

A C T No. 195 as of 19 May 2000 on Telecommunications

• PART ONE. BASIC PROVISIONS	1
• PART TWO. STATE REGULATION OF TELECOMMUNICATION ACTIVITIES	6
• CHAPTER ONE. PERMITTING OF TELECOMMUNICATION ACTIVITIES	7
• CHAPTER TWO. REGULATION OF OPERATION OF PUBLIC TELECOMMUNICATION NETWORKS	14
• CHAPTER THREE. REGULATION OF LIMITED RESOURCES	18
• CHAPTER FOUR. PRICE REGULATION	22
• CHAPTER FIVE. TYPE APPROVAL OF SELECTED TELECOMMUNICATION EQUIPMENT	22
• CHAPTER SIX. PERMISSION OF OPERATION OF RADIO EQUIPEMNT	24
• PART THREE. PROVISION OF PUBLIC TELECOMMUNICATION SERVICES	28
• PART FOUR. PROTECTION OF TELECOMMUNICATION NETWORKS AND TELECOMMUNICATION EQUIPMENT	33
• PART FIVE. STATE SUPERVISION	36
• PART SIX. FINAL PROVISIONS	39

PART ONE. BASIC PROVISIONS ➔

§ 1. Subject of Regulation

This Act regulates the conditions for installation and operation of telecommunication networks and telecommunication equipment, conditions for the provision of telecommunication services, state regulation of telecommunication activities and prices, rights and obligations of telecommunication companies and users of public telecommunication services, protection of public telecommunication networks and telecommunication equipment, rights and obligations to the third parties' real estate, state supervision, sanctions and competencies of the state administration authorities in telecommunications.

§ 2. Telecommunication Activities

Telecommunication activities are

- a) Installation and operation of telecommunication equipment
- b) Installation and operation of telecommunication networks
- c) Provision of telecommunication services.

§ 3. Telecommunication Facilities

(1) Telecommunication equipment shall be technical equipment for broadcasting, transmission, reception, switching or processing of information, image, sound, or signals (hereinafter referred to as "information"), or data using cables or electromagnetic waves, as well as related technical equipment.

(2) Radio telecommunication equipment (hereinafter referred to as "radio equipment") shall be telecommunication equipment for one-way or two-way wireless transmission of information using free propagation of radio waves in the space not requiring cables.

(3) Radio waves shall be electromagnetic waves of frequencies below 3000 GHz.

(4) Terminal telecommunication equipment shall be telecommunication equipment, which is directly or indirectly connected to the terminal point of a telecommunication network and serves the reception and broadcasting of information.

§ 4. Telecommunication Networks

(1) A telecommunication network shall be a functionally interconnected system of telecommunication facilities, which enables transfer of information between terminal points of a public telecommunication network by cable, radio waves or other electromagnetic systems, or their combination.

(2) Telecommunication networks are divided by their

a) Terminal points into fixed and mobile

b) User types into public and non-public.

(3) A fixed telecommunication network shall be a telecommunication network between fixed terminal points.

(4) A mobile telecommunication network shall be a telecommunication network with terminal points, which are not fixed.

(5) A public telecommunication network shall be a telecommunication network, which is used fully or partially for the provision of public telecommunication services, in particular a public telephone network and a public data transmission network. Telecommunication facilities enabling propagation of signals of radio and television programmes shall also be a part of the public telecommunication network.

(6) A non-public telecommunication network shall be a telecommunication network used for the provision of telecommunication services exclusively for own needs of a closed users group. A special telecommunication network shall be a non-public telecommunication network installed and operated for a particular group of users and for special purposes, in particular for the purpose of the state defence and security.

(7) An interface of a public telecommunication network shall be:

a) A terminal point of the network as a physical connecting point, in which access to the public telecommunication network is provided to the user of a telecommunication service

b) An interface for interconnection of public telecommunication networks

c) An interface in space specifying radio environment between/among the radio equipment subject to their technical specifications (terminal point of a mobile network).

§ 5. Telecommunication Services

(1) Telecommunication service shall be an activity oriented towards transmission of information and data to a third person through telecommunication equipment, or through a telecommunication network. A telecommunication service shall also mean leasing of a telecommunication circuit.

(2) Public telecommunication service shall be telecommunication service, which does not exclude beforehand any party interested in its use. Public telecommunication services shall in particular be public telephone service and public data transmission service.

(3) Public telephone service shall be telecommunication service for commercial provision of direct real-time voice transmission through a public switched network or networks, so that any user may use equipment connected to a terminal point of the network for communication with another user of the equipment connected to a different terminal point.

(4) Public data transmission service shall be a telecommunication service, which includes direct data transmission through a public telecommunication network with any telecommunication equipment connected to a terminal point of the network communicating with a different telecommunication equipment connected to another terminal point.

(5) Non-public telecommunication service shall be a non-commercial telecommunication service for internal needs of a closed users group.

(6) Universal telecommunication service shall be a minimum set of services, which are available at a specified quality to all users in the whole territory of the state at an affordable price.

(7) Leasing of telecommunication circuits as a public telecommunication service (hereinafter referred to as the "leasing of a telecommunication circuit") shall be the provision of the transmission capacity between terminal points of the network, which the holder of a licence for installation and operation of a public telecommunication network licence leases to each user under the same conditions.

(8) A telecommunication circuit shall be a functionally interconnected system of telecommunication facilities, which ensure transmission of information between terminal points of a telecommunication circuit. It does not include switching functions under control of its user.

(9) A terminal point shall be a location in the telecommunication network, in which the terminal telecommunication equipment may be connected.

(10) A telecommunication activity is prohibited, if based on calling via an exchange outside the territory of the Slovak Republic in order to achieve a call back with the dialling tone of the telecommunication operator outside the territory of the Slovak Republic to carry out an international outgoing call (call back service).

§ 6. State Administration in Telecommunications

(1) The bodies of state administration in telecommunications are the following:

- a) Ministry of Transport, Posts and Telecommunications of the Slovak Republic
- b) Telecommunication Office of the Slovak Republic.

(2) The Ministry of Transport, Posts and Telecommunications of the Slovak Republic (hereinafter referred to as the "Ministry") shall

- a) Prepare draft national telecommunication policy and concepts of the development of telecommunication activities and submit them to the Government of the Slovak Republic (hereinafter referred to as the "Government") for approval;
- b) Maintain international relations on the level of governments, governmental and intergovernmental organisations;
- c) Prepare a draft national table of the frequency spectrum and submit it to the Government for approval.

(3) The Telecommunication Office of the Slovak Republic (hereinafter referred to as the "Office") as a state-budget funded organisation established by law), with its seat in Bratislava, shall

- a) Carry out state regulation of telecommunication activities (§ 10)
- b) Maintain international relations in the field of telecommunications on the level of regulatory bodies
- c) Co-operate with the Council of the Slovak Republic for Radio and Television Broadcasting in the field of radio and television broadcasting and retransmission
- d) Impose sanctions
- e) Perform other activities subject to the Act.

§ 7

(1) The head of the Office shall be the Chairman elected and recalled by the National Council of the Slovak Republic as proposed by the Government.

(2) The Chairman of the Office is deputised by the Vice-Chairman of the Office, who is appointed and recalled by the Government.

(3) The office term of the Chairman and Vice-Chairman of the Office is six years. The Chairman may remain in his office for two office terms at the most.

(4) During their office terms, the Chairman and Vice-Chairman of the Office must not

- a) Hold a position in a political party or political movement, nor act in their benefit
- b) Hold a position in any other state body or a body of a legal person established by law as an institution of public law

c) Be an employee, partner or chief executive officer of a legal person performing telecommunication activities, or act in their benefit or to their detriment.

(5) The Chairman and Vice-Chairman of the Office may be recalled before the end of their office term where:

a) They fail to meet their obligations subject to the Act

b) Any of the circumstances described in paragraph 4 occurred

c) They have been legally sentenced for a deliberate criminal act, or a criminal act related to the execution of their position

d) They are not able to carry out their position for a period of at least six months

e) They have resigned on their positions.

§ 8. Telecommunication Privacy

(1) The subject of telecommunication privacy shall be

a) Information and data received, transmitted, inter-mediated and saved while providing public telecommunication services

c) Names and addresses of communicating parties

d) Operating documentation related to public telecommunication services.

(2) Telecommunication privacy shall be preserved by anyone who gets into contact with the subject of telecommunication privacy while performing their telecommunication activities, or while using public telecommunication services.

(3) Subject of telecommunication privacy may be made available only to a person involved, to a state body authorised to ensure the defence and security of the state for purposes of investigation, detection and prosecution of criminal offences, or of an unauthorised use of telecommunication equipment subject to special regulations.)

§ 9. Information and Data Protection

(1) Providers of telecommunication activities shall be obliged to protect information and data against their abuse in the process of their creation, reception, processing, saving, transmission and distribution.

(2) Recording, monitoring and saving of information and data transmitted through public telecommunication networks by other persons than those communicating, shall be prohibited, except for cases contractually agreed with the user of the telecommunication service and except for cases subject to the framework of legal measures taken by state bodies. This prohibition shall not apply to information, which relate to

a) The originator of threatening anonymous call, harassing calls or malicious call

b) The originator of dissemination of alarming news or threatening information

c) The originator of a call abusing public telecommunication services by using a telecommunication facility in his benefit

d) Terminal telecommunication equipment, which were used for calls subject to items a) to c).

(3) Operators of telecommunication facilities, operators of public telecommunication networks and providers of public telecommunication services shall be obliged to

a) Co-operate with the Police Corps and criminal investigating bodies detecting calls and dissemination of information and alarming reports subject to paragraph 2;

b) Provide necessary collaboration with courts, prosecution and other state bodies subject to special regulations and provide them - if requested to do so in writing - free of charge information which is subject to telecommunication privacy, or which fall under the protection of personal data; the employees of the operator shall be obliged to maintain confidentiality about information provided or other co-operation.

(4) Operators of telecommunication facilities, operators of public telecommunication networks and providers of public telecommunication services shall be authorised to provide one another necessary data, which fall under the telecommunication secrecy, in order to protect their activities, if the data relate to their debtors or persons stealing terminal telecommunication equipment.

(5) Operators of telecommunication facilities, operators of public telecommunication networks and providers of public telecommunication services shall not be responsible for the protection of transmitted information and data, if they may be directly monitored or acquired in the place of their broadcasting or in the place of their reception.

(6) Operators of public telecommunication networks, providers of public telecommunication services as well as operators of other telecommunication services shall be obliged, at their own costs, to provide monitoring and recording of telecommunication operation to prosecution bodies and to state bodies involved in the state defence and security; they will be obliged to provide necessary co-operation while establishing connections. The scope and technical specification of the equipment necessary for monitoring and recording shall be approved by the Office.

(7) Operators of public telecommunication networks and providers of public telecommunication services, who make use of data coding, compression, encryption, or any other method of scrambling of information and data transmission, shall be obliged, at their cost, to make sure that the information acquired subject to paragraph 6 is provided in an understandable way.

PART TWO. STATE REGULATION OF TELECOMMUNICATION ACTIVITIES ➡

§ 10. Introductory Provision

(1) State regulation of telecommunication activities (hereinafter referred to as the "regulation") shall be establishing of conditions and maintenance of a competitive environment in the telecommunication market, and providing for the compliance with the requirements on the execution of telecommunication activities resulting from generally

binding legal regulations, technical regulations, technical standards, international agreements binding the Slovak Republic, (hereinafter referred to as "international agreement") and recommendations of international organisations in the area of telecommunications.

(2) The regulation includes

a) Permitting of telecommunication activities

b) Regulation concerning operation of public telecommunication networks, telecommunication equipment and provision of telecommunication services

c) Regulation of limited resources

d) Price regulation

e) Type approvals of telecommunication equipment

f) Permitting of radio equipment operation

g) Performing state supervision over telecommunication activities (hereinafter referred to as the "state supervision").

CHAPTER ONE. PERMITTING OF TELECOMMUNICATION ACTIVITIES



§ 11. Scope of Permitting of Telecommunication Activities

(1) The operation of telecommunication activities is subject to a permission, unless different specification is applicable.

(2) A permission subject to paragraph 1 shall be

a) A general authorisation for carrying out telecommunication activities (hereinafter referred to as "general authorisation")

b) A decision on preliminary conditions

c) A licence for carrying out telecommunication activities (hereinafter referred to as the "licence")

d) A permission to operate radio equipment.

(3) No permission shall be necessary to operate telecommunication equipment, which serve state defence and state safety and for installation and operation of special networks.

§ 12. General Authorisation

(1) The general authorisation is a decision specifying conditions for

a) The performance of telecommunication activities, which are not subject to a licence

b) The operation of radio equipment, which is not subject to a permission.

(2) General authorisation is issued by the Office to a group of operators of telecommunication activities not specified in advance. General authorisation may specify that starting of telecommunication activities is subject to registration.

(3) A draft general authorisation is published in the Journal of the Ministry at least 90 days before the date of its expected announcement together with a call to comment on the draft, including information on where and by what date the draft may be commented on. This date must not be less than 30 days from the date of publication of the draft.

(4) A general authorisation is announced in the Journal of the Ministry. It becomes effective on the fifteenth day from the day of its announcement, unless a later date of effectiveness is specified in the Journal.

(5) Paragraphs 3 and 4 are used in case of change or cancellation of the general authorisation.

§ 13. Preliminary Conditions

(1) Telecommunication activities subject to § 12 may be carried out before the date the general authorisation becomes effective pursuant to a decision on preliminary conditions of their operation only.

(2) A decision on preliminary conditions of operation of telecommunication activities ceases to be valid on the day the general authorisation becomes effective. Should the telecommunication activities be pursued even after the general authorisation effectiveness, their operation must be made complaint with the general authorisation requirements within 60 days from the date the general authorisation becomes effective.

§ 14. Registration

(1) If the general authorisation specifies that the commencement of telecommunication activities is subject to registration in pursuant to § 12 paragraph 2, the application for registration needs to be submitted on a specified form to the Office within 30 days from the commencement date of the telecommunication activities, which are subject to general authorisation.

(2) Business conditions) of the operator of telecommunication activities needs to be attached to the application.

§ 15. Licence

(1) A licence is required for

a) The installation and operation of a public telecommunication network

b) The provision of public telephone service through a fixed public telecommunication network, as well as a mobile public telecommunication network, or another public telecommunication service, if allocation of limited resources is necessary.

(2) A licence may be granted to the applicant, if

a) The members of its statutory body have reached the minimal age of 21 on the day of application, if they are in the legal capacity and if they have a clean criminal record

b) The applicant meets technical and organisational qualifications for the performance of telecommunication activities within the scope required by the licence

c) At least one member of the statutory body meets the requirement of professional qualification; if that is not the case, the applicant specifies an authorised substitute in the application

d) The applicant is financially eligible.

(3) An applicant with a clean criminal record is understood to be an applicant, who has not been sentenced for a deliberate criminal offence or an offence, which is related to the subject of the licensed activity. A clean criminal record is demonstrated by certificate from the penal registry, which must not be earlier than three months on the day of application.

(4) Professionally qualified is understood a person with a university education in electrical engineering, economic or legal specialisation and at least three years of managerial experience in the field of telecommunications, or full secondary education in electrical engineering or economic specialisation and at least five years of managerial experience in the field of telecommunications. The education is demonstrated by a university diploma or graduation diploma from a relevant secondary school. Practical experience is demonstrated by references of previous employers, or this is not possible, by an affidavit.

(5) Financially eligible is considered a person capable to financially provide for the operation of telecommunication activities within the scope of the licence applied for. Financial eligibility is demonstrated by

a) The volume of business property structured into individual types of assets as of the day of application with a view to the investment intended

b) The bank accounts balances, or the volume of bank loans extended, or by other financial resources as of the day of application

c) The volume of working capital allowing to perform telecommunication activities for a period of at least three months without any revenues from these telecommunication activities,

d) A business plan of activities for a period of at least five years

e) audited financial statements for the previous accounting period.

(6) An accountable representative must comply with the requirement of professional qualification and have permanent domicile in the Slovak Republic; in case of a foreign national, the accountable representative must have a permit for a long-term stay for the purposes of business activities or employment, or a permanent residence permit. The position of accountable representative may be held for one licence holder only. An accountable representative must not be a member of the supervisory board, or of any other controlling body of the licence holder.

(7) The payment for a licence will cover only administrative costs related to the issuance, administration licence and control of compliance with the licence.

(8) If licensing requires provision of limited resources, then a licensing fee will be charged, which reflects the need of their optimal exploitation.

(9) The Office keeps records of licences granted, modified and withdrawn licence, as well as of the contents of conditions, which are part licence thereof. The Office publishes every issuance, modification and withdrawal of licence in the Journal of the Ministry.

§ 16. Licensing Proceedings

(1) The licensing proceedings are held by the Office

(2) A participant in the licensing proceedings shall be the applicant for the licence.

(3) A licence application includes

a) Business name, business address, identification number, certificate from the Commercial Register, name and surname of person or persons authorised to act on behalf of the legal person, if the applicant is a legal person, or the name and surname, permanent address and personal ID number, if the applicant is a natural person authorised to do business

b) A certificate from the Penal Registry of all members of the statutory body; which must not be earlier than three months

c) Data on the telecommunication network, which the applicant intends to install and operate, or on the basis of which the applicant intends to provide a public telecommunication service, its territorial scope, including the way of interconnection with the telecommunication networks of other operators

d) A specification of material and territorial scope of the telecommunication activity, which the applicant intends to operate or provide, including the method of providing for its availability

e) Data concerning frequencies, or data concerning numbers subject to a numbering plan, which are a prerequisite for the requested telecommunication activity

f) The commencement date of the telecommunication activity, which the applicant intends to operate or provide, and the period for which the licence is requested

g) A document supporting the professional qualification of at least one member of the statutory body or of the accountable representative, as well as a document supporting the necessary managerial experience in the field of telecommunications

h) A document concerning the provision of technical, organisational and personnel aspects of the telecommunication activity requested

i) Draft general conditions for the provision of the telecommunication service requested

j) A document of financial eligibility of the applicant

k) A document confirming the permanent residence of the accountable representative in the Slovak Republic, or the permit of a foreign national for a long-term or permanent stay in the Slovak Republic.

(4) The Office may instruct the applicant for a licence and specify a reasonable date for correction of the defects in the application, should the application be not complete, or have any other defect that can be removed. The Office will stop the proceedings, if the applicant does not remove the defect in the application within the specified period.

(5) If the telecommunication activities are subject to allocation of limited resources, the Office will publish a call for the submission of licensing applications (hereinafter referred to as the "call"). The call will include all essential data concerning the limited resources, requirements placed on the applicant for a licence, the required contents and form of the application and the deadline for the submission of the application. The call will be published in the Journal of the Ministry and at least one national-wide periodical, so that the deadline for the licence application were at least 30 days from the date of publication.

(6) The Office is obliged to start tender proceedings as a base for the licence award and allocation of limited resources, if - within the deadline specified in the call - more applications are received, than may possibly be meet.

(7) Should the award of the licence be subject to allocation of a frequency in accordance with an international agreement, the Office may adjourn the licensing proceedings until the frequency has been allocated. The Office will adjourn the licensing proceedings where the tender proceedings must be held.

(8) Details on demonstrating the financial eligibility of the applicant will be specified in general binding legal regulation to be issued by the Ministry.

§ 17. Licence Dues

(1) A licence contains, in addition to general dues of the decision

a) The identification data of the licence holder

b) A specification of the material and territorial scope of the telecommunication activity subject to the licence issued, and the conditions of its performance

c) A specification of limited resources

d) Technical conditions to ensure integrity of the public telecommunication network

e) Development and quality indicators

f) A deadline for the commencement of the telecommunication activity

g) The licence validity term

h) Data concerning the obligation to provide a universal service or leasing of a telecommunication circuit

i) Consequences of not complying with the licensing conditions.

(2) A licence may be granted for a maximum period of twenty years from the day the licence becomes effective.

(3) A licence may not be transferred to another legal or natural person, even if the company or of its part is disposed of). A licence is not transferable to the legal successor of the licence holder, not even in case of distraint proceedings subject to a special regulation), execution of a court award) nor under a procedure subject to a special regulation).

(4) The Office is obliged to make a decision concerning the award of a licence within 60 days from the day of commencement of the licensing proceedings, and within four months in especially intricate cases. The Office will inform the applicant in writing before the lapse of the period, if a decision licence cannot be made within that period.

(5) The periods subject to paragraph 4 do not include the period, during which the licensing proceedings are suspended.

§ 18. Tender Proceedings

(1) The tender proceedings are held by the Office.

(2) The criteria for applications assessment include in particular the conditions and scope of the telecommunication activity, the proposed price for the services provided, fulfilment of objectives of public interest for the benefit of telecommunication users.

(3) All licence applicants are participants of the tender proceedings, provided that they have submitted their applications by the date specified in the call and met the requirements of the Act and the requirements in the call.

(4) The applications are evaluated by a Commission established by the Office, consisting of at least of five members.

(5) Members of the Commission are appointed by the Chairman of the Office. The appointment of a member of the Commission is subject to his/her clean criminal record and professional qualifications. A member of the Commission must not be appointed

a) A person who is employed, or in a similar labour relationship with any participant of the tender proceedings, or the latter's authorised representative

b) A person, who is a partner, statutory body, or a member of the statutory body or supervisory body of any participant in the tender proceedings, or the latter's authorised representative

c) A person, who is close) to the partner, statutory body or a member of the statutory body, member of the statutory body, member of the supervisory body or of an executive officer of any of the participants of the tender proceedings, or of its authorised representative

d) A person, whose unbiased attitude may be doubted, considering his/her relationship to the subject matter, or to any member of the tender proceedings, or to its authorised representative

e) An employee of the Office participating in the licensing proceedings.

(6) A person to be appointed a member of the Commission shall provide the Chairman of the Office an affidavit in writing stating that no impediments pursuant to paragraph 5 are applicable to that person. A member of the Commission will inform the Chairman of the Office without any delay about any impediments subject to paragraph 5 after the

commencement of the tender proceedings, and will not participate in the activities of the Commission until his/her removal. The Chairman of the Office will appoint a different person a member of the Commission, who meets the requirements specified in paragraph 5 provides a relevant affidavit.

(7) A member of the Commission is obliged to maintain confidentiality in all matters made known to him during his office or related therewith, and even after his membership in the Commission has terminated. A Commission member may only be relieved from his duty of confidentiality by the Chairman of the Office.

(8) The Commission will evaluate the applications for licence. The Commission will inform the Chairman of the Office about any participant in the proceedings, failing to meet the requirements of the Act, or the requirements stated in the call, or to submit valid documents, or to bring true data in the application for a licence. The Chairman of the Office will immediately exclude such applicant from the tender proceedings. All participants in the tender proceedings will be informed about the exclusion of any applicant from the tender proceedings. After the applicant has been excluded from the tender proceedings, the Office will turn down its application for the licence.

(9) The Commission will determine the ranking of participants in the tender proceedings subject to criteria made public in the call and will prepare a report on the course and outcome of the tender proceedings. This report, together with the other documentation, will become a part of the file and source documentation for the licensing proceedings.

(10) The Office is bound by the order determined by the Commission when issuing licences. After the licence has been granted, the Office will turn down the applications of the remaining applicants.

§ 19. Change of Licence

(1). A licence holder is obliged to inform the Office without delay about any changes of data given in the licence and of the data, on the basis of which the licence has been issued.

(2) The Office will consider the importance of the changes notified within 30 days from the date of the notification delivery. If the nature of the change does not necessitate a change of the licence, the Office will inform the licence holder that the changes of data have been acknowledged. Otherwise, the Office will invite the licence holder to submit the application for changes in the licence together with the documents confirming the change of the relevant data. The Office may grant a reasonable extension of the deadline pursuant to an application of the licence holder.

(3) The Office will issue an decision of a change in the licence, if the application and the documents enclosed indicate that telecommunication activities may basically be performed within the current scope and under the current conditions even after the change of the data. If the only material change is the lapse of the period for which the licence has been issued the Office will extend the validity of the current licence for a maximum period of another 10 years.

(4) The Office will commence proceedings on a licence change on its own, where

a) It is in public interest necessary to impose the obligation to provide a universal telecommunication service upon the licence holder

b) It is necessary to change the licence to comply with an obligation subject to an

international agreement or the membership of the Slovak Republic in an international organisation

c) It is necessary due to the state defence and security

d) The frequency or the numbers necessary for the performance of telecommunication activities have been changed.

§ 20. Termination of the Validity of Licence and Withdrawal of Licence

(1) A licence will expire on the day of

a) Expiration of its validity, if the validity of the licence has not been extended

b) The deadline, which has been specified in the licence to commence operation of telecommunication activities without any effect

c) The legal decision on the licence withdrawal becomes effective, if the relevant decision on withdrawal of the licence does not specify a later date than the licence expiration

d) Expiration of the term of six months from the delivery date of a written notification on giving up the licence; if the written notification contains a longer period, then the day of its expiration.

(2) The Office will withdraw a licence, if its holder

a) ceases to meet the requirements of the Act, or the conditions specified in the licence and did not remedy its standing within the term specified by the Office, and did not bring its activities in accordance with these provisions, nor did it apply for a change of the licence

b) has grossly violated, or in spite of notification in writing persists in grossly violating its obligations subject to this Act or subject to the licence.

CHAPTER TWO. REGULATION OF OPERATION OF PUBLIC TELECOMMUNICATION NETWORKS →

§ 21. Connection to the Public Telecommunication Network

(1) An operator of a public telecommunication network with significant influence on the telecommunication market is obliged, on the basis of agreement, to enable another operator of a telecommunication network, or a provider of a telecommunication service, to connect to the telecommunication network operated by the former, including a connection in other locations, not just the terminal points of the public telecommunication network.

(2) It is possible to refuse a proposal to conclude an agreement subject to paragraph 1 on grounds of technical unfeasibility of the access to the telecommunication network only. This refusal must be in writing and must give reasons for the refusal and be delivered to the proponent within one month from the day of delivery of the agreement proposal.

(3) If the agreement is not concluded even after three months from the day of the delivery of the first agreement proposal, in spite of repeated proposals to conclude an agreement subject to paragraph 1, each of the parties shall be entitled to address the Office to issue a

decision. The Office will issue a decision by which the parties will be obliged to conclude the agreement or will turn down the agreement proposal giving the reasons. The Office is obliged to make this decision within 60 days from the commencement of the proceedings.

§ 22. Access to a Public Telecommunication Network

(1) The operator of a public telecommunication network with significant influence in the telecommunication market is obliged to enable, on the basis of an agreement, another operator of a telecommunication network, or a provider of a telecommunication service, to access the public telecommunication network operated by the former, including the access in other locations than the terminal points of the public telecommunication network.

(2) It is possible to refuse proposal to conclude an agreement subject to paragraph 1 on the grounds of technical unfeasibility of the access to the telecommunication network only. This refusal must be in writing and must give reasons for the refusal and be delivered to the applicant within one month from the day of delivery of the agreement proposal.

(3) If the agreement is not concluded even after three months from the day of the delivery of the first agreement proposal, in spite of repeated proposals to conclude an agreement subject to paragraph 1, each of the parties may address the Office to issue a decision. The Office will issue a decision by which the parties will be obliged to conclude the agreement or will turn down the agreement proposal giving the reasons. The Office is obliged to make this decision within 60 days from the commencement of the proceedings.

(4) If nothing else is presented to the contrary, it is understood that an operator of a telecommunication activity has a significant influence on the telecommunication market, if its share in the relevant market is at least 25 %. The Office may decide that a significant influence on the telecommunication market may also be a lower percentage share, if that operator of a telecommunication activity which by its operational experience, financial eligibility, technical opportunities and the volume of revenues from the operation of telecommunication services significantly influences the telecommunication market. The Office will decide if the operator of a telecommunication activity has a significant influence in the telecommunication market.

§ 23. Interconnection of Public Telecommunication Networks

(1) Operators of public telecommunication networks and providers of public telecommunication services, which control access to at least one terminal point in the network identified by one or several numbers in the numbering plans, and providers of a public telecommunication service of leased circuits, have the right and obligation to interconnect with one another if requested to do so.

(2) The interconnection of public telecommunication networks must be accessible at usual points of interconnection and at quality, which is not worse than the operation of the telecommunication network for the own need of the operator, or for the provision of a public telecommunication service of associated operators. Operators of public telecommunication networks with significant influence in the telecommunication market are obliged to enable interconnection

a) Under technical requirements subject to technical specifications and conditions, which are not of discriminatory nature

b) Within a reasonable term and reasonable agreement conditions with the price of the mutual interconnection being based on economically justified costs and must not be

conditioned by a payment also for those parts of the public telecommunication network or for those telecommunication facilities, which are not inevitably necessary for the provision of the public telecommunication service

c) Also in other than usual points of mutual interconnection of public telecommunication networks, if requested by the operator of the public telecommunication network, who will also settle the unavoidable costs of this interconnection.

(3) After the contract is concluded the contracting parties are obliged to provide this contract to the Office. The Office will ensure that a notification of the contract conclusion and the basic technical and economic conditions for the interconnection are published in the Journal of the Ministry. The Office will enable any interested party to read the contract, except for those parts, which the contracting parties specify as subject to business secrecy.

(4) The Office is authorised to suspend the execution of the contract, if the technical, operational or financial conditions of the contract restrict competition in the telecommunication market, if they damage operators of public telecommunication networks, or if the contents of the contract is in conflict with the Act or the licences granted. If necessary, the Office may specify to the parties

a) Detailed technical and operational conditions of the interconnection of public telecommunication networks and of the interconnection of special telecommunication networks to the public telecommunication networks, and

b) The methodology of price calculation or share in revenues for a mutual interconnection of public telecommunication networks.

§ 24. Leasing of a Telecommunication Circuit

(1) The public telecommunication service of leasing of circuits contains a minimum set of telecommunication circuits, which will be specified by a general binding legal regulation to be issued by the Ministry including its parameters.

(2) The Office may in the licence, or in a decision concerning a change of licence, oblige one or more licence holders for operation of a public telecommunication network with a significant influence in the market for leasing of telecommunication circuits to lease the telecommunication circuits in a way ensuring availability of this service in the whole territory of the state.

(3) The provider of the public telecommunication service of leasing of telecommunication circuits is obliged to agree on conditions and prices of the lease of the telecommunication circuits to other users so that certain users of the service, or its organisational parts, are favoured.

(4) The operator of the public telecommunication service, who has been charged with the duty to lease telecommunication circuits, is obliged to make the offer of the opportunities and conditions of the lease of a telecommunication circuit in the Journal of the Ministry.

§ 25. Facility Sharing

(1) If an operator of a public telecommunication network cannot place a new line or install telecommunication equipment, or can do so at unreasonably high costs only, or with an unreasonable restriction of use of real estates of third parties, then it may ask another

holder of a licence for the operation of a public telecommunication network to enable the former under non-discriminatory conditions and at a compensation, to make use of the existing distributors, masts, carriers, cable chutes, cable ducts, cable conduits and other necessary facilities, under the condition that it does not require extensive additional works.

(2) The conditions of the premises and facility sharing will be agreed in a contract concluded between the licence holders. A contract may be refused only on grounds of technical unfeasibility.

(3) If the licence holders fail to agree about the contents of the contract, the Office may decide on joint premises and facility sharing.

§ 26. Provision of Universal Service

(1) A provider of a public telecommunication service that is obliged to provide universal service on the basis of a licence, must provide the service in a way satisfying the demand for the service to the full extent of the obligation imposed in the whole territory of the state at the same quality and at the same price.

(2) The universal service is

a) Provision of public telephone service, public telecommunication service of the facsimile data transmission and public telecommunication service of the data transmission at a quality specified by the Office

b) Operation of the directory telecommunication service

c) Provision of a free and continuous access to the public telecommunication service for emergency calls without use of coins or telephone cards

d) Provision of public telecommunication service through operation of public pay-phones

e) A regular issue of telephone directories and provision of access to the lists of users of the public telecommunication service.

(3) The Office is authorised to oblige the provider of the public telecommunication service to provide public telegraph services and public telex service over a certain period of time from the date the licence becomes legally valid, or from the date the decision on the change of the licence has been made, only if that provider of the public telecommunication service had been providing these public telecommunication services before the day, on which the obligation was passed on them.

(4) The Office will order all providers of public telecommunication service to contribute to the settlement of a conclusive loss, which has been accrued due to the obligatory provision of the universal service, if the share of performance of a provider of a public telecommunication service (which is also obliged to provide the universal service), in the telecommunications market of the public telephone service provided by the fixed telecommunication network is lower than 80%.

(5) The total of contributions subject to paragraph 4 must fully cover the conclusive loss for the previous accounting period. The share of the provider of the universal service and of the individual obligatory contributors will be specified by the Office according to their share in the total revenues from the services, which are subject to the universal service.

(6) A conclusive loss is understood difference between the economically justified costs expended to comply with the obligation to provide the universal service together with a reasonable profit related to these costs and the sum of revenues obtained from the meeting of the obligation to provide the universal service, which would not have been accrued, if the obligation to provide the universal service had not been imposed.

(7) The provider of the universal service will apply for the contribution in an application delivered together with documentation confirming the loss for the previous accounting period, every year by 30 June. Those, who are obliged to contribute to cover the loss, will deliver documentation evidencing the volume of revenues from the provision of the public telephone service for the previous accounting period to the Office. On the basis of the presented documentation the Office will specify by 31 July every year the shares on the loss coverage. The providers are obliged to cover their share in the loss thus specified by the Office to the provider of the universal service by 31 August every year.

(8) The paid contribution to cover the loss may be used exclusively to cover the loss accrued by the provision of the universal service. The provider of the universal service will be held responsible, if the paid contribution is not used to cover the loss from the provision of the universal service, as well as for incorrect demonstration of the loss. The paid contribution, which has not been used to cover the loss from provision of the universal service, will be returned by the provider of the universal service without any delay to those, who have paid the relevant contribution.

(9) Details of evidencing the loss, the manner and the amount of the financial contribution of the contributors to the settlement of a conclusive loss and specification of a reasonable profit will be subject to a generally binding legal regulations to be issued by the Ministry.

§ 27. Installation and Operation of Special Telecommunication Networks

(1) The Ministry of Defence of the Slovak Republic (hereinafter referred to as the "Ministry of Defence"), the Ministry of Interior of the Slovak Republic (hereinafter referred to as the "Ministry of Interior") and the Slovak Information Service have the right to install and operate special telecommunication facilities and special telecommunication networks.

(2) Operators of special telecommunication networks must not provide public telecommunication services, or enable the provision of such services through special telecommunication networks to the third parties.

(3) Connection of a special telecommunication network to the public telecommunication network will take place only if it is expedient in an important state interest on the basis of an application of the operator of the special telecommunication network. The operator of the public telecommunication network is obliged to meet a justified application, provided it is technically feasible.

(4) Special telecommunication networks are subject to § 25 and §§ 45 to 49.

CHAPTER THREE. REGULATION OF LIMITED RESOURCES ➡

§ 28. Limited Resources

Limited resources are

a) Numbers

b) Frequencies

c) Call signs.

§ 29. Administration of Numbers and Numbering Plan

(1) Within the regulation of telecommunication activities the Office will

a) Manage the use of numbers

b) Prepare the numbering plan

c) Allocate the numbers and number blocks subject to the numbering plan and

d) Decide on the arrangement of the telephone areas of the public telephone network.

(2) The numbers are call numbers, number blocks and addresses of public telecommunication networks and public telecommunication services.

(3) The numbering plan includes rules of arrangement and use of numbers and number blocks, as well as general conditions of their allocation.

(4) The numbering plan is made public by the Office in the Journal of the Ministry. The part on providing for the state defence and security is not made public.

§ 30. Allocation of Numbers

(1) The Office will allocate numbers by a decision made on the basis of an application of the provider of the public telecommunication service. The decision on number allocation may be a part of the decision on a licence award.

(2) An application on number allocation will contain

a) Business name, business address and identification number of the applicant, if the applicant is a legal person, and the name and surname, personal ID number and permanent domicile of the applicant, if the applicant is a natural person

b) Data on the numbers requested

c) Purpose of use of the numbers

d) Period of use of the numbers.

(3) The application is supported by a certificate from the Commercial Register.

(4) A decision on a number allocation will contain

a) Business name, address and identification number of the applicant and its legal form

b) The numbers allocated

- c) Conditions for use of the numbers allocated
 - d) The term for which the numbers are allocated
 - e) Annual payment for the use of numbers
 - f) Obligation to submit a report on use of the number to the Office every year by the date specified in the decision concerning use of the numbers.
- (5) The Office will decide on the change of the number allocated
- a) If it is necessary to comply with the obligations of the Slovak Republic based on an international agreement, or from the membership in an international organisation
 - b) If it is necessary from the point of view of the state defence and security
 - c) If the circumstances, on the basis of which the decision on allocation of the number was made, have changed
 - d) On the basis of a justified request of the provider of the public telecommunication service.
- (6) The Office may decide about the removal of an allocated number if
- a) The provider of the public telecommunication service no longer meets any of the conditions on which the decision on the number allocation was based
 - b) The provider of the public telecommunication service fails to comply with the obligations stipulated by the Act, or by the decision on the number allocation, or its change, in spite of the fact that the provider has been notified in writing about the possibility that the number may be withdrawn from him and did not remedy the situation within a specified period
 - c) The provider of the public telecommunication service has not been using the allocated number for at least twelve months from its allocation, or has ceased to make use of that number
 - d) The provider of the public telecommunication service did not settle the payments for the use of the allocated number for three months after the due date
 - e) If it is necessary from the point of view of the state defence and safety
 - f) If the holder of the decision on number allocation has asked so.
- (7) A decision on a number allocation ceases being valid on the day
- a) Of expiration of the period, for which the number has been allocated
 - b) The licence ceases being valid
 - c) The decision to withdraw the allocated number becomes valid.

(8) An annual fee of up to EURO 500 is paid for the allocated number. The method of payment and the amount of fees shall be specified by the Office in the decision on the number allocation.

§ 31. Management of Frequency Spectrum

(1) The Office administers the frequency spectrum. The administration includes

a) The submission of a draft national table of frequency spectrum to the Ministry

b) Preparation of the plan of the utilisation of the frequency spectrum

c) Allocation of frequencies and call signs

d) Co-ordination and control of utilisation of the frequency spectrum and

e) Permission for the operation of radio equipment subject to the national table of frequency spectrum and in accordance with the plan of the frequency spectrum utilisation.

(2) The government approves the national table of frequency spectrum. The national table of frequency spectrum specifies, which frequency bands belong to individual telecommunication services and radio equipment.

(3) To provide for the state defence and state security, the Ministry of Defence, the Ministry of Interior and the Slovak Information Service share the preparatory works on national table of frequency spectrum.

(4) The Office will prepare a plan of utilisation of frequency spectrum subject to national table of frequency spectrum with a view to the need of the European harmonisation, the degree of technological development of the telecommunication facilities and the level of provision of telecommunication services in the frequency band. The plan of utilisation of frequency spectrum is published in the Journal of the Ministry.

(5) The Office allocates or withdraws frequencies and call signs by a decision on a permit to operate radio equipment. The Office will decide on a withdrawal of an allocated frequency or call sign on the same grounds on which an allocated number may be withdrawn.

(6) The use of frequencies in frequency bands allocated in the interest of the state defence and security to the Ministry of Defence, Ministry of Interior and to the Slovak Information Service is not subject to a permission by the Office, if used in accordance with the national table of frequency spectrum. While using frequencies in border areas the Office provides for international co-ordination subject to international agreements.

(7) An annual amount of up to EURO 250,000 is paid for the use of frequencies and call signs. Method of payment and the amount of the fee will be specified by the Office in the decision of allocation of a frequency or call sign.

(8) The obligation subject to paragraph 7 does not apply to the use of frequencies subject to the national table of frequency spectrum for the purposes of providing for the state defence and security, allocated to the Ministry of Defence, the Ministry of Interior and the Slovak Information Service, and for the purposes of the Prison and Court Guards Corps, Railway Police, Customs Directorate of the Slovak Republic, Fire Protection Corps and the rescue ambulance medical service, which are fully funded from the state budget.

CHAPTER FOUR. PRICE REGULATION ➔

§ 32. Scope of Price Regulation

(1) The Office regulates prices and charges in telecommunications subject to general regulations concerning prices). The prices of public telecommunication services, are subject to price regulation if their provider has

- a) A monopoly position on the telecommunications market
- b) Outstanding influence in the telecommunication market and there is public interest to protect the users of the public telecommunication service or the telecommunications market

(2) Price regulation takes into account in particular the achieved level of price compensation and the requirements placed upon the provider of the public telecommunication service to develop the public telecommunication network in compliance with the latest technologies.

§ 33. Costs and Revenues

(1) An operator of the public telecommunication network and a provider of the public telecommunication service must not positively or negatively influence public telecommunication services through re-allocation of costs and revenues from other activities or into other activities. This does apply to the provision of the public telex service and the public telegraph service.

(2) A provider of the public telecommunication service is obliged to keep separate accounting records concerning costs and revenues from the public telecommunication service provided, even if the prices of the public telecommunication services are not regulated. The Provider is obliged to provide relevant information to the Office if requested to do so.

(3) The obligation subject to paragraph 2 also applies to operators that are obliged to interconnect public telecommunication networks.

(4) An operator of the public telecommunication network and a provider of the public telecommunication service doing business in different market than the telecommunications market, is obliged to keep separate accounting concerning these activities and must not re-allocated financial resources from telecommunication activity into other activities and vice versa.

CHAPTER FIVE. TYPE APPROVAL OF SELECTED TELECOMMUNICATION EQUIPMENT ➔

§ 34. Scope of Approval

(1) Selected telecommunication equipment may be operated and distributed in the market only with a type approval.

(2) The type approval of telecommunication equipment is understood to be proceedings, in which the Office - based on the type verification by a competent person - decides if the selected telecommunication equipment complies with technical regulations, regulations

concerning health protection), technical standards and other conditions specified for approval, unless the selected telecommunication equipment is subject to an approval by a special regulation.)

(3) The selected telecommunication equipment is

a) Telecommunication equipment, which is a part of the public telecommunication network

b) Terminal telecommunication equipment, which is directly or indirectly connected to terminal points of the public telecommunication network

c) Radio equipment and antennas, except the equipment of the amateur radio communication service.

(4) Type approval is not required for selected telecommunication equipment used exclusively for the purposes of the state defence, for the purposes of meeting the tasks of the Military Intelligence and of the Slovak Information Service, for security purposes of the Police Corps and for the purposes of civil aviation), with exemption of the interface, through which it is connected to the public telecommunication network.

§ 35. Approval Proceedings

(1) The competent administrative body is the Office.

(2) A participant in the proceedings is a producer, importer or vendor of telecommunication equipment, applying for a type approval of the telecommunication equipment.

(3) Verification of the technical worthiness is done by authorised persons on the basis of an authorisation issued by the Office, who meet the requirements of professional qualification for approval, in particular by technical facilities, professional knowledge of employees and independence from participants in the approval proceedings.

(4) If the verification of technical worthiness is not performed by an authorised person residing in the Slovak Republic, the Office will decide about the type approval of the selected telecommunication equipment, which has been approved by a foreign authorised person under conditions comparable to the type approval subject to the Act, or will recognise the type approval of the selected telecommunication equipment on the basis of a declaration of compliance subject to a special regulation.)

(5) The Office will recognise foreign documentation certifying type approval as documentation for the type approval if that recognition results from an international agreement, or the principle of the applied reciprocity, or if that results from a special regulation.¹¹)

(6) Before being put into operation or introduced in the market, the selected telecommunication equipment must be marked with identifying data allocated by the office and must meet, during its lifetime, the approval requirements and conditions specified by the Office in the decision concerning the type approval.

(7) The Office monitors the compliance with the conditions of market introduction and operation of selected telecommunication equipment. The Office will apply, depending on the nature of the case, the measures to remedy the situation, should it establish that a selected telecommunication equipment does not meet the conditions, or suspend a

decision on type approval.

(8) The Office will make public the list of selected telecommunication equipment with type approval awarded or recognised in the Journal of the Ministry.

CHAPTER SIX. PERMISSION OF OPERATION OF RADIO EQUIPEMNT



§ 36. Scope of Permission

Radio equipment, which needs a frequency allocated for its operation or determine limiting conditions for operation may only be operated on the basis of an approval. Other radio equipment may be operated on the basis of general authorisation.

§ 37. Permission Proceedings

(1) The permission proceedings are held by the Office.

(2) Following types of permissions are issued for the operation of radio equipment:

a) Individual

b) Type

c) Special

d) Amateur.

(3) A holder of permission may be

a) A natural person aged 18 and over, and in case of amateur service 15 years and over, provided that the legal competence of that person has not been restricted

b) A legal person with its business address in the Slovak Republic.

(4) A participant of the proceedings is the applicant for the permission.

(5) The application for a permission needs to be submitted on a form prescribed by the Office.

(6) The application for a permit contains

a) Business name, business address and identification number of the applicant, if the applicant is a legal person, or the name and surname, personal ID number and permanent domicile of the applicant, if the applicant is a natural person

b) Number and types of radio equipment

c) The frequency requested

d) Purpose and method of use of the radio equipment

e) Data of the person accountable for the operation of the radio equipment and the certificate of its special professional qualification

f) The anticipated date of commissioning of the radio equipment

g) A verified copy of the licence, if the applicant is a holder of licence for the provision of the public telecommunication service, or a holder of a licence for radio or television broadcasting.

(7) The permission contains, apart from general dues of the decision, also following data:

a) Identification data about the permission holder

b) Type of the radio equipment to which the permission applies, including the necessary technical parameters

c) Type of operation and the method of use of the radio equipment

d) The allocated frequencies and call sign, period of their validity and the conditions for their use

e) The operator class for amateur stations

f) A permission fee.

(8) The Office will not grant a permission if

a) it would be in conflict with the obligations from international agreements or with the membership of the Slovak Republic in an international organisation

b) The allocation of frequency is not possible due to the plan of utilisation of frequency spectrum

c) The requested frequencies are not available.

(9) The Office may decide about a change of the permission

a) of a reason referred to in paragraph 8, item a)

b) if the circumstances under which the permission was granted have changed

c) on the basis of a justified application of the permission holder.

(10) Authorisation may be withdrawn if the permission holder

a) Did not start to use the allocated frequency for the objective permitted within one year from the day the decision on its allocation has entered into force, or if the holder did not use the frequency for the objective permitted more than one year

b) No longer meets any of the requirements placed on the permission holder, or conditions subject to regulations on the operation of radio and television broadcasting)

c) Does not meet obligations by the Act or specified in the permission though the holder was notified in advance about the possibility of the permission withdrawal and did not remedy the situation within the period specified by the Office

d) Does not make use of the frequencies allocated.

(11) The permission loses its validity

a) On the day of expiry of the permission, for which it was issued

b) By the permission holder's death or extinction

c) On the day the decision of the permission withdrawal becomes effective

d) On the day the permission was returned or a notification on giving up the permission

e) On the day of expiry of the licence validity, by which the issuance of the permission was conditioned, or on the basis of which the permission was issued.

(12) If there are more applicants for the allocation of certain radio frequencies than there are free frequencies, then the Office may decide that the frequencies will be allocated in tender proceedings, or by public auction. The Office will publish the conditions of the tender proceedings, or of the public auction in the Journal of the Ministry. That does not apply to radio and television broadcasting, which is regulated by a special regulation.)

(13) Permission to operate radio equipment for radio or television broadcasting is issued by the Office if the applicant for a permission has a licence subject to regulations on operation of radio and television broadcasting¹⁴), or if the Council of the Slovak Republic for Radio and Television Broadcasting has agreed to that.¹⁵)

(14) The permission may be issued for a period of maximum 10 years and if issued on the basis of a licence for radio or television broadcasting, no longer than the validity of that licence. The Office may repeatedly extend the permission for the next 10 years at the most.

(15) The permission is not transferable to another legal or natural person, not even in the case of sale of the company, or its part ⁴). The permission is not transferred to the legal successor of the permission holder, not even in case of distraint proceedings subject to a special regulation⁵), court execution of the award ⁶) or under a procedure subject to special regulation ⁷).

(16) Details on permission types for the operation of radio equipment will be stipulated in the general binding legal regulations issued by the Ministry.

§ 38. Special Professional Qualification

(1) Selected radio equipment may only be operated by a natural person, who demonstrated special professional qualification for their attendance.

(2) Selected radio equipment is

a) A radio station (hereinafter referred to as the "station")

b) An aircraft station

c) An aircraft ground station

d) An air station

e) An air ground station

f) A ground station

g) A ship station

h) A coastal station

i) An amateur station.

(3) The types of certificates of special professional qualification are the following:

a) General certificate of a radiotelephone operator of air mobile service

b) Restricted certificate of a radiotelephone operator of air mobile service I

c) Restricted certificate of a radiotelephone operator of air mobile service II

d) General certificate of operator of maritime mobile service

e) Restricted certificate of operator of maritime mobile service

f) General certificate of a radiotelephone operator for maritime mobile service

g) Restricted certificate of a radiotelephone operator for maritime mobile service

h) Certificate of ground radio telegraph operator

i) Certificate of operator of amateur stations.

(4) The Office verifies special professional qualification by an examination and issuance of a certificate of special professional qualification. The Office establishes the examination commission and appoints and removes its members.

(5) The obligation subject to paragraph 1 does not relate to the attendance of selected radio equipment used by units of the Ministry of Defence, the Ministry of Interior and the Slovak Information Service for the purposes of state defence and security.

(6) A generally binding legal regulation issued by the Ministry will specify details of selected radio equipment, of establishing the examination commission, of the contents, scope and process of examination and of the certificates of special professional qualification.

PART THREE. PROVISION OF PUBLIC TELECOMMUNICATION

SERVICES ➔

§ 39. Basic Provision

(1) Public telecommunication services are provided on the basis of a contract concluded between the provider of the public telecommunication service (hereinafter referred to as the "telecommunication company") and the user of the public telecommunication service (hereinafter referred to as the "user").

(2) The rights and obligations of the contracting parties are regulated by the Act and the details by the general conditions for the provision of services (hereinafter referred to as the "general conditions") and the tariff for public telecommunication service (hereinafter referred to as the "tariff").

(3) General conditions relating to the provision of the universal service as well as their changes are approved by the Office. They are published in the Journal of the Ministry before the provision of the universal service is commenced.

(4) General conditions and tariff are issued separately for every telecommunication service, if a telecommunication company provides several public telecommunication services.

§ 40. General Conditions

(1) General conditions contain in particular

- a) Conditions of conclusion and termination of a contract of connection
- b) Conditions and scope of provision of public telecommunication service
- c) A definition of the territory, in which the telecommunication service is provided
- d) A detailed description of rights and obligations of the contracting parties
- e) The scope of responsibility if conditions of the contract are not complied with
- f) Claims order.

(2) General conditions are a part of the contract.

§ 41. Tariff

(1) The tariff regulates the rates for the provision of public telecommunication service, including discounts, additional charges and free public telecommunication services, as well as conditions of application of the rates.

(2) Information necessary in the public interest for management and providing for the telecommunication operation and the following public telephone services are provided free of charge:

- a) Emergency calls

- b) Reports of breakdowns of telephone stations, public call offices and public pay-phones
- c) Calls to the operator of inter-city and international telephone calls
- d) Calls with a telephone station specified for telegram transmissions by telephone
- e) Information on changes of telephone numbers in own telephone network provided on the basis of announcements.

§ 42. Rights and Obligations of a Telecommunication Company and a User

(1) A telecommunication company is entitled to

a) A payment of the price for a public telecommunication service provided subject to a tariff, provided that that its billing was delivered to the user no later than three months from the last day of the accounting day; otherwise, the title to the payment expires

b) Indemnification for damages caused to the public telecommunication network and to public telecommunication equipment

c) To refuse conclusion of a contract, if

1. Its provision in the requested location and in the requested scope is technically not feasible

2. The applicant therefor does not guarantee that the contract will be complied with due to indebtedness of the applicant to the telecommunication company, or the telecommunication company has already withdrawn from a contract with the applicant

d) To interrupt the provision of telecommunication service temporarily on the grounds

1. Of its misuse, until the misuse is stopped, or until technical measures are taken to prevent its misuse

2. The due price has not been paid within 15 days from the day of the notice delivery, until the due price is paid, or the contract expired.

(2) The user is entitled to

a) Conclude a contract with a telecommunication company

b) A provision of the public telecommunication service in an agreed scope and at a price subject to the tariff

c) A free breakdown removal subject to the general conditions

d) A return of a prorated the portion of the price for the period the service has not been provided for a reason caused by the telecommunication company. This title must be applied at the respective telecommunication company no later than within three months from the last day of the relevant accounting period, or this title will expire.

(3) A telecommunication company is obliged to

a) Conclude a contract with any party interested in the provision of the public telecommunication service, unless there is a ground for its refusal (paragraph 1, item c)

b) Submit to the user a transparent and understandable account of the telecommunication service provided, unless the nature of the service is such that the account is not necessary; if the user requests so, provide also detailed data on individual outgoing calls, as long as this is technically feasible

c) At the request of a user, if technically feasible, block the access to the public telecommunication service at his expense, if its contents may endanger moral upbringing of the youth

d) At the request of a user provide the service of interception of malicious or harassing calls.

(4) A telecommunication company providing the public telecommunication service is obliged to give to the user an opportunity

a) To keep the number of his telephone station even in case of change of the telecommunication company in the fixed public telecommunication network, unless the geographic location of the user changes (number portability),

b) To select another telecommunication company providing the same service, either through pre-selection of the number or call-by-call basis by dialling a prefix.

(5) A telecommunication company providing universal service is, in addition to the obligations in paragraph 4, also obliged to

a) Lease at the request of an applicant on the ground of his complete deafness specially furnished terminal telephone equipment at the price of a common terminal telephone equipment

b) Ensure reasonable access to public telephone call-offices and public telephone pay-phones in the whole territory with a barrier free access to the facilities and maintain their special releasing

c) Remedy as quickly as possible the reason for which the universal service cannot be provided

d) Return a prorated part of the price for the period of non-provision of the public telecommunication service, if caused by the telecommunication company. The method of specification of the prorated part of price is specified by the tariff and conditions of the return of a prorated part of the price is specified in the general conditions.

(6) The user is obliged to

a) Use the public telecommunication services subject to the contract only

b) Pay the price subject to the contract and the tariff

c) Use approved terminal telecommunication equipment only.

(7) Under extraordinary situation the statutory body of the operator or provider may issue orders, which are necessary to ensure the operation of the public telecommunication network or the public telecommunication service subject to the Act. An extraordinary situation is a period of threat and impact of consequences of an extraordinary event on the lives and health of people and animals, or on the property. In order to overcome an extraordinary situation in the affected territory an operator of a public telecommunication network and provider of public telecommunication service is obliged

a) To provide the public telecommunication service preferentially to bodies of public administration and to natural and legal persons specified in a special regulation

b) To ensure preferential operation of public telephone stations, public telephone call-offices and public telephone pay-phones, including emergency calls.

§ 43. Contract of Connection

(1) On the basis of a contract of connection the telecommunication company undertakes to connect the terminal telecommunication equipment of the user to the public telecommunication network and to provide, or make accessible the related public telecommunication service, or to install the necessary connection to the public telecommunication network, and the user undertakes to pay the price for installation and use of the connection to the public telecommunication network and for the provision of the public telecommunication service.

(2) Provision of the public telecommunication service does not include the supply of the terminal telecommunication equipment, unless the law or the contract stipulate differently.

(3) General conditions are a part of a written contract of connection.

(4) Essential dues of the contract of connection are the agreed type of the public telecommunication service, the place, where the service is to be provided, the duration of the service, and the price. The service will be provided for an indefinite period, if no period is fixed in the contract. The price may be agreed by a reference to the tariff, too.

(5) A contract of connection is terminated

a) On expiry of the period, for which it has been concluded

b) By agreement of the parties to the contract

c) By nullification

d) By notice.

(6) A user may terminate the contract of connection if the telecommunication company

a) Does not provide public telecommunication service subject to the contract, or the service provided is defective, or

b) Does not remedy the claimed defect of the public telecommunication service.

(7) The telecommunication company may withdraw from the contract of connection, if the

user

a) Meddles with the public telecommunication equipment, or allows meddling to a third party, even if due to negligence

b) Has not paid the price by 30 days from the day of the delivery of the reminder

c) Connects terminal telecommunication equipment, which has not been type-approved operation, and does not disconnect the equipment even after asked by telecommunication company to do so

d) Makes use of the public telecommunication service in a way, which prevents the telecommunication company to monitor its use.

(8) A user may terminate the contract of connection on any grounds, or without giving a reason. A telecommunication company may terminate the contract of connection, if it can no longer provide public telecommunication service in the agreed extent, or in the necessary quality for reasons of technical unfeasibility of further service provision. If the telecommunication company terminates the contract on grounds of modernisation of public telecommunication services, which includes the termination of provision of the public telecommunication service subject to the concluded contract of connection, then the telecommunication company will, together with the notice, deliver to the user an offer for the provision of another, from technical and price point of view similar public telecommunication service, with an installation of the public telecommunication service at a preferential price.

(9) The period of notice is the same for both parties to the contract. It expires on the last day of the calendar month following the month, in which the notice has been delivered to the other contracting party.

(10) A user may transfer the right to use the public telecommunication service to another user with the agreement of the telecommunication company only.

§ 44. Claims Proceedings

(1) The claims proceedings of a telecommunication company regulate

a) Details of the scope of rights of the user in case of claims concerning the payment and the quality of public telecommunication service

b) The method of application of claims and the claims procedure

c) The period for the claims delivery and the claims procedure

d) Other details of the claims procedure.

(2) The right of a user to make claims may not be restricted in the claims order, if the claim has been raised within the period specified in the claims order. This period must not be shorter than 30 days. A telecommunication company is obliged to inform the user in writing about the outcomes of his claim investigation within a period specified in the general conditions, or the claim will be considered accepted.

(3) Claims concerning investigation of a payment does not have any postponing effect on the settlement of payment for the public telecommunication services provided.

(4) Should the claims procedure establish a defect of telecommunication equipment, which could have negative effect on the user, but the extent and the price of the public telecommunication service provided cannot be conclusively established, then user will pay a price corresponding to the average scope of use of public telecommunication service during the previous six months.

(5) If the claimed price is more than three times higher than the average scope of the use of the public telecommunication service in the last six months, the user is entitled to a postponement of the payment of the price exceeding the average use of the public telecommunication service for the previous six months until the inspection of the telecommunication equipment is completed, or may pay for the service by instalments.

PART FOUR. PROTECTION OF TELECOMMUNICATION NETWORKS AND TELECOMMUNICATION EQUIPMENT ➔

§ 45. Basic Obligations

(1) Anyone is obliged to behave so that his activities do not damage telecommunication equipment or disturb their operation. Anyone may not interfere with the provision of public telecommunication service; otherwise he will be liable for the damage caused to the provider of telecommunication activities.

(2) If the operation of machinery, devices and equipment generates high frequency energy, then their operators are obliged to take measures to prevent interference with the operation of telecommunication equipment.

(3) An owner of real estate is obliged to make sure that the use of his real estate does not damage, or interfere with the operation of telecommunication equipment and public telecommunication networks, in particular overhead and underground cable lines. An owner of real estate is obliged to maintain green cover of his land in the protective zone so that the safety and reliability of the public telecommunication network line is not jeopardised.

§ 46. Titles and Obligations To Real Estate of Third Parties

(1) An operator of telecommunication equipment or public telecommunication network is entitled in the public interest

a) To install and operate, on the basis of an approved territorial building plan of the zone, or on the basis of a territorial decision concerning a line of a public telecommunication network, including the necessary monitoring or protection equipment and supporting and stake-out points on the land of a third party

b) To enter the land owned by third parties in connection with designing, operation, repairs and maintenance of the telecommunication equipment and a line of the public telecommunication network, including the necessary monitoring and protective devices and supporting and stake-out points

c) To remove and trim to the necessary extent trees and other plants, which endanger the safety and reliability of the operation of the telecommunication equipment and of a line of the public telecommunication network, including the necessary monitoring and protective devices and supporting and stake-out points and radio equipment, if it has not been done by the owner of the land after being asked to do so. This provision does not affect special

regulations.)

(2) An operator of the telecommunication equipment and public telecommunication network is obliged to act so that the performance of the titles subject to paragraph 1 does not cause any damage to real estate, and if the damage is unavoidable, then the operator should make sure to minimise the damage. The owner of the real estate has to be notified at least 15 days in advance about the commencement of the performance of title subject to paragraph 1. The notification of entry of the land owned by a third party in case of accident or breakdown of a line of the public telecommunication network should be made as early as possible.

(3) After the necessary works are completed the operator of a public telecommunication network is obliged to restore the real estate in its original state, and if that is not possible due to nature of works performed, then to a state corresponding to the previous purpose or use of the real estate. If that is not possible or the resulting state of the real estate is worse than its original, then the operator is obliged to pay to the owner of the real estate also a reasonable compensation corresponding the degree of restriction placed by the new condition on the use of the real estate.

(4) An owner of real estate is entitled to a reasonable compensation for a forced restriction on the use of the real estate due to the performance of the rights of the operator of the telecommunication equipment or public telecommunication network subject to paragraph 1. An owner may claim the compensation with the operator of the public telecommunication network within one year of the enforced restriction on use of the real estate, or this right will forfeit. An owner of real estate may raise his claim at a court within six months from the day the owner made claim with the operator of the public telecommunication network, provided that the operator has not met this claim or remains idle.

§ 47. Protective Zones

(1) Protective zone may be established to protect telecommunication equipment or a public telecommunication network line. The establishment of protective zones is subject to a special regulation), unless a different provision applies.

(2) A protective zone of a public telecommunication network line is one meter wide from the centre of the route of the public telecommunication network line and runs along its whole route. In some points of the route the protective zone may be widened up to 1.5 meters. The depth and height of a protective zone is two meters above the ground level; in case of an underground line and in a range of two metres in case of an overhead.

(3) Within the protective zone it is not allowed to

a) Place buildings, equipment and plants, or do any earth works, which may endanger telecommunication equipment or the public telecommunication network line, or their continuous and safe operation

b) Perform operation activities linked with using machinery and equipment interfering with the operation of telecommunication equipment or the provision of public telecommunication services.

(4) The cost of transfer of telecommunication equipment and of the public telecommunication network lines in underground communications and their protective zones on grounds of reconstruction of a ground communication approved by a road administration body will be borne by the builder, unless the permit or contract specifies

differently. If these works also include modernisation of the telecommunication equipment or public telecommunication network line, then the costs of modernisation will be borne by the licence holder for the operation of the public telecommunication network.

§ 48. Protection Against Interference

(1) Telecommunication equipment and telecommunication networks are installed and operated in a way to prevent interference, which would unacceptably deteriorate, repeatedly interrupt, or in other ways endanger operation of other telecommunication equipment and public telecommunication networks.

(2) Electric and electronic equipment containing electric and electronic parts must be constructed so that electromagnetic interference generated by its operation does not exceed the level preventing the use of the telecommunication equipment in compliance with their purpose. Producers, vendors and suppliers of such equipment are obliged to demonstrably provide for the compliance with that requirement before they are marketed.

(3) Telecommunication equipment must be constructed so as to be itself sufficiently resistant against electromagnetic interference, which enables that equipment functioning in compliance with its purpose.

(4) If telecommunication equipment operation is endangered or interfered with, or a telecommunication network damaged, the operator, or user of the equipment causing the interference is obliged take efficient protective measures or to stop the operation of that equipment without any delay.

(5) The Office is

a) Obligated to detect sources of interference with the operation of approved telecommunication networks and telecommunication equipment and

b) Authorised to issue orders for the removal of detected defects.

(6) Persons authorised by the Office subject to paragraph 5, after having properly proven their identity, will be entitled to enter business and other operating premises, in which machinery and equipment that may be a source of interference, are produced, stored, installed or operated. The persons authorised are also entitled to request documentation concerning machinery and equipment, check and test that equipment, and in justified cases withdraw it temporarily to perform testing or checks.

(7) Operators of special telecommunication networks are obliged to co-operate with the Office, take measures required by the Office at their own costs and to inform the Office about remedies.

(8) The Office will carry out supervision, if the products introduced in the market meet technical requirements on the restriction on electromagnetic interference.

(9) Should the interference with a public telecommunication network or its threat or damaging of telecommunication equipment not be removed, the Office may order that defective equipment be disabled from operation, or ban activities causing interference, or apply protective measures in case of equipment, which does not meet technical requirements.

(10) Interference is also considered precluding of operation caused by electromagnetic shade or reflections of electromagnetic waves from buildings constructed after the telecommunication equipment and public telecommunication network has been put into operation.

§ 49. Protection Against Damage of Other Activities

(1) A document necessary for territorial proceedings) is the position of the operator of a public telecommunication network or telecommunication equipment concerning the existence of underground and overhead lines of a public telecommunication network and telecommunication equipment, or concerning radio links in the location of the construction and concerning the possibility of interference with the radio transmission.

(2) Project documentation of the construction must include drawings of all lines of public telecommunication network in the location of the construction. The constructor is responsible for meeting of this obligation.

(3) Operators of public telecommunication networks or telecommunication equipment are obliged to keep records of these networks and equipment and provide a position and other necessary data if requested within 15 days to comply with the obligation subject to paragraph 1.

PART FIVE. STATE SUPERVISION ➔

§ 50. State Supervision

(1) The state supervision in telecommunications is performed by the Office.

(2) The state supervision includes

a) Monitoring of compliance with the obligations and conditions stipulated by the Act or determined in the licence by licence holders concerning installation and operation of public telecommunication networks and provision of public telecommunication services (hereinafter referred to as the "monitored persons")

b) Monitoring of the technical condition of telecommunication equipment and lines of public telecommunication networks

c) Ordering remedies of detected defects and cease activity, which is in conflict with the conditions stipulated by law or determined in the licence

d) Imposing fines and dealings concerning offences

e) Protection against interference.

(3) An operator of a public telecommunication network or telecommunication equipment and provider of public telecommunication service is obliged

a) To provide the Office, if requested, with information necessary for verification of the continuing financial eligibility to perform telecommunication activity

b) To submit to the Office and to the Statistical Office of the Slovak Republic data necessary for statistical survey.

(4) The employees of the Office (hereinafter referred to as the "authorised persons") are authorised in the execution of state supervision to enter land or premises, where the equipment monitored is situated or is supposed to be situated. The persons monitored are obliged, at their own costs, to provide to the authorised persons all requested information and documentation and to enable checking the telecommunication equipment. If the size of the equipment monitored and the method applied allow, and if financially efficient, technical tests of the equipment monitored may be performed on the spot. The authorised persons proceed in the execution of state supervision subject to general regulations concerning monitoring.)

§ 51. Administrative Offences

(1) The Office will impose a fine of up to SKK 5,000,000 (Slovak crowns) to an entrepreneur or legal person that

- a) Performs telecommunication activity, which is not covered by general authorisation
- b) Performs telecommunication activity without a licence
- c) Has not concluded a contract of access to the public telecommunication network
- d) Does not provide a universal service
- e) Fails to meet the obligation to keep separate records concerning costs and revenues
- f) Has introduced in the market or installed selected telecommunication equipment without a type approval
- g) Has installed radio equipment without a permission
- h) Has introduced in the market or installed telecommunication equipment, which causes interference of the public telecommunication network or telecommunication equipment
- i) Has violated telecommunication secrecy or has not ensured protection of transmitted information or data
- j) Has not ensured an interface for the connection of equipment for purposes of monitoring and recording of telecommunication operation.

(2) The Office will impose a fine of up to SKK 3,000,000 (Slovak crowns) to an entrepreneur or legal person that

- a) Performs telecommunication activity in conflict with the general authorisation
- b) Fails to comply with the preliminary conditions determined by the Office during the provision of telecommunication activity
- c) Performs telecommunication activity in conflict with the licence granted

- d) Has not informed the Office of changes of data concerning the licence
 - e) Has not informed the Office of an offer for interconnection of telecommunication networks or its change
 - f) Has not provided the Office the contract of interconnection of telecommunication networks for publishing purposes in the Journal of the Ministry
 - g) Fails to comply with the contract of interconnection of telecommunication networks or the contract concerning the access to the public telecommunication network
 - h) Has violated the obligation to provide leasing of telecommunication circuits
 - i) Fails to provide universal service within the specified scope
 - j) Has not paid the contribution to cover the loss from the provision of universal service in the specified extent
 - k) Has not returned financial funds, drawn or used without justification
 - l) Has not presented general conditions and their changes to the Office for approval and publication
 - m) Provided public telecommunication services or enabled the provision of public telecommunication services to third parties through a special telecommunication network
 - n) Has brought into operation radio equipment in conflict with the permission or general authorisation
 - o) Refused to tolerate the execution of state supervision
 - p) Has not taken a measure imposed by the Office.
- (3) The Office will impose a fine of up to SKK 1,000,000 (Slovak crowns) to an entrepreneur or legal person that
- a) Has violated the duty of obligatory registration of telecommunication activity
 - b) Has not appointed an accountable representative
 - c) Has not provided information necessary for the conclusion of the contract of interconnection public telecommunication networks
 - d) Has not issued or published general conditions
 - e) Enabled to operate selected radio equipment to an employee without a special professional qualification
 - f) Has not provided the position or the necessary data about the existence of lines of a public telecommunication network, telecommunication equipment or radio links, or data concerning the possibility of interference with radio transmission

g) Did not provide necessary co-operation to authorised persons during their performance of state supervision

h) Has damaged, jeopardised or badly disturbed telecommunication equipment.

(4) The Office will decide about the fine especially from the point of view of the nature and degree of the fault, gravity, method, duration and consequences of the violation of obligations.

(5) In case of a repeated violation of obligations the Office may impose the fine repeatedly.

(6) A fine may be imposed within one year from the day the violation of the obligation has been established, however, not later than three years from the day the obligation has been violated.

§ 52. Offences

(1) Offenders in the field of telecommunications is a person that

a) Performs telecommunication activity without a licence, or goes beyond the framework of the general authorisation or preliminary conditions

b) Operates selected telecommunication equipment without a type approval

c) Operates radio equipment without a permission

d) Operates telecommunication equipment, which interferes with the public telecommunication network or public telecommunication equipment.

(2) The Office may fine an offence subject to paragraph 1 by an amount up to SKK 50,000, ban on activities or forfeiture.

(3) Proceedings concerning offences are pursued by the Office.

(3) Offences and the related proceedings are subject to general regulations concerning offences.)

PART SIX. FINAL PROVISIONS ➔

§ 53. Proceedings

(1) Proceedings related to the Act are subject to the general regulation on administrative proceedings,) unless the Act specifies differently.

(2) The general regulation on administrative proceedings does not relate to

a) The issuance of general authorisations

b) The registration of commencement of telecommunication activity

- c) Tender proceedings
- d) The issuance of certificates concerning special professional qualification
- e) The allocation of frequencies for radio and television broadcasting.

(3) It is possible to appeal against the award of the Office. Decision on the appeal is made by the Chairman of the Office.

§ 54. Transitional Regulations

(1) Telecommunication activity pursued by natural and legal persons subject to current regulations, which requires a licence or permission pursuant to the Act, is subject to an application for a licence or permission at the Office within six months from the day the Act becomes effective, or the current licence to pursue telecommunication activity will be terminated before the expiry of the period. The licence or permission subject to current regulations will be terminated on the day the decision of the Office becomes effective, provided that the application has been delivered on time. Provisions concerning tender proceedings and publication of a call for the submission of licence applications will not be applied when granting a licence on telecommunication activities performed by the applicants pursuant to the current regulations.

(2) Proceedings commenced subject to current regulations will be concluded subject to the Act. Legal consequences of acts, which have been established before the effectiveness of the Act remain in force. The Office will stop proceedings, which have been started subject to the current regulations which is not necessary to be concluded subject to the Act.

(3) Proceedings concerning objections against the amount of telecommunication charges and concerning permission of telecommunication constructions, which have been started before the effectiveness of the Act will be continued subject to current regulations.

(4) Relationships which came into being between/among the operators of public telecommunication networks and providers of public telecommunication services on one hand and the users on the other hand, subject to current regulations, are considered to be contracts subject to the Act. The contracting parties may withdraw from the contract within six months from the day this Act becomes effective, unless the contract specifies differently.

(5) Provider of the public telephone service through a fixed telecommunication network may start providing that service on 1st January 2003 at the earliest. This provision does not apply, if the provider is the Slovak Telecommunications, a. s., or its legal successor.

(6) Certificates of special professional qualification for servicing of selected radio equipment issued before the date the Act effectiveness, will remain unaffected.

(7) Terminology used in special regulations will have following meaning:

a) "Cable distributions" are understood to be "cable distribution systems for television, audio and interactive multimedia signals"

b) "unified telecommunication network" is understood to be a "public telecommunication network".

(8) Until the Chairman of the Office subject to § 7 is elected, the current Director of the

Telecommunication Office of the Slovak Republic will perform its obligations.

(9) General authorisations issued subject to the recent regulations lose their force within six months from the day the Act becomes effective.

(10) Providers of the public telephone service are entitled to provide international public telephone service exclusively through the Slovak Telecommunications, a. s., or its legal successor until 1 January 2003.

§ 55. Transfer of Rights

(1) Regional Telecommunication Offices will be abolished. The competencies of the Building Offices concerning telecommunication constructions will be transferred to the county authorities as at the date the Act enters into force.)

(2) Rights and obligations resulting from labour law relations and other relations of regional Telecommunication Offices are transferred to the Office and to county authorities as at the day the Act becomes effective.

(3) Details of the transfer of the rights and obligations subject to paragraph 2 will be regulated by an agreement between the Ministry and the Ministry of Interior specifying in particular the type and extent of transferred property and obligations. Employees, who will become employees of the county authorities, will be specified.

§ 56. Cancelling Regulations

The following is cancelled

1. Act No. 110/1964 Coll. on Telecommunications, as amended by the Act No. 150/1992 Coll., of the Act of the National Council of the Slovak Republic No. 96/1993 Coll. and of the Act of the National Council of the Slovak Republic No. 212/1995 Coll.

2. § 8 paragraph 2 and § 16 item e) of the Act of the Slovak National Council No. 347/1990 Coll. on Arrangement of Ministries and Other Central State Administration Bodies in the Slovak Republic, as amended

3. § 36 paragraph 1 items b), d) and e) of the Act of the National Council No. 372/1990 Coll. on Offences

4. Regulation of the Central Administration of Communications No. 111/1964 Coll., which regulates the implementation of the Act on Telecommunications, amended by the Regulation No. 92/1974 Coll. and the Regulation No. 148/1984 Coll.

5. Regulation of the Federal Ministry of Communications No. 144/1973 Coll. on Wire Telecommunication Equipment, which is operated outside the unified telecommunication network,

6. Regulation of the Federal Ministry of Communications No. 73/1974 Coll. on Common Distributions of Radio and Television Signals by Cables, as amended by the Regulation No. 360/1991 Coll.

7. Regulation of the Federal Ministry of Communications No. 108/1982 Coll., issuing the Telephone Order, as amended by the Regulation No. 40/1988 Coll. and the Regulation No.

136/1994 Coll.

8. Regulation of the Ministry of Transport, Posts and Telecommunications of the Slovak Republic No. 69/1997 Coll., which institutes the seats of regional Telecommunication Offices and the territorial scope of their competence.

§ 57. Effectiveness

The Act becomes effective on 1 July 2000 except the provisions of § 26 paragraphs 4 to 9, § 33 paragraphs 2 and 3 and § 42 paragraph 4 item b), which become effective on 1 January 2003, except the provision of 42 paragraph 4 item a), which becomes effective on 1 January 2005.