisation of incomes from the criminal activity concerned have any relation to the breach of customs regulations.

2. The Minister of Finance or Governor shall supply the Service of the Financial Police with all information necessary for the fulfilment of the tasks under Subsection 1.

3. The Service of the Financial Police shall provide to the Minister of Finance of the Slovak Republic or the Governor the information gathered while performing the tasks under Subsection 1 or other service action if necessary for the operation of the Ministry of Finance of the Slovak Republic or the National Bank of Slovakia.

Article 73

1. The divisions of the Police Force ensure protection to the persons entrusted with the enforcement of a decision of the court, of another state body or municipal authority if these persons for the reasons of threat to their life or health cannot enforce the decision, and if the competent authority, bankruptcy trustee, preliminary administrator or judicial distrainer have submitted a written request.

2. The protection in accordance with Subsection 1, can be requested if
   a. the enforcement of a decision has been hampered, or
   b. the conduct or character of the person concerned provide good grounds for the conclusion that the life of health of the person entrusted with the enforcement of a decision of the court can threatened.

Article 74

1. A municipality, if unable to safeguard public peace in their area by their own resources and means, can request assistance from the division of the Police force. The division of the Police Force within the scope of their powers is obliged to render the assistance requested.

2. The Police Force co-operate with Municipal Police as far as the matters of public peace and municipal matters of public peace are concerned.

Section 75
1. If an immediate serious threat to public peace arises, which cannot be removed by the resources and means of the competent bodies, the Police Force is obliged to take part in averting this danger. In such a case the activities of the Police Force will be limited to making only the necessary arrangements.

2. If the inevitable arrangement under Subsection 1, have been carried out and the competent body has not been informed, the Police Force is obliged to immediately notify this body about the inevitable measures taken.

Section 76

1. While performing their operational duties the divisions of the Police Force are authorised to request data and information from the state bodies, municipalities, private enterprises and the general public.

2. State bodies, municipalities, private enterprises and the general public are obliged to provide the data and information requested if not prohibited by reasons following from other general binding legal regulations.

3. The Police Force can use the aforementioned data and information only for the purposes of their duty performance, and they are obliged to protect it against disclosure.

4. The divisions of the Police Force inform state bodies, municipalities private enterprises and the general public about the facts concerning their activities, which could lead to the threat to or breach of public peace.

Article 76a

1. The Police Force is authorised within the scope for performance its tasks to request from the information system operated on a special act for providing information and personal data from the operator of the information system or intercessor of the information system, on the costs of an operator of the information system or intercessor of the information system. An operator of the information system or an intercessor of the information system are obliged on the written request of the Police Force to grant without delay.

2. An operator or an intercessor of the information system of the telephone service users, the ID cards information system, the travel documents information system, the information system of inhabitants, the information system of traffic evidence is obliged to allow to the Police Force for the performance of its tasks long-distance, on-line and direct access to the information and personal data from an appropriate information system.

3. The Police Force is authorised by disclosure and documentation of the criminal activity request, in the needful scope for performance of concrete task of the Police Force and in period necessary for performance of such task from legal persons and natural persons providing a telecommunication activity, by long-distance, on-line and direct access mode. Legal persons and natural persons providing a telecommunication activity are obliged on the written request of the Police Force to grant without delay.

4. The Police Force is authorised to utilise an information and personal data only in the necessary scope for the service purposes with the procedure at least, in accordance with subsections 1-3, it keeps an identification data on a division of the Police Force or on a police officer who requested issuing of the information, and on purpose to which issuing of the information was requested. An operator of the information system or an intercessor of the information system are obliged to keep secrecy on matters according to first sentence.

5. An operator or an intercessor of the information system managed according to the special act is obliged to provide to the Police Force an information for the purposes of protection of a person about which exist reasonable assumption on threatening of his/her life or health.

6. The Police Force provides or publishes information which are not personal data information if necessary for a performance of tasks of the Police Force. The provision of the article 69e used to be applied accordingly for providing information into abroad.

7. The Police Force is obliged to assure the protection of information and personal data before unlawful publishing or providing; the obligations of the Police Force according to special acts are not touched. Information and personal data can be used, in accordance with Subsections 1-3 and 5, only for the purposes of performance of a tasks of the Police Force.

Article 77

When there is an immediate threat to life and health or property, a police officer is authorised to ask anybody for help. Anybody so addressed is obliged to comply; such obligation ceases if by compliance the person or other
persons close to him/her would be exposed to a serious danger, or if prevented by other important circumstances.

Article 77a

1. The Police Force co-operate with the policing of other state, with international police organisations, international organisations and organisations officiate on the territories of other states particularly by the exchanging of information, exchanging of liaison officers, eventually other forms.

2. The Police Force can also perform tasks of the Police Force outside the territory of the Slovak Republic, if stated in the international treaties to which is the Slovak Republic bound, or by agreement of parties concerned.

3. The Ministry for performance of the tasks of the Police Force can also delegate outside the territory of the Slovak Republic the police officers to the international police organisations, policies other states, international peace missions, international operations of the civil crisis management, or by agreement concluded with the Ministry of Foreign Affairs of the Slovak Republic to the diplomatic missions of the Slovak Republic or to the international organisations.

Article 77b

1. The Police Officer is authorised to operate also on the territory of other state
   a. according to conditions, in the scope and by means stated in the international treaty to which is the Slovak Republic bound,
   b. on the ground of a decision of the Government of the Slovak Republic on participation in the peace operation according to the decision of a international organisation to which is the Slovak Republic a member and to which the Slovak Republic has concluded relevant agreements,
   c. if was delegated for performance of the tasks on the ground of a decision of the Minister and with the approval of an appropriate body of the foreign state or with the request of an appropriate body of another state.

2. In the course of the delegation of the police officer into abroad, according to Article 1, is being proceed according to special act. 7)

Article 77c

1. Police officer of other state can, according to conditions, in the scope and by means stated in the international treaty to which is the Slovak Republic bound, carry out its authority and duties of the police officer of the Slovak Republic.

2. If no international treaties was concluded, to which is the Slovak Republic bound, and if there is necessary for a performance of tasks of the Police Force, can with an approval of the Minister or its delegated person and with the approval of an appropriate body of the foreign state utilise within the scope stated by this act of the police officer of other state
   a. as an legalised person or agent,
   b. carrying out of a simulated transfer of things,
   c. for the surveillance of persons or things, or
   d. for use of the information and technical means and stool and safeguard art.

3. The police officer manage an activity of the police officer of other state in accordance with Subsection 2.

4. In case of the compensation for damage in connection with performance of tasks in accordance with Subsection 2, Article 78 and special act. 7)

CHAPTER VII
VOLUNTEER PEACE OFFICER

Article 77d
1. Volunteer peace officer (to be referred to as „peace officer“) helps while performing of tasks of the service of the public order of the Police Force, service of the traffic police of Police Force and service of the border police of the Police Force in the field of protection of the public order, by supervising of the security and fluency of the road traffic and by patrolling of the state border. The peace officer should be 21 of age, has a legal capacity and enjoys confidence and respect among citizens.

2. The person adopted for a peace officer should be setting by the municipality wherein is the permanent address of the person. The contract of service contains
   a. name and surname, date of birth, personal identification and permanent address of the nominated person,
   b. written approval of the nominated person,
   c. extract from the criminal record issued with 3 months.

3. Director of division of the Police Force adopts and approves a person for the peace officer. The division of the Police Force after approving issue to the related person a card of the peace officer.

   Article 77e

1. The Peace officer performs its tasks only by the presence of the officer and within the scope of his orders in accordance with Article 4. The Peace officer is obliged to hold visibly its card of the peace of the officer arm ribbon; designation of the peace officer provides a division of the Police Force. By the day-blindness the peace officer uses a reflex vest.

2. The Peace officer while performing its tasks is obliged to hold visibly its card of the peace of the officer on the left front side of an upper part of the dress. The card of a peace officer comprises of the half-carton with dimensions 105 mm x 75 mm sealed into the foil, whereon on the front side where is with white letters on the green priming written: „VOLUNTEER PEACE OFFICER.“ Under legend left is a card number, title, name and surname of the peace officer and impress with the state sign. Under legend right is a photo with dimensions 3 cm x 3,5 cm of the peace officer, date and signature of the director of the division of the Police Force. The specimen of the card is listed in the annex no. 1.

3. The arm ribbon is made up from the facing band of the green colour with a border size of 120 mm with the legend „VOLUNTEER PEACE OFFICER“ in white reflex colour and letters with the font size 25 mm. The reflex vest of is in the yellow colour with a legend „VOLUNTEER PEACE OFFICER.“ The arm ribbon and the reflex vest are, in the time out of service in accordance with Subsection 1, assessed on the venue division of the Police Force. The specimen of the arm ribbon is listed in the annex nor. 2.

4. The peace officer is authorised with an approval of a division of the Police Force to perform training, lectures and briefings with approval of a division of the Police Force in the field of a protection of the public order, road traffic and protection of a state border.

5. The peace officer is authorised, by performing of its tasks in accordance with the Article 1
   a. if a public statute in the field of a protection of the public order, road traffic and protection of a state border was violated, to use a remonstrance and challenge for removal of such violation,
   b. to regulate participants of the road traffic by traffic accident, damaging of the road and for that purposes to direct for a stopping a vehicle.

6. Everyone is obliged to respect a challenge, instruction and direction of the peace officer or endure an execution of its powers in accordance with Article 5.

7. The time and place of performance of tasks of the peace officer governs a division o the Police Force after an agreement with the peace officer.

   CHAPTER VIII
   COMPENSATION FOR DAMAGE
   Article 78

1. The State is liable for the damage brought about in result of the aggrieved person’s (to be . referred to as „the aggrieved“) assistance to the Police Force upon their request and knowledge. The State can be relieved from this liability only if the damage was purposely caused by the aggrieved.

2. If the aggrieved has suffered detriment to health or died, the procedure will be governed by the regulations regarding compensation claim for work injuries. The Government can stipulate in which cases and to what extent
a. the aggrieved, besides compensation claim pursuant to labour code, is entitled to a single exceptional compensation;

b. will be increased a single exceptional compensation to which pursuant to labour code are entitled survivors of the aggrieved, and under what conditions such compensation can be granted to the persons who were dependent on the aggrieved person’s income.

3. The aggrieved is entitled also to the compensation for the damage to articles of value which arose in connection with the assistance as specified under Subsection 1. In such case the actual damage will be compensated by restoring these articles of value into their original state; if this is impossible, the damage is compensated by cash. The aggrieved can be entitled also to compensation for expenses connected with purchase of the new article in lieu of the damaged one.

4. The State will compensate also the damage caused in connection with the assistance rendered by the aggrieved to the Police Force or police officers.

5. The State is liable also for damages caused by the Police Force or police officers in connection with performance of their duties set forth by the present Act; this does not apply to the damage resulting from unlawful conduct of a person or a lawful intervention of a police officer.

6. The Ministry provides the compensation for damage on behalf of the State.
CHAPTER IX
GENERAL, TRANSITIONAL, AND CONCLUDING PROVISIONS

Article 79
The Minister can call up police officers to perform tasks of the Ministry.

Obligation of Nondisclosure
Article 80

1. Police officers are obliged not to disclose any facts they have obtained while performing the duties of the Police Force or in connection with them, and which in the interests of private enterprises or general public shall remain secret to an unauthorised person.

2. If the Police Force or a police officer has instructed a person on the obligation not to disclose any facts related to the activities or performance of duties of the police Force, this person is obliged to comply. The obligation of nondisclosure does not apply to the facts that must be disclosed by the citizens when exercising their rights.

3. The Minister or the President of the Police Force can discharge a person of an obligation of nondisclosure.

4. A police officer engaged in the Department for the protection of designated persons can be discharged of an obligation not to disclose the facts, which he has obtained in the course of performing his duties, only upon consent of the protected person or the person given personal protection.

Article 81

1. If not stated otherwise by a special regulation, private enterprises and general public are forbidden to use verbal statement „Police“, and the mark „Police Force“ or “Police” in correspondence, on uniforms or motor vehicles.

2. The aforementioned applies also to the use of the uniforms interchangeable with military uniforms or uniforms of armed forces, and marking of motor vehicles.

Article 82

Transitional Provisions

1. The terms „National Security Corps“, „Public Security“, or a members of the National Security Corps of Public Security, if found in any other statutes or general binding legal regulations, should be understood as identical to the Police Force or police officer.

2. The term „Federal Police Force“ if found in any other statutes or general binding legal regulation should be understood as identical to the Police Force.

Article 83

Provisions Repealed

Repealed are:


4. Section 15 of the Regulation of the Ministry of the Interior No. 87/1964, Coll. regarding driving licenses.

Article 83a

The Act of the National Council of the Slovak Republic No. 382/1997, Coll. on assistants of the Police Force are repealed.
The present Act enters into force from 1 September 1993.

The Act No. 315/1996 Coll. enters into force from 1 April 1997.
The Act No. 73/1998 Coll. enters into force from 1 April 1998.
The Act of the National Council of the Slovak Republic from 18 October 2001, as amended and supplemented by the Act of the National Council of the Slovak Republic No. 181/1993 Coll. on the Police Force, as amended by latter regulations, enters into force from the day of its promulgation, except amendments and supplements stated in Article 8, Subsection 1, Article 19, Subsection 1, Paragraph c), Article 19, Subsection 1, Paragraph d), Article 19, Subsections 2 and 3, Article 19, Subsection 6 - first sentence, Article 19, Subsection 7, Chapter VII, Article 77d and 77e and Article 83a, which enters into force from 1 January 2002.

References to the Act No. 171/1993, Coll.

1. Act No. 367/2000, Coll. regarding protection before legalisation of the incomes from the criminal activity, and on amendments and supplements to other statutes.
10. Act No. 71/1967, Coll., regarding administrative action (administrative code).
11b. Repealed.
11c. Article 89, Subsection 14, Criminal Code as amended by subsequent legislation.
11d. Repealed.
11g. Act No. 367/2000, Coll., regarding protection before legalisation on incomes from a criminal activity and on amendments and supplements to other statutes.
13. Repealed.
15. Repealed.
17a. Article 89, Subsection 2, Code of Criminal Procedure, as amended by subsequent legislation.
18a. Article 88a, Code of Criminal Procedure, as amended by subsequent legislation.
18ab. Article 19, Subsection 4, Act No. 241/2001, Coll., regarding protection of classified information, and on amendments and supplements to other statutes
18b. Article 88b, Subsection 2, Code of Criminal Procedure, as amended by subsequent legislation.
19. Act No.60/1965 Coll. on prosecution, as amended by subsequent legislation.
20. Act No. 84/1990 Coll. on the right of assembly.
Act from 18 October 2001, as amended and supplemented by the Act of National Council of the Slovak Republic No. 171/1993, Coll., regarding the Police Force, except above-mentioned amendments and supplements, with its Articles II, III a IV, amended and supplemented acts as follows:

**Article II**


1. In article 8, subsection 2, are after the words „judging the legal offences, as well“ inserting words „against the security and fluency of the road traffic in accordance with Article 22.“.

2. In Article 13, Subsection 2:
 „2. In the bill proceeding should be financial penalty up to 1.000,- SK, if this act or other act are not stated otherwise, and in the order proceeding up to 4.000,- SK.“.

3. Article 19, Subsection 3:
 „Upper limit of the financial penalty are decreased on half of the amount by juveniles; should not be higher than 4.000,-SK and in the bill proceeding should be higher than 500,-SK. In the bill proceeding should be financial penalty up to 1.000,- SK by juvenile; if in accordance with this act or other act should be financial penalty up to 1.000,- SK.“

4. Article 22 with the title included:

„Article 22
Traffic violation against road safety and fluency of the road traffic

1. A person commits a traffic violation if

a. as a driver of the motor vehicle exceed the speed limit stated in the general regulation regarded road safety and fluency of the road traffic\(^{3a}\) or exceed speed limit stated by the road sign,

b. drives a motor vehicle without any driving licence, after taking it away or in time of retaining of the driving licence, except cases, if learns to drive in accordance with legal regulations or taking in for an examination from the driving,

c. as a driving of the motor vehicle with the gross weight over 7.500 kg and not observes of rules on the speed limit for specified vehicles,

d. as an driver was involved in the road traffic accident did not stop without delay its motor vehicle or did not meet an obligation of the person involved in the traffic accident stated in the special act\(^{3b}\)

e. as a driver did not forbear from drinking of alcohol or using any other habit forming substance after traffic accident and during this time it will become legal detriment of finding if he/her was using alcohol or other habit forming substance before driving or during driving,

f. as the driver refuses a medical examination on the block alcohol count, which provides by a breath test with the drunk-o-meter or refuses a medical examination on the block alcohol count in the blood or by
other biological substance, if there his/her behaviour is not under influence of an alcohol or other habit forming substance, even though by the medical examination it was not related with the danger of his/her health,

3) a driver during a driving of its vehicle will use alcoholic drink or any other habit forming substance, or drives its vehicle immediately after using alcohol or any other habit forming substance, or in the time while being under its influence,

h. drives a vehicle in the soundness which exclude roadworthy and the reason is using alcohol or any other habit forming substance,

i. made an unlawful act referred to in Paragraphs a.-h., by which violates a public statute on safety and fluency in the road traffic,

j. by infringing a rule referred to in Paragraph j. imminently menace safety and fluency of the road traffic or inflict a traffic accident.

2. For the traffic violation referred to in Subsection 1, Paragraph i., should levy a fine up to 2.000,- SK, for the traffic violation referred to in Subsection 1, Paragraph c., and d., should levy a fine up to 5.000,- SK and impose a ban on service up to 6 months, for the traffic violation referred to in Subsection 1, Paragraph a., b., and j., should levy a fine up to 7.000,- SK and impose a ban on service up to 1 year, for the traffic violation referred to in Subsection 1, Paragraph g), should levy a fine up to 10.000,- SK and impose a ban on service up to 2 years.

3. If the bill proceeding referred to in Subsection 1, for committing a traffic violation, should levy a fine up to 2.000,- SK.

Notes under line concerns of Subsections 3a., and 3d., are read as follows:


3b. Article 51, National Council of The Slovak Republic Act No. 315/1996, Coll..

3c. Article 5, National Council of the Slovak Republic Act No. 219/1996, Coll., regarding protection before misusing of an alcoholic drinks and on founding and service of teetotal trapping rooms.


5. In Article 50, Subsection 1, the term „not odds“ is replaced with the term „not attain“.

6. In Article 52, paragraph b., the term „if concerns of the traffic violation committed by breaching a duty stated in a special rule,“ is replaced with the term „or if stated a special act,“.

7. In Article 54, the amount „1000 SK“ is replaced with the amount „2.000 SK“.

8. In Article 86, Paragraph a., on the end are affiliated the term: „or other traffic violations if stated a special act,“.

Article III


1. In Article 88, Subsection 2, are repealed the term „owner and who how“.

2. In article 89, Subsection 2, on the end are affiliated the term:“ In accordance with the documents the Road Traffic Inspectorate of the District will register an owner of the an vehicle into the vehicle documents.“.

3. In Article 90, Subsection 1, second sentence is read as follows: “The change referred to in Paragraph a., will register the Road Traffic Inspectorate of the District only with approval of an owner of the vehicle or in accordance with the official decision.“.

4. In Article 90, Subsection 6, the term „Article 89, Subsection 4,“ are replaced with the term „Article 89, Subsections 2 and 4“.  

5. Article 91, Subsection 5, is supplemented as follows:

„5. If a holder of car is not to be allowed to request for discarding of the vehicle from a registration, the Road Traffic Inspectorate, in accordance with the Subection 1, discard the vehicle from a registration on request of the owner of a vehicle. The owner of a vehicle is obliged to perform obligations in accordance with the Subection 2. “.

6. In Article 97, after Subsection 1, are inserted a new Subsection 2, amended as follows:
"2. The Road Traffic Inspectorate is authorized to disqualify a plate with the registration number or a plate with the special registration number and certificate of registration, if their using against this law or other general statute."

The present Subsection 2, is marked as Subsection 3.

7. Article 129, Subsection 3, is read as follows:
"3. The registration vehicle documents and plates with the registration number (state registration plates) issued before 1 April 1997 are remaining in force until 31 December 2004."

8. Article 129, Subsection 5, is read as follows:
"5. Road Inspectorate discard the vehicle from a registration, if the holder did not apply for a certificate of registration and plates with the registration number after 1 April 1997 and nor yet until 31 December 2004."

**Article IV**

Act No. 256/1998, Coll., regarding protection of witness and on amendments and supplements to other statutes, is amended and supplemented as follows:

1. In Article 1, the term "most serious, mainly organized forms of criminal activity" is replaced with the term "very serious criminal acts (Article 41, Subsection 2, Penal Code)" and the note under line to Subsection 2 is repealed.

2. In Article 2, Subsection 1, the term "most serious, mainly organized forms of criminal activity" is replaced with the term "very serious criminal acts".

3. In Article 3, Subsection 1, Paragraph 1, the term "a judge" is replaced with term "the Presiding Judge (to be referred to as "Judge")".

4. In Article 15, Subsections 1,2 and 3, the term "a presiding judge" in all forms replaced with term "a judge" in relevant form.

5. In Article 16, Subsection 4, the term "an investigator, prosecutor or judge" in all forms is replaced with the term "a judge" in relevant form.

6. In Article 16, Subsection 4, the term "the investigator, prosecutor or judge" is replaced with the term "in pre-trial proceeding investigator or judge and in trial by court the judge."

7. In Article 21, the term "most serious, mainly organized forms of criminal activity" is replaced with the term "very serious criminal acts".

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**Annex No. 1 to the Act.171/1993, Coll., regarding Police Force, as amended by subsequent legislation.**

(Specimen)

**The Peace Officer Card**

**VOLUNTEER PEACE OFFICER**

the green ribbon with white letters

Number of card:

Title, name and surname

Date:

Director:
Volunteer Peace Officer is authorised to perform its tasks in scope stated by the Act of the Police Force. A finder of this card is obliged to deliver to the nearest Police Officer. A misusing of this card is punishable in accordance with law.


(Specimen)

The arm ribbon of the Volunteer Peace Officer

VOLUNTEER

PEACE

OFFICER