

ACT
of 2 October 1991
on licensed trade (the Trade Licensing Act)

as amended by Act No 231/1992, Act No 591/1992, Act No 600/1992, Act No 273/1993, Act No 303/1993, Act No 38/1994, Act No 42/1994, Act No 136/1994, Act No 200/1994, Act No 237/1995, Act No 286/1995, Act No 94/1996, Act No 95/1996, Act No 147/1996, Act No 19/1997, Act No 49/1997, Act No 61/1997, Act No 79/1997, Act No 217/1997, Act No 280/1997, Act No 15/1998, Act No 83/1998, Act No 157/1998, Act No 167/1998, Act No 159/1999, Act No 356/1999, Act No 358/1999, Act No 360/1999, Act No 363/1999, Act No 27/2000, Act No 29/2000, Act No 121/2000, Act No 122/2000, Act No 123/2000, Act No 124/2000, Act No 149/2000, Act No 151/2000, Act No 158/2000, Act No 247/2000, Act No 249/2000, Act No 258/2000, Act No 309/2000, Act No 362/2000, Act No 409/2000, Act No 458/2000, Act No 61/2001, Act No 100/2001, Act No 120/2001, Act No 164/2001, Act No 256/2001, Act No 274/2001, Act No 477/2001, Act No 478/2001, Act No 501/2001, Act No 86/2002, Act No 119/2002, Act No 174/2002, Act No 281/2002, Act No 308/2002, Act No 320/2002, Finding of the Constitutional Court promulgated under No 476/2002, Act No 88/2003, Act No 130/2003, Act No 162/2003, Act No 224/2003, Act No 228/2003, Act No 274/2003, Act No 354/2003, Act No 438/2003, Act No 38/2004, Act No 119/2004, Act No 167/2004, Act No 257/2004, Act No 326/2004, Act No 499/2004, Act No 695/2004, Act No 58/2005, Act No 95/2005, Act No 127/2005, Act No 215/2005, Act No 253/2005, Act No 358/2005, Act No 428/2005, Act No 444/2005, Act No 62/2006, Act No 76/2006, Act No 109/2006, Act No 115/2006, Act No 131/2006, Act No 161/2006, Act No 165/2006, Act No 179/2006, Act No 186/2006, Act No 191/2006, Act No 212/2006, Act No 214/2006, Act No 225/2006, Act No 310/2006, Act No 315/2006, Act No 160/2007, Act No 269/2007, Act No 270/2007, Act No 296/2007, Act No 130/2008, Act No 189/2008, Act No 230/2008, Act No 254/2008, Act No 274/2008, Act No 227/2009, Act No 285/2009, Act No 292/2009, Act No 160/2010, Act No 155/2010, Act No 145/2010, Act No 427/2010 and Act No 424/2010.

The Federal Assembly of the Czech and Slovak Federative Republic has passed the following Act:

GENERAL PROVISIONS

TITLE I SUBJECT OF REGULATION

Section 1

This Act lays down conditions for carrying on a licensed trade (hereinafter referred to as 'trade') and inspections of compliance with those conditions.

Trades

Section 2

A trade shall mean a systematic activity carried out independently under the conditions laid down in this Act, under a person's own name and liability, with a view to making a profit.

Section 3

(1) The following shall not constitute a trade:

- a) the performance of an activity statutorily reserved for the State or for a designated legal person,
- b) the use of the results of intellectual creativity protected by specific laws, their originators or authors²⁾,
- c) the collective administration of copyright and rights related to copyright in accordance with specific legislation,^{2a)}
- d) the restoration of cultural monuments or parts thereof which are works of fine art or applied art,^{2b)}
- e) the performance of archaeological research.^{2c)}

(2) Further, in the context of specific laws, trades shall not comprise the activities of the following natural persons:

- a) doctors, dental practitioners and pharmacists^{2d)}, paramedical workers^{2e)} in the provision of health care, and natural healers,
- b) veterinary surgeons, other veterinary workers, including rendering workers and persons performing professional activities related to selection work and the breeding of livestock,³⁾

2) Act No 527/1990 on inventions, designs and improvement suggestions, as amended by Act No 519/1991. Act No 121/2000 on copyright and related rights and amending certain laws (the Copyright Act). Act No 529/1991 on the protection of topographies of semiconductor elements, as amended by Act No 116/2000. Act No 478/1992 on utility models, as amended by Act No 116/2000.

2a) Act No 121/2000.

2b) Act No 20/1987 on the care of monuments by the State, as amended.

2c) Section 21(2) of Act No 20/1987 on the care of monuments by the State.

2d) Act No 95/2004 on conditions for the acquisition and recognition of professional competence and specialist competence to practice as a doctor, dental practitioner or pharmacist, as amended.

2e) Act No 96/2004 on conditions for the acquisition and recognition of competence to engage in paramedical professions and to carry out activities connected with the provision of health care and amending certain related laws (the Paramedical Act), as amended.

3) Act No 166/1999 on veterinary care and amending certain related laws (the Veterinary Act), as amended.

- c) lawyers⁴⁾, notaries^{5a)} and patent attorneys⁶⁾ and bailiffs^{6a)},
- d) experts and interpreters⁷⁾,
- e) auditors⁸⁾ and tax consultants^{8a)},
- f) stock jobbers^{8b)},
- g) mediators and arbitrators in collective bargaining disputes⁹⁾ and arbitrators in property disputes^{9a)},
- h) officially licenced surveyors¹⁰⁾,
- i) authorized architects and authorized engineers active in construction who engage in activities as freelance architects and freelance engineers^{10a)},
- j) authorized inspectors who engage in their activities as a liberal profession^{10b)}.

(3) Further, the following shall not constitute a trade:

- a) banking activities¹¹⁾, providers of payment services^{11a)}, issuing electronic money^{11a)}, operating payment systems^{11a)}, currency exchange activities^{11d)}, insurance activities¹²⁾, security funds, insurance brokers and independent insurance loss adjusters for claims and actuarial¹²⁾, pension funds^{12a)}, savings and loans societies^{12b)}, commodities markets^{8b)}, organisers of regulated markets^{13b)}, securities traders^{13b)} and their bound representatives^{13b)} and the activities of persons involved in collective investments¹³⁾ and the activities of persons providing settlement of securities^{13a)}, the activities of persons accepting and giving instructions or investment advisory activities relating to investment tools under the conditions set form in a special Act^{13b)} and their bound representatives^{13b)}, and the activities of credit rating agencies^{13c)}

4) Act No 85/1996 on the legal profession, as amended.

5a) Act of the Czech National Council No 358/1992 on notaries and their activities.

6) Act No 237/1991 on patent attorneys, as amended by Act of the Czech National Council No 14/1993.

6a) Act No 120/2001 on bailiffs and enforcement (Rules of Enforcement) and amending other laws.

7) Act No 36/1967 on experts and interpreters.

8) Act of the Czech National Council No 524/1992 on auditors and the Chamber of Auditors of the Czech Republic.

8a) Act of the Czech National Council No 523/1992 on tax consulting and the Chamber of Tax Consultants of the Czech Republic.

8b) Act No 229/1992 on commodity markets, as amended.

9) Section 11 and Section 13(1) of Act No 2/1991 on collective bargaining, as amended by Act No 519/1991, Act No 118/1995 and Act No 155/1995.

9a) Act No 216/1994 on arbitration and the enforcement of arbitral awards.

10) Act No 200/1994 on surveying and amending certain laws related to the implementation thereof.

10a) Section 14(1)(a) of Act No 360/1992 on the profession of authorized architects and the profession of authorized engineers and technicians active in construction, as amended.

10b) Section 144(4) of Act No 183/2006 on land-use planning and building rules (the Building Act).

11) Act No 6/1993 Coll., on the Czech National Bank, as amended. Act No 21/1992 Coll., on banks, as amended.

11a) Act No 284/2009 Coll., on payment systems.

11b) Section 30 of Act No 124/2002.

11c) Section 2a of Act No 124/2002, as amended by Act No 253/2008.

11d) Act No 219/1995 Coll., the Foreign Exchange Act, as amended.

12) Act No 363/1999 Coll., on insurance and on amendments to some related laws (the Insurance Contract Act). Act No 38/2004 Coll., on insurance intermediaries and on independent loss adjusters and on amendments to the Trade Licensing Act (the Act on Insurance Intermediaries and Independent Loss Adjusters).

12a) Act No 42/1994 Coll., on state-contributory supplementary pension insurance and amending certain acts related to its introduction, as amended.

12b) Act No 87/1995 Coll., on savings and loan associations and credit unions and on certain related measures and on an amendment to the Czech National Council Act No 586/1992 Coll., on income taxes, as subsequently amended.

13) Act No 248/1992 Coll., on investment companies and investment funds, as amended.

13a) § 82 and 83 Act No 256/2004 Coll., on business activities on the capital market.

13b) Act No 256/2004 Coll.

^{13c)} Art. 3 (1)(b) of Regulation (EC) No. 1060/2009 of the European Parliament and of the Council, of 16 September 2009, on credit rating agencies.

- b) the organization of lotteries and other similar games¹⁴⁾,
- c) mining and other activities using mining techniques,¹⁵⁾
- d) the generation of electricity, the production of gas, the transmission of electricity, the transmission of gas, the distribution of electricity, the distribution of gas, the storage of gas, trade in electricity, trade in gas, the production of heat and the distribution of heat, which are subject to a licence under specific legislation,¹⁶⁾
- e) agriculture, including sales of unprocessed agricultural products for the processing or resale thereof, with the exception of professional phytosanitary care,
- f) sales of unprocessed plant and animal products from natural persons' internal small-scale cultivation and breeding,
- g) maritime shipping and sea fishing,¹⁷⁾
- h) the operation of railways and rail transport,¹⁸⁾
- i) the performance of communication activities in accordance with specific legislation,¹⁹⁾
- j) research, production and distribution of medicinal products,²⁰⁾
- k) the handling of addictive substances, products containing them, and certain substances used in the production or processing of addictive substances under a specific law,²¹⁾
- l) activities by authorized or accredited persons involved in State testing,²²⁾
- m) foreign trade in military material,^{22a)}
- n) the performance of labour inspections,^{22b)}
- o) radio and television broadcasting,²³⁾
- p) the offer or provision of services for the direct gratification of sexual needs,
- r) the intermediation of employment,^{23a)}
- s) the operation of technical inspection centres,^{23c)}
- t) education and training in schools, preschool and educational establishments included in the register of schools and educational establishments, education in bachelor, master and doctoral studies, and lifelong learning programmes in accordance with specific legislation,^{23d)}

¹⁴⁾ Act of the Czech National Council No 202/1990 on lotteries and other similar games, as amended by Act No 70/1994.

¹⁵⁾ Sections 2 and 3 of Act of the Czech National Council No 61/1988 on mining, explosives and the State Mining Authority, as amended.

¹⁶⁾ Act No 458/2000 on conditions of business and on State administration in the energy sectors and amending certain laws (the Energy Act), as amended.

¹⁷⁾ Act No 61/2000 on maritime shipping.

¹⁸⁾ Section 60(3) of Act No 266/1994 on the railways.

¹⁹⁾ Act No 127/2005 on electronic communications and amending certain related laws (the Electronic Communications Act).

²⁰⁾ Act No 79/1997 on medicinal products and amending certain related laws.

²¹⁾ Act No 167/1998 on addictive substances and amending certain other laws.

²²⁾ Act No 22/1997 on the technical requirements of products and amending certain laws.

^{22a)} Act No 38/1994 on foreign trade in military material and amending Act No 455/1991, the Trade Licensing Act, as amended, and Act No 140/1961, the Criminal Code, as amended.

^{22b)} Act No 251/2005 on labour inspections.

²³⁾ Act No 231/2001 on radio and television broadcasting and amending other laws, as amended.

^{23a)} Act No 1/1991 on employment, as amended. Act of the Czech National Council No 9/1991 on employment and the competence of authorities of the Czech Republic in the field of employment, as amended.

^{23c)} Act No 38/1995 on the technical specifications for the operation of road vehicles on highways.

^{23d)} Act No 564/1990 on State administration and autonomy in education, as amended. Act No 29/1984 on the system of primary schools, secondary schools and post-secondary vocational colleges (the Schools Act), as amended. Act No 76/1978 on educational establishments, as amended.

- u) the handling of highly dangerous substances,^{23e)}
- v) the operation of airports, the operation of commercial air transport and aviation work and the provision of aviation services,^{23f)}
- x) the activities of organizations set up under specific legislation^{23h)} conducted in accordance with the purpose for which they were established,
- y) child protection by legal and natural persons, if authorized to provide child protection under specific legislation,²³ⁱ⁾
- z) the prospecting, exploration and production of mineral resources from and beneath the sea bed and the ocean bed beyond State territorial limits,^{23j)}
- aa) the operation of cemeteries,^{23k)}
- ab) the activities of authorized packaging companies in accordance with specific legislation,^{23l)}
- ac) the handling of high-risk and risky biological agents and toxins,^{23m)}
- ad) the operation of zoological gardens pursuant to a licence issued by the Ministry of the Environment,²³ⁿ⁾
- ae) archiving,^{23o)}
- af) the provision of social services in accordance with specific legislation,^{23p)}
- ag) the activities of authorized persons entitled to verify professional competence required to obtain partial qualifications under a specific law,^{23q)}
- ah) the letting of property, residential and non-residential premises.

Sections 45 to 47 and Section 60 of Act No 111/1998 on universities and amending other laws (the Universities Act), as amended by Act No 147/2001.

^{23e)} Act No 19/1997 on certain measures connected with the prohibition of chemical weapons and amending Act No 50/1976 on land-use planning and Building Rules (the Building Act), as amended, Act No 455/1991, the Trade Licensing Act, as amended, and Act No 140/1961, the Criminal Code, as amended.

^{23f)} Act No 49/1997 on civil aviation and amending Act No 455/1991, the Trade Licensing Act, as amended.

^{23h)} Section 27 of Act No 250/2000 on budgetary rules of territorial budgets.

²³ⁱ⁾ Section 4(2)(b) and Sections 48 to 50 of Act No 359/1999 on child protection.

^{23j)} Act No 158/2000 on the prospecting, exploration and production of mineral resources from the sea bed beyond State territorial limits and amending certain laws.

^{23k)} Act No 256/2001 on funeral services and amending certain laws.

^{23l)} Act No 477/2001 on packaging and amending certain related laws (the Packaging Act).

^{23m)} Act No 281/2002 on certain measures connected with the prohibition of bacteriological (biological) and toxin weapons and amending the Trade Licensing Act.

²³ⁿ⁾ Act No 162/2003 on conditions for the operation of zoological gardens and amending certain laws (the Zoological Gardens Act).

^{23o)} Act No 499/2004 on archiving and the registry service and amending certain laws.

^{23p)} Act No 108/2006 on social services.

^{23q)} Act No 179/2006 on the certification and recognition of the results of further education and amending certain laws (the Act on the Recognition of Further Education Results).

Section 4

(deleted)

TITLE II
CARRYING ON A TRADE

Section 5

Entities eligible to carry on a trade

(1) A natural or legal person may operate a trade if that person complies with the conditions laid down in this Act (hereinafter referred to as ‘entrepreneur’); State authorization to carry on a trade (hereinafter referred to as ‘concession’) shall be required only in the instances defined by this Act.

(2) A natural person who does not have his residence in the Czech Republic, or a legal person whose registered seat is not in the Czech Republic (hereinafter referred to as a ‘foreign person’), may carry on a trade in the Czech Republic under the same conditions and to the same extent as a Czech person, unless this or a special act provides otherwise. For the purposes of this Act, a Czech person shall be regarded as a natural person having his residence or a legal person having its registered office in the Czech Republic. For the purposes of this Act, residence in the Czech Republic shall mean permanent residence in the Czech Republic.²⁴⁾

(3) Where a person is required by law to submit documents confirming certain facts, this shall mean the submission of the relevant document together with a translation into Czech by an interpreter registered in the register of experts and interpreters,^{24a)} unless the document concerned has been issued in Czech. The authenticity of the signature and the stamp on the originals of submitted documents issued abroad shall be certified.

(4) The requirement of translation into Czech by an interpreter registered in the register of experts and interpreters and the requirement of certifying the authenticity of a signature and the impression of a stamp pursuant to paragraph (3) shall not apply to documents submitted by a national of a Member State of the European Union or by a legal person having its registered office, headquarters or principal place of business in a Member State of the European Union, unless there are doubts as to the correctness of the translation or the authenticity of the signature or impression of the stamp.

(5) A foreign natural person who intends to carry on a trade in the Czech Republic and who, under a specific law,^{24b)} is required to have permission to reside in the Czech Republic shall submit a document proving the granting of a visa for residence of more than 90 days or a long-term residence permit together with the notification of the trade and the application for a concession. The obligation to submit a document in accordance with the first sentence shall not apply to a foreign natural person who intends to carry on a trade in the Czech Republic by means of an organizational unit of that person’s undertaking.^{24c)}

(6) A natural person who has been granted asylum or subsidiary protection and his family members may carry on a trade under the same conditions as a Czech person.

(7) (deleted)

²⁴⁾ Section 7 of Act No 123/1992 on the residence of foreign nationals in the Czech and Slovak Federative Republic. Act No 135/1982 on the reporting and registration of the residence of citizens.

^{24a)} Act No 36/1967 on experts and interpreters.

^{24b)} Act No 326/1999 on the residence of foreign nationals in the Czech Republic and amending certain laws, as amended.

^{24c)} Section 21(3) of the Commercial Code.

Section 6

General conditions for carrying on a trade

(1) Unless otherwise provided in this Act, the general conditions to be met by natural persons in order to carry on a trade shall be that:

- a) they are a person of not less than 18 years of age;
- b) they have legal capacity;
- c) they are of good character.

(2)

a).

For the purpose of this Act, a person shall not be regarded as being of good character if he has been conclusively sentenced for an intentional criminal offence, if that offence was committed in connection with the business or line of business for which he is applying or reporting, unless that person is regarded as if he had not been sentenced.^{25a)}

(3) Good character shall be demonstrated by an extract from the Crime Register or, in the case of foreign natural persons, by documents pursuant to Section 46(1)(a) or (b). The trade licensing office shall be entitled to demand an extract from the Crime Register pursuant to specific legislation.^{25b)} A application for the issue of an extract from the Crime Register and the extract from the Crime Register shall be transmitted electronically in a manner facilitating remote access.

(4) For the purpose of assessing good character, the trade licensing office shall be entitled to request from the court a copy of a final decision. If the decision does not contain facts that are decisive for the assessment of good character, the trade licensing office may consult those parts of a criminal file that contain those facts.

Section 7

Special conditions for carrying on a trade

(1) Professional or other competence, where required by this Act or specific legislation, shall be regarded as special conditions for carrying on a trade.

(2) Where requirements regarding professional competence are amended after a trade authorization has been issued, proof of professional experience shall not be required by an entrepreneur already holding a trade authorization to carry on the trade concerned or by a person holding the office of responsible representative for the trade concerned provided that he held this office prior to the change.

(3) Where professional or other competence cannot be proven from a document issued to a natural person, professional competence may be proven from a document issued to an entrepreneur by a competent professional authority pursuant to specific legislation.^{22b)}

(4) If, in the context of the professional competence, professional experience is required in the field, for the purposes of this Act this shall mean the performance of professional activities pertaining to the field or a related field of a trade by a self-employed person in the field or in a related field based on the relevant business authorization, a person authorized by the management of an undertaking or organizational unit of an undertaking, a responsible representative, a person directly responsible for the management of activities which are the subject of a trade, or a person performing independent professional work corresponding

to the field of a trade as an employee, civil servant, member of an organization or similar status (hereinafter referred to as 'employment relationship').

^{25a)} E.g. Sections 60, 60a and 70 of the Criminal Code.

^{25b)} Act No 269/1994 on the Crime Register, as amended.

Related fields are fields that use the same or similar work processes and expertise.

(5) A citizen of the Czech Republic or another Member State of the European Union may also prove professional competence by means of evidence of professional qualifications certifying that he has carried out the activity concerned in another Member State of the European Union

a) for a period of six consecutive years as a self-employed person or in a managerial position; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession,

b) for a period of three consecutive years as a self-employed person or in a managerial position, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least three years' vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,

c) for a period of four consecutive years as a self-employed person or in a managerial position, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least two years' vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,

d) for a period of three consecutive years as a self-employed person, if he proves that he performed the activity concerned for at least five years in an employment relationship; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession,

e) for a period of five consecutive years in a managerial position, of which at least three years in a professional office with responsibility for at least one department of an undertaking, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least three years' vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,

f) for a period of five consecutive years as a self-employed person or in a managerial position; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession,

g) for a period of three consecutive years as a self-employed person or in a managerial position, if he proves that he performed the activity concerned for at least five years in an employment relationship; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession,

h) for a period of five consecutive years in an employment relationship, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least three years' vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,

i) for a period of six consecutive years in an employment relationship, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least two years' vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,

j) for a period of three consecutive years as a self-employed person or in a managerial position; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession,

k) for a period of two consecutive years as a self-employed person or in a managerial position, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,

l) for a period of two consecutive years as a self-employed person or in a managerial position, if he proves that he performed the activity concerned for at least three years in an employment relationship; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession, or
m) for a period of three consecutive years in an employment relationship, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,

where so provided in Section 21(2) for vocational trades referred to in Annex No 1 to this Act or in respect of individual professional or permitted trades under Annexes 2 or 3 to this Act; the Act on the Recognition of Professional Qualifications^{25c)} shall apply to assessments of professional competence.

(6) An entrepreneur shall ensure that the activities constituting the trades referred to in Annex No 5 to this Act are performed solely by natural persons fulfilling the requirements of professional competence as provided for in that Annex. This provision shall not affect specific legislation laying down the professional competence of natural persons for the performance of a particular trade. An entrepreneur shall keep records of persons fulfilling the conditions of professional competence and shall store copies of documents demonstrating such competence for at least three years as of the date on which such persons cease to perform the corresponding activities; in doing so, the entrepreneur shall also comply with the obligations laid down in specific legislation.^{25d)}

Section 7a

(deleted)

Section 8

Impediments to carrying on a trade

(1) A natural or legal person whose estate is the subject of a bankruptcy order may not carry on a trade as of the date

a) of sale of the undertaking by means of a single contract in the context of the liquidation of assets during the time limit laid down in specific legislation²⁶⁾

b) on which a decision enters into force under which a court terminates the undertaking's operations, or as of the date designated in that decision as the date on which the undertaking's operations are to be terminated.

(2) A natural or legal person may not carry on a trade for a period of three years as of the date on which a decision enters into force that dismisses an insolvency petition on the grounds that the debtor's estate is insufficient to defray the costs of insolvency proceedings. Further, a natural or legal person may not carry on a trade for a period of three years as of the date on which a decision enters into force that cancels bankruptcy procedure on the grounds that the debtor's estate is entirely insufficient to satisfy creditors. If bankruptcy procedure is cancelled for another reason, the impediment to carrying on a trade referred to in paragraph (1) shall end when the decision to cancel bankruptcy procedure enters into force. The trade licensing office may waive an impediment under the first or second sentence if the debtor proves that he complies with the requirements for the due fulfilment of business obligations and for the due fulfilment of financial liabilities.

^{25c)} Act No 18/2004 on the recognition of professional qualifications and other competence of nationals of European Union Member States and amending certain laws (the Act on the Recognition of Professional Qualifications), as amended.

^{25d)} Act No 256/1992 on the protection of personal data in information systems.

²⁶⁾ Act No 182/2006 on bankruptcy and the methods of handling bankruptcy (the Insolvency Act), as amended.

(3) If, in insolvency procedure, a court orders an interim measure under which the handling of the assets of the natural or legal person whose bankruptcy or impending bankruptcy is being handled in that procedure is restricted, that person may execute actions related to the establishment, amendment or cancellation of a trade authorization only with the written permission of the interim receiver.

(4) During insolvency procedure, a natural or legal person whose estate is subject to a bankruptcy order may execute actions related to the establishment, amendment or cancellation of a trade authorization only with the written permission of the receiver.

(5) A natural person who is subjected to the punishment or sanction, by a court or administrative authority, of the prohibition of activities relating to the carrying-on of a trade in a field or related field (Section 7(4)), the natural person may not carry on that trade over the duration of the prohibition. Where this is an unqualified trade, the person concerned may not perform activities within the scope of the unqualified trade to which the punishment or sanction of the prohibition of activity applies, such being over the duration of that prohibition; the performance of other activities within the scope of the unqualified trade is not affected.

(6) An entrepreneur that has had its trade authorization cancelled pursuant to Section 58(2) to (4) may not carry on a trade. An entrepreneur may notify a notifiable trade or apply for a concession in a field or related field no sooner than three years as of the force of the decision cancelling the trade authorization; this shall not apply in cases where a trade authorization is cancelled pursuant to the final sentence of Section 58(3). An entrepreneur may submit an application for a concession in another field no sooner than one year as of the force of the decision cancelling the trade authorization.

Section 9

Classification of trades

Trades are classified as:

- a) notifiable trades, which may be carried on once they have been notified, provided that the stated conditions are met,
- b) permitted trades, which may be carried on pursuant to a concession.

Section 10

Trade authorization

(1) The authorization to carry on a trade (hereinafter referred to as 'trade authorization') shall become effective, with the exception referred to in paragraph (5), for legal persons already entered in the commercial register, for legal persons not required to be entered in the commercial register, and for natural persons:

- a) in the case of notifiable trades, as of the date of notification; this shall not apply to the cases referred to in the second sentence of Section 47(5) and in Section 47(6) and (7),
- b) in the case of permitted trades, as of the date on which the decision granting the concession enters into force.

(2) Legal persons established in accordance with specific legislation^{28a)} who are entered in the commercial register only after their establishment are issued with a trade authorization in accordance with paragraph (1)(a) and (b).

(3) An entrepreneur shall prove his trade authorization

a) by means of an extract from the trade licensing register, containing the information under Section 60(4)(a), (b) or (c) (hereinafter referred to as 'extract'),

b) pending the issue of an extract, by means of a copy of the notification, with proof of delivery to the trade licensing office via a public administration contact point,^{28c)} or by means of an enforceable decision on the granting of a concession.

(4) The trade licensing office shall confirm the fulfilment of the conditions for carrying on a trade by issuing an extract to foreign natural persons who intend to carry on a trade in the Czech Republic through an organizational unit of their undertaking, to the founders, or to the bodies or persons authorized to submit an application for the registration of a Czech legal person in the commercial or similar register, if the legal person is shown to have been formed, or to foreign legal persons; the time limit for the submission of an application for registration in the commercial register under the Commercial Code²⁸⁾ shall commence on delivery of the extract.

(5) The persons referred to in paragraph (4) shall hold a trade authorization as of their registration in the commercial or a similar register. If they fail to submit an application for registration within 90 days from the date on which the extract is delivered or if the application is not upheld, the trade licensing office shall decide that the notifier has not met the conditions for the inception of a trade authorization.

(6) Should a natural person, who is an entrepreneur in accordance with Section 2 (2) of the Commercial Code, and who has not yet been allocated a personal identification number, receive a trade authorization, the trade licensing office shall allocate him a personal identification number provided by the administrator of the basic register of persons^{28d)}.

(7) (deleted)

Carrying on a trade through a responsible representative

Section 11

(1) An entrepreneur may carry on a trade through a responsible representative. The responsible representative is a natural person who is appointed by the entrepreneur to ensure the proper carrying-on of the trade and compliance with trade licensing legislation and who is in a contractual relationship with the entrepreneur. No person may be appointed the responsible representative for more than four entrepreneurs.

(2) The responsible representative shall fulfil general and specific conditions for carrying on a trade in accordance with Sections 6 and 7.

(3) A member of the supervisory board or other supervisory body of a legal person, or a natural person to whom an impediment to carrying on a trade under Section 8 applies, may not act as the responsible representative of that legal person. A person whose trade authorization is cancelled in accordance with Section 58(2) to (4) may not be a responsible representative in

^{28a)} Act No 250/2000 on the budgetary rules of territorial budgets, as amended.

^{28c)} Act No 365/2000 on public administration information systems and amending certain other laws.

²⁸⁾ Section 62 of the Commercial Code.

^{28d)} Act No. 111/2009 Coll., on basic registers.

that field or a related field of the trade for a period of one year as of the date the decision to

- 13 -

cancel the trade authorization enters into force; this shall not apply in cases where the trade authorization is cancelled on the grounds that the trade has ceased to be carried on for a period of longer than four years.

(4) The duty to appoint a responsible representative shall apply to

a) an entrepreneur comprising a natural person and failing to comply with the conditions for carrying on a trade (Section 7),

b) an entrepreneur comprising a legal person, for trades requiring compliance with specific conditions for carrying on a trade (Section 7). The responsible representative appointed by a Czech legal person shall be a person who is the governing body or a member of the governing body of that legal person and who fulfils the conditions to hold the office of responsible representative under this Act. The responsible representative appointed by a foreign legal person shall be the head of the undertaking's organizational unit located in the Czech Republic who fulfils the conditions to hold the office of responsible representative under this Act. Where a responsible representative cannot be appointed from the persons referred to above, the entrepreneur shall appoint a responsible representative from other persons.

(5) The appointment of a responsible representative for a notifiable trade and the termination of his appointment shall be notified by the entrepreneur to the trade licensing office within 15 days of the event referred to above. Should the responsible representative himself notify the termination of his office, he shall also prove that he has informed the entrepreneur of the termination of his office in writing in advance. Where the date of termination of the responsible representative's office cannot be determined according to the entrepreneur's notification, the termination of the responsible representative's office shall be effective on delivery of the responsible representative's notification to the trade licensing office. If the responsible representative, in his notification, specifies a later date for the termination of his office, termination of his office shall be effective as of that later date.

(6) A responsible representative for a notifiable trade may hold his office as of the date of appointment, provided that he meets the conditions required by this Act.

(7) The entrepreneur shall submit the appointment of a responsible representative for a permitted trade to the trade licensing office for approval. The appointment shall become effective on the day the decision granting approval enters into force. The entrepreneur shall notify the termination of the responsible representative's office to the trade licensing office within 15 days of the termination of the office. Should the responsible representative himself notify the termination of his office, he shall also prove that he has informed the entrepreneur of the termination of his office in writing in advance. Where the date of termination of the responsible representative's office cannot be determined according to the entrepreneur's notification, the termination of the responsible representative's office shall be effective on delivery of the responsible representative's notification to the trade licensing office. If the responsible representative, in his notification, specifies a later date for the termination of his office, termination of his office shall be effective as of that later date.

(8) If a responsible representative ceases to perform his duties or comply with the conditions, the entrepreneur shall appoint a new responsible representative within fifteen days. This shall not apply if the trade is suspended or if the entrepreneur notifies the trade licensing office that the carrying-on of the trade has been temporarily discontinued (Section 31(12)).

(9) An entrepreneur may also appoint a responsible representative in cases not required by this Act. Section 11, with the exception of paragraph (8), shall apply mutatis mutandis to such an appointment.

Section 12

(1) A trade may be carried on in the name and on the account of a natural person who is a minor or who, as the result of a court ruling, lacks legal capacity, provided that a court has approved an application to this effect submitted by the natural person's legal guardian. The legal guardian shall notify the trade or apply for a concession on behalf of the natural person he represents.

(2) The legal guardian shall appoint, with court approval, a responsible representative in accordance with Section 11.^{28b)}

Section 13

Continuation of a trade on the death of an entrepreneur

(1) Should an entrepreneur die, any of the following persons may continue his trade until the conclusion of the probate proceedings:

- a) the administrator of the decedent's estate²⁹⁾,
- b) heirs under the law in the absence of testamentary heirs,
- c) testamentary heirs and the surviving spouse or partner,^{28a)} even if he/she is not an heir, provided that he/she is co-owner of assets used to carry on the trade,
- d) an insolvency administrator appointed by a court in accordance with specific legislation,²⁶⁾ but for a period not extending beyond the end of insolvency proceedings, or
- e) the surviving spouse or partner^{28a)*} complying with the condition referred to in subparagraph (c) above, provided that the heirs do not continue the trade.

(2) If the persons referred to in paragraph (1)(b), (c) and (e) intend to continue a trade, they shall inform the trade licensing office of this fact within three months of the day the entrepreneur died. The administrator of the decedent's estate or the insolvency administrator shall report the continuation of the trade within one month of the day he assumed office. If a person under paragraph (1), (b), (c) and (e) does not meet the conditions laid down in Sections 6 and 7, or if impediments under Section 8 apply to that person, or if the person does not reside in the Czech Republic, he shall appoint a responsible representative without undue delay where required of him under this Act.

(3) If the administrator of the decedent's estate²⁹⁾ under paragraph (1)(a) or the insolvency administrator under paragraph (1)(d) fails to meet the conditions laid down in Section 7, he shall appoint a responsible representative without undue delay.

(4) On conclusion of the probate proceedings, the persons referred to in paragraph (1)(b), (c) and (e) may continue the trade if they have assumed economic rights relating to the carrying-on of the trade; they shall notify the trade licensing office of this fact within one month of the conclusion of the probate proceedings. The trade licensing office shall register these persons in the trade licensing register and shall issue them with an extract; in this case, the trade authorization shall be valid for a limited period of six months as of the conclusion of probate proceedings; this fact shall be specified in the extract.

(5) For the requirements under paragraphs (2) and (4), Sections 45, 46 and 50 shall apply *mutatis mutandis*.

^{28b)} Act No 99/1963, the Rules of Civil Procedure.

²⁹⁾ Sections 175e and 175f of the Rules of Civil Procedure. Sections 480a to 480e of the Civil Code.

^{28a)*} Act No 115/2006 on registered partnership and amending certain related laws.

Section 14

In the case of a merger or break-up of a company or cooperative, or in the case of a transfer of assets to a member under specific legislation,^{29a)} the successor company or cooperative that does not yet hold the relevant trade authorization can carry on in the trade on the basis of the trade authorization of the company or cooperative that ceased to exist or was broken up, provided that it notifies the trade licensing office of the carrying on in the business within 15 days of the entry into force of the merger, break up, or transfer of assets to a member, and at the same time notifies a notifiable trade or applies for a concession pursuant to this Act. The right to continue carrying on a trade in accordance with the first sentence shall become extinct on the date of issue of a trade authorization to the legal successor or on the date that a decision of the trade licensing office pursuant to Section 47(5) and (6), Section 51(2) or Section 53(2) enters into force.

Section 15

(deleted)

Section 16

(deleted)

Establishments

Section 17

(1) For the purposes of this Act, an establishment shall mean the space where a trade is carried on. A vending machine or similar device used to sell goods or provide services (hereinafter referred to as 'vending machine') and mobile establishment shall also be regarded as an establishment.

(2) A mobile establishment is an establishment which may be relocated and is not situated in one place for more than three months.

(3) A trade may be carried on in multiple establishments provided that the entrepreneur holds the ownership title or right of use in respect of such establishments. At the trade licensing office's request, the entrepreneur shall prove his ownership title or right of use in respect of the structures or rooms of an establishment; this shall not apply to mobile establishments and vending machines. In respect of mobile establishments, at the trade licensing office's request the entrepreneur shall prove the legitimacy of the establishment's location. Where an establishment is located in a dwelling and the entrepreneur is not the owner of that dwelling, he may carry on a trade there only with the owner's permission. The entrepreneur shall notify the commencement and termination of a trade in an establishment to the trade licensing office in advance; this shall not apply to the commencement of a trade in an establishment which is specified in the notification of a trade pursuant to Section 45(2)(g) and Section 45(3)(f), or in the application for a concession under Section 50, or to vending machines and mobile establishments. In the notification, the entrepreneur shall set out the information required under paragraph (5).

(4) The entrepreneur shall ensure that the establishment is suitable for carrying on a trade in accordance with specific legislation^{29b)} and that it is properly marked.

^{29a)} Act No. 125/2008 Coll. on the transformations of companies and cooperatives, as amended.

^{29b)} E.g. Act No 183/2006 on land-use planning and building rules (the Building Act).

For each establishment, a person shall be appointed to be responsible for the operation of the establishment; this shall not apply to vending machines.

(5) In the notification under paragraph (3), the entrepreneur shall specify

- a) the company name, business name, or given name and surname,
- b) the personal identification number,
- c) the registered office or permanent residence, or place of business; a foreign person shall state his place of residence in the Czech Republic if residence has been permitted, and the location of the undertaking's organizational unit in the Czech Republic, if set up,
- d) the address of the establishment, establishment identification number, if one has been allocated, and the objects of business at the establishment; in the case of an unqualified trade the field of activity,
- f) the date on which a trade is commenced (terminated) at the establishment.

(6) The trade licensing office which receives a notification under paragraph (3) shall allocate an establishment identification number provided by the administrator of the basic register of persons^{28d)}, unless one has already been allocated, it shall register the establishment in the trade licensing register, and shall inform the entrepreneur of the registration and the allocation of an establishment identification number.

(7) An establishment shall be permanently and visibly marked on the exterior with the company name, business name or given name and surname of the entrepreneur and his personal identification number and establishment identification number. A mobile establishment and vending machine shall be marked with information about the registered office or place of business or address where the organizational unit of a foreign person is situated.

(8) An establishment intended for the sale of goods or provision of services to consumers^{29c)} shall also be permanently and visibly marked on the exterior with the following information:

- a) the given name and surname of the person responsible for the operation of the establishment, with the exception of vending machines,
- b) the opening or operating hours for contact with consumers, except in cases of mobile establishments and vending machines,
- c) the category and class of an accommodation facility providing temporary accommodation.

(9) When an establishment under paragraph (8) is closed, the entrepreneur, unless prevented by compelling reasons, shall label the commencement and termination of the closure in advance by means of a notice in a suitable, visible place on the exterior; this shall not apply to mobile establishments and vending machines.

(9) The entrepreneur may sell goods or provide services via consumer-operated vending machines if the sale of goods or provision of services does not require a concession. The sale of goods or provision of services by means of vending machines shall not facilitate the acquisition of certain types of goods by persons protected under specific legislation.^{29e)}

Section 18

(1) As part of its delegated competent,^{29f)} a municipality may issue market rules in the form of an ordinance. With regard to the offer and sale of goods (hereinafter referred to as 'sale') and the provision of services other than in an establishment intended for that purpose under an approbation decisions in accordance with a specific law,^{29g)} the market rules shall define:

- a) places for the sale and provision of services, including, without limitation, market-halls and marketplaces (hereinafter referred to as 'marketplaces') and their classification (e.g. by the type of goods sold or services provided),

^{29c)} Act No 634/1992 on consumer protection, as amended.

^{28d)} Act No. 111/2009 Coll., on basic registers.

^{29e)} E.g. Act No 79/2005 on measures to provide protection against damage caused by tobacco products, alcohol and other addictive substances and amending certain related laws.

^{29f)} Section 11(1) of Act No 128/2000 on municipalities (the Municipal Order), as amended by Act No 313/2002.

^{29g)} Act No 50/1976 on land-use planning and Building Rules (the Building Act), as amended.

- b) the capacity and reasonable facilities of marketplaces,
- c) the business hours for the sale of goods and the provision of services at marketplaces,
- d) rules on keeping the marketplace clean and safe,
- e) rules to be observed by the marketplace operator to ensure the due operation of the marketplace.

(2) The market rules, with the exception of paragraph (1)(a), (b) and (c), shall also apply to the sale of goods and the provision of services at marketplaces classified as structured under a specific law.^{29g)}

(3) A municipality may stipulate, by means of an ordinance issued in accordance with paragraph (1), that this ordinance shall not apply to particular types of sale of goods and provision of services outside establishments, and may stipulate that particular types of sale of goods or provision of services outside establishments are prohibited in all or part of the municipality.

PART TWO

Classification of trades

TITLE I

NOTIFIABLE TRADES

Section 19

The following trades are notifiable trades:

- a) vocational trades, where a condition for carrying on the trade is the professional competence referred to in Sections 21 and 22,
- b) professional trades, where a condition for carrying on the trade is the professional competence referred to in Annex No 2 to this Act, unless otherwise provided below,
- c) unqualified trades, where no professional competence is set as a condition for carrying on the trade.

Division 1

Vocational trades

Section 20

The trades listed in Annex No 1 to this Act are vocational trades.

Professional competence

Section 21

(1) Professional competence for vocational trades shall be documented by proof of

- a) due completion of secondary education with a certificate of apprenticeship³⁰⁾ in a relevant field of education,
- b) due completion of secondary education with a school-leaving examination³¹⁾ in a relevant field of education, or with vocational training subjects in a relevant field,

³⁰⁾ E.g. Act No 29/1984 on the system of primary schools, secondary schools and post-secondary vocational colleges (the Schools Act), as amended, Decree of the Ministry of Education of the Czech Socialist Republic No 31/1987 on the completion of studies at secondary schools and on the completion of training at special vocational centres, Decree of the Ministry of Education, Youth and Sports of the Czech Republic No 354/1991 on secondary schools, as amended, Act No 561/2004 on preschool, primary, secondary, further vocational, and other education (the Schools Act), as amended.

³¹⁾ E.g. Act No 29/1984, as amended, Act No 561/2004, as amended.

- c) due completion of higher vocational education³¹⁾ in a relevant field of education,
- d) due completion of higher education^{31a)} in a relevant field of study programmes and study fields,
- e) recognition of professional qualifications issued by the recognition authority in accordance with the Act on the Recognition of Professional Qualifications,^{25c)} or
- f) verification or recognition of full qualifications achieved in a relevant field based on the Act on the Recognition of the Results of Further Education.^{23q)}

(2) Citizens of the Czech Republic or another Member State of the European Union may also prove professional competence

- a) in respect of the trades listed in Part A, Annex No 1 to this Act by means of the documents laid down in Section 7(5)(b), (c) or (e),
- b) in respect of the trades listed in Part B, Annex No 1 to this Act by means of the documents laid down in Section 7(5)(b), (c), (f) or (h), or
- c) in respect of the trades referred to in Part C, Annex No 1 to this Act by means of the documents laid down in Section 7(5)(j), (k), (l) or (m).

Section 22

Documents proving professional competence in accordance with Section 21 may be replaced by evidence of

- a) due completion of secondary education with a certificate of apprenticeship³⁰⁾ in a related field of education and evidence of one year's experience in the field,
- b) due completion of secondary education with a school-leaving examination³¹⁾ in a related field of education and evidence of one year's experience in the field,
- c) due completion of higher vocational education³¹⁾ in a related field of education and evidence of one year's experience in the field,
- d) due completion of higher education^{31a)} in a relevant related field of study programmes and study fields,
- e) due completion of retraining^{30a)} for relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and evidence of one year's experience in the field, or
- f) six years' experience in the field.

Division 2

Professional trades

Section 23

The trades listed in Annex No 2 to this Act are professional trades.

^{31a)} Sections 45, 46 and 98(1) of Act No 111/1998 on universities and amending other laws (the Universities Act), as amended.

^{30a)} Decree No 21/1991 on more detailed conditions for the retraining of job-seekers and employees, as amended by Decree No 324/1992. Decree No 524/2004 on the accreditation of facilities to provide retraining for job-seekers and persons interested in employment. Decree No. 176/2009 Coll., setting out the requisite details of an application for the accreditation of an educational programme, the organisation of education in a retraining facility, and the manner of its termination.

Section 24

Professional competence

(1) Professional competence for professional trades is laid down in Annex No 2 to this Act or is regulated by specific legislation listed in that annex.

(2) A citizen of the Czech Republic or another Member State of the European Union may prove professional competence by means of a document on the recognition of professional qualifications issued by the recognition authority in accordance with the Act on the Recognition of Professional Qualifications.

Division 3

Unqualified trades

Section 25

(1) Unqualified trades are trades for the carrying-on of which this Act requires no proof of professional or other competence. In order to acquire a trade authorization for an unqualified trade, general conditions must be fulfilled (Section 6(1)).

(2) Unqualified trades and the areas of activity pertaining to unqualified trades are listed in Annex No 4 to this Act.

TITLE II

PERMITTED TRADES

Section 26

The trades listed in Annex No 3 to this Act are permitted trades.

Section 27

Professional competence and conditions for carrying on a trade

(1) Professional competence for permitted trades is laid down in Annex No 3 to this Act or is regulated by specific legislation listed in that annex.

(2) A citizen of the Czech Republic or another Member State of the European Union may prove professional competence by means of a document on the recognition of professional qualifications issued by the recognition authority in accordance with the Act on the Recognition of Professional Qualifications.

(3) The trade licensing office shall lay down or amend an entrepreneur's conditions for carrying-on a trade pursuant to this Act or by virtue of specific legislation

PART THREE

Scope of trade authorization

Section 28

(1) The scope of a trade authorization (hereinafter referred to as 'scope of authorization') shall be assessed according to the objects of business referred to in the extract, with consideration for the provisions of this Part. A trade authorization to carry on an unqualified trade shall entitle the holder to engage in the activities listed in Annex No 4 to this Act.

(2) If carrying on a trade in accordance with Annexes 2 and 3 is tied to a document issued by a special authority in accordance with specific legislation, the scope of the trade authorization shall be defined in that document.

(3) In cases of doubt, the trade licensing office shall take a decision on the scope of authorization at the entrepreneur's request.

Section 29

(deleted)

Section 30

(deleted)

Section 31

Obligations of an entrepreneur

(1) An entrepreneur carrying on a trade through a responsible representative (Section 11) shall ensure that the responsible representative participates in the carrying-on of the trade to the extent required.

(2) An entrepreneur shall visibly mark his place of business, if different from his place of abode (Section 5(2)), and registered office, and a foreign person the organizational unit of its undertaking, if set up, with the company name, business name, or given name and surname and registered number. At the trade licensing office's request, an entrepreneur shall prove ownership or the title of use or other similar right in respect of the building or premises in which the entrepreneur has his place of business in the Czech Republic, if this place of business is different from his place of abode, and registered office, and a foreign person the organizational unit of its undertaking.

(3) An entrepreneur shall demonstrate to a control body, at its request and within the time limit set by it, the method applied in the acquisition of the goods for sale or the materials used in the provision of services.

(4) In cases relating to the purchase of second-hand goods or goods without proof of acquisition, cultural monuments or items of cultural value, the receipt of such goods as pawned items or the mediation of the purchase or pawning of such goods, prior to the conclusion of the contract an entrepreneur shall identify the parties to the contract in accordance with the Act on Certain Measures to Combat Money Laundering and the Financing of Terrorism and the subject of the contractual relationship and keep records of such information, including the date on which the contractual relationship is established. These records shall be available at the establishment where identification takes place and where the goods are located.

(5) For the purposes of this Act, identification of the subject of the contractual relationship shall mean ascertainment of the product name, brand and serial number, of stated on the product, otherwise a brief description of the product facilitating reasonable identification thereof.

(6) The entrepreneur shall keep records of the identification information under paragraphs (4) and (5) and store such information for a period of five years following the date of conclusion of the contract.

(7) If a party to the contractual relationship refuses to undergo identification, or if the subject of the contractual relationship cannot be identified, the entrepreneur shall not purchase goods, take receipt of goods as pawned goods or mediate the purchase thereof.

(8) An entrepreneur shall ensure that a person fulfilling the condition of knowledge of the Czech or Slovak language is present in his establishment intended for the sale of goods or the provision of services to consumers during opening or business hours intended for contact with consumers. Should the trade licensing office have doubts, it may examine the fulfilment of this condition by means of an interview, during which it judges whether that person is capable of responding fluently and linguistically correctly to questions concerning ordinary situations in everyday life and business and whether that person knows how to communicate the content of an article in the daily press orally.

(9) An entrepreneur shall be held liable for his employees' proof of fulfilment of the condition of good character where the good character of employees is required as a condition under this Act or specific legislation.

(10) An entrepreneur and natural persons carrying on an activity which is the subject of a trade, persons acting on their behalf, and the responsible representative shall prove their identity to members of staff of the trade licensing office.

(11) Should an entrepreneur notify the trade licensing office of the suspension of a trade, the trade shall be suspended as of the day of the delivery of the notification of the suspension to the trade licensing office or as of a later date specified in the notification. While a trade is suspended, the entrepreneur shall be bound by the obligations imposed by this Act, save the obligations stipulated in paragraphs 2, 9, and 17 and in Section 17 (4) and (8) and the obligation to comply with the conditions of professional and other competence, if this Act or special legislation require them for the carrying on of the trade.

(12) An entrepreneur shall notify the trade licensing office in writing in advance of the resumption of a trade before the expiry of the period for which a trade is suspended under paragraph (12). A trade may be resumed no earlier than the date of delivery of notification of the resumption of the trade to the trade licensing office or as of a later date specified in the notification.

(13) Acting on notification pursuant to paragraphs (12) and (13), the trade licensing office shall enter this information in the trade licensing register and inform the entrepreneur of this entry.

(14) The entrepreneur shall issue proof of the sale of goods and of the provision of a service at the customer's request. This document shall contain a specification of the entrepreneur, i.e. his company name, business name or given name and surname, and registered number, the date of the sale of goods or the provision of the service, the type of goods or service, and the price, unless otherwise provided in specific legislation.

(15) An entrepreneur shall, at the trade licensing office's request, state whether the entrepreneur carries on a particular trade and submit documents as evidence.

(16) An entrepreneur shall inform the trade licensing office, no later than by the day on which it terminates its activities in an establishment, of the address at which any possible liabilities can be settled. The entrepreneur shall be obliged to report any change of the address referred to in the first sentence for 4 years after the termination of activities in an establishment.

(17) An entrepreneur shall be held liable for the fact that his employees have professional competence as laid down in specific legislation, knowledge of safety procedures and knowledge of regulations concerning the protection of public health. Where required by the nature of the work or other activities, the entrepreneur shall also be held liable for the repeated medical examinations of his employees in accordance with specific legislation.³³⁾

(18) An entrepreneur who vocationally trains young people shall be governed by specific legislation.^{23d)}

(19) In carrying on a trade, an entrepreneur shall comply with obligations arising from this Act and specific legislation.

Section 32

(deleted)

Section 33

(deleted)

Scope of authorization

Section 34

(1) An entrepreneur carrying on a trade consisting of business activities shall also be entitled, provided that the nature of the trade is preserved,

- a) to lease goods,
- b) to act as an intermediary in the purchase and sale of goods in individual cases,
- c) to make minor alterations to goods in order to adapt them to the purchaser's requirements, should the purchaser so request,
- d) to assemble goods delivered to customers if assembly entails simple operations not requiring special expertise,
- e) to replace defective parts of delivered goods if replacement is simple and does not require special expertise.

(2) An entrepreneur shall also be entitled to service goods supplied by the entrepreneur provided that the servicing is carried out by competent persons.

(3) Where the activities referred to in paragraphs (1) and (2) require a concession, the entrepreneur may carry out such activities only if he holds the relevant concession.

(4) An entrepreneur shall be entitled to accept orders for the manufacture, processing or modification of goods which he is authorized to sell, and to commission such work from an authorized manufacturer.

(5) (deleted)

³³⁾ E.g. Act No 258/2000 on the protection of public health and amending certain related laws.

Section 35

(deleted)

Section 36

(deleted)

Section 37

(deleted)

Section 38

(deleted)

Section 39

(deleted)

Section 40

(deleted)

Section 41

(deleted)

Section 42

(1) An entrepreneur carrying on a trade consisting of manufacturing activity shall be entitled, within the scope of his trade authorization, to manufacture, sell and repair products provided that the nature of the trade is preserved.

(2) An entrepreneur shall also be entitled:

- a) to purchase and resell the products of other manufacturers, together with accessories, provided that these are the same type as products manufactured by the entrepreneur or, in individual cases, to act as an intermediary in the sale of products and accessories developed externally,
- b) to manufacture and print packaging, labels and other auxiliary items facilitating the sale of products manufactured by the entrepreneur,
- c) to lease products developed internally and products of the same type made by other manufacturers, together with accessories,
- d) to assemble, modify and service such products.

(3) The purchase, sale, intermediation of sales and the lease of externally developed products under paragraph (2)(a) and (c) shall be possible only insofar as the nature of the manufacturing trade is preserved.

Section 43

Section 42(2) and (3) shall apply mutatis mutandis to an entrepreneur who carries on a trade where he repairs or services items, transports persons or items, or provides accommodation, hospitality services, pawning services and other work and activities to satisfy other needs, provided that the nature of the trade is preserved.

Section 44

An entrepreneur authorized to transport persons and goods may engage in activities connected with ensuring the safety and comfort of passengers, the transfer, storage and packaging of consignments, the operation of safekeeping services and the provision of hospitality services aboard vehicles.

PART FOUR

INCEPTION, AMENDMENT AND TERMINATION OF A TRADE AUTHORIZATION, TRADE LICENSING REGISTER

TITLE I NOTIFYING A TRADE

Section 45

(1) A natural or legal person who intends to carry on a notifiable trade shall notify the trade licensing office of this fact.

(2) In the notification, a natural person shall specify

a) his given name and surname, where appropriate the company name, his citizenship, place of residence (name of municipality, borough, street name, street number and land registry reference number, if allocated, postcode), personal ID number, if allocated, his date of birth, place of birth (municipality, district, country) and surname at birth,

b) in the case of a responsible representative, the information listed under a) for the responsible representative, if the natural person concerned carries on the trade via this responsible representative,

c) in the case of a foreign natural person, his given name and surname, where appropriate the company name, personal ID number, if allocated, his date of birth, his place of residence outside the Czech Republic, his place of residence in the Czech Republic (if residence permitted), a specification of, and the location of, the undertaking's organizational unit in the Czech Republic (name of municipality, borough, street name, street number and land registry reference number, if allocated, postcode), and the information under a) concerning the head of the undertaking's organizational unit^{36a)} (with the exception of the surname at birth and information about the place of birth). Where the responsible representative or head of the undertaking's organizational unit is a person resident outside the Czech Republic, the place of residence in the Czech Republic (if residence has been permitted) shall also be specified,

d) the place of business (name of municipality, borough, street name, street number and land registry reference number, if allocated, postcode),

e) the objects of business, applying the definition under paragraph (4), and any other supplementary information relating to the scope of the trade authorization,

f) the registered number, if allocated,

g) the establishment or establishments in which the carrying-on of the trade shall be commenced on inception of the trade authorization, with the exception of mobile establishments and vending machines,

^{36a)} Section 28(3) of the Commercial Code.

h) the duration of permitted residence, in the case of a person subject to the obligation to have his residence permitted pursuant to Sec. 5 (5).

(3) In the notification, a legal person shall specify

a) the company name or business name, registered office (name of municipality, borough, street name, street number and land registry reference number, if allocated, postcode), and the given name and surname, , personal ID number, if allocated, date of birth, place or address of residence in the Czech Republic, if residence has been permitted, of the person or persons who are the governing body or members thereof,

b) in the case of a responsible representative, the information listed under paragraph (2)(a) for the responsible representative, if the legal person concerned carries on the trade via this responsible representative,

c) the designation of and location of the undertaking's organizational unit in the Czech Republic and the information listed in paragraph (2)(a) relating to the head of the undertaking's organizational unit^{36a)} (with the exception of the surname at birth and information about the place of birth) in the case of a foreign legal person. Where the responsible representative or head of the undertaking's organizational unit is a person resident outside the Czech Republic, the place of residence in the Czech Republic (if residence has been permitted) shall also be specified,

d) the registered number, if allocated,

e) the objects of business, applying the definition under paragraph (4), and any other supplementary information relating to the scope of the trade authorization,

f) the establishment or establishments in which the carrying-on of the trade shall be commenced on inception of the trade authorization, with the exception of mobile establishments and vending machines.

(4) The notifier shall define the objects of business referred to in the notification with reasonable certainty and clarity. Where an unqualified trade is notified, the notifier shall specify the fields of activity in which the notifier is to engage in business. The objects of business of an unqualified trade shall be notified in accordance with the name of the field of activity listed in Annex No 4 to this Act. The objects of business of a vocational and professional trade shall be notified in accordance with Annexes 1 and 2 to this Act in full or in part.

(5) The notifier shall not be required to supply the information referred to in paragraphs (2) and (3) if that information is already entered in the trade licensing register, with the exception of the identification information.

Section 45a

(1) A natural person may, together with the notification of a trade or an application for a concession at a trade licensing office, also

a) submit a tax registration form or relevant notification,^{36b)}

b) notify the commencement of self-employment,^{36c)}

^{36b)} Section 33 of Act No 337/1992 on the administration of taxes and charges, as amended.

^{36c)} Section 48 of Act No 582/1991 on the organization and provision of social security, as amended.

- c) submit a pension insurance registration form,^{36d)}
- d) submit a sickness insurance registration form,^{36e)}
- e) notify a vacancy or the filling of a vacancy,^{36f)}
- f) submit a notification in accordance with the Public Health Insurance Act.^{36g)}

(2) A legal person may, together with the notification of a trade or an application for a concession at a trade licensing office, also

- a) submit a tax registration form or relevant notification,^{36b)}
- b) notify a vacancy or the filling of a vacancy,^{36d)}

(3) Notification of a trade or an application for a concession shall be submitted on a form issued by the Ministry of Industry and Trade.

(4) The trade licensing office shall deliver information obtained under paragraph (1)(a) and under paragraph (2)(a) to the competent tax authority responsible for the administration of income tax, information obtained under paragraph (1)(b) to (d) to the competent social security authority, information obtained under paragraph (1)(e) and under paragraph (2)(b) to the competent employment office, and information obtained under paragraph (1)(f) to the competent health insurance company.

(5) An entrepreneur may also notify the trade licensing office, within the time limit laid down in specific legislation, of a change in the information under paragraphs (1) and (2), provided that he does so in connection with the fulfilment of the reporting obligation under this Act.

(6) Information under the preceding paragraphs, including notification of changes thereto, shall be forwarded by the trade licensing office to the competent authorities within five working days; this time limit shall commence on inception of the trade authorization or as of the date that defects in a notification are remedied or that changes are notified. This information may be forwarded electronically and in a manner facilitating remote access.

Section 46

(1) Unless otherwise provided in this Act, a natural person shall enclose with his notification

- a) if he is a citizen of another Member State of the European Union, an extract from the crime register or an equivalent document issued by the competent judicial or administrative authority of that State or of the Member State of most recent residence; if the Member State of most recent residence is the Czech Republic, the procedure under the second sentence of Section 6(3) shall be followed. If that State does not issue extracts from the crime register or an equivalent document, the natural person shall submit a solemn declaration of good character, made in the presence of a notary or an authority of the Member State of which he is a citizen, or in the presence of a notary or authority of the Member State of most recent residence. These documents shall not be more than three months old; a document under this provision may be replaced by a document on the recognition of professional qualifications, provided that it also proves fulfilment of the condition of good character,
- b) if he is a citizen of a State other than a State referred to under a) above, an extract from the crime register or an equivalent document issued by the State of which the natural person is a citizen. If that State does not issue extracts from the crime register or an equivalent document, the natural person shall submit a solemn declaration of good character, made in the presence of a notary or an authority of the State of which he is a citizen, or in the presence of a notary or authority of the State of most recent residence. These documents shall not be more than three months old,

^{36d)} Section 48a of Act No 582/1991, as amended.

^{36e)} Section 145b(2) of Act No 100/1988 on social security, as amended by Act No 160/1995.

^{36f)} Section 35(2) of Act No 435/2004 on employment, as amended by Act No 214/2006.

^{36g)} Section 10 of Act No 48/1997, on public health insurance and amending certain laws, as amended by Act No 214/2006.

- c) if the responsible representative is a national of a Member State of the European Union, he shall submit the documents under a) above; these documents shall not be more than three months old,
- d) a document proving his professional competence, or the responsible representative's professional competence, if required by the Act,
- e) if he is a foreign natural person, residence documents, where this obligation is required under Section 5(5); a foreign natural person who sets up the organizational unit of an undertaking in the Czech Republic, a document proving that the undertaking is outside the territory of the Czech Republic and documents proving the operation of the undertaking; a national of a Member State of the European Union shall not submit a document on the operation of the undertaking,
- f) a document proving the legal reason for the use of the premises in which the place of business is located, of this is different from the place of residence (Section 5(2)), or in which the organizational unit of a foreign person's undertaking is located in the Czech Republic; a written declaration from the owner of the property, residential unit or non-residential unit where the premises are situated that he agrees to the use of premises shall suffice as evidence of the legal reason for the use of the premises; if the natural person has his place of residence in the registered office of the municipal authority, he shall submit the municipality's approval for the location of the place of business in its registered office,
- g) a declaration from the responsible representative that he agrees to his appointment; the signature on the declaration shall be officially certified unless the responsible representative makes the declaration in person before the trade licensing office,
- h) proof of payment of the administrative fee in accordance with specific legislation.³⁶ⁱ⁾

(2) A legal person shall enclose with its notification

- a) if the responsible representative is a national of a Member State of the European Union, the documents under paragraph (1)(a) above; these documents shall not be more than three months old,
- b) a document proving the responsible representative's professional competence,
- c), a document proving that the legal person has been established or founded, if registration in the commercial or similar register has not yet been made, or document proving that the legal person has been registered in the relevant register other than the trade register, if the registration has already been made; in the case of a foreign legal person, an extract from the commercial or similar register kept in the State where the legal person has its registered office, and a document proving that its undertaking's organizational unit in the Czech Republic has been registered in the commercial register, if registration has taken place, and a document proving the operation of the undertaking abroad; a document proving the operation of the undertaking abroad need not be submitted by a legal person with its registered office, headquarters, or principal place of business in a Member State of the European Union; the extract from the commercial or similar register shall not be more than three months old,
- d) a document proving the legal reason for the use of the premises in which the legal person has its registered office in the Czech Republic, unless the notified address of the registered office has already been registered in the commercial register or other register, if this document is required under specific legislation as a condition of registration in that register; a written declaration from the owner of the property, residential unit or non-residential unit where the premises are located, or a declaration from a person otherwise authorized to handle the property, residential unit or non-residential unit, that he agrees with the use of the premises shall suffice as evidence of the legal reason for the use of the premises,
- e) a document proving the legal reason for the use of the premises in which the organizational unit of the foreign legal person's undertaking is located in the Czech Republic, unless the notified address of the registered office has already been registered in the commercial register or other register, if this document is required under specific legislation as a condition of registration in that register; a written declaration from the owner of the property, residential unit or non-residential unit where the premises are located, or a declaration from a person otherwise authorized to handle the property, residential unit or non-residential unit, that he agrees with the

use of the premises shall suffice as evidence of the legal reason for the use of the premises,
f) a declaration from the responsible representative that he agrees to his appointment; the signature on the declaration shall be officially certified unless the responsible representative makes the declaration in person before the trade licensing office,
g) proof of payment of the administrative fee in accordance with specific legislation.³⁶ⁱ⁾

(3) If the notification is submitted by the legal guardian of a person who does not have full legal capacity, the approval of the court with due jurisdiction shall also be submitted (Section 12).

(4) Documents confirming education which have been issued abroad shall be accompanied by a recognition clause in accordance with specific legislation,^{31d)} documents confirming university education shall be accompanied by a certificate of recognition in accordance with specific legislation.^{31e)}

(5) The obligation to submit documents accompanied by a recognition clause or a certificate of recognition under paragraph (4) shall not apply to documents confirming education which are issued in a Member State of the European Union or which are submitted by a person from such a State.

(6) (deleted)

Section 47

(1) If a notifier complies with all the conditions laid down in the Act, the trade licensing office shall make an entry in the trade licensing register within five days of delivery of the notification and shall issue the entrepreneur with an extract.

(2) An extract issued to a natural person shall specify

his given name and surname, personal ID number, if allocated, the entrepreneur's date of birth, and his place of residence; in the case of a foreign person his place of residence outside the Czech Republic, place of residence in the Czech Republic (if residence permitted), a specification of, and the location of, the undertaking's organizational unit in the Czech Republic, if set up, and the given name and surname, personal ID number, if allocated, date of birth, and residential address or place of residence in the Czech Republic of the head of the organizational unit,

b) the company name, if the natural person is registered in the commercial register, and the registered number, if allocated,

c) the objects of business in full or in part in accordance with Section 45(4), and any other supplementary information relating to the scope of the trade authorization, if specified by the entrepreneur in the notification,

d) the place of business,

e) the term of validity of the trade authorization; in the case of a person referred to in Section 5(5), that period shall be understood as the period of residence permitted,

f) the date of inception of the trade authorization,

g) the date and place of issue of the extract.

(3) An extract issued to a legal person shall specify

a) the company name or business name, registered office, registered number, if allocated, in the case of a foreign person a specification of, and the location of, the undertaking's organizational

³⁶ⁱ⁾ Act No 634/2004 on administrative fees, as amended.

^{31d)} no text

^{31e)} Act No 18/2004 on the recognition of professional qualifications and other competence of nationals of European Union Member States and amending certain laws (the Act on the Recognition of Professional Qualifications)

^{31d)} Section 108 of Act no. 561/2004 Coll., Decree No. 12/2005 Coll., on the conditions of the recognition of equality and nostrification of certificates issued by foreign schools.

unit in the Czech Republic, and the given name and surname, personal ID number, if allocated, otherwise date of birth, and residential address or place of residence in the Czech Republic of the head of the organizational unit,

b) the objects of business in full or in part in accordance with Section 45(4), and any other supplementary information relating to the scope of the trade authorization, if specified by the entrepreneur in the notification,

c) the term of validity of the trade authorization,

d) the date of inception of the trade authorization,

e) the date and place of issue of the extract.

(4) If a notification does not contain the particulars according to Sections 45 and 46, the trade licensing office shall call upon the notifier to rectify the defects within the time limit laid down in paragraph (1). In its request, the trade licensing office shall set a reasonable time limit for rectification of the defects which shall be at least 15 days. The trade licensing office may extend the time limit repeatedly at the entrepreneur's request where there are compelling reasons for such an extension. Over the time limit specified in the trade licensing office's request, the time limit for registration in the trade licensing register and issue of an extract shall be suspended.

(5) Should the notifier rectify defects in the stated time limit or in an extended time limit, the notification shall be regarded as devoid of defects from the beginning. Should the notifier fail to rectify defects in the stated or extended time limit, the trade licensing office shall commence procedure and shall rule that no trade authorization arose on notification of the trade; in the case of a notification made by persons referred to in Section 10(4), the trade licensing office shall rule that the notifier has not complied with the conditions required for the inception of a trade authorization. If the notifier, prior to the issue of a decision, rectifies the defects and the trade licensing office finds that the conditions for the inception of a trade authorization have been met, the trade licensing office shall conclude the procedure by making an entry into the trade licensing register and issuing an extract.

(6) If the notifier fails to comply with the conditions laid down in this Act, the trade licensing office shall commence procedure and rule that no trade authorization arose on notification of the trade. In the case of a notification by a person under Section 10(4), the trade licensing office shall rule that the notifier has not complied with the conditions required for the inception of a trade authorization.

(7) If a notification is made by a foreign natural person who is also required to submit a document confirming his residence permit in accordance with Section 5(5) and who has proven the fulfilment of all conditions, with the exception of the condition of the residence permit, for the purposes of residence permit procedure the trade licensing office shall issue that foreign natural person with an extract containing the information under Section 47(2), with the exception of the information under subparagraph (e). The right to carry on a trade shall arise for that person on the date of production of a document proving the granting of a long-term visa or a long-term residence permit to the trade licensing office where the trade has been notified. If a foreign natural person fails to comply with the general and specific conditions for carrying on a trade, the trade licensing office shall decide that the notifier has not qualified for the inception of a trade authorization.

(8) If the person referred to in paragraph (7) submits a document confirming his residence permit in accordance with specific legislation^{24b)} within three working days of the date of notification of the foreign national's place of residence in the Czech Republic,³⁷⁾ the trade licensing office shall within five days issue an extract in accordance with Section 47(2). Should this person fail to submit a document confirming his residence permission in the stated time limit, the trade licensing office shall decide that the notifier has not qualified for the inception

of a trade authorization. The trade licensing office shall make the same decision if the said person fails to produce a document confirming his residence permission within six months of the date of service of the extract under paragraph (7).

(9) If, for compelling reasons, the trade licensing office is unable to make an entry in the trade licensing register and issue an extract in the time limit under paragraph (1), and this does not

- 30 -

constitute procedure under paragraph (4), the trade licensing office shall request a superior authority to extend the time limit for issue of the extract. The trade licensing office shall inform the notifier of the extension to the time limit and the reasons for this.

(10) If the trade licensing office finds that an entry in the trade licensing register has been made by reference to a notification in contravention of the law, it shall commence proceedings for annulment of the relevant trade authorization.

The trade licensing office shall conclude the procedure with a new entry and issue a new extract, or shall issue a decision annulling the trade authorization and issue an extract.

(11) The trade licensing office shall correct errors in the text and other obvious misprints in an entry in the trade licensing register at any time by making a corrective entry and issuing the entrepreneur with a new extract.

Section 48

(1) The trade licensing office shall send an extract, or shall communicate information about a trade and entrepreneur by other means (Section 60(5)), to the tax authority with territorial jurisdiction responsible for the administration of income tax, to the Czech Statistical Office, to the social security administration with territorial jurisdiction based on the entrepreneur's residential address or registered office, in the case of a foreign person based on his place of permitted residence, place of business or location of the organizational unit of the foreign person's undertaking, to the competent health insurance company, if known to the trade licensing office, to the authority or organization which, under specific legislation, keeps a register of all general health insurance policyholders, and the registry court in the case of persons registered in the trade register. This obligation of the trade licensing office shall also apply to changes in the trade licensing register, including changes to a trade authorization if a trade is carried on after the death of the entrepreneur, to the interruption or suspension of a trade, to decisions annulling a trade authorization, to decisions that a trade authorization did not arise on notification of a trade, and to measures issued in accordance with Section 47(10) and (11).

(2) The trade licensing office shall forthwith inform the Ministry of the Interior of the issue of an extract to a foreign natural person in accordance with Section 47(7), the inception of a trade authorization, the suspension and cancellation of a trade authorization, and decisions on the non-inception of a trade authorization, the setting aside of the notification of a trade, the suspension of a trade, the fact that the notifier or concession applicant has not complied with the conditions for the inception of a trade authorization, decisions on the discontinuance of proceedings for concessions and decisions rejecting applications for a concession.

(3) The trade licensing office shall comply with the obligations referred to in paragraph (1) within 30 days from the date on which the entry is made in the trade licensing register, unless otherwise provided in this Act.

Section 49

(1) An entrepreneur shall inform the trade licensing office of all changes and amendments

relating to information and documents required for the notification of a trade, and shall submit the related documents within 15 days from the date on which they occur; this shall not apply where changes and amendments have already been entered in basic registers^{28d)}, the

- 31 -

commercial register^{31f)} or the citizen register information system^{38e)} if the entrepreneur is a citizen of the Czech Republic, or in the foreigner information system^{31g)} if the entrepreneur is a foreigner.

(2) Acting on notification pursuant to paragraph (1), the trade licensing office shall make an entry in the trade licensing register and, depending on the circumstances, shall issue an extract (Section 47(2) or (3)), or shall inform the entrepreneur of this entry. If a reported change or amendment is not evidenced by means of documents in accordance with paragraph (1), the trade licensing office shall call upon the entrepreneur to submit documents and shall set a time limit for fulfilment of this obligation, which shall be at least 15 days, and shall not make an entry in the trade licensing register until the documents are submitted. If a change relates to the scope of the objects of business and is not evidenced by documents in accordance with this Act, the trade licensing office shall rule, in separate procedure, that the trade authorization did not arise in the context of the reported change.

(3) Where there is a change of responsible representative, an entrepreneur shall complement this notification with documents under Section 46, and the trade licensing office, if the responsible representative appointed by the entrepreneur complies with the conditions for carrying on a trade, shall make an entry in the trade licensing register and shall inform the entrepreneur of that entry. If the responsible representative appointed by the entrepreneur does not comply with the conditions for carrying on a trade or if the entrepreneur has not appointed a responsible representative even though he is required to do so by law, the trade licensing office shall commence procedure to suspend the trade.

TITLE II PROCEDURE ON CONCESSIONS

Section 50 Particulars of an application for a concession

(1) A person intending to carry on a permitted trade shall submit an application for a concession to the trade licensing office.

(2) For the particulars of an application for a concession, Section 45(2) to (5) and Section 46 shall apply *mutatis mutandis*. The objects of business shall be specified in the application for a concession in full or partial scope according to Annex No 3.

(3) If conditions of professional or other competence are laid down for carrying on a trade, the following shall be attached to an application for a concession:

- a) in the case of a natural person, a document proving his professional and other competence, or a document proving the professional and other competence of the responsible representative,
- b) in the case of a legal person, a document proving the responsible representative's professional and other competence.

(4) In an application for a concession, the applicant shall also specify information in accordance with specific legislation and evidence that information by means of documents required for the competent State administration authority to assume an opinion in accordance with Section 52(1) of this Act.

^{31f)} Sec. 27 and ff. of the Commercial Code.

^{38e)} Act No. 133/2000 Coll., on the registry of citizens and personal ID numbers and on amending certain acts (the Citizen Register Act), as amended.

^{31g)} Sec. 158 of Act No. 326/1999 Coll., on the residence of foreigners in the Czech Republic and on amending certain acts, as amended by Act No. 227/2009 Coll.

Section 51

(1) If the trade licensing office finds that not all the requirements of an application for a concession have been met, it shall call upon the applicant to rectify the defects within 30 days –

32 -

of delivery of the application. The trade licensing office may extend the time limit repeatedly at the applicant's written request where there are compelling reasons for such an extension. The procedure for the concession shall be suspended over the time limit specified in the trade licensing office's request.

(2) If the applicant rectifies the defects in the state or extended time limit, the trade licensing office shall open proceedings on the application. Should the applicant fail to rectify the defects in the time limit, the trade licensing office shall discontinue the procedure.

Section 52

Considering an application

(1) Where, under specific legislation or Annex No 3 to this Act, a State administration authority's authorization, approval, permission or opinion is required for the carrying-on of a trade, the trade licensing office shall submit the application for a concession to that authority together with all documents supplied by the applicant for a concession which are required in order to assume an opinion; this authority shall express an opinion within 30 days of delivery of the application, unless otherwise provided in Annex No 3. Its opinion shall be binding upon the trade licensing office. The trade licensing office shall not require this opinion if the authority stipulated in Annex No 3 to this Act has issued a decision approving the conditions in accordance with specific legislation.

(2) If the nature of a trade so requires, or in cases of doubt, the trade licensing office may also seek the opinion of other authorities, which shall send their opinion within the time limit laid down in paragraph (1).

(3) If a foreign natural person who is also required to submit a document confirming his residence permit under Section 5(5) submits an application for a concession, the trade licensing office shall proceed in accordance with Section 47(7) and (8) *mutatis mutandis*.

Section 53

Decision-making on concessions

(1) Prior to taking a decision on a concession, the trade licensing office shall determine whether all the general and specific conditions for carrying on a trade have been fulfilled and whether there are any impediments to carrying on the trade.

(2) If any of the conditions under paragraph (1) are not met or if the competent state administration authority under Annex No 3 to this Act opposes the granting of a concession, the trade licensing office shall reject the application.

(3) If the appointment of a responsible representative is submitted to the trade licensing office for approval together with the application for a concession and the proposed person meets the statutory conditions, the trade licensing office shall approve the appointment of the responsible representative in its decision to grant a concession.

(4) The trade licensing office shall grant a concession to the person referred to in Section 5(5) covering the duration of his residence permit.

(5) For the particulars of a decision granting a concession, Section 47(2)(a) to (e) and Section

47(3)(a) to (c) shall apply mutatis mutandis. In the decision granting a concession, the trade licensing office shall set out the conditions for carrying on a trade in accordance with Section 27(3).

- 33 -

Section 54

(1) The trade licensing office shall make an entry in the trade licensing register and issue an extract to the entrepreneur within five days from the date on which the decision granting a concession enters into force.

(2) For the issue of an extract, Section 47(2), (3) and (11) shall apply mutatis mutandis.

Section 55

The trade licensing office's obligation to disclose information pursuant to Section 48 shall apply mutatis mutandis.

(1) The trade licensing office shall send a copy of an enforceable decision granting a concession, amending a concession, or revoking a concession, information about the interruption or suspension of a trade, and an extract, or shall communicate information about a permitted trade and about the entrepreneur by another agreed means, also to the authority which has expressed an opinion on the granting of a concession in accordance with Section 51(1).

Section 56

Changes to the information given in an application for a concession

(1) An entrepreneur shall inform the trade licensing office of all changes and amendments relating to information and documents laid down as particulars of an application for a concession, and shall submit the related documents within 15 days from the date on which they occur; this shall not apply where changes and amendments have already been entered in basic registers^{28d)}, the commercial register^{31f)} or the citizen register information system^{38e)} if the entrepreneur is a citizen of the Czech Republic, or in the foreigner information system^{31g)} if the entrepreneur is a foreigner.

(2) Acting on notification pursuant to paragraph (1), the trade licensing office, depending on the circumstances, shall change the decision granting a concession, register changes in the trade licensing register, issue an extract (Section 47(2) or (3)), inform the entrepreneur of this entry or shall decide to suspend the trade or revoke the trade authorization.

(3) Changes relating to the scope of the objects of business and the conditions for carrying on a trade shall be made by the trade licensing office by amending the decision granting a concession on its own or another party's initiative. It shall subsequently make an entry in the trade licensing register and issue an extract with the changed information within the time limit under Section 54(1).

(4) Sections 52 and 53 shall apply mutatis mutandis to procedure for the amendment of a decision granting a concession. Procedure to change conditions laid down in a decision granting a concession under Section 27(3) shall be commenced by the trade licensing office on its own or another party's initiative.

TITLE III

TERMINATION OF A TRADE AUTHORIZATION

Section 57

(1) A trade authorization shall be terminated:

- a) on the death of an entrepreneur, unless his trade is continued by his heirs, the administrator of the decedent's estate or an insolvency administrator; however, the authorization shall be terminated on expiry of the time limit referred to in Section 13(4) at the latest,
- b) upon the dissolution of a legal person, except in the cases under Section 14,
- c) at the end of a specific period, if a trade authorization is limited to a fixed period,
- d) on the deletion of a foreign person mandatorily entered in the commercial register or its objects of business from the commercial register,
- e) where so provided by specific legislation,
- f) by a decision of the trade licensing office to revoke the trade authorization.

(2) A trade authorization shall not terminate on expiry of the period under paragraph (1)(c) if, prior to the expiry of the period for which the trade authorization has been limited, the entrepreneur announces that it is planning on carrying on in the trade or requests an amendment to the decision granting a concession issued for a fixed period. A foreign natural person whose authorization to carry on a trade in the Czech Republic is tied to permission to reside in the Czech Republic shall submit a new residence permit with the notification. If this permit is not submitted, the trade licensing office shall call upon that person to do so and set a reasonable time period for doing so, at least for the duration of the residence permitted. If the permit is not submitted within the period set, the trade authorization shall be terminated on the last day of

^{31f)} Sec. 27 and ff. of the Commercial Code.

^{38e)} Act No. 133/2000 Coll., on the registry of citizens and personal ID numbers and on amending certain acts (the Citizen Register Act), as amended.

^{31g)} Sec. 158 of Act No. 326/1999 Coll., on the residence of foreigners in the Czech Republic and on amending certain acts, as amended by Act No. 227/2009 Coll.

that period, provided that the period for which the trade authorization was limited has expired. If that period has not yet expired, the trade authorization shall be terminated with the expiration of the time period set in paragraph (1) (c).

(3) If a trade authorization is terminated, the trade licensing office shall notify this fact to the authorities referred to in Section 48 and Section 55(2).

Section 58

(1) The trade licensing office shall revoke a trade authorization if

- a) an entrepreneur no longer complies with the conditions under Section 6(1)(b) or (c), unless, in the case of Section 6(1)(b), the trade is carried on with the approval of a court in accordance with Section 12,
- b) impediments under Section 8 arise, apart from an impediment under Section 8(5) in the case of an unqualified trade,
- c) an entrepreneur so requests, or
- d) an entry is made in the trade licensing register pursuant to a notification in contravention of the law (Section 47(10)).

(2) The trade licensing office shall revoke a trade authorization or suspend a trade at the proposal of a state administration authority issuing an opinion in accordance with Section 52(1) on the grounds that the entrepreneur has seriously breached the conditions laid down in the decision granting a concession, this Act or specific legislation. The trade licensing office shall proceed likewise if a foreign natural person whose authorization to carry on a trade in the Czech Republic is tied to permission to reside in the Czech Republic (Section 5(5)) fails to comply with this condition.

(3) The trade licensing office may revoke a trade authorization or suspend a trade to the necessary degree if the entrepreneur has seriously breached the conditions laid down in the decision granting a concession, this Act or specific legislation. The trade licensing office may also revoke a trade authorization on a proposal from the competent social security administration if an entrepreneur has failed to honour liabilities towards the State. The trade licensing office may revoke an entrepreneur's trade authorization if the entrepreneur fails to carry on a trade for a period of longer than four years; this shall not apply if the entrepreneur has notified the suspension of a trade in accordance with Section 31(11).

(4) If the use or operation of equipment or part of equipment³⁸⁾ is halted and the entrepreneur is ordered to rectify defects, the trade licensing office may, to the necessary degree, revoke the trade authorization or suspend the trade if the entrepreneur fails to rectify the defects within one year of the expiry of the set time limit or, if no time limit is set, within one year of the decision.

(5) If a trade authorization is revoked in accordance with paragraph (1)(a) and (b), or paragraphs (2), (3) or (4), the trade licensing office shall forthwith notify this fact on the official notice-board of the municipal authority competent by registered office, place of business or location of the undertaking's organizational unit in the Czech Republic. In the notification, it shall specify the company name or business name of a legal person or the company name or given name and surname of a natural person, the registered number, registered office, place of business location of the organizational unit of a foreign person's undertaking in the Czech Republic, the objects of business and the date as of which the trade authorization is revoked. The notification shall be displayed on the official notice-board for a minimum period of 15 days.

(6) In the decision to suspend a trade under paragraphs (2) to (4), the trade licensing office shall set the period over which the trade may not be carried on. The suspension of a trade may not last for longer than one year.

³⁸⁾ E.g. Section 6(1)(c) of Act No 174/1968, as amended.

Section 59

The trade licensing office shall be entitled to impose a prohibition of unlawful conduct^{40a)} on an entrepreneur carrying on the trade of ‘Operation of a travel agency’ in the carrying-on of that trade where such conduct infringes or could infringe the common interest of consumers^{40b)} and where such conduct is perpetrated in the European Communities or in another State forming the European Economic Area. Breach of this Act shall constitute grounds for the revocation or suspension of a trade authorization.

TITLE IV TRADE LICENSING REGISTER

Section 60

(1) The trade licensing register is a public administration information system^{38c)} managed by the Trade Licensing Office of the Czech Republic; the operators are municipal trade licensing offices in the context laid down in paragraphs (2) to (5) and provincial trade licensing offices in the context laid down in paragraphs (3) and (4). The Trade Licensing Office of the Czech Republic shall enter further data of a statistical and reference nature relating to the carrying-on of trades in this information system. To this effect, information and data from other information systems and registers may be collated.

(2) The following particulars, including changes, shall be entered in the register:

- a) in the case of a natural person, his given name and surname, citizenship, residential address, in the case of a foreign natural person also the place of residence in the Czech Republic, if permitted, the personal ID number, if allocated, date of birth, registered number, where appropriate the company name and place of business, in the case of a responsible representative his given name and surname, citizenship, residential address or place of residence in the Czech Republic, personal ID number, if allocated, date of birth, and in the case of a foreign person also a specification of, and the location of, the undertaking’s organizational unit located in the Czech Republic, and in the case of the head of an undertaking’s organizational unit located in the Czech Republic, his given name and surname, citizenship, residential address or place of residence in the Czech Republic, personal ID number, if allocated, date of birth; in the case of a legal person, the company name or business name, registered office, registered number, and in the case of natural persons who are the governing body or members thereof, in the case of a responsible representative, and in the case of the head of the organizational unit of a foreign person’s undertaking, their given name and surname, citizenship, residential address or place of residence in the Czech Republic, personal ID number, if allocated, date of birth, and a specification of, and the address of, the undertaking’s organizational unit in the Czech Republic; citizenship shall not be entered for those natural persons who are the statutory body or its members,
- b) the objects of business,
- c) the type of trade,

- d) the establishment or establishments in which the trade is carried out, including information required by Section 17 (5) (d) and (e); with the exception of mobile establishments and vending machines,
- e) the validity period of the trade authorization,
- f) the date of inception of the trade authorization,
- g) the suspension or interruption of a trade,
- h) the date of termination of the trade authorization,
- i) the date of delivery of an extract in accordance with Section 10(4),
- j) a decision on bankruptcy, a decision that the debtor is not in bankruptcy, a decision on the handling of bankruptcy, or a decision on the cancellation of a bankruptcy procedure,
- k) the entry of a legal person into liquidation procedure,
- l) impediments to a trade under Section 8,
- m) the fines imposed by trade licensing offices and penalties imposed by other administrative authorities in connection with the business, with the exception of on-the-spot fines,
- n) other additional information relating to the scope of the trade authorization (Section 45(2)(e), Section 45(3)(e) and Section 45(4)),
- o) the address of the place where any liabilities may be settled following the termination of activities in an establishment.

(3) The register shall be kept in electronic form and is a public list, with the exception of the particulars referred to in paragraph (2)(m) and personal ID numbers, which the trade licensing office shall disclose only to the entrepreneurs and where specific legislation so provides.

(4) On request, the trade licensing office shall issue from the register, in documentary or electronic form,

- a) an extract to an entrepreneur in accordance with Section 47(2) or (3),
- b) a complete extract, containing all the information under paragraph (2), with the exception of the information referred to in paragraph (3),
- c) a partial extract, containing information as far as required, with the exception of the information referred to in paragraph (3),
- d) confirmation of a particular entry, or confirmation that a particular entry is not in the register.

(5) The trade licensing office shall provide information from the register to the authorities referred to in Section 48 electronically in a manner facilitating remote access or via the relevant address of the central register. The same procedure shall apply to the transmission of information in accordance with Section 45a(4).

(6) The information kept in the register, with the exception of the particulars referred to in paragraph (2)(n) and personal ID numbers, shall be published by the Trade Licensing Office of the Czech Republic³⁹⁾ electronically in a manner facilitating remote access to such information. Verified outputs from the public administration information system shall be issued from the register in the context of the first sentence pursuant to specific legislation.^{38d)}

^{40a)} Article 3(b) of Regulation (EC) No 2006/2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation).

^{40b)} Article 3(k) of Regulation (EC) No 2006/2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation).

^{38c)} Act No 365/2000 on public administration information systems and amending certain other laws, as amended by Act No 517/2002.

(7) The Ministry of the Interior or the Police of the Czech Republic shall provide the trade licensing office of the Czech Republic, for the requirements of maintaining a register, with

- a. reference data from the basic register of persons,
- b. data from the population records information system,
- c. data from the foreigners information system.

(8) The data provided pursuant to paragraph 7 (a) are

- a) surname,
- b) name (s),
- c) date, place and district of birth; in the case of data for a person who was born abroad, the date, place and state in which they were born,
- d) permanent address,
- e) date, place and district of birth; in the case of data for a person who died outside the Czech Republic, the date of death and the place and state in which the death occurred; if a court ruling declaring the death was issued, the date that is taken as the date of death in the ruling, or the day that the subject of the data, who had been declared dead, did not survive, and the date on which this ruling came into effect,
- f) citizenship, or citizenship of several countries, if relevant.

(9) Data provided pursuant to paragraph 7 (b) are

- a. name (s), surname, former surname,
- b. date and place of birth,
- c. birth number,
- d. citizenship,
- e. permanent address,
- f. date, place and district of birth; in the case of data for a person who died outside the Czech Republic, the date of death and the place and state in which the death occurred,
- g. the date that is taken as the date of death in a court ruling, or the day that the subject of the data, who had been declared dead, did not survive.

(10) Data provided pursuant to paragraph 7 (c) are

- a. name (s), surname, former surname,
- b. date and place of birth,
- c. birth number,
- d. citizenship,
- e. type of residence and address,
- f. date, place and district of birth; in the case of data for a person who died outside the Czech Republic, the date of death and the place and state in which the death occurred, or the date of death,
- g. the date that is taken as the date of death in a court ruling, or the day that the subject of the data, who had been declared dead, did not survive.

(11) Data that are kept as reference data in the basic register of persons shall only be used from the population records information system or from the foreigners information system if they are in the form that predates the present situation.

(12) Only those data that are essential in order to perform a given task may be used from the data provided in a specific case.

PART FIVE
TRADE INSPECTION AND ADMINISTRATIVE OFFENCES

TITLE I
TRADE INSPECTION

Section 60a

Trade licensing offices shall carry out trade inspections within the scope of their competence with the aim of monitoring whether and how the obligations laid down in the Trade Licensing Act and specific legislation relating to licensed trades are fulfilled, the provision of services under Section 69a, and the conditions for carrying-on a trade as laid down in the decision granting a concession. During an inspection of the fulfilment of obligations imposed on an entrepreneur by specific legislation for the carrying-on of a trade, the trade licensing office may demand that the entrepreneur provide documents proving the fulfilment of those obligations.

Section 60b

Inspection activity within the scope of trade inspections shall be carried out by the employees of trade licensing offices. During inspections, the employees conducting the inspection may make audio and visual recordings. The representatives of other authorities and persons designated by specific legislation may be invited to an inspection. The performance of trade inspections is governed by a specific law.^{38b)}

Section 60c

An entrepreneur shall be entitled to invite a third party of his choice during inspections. The absence of a third party shall not constitute grounds to interrupt an inspection.

^{38b)} Sections 8 to 26 of Act No 552/1991 on State control, as amended by Act No 166/1993.

Section 60d

(1) A trade licensing office may decide to demand that an entrepreneur correct irregularities discovered in the way he carries on a trade.

(2) In a decision under paragraph (1), the trade licensing office shall set a reasonable time limit for the correction of irregularities.

(3) An appeal may be lodged against a decision under paragraph (1) within 15 days of delivery of a written copy of the decision. An appeal shall not have suspensory effect.

Section 60e

(deleted)

TITLE II
ADMINISTRATIVE OFFENCES

Section 61

Offences

(1) A natural person shall commit an offence

a) in contravention of Section 13(2)

b) as a person referred to in Section 13(1)(a) to (d) by failing to announce the intention to continue carrying on a trade, or

c) as a person referred to in Section 13(1)(b) to (d) by failing to appoint a responsible representative without undue delay, or

d) as an administrator of the decedent's estate or as an insolvency administrator by failing to appoint a responsible representative in accordance with Section 13(3),

(e) as a person referred to in Sec. 13 (1) (b), (c), or (e) who acquired a property right related to the carrying on of a trade, by carrying on in a trade following the completion of estate proceedings without giving notification to the trade licensing office in accordance with Section 13 (4).

(2) A natural person shall commit an offence by submitting a false solemn declaration concerning good character in accordance with

(a) Sec. 46 (1) (a), if he is a citizen of another European Union Member State, or

(b) Sec. 46 (1) (b), if he is a citizen of a country other than a European Union Member State.

(3) Further, a natural person shall commit an offence by carrying on a trade which is

a) an unqualified trade without holding a trade authorization for that trade,

b) the subject of a vocational or professional trade without holding a trade authorization for that trade, or

c) the subject of a permitted trade without holding a trade authorization for that trade.

(4) The following fines may be imposed for offences:

a) up to CZK 10,000 for an offence under paragraph (1),

b) up to CZK 100,000 for an offence under paragraph (2),

c) up to CZK 500,000 for an offence under paragraph (3)(a),

d) up to CZK 750,000 for an offence under paragraph (3)(b),

e) up to CZK 1,000,000 for an offence under paragraph (3)(c).

(5) A fine of up to CZK 5,000 may be imposed for an offence under paragraph (1) in on-the-spot procedure; offences referred to in paragraphs (2) and (3) cannot be dealt with in an on-the-spot procedure.

Administrative offences of legal persons and natural persons engaged in business
Section 62

(1) A legal person, as an entrepreneur, or a natural person engaged in business shall commit an administrative offence

a) in contravention of Section 7(6), by failing to arrange for the performance of activities that are the content of trades referred to in Annex No 5, solely by natural persons fulfilling the conditions of professional competence, or fails to maintain and keep for a period prescribed by law a record of those persons, or fails to maintain for the period prescribed by law copies of documents of their professional competence,

b) by failing to report the appointment of a responsible representative or failing to notify the trade licensing office of the termination of his appointment for a notifiable trade in accordance with Section 11(5),

c) by failing to report to the trade licensing office, for approval, the appointment of a responsible representative or failing to notify the termination of his appointment for a permitted trade in accordance with Section 11(7),

d) by failing to appoint a new responsible representative in accordance with Section 11(8),

e) in contravention of Section 17(3)

1. by failing to prove the ownership title or right of use attached to the structures or rooms of an establishment or the legitimacy of the placement of a mobile establishment at the request of the trade licensing office, or

2. by failing to report in advance the commencement or termination of a trade at an establishment,

f) by failing to ensure the eligibility of the establishment for a trade or by failing to appoint a person responsible for the establishment's activities in accordance with Section 17(4),

g) by failing to mark the establishment in accordance with Section 17(7), (8) or (9),

h) in contravention of Section 17(10), by permitting, by the sale of goods or provision of services via vending machines operated by the consumer, particular types of goods to be obtained by persons protected under a specific law,

i) by breaching a condition set or amended by the trade licensing office for carrying on a permitted trade in accordance with Section 27(3),

j) by failing to mark a place of business, registered office, or organizational unit of an undertaking in contravention of Section 31(2), or by failing to prove, at the request of the trade licensing office, the ownership title, right of use, or other similar right attached to structures or premises in which the person has his place of business, registered office, or organizational unit of an undertaking in the Czech Republic,

k) by failing to prove to a control body the manner in which the goods for sale or material were obtained in accordance with Sec. 31 (3),

l) in contravention of Section 31(4), by failing to identify a party to a contractual relationship or the subject matter of a contractual relationship, or by failing to keep records of parties to a contractual relationship or of the subject matter of a contractual relationship, or by failing to have those records available in the establishment where the identification is taking place and where the goods are located,

m) by failing to keep a record of, or store, identification information in accordance with Section 31(6),

n) in contravention of Section 31(7), by purchasing goods or accepting goods as pawned items, or by mediating the purchase of such goods,

o) by failing to ensure that a person fulfilling the condition of knowledge of the Czech or Slovak language in line with Section 31(8) is present in his establishment intended for the sale of goods or the provision of services to consumers during opening or business hours intended for contact with consumers,

p) by failing to ensure that its employees prove compliance with the condition of good character in accordance with Section 31(9),

q) by failing to report to the trade licensing office the resumption of a trade in accordance with Section 31(12),

r) by failing to issue proof of the sale of goods or the provision of a service at the customer's

request or failing to state in the proof of sale the information stipulated by law in accordance with Section 31(14),

s) in contravention of Section 31(15), by failing to communicate at the request of the trade licensing office whether he carries on a trade or by failing to produce documents documenting the carrying on of a trade,

t) in contravention of Section 31(16), by failing to report to the trade licensing office, in the case of the termination of activities in an establishment, the address of the place where any potential liabilities may be settled,

u) in contravention of Section 31(17), by employing employees who do not possess the competence to engage in an occupation as laid down in specific legislation, or the knowledge of safety procedures or regulations concerning the protection of public health,

v) in contravention of Section 49(1), by failing to report to the trade licensing office, within the time period set, changes and amendments relating to information and documents required for the notification of a trade, or by failing to submit documents concerning such changes and amendments, with the exception of failing to report a change in the field of activity under an unqualified trade, or

w) in contravention of Section 56(1), by failing to report to the trade licensing office, within the time period set, changes and amendments relating to information and documents required as particulars of an application for a concession or by failing to submit documents concerning such changes and amendments.

(2) A natural person engaged in business listed in Sec. 69a (1) shall commit an administrative offence in the temporary provision of services

a) by failing to prove in contravention of Sec. 69a (4) (a) the legitimacy of the provision of services during an inspection,

b) by failing to ensure, in contravention of Sec. 69a (4) (b) and Sec. 7 (6), the performance of activities that constitute the contents of trades listed in Annex No. 5, solely by natural persons who meet the requirements of professional competence, or

c) by failing, in contravention of Sec. 69a (5), to report to the recognition authority the provision of services in an activity that constitutes a trade and the operation of which requires compliance with special professional competence provisions in accordance with Sec. 7.

(3) A legal person listed in Sec. 69a (2) shall commit an administrative offence in the temporary provision of services

a) by failing to prove in contravention of Sec. 69a (4) (a) the legitimacy of the provision of services during an inspection,

b) by failing to ensure, in contravention of Sec. 69a (4) (b) and Sec. 7 (6), the performance of activities that constitute the contents of trades listed in Annex No. 5, solely by natural persons who meet the requirements of professional competence, or

c) by failing, in contravention of Sec. 69a (5), to report to the recognition authority the provision of services in an activity that constitutes a trade and the operation of which requires compliance with special professional competence provisions in accordance with Sec. 7.

(4) The following fines may be imposed for administrative offences:

a) up to CZK 1,000,000 for an administrative offence under paragraph (1) (h), (k), (l), (m), (n), (r) (t), or (u),

b) up to CZK 100,000 for an administrative offence under paragraph (1) (a), (c), (d), (e), (f), (g), (i), (j), (k), (o), (p), (q), or (s), or under paragraph (2) or under paragraph (3),

c) up to CZK 50,000 for an administrative offence under paragraph (1) (b),

d) up to CZK 20,000 for an administrative offence under paragraph (1)(v) or (w),

e) up to CZK 10,000 for an administrative offence under paragraph (1)(q).

(3) For an administrative offence under paragraphs (1) to (3), a fine of up to CZK 5,000 may be imposed in an on-the-spot procedure. The provisions of an on-the-spot procedure under a specific law⁴⁰⁾ shall apply mutatis mutandis to on-the-spot procedures under this Act.

Section 63

(1) Further, a legal person shall commit an administrative offence by carrying on activity which is

- a) an unqualified trade,
 - b) the subject of a vocational or professional trade, or
 - c) the subject of a permitted trade,
- without holding a trade authorization for that trade.

(2) The following fines may be imposed for administrative offences:

- a) up to CZK 500,000 for an administrative offence under paragraph (1)(a),
- b) up to CZK 750,000 for an administrative offence under paragraph (1)(b),
- c) up to CZK 1,000,000 for an administrative offence under paragraph (1)(c).

Section 63a

Several administrative offences committed by the same person, the competence for the hearing of which is vested in the same administrative authority, shall be heard in joint proceedings and the penalties shall be imposed in accordance with the provisions applicable to the administrative offence with the most severe penalty.

Section 64

Common provisions

(1) A legal person shall not be held liable for an administrative offence if it proves that it made all efforts that could reasonably be expected of it to prevent the breach of the legal obligation.

(2) When assessing the amount of a fine to be levied on a legal person, factors to be taken into account shall be the seriousness of the administrative offence, in particular the manner in which it was perpetrated, its consequences, and the circumstances under which it was perpetrated.

(3) A legal person shall not be held liable for an administrative offence if the administrative body fails to commence procedure within one year of the date on which it learned of the administrative offence, but no later than three years of the date on which the administrative offence was perpetrated.

⁴⁰⁾ Sections 84 and 85 of Act No 200/1990 on offences, as amended.

(4) Administrative offences under this Act shall be handled in the first instance by municipal trade licensing offices.

(5) The provisions of the Act on the liability and penalization of legal persons shall apply to conduct in or directly related to the business practices of a natural person.⁴¹⁾

(6) Fines shall be recovered and enforced by the authority which levied them. Income from fines shall be the income of the budget used to cover the activities of the authority which levied the fine.

TITLES III and IV

Sections 65 to 66a

(deleted)

PART SIX

COMMON, TRANSITIONAL AND FINAL PROVISIONS

TITLE I

Common provisions

Section 67

(deleted)

Section 68

Cooperation of State administration authorities

(1) Authorities carrying out inspections under specific regulations shall cooperate with one another and shall send copies of decisions ruling on any serious infringement of specific regulations by an entrepreneur to the trade licensing office within 30 days of the date on which such a decision enters into force. Within the same time limit, they shall also notify the competent trade licensing office of any cases of unauthorized business ascertained in the course of their activities. This shall not prejudice the obligation of confidentiality laid down in a specific law.⁴²⁾

(2) Within 30 days of ascertaining such conduct, trade licensing offices shall inform individual specialized authorities, in particular authorities supervising the observance of hygiene, safety and fire regulations, and bodies of the Czech Trade Inspectorate, of the infringement of the relevant specific regulations by persons carrying out activities which are the subject of a trade.

⁴¹⁾ Section 2(2) of the Commercial Code.

⁴²⁾ E.g. Act of the Czech National Council No 337/1992 on the administration of taxes and charges, as amended.

Section 69

(deleted)

Section 69a

(1) A national of a Member State of the European Union who is entitled to engage in business activities in a Member State of the European Union may temporarily provide services in the Czech Republic within the scope of his business authorization in accordance with Article 49 et seq. of the Treaty establishing the European Community.

(2) A legal person whose internal relations are governed by the law of a Member State of the European Union and who has its registered office, headquarters or principal place of business activities in a Member State of the European Union and is entitled to engage in business activities in a Member State of the European Union may temporarily provide services in the Czech Republic within the scope of its business authorization in accordance with Articles 49 to 55 of the Treaty establishing the European Community.

(3) Nationals of other States parties to the European Economic Area Agreement, citizens of the Swiss Confederation and legal persons having their registered office in such States shall be regarded as persons referred to in paragraphs (1) or (2) for the purposes of this provision.

(4) Further provisions of this Act shall not apply to the provision of services in accordance with this section, with the exception of

a) the obligation to prove, in an inspection under Section 60a, the authorization to provide services by means of an identity card, a document verifying nationality, a document confirming that the person providing services is established in the Member State of origin and engages in the activity in question in accordance with the legislation of the Member State of origin, and
b) the obligation of a person providing services to ensure the performance of activities which are the content of trades listed in Annex No 5 to this Act solely by natural persons complying with the requirements of professional competence laid down in that annex; for the purposes of that annex, the condition of professional competence shall be regarded as fulfilled if the person providing services produces proof, on behalf of persons in a salaried position performing the activity, of their education in the Member State of origin training them to carry out the regulated activity concerned or, if the activity concerned is not regulated in the Member State of origin, proof that they have carried on the activity for at least two years in the preceding ten years.

(5) The natural persons referred to in paragraph (1) providing services in an activity which is a trade and for the carrying-on of which compliance with the specific condition of professional competence is required under Section 7 (hereinafter referred to as 'regulated activity') shall provide written notification of the provision of services in the Czech Republic to the recognition authority, including the submission of documents in accordance with specific legislation.⁴³⁾ Section 36a of the Act on the Recognition of Professional Qualifications shall apply to legal persons referred to in paragraph (2) mutatis mutandis. In relation to a legal person, evidence of professional qualifications or experience shall be produced by an appointed person responsible for the due provision of services.

(6) In the case of persons providing services in regulated activities which are trades, the trade licensing office shall be entitled, during an inspection in accordance with Section 60a, to check on the fulfilment of the obligation to notify the recognition authority in writing of the provision of the service.⁴⁴⁾

⁴³⁾ Section 36a of Act No 18/2004 on the recognition of professional qualifications and other competence of nationals of European Union Member States and nationals of other States and amending certain laws (Act on the Recognition of Professional Qualifications), as amended.

The trade licensing office may also check on the fulfilment of the obligation of the person providing the services to ensure that the activities constituting the trades referred to in Annex No 5 to this Act are performed solely by natural persons fulfilling the requirements of professional competence.

Section 70

(1) For the purposes of this Act, a national of a Member State of the European Union shall also mean a national of another State party to the European Economic Area Agreement or a citizen of the Swiss Confederation, including their family members,⁴⁹⁾ and a national of a third country to whom a Member State has granted the status of long-term resident,⁵⁰⁾ including his family members granted long-term residence in the Czech Republic.⁵¹⁾ The authorization under Section 69a shall not apply to a person granted the status of long-term resident and his family members. For the purposes of this Act, a legal person having its registered office in a Member State of the European Union shall mean a legal person whose internal relations are governed by the law of a Member State of the European Union or other State party to the European Economic Area Agreement and which has its registered office, headquarters, or principal place of business activity in a Member State of the European Union or other State party to the European Economic Area Agreement. A person under the preceding sentence, under the conditions and in the context laid down in the international treaty on the free movement of persons, shall also mean a legal person whose internal relations are governed by the law of the Swiss Confederation and which has its registered office, headquarters or principal place of business activity in the Swiss Confederation.

(2) Where this Act requires the submission of documents issued by the competent authority of a Member State of the European Union or the performance of business activities in a Member State of the European Union, this shall also mean documents issued by the competent authority of a State party to the European Economic Area Agreement and documents issued by the competent authority of the Swiss Confederation, and the performance of activities in those States.

Section 71

Geographical jurisdiction

(1) Submissions under this Act may be made to any municipal trade licensing office. The municipal trade licensing office to which a submission is delivered first shall be competent to proceed in accordance with this Act.

(2) In proceedings on the administrative offences of legal persons and natural persons engaging in business under this Act and in proceedings on the cancellation of a trade authorization or on the suspension of a trade, the geographical jurisdiction of the trade licensing office shall be determined in accordance with the Rules of Administrative Procedure; this shall not apply in the event of the cancellation of a trade authorization at the request of the entrepreneur. In procedure on offences, the geographical jurisdiction of the trade licensing office shall be determined in accordance with the Offences Act.

⁴⁴⁾ Section 36a(4) of Act No 18/2004, as amended by Act No 189/2008.

⁴⁹⁾ Article 23 and Article 24(1) of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC.

⁵⁰⁾ Article 11(1)(a) and Article 21(1) of Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents.

⁵¹⁾ Article 14(1)(b) of Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification.

(3) The obligation of courts and other authorities to disclose information, deriving from specific legislation, shall be fulfilled by the trade licensing office with geographical jurisdiction under paragraph (2). This office shall make the corresponding entry in the trade licensing register.

(4) A trade licensing office which executes an action resulting in the need to make an entry in the trade licensing register shall be competent to make that entry.

Section 72

(1) Submissions under this Act to a municipal trade licensing office may be made via a public administration contact point.^{28c)}

(2) A public administration contact point shall deliver a received submission to the municipal trade licensing office chosen by the submitter without undue delay. Should the submitter fail to choose a municipal trade licensing office, the submission shall be delivered to the municipal trade licensing office with jurisdiction based on the place of submission. If a submission is made at a mission and the submitter fails to choose a municipal trade licensing office, the jurisdiction of the municipal trade licensing office shall be determined in accordance with the Rules of Administrative Procedure.

(3) If a time limit is set for a submission, it is considered met if, on the final day of the time limit, the submission is made to a public administration contact point. The time limit for handling a submission shall commence on delivery thereof, including annexes, to the municipal trade licensing office.

(4) A submission shall be delivered electronically in a manner facilitating remote access with the use of the communication infrastructure of the trade licensing register, provided that the nature of the submission so allows. The public administration contact point shall send the competent municipal trade licensing office under paragraph (2) the documentary form of the submission without undue delay.

Section 73

International treaties

The provisions of this Act shall not apply if an international treaty binding upon the Czech Republic and published in the Collection of Laws provides otherwise.

Section 73a

The Government shall determine the content of individual trades and fields of activity under unqualified trades.

TITLE II TRANSITIONAL AND FINAL PROVISIONS

Section 74

Preservation of current authorizations

(1) Natural and legal persons may continue business activities constituting trades under this Act for a period of one year after this Act enters into effect on the basis of an authorization for business activity or a business authorization granted prior to the entry into effect of this Act. Such authorizations shall be revoked on expiry of the said time limit.

(2) Natural persons whose authorization for business activity under an unqualified trade or vocational trade is revoked on expiry of the time limit under paragraph (1) shall, at the same time, acquire a trade authorization for those trades. The trade licensing office shall issue a trade certificate within the time limit laid down in paragraph (1).

(3) Natural persons who hold authorization for a business activity under an unqualified or permitted trade as at the date this Act enters into effect shall submit documents proving that they have met the conditions laid down by the Act or that they have appointed a responsible representative who meets the conditions to the trade licensing office within nine months of the entry into effect of this Act. If this condition is satisfied, the trade licensing office shall issue a trade certificate or trade permit certificate within 60 days of the submission of the documents.

(4) Legal persons who hold business authorization for activities constituting trades as at the date this Act enters into effect shall submit documents proving that they have appointed a responsible representative who meets the conditions under the Act to the trade licensing office within nine months of the entry into effect of this Act. If this condition is satisfied, the trade licensing office shall issue a trade certificate or trade permit certificate within 60 days of the submission of the documents.

(5) If the persons referred to in paragraphs (3) and (4) fail to submit the documents to the trade licensing office or fail to prove in the submitted documents that they meet the conditions for carrying on a trade, they shall not be granted a trade authorization. In cases of doubt, the trade licensing office shall decide whether the conditions for carrying on a trade have been met.

Section 75

(2) Applications from natural persons for the registration of a business activity constituting a trade which are submitted in accordance with existing regulations and which have not been fully processed before this Act enters into effect shall be regarded as notifications or as applications for a concession.

(2) Applications for an authorization, permit or certificate of competence for an activity which have not been fully processed before this Act enters into effect shall be regarded, depending on their content, as applications for a concession or as notifications of a professional trade. The competent State administration authority shall forward them to the trade licensing office, and shall attach an opinion to the application for a concession as the basis for a decision.

(3) Natural persons who have received an authorization, permit or certificate of competence and have not applied for registration before this Act enters into effect shall attach that document to the application for a concession or to the notification of a professional trade. In decision-making on concessions, these documents shall replace the opinion of the competent State administration authority.

Section 76

Natural persons shall also be able, to the same extent and under the same conditions, to carry on trades which, under specific legislation, may be carried on by organizations.

Section 77

Authorizations for business activities and business authorizations for activities not constituting trades shall not be affected, unless provided otherwise by a specific regulation.

Section 78

(1) By 30 June 2012, the competent trade licensing office, acting in accordance with the part of the first sentence before the semi-colon of Section 71(2) *mutatis mutandis*, shall assign a registered number to an establishment set up before 1 July 2010 as provided by the administrator of the basic register of persons;^{28d)} in the same time limit, it shall notify the entrepreneur of the registered number assigned to the establishment.

(2) The entrepreneur referred to in paragraph (1) shall start using the registered number assigned to the establishment no later than as of 1 August 2012.

Section 79

Liquidation of assets due to insolvency

(1) The liquidation of assets due to insolvency⁴⁷⁾ shall be regarded as an impediment to the carrying-on of a trade arising prior to the entry into effect of Act No 328/1991 on bankruptcy and composition.

(2) Liquidation of assets due to insolvency which has occurred prior to 1 January 1990 shall not be taken into consideration.

Section 80

Repealing provisions

As at the date this Act enters into effect the following shall be repealed:

1. Act No 105/1990 on private enterprise by citizens, as amended by Act No 219/1991, apart from Sections 12a to 12e.
2. Section 2 of Presidential Decree No 100/1945 on the nationalization of mines and certain industrial enterprises, as amended by Act No 114/1948 on the nationalization of certain other industrial and other undertakings and factories and regulating certain conditions of nationalized and national undertakings,
3. Section 4 of Act No 114/1948 on the nationalization of certain other industrial and other undertakings and factories and regulating certain conditions of nationalized and national undertakings,
4. Section 3 of Act No 115/1948 on the nationalization of other industrial and other production undertakings and factories in the food-processing sector and regulating certain conditions of nationalized and national undertakings in this sector, as amended by Act No 108/1950, amending regulations on the nationalization of certain undertakings in the food-processing industry,
5. Section 3 of Act No 120/1948 on the nationalization of commercial undertakings employing fifty or more persons,
6. Section 1(2) of Act No 121/1948 on the nationalization of construction industries, as amended by Act No 58/1951 amending the Act on the Nationalization of Construction Industries,
7. Section 3 of Act No 123/1948 on the nationalization of printing undertakings,
8. Section 8 of Act No 124/1948 on the nationalization of certain public catering undertakings, tap-houses and accommodation facilities.

Section 81

This Act shall enter into effect on 1 January 1992.

⁴⁷⁾ Sections 352 to 354 of the Rules of Civil Procedure, No 99/1963.

VOCATIONAL TRADES

(further to Section 20)

Part A

Butchery and meat processing
Dairy farming
Milling
Bakery and pastry products
Brewing and malting
Processing of hides and skins
Application, manufacture and repair of orthopaedic footwear
Glass cutting and etching
Processing of rubber compounds
Stone working
Casting of metals, modelling
Forging, horseshoeing
Machining
Locksmithery, tool-making
Galvanization, enamelling
Manufacture, installation, and repair of electrical machinery and appliances, electronic and telecommunication equipment
Watchmaking
Goldsmithery and jewellery
Joinery, flooring
Manufacture and repair of musical instruments
Repair of other transport equipment and work machinery
Bricklaying
Installation, repair, inspection and testing of electrical equipment
Installation, repair and reconstruction of cooling equipment and heat pumps
Plumbing, heating
Installation, repair, inspection and testing of gas equipment and the filling of vessels with gas
Installation, repair, inspection and testing of pressure equipment and gas vessels
Installation, repair, inspection and testing of lifting equipment
Insulation
Painting, varnishing, coating
Roofing, carpentry
Tinsmithery and repair of vehicle bodies
Stove-fitting
Repair of road vehicles
Hairdressing

Part B

Dyeing and chemical treatment of textiles
Cleaning and washing of textiles and clothing
Chimney sweeping

Part C

Catering services.
Cosmetic services
Pedicure, manicure

PROFESSIONAL TRADES
(further to Sections 23 and 24)

Object of business	Professional competence required	Remarks
1	2	3
<p>Diagnosis, testing and consulting related to the protection of plants and the treatment of plants, plant products, structures and soil against harmful organisms by means of plant protection products and biocidal products</p>	<p>for diagnosis, testing and consulting related to the protection of plants: professional competence in accordance with Section 85(1) of Act No 326/2004 on plant health and amending certain related laws;</p> <p>for the treatment of plants, plant products, structures and soil against harmful organisms by means of plant protection products and biocidal products: a) professional competence in accordance with Section 85(2) of Act No 326/2004 on plant health and amending certain related laws, as amended by Act No 131/2006, or b) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act</p>	
<p>Geological work*)</p>	<p>certificate of professional competence issued by the Ministry of the Environment**)</p>	<p>*) with the exception of geological work constituting mining and other activities using mining techniques in accordance with Sections 2 and 3 of Act No 61/1988 on mining, explosives and the State Mining Authority, as amended by Act No 128/1999 and Act No 206/2002</p> <p>***) Section 3(3) of Act No 62/1988 on geological work, as amended by Act No 3/2005</p>
<p>Tobacco processing and the manufacture of tobacco products</p>	<p>a) higher education in a study programme and study field focusing on food chemicals or agriculture and one year's professional experience, or</p> <p>b) further vocational education in a field of study focusing on</p>	<p>Act No 353/2003 on excise duty, as amended</p>

	<p>food chemicals or agriculture and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on food chemicals or agriculture and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	
<p>Manufacture and processing of fuels and lubricants</p>	<p>a) higher education in a study programme and study field focusing on chemistry and one year's professional experience, or</p> <p>b) further vocational education in a field of study focusing on chemistry and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on chemistry and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated</p>	

	<p>falls, and four years' professional experience, or</p> <p>e) documents under Section 7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act</p>	
<p>Manufacture of dangerous chemicals and dangerous chemical products and sale of chemicals and chemical products classified as very toxic*) and toxic*)</p>	<p>a) higher education in a study programme and study field focusing on chemistry, mining, metallurgy, mechanical engineering, civil engineering, electrical engineering, fire protection, food processing, medicine, veterinary medicine, pharmacy, natural sciences, agriculture or forestry and one year's professional experience, or</p> <p>b) further vocational education in a field of study focusing on chemistry, mining, metallurgy, mechanical engineering, civil engineering, fire protection, electrical engineering, health care, pharmacy, veterinary sciences, agriculture or forestry and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on chemistry, mining, metallurgy, mechanical engineering, civil engineering, fire protection, electrical engineering, health care, pharmacy, veterinary sciences, agriculture or forestry and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated</p>	<p>*) Section 2(2) of Act No 356/2003 on chemical substances and chemical products and amending certain laws, as amended; for the manufacture of a chemical substance and a chemical product, a trade authorization is not required for this trade if the manufacture of the chemical substance and chemical product is also the subject of another trade referred to in this annex or in Annex No 3 to Act No 455/1991, as amended by Act No 130/2008</p>

	<p>falls, and four years' professional experience, or</p> <p>e) documents under Section 7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act; for the sale of chemical substances and chemical products classified as very toxic or toxic, professional competence can also be demonstrated by means of:</p> <p>a) evidence of at least five years' uninterrupted professional experience as an entrepreneur or manager, or</p> <p>b) evidence of at least two years' uninterrupted professional experience as an entrepreneur or manager, and evidence of the completion of education in the field, or</p> <p>c) evidence of at least three years' uninterrupted professional experience as an entrepreneur or manager, and evidence of retraining or other evidence of a qualification issued by the competent State authority, or</p> <p>d) evidence of at least three years' uninterrupted professional experience as an employee, and evidence of the completion of education in the field, or</p> <p>e) evidence of four years' uninterrupted professional experience as an employee, and evidence of retraining or other evidence of a qualification issued by the competent State authority</p>	
<p>Manufacture and repair of series produced</p> <ul style="list-style-type: none"> - prostheses, - body orthoses, - limb orthoses, 	<p>a) professional competence to pursue the profession of orthotics/prosthetics fitter in accordance with specific legislation,*) or</p>	<p>*) Act No 96/2004 on conditions for the acquisition and recognition of competence to engage in paramedical professions and to carry out activities connected with the</p>

<p>- soft bandages</p>	<p>b) professional competence to pursue the profession of orthotics/prosthetics technician in accordance with specific legislation*) and three years' professional experience, or</p> <p>c) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and three years' professional experience, or</p> <p>d) documents under Section 7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act</p>	<p>provision of health care and amending certain related laws (the Paramedical Act), as amended</p>
<p>Optician</p>	<p>a) competence to pursue the healthcare profession of optometrist in accordance with specific legislation,*) or</p> <p>b) further vocational education in a field of education to become a certified optician or certified eye technician, or</p> <p>c) secondary education with a school-leaving examination in a field of education to become an optician or eye technician, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	<p>*) Act No 96/2004 on conditions for the acquisition and recognition of competence to engage in paramedical professions and to carry out activities connected with the provision of health care and amending certain related laws (the Paramedical Act), as amended by Act No 125/2005</p>

<p>Disposal of hazardous waste</p>	<p>a) higher education and one year's professional experience, or</p> <p>b) further vocational education in a technical or scientific field of study and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a technical or scientific field of study and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	<p>Section 4 of Act No 185/2001 on waste and amending certain other laws</p>
<p>Construction design</p>	<p>a) authorization or entry in the register of registered persons in accordance with Act No 360/1992 on the profession of authorized architects and the profession of authorized engineers and technicians active in construction, as amended, or</p> <p>b) higher education in a master study programme and study field focusing on civil engineering or architecture and three years' experience of structural design, or</p> <p>c) higher education in a bachelor study programme and study field focusing on civil engineering or architecture and five years' experience of structural design, or</p> <p>d) further vocational education</p>	<p>Sections 158 and 159 of Act No 183/2006 on land-use planning and building rules (the Building Act)</p>

	<p>in a field of study focusing on civil engineering and five years' experience of structural design, or</p> <p>e) secondary education with a school-leaving examination in a field of study focusing on civil engineering and five years' experience of structural design, or</p>	
Construction of structures, changes thereto, and demolition thereof	<p>a) authorization or entry in the register of registered persons in accordance with Act No 360/1992, as amended, or</p> <p>b) higher education in a master study programme and study field focusing on civil engineering or architecture and three years' experience of construction, or</p> <p>c) higher education in a bachelor study programme and study field focusing on civil engineering or architecture and five years' experience of construction, or</p> <p>d) further vocational education in a field of study focusing on civil engineering and five years' experience of construction, or</p> <p>e) secondary education with a school-leaving examination in a field of study focusing on civil engineering and five years' experience of construction, or</p> <p>f) documents under Section 7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act</p>	Section 160 of Act No 183/2006
Purchase and sale of cultural monuments*) or items of cultural value**)	<p>a) higher education in a study programme and study field focusing on fine art, restoration or the history of art, or</p> <p>b) further vocational education in a field of study focusing on fine art, restoration, conservation or works of fine</p>	<p>*) Act No 20/1987 on the care of monuments by the State, as amended</p> <p>***) Act No 71/1994 on the sale and export of items of cultural value, as amended</p>

	<p>and applied art and one year's professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on fine art, restoration, conservation, works of fine and applied art or trading in antiques and one year's professional experience, or</p> <p>d) secondary education with a certificate of apprenticeship in a relevant field of study focusing on fine art, restoration, conservation or works of fine and applied art and three years' professional experience, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	
<p>Trade in animals used for livestock breeding</p>	<p>a) higher education in a study programme and study field focusing on livestock breeding, zootechnics or veterinary medicine and one year's professional experience, or</p> <p>b) further vocational education in a field of study focusing on livestock breeding, zootechnics or veterinary medicine and two years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on livestock breeding, zootechnics or veterinary medicine and two years' professional experience,</p>	

	<p>or</p> <p>d) secondary education with a certificate of apprenticeship in a field of study focusing on livestock breeding or zootechnics and three years' professional experience, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience, or</p> <p>f) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act</p>	
<p>Accounting consulting, bookkeeping, tax accounting</p>	<p>a) higher education and three years' professional experience, or</p> <p>b) further vocational education and five years' professional experience, or</p> <p>c) secondary education with a school-leaving examination and five years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and five years' professional experience</p>	

<p>Provision or intermediation of consumer credit</p>	<p>a) secondary education with a school-leaving examination, or</p> <p>b) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>c) three years' professional experience.</p>	
<p>Performance of voluntary auctions of movables under the Public Auctions Act</p>	<p>a) higher education, or</p> <p>b) further vocational education and two years' business experience, or</p> <p>c) secondary education with a school-leaving examination and three years' business experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience, or</p> <p>e) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act</p>	<p>Act No 26/2000 on public auctions, as amended</p>
<p>Valuation of property:*)</p> <ul style="list-style-type: none"> - movable assets, - immovable assets, - intangible assets, - financial assets, - enterprises 	<p>for the valuation of movable and immovable assets:</p> <p>a) higher education in a study programme and study field focusing on property valuation, or</p> <p>b) higher education and lifelong</p>	<p>*) the notifier shall define the objects of business pursuant to the first sentence of Section 45(4) of Act No 455/1991, as amended by Act No 130/2008, in accordance with submitted evidence of professional competence</p> <p>**) Section 60 of Act No</p>

	<p>learning in accordance with specific legislation**) consisting of at least four semesters focusing on the valuation of a particular category of property, or</p> <p>c) at least secondary education with matriculation in the discipline in which the valuation is to be carried out, and life-long learning under special legislation **) of 2 semesters focused on property valuation, or</p> <p>d) at least secondary education with matriculation in the discipline in which the valuation is to be carried out and post-matriculation qualification studies of at least 2 school years focused on property valuation, or</p> <p>e) at least secondary education with matriculation in the discipline in which the valuation is to be carried out and 2 years of professional experience in property valuation, or</p> <p>f) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and five years' professional experience in property valuation; for valuations of intangible assets, financial assets and enterprises:</p> <p>a) higher education in a study programme and study field focusing on property valuation, or</p>	<p>111/1998 on universities and amending other laws (the Universities Act), as amended by Act No 147/2001</p>
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	<p>b) higher education and lifelong learning in accordance with specific legislation**) consisting of at least four semesters focusing on the valuation of a particular category of property, or</p> <p>c) higher education and lifelong learning in accordance with specific legislation**) consisting of at least two semesters focusing on the valuation of a particular category of property, and two years' professional experience</p>	
Geodesic activities*)	<p>a) higher education in a study programme and study field focusing on surveying and one year's professional experience, or</p> <p>b) further vocational education in a field of study focusing on surveying and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on surveying and three years' professional experience, or</p> <p>d) authorization issued by the Czech Office for Surveying, Mapping and Cadastre**) or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	<p>*) Act No 200/1994 on surveying and amending certain laws related to the implementation thereof, as amended</p> <p>**) Section 14 of Act No 200/1994, as amended by Act No 186/2001</p>
Preparation of catalogue data	a) higher education in a study programme and study field focusing on the preparation of	Act No 309/2000 on defence standardization, cataloguing and the State verification of the

	<p>catalogue data, or</p> <p>b) further vocational education in a relevant field of study and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a relevant field of study and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	<p>quality of products and services intended to ensure national protection and amending the Trade Licensing Act, as amended by Act No 413/2005</p>
<p>Measurements of pollutants and odorous agents, verification of the quantity of greenhouse gas emissions, and processing of dispersion studies</p>	<p>a) higher education in a study programme and study field focusing on natural sciences, technical sciences and technology, or</p> <p>b) further vocational education in a field of study focusing on natural sciences, technical sciences and technology and one year's professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on natural sciences, technical sciences and technology and one year's professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific</p>	<p>Act No 86/2002 on the protection of the air and amending certain other laws (the Clean Air Act), as amended</p>

	legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and two years' professional experience	
Inspection, checking and testing of specified technical equipment in operations	certificate issued by a track administrative authority	Sections 47 and 48 of Act No 266/1994 on railways, as amended by Act No 23/2000 and Act No 191/2006
Restoration of works of art that are not cultural monuments or parts thereof but are held in the collections of museums and galleries,*) or of objects of cultural value**)	<p>a) higher education in a study programme and study field focusing on restoration or fine art, or</p> <p>b) further vocational education in a field of education focusing on restoration or fine art, or</p> <p>c) secondary education with a school-leaving examination in a relevant field of study focusing on restoration, fine art or applied art and three years' experience of restoration, or</p> <p>d) secondary education with a certificate of apprenticeship in a relevant field of study focusing on fine art or applied art and five years' experience of restoration, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and six years' professional experience</p>	<p>*) Act No 122/2000 on the protection of collections of a museum nature and amending certain other laws, as amended</p> <p>***) Act No 71/1994 on the sale and export of items of cultural value, as amended</p>
Special protective disinfection, disinsectization and disinfestation - without using toxic or very	for special protective disinfection, disinsectization and disinfestation without using toxic or very toxic chemical substances and chemical	

<p>toxic chemical substances and chemical products, excluding special protective disinfection, disinsectization and disinfestation in food-processing and agricultural operations,</p> <p>- in food-processing or agricultural operations,</p> <p>- using toxic or very toxic chemical substances and chemical products, excluding special protective disinsectization and disinfestation in food-processing or agricultural operations</p>	<p>products, excluding special protective disinfection, disinsectization and disinfestation in food-processing and agricultural operations:</p> <p>a) professional competence in accordance with Section 58(1) of Act No 258/2000 on the protection of public health and amending certain related laws, as amended by Act No 392/2005, or</p> <p>b) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act; for special protective disinfection, disinsectization and disinfestation in food-processing or agricultural operations:</p> <p>a) professional competence in accordance with Section 58(2) of Act No 258/2000, as amended by Act No 392/2005, or</p> <p>b) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act;</p> <p>for special protective disinfection, disinsectization and disinfestation using toxic or very toxic chemical substances and chemical products, excluding special protective disinsectization and disinfestation in food-processing or agricultural operations:</p> <p>a) professional competence in accordance with Section 58(3) of Act No 258/2000, as amended by Act No 392/2005, or</p> <p>b) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act</p>	
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<p>Tourist assistance activities in mountain areas</p>	<p>a) secondary education with a school-leaving examination and partial qualification for mountain tourist assistance activities in accordance with specific legislation,*) or</p> <p>b) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	<p>*) Act No 179/2006 on the certification and recognition of the results of further education and amending certain laws (the Act on the Recognition of Further Education Results)</p>
<p>Water rescue service</p>	<p>a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls</p>	
<p>Fire protection technical and organizational activity</p>	<p>a) higher education in a study programme and study field focusing on fire protection, or</p> <p>b) further vocational education in a field of education focusing on fire protection, or</p> <p>c) secondary education with a school-leaving examination in a field of education focusing on fire protection, or</p> <p>d) certificate of professional competence issued by the Ministry of the Interior, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an</p>	<p>Section 11 of Act No 133/1985 on fire protection, as amended by Act No 237/2000</p>

	establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and two years' professional experience	
Provision of services related to occupational health and safety	<p>a) higher education in occupational health and safety and one year's experience of occupational health and safety, or</p> <p>b) further vocational education and two years' experience of occupational health and safety, or</p> <p>c) secondary education with a school-leaving examination and three years' experience of occupational health and safety, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and three years' experience of occupational health and safety, or</p> <p>e) a document of a successfully completed examination of competence under special legislation *)</p>	<p>*) Sec. 10 (1) (c) of Act No. 309/2006 Coll., regulating other requirements pertaining to occupational health and safety and on ensuring occupational health and safety in activities or in the provision of services outside of an employment relationship (Act on Ensuring Other Occupational Safety and Health Conditions), as amended by Act No. 189/2008 Coll., and Sec. 8 (1) and (2) of Government Decree No. 592/2006 Coll., on accreditation conditions and on the taking of professional competence examinations</p>
Provision of physical education and sports services in the field of*)	<p>a) higher education in a study programme and study field focusing on physical culture, physical education and sport, or</p> <p>b) further vocational education in a field of education focusing on physical culture, physical education and sport, or</p> <p>c) a retraining certificate or</p>	<p>*) the notifier shall define the objects of business pursuant to the first sentence of Section 45(4) of Act No 455/1991, as amended by Act No 130/2008, in accordance with submitted evidence of professional competence</p>

	other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls	
Driving instruction	professional certificate issued by the competent provincial authority*) and one year's professional experience	*) Section 21(1) of Act No 247/2000 on the acquisition and recognition of professional competence to drive motor vehicles and amending certain laws, as amended by Act No 478/2001
Organization of courses to acquire qualifications in special protective disinfection, disinsectization and disinfection	professional competence in accordance with Section 58(1) of Act No 258/2000 on the protection of public health and amending certain related laws, as amended by Act No 392/2005	
Day care of children up to the age of three	professional competence to pursue the profession of a general nurse or health assistant, carer, midwife, or paramedic under specific legislation*), or professional competence to pursue the profession of social worker or social services worker under specific legislation**)	*) Act No 96/2004 on conditions for the acquisition and recognition of competence to engage in paramedical professions and to carry out activities connected with the provision of health care and amending certain related laws (the Paramedical Act), as amended by Act No 125/2005 **) Act No 108/2006 on social services
Psychological consulting and diagnostics	higher education in the field of psychology and, in the case of single-field study, one year's professional experience or, in the case of multi-field study, three years' professional experience	
Animal training	a) higher education in a study programme and study field focusing on livestock breeding, zootechnics or veterinary medicine and one year's professional experience, or b) further vocational education in a field of study focusing on livestock breeding, zootechnics	

	<p>or veterinary medicine and two years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on livestock breeding, zootechnics or veterinary medicine and two years' professional experience, or</p> <p>d) secondary education with a certificate of apprenticeship in a field of study focusing on livestock breeding or zootechnics and three years' professional experience, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience, or</p> <p>f) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act</p>	
<p>Activities disturbing the integrity of human skin</p>	<p>a) professional competence to pursue the profession of physician or dental practitioner in accordance with specific legislation,*) or</p> <p>b) professional competence to pursue the profession of a general nurse, midwife, paramedic or health assistant under specific legislation**), or</p> <p>c) secondary education with a school-leaving examination in the study field of cosmetics and a retraining certificate or other evidence of professional</p>	<p>*) Act No 95/2004 on conditions for the acquisition and recognition of professional competence and specialist competence to practice as a physician, dental practitioner or pharmacist, as amended by Act No 125/2005</p> <p>**) Act No 96/2004, as amended by Act No 125/2005</p>

	<p>competence for activities where the integrity of the human skin is disturbed, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>d) secondary education with a certificate of apprenticeship in the study field of cosmetics and a retraining certificate or other evidence of professional competence for activities where the integrity of the human skin is disturbed, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) a retraining certificate or other evidence of professional competence for a cosmetician and for activities where the integrity of the human skin is disturbed, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years of professional experience in cosmetic services or in activities where the integrity of the human skin is disturbed.</p>	
<p>Massage, reconditioning, and regeneration services</p>	<p>a) professional competence to pursue the profession of physician and specialized</p>	<p>*) Act No 95/2004, as amended by Act No 125/2005 **) Act No 96/2004, as</p>

	<p>competence in the field of rehabilitation and physical medicine or sports medicine in accordance with specific legislation,*) or</p> <p>b) professional competence to pursue the profession of physiotherapist or masseur or blind and weak-sighted masseur in accordance with specific legislation,**) or</p> <p>c) higher education in a study programme and study field focusing on rehabilitation or physical education, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) partial qualification for traditional or sport massage under specific legislation***)</p>	<p>amended by Act No 125/2005 ***) Act No. 179/2006 Coll., as amended</p>
<p>Operation of solariums</p>	<p>a) professional competence to pursue the profession of physician or dental practitioner in accordance with specific legislation*) and a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>a) professional competence to</p>	<p>*) Act No 95/2004, as amended by Act No 125/2005 **) Act No 96/2004, as amended by Act No 125/2005</p>

	<p>pursue the profession of general nurse, midwife, occupational therapist, radiology assistant, assistant for the protection of public health, paramedic, biomedicine technician, biotechnological assistant, radiology technician, physiotherapist, radiological physicist, biomedicine engineer, expert in the protection of public health, or health assistance in accordance with specific legislation**) and a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>c) higher education in a study programme and study field focusing on physical culture, physical education and sport, and a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>d) a retraining certificate for non-medical workers or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an</p>	
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	establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and one year's professional experience	
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PERMITTED TRADES
(further to Sections 26 and 27)

Object of business	Professional or other competence required under Section 27(1) and (2)	Conditions requiring fulfilment under Section 27(3)	State administration authority expressing an opinion on an application for a concession	Remarks
1	2	3	4	5
Production and processing of fermented spirits, consumer spirits and other alcoholic beverages (except for beer, fruit wines, other wines and mead, and growers' own fruit distillates)	<p>a) higher education in a study programme and study field focusing on food-processing technology, chemistry, agriculture, pharmacy, medicine or veterinary medicine, or</p> <p>b) further vocational education in a field of study focusing on food-processing technology, chemistry, agriculture, pharmacy, or veterinary medicine and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on food-processing technology,</p>		Ministry of Agriculture	Act No 61/1997 on spirits and amending Act No 455/1991, the Trade Licensing Act, as amended, and Act No 587/1992 on excise duty, as amended (the Spirits Act), as amended

	<p>chemistry, agriculture, or in the field of pharmaceutical manufacturing laboratory technician, and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and three years' professional experience, or</p> <p>e) documents under Section 7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act</p>			
Production and processing of sulphite or synthetic alcohol	a) higher education in a study programme and study field focusing on		Ministry of Industry and Trade	Act No 61/1997, as amended

	<p>chemistry, or</p> <p>b) further vocational education in a field of study focusing on chemistry and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on chemistry and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and three years' professional experience, or</p>			
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	e) documents under Section 7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act			
Research, development, manufacture, destruction, disabling, processing, purchasing and sale of explosives	<p>for the research, development, manufacture and processing of explosives: higher education in a study programme and study field focusing on technical sciences or technology;</p> <p>for the destruction and disabling of explosives: pyrotechnic authorization or certificate issued by the district mining authority to a person aged at least 21 years;</p> <p>for the purchase and sale of explosives: the authorization or certificate of a pyrotechnic expert, shot-firer, or firework detonator, issued by the district mining authority, or the authorization of a blasting technical manager, issued by the Czech Mining Office</p>	reliability of the entrepreneur or the governing body or members of the governing body*)	The Czech Mining Authority**)	<p>*) Section 1(5) of Act No 451/1991 laying down certain other requirements for certain offices held in State authorities and organizations of the Czech and Slovak Federative Republic, the Czech Republic and the Slovak Republic</p> <p>***) Sections 23, 35 and 36 of Act No 61/1988 on mining, explosives and the State Mining Authority, as amended by Act No 542/1991</p>

<p>Development, manufacture, repair, modification, transportation, purchase, sale, rental, storage, disabling and destruction of arms and ammunition</p>	<p>for the development, manufacture, repair, modification, disabling and destruction of arms:</p> <p>a) higher education in a study programme and study field focusing on technical science or technology and three years' professional experience, or</p> <p>b) further vocational education in a field of study focusing on technical sciences or technology and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study with a technical focus and three years' professional experience, or</p> <p>d) secondary education with a certificate of apprenticeship in a field of study for a gunsmith or tool maker and three</p>	<p>reliability of the entrepreneur or the governing body or members of the governing body*), for the acquisition of explosives**) and the performance of activities involving explosives, the entrepreneur or the entrepreneur's responsible representative shall comply with the professional competence stipulated for the research, development, destruction, disabling, processing, purchase and sale of explosives consistent with the scope of the trade authorization</p>	<p>for the development, manufacture, destruction, disabling of ammunition, Czech Authority for the Testing of Weapons and Ammunition ***)</p>	<p>*) Section 1(5) of Act No 451/1991 **) Section 21(1) and (2) of Act No 61/1988, as amended by Act No 542/1991 ***) for the development, manufacture, destruction and disabling of ammunition, Sec. 17 (3) (k) of Act No. 156/2000 Coll., on the verification of firearms, ammunition and pyrotechnical objects and on amending Act No. 288/1995 Coll., on firearms and ammunition (Firearm Act), as amended by Act No. 13/1998 Coll., and Act No. 368/1992 Coll., on administrative fees, as amended, as amended by Act No. 155/2010 Coll.</p>
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	<p>years' professional experience, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p> <p>for the purchase, sale, transportation, rental and storage of arms and ammunition:</p> <p>a) higher education in a study programme and study field focusing on economics, the military, the police, technical sciences or technology and one year's professional</p>			
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	<p>experience, or</p> <p>b) further vocational education in a field of study focusing on economics, the military, the police, technical sciences or technology and two years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study with a technical, economic, military or police focus and two years' professional experience, or</p> <p>d) secondary education with a certificate of apprenticeship in a field of study to be a shop assistant specializing in arms and ammunition or in a related field and three years' experience of business activity involving arms and ammunition, or</p> <p>e) secondary education with a certificate of</p>			
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	<p>apprenticeship in a field of study to be a gunsmith or tool maker and three years' professional experience or one year's experience of business activity involving arms and ammunition, or</p> <p>f) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p> <p>for the manufacture, repair, modification, disabling and destruction of ammunition: professional competence stipulated for the</p>			
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	<p>development, manufacture, repair, modification, disabling and destruction of arms, a pyrotechnic authorization or certificate, and age of at least 21 years;</p> <p>for the development of ammunition: higher education in a study programme and study field focusing on technical sciences or technology, the study field of explosive theory and technology, and three years' professional experience</p>			
<p>Purchase and sale, rental, development, manufacture, repair, modification, storage, transportation, disabling and destruction of security material</p>	<p>a) higher education in a study programme and study field focusing on technical sciences, economics, the military, or the police, aged at least 21 years, or</p> <p>b) further vocational education in a field of study focusing on technical sciences, economics, the military or the police, aged at least 21</p>	<p>good character of all employees (Section 6(2) of Act No 455/1991, as amended by Act No 155/2010 Coll.)</p>	<p>approval of the regional directorate of the Police Force of the Czech Republic</p>	<p>Section 3(2) of Act No 310/2006 on the handling of certain items usable for defence and security purposes in the Czech Republic and amending certain other laws (the Act on the Handling of Security Material)</p>

	<p>years, or</p> <p>c) secondary education with a school-leaving examination or a certificate of apprenticeship in a field of study with a technical, economic, military or police focus, aged at least 21 years, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and one year's professional experience, and aged at least 21 years</p>			
Generation and distribution of heat not subject to a licence*) from	a) higher education in a study programme and study field focusing on	a natural or legal person who applies for a concession and does not	State Energy Inspectorate	*) Act No 458/2000 on conditions of business and on State administration in

<p>heat sources with an installed capacity per source of more than 50 kW</p>	<p>technical sciences and three years' professional experience, or</p> <p>b) further vocational education in a field of study with a technical focus and six years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study with a technical focus and six years' professional experience;</p> <p>for heat sources with an installed capacity of up to 1MW inclusive and a separate heat distribution facility with an installed capacity of up to 1 MW inclusive, the following shall suffice:</p> <p>a) secondary education with a certificate of apprenticeship in a field of study with a technical focus and three years' professional experience, or</p>	<p>hold a licence to produce heat and a licence to distribute heat*) must prove that he/it has the technical attributes required to ensure the performance of the permitted activities**) and that this activity will not endanger the lives and activities of persons, property or interests in environmental protection. A natural or legal person who applies for a concession must have liability insurance.</p>		<p>the energy sectors and amending certain laws (the Energy Act), as amended **) Section 9 of Decree No 426/2005 on the details of granting licences for business in energy sectors</p>
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	<p>b) a retraining certificate or other evidence of professional qualifications for the operation of small energy sources, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls</p>			
<p>Road transport - national haulage operated by vehicles with a maximum permissible weight of 3.5 tonnes inclusive, - national haulage operated by vehicles with a maximum permissible weight above 3.5 tonnes, - international haulage operated by vehicles with a maximum permissible weight of 3.5 tonnes inclusive, - international haulage operated by vehicles with a maximum permissible</p>	<p>Section 6 of Act No 111/1994 on road transport, as amended by Act No 150/2000, and Act No. 130/2008 Coll.</p>		<p>transport authority</p>	<p>Act No 111/1994 on road transport, as amended</p>

weight above 3.5 tonnes, - national occasional passenger transport, - international occasional passenger transport, - national public regular service, - national special regular service, - international regular service, - international shuttle service, - taxi service				
Inland water transport	Section 33a of Act No 114/1995 on inland waterways, as amended by Act No 358/1999		Ministry of Transport	Act No 114/1995 on inland waterways, as amended
Check testing of machinery used in plant protection	professional competence in accordance with Section 85(2) of Act No 326/2004 on plant health and amending certain related laws, as amended by Act No 131/2006	approval of establishment	State Phytosanitary Administration	Section 66(3) of Act No 326/2004 on plant health and amending certain related laws
Pyrotechnical research	pyrotechnic authorization or certificate, with no differentiation of pyrotechnic authorization, aged at least 21 years	reliability of the entrepreneur or the governing body or members of the governing body*)		*) Section 1(5) of Act No 451/1991
Public auctions - voluntary	for voluntary public auctions:		Ministry of Regional Development	Section 6 of Act No 26/2000 on public auctions, as amended by

<p>- compulsory</p>	<p>a) higher education and one year's experience of auctions or real estate activity, or</p> <p>b) further vocational education and three years' experience of auctions or real estate activity, or</p> <p>c) secondary education and five year's experience of auctions or real estate activity, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and nine years' experience of auctions or real estate activities, or</p>			<p>Act No 315/2006</p>
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	<p>e) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act;</p> <p>for compulsory public auctions:</p> <p>a) higher education and three year's experience of auctions or real estate activity, or</p> <p>b) further vocational education and four years' experience of auctions or real estate activity, or</p> <p>c) secondary education and six year's experience of auctions or real estate activity, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment</p>			
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	<p>accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and ten years' experience of auctions or real estate activities, or</p> <p>e) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act</p>			
Tour operators	<p>a) higher education in a study programme and study field focusing on tourism, or</p> <p>b) further vocational education in a field of education focusing on tourism, or</p> <p>c) secondary education with a school-leaving examination in a field of education focusing on tourism, or</p> <p>d) higher education and one year's professional experience, or</p>		Ministry of Regional Development**)	<p>*) Act No 179/2006 on the certification and recognition of the results of further education and amending certain laws (the Act on the Recognition of Further Education Results)</p> <p>**) Act No 159/1999 on certain conditions for engaging in business in tourism and amending Act No 40/1964, the Civil Code, as amended, and Act No 455/1991, the Trade Licensing Act, as amended</p>

	<p>e) further vocational education and three years' professional experience, or</p> <p>f) secondary education with a school-leaving examination and six years' professional experience, or</p> <p>g) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and six years' professional experience, or</p> <p>h) evidence of partial qualifications to act as a tour operator in accordance with specific legislation*) and two</p>			
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	<p>years' professional experience</p> <p>i) documents under Section 7(5)(b), (c), (f), (g), (h) or (i) of the Trade Licensing Act</p>			
Security of property and persons	<p>a) University education or</p> <p>b) higher education in law, security or other similar specialisations, or</p> <p>c) secondary education with a school-leaving examination in security or law and 3 years of professional experience, or</p> <p>d) secondary education with a school-leaving examination, 3 years of professional experience in the field and a certificate of retraining or another document of professional qualification for the relevant work activity issued by an establishment</p>	<p>“reliability of the entrepreneur or the governing body or members of the governing body **”) and good character of all of the persons carrying out the activity concerned for the entrepreneur (Sec. 6 (2) of Act No. 455/1991 Coll, as amended by Act No. 155/2010 Coll.)</p>		<p>*) Act No. 179/2006 Coll, as amended,</p> <p>**) Sec. 1(5) of Act No. 451/1991 Coll..</p>

	<p>accredited in accordance with specific legislation of the Ministry of Education, Youth and Sports or by the ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) secondary education with a school-leaving examination, 3 years of professional experience in the field and partial qualification for the activities of a guard under specific legislation*)</p>			
Private detective services	<p>a) University education and one year of professional experience in the field, or</p> <p>b) higher education in law, security or other similar specialisations and one year of professional experience in the field,</p>	<p>“reliability of the entrepreneur or the governing body or members of the governing body **) and good character of all of the persons carrying out the activity concerned for the entrepreneur (Sec. 6 (2) of Act No. 455/1991 Coll, as amended by Act No.</p>		<p>*) Act No. 179/2006 Coll, as amended, **) Sec. 1(5) of Act No. 451/1991 Coll. .</p>

	<p>or</p> <p>c) secondary education with a school-leaving examination in security or law and 3 years of professional experience, or</p> <p>d) secondary education with a school-leaving examination, 3 years of professional experience in the field and a certificate of retraining or another document of professional qualification for the relevant work activity issued by an establishment accredited in accordance with specific legislation of the Ministry of Education, Youth and Sports or by the ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) secondary education with a school-leaving examination, 3 years</p>	155/2010 Coll.))		
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	<p>of professional experience in the field and partial qualification for the activities of a detective in training under specific legislation*)</p>			
<p>Provision of technical services for the protection of property and persons</p>	<p>a) higher education in a study programme and study field focusing on mechanical engineering, electrical engineering, telecommunications or information technology and one year's professional experience, or</p> <p>b) further vocational education in a field of study focusing on mechanical engineering, electrical engineering, telecommunications or information technology and two years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on mechanical engineering,</p>	<p>the good character of all persons who carry out the relevant activity for the entrepreneur (Sec. 6 (2) of Act No. 455/1991 Coll., as amended by Act No. 155/2010 Sb.)</p>		

	<p>electrical engineering, telecommunications or information technology and two years' professional experience, or</p> <p>d) secondary education with a certificate of apprenticeship in a field of study focusing on mechanical engineering, electrical engineering, telecommunications or information technology and three years' professional experience, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional</p>			
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	experience			
Registry management	<p>a) higher education and one year's administrative experience, or</p> <p>b) further vocational education and two years' administrative experience, or</p> <p>c) secondary education with a school-leaving examination and three years' administrative experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' administrative</p>	approval of an establishment and the good character of all employees (Section 6(2) of Act No 455/1991, as amended by Act No 155/2010 Coll.)	State Area Archives in the location of the establishment	Section 68(1) of Act No 499/2004 on archiving and the registry service and amending certain laws

	experience			
Operation of shooting ranges and shooting courses	<p>a) higher education in a study programme and study field focusing on the military, the police, or physical culture, physical education and sport and two years' experience of managing shooting or operating shooting ranges, or</p> <p>b) further vocational education in a study field focusing on the military, the police, or physical culture, physical education and sport and two years' experience of managing shooting or operating shooting ranges, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on the military or the police and two years' experience of managing shooting or operating shooting ranges, or</p>	reliability of the entrepreneur or the governing body or members of the governing body*)		*) Section 1(5) of Act No 451/1991

	d) a shooting judge or trainer certificate and three years' experience of managing shooting or operating shooting ranges			
Blasting and fireworks	<p>a) shot-firer's authorization or certificate issued by the district mining authority*) to a person aged at least 21 years, or</p> <p>b) blasting technical manager's authorization issued by the Czech Mining Office*) to a person aged at least 24 years, or</p> <p>c) firework detonator's authorization or certificate issued by the district mining authority*)</p>	reliability of the entrepreneur or the governing body or members of the governing body**)		<p>*) Sections 35 and 36 of Act No 61/1988, as amended by Act No 542/1991</p> <p>**) Section 1(5) of Act No 451/1991</p>
Operation of funeral establishments	Section 6(2) of Act No 256/2001 on funeral services and amending certain laws		provincial hygiene stations	Section 6(4) of Act No 256/2001 on funeral services and amending certain laws, as amended by Act No 67/2006
Embalming and conserving	Section 10(2) of Act No 256/2001 on funeral services and amending		provincial hygiene stations	Section 10(4) of Act No 256/2001 on funeral services and amending

	certain laws			certain laws, as amended by Act No 320/2002
Operation of crematoriums	Section 13(2) of Act No 256/2001 on funeral services and amending certain laws, as amended by Act No 67/2006		provincial hygiene stations	Section 13(4) of Act No 256/2001 on funeral services and amending certain laws, as amended by Act No 67/2006

UNQUALIFIED TRADE
(further to Section 25(2))

Objects of business: Manufacture, trade and services not specified in Annexes 1 to 3 to the Trade Licensing Act

Fields of activity classified as unqualified trades:

1. Provision of services for agriculture, horticulture, fishing, forestry and hunting
2. Professional forest management
3. Production of forest management plans and outlines
4. Handling of the reproductive material of forestry plants
5. Animal breeding and training (with the exception of animal production)
6. Treatment of minerals, extraction of peat and mud
7. Manufacture of food and starch products
8. Fruit distillation
9. Manufacture of feed, compound feed, additives and premixtures
10. Manufacture of textiles, textile products, clothing and clothing accessories
11. Manufacture and repair of footwear, saddlery and harness products
12. Wood processing, manufacture of wooden, cork, straw and plaiting products
13. Manufacture of pulp, paper and paperboard and of goods made of those materials
14. Publishing, printing, binding and copying
15. Manufacture, reproduction, distribution, sale, rental of audio and audiovisual recordings, and manufacture of blank data and recording carriers
16. Manufacture of coke, raw pitch and other solid fuels
17. Manufacture of chemical substances, fibres and preparations, and cosmetic products
18. Manufacture of fertilizers
19. Manufacture of plastic and rubber products
20. Glass manufacture and processing
21. Manufacture of building materials, porcelain, ceramic and plaster products
22. Manufacture of abrasive products and other non-metallic mineral products
23. Technical and jewellery stone cutting
24. Production of iron, precious metals, non-ferrous metals and their alloys
25. Manufacture of metal structures and fabricated metal products
26. Artistic and craft working of metals
27. Surface treatment and welding of metals and other materials
28. Manufacture of measuring, testing, navigation, optical and photographic instruments and equipment
29. Manufacture of electronic components, electrical equipment, and the manufacture and repair of electrical machinery, appliances and electronic equipment powered by low voltage
30. Manufacture of non-electric domestic appliances
31. Manufacture of industrial machinery
32. Manufacture of motor vehicles and their trailers and bodies
33. Design and manufacture of vessels
34. Manufacture, development, design, testing, installation, maintenance, repair, modification and structural changes to aircraft, aircraft engines, blades, aircraft parts and equipment and aviation ground facilities
35. Manufacture of rail traction units and rail vehicles on tramways trolley-bus tracks and cableways, and railway fleets

36. Manufacture of bicycles, wheelchairs and other non-motor vehicles
37. Manufacture and repair of upholstered products
38. Manufacture, repair and maintenance of sport products, games, toys and prams and pushchairs
39. Manufacture of medical devices
40. Manufacture and repair of sources of ionizing radiation
41. Manufacture of school and office equipment, except paper products, the manufacture of costume jewellery, brooms and brushes, made-up articles, umbrellas, souvenirs
42. Manufacture of other manufacturing articles
43. Operation of water supply and wastewater services, and water treatment and distribution
44. Waste management (except dangerous waste)
45. Preparatory and finishing work, specialized construction activities
46. Glazing, framing and mounting
47. Intermediation in trade and services
48. Wholesale and retail trade
49. Pawnbroking and retailing in second-hand goods
50. Maintenance of motor vehicles and accessories
51. Transport via pipelines and land transport (except rail and road motor transport)
52. Storage, packaging of goods, cargo handling and technical activities in transport
53. Forwarding and representation in customs procedure
54. Operation of postal and international postal services
55. Accommodation services
56. Provision of software, information technology consulting, data processing, hosting and related activities and web portals
57. Activities of information and news agencies
58. Real estate services, facility management and maintenance
59. Leasing and loaning of movables
60. Guidance and consulting activities, production of expert studies and opinions
61. Land consolidation design
62. Preparation and production of technical designs, graphic and drawing work
63. Design of electrical equipment
64. Research and development in the field of natural and technical sciences or social sciences
65. Testing, measurement, analysis and inspections
66. Advertising, marketing, media representation
67. Design and arrangement activities and modelling
68. Photographic services
69. Translation and interpreting
70. Administrative services and services of an organizational and economic nature
71. Operation of a travel agency and guide services in the field of tourism
72. Extra-curricular education, organization of courses, training, including instructor services
73. Operation of cultural, educational and entertainment facilities, organization of cultural productions, events, exhibitions, fairs, festivals, sales and similar events
74. Operation of physical education and sports facilities and organization of sports activities
75. Domestic washing, ironing, repair and maintenance of clothing, household linen and personal goods
76. Provision of technical services
77. Repair and maintenance of household goods, items of a cultural nature, precision equipment, optical equipment and measuring devices
78. Provision of personal and personal hygiene services
79. Provision of services for the family and households
80. Manufacture, trade and services not elsewhere specified

Annex No 5 to Act No 455/1991

List of trades where the entrepreneur is required to ensure that such trades are carried on solely by natural persons complying with professional competence, and professional competence required for such activities

(further to Section 7(6))

Trade	Professional competence required	Remarks
1	2	3
Trade in animals used for livestock breeding	<p>a) higher education in a study programme and study field focusing on veterinary medicine and hygiene, livestock breeding, or zootechnics, or</p> <p>b) further vocational education in a field of education focusing on livestock breeding, zootechnics or veterinary medicine, or</p> <p>c) secondary education with a school-leaving examination in a field of education focusing on livestock breeding, zootechnics or veterinary medicine, or</p> <p>d) secondary education with a certificate of apprenticeship in a field of education focusing on livestock breeding or zootechnics, or</p> <p>e) a retraining*) certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p>	<p>*) Decree No. 176/2009 Coll., setting out the requisite details of an application for the accreditation of an educational programme, organisation of education in a retraining facility, and the manner of its completion</p> <p>**) Act No 18/2004 on the recognition of professional qualifications and other competence of nationals of European Union Member States and amending certain laws (the Act on the Recognition of Professional Qualifications), as amended</p>

	<p>f) evidence of three years' professional experience in an independent position (Section 2 and Section 23 of the Commercial Code) or in an employment relationship, or</p> <p>g) evidence of the recognition of professional qualifications under specific legislation,**) or</p> <p>h) documents under Section 7(5)(k) of the Trade Licensing Act</p>	
Tourist assistance activities in mountain areas	<p>a) secondary education with a school-leaving examination and partial qualification for mountain tourist assistance activities in accordance with specific legislation*)</p> <p>b) a retraining**) certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>c) evidence of three years' professional experience in an independent position (Section 2 and Section 23 of the Commercial Code) or in an employment relationship, or</p> <p>d) evidence of the recognition of professional qualifications under specific legislation***)</p>	<p>*) Act No 179/2006 on the certification and recognition of the results of further education and amending certain laws (the Act on the Recognition of Further Education Results)</p> <p>**) Decree No. 176/2009 Coll.</p> <p>***) Act No 18/2004 Coll., as amended</p>
Water rescue service	a) a retraining*) certificate or other evidence of	*) Decree No. 176/2009 Coll. **) Decree No 447/2001 on

	<p>professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>b) a document confirming specialization as a mining rescuer**) – diver, or</p> <p>c) evidence of three years' professional experience in an independent position (Section 2 and Section 23 of the Commercial Code) or in an employment relationship, or</p> <p>d) evidence of the recognition of professional qualifications under specific legislation***)</p>	<p>the mining rescue service, as amended by Decree No 87/2006 ***) Act No 18/2004, as amended</p>
<p>Provision of physical education and sports services in the field of ...</p>	<p>a) further vocational education in a field of education focusing on physical culture, physical education and sport, or</p> <p>b) higher education in a study programme and study field focusing on physical culture, physical education and sport, or</p> <p>c) a retraining*) certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview</p>	<p>*) Decree No. 176/2009 Coll. **) Act No 18/2004, as amended</p>

	<p>the sector in which the trade is operated falls, or</p> <p>d) proof of professional competence, issued by an educational institution specializing in physical education (e.g. the educational institutions of physical education associations), or</p> <p>e) evidence of three years' professional experience in an independent position (Section 2 and Section 23 of the Commercial Code) or in an employment relationship, or</p> <p>f) evidence of the recognition of professional qualifications under specific legislation**)</p>	
Day care of children up to the age of three	<p>a) professional competence to pursue the profession of general nurse, health assistant, carer, midwife, paramedic or general ambulance attendant under specific legislation,*) or professional competence to pursue the profession of social worker or social services worker under specific legislation,**) or</p> <p>b) evidence of three years' professional experience in an independent position (Section 2 and Section 23 of the Commercial Code) or in an employment relationship, or</p> <p>c) evidence of the recognition of professional qualifications under specific legislation***)</p>	<p>*) Act No 96/2004 on conditions for the acquisition and recognition of competence to engage in paramedical professions and to carry out activities connected with the provision of health care and amending certain related laws (the Paramedical Act), as amended by Act No 125/2005</p> <p>***) Act No 108/2006 on social services</p> <p>***) Act No 18/2004, as amended</p>
Activities disturbing the integrity of human skin	<p>a) professional competence to pursue the profession of physician or dental practitioner in accordance</p>	<p>*) Act No 95/2004 on conditions for the acquisition and recognition of professional competence and</p>

	<p>with specific legislation,*) or</p> <p>b) professional competence to pursue the profession of a general nurse, midwife, paramedic or health assistant under specific legislation**), or</p> <p>c) secondary education with a school-leaving examination in the study field of cosmetics and a retraining certificate for activities where the integrity of the human skin disturbed, or other evidence of professional competence for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>d) secondary education with a certificate of apprenticeship in the study field of cosmetics and a retraining certificate for activities where the integrity of the human skin is disturbed, or other evidence of professional competence for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) a retraining certificate or other evidence of professional competence for a cosmetician and for activities where the integrity of the human skin is</p>	<p>specialist competence to practice as a physician, dental practitioner or pharmacist, as amended by Act No 125/2005</p> <p>**) Act No 96/2004, as amended by Act No 125/2005</p> <p>***) Decree No. 176/2009 Coll.</p> <p>****) Act No 18/2004, as amended</p>
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	<p>disturbed, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls,</p> <p>f) evidence of the recognition of professional qualifications under specific legislation****)</p>	
<p>Massage, reconditioning, and regeneration services</p>	<p>a) professional competence to pursue the profession of physician and specialized competence in the field of rehabilitation and physical medicine or sports medicine in accordance with specific legislation,*) or</p> <p>b) professional competence to pursue the profession of physiotherapist or masseur or blind and weak-sighted masseur in accordance with specific legislation,**) or</p> <p>c) higher education in a study programme and study field focusing on rehabilitation or physical education, or</p> <p>d) a retraining***) certificate or other evidence of professional competence for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) partial qualification for traditional or sport massage under specific legislation***)</p>	<p>*) Act No 95/2004, as amended by Act No 125/2005 **) Act No 96/2004, as amended by Act No 125/2005 ***) Act No. 176/2009 Coll., ****) Act No 18/2004, as amended *****) Act No. 179/2006 Coll., as amended</p>

	f) evidence of the recognition of professional qualifications under specific legislation****)	
Operation of solariums	<p>a) a retraining*) certificate or other evidence of professional competence for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>b) evidence of three years' professional experience in an independent position (Section 2 and Section 23 of the Commercial Code) or in an employment relationship, or</p> <p>c) evidence of the recognition of professional qualifications under specific legislation**)</p>	<p>*) Decree No. 176/2009 Coll. **) Act No 18/2004, as amended</p>
Cosmetic services	<p>a) secondary education with a certificate of apprenticeship in the study field of cosmetics, or</p> <p>b) secondary education with a school-leaving examination in the study field of cosmetics, or with vocational training subjects in a relevant field, or</p> <p>c) further vocational education in the study field of cosmetics, or</p> <p>d) higher education in a relevant study programme and study field focusing on the area of the trade, or</p> <p>e) a retraining*) certificate or</p>	<p>*) Decree No. 176/2009 Coll. **) Act No 18/2004, as amended</p>

	<p>other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>f) evidence of three years' professional experience in an independent position (Section 2 and Section 23 of the Commercial Code) or in an employment relationship, or</p> <p>g) evidence of the recognition of professional qualifications under specific legislation,**) or</p> <p>h) documents under Section 7(5)(k) of the Trade Licensing Act</p>	
<p>Pedicure, manicure</p>	<p>a) secondary education with a certificate of apprenticeship in the study field of cosmetics, or</p> <p>b) secondary education with a school-leaving examination in the study field of cosmetics, or with vocational training subjects in a relevant field, or</p> <p>c) further vocational education in the study field of cosmetics, or</p> <p>d) higher education in a relevant study programme and study field focusing on the area of the trade, or</p> <p>e) a retraining*) certificate or other evidence of</p>	<p>*) Decree No. 176/2009 Coll. **) Act No 18/2004, as amended</p>

	<p>professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>f) evidence of three years' professional experience in an independent position (Section 2 and Section 23 of the Commercial Code) or in an employment relationship, or</p> <p>g) evidence of the recognition of professional qualifications under specific legislation,**) or</p> <p>h) documents under Section 7(5)(k) of the Trade Licensing Act.</p>	
<p>Security of property and persons</p>	<p>a) University education or</p> <p>b) higher education in law, security or other similar specialisations, or</p> <p>c) secondary education with a school-leaving examination in security or law and 3 years of professional experience, or</p> <p>d) secondary education with a school-leaving examination, 3 years of professional experience in the field and a certificate of retraining or another document of professional qualification for the relevant work activity issued by an</p>	<p>*) Act No. 179/2006 Coll., as amended</p> <p>***) Act no. 18/2004 Coll., as amended.</p>

	<p>establishment accredited in accordance with specific legislation, an establishment accredited by the Ministry of Education, Youth and Sports or by the ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) partial qualification for the activities of a guard under specific legislation*), or</p> <p>f) evidence of the recognition of professional qualifications under specific legislation,**)</p>	
Private detective services	<p>f) a) University education, or</p> <p>g) higher education in law, security or other similar specialisations, or</p> <p>h) secondary education with a school-leaving examination in security or law, or</p> <p>i) secondary education with a school-leaving examination and a certificate of retraining or another document of professional qualification for the relevant work activity issued by an establishment accredited in accordance with specific legislation, an establishment accredited by the Ministry of Education, Youth and Sports or by the ministry in whose purview the</p>	<p>*) Act No. 179/2006 Coll., as amended</p> <p>***) Act no. 18/2004 Coll., as amended</p>

	<p>sector in which the trade is operated falls, or</p> <p>j) partial qualification for the activities of a detective in training under specific legislation*)</p> <p>k) evidence of the recognition of professional qualifications under specific legislation,**)</p>	
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ACT NO 286/1995

Article III

Transitional provisions

1. The carrying-on of a trade pursuant to a trade authorization, in respect of the inception of which an enforceable decision is taken before this Act enters into effect, and the termination thereof shall be governed by this Act.
2. An entrepreneur carrying on a trade pursuant to a trade certificate or trade permit certificate issued before this Act enters into effect shall, where this Act requires the fulfilment of conditions for a trade authorization and for carrying on a trade that differ from the conditions laid down in existing legislation, with the exception of the obligations set out in point 7, evidence fulfilment of such conditions at the request of the trade licensing office with due jurisdiction based on the registered office or place of business within nine months of delivery of that request. This shall not apply in cases where the fulfilment of different conditions is evident from documents submitted by the entrepreneur in procedure under existing legislation or in cases of a vocational trade within the meaning of point 6. The trade licensing office shall request the entrepreneurs to evidence the fulfilment of the conditions for carrying on a trade within six months of the date that this Act enters into effect.
3. Should the trade licensing office find that the conditions for carrying on a trade have been fulfilled, it shall decide on a change to the trade certificate or trade permit certificate. Where a notifiable trade becomes a permitted trade under the law, it shall issue a trade permit certificate instead of a decision on a change. Where a permitted trade becomes a notifiable trade under the law, it shall issue a trade certificate instead of a decision on a change. Should an entrepreneur, at the trade licensing office's request, fail to evidence the fulfilment of the conditions for carrying on a trade, this shall be regarded as a grave infringement of this Act. Where the fulfilment of the conditions may be derived from documents submitted by the entrepreneur to the trade licensing office in preceding proceedings, the trade licensing office shall issue a decision on a change, a trade certificate or a trade permit certificate within nine months of the date that this Act enters into effect.
4. A trade authorization for an activity which is not a trade under this Act shall be terminated one year after this Act enters into effect, unless otherwise provided by a specific law; a trade authorization certificate shall become invalid in the same time limit. Natural and legal persons may continue business activities constituting trades under this Act for a period of one year after this Act enters into effect on the basis of an authorization for business activity granted prior to the entry into effect of this Act. On expiry of this time limit authorizations shall be terminated and after this time limit a trade may be carried on solely pursuant to a trade authorization.
5. Notification of a trade and applications for a concession submitted before this Act enters into effect, in respect of which an enforceable decision has not been taken by the time this Act enters into effect, shall be discussed in accordance with the new legislation. Procedure on the imposition of a fine, on the cancellation of a trade authorization, on the suspension of the carrying-on of a trade and on penalization for unauthorized business activity, in respect of which an enforceable decision has not been taken by the time this Act enters into effect, shall be completed in accordance with existing legislation, unless the provisions under this Act are more favourable for a party to the proceedings.
6. The fulfilment of specific conditions for carrying on a trade under this Act shall not be required for six years for carrying on a vocational trade which has been an unqualified trade under existing legislation and which has been carried on pursuant to a trade certificate, in respect of which a decision has been issued before this Act enters into effect.

7. A natural person who is a long-term resident in the Czech Republic and carries on a trade as a foreign person as of the date this Act enters into effect may continue business activities constituting a trade for one year as of the entry into effect of this Act pursuant to authorization obtained before this Act enters into effect. If such a person fails to submit documents to the trade licensing office in this time limit which prove fulfilment of the conditions laid down in this Act, the authorization to carry on a trade shall be terminated on expiry of that time limit.
8. The responsible representative shall comply with the requirement of knowledge of Czech pursuant to Section 11(2) within one year of the date that this Act enters into effect.
9. Actions executed under the preceding provisions of this Act shall be exempt from administrative fees.

ACT NO 159/1999

PART FOUR TRANSITIONAL AND FINAL PROVISIONS

Section 14 Transitional provisions

(1) A trade authorization, pursuant to which trades are carried on that, under this Act, are changed into notifiable professional trades (the operation of a travel agency) or into a permitted trade (the operation of a tour operator), shall become void six months after the date that this Act enters into effect.

(2) Natural and legal persons who intend, on expiry of the time limit under paragraph (1), to continue carrying on activities which are the subject of the notifiable professional trade of the operation of a travel agency as of the date that this Act enters into effect shall submit to the trade licensing office, within the time limit under paragraph (1), documents proving that they fulfil the conditions of professional competence laid down in this Act. If the trade licensing office finds that the submitted documents are incomplete or do not sufficiently prove professional competence, it shall call upon the legal or natural person to provide additional material or to rectify irregularities, with the condition that if the person fails to heed the request within the time limit set in paragraph (1), its authorization to carry on activities which, as of the date this Act enters into effect, are the subject of the notifiable professional trade of the operation of a travel agency shall be terminated on expiry of that time limit.

(3) Natural and legal persons who intend, on expiry of the time limit under paragraph (1), to continue carrying on activities which are the subject of the permitted trade of the operation of a tour operator as of the date that this Act enters into effect shall submit to the trade licensing office, within the time limit under paragraph (1), documents proving that they fulfil the conditions of professional competence and documents laid down in Section 5(1) of this Act. Provided they meet this requirement, they shall be entitled to carry on activities pursuant to the original trade authorization until a decision on a concession enters into force.

(4) Unless otherwise provided, legal relations formed before this Act enters into effect shall be governed by the provisions of this Act; however, the inception of such legal relations, and the entitlements arising thereunder before this Act enters into effect, shall be assessed in accordance with existing legislation.

ACT NO 356/1999

**PART SIX
TRANSITIONAL AND FINAL PROVISIONS**

Article VI

1. A trade authorization which is issued before this Act enters into effect shall be preserved unless otherwise provided below. A surviving spouse's right to continue carrying on a trade under preceding legislation, granted before this Act enters into effect, shall be preserved.
2. The carrying-on of a trade pursuant to a trade authorization under point 1 and the termination thereof shall be governed by this Act. The good character of an entrepreneur granted a trade authorization before this Act enters into effect shall be assessed in accordance with existing legislation; this shall not apply if the entrepreneur is convicted of a crime after this Act enters into effect.
3. If, under the law, a notifiable unqualified trade changes into a notifiable professional trade or permitted trade, natural and legal persons authorized to engage in business pursuant to a trade authorization obtained before this Act enters into effect may continue carrying on that trade. Within one year of the date that this Act enters into effect, they shall submit to the competent trade licensing office documents proving the fulfilment of specific conditions for carrying on a trade as laid down by this Act, unless the trade licensing office has these documents at its disposal from previous proceedings.
4. Should persons referred to in point 3 submit documents to the trade licensing office concerning the fulfilment of specific conditions for carrying on a trade, the trade licensing office shall issue a trade certificate or trade permit certificate, in which the changed information is reflected. The procedure under Sections 52 and 53 shall be followed *mutatis mutandis* when a decision is to be taken on a concession. If the authority referred to in Section 52(1) opposes the granting of a concession, the trade licensing office shall revoke the trade authorization. The trade licensing office shall revoke the trade authorization of persons who, within the time limit set in paragraph (3), fail to submit documents on the fulfilment of specific conditions for carrying on a trade.
5. If, under the law, a notifiable unqualified trade changes into a notifiable vocational trade, natural and legal persons authorized to engage in business pursuant to a trade authorization obtained before this Act enters into effect may continue carrying on that trade. Within one year of the entry into effect of this Act, they shall notify the trade licensing office of the information required for the issuance of a trade authorization certificate for a vocational trade under the new legislation. If an entrepreneur complies with this obligation in the set time limit, he shall not be required to prove fulfilment of the conditions of professional competence to the trade licensing office and the trade licensing office shall issue him with a trade certificate. Should an entrepreneur fail to comply with the obligation under the second sentence, the trade licensing office shall revoke the entrepreneur's trade authorization without undue delay.

6. If, under this Act, there is a change only to the name of a trade, within one year of the date this Act enters into effect the trade licensing office shall issue the entrepreneur with a trade certificate or trade permit certificate with the new name of the trade.

7. If, under this Act, trades are merged, within one year of the date this Act enters into effect the trade licensing office shall issue the entrepreneur with a trade authorization certificate in which that change is reflected.

8. If, under this Act, a trade is divided into two or more individual trades, natural and legal persons authorized to engage in business pursuant to a trade authorization obtained before this Act enters into effect may continue carrying on that trade. Within one year of the date that this Act enters into effect, they shall submit to the trade licensing office documents proving the fulfilment of specific conditions for carrying on a trade as laid down by this Act or specific legislation, unless the trade licensing office has these documents at its disposal from previous proceedings.

9. Should persons referred to in point 8 submit documents to the trade licensing office concerning the fulfilment of specific conditions for carrying on a trade, the trade licensing office shall change the trade certificate by issuing trade certificates with the altered information or shall decide to grant a concession and subsequently issue a trade permit certificate. The procedure under Sections 52 and 53 shall be followed *mutatis mutandis* when a decision is to be taken on concessions. If the authority referred to in Section 52(1) opposes the granting of a concession, the trade licensing office shall revoke the trade authorization.

10. If the persons referred to in point 8 fail to comply with the obligation to submit documents on the fulfilment of specific conditions for carrying on a trade in accordance with this Act within the set time limit set, the trade licensing office shall revoke their trade authorization without undue delay.

11. Entrepreneurs who acquire a trade authorization before this Act enters into effect for a trade where there has been a change to the specific conditions for carrying on the trade without a simultaneous change pursuant to point 3 shall prove to the trade licensing office that they comply with the professional competence solely in respect of the responsible representative, if appointed after the date that this Act enters into effect.

12. A trade authorization to carry on an activity which is no longer a trade under this Act shall be terminated one year after this Act enters into effect, unless otherwise provided by specific legislation; a trade authorization certificate shall become invalid in the same time limit. The trade licensing office shall draw the entrepreneur's attention in writing to the fact that this is no longer a trade within six months of the date that this Act enters into effect.

13. An entrepreneur who carries on a trade industrially pursuant to a trade authorization acquired before this Act enters into effect shall, within one year of the effect of this Act, submit a list of activities to the trade licensing office which are carried out to manufacture the final product or to provide a service and are only partial elements of the technological process.

14. The trade licensing office shall issue, as an annex to the trade certificate, a list of trades pursuant to Section 7a(8) of this Act to an entrepreneur carrying on a trade industrially pursuant to a trade authorization acquired before this Act enters into effect on fulfilment of the entrepreneur's obligation under point 13.

15. An entrepreneur who has obtained a trade authorization before this Act enters into effect shall, at the trade licensing office's request, notify the trade licensing office of information about his place of business, registered office or organizational unit of a foreign person located in the Czech Republic in accordance with Section 45(2)(a) and (c) and (3)(a) and (c), unless the trade licensing office already has such information at its disposal from previous proceedings.

The obligation of notification within the meaning of this provision shall also apply to entrepreneurs who have been issued with a trade authorization certificate before this Act enters into effect but do not have the right to carry on a trade until registration in the commercial register after this Act enters into effect. The trade licensing office shall change the trade authorization certificate within six months of the date on which the relevant information is reported.

16. An entrepreneur who has acquired a trade authorization before the date this Act enters into effect shall submit documents to the trade licensing office, within one year of the date this Act enters into effect, concerning the ownership title or other rights attached to structures or rooms in which his registered office, place of business (if the place of business differs from the residential address) or organizational unit of a foreign person located in the Czech Republic is situated. This obligation shall also apply to entrepreneurs who have been issued with a trade authorization certificate before this Act enters into effect but do not have the right to carry on a trade until registration subsequent in the commercial register after this Act enters into effect.

17. The trade licensing office shall issue, at the request of an entrepreneur issued with a trade authorization certificate for a permitted trade before the date this Act enters into effect, a trade permit certificate in accordance with Section 54 within 30 days of the request.

18. Where a permitted trade becomes a notifiable trade under the law, the trade licensing office shall issue a trade certificate to the entrepreneur within one year of the date this Act enters into effect.

19. An application for a concession to carry on a trade which, as a result of the provisions of this Act, has become a notifiable trade in respect of which an enforceable decision has been taken before this Act enters into effect shall be regarded as notification of a trade.

20. Notification of a trade delivered to a trade licensing office before the date this Act enters into effect which concerns a trade that is a permitted trade under this Act shall be regarded as an application for a concession, unless the procedure is completed in accordance with Section 47 before the date this Act enters into effect.

21. Applications for a concession submitted before this Act enters into effect, in respect of which an enforceable decision has not been taken by the time this Act enters into effect, shall be discussed in accordance with the new legislation.

22. Notifications of a trade delivered to the trade licensing office before this Act enters into effect, unless completed in accordance with Section 47 by the time this Act enters into effect, with the exception of notifications under point 19, shall be discussed in accordance with the new legislation.

23. Procedure on the imposition of a fine, on the cancellation of a trade authorization, and on the suspension of the carrying-on of a trade, in respect of which an enforceable decision has not been taken by the time this Act enters into effect, shall be completed in accordance with the new legislation, unless existing legislation is more favourable for a party to the proceedings.

24. A foreign natural person who carries on a trade pursuant to a trade authorization obtained before this Act enters into effect and who is not an entrepreneur abroad and has established an undertaking in the Czech Republic shall submit evidence of the fulfilment of the conditions of residence for business purposes (Section 5(4)) to the trade licensing office within one year of the date on which this Act enters into effect, if subject to this obligation under Section 5(4). Non-compliance with this obligation shall be regarded as a grave infringement of the Act (Section 58(2)).

25. (deleted)

26. Actions executed in accordance with points 4, 5, 6, 7, 9, 10, 14, 15, 17, 18 and 25 shall be exempt from an administrative fee.

ACT NO 358/1999

Article III

Transitional provisions

1. Operators of vessels who operate water transport for other parties' requirements pursuant to a concession shall, within two years of the date on which this Act enters into effect, submit a certificate of professional competence, issued by a shipping authority, to the trade licensing office; if they fail to submit a certificate within this time limit, their trade authorization shall be revoked and these persons shall return their trade permit certificate to the trade licensing office without undue delay.
2. The natural and legal persons referred to in Section 23(4) shall commence radio operations within two years of the date this Act enters into effect.

ACT NO 124/2000

Article IV

1. The validity of authorizations issued by bodies and organizations of state supervision and bodies of the State mining authority to organizations and natural persons engaged in business prior to 1 January 1993 shall expire three years after this Act enters into effect; authorizations issued after 31 December 1992 shall remain in force.
2. The validity of certificates issued by bodies and organizations of State supervision and bodies of the State mining authority to natural persons before this Act enters into effect shall expire five years after this Act enters into effect.
3. Trade authorizations acquired before this Act enters into effect for carrying on professional trades under group 202 of Annex No 2 to the Trade Licensing Act shall constitute authorization to carry on trades in the context of authorization issued by a body or organization of State supervision or a body of the State mining authority.
4. Trade authorizations acquired before this Act enters into effect for carrying on the professional trade under group 205 of Annex No 2 to the Trade Licensing Act, 'Installation, repair, maintenance and inspection of dedicated electrical equipment and manufacture of low-voltage distribution boards', shall be regarded as trade authorizations for carrying on the professional trade 'Installation, repair, inspection and testing of dedicated electrical equipment' as of the date this Act enters into effect. They shall constitute authorization to carry on a trade within the scope of authorization issued by a body or organization of State supervision or a body of the State mining authority.
5. Trade authorizations acquired before this Act enters into effect for carrying on the professional trade under group 205 of Annex No 2 to the Trade Licensing Act, 'Design of electrical equipment', and trade authorizations issued for the manufacture of distribution boards shall be regarded as trade authorizations for carrying on a notifiable unqualified trade with that object of business as of the date this Act enters into effect.
6. Trade authorizations acquired before this Act enters into effect for carrying on professional trades under group 205 of Annex No 2 to the Trade Licensing Act, 'Manufacture, installation and repair of electrical machinery and appliances' and 'Manufacture, installation and repair of electronic equipment', shall be regarded as trade authorizations for carrying on the vocational trade under group 105 of Annex No 1 to the Trade Licensing Act: Electrical machinery and appliances, 'Installation and repair of electrical machinery and appliances' and 'Installation and repair of electronic equipment' as of the date this Act enters into effect.

7. The trade licensing office shall issue entrepreneurs carrying on a trade pursuant to trade authorizations acquired before the date this Act enters into effect and referred to in points 3 to 6 with trade certificates with objects of business under the legal provisions of this Act within 18 months of the date that this Act enters into effect.

ACT NO 149/2000

Article IV

1. Sellers of dedicated medicinal products who acquire a trade authorization to sell dedicated medicinal products before this Act enters into effect shall notify this fact to the State Institute for Drug Control within six months of the date that this Act enters into effect. Sellers of dedicated medicinal products who fail to comply with this obligation may be fined in accordance with the Trade Licensing Act.

2. The list of dedicated medicinal products drawn up under Decree of the Ministry of Health and the Ministry of Agriculture No 21/1998 laying down dedicated medicinal products and good practice for sellers of dedicated medicinal products shall expire twelve months after this Act enters into effect. If a holder of a decision on the registration of a dedicated medicinal product referred to in Decree of the Ministry of Health and the Ministry of Agriculture No 21/1998 laying down dedicated medicinal products and good practice for sellers of dedicated medicinal products applies for a change to registration in respect of which a medicinal product is classified among dedicated medicinal products (Section 2(19) of Act No 79/1997 on medicinal products and amending certain related laws, as amended by this Act) within six months of the date this Act enters into effect, he shall be exempt from an administrative fee.

5. Persons who carried on a registered activities in the field of 'Dental laboratory technician' as a private healthcare facility in accordance with specific legislation¹⁾ as at 1 March 2000 and, after that date, carried on that activity by way of the permitted trade 'Manufacture and repair of dental prostheses', and who notify the authority competent for registration under specific legislation¹⁾ within one month of the date this Act enters into effect that they intend to continue their activity as a private healthcare facility and no changes have been made compared to the facts referred to in the original registration, shall not be required to apply for new registration. In other cases the procedure under specific legislation¹⁾ shall be followed.

¹⁾ Act No 160/1992 on health care in private healthcare facilities.

ACT NO 309/2000

**PART THREE
TRANSITIONAL PROVISIONS**

1. Entrepreneurs who have acquired a trade authorization for trades referred to in this Act, in respect of which there has been a change in professional competence, shall submit documents to the trade licensing office proving the fulfilment of professional competence under this Act within two years of the date this Act enters into effect and shall not be subject to the obligation laid down in Article VI (transitional provisions) of Act No 356/1999 amending Act No 455/1991, the Trade Licensing Act, as amended, and certain other laws.
2. Where, under this Act, one trade is divided into two, trade authorizations shall be preserved and the trade licensing office shall issue trade authorization certificates in accordance with this Act within one year of the date this Act enters into effect.

ACT NO 409/2000

Article IV

Should a person who has acquired a trade authorization for the trade 'Treatment of plants, plant products, structures and soil against harmful organisms with plant protection products' before the date this Act enters into effect fail to submit evidence of professional competence within six months of the date this Act enters into effect, the trade licensing office shall revoke that person's trade authorization without undue delay.

ACT NO 274/2001

TITLE X

COMMON, TRANSITIONAL AND FINAL PROVISIONS

Section 39

- (1) Owners of sewerage networks for whose sewerage networks no sewage rules have been approved shall draw up such rules and submit them to the water authority for approval within one year of the date this Act enters into effect.
- (2) Owners of sewerage networks for whose sewerage networks sewage rules have been approved in accordance with existing legislation shall draw up new sewage rules and submit them to the water authority for approval by 31 March 2004.

(3) Natural and legal persons authorized to engage in business pursuant to a trade authorization for the permitted trade of 'Operation of water supply and wastewater services' who acquired such authorization before this Act enters into effect may continue carrying on this trade until no later than 31 March 2004, unless the provincial authority issues them, at their request, with a permit in accordance with Section 6 prior to that date. Without prejudice to the preceding sentence, the competent trade licensing office shall issue a new trade certificate to those persons, without their prior request, within one year of the date this Act enters into effect.

(4) Water supply and wastewater services which, under existing legislation, have been public water supply and wastewater services and comply with the conditions laid down in Section, shall be water supply and wastewater services under this Act. In cases of doubt, the Ministry shall decide.

(5) The plan for the development of water supply and wastewater services shall be drawn up and approved by 31 December 2004.

(6) The obligation to provide selected information from the registry and operating records to the water authority in accordance with Section 5(3) shall first be met by 31 January 2004.

(7) The obligation of the owner of water supply or wastewater services to enter into a contract with a purchaser in accordance with Section 5(36) shall be met by 31 January 2003.

ACT NO 478/2001

1. Holders of certificates for motor vehicle driving instructors whose certificate has been issued prior to 1 January 2001 may request the Ministry to replace their current certificate with a professional certificate; the Ministry shall replace the existing certificate for instructors with a professional certificate.

2. Professional certificates for training instructors issued after 1 January 2001 under Act No 247/2000 on the acquisition and improvement of professional competence to drive motor vehicles and amending certain laws are professional certificates for training instructors under this Act.

3. Instructors issued with a certificate under legislation in force prior to 1 January 2001 shall be regarded as instructors under this Act.

4. Any procedure for the revocation of a certificate for training instructors commenced in accordance with Section 60(3) of Act No 247/3 on the acquisition and improvement of professional competence to drive motor vehicles and amending certain laws shall be stopped as of the date this Act enters into effect.

5. Teaching and instruction commenced prior to 1 January 2001 shall be completed by 31 July 2002.

6. The fulfilment of the condition of three years' professional experience for the issue of a trade authorization for the trade of 'Driving instruction' shall not be required for entrepreneurs or responsible representatives who have held the relevant trade authorization or been the responsible representative for this trade.

ACT NO 119/2002

Section 86

Transitional provisions

(1) Natural or legal persons carrying on permitted trades in accordance with Group 302 under Annex No 3 to the Trade Licensing Act where the objects of business are ‘Development, manufacture, repair, modification, purchase, sale, rental, storage, transportation and disabling of ammunition for weapons subject to registration under the law’ or ‘Development, manufacture, repair, modification, transportation, purchase, sale, rental, storage and disabling of military ammunition’ pursuant to a trade authorization acquired before this Act enters into effect, to an extent encompassing the development, manufacture, repair or modification or disabling of ammunition, shall submit documents to the competent trade licensing office proving their professional competence under this Act within 12 months of the date this Act enters into effect. If documents are not submitted in that time limit, the competent trade licensing office shall revoke the trade authorization.

(2) If the persons under paragraph (1) submit documents to the trade licensing office proving their professional competence in accordance with this Act, the trade licensing office shall proceed in its decision-making on a concession in accordance with Sections 53 and 54. The opinion under Section 52 shall not be required.

(3) Trade authorizations in respect of permitted trades in accordance with Group 302 under Annex No 3 to the Trade Licensing Act where the objects of business are ‘Development, manufacture, repair, modification, transportation, purchase, sale, rental, storage, and disabling of weapons subject to registration under the law’, ‘Development, manufacture, repair, modification, purchase, sale, rental, storage, transportation and disabling of military weapons’ and ‘Development, manufacture, repair, modification, purchase, sale, rental, storage, transportation and disabling of ammunition for weapons subject to registration under the law’, to an extent encompassing the purchase, sale, rental, storage or transportation of military ammunition, acquired before this Act enters into effect, shall be regarded as trade authorizations with objects of business according to new legislation. The trade licensing office shall issue the corresponding trade permit certificate within 12 months of the date on which this Act enters into effect.

(4) In decision-making on an application for a concession, in respect of which no enforceable decision has been issued before this Act enters into effect, the procedure under new legislation shall be followed, including the obligation to seek opinions in accordance with Sections 52 and 53.

(5) Actions executed under paragraphs (2) and (3) shall be exempt from administrative fees.

ACT NO 174/2002

Article II

Transitional provisions

1. The current trade authorizations where the subject of the trade is the 'Purchase, sale and storage of liquefied hydrocarbon gases in pressure vessels, including transportation' which are in force when this Ace enters into effect shall remain in force.
2. Where there is a change in the name of a trade pursuant to this Act, the trade licensing office shall issue a trade authorization certificate under the new legislation to the entrepreneur at the entrepreneur's request or no later than pursuant to notification of a change in accordance with Section 49 of the Trade Licensing Act. Actions under the preceding sentence shall not be subject to an administrative fee.
3. Notifications of a notifiable professional trade where the subject is defined as the 'Purchase, sale and storage of liquefied hydrocarbon gases in pressure vessels, including transportation' which are delivered to the trade licensing office before this Ace enters into effect and in respect of which the procedure has not been completed shall be discussed in accordance with the new legislation.

ACT NO 174/2002

Article IV

Transitional provisions

1. Trade authorization certificates for notifiable unqualified trades which have been issued before the governmental order promulgated under Section 73a enters into effect shall remain in force. An entrepreneur who has acquired a trade authorization before Act No 356/1999 amending Act No 455/1991, the Trade Licensing Act, as amended, and certain other laws, as amended by Act No 61/2001 enters into effect, where the name of the objects of business on the trade authorization certificate does not correspond to the list of notifiable unqualified trades set by governmental order, shall be entitled to make a written request to the trade licensing office for the replacement of the certificate with a certificate or certificates in accordance with the governmental order to the extent of the original trade authorization. In the request, the entrepreneur shall also specify the name or names of the trades under the said list, if he has set up establishments, these names shall be reflected in the information about establishments in the trade licensing register, and if he carries on a trade via a responsible representative, he shall notify that responsible representative's appointment for these trades. If the request does not contain all the said particulars, the trade licensing office shall call upon the entrepreneur to rectify the irregularities. In its request, the trade licensing office shall set a reasonable time limit of at least 15 days. Should the entrepreneur fail to rectify the irregularities in the set time limit, the trade licensing office shall reject the request and shall not replace the certificates. If a request contains all the required particulars or if the entrepreneur rectifies the irregularities in the request in the set time limit, the trade licensing office shall issue a trade authorization certificate or certificates for the trades within 30 days of delivery of the request, or within 30 days of the date on which the entrepreneur rectifies the irregularities. Trade authorizations which, by scope, correspond to the original trade authorization and which the entrepreneur does not expressly state in his request shall be terminated on the date of issue of the new trade authorization certificates.

Actions under this point shall not be subject to an administrative fee.

2. Trade authorization certificates for notifiable unqualified trades which have been issued under Article VI(25) of Act No 356/1999 in force until this Act enters into effect shall remain in force.

ACT NO 308/2002

Article IX
Transitional provisions

A trade authorization, pursuant to which a trade has been carried on that is changed by this Act into a permitted trade, shall expire one year after this Act enters into effect. This shall not apply if, within one year of the date this Act enters into effect, a holder of the trade authorization under the first sentence submits documents referred to in Section 50 to the trade licensing office.

ACT NO 130/2003

Article IV
Transitional provisions

Trade authorizations issued in accordance with Group 315, 'Medical devices', under Annex No 3 to Act No 455/1991, the Trade Licensing Act, as amended, shall remain in force even after this Act enters into effect; decisions to grant a concession and trade permit certificates shall be regarded as trade authorization certificates for the new professional trade referred to in Group 214, 'Miscellaneous', under Annex No 2.

ACT NO 354/2003

Article IV
Transitional provisions

1. Trade authorizations for notifiable unqualified trades, pursuant to which activities have been carried out which, under this Act, are changed to the permitted trade 'Manufacture and processing of fermented spirits, consumer spirits and other alcoholic beverages'¹⁾ (except for beer, fruit wines, other wines and mead, and growers' own fruit distillates)', shall expire one year after this Act enters into effect, unless provided otherwise below.

2. Legal and natural persons holding valid trade authorizations pursuant to paragraph (1) when this Act enters into effect and intending, after the time limit laid down in paragraph (1), to continue activities constituting, as of the date this Act enters into effect, the subject of the permitted trade 'Manufacture and processing of fermented spirits, consumer spirits and other alcoholic beverages (except for beer, fruit wines, other wines and mead, and growers' own fruit distillates)', shall apply for a concession, submit documents to the trade licensing office proving that they comply with the professional competence, disclose the address of the establishment, and supply the documents under Section 3a(3) of the Spirits Act before the time limit under paragraph (1) expires. Provided they meet this requirement, they shall be entitled to carry on activities pursuant to the original trade authorization until a decision on a concession enters into force.
3. Notifications of a trade delivered to the trade licensing office before this Act enters into effect and relating, under this Act, to the permitted trade of 'Manufacture and processing of fermented spirits, consumer spirits and other alcoholic beverages (except for beer, fruit wines, other wines and mead, and growers' own fruit distillates)', shall be regarded as an application for a concession if the procedure is not concluded in accordance with Section 47 of the Trade Licensing Act before this Act enters into effect. Procedures in progress regarding the issue of a trade authorization shall be completed in accordance with this Act.
4. Actions executed under points 1 and 2 shall be exempt from administrative fees.

ACT NO 438/2003

Article XIII

Transitional provisions

1. Trade authorizations issued before 1 January 2004 for the carrying-on of the notifiable professional trade under Group 214 of Annex No 2 to the Trade Licensing Act, 'Accounting consulting, bookkeeping', shall be regarded, as of that date, as trade authorizations for carrying on the professional trade under Group 214 of Annex No 2 to the Trade Licensing Act, 'Accounting consulting, bookkeeping, tax accounting'.
2. A trade authorization certificate issued under existing legislation for the notifiable professional trade under Group 214 of Annex No 2 to the Trade Licensing Act, 'Accounting consulting, bookkeeping', shall be replaced with a trade authorization certificate under Annex No 2 to the Trade Licensing Act, as amended by Article XII of this Act, by the trade licensing office by 1 January 2006 after discussion with the entrepreneur. This action shall not be subject to an administrative fee.

¹) Decree No 335/1997 implementing Section 18(a), (d), (h), (i), (j) and (k) of Act No 110/1997 on food and tobacco products and amending certain related laws, for soft drinks and concentrates used in the preparation of soft drinks, fruit wines, other wines and mead, beer, consumer spirits, other alcoholic beverages, fermented vinegar and yeast, as amended.

ACT NO 167/2004

Transitional provisions
Article II

1. Trade authorizations in force before this Act enters into effect shall remain in force unless otherwise provided below.
2. Natural and legal persons who, before this Act enters into effect, have acquired authorization to engage in business in an activity which has become a notifiable trade as of the date this Act enters into effect may continue engaging in that business. However, within one year of the date that this Act enters into effect they shall notify the carrying-on of this trade to the competent trade licensing office in accordance with Section 45 and shall supply the documents laid down in Section 46 of the Trade Licensing Act. If they fail to meet this obligation, the authorization to engage in business shall be terminated on expiry of that time limit.
3. Trade authorization certificates issued before this Act enters into effect for a trade reclassified under this Act from permitted trades to notifiable trades shall remain in force and, as of the date this Act enters into effect, shall be regarded as trade authorization certificates for a notifiable trade, unless otherwise provided. The trade licensing office shall issue the entrepreneur with a trade certificate in case of a change notified under Section 49 of the Trade Licensing Act.
4. Where a notifiable professional trade and permitted trade are merged by this Act into a notifiable professional trade, the trade licensing office shall issue a trade certificate for that trade under the new legislation at the entrepreneur's request or no later than pursuant to notification of a change in accordance with Section 49 of the Trade Licensing Act. The scope of the objects of business specified on a newly issued trade certificate shall be governed by the scope of the trade authorization acquired before the date this Act enters into effect.
5. Where there is a change in the name of a trade pursuant to this Act, the trade licensing office shall issue a trade authorization certificate under the new legislation to the entrepreneur at the entrepreneur's request or no later than pursuant to notification of a change in accordance with Section 49 or in accordance with Section 56 of the Trade Licensing Act.
6. Where a notifiable professional trade is changed into a notifiable unqualified trade by this Act, the trade licensing office shall issue a trade authorization certificate for that trade under the new legislation to the entrepreneur in accordance with a governmental order issued in accordance with Section 73a(1) of the Trade Licensing Act at the entrepreneur's request or no later than pursuant to notification of a change in accordance with Section 49 of the Trade Licensing Act.
7. An entrepreneur who has acquired, before this Act enters into effect, a trade authorization for the trade 'Manufacture, installation, repair, reconstruction, inspection and testing of dedicated pressure equipment and periodic testing of gas vessels' shall be issued, by the trade licensing office, with a trade certificate for the manufacture of such equipment in accordance with a governmental order issued in accordance with Section 73a(1) of the Trade Licensing Act, such being within six months of the date on which this Act enters into effect, unless the entrepreneur already holds authorization for that activity. For the trade 'Manufacture, installation, repair, reconstruction, inspection and testing of dedicated pressure equipment and periodic testing of gas vessels', the trade licensing office shall issue a trade certificate at the entrepreneur's request or no later than pursuant to notification of a change in accordance with Section 49 of the Trade Licensing Act.

8. An entrepreneur who, as at the date this Act enters into effect, holds a valid trade authorization for activity which is the subject of the trade 'Installation, repair and reconstruction of cooling equipment and heat pumps' under this Act and intends to continue carrying on that trade shall, within twelve months of the date this Act enters into effect, notify the trade licensing office that he intends to carry on that trade, or that he does not intend to carry out further activity beyond the scope of that trade under the trade authorization encompassing that trade issued before this Act enters into effect. Pursuant to such notification, the trade licensing office shall issue a trade certificate for the trade 'Installation, repair and reconstruction of cooling equipment and heat pumps' with the objects of business in the full or partial scope without requiring the entrepreneur to prove compliance with general and specific conditions for carrying on a trade, or the trade licensing office shall change or revoke the trade authorization issued under previous legislation. If an entrepreneur fails to provide notification to the trade licensing office that he intends to carry on the trade 'Installation, repair and reconstruction of cooling equipment and heat pumps', his trade authorization to carry on the said activity shall be terminated on expiry of the time limit specified in the first sentence. This provision shall apply mutatis mutandis to the trade 'stove-fitting'.

9. The issue of a change to the trade authorization certificate under the preceding provisions of this Act shall not be subject to an administrative fee if the change to the objects of business is a result of changes made by this Act.

10. Proceedings in progress regarding the issue of trade authorization certificates shall be completed in accordance with the new legislation.

ACT NO 499/2004

Section 90

Transitional provisions

(1) Trade authorizations for notifiable unqualified trades, pursuant to which an activity has been carried out that is changed by this Act into the permitted trade 'registry management', shall expire one year after this Act enters into effect, unless provided otherwise below.

(2) Legal and natural persons holding valid trade authorizations pursuant to paragraph (1) when this Act enters into effect and intending, after the time limit laid down in paragraph (1), to continue activities constituting, as of the date this Act enters into effect, the subject of the permitted trade 'registry management', shall apply for a concession and submit evidence proving compliance with specific conditions for carrying on the trade within the time limit laid down in paragraph (1). Provided they meet this requirement, they shall be entitled to carry on activities pursuant to the original trade authorization until a decision on a concession enters into force.

(3) Notification of a trade delivered to a trade licensing office before the date this Act enters into effect which concerns the permitted trade 'registry management' under this Act shall be regarded as an application for a concession, unless the procedure is completed before the date this Act enters into effect.

Proceedings in progress regarding the issue of a trade authorization shall be completed in accordance with the new legislation.

(4) Actions executed under paragraphs (1) and (2) shall be exempt from administrative fees.

ACT NO 58/2005

Article III

Transitional provisions

1. Existing trade authorizations for the trade ‘Purchase, storage and sale of medical devices,*) which may be sold by sellers of medical devices’ that are valid when this Act enters into effect shall remain in force, unless otherwise provided below.
2. The trade licensing office shall issue an entrepreneur holding a valid trade authorization for the professional trade ‘Purchase, storage and sale of medical devices,*) which may be sold by sellers of medical devices’ as at the date this Act enters into effect with a trade authorization certificate in accordance with the new legislation in a complete or partial scope at the entrepreneur’s request or pursuant to notification of a change notified in accordance with Section 49 of the Trade Licensing Act. The issue of a certificate concerning a change to the name of a trade shall not be subject to an administrative fee.

ACT NO 95/2005

Article IX

Transitional provisions

Existing trade authorizations where the subject of the trade is ‘Operation of postal services’ which are valid when this Act enters into effect shall remain in force and shall be regarded as authorization to carry on the unqualified trade ‘Operation of postal and international postal services’. The trade licensing office shall make the change to the name of the trade on a trade authorization certificate at the entrepreneur’s request or when the first change is notified in accordance with Section 49 of the Trade Licensing Act. Notifications of the notifiable professional trade ‘Operation of postal services’ delivered to the trade licensing office before the date this Act enters into effect and in respect of which proceedings have not yet been completed shall be discussed in accordance with the new legislation.

ACT NO 127/2005

Transitional provisions

Section 136

(16) Trade authorizations issued for the permitted trade 'Provision of telecommunication services' shall be terminated on the date that the person engaged in business pursuant to such an authorization notifies the performance of communication activities in accordance with Section 13 of this Act, but no later than one year as of the date this Act enters into effect.

(17) Procedure on the issue of a trade authorization for the permitted trade 'Provision of telecommunication services' commenced before this Act enters into effect and not completed as at that date shall be halted.

ACT NO 131/2006

Article III

Transitional provisions

(1) Trade authorizations in force before this Act enters into effect shall remain in force unless otherwise provided below.

(2) The trade licensing office shall issue a natural or legal person holding, when this Act enters into effect, a valid trade authorization for the trade 'Treatment of plants, plant products, structures and soil against harmful organisms with plant protection products', for the trade 'Special protective disinfection, disinsectization and disinfestation with toxic or very toxic chemical substances or chemical products, with the exception of special protective disinsectization and disinfestation in food or agricultural operations and professional activities in the field of plant health', or for the trade 'Special protective disinfection, disinsectization and disinfestation without the use of toxic or very toxic chemical substances or chemical products, with the exception of special protective disinfection, disinsectization and disinfestation in food or agricultural operations and professional activities in the field of plant health', with a trade certificate in accordance with the Trade Licensing Act, in the version effective when this Act enters into effect, such being at that person's request, or no later than pursuant to a change notified by a natural or legal person in accordance with Section 49 of the Trade Licensing Act.

(3) The trade licensing office shall issue a natural or legal person holding, when this Act enters into effect, a valid trade authorization for the trade 'Special protective disinfection, disinsectization and disinfestation in food or agricultural operations, including plant protection against harmful organisms', at his request, with a trade authorization certificate specifying the objects of business 'Treatment of plants, plant products, structures and soil against harmful organisms with plant protection products or biocidal products' and 'Special protective disinfection, disinsectization and disinfestation in food or agricultural operations' on request, such being no later than six months as of the date this Act enters into effect.

(4) The issue of a trade certificate or a change to a trade certificate pursuant to points 1 to 3 shall not be subject to an administrative fee.

(5) Proceedings in progress regarding the issue of a trade authorization certificate shall be completed in accordance with the Trade Licensing Act, in the version effective as at the date this Act enters into effect.

ACT NO 191/2006

Transitional provisions

Article III

1. Ski lift facilities shall be regarded as operable provided that, within sixteen months of the date this Act enters into effect, the ski lift operator applies to the Rail Authority for a certificate of competence for the designated technical equipment (Section 47 of Act No 266/1994 on railways, as amended). If the operator fails to apply for a certificate of competence within that time limit, on expiry of the time limit the facility shall no longer be regarded as operable.

2. Natural and legal persons may continue operating a ski lift for a period of one year after this Act enters into effect on the basis of an authorization for business activity or a business authorization granted prior to the entry into effect of this Act. Such authorizations shall be revoked on expiry of the said time limit. Natural or legal persons operating a ski lift shall submit documents to the trade licensing office proving that they have met the conditions laid down by the Trade Licensing Act or that they have appointed a responsible representative who meets those conditions within nine months of the entry into effect of this Act. If this condition is satisfied, the trade licensing office shall issue a trade certificate to operate a ski lift within 60 days of the submission of the documents.

ACT NO 212/2006

Article IV

Transitional provisions

1. Natural and legal persons who, as at the date this Act enters into effect, are holders of valid trade authorizations to carry on a professional trade in the field of 'Measurements of pollutants and odorous agents, processing of dispersion studies' and in the field of 'Verification of the quantity of greenhouse gas emissions' shall, as at the date this Act enters into effect, become holders of a valid trade authorization to carry on a professional trade in the field of 'Measurements of pollutants and odorous agents, verification of the quantity of greenhouse gas emissions and processing of dispersion studies'; the trade licensing office shall issue these legal and natural persons with a trade certificate with the objects of business stated as 'Measurements of pollutants and odorous agents, verification of the quantity of greenhouse gas emissions and processing of dispersion studies' on request or when the first change is notified in accordance with Section 49(1) of Act No 455/1991, the Trade Licensing Act, as amended, and this Act.

2. The issue of a trade certificate under point 1 shall be exempt from an administrative fee.

ACT NO 214/2006

Transitional provisions

Article XIII

1. Proceedings commenced before this Act enters into effect shall be completed in accordance with existing legislation.
2. Proceedings in progress regarding the issue of a trade authorization certificate for a notifiable unqualified trade for a legal person shall be completed in accordance with the Trade Licensing Act, in the version effective as at the date this Act enters into effect.
3. Decisions to suspend the carrying-on of a notifiable unqualified trade for a legal person on the grounds that a responsible representative has not been appointed shall lose their legal effect on the day this Act enters into effect.
4. Where, pursuant to this Act, a trade is changed from a notifiable unqualified trade into a notifiable vocational trade, natural and legal persons fulfilling the conditions for carrying on such a trade shall acquire a trade authorization for that vocational trade on the day Act No 214/2006 enters into effect.

ACT NO 225/2006

Article VI

Transitional provisions

1. Trade authorizations issued before this Act enters into effect for carrying on the notifiable professional trade under group 203 of Annex No 2 to the Trade Licensing Act, 'Development, design, manufacture, testing, maintenance, repair, modification and structural changes to aircraft, components thereof, and aviation technological products', shall be regarded as trade authorizations for carrying on the professional trade under group 203 of Annex No 2 to the Trade Licensing Act, 'Development, design, manufacture, testing, installation, maintenance, repair, modification and structural changes to aircraft, engines, blades, aircraft parts and equipment and aviation ground facilities' as of the date that this Act enters into effect.

2. A trade authorization certificate issued in accordance with existing legislation for the notifiable professional trade under group 203 of Annex No 2 to the Trade Licensing Act, 'Development, design, manufacture, testing, maintenance, repair, modification and structural changes to aircraft, components thereof, and aviation technological products', shall be replaced by the trade licensing office on request, or when the first change is notified by the entrepreneur in accordance with Section 49(1) of Act No 455/1991, in the version effective up to the date this Act enters into effect, with a trade authorization certification pursuant to Section 49(1) of Act No 455/1991, in the version effective as of the date this Act enters into effect.

ACT NO 310/2006

TITLE VII

Transitional provisions

Section 21

(1) Persons who handle security material as part of their business activities shall, within three months of the date that this Act enters into effect, apply for a concession for activities under the trade 'Purchase and sale, rental, development, manufacture, repair, modification, storage, transportation, disabling and destruction of security material'. If they do so in the set time limit, they may continue the activities which, as of the date this Act enters into effect, are the content of that permitted trade in the scope laid down in the trade authorization under existing legislation until a decision on a concession enters into force. If, in the set time limit, they fail to submit an application for a concession, existing authorizations to carry on activities which are the content of the permitted trade referred to in the first sentence shall be revoked on expiry of the time limit.

(2) Persons who handle security material under groups 1, 5, 6 or 10 referred to in an annex to this Act within the scope of the business activities shall

a) within three months of the date this Act enters into effect, apply for the issue of a document confirming the security clearance of a natural person, if a natural person; this shall also apply to a responsible representative, if appointed,

b) ensure that, within three months of the date this Act enters into effect, the governing body or members of the governing body, members of the supervisory board, confidential clerks and the responsible representative, if appointed, and the head of the organizational unit, apply for the issue of a document confirming the security clearance of a natural person, if a legal person.

(3) If the persons referred to in paragraph (2) fail to apply for a document confirming the security clearance of a natural person, they shall not be permitted to handle security material on expiry of the time limit referred to in paragraph (2). If persons referred to in paragraph (2) are not issued with a document confirming the security clearance of a natural person, they shall not be permitted to handle security material as of the date on which the application for the issue of a document confirming the security clearance of a natural person is rejected.

(4) Persons who handle security material other than for business purposes shall apply to the competent police department for registration within three months of the date that this Act enters into effect.

ACT NO 315/2006

Article VI

Transitional provisions

1. Existing trade authorizations where the object of business is 'Public auctions' which are valid when this Act enters into effect shall be regarded as authorization to carry on the trade 'Performance of a) voluntary, b) compulsory public auctions', unless otherwise provided.
2. The trade licensing office, at the request of an entrepreneur carrying on, as at the date this Act enters into effect, a trade with the object of business 'Public auctions' and intending to operate, in the future, only voluntary public auctions, shall issue a new trade permit certificate with the object of business 'Performance of a) voluntary public auctions'. The issue of a new trade permit certificate shall not be subject to an administrative fee.
3. Persons who, under existing legislation, are authorized to engage in the activity constituting the permitted trade 'Public auctions' and who intend to continue operating compulsory public auctions shall, within one year of the date that this Act enters into effect, submit documents to the trade licensing office proving compliance with professional competence, unless the trade licensing office has such documents at its disposal from previous proceedings, and shall prove fulfilment of the conditions under Section 6(1) of Act No 26/2000, in the version effective as of the date this Act enters into effect. If these persons supply the documents and fulfil the conditions laid down in the first sentence of this paragraph, the trade licensing office shall issue a decision amending the decision to grant a concession and shall issue a trade permit certificate with amended information. If these persons fail to act in this manner, the trade licensing office shall issue a decision amending the decision to grant a concession and shall issue a trade permit certificate covering voluntary public auctions. These actions shall not be subject to an administrative fee.
4. Proceedings regarding the granting of a concession for 'Public auctions' commenced before this Act enters into effect shall be completed in accordance with Act No 26/2000, in the version effective as of the date this Act enters into effect.

ACT NO 296/2007

Article XIV

Transitional provisions

In case of procedure under Act No 328/1991 on bankruptcy and composition, as amended, which has not been completed by the date this Act enters into effect, Section 13, in the version effective as of the date this Act enters into effect, shall also apply to the bankruptcy trustee; if the bankruptcy trustee continues the trade on the death of an entrepreneur, Section 57, in the version effective as of the date on which this Act enters into effect shall apply.

ACT NO 130/2008

Article II

Transitional provisions

1. The right to carry on trades which are partial activities in the context of a trade carried on industrially until the date this Act enters into effect shall remain in force. The trade licensing office with territorial jurisdiction based on the residential address of a natural person or the registered office of a legal person (or, in the case of a foreign natural person, based on the location of the undertaking's organizational unit, or the permitted place of residence, and if jurisdiction cannot be determined by the permitted place of residence, then based on the place of business; in the case of a foreign legal person, based on the location of the undertaking's organizational unit) shall call upon the entrepreneur to deliver evidence of professional competence, if required under the new legislation, within six months of the date this Act enters into effect. In its request, the trade licensing office shall set a reasonable time limit for the delivery of documents. If an entrepreneur fails to deliver documents to the trade licensing office or if such documents fail to prove fulfilment of the conditions for carrying on a trade, the trade licensing office shall revoke the authorization for that trade.
2. Existing trade authorizations shall remain in force. The right to carry on a trade shall be evidenced by means of an existing trade authorization certificate until such time as the first extract is issued to the entrepreneur. The trade licensing office shall issue an extract on request or pursuant to notification of a change in accordance with Sections 49 or 56 of Act No 455/1991, in the version effective as of the date this Act enters into effect.
3. Proceedings regarding the granting of and amendment of a concession commenced before this Act enters into effect shall be completed in accordance with Act No 455/1991, in the version effective as of the date this Act enters into effect.
4. Proceedings on administrative offences which are not concluded by the time this Act enters into effect shall be completed in accordance with Act No 455/1991, in the version effective until this Act enters into effect, unless the provisions of Act No 455/1991 in the version effective as of the date this Act enters into effect are more favourable for the party to the proceedings.
5. If a professional trade is changed into a vocational trade under this Act, documents used to prove professional competence for the professional trade shall be regarded as documents under Act No 455/1991, in the version effective as of the date this Act enters into effect.
6. If notifiable trades are merged under this Act, the entrepreneur shall be entitled, as of the date this Act enters into effect, to carry on a trade within the scope laid down in Act No 455/1991, in the version effective as of the date this Act enters into effect. This shall not apply to the merger of notifiable professional trades where persons carrying on trades referred to in the first sentence or appointed responsible representatives for such trades have professional competence required under the new legislation only for carrying on a trade to a partial extent. In this case, the entrepreneur shall be entitled to carry on a professional trade as of the date this Act enters into effect within the scope of the authorization under Act No 455/1991, in the version effective until the date this Act enters into effect.
7. If permitted trades are merged under this Act, the entrepreneur shall be entitled, as of the date this Act enters into effect, to carry on a trade within the scope of the authorization laid down in Act No 455/1991, in the version effective until the date this Act enters into effect.

8. An entrepreneur who, as at the date this Act enters into effect, is authorized to carry on a trade which, under this Act, is a notifiable unqualified trade, shall be authorized, as of the date this Act enters into effect, to carry on the notifiable unqualified in full.

9. Evidence of professional competence referred to in Section 21 of Act No 455/1991, in the version effective as of the date this Act enters into effect, may, even after this Act enters into effect, be replaced by evidence of the passing of a qualification examination under Decree No 154/1996 to implement qualification examinations replacing professional competence for carrying on vocational trades, as amended by Decree No 235/2000, passed before this Act enters into effect.

10. The objects of business of notifiable unqualified trades under Act No 455/1991, in the version effective until this Act enters into effect, shall become, as at the date this Act enters into effect, fields of activity under an unqualified trade in accordance with Annex No 4 to Act No 455/1991, in the version effective as of the date this Act enters into effect. The trade licensing office with territorial jurisdiction based on the residential address of a natural person or the registered office of a legal person (or, in the case of a foreign natural person, based on the location of the undertaking's organizational unit, or the permitted place of residence, and if jurisdiction cannot be determined by the permitted place of residence, then based on the place of business; in the case of a foreign legal person, based on the location of the undertaking's organizational unit) shall make an entry in the trade licensing register and shall issue the entrepreneur with an extract with the fields of activity under Annex No 4 to Act No 455/1991, in the version effective as of the date this Act enters into effect, when the first change is notified or at the entrepreneur's request.

11. Authorizations to design land consolidation in accordance with existing legislation shall remain in force. An entrepreneur who, as at the date this Act enters into effect, carries on the said activity and intends to continue this activity shall notify this fact within one year of the date on which this Act enters into effect to the trade licensing office in writing. The trade licensing office shall forthwith make an entry in the trade licensing register and issue the entrepreneur with an extract. The right to carry on this trade shall be extinguished if the entrepreneur fails to make the above notification within the one-year time limit.

12. If proceedings are commenced regarding an impediment to the carrying-on of a trade on account of the cancellation of bankruptcy procedure due to compliance with the resolution to distribute the estate and these proceedings are not concluded by the time this Act enters into effect, the proceedings shall be discontinued.

ACT NO 189/2008

Article XVII

Transitional provisions

1. An entrepreneur who, as at the date this Act enters into effect, also performs activities within the scope of the trade 'Application, manufacture and repair of a) prostheses, b) body orthoses, c) limb orthoses, d) soft bandages' which do not constitute a trade as of the date this Act enters into effect may continue such activities until 31 December 2010. After this date, the authorization to perform such activities shall be terminated.

2. Professional competence evidenced before the date this Act enters into effect for the trade of 'Application, manufacture and repair of a) prostheses, b) body orthoses, c) limb orthoses, d) soft bandages' shall be regarded as professional competence for the trade 'Manufacture and repair of series produced prostheses, body orthoses, limb orthoses, soft bandages' as of the date this Act enters into effect.

Act No 254/2008

Article XXVII
Transitional provisions

Incomplete proceedings for the granting of the concession 'Foreign exchange activities' shall be halted on the date that this Act enters into effect. Within 15 working days, the trade licensing office shall return the application for a concession and documents attached to the application to the applicant and shall advise the applicant of the new legislation concerning registration for foreign exchange activities in accordance with the Foreign Exchange Act. The trade licensing office shall also refund the administrative fee, if paid.

ACT NO. 274/2008 Coll. as amended by Act no. 292/2009 Coll.

Article XIX
Transitional Provisions

1. Natural or legal persons conducting permitted trades under Annex no. 3 to the Trade Licensing Act with the sphere of business as security of property and persons and private detective and investigation services are required to submit the documents demonstrating their professional qualification under this Act to the appropriate trade licensing office at the latest 36 months from the date on which this Act enters into force. Failure to provide these documents shall result in the termination of the relevant trade authorisation by the trade licensing office.
 2. Natural or legal persons conducting permitted trades under Annex no. 3 to the Trade Licensing Act with the sphere of business security of property and persons and private detective services are required to ensure at the latest 36 months from the entry into force of this Act and upon request by the relevant trade licensing office to document that the activities related to protecting the lives and property of persons and private detective services will be carried out by employees meeting all professional qualification requirements in accordance with Annex no. 5 to this Act and health requirements in accordance with Section 31a of this Act.
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ACT NO. 227/2009 Coll.

Article XXII
Transitional Provisions

1. The trade licensing office determined as appropriate under Section 71 paragraph 2 shall allocate an establishment identification number provided by the administrator of the basic register of persons pursuant to Act no. 111/2009 Coll. to an establishment set up prior to the date of entry into force of this Act at the latest within one year of the date on which this Act enters into force, and shall inform the enterprise of such allocation within the same deadline.

2. The enterprise specified in paragraph 1 above is obliged to use the establishment identification number allocated in accordance with paragraph 1 above within a maximum of 1 month after the expiry of the deadline specified in paragraph 1 above.

ACT NO. 155/2010 Coll.

Art. VIII
Transitional Provisions

1. Trade authorizations issued pursuant to Act No. 455/1991 Coll., in the version effective as at the effective date of this Act, shall stand.
2. An entrepreneur who held, as at the effective date of this Act, a trade authorization for the trades “Security of property and persons” and “Private detective services” shall, no later than within 2 years of the effective date of this Act, comply with the professional competence requirements pursuant to Act No. 455/1991 Coll., in the version effective from the effective date of this Act, and submit evidence of that to the trade licensing office or appoint a responsible representative; this shall not apply if the entrepreneur has already documented compliance with professional qualification requirements to the trade licensing office. If an entrepreneur fails to document compliance with the professional competence requirements within the time-period referred to above, the trade licensing office shall commence proceedings leading to the cancellation of the trade authorization.
3. An entrepreneur who held, as at the effective date of this Act, a trade authorization for the trades “Security of property and persons” and “Private detective services” shall, no later than within 2 years of the effective date of this Act, ensure, and at the request of the trade licensing office document, that the activities that constitute the contents of the said trades are ensured solely through natural persons who comply with the professional competence requirements listed in Annex No. 5 to Act No. 455/1991 Coll., in the version effective from the effective date of this Act.

ACT No 145/2010

PART TWO

Section 26
Transitional Provisions

An entrepreneur who, as at the date on which this Act enters into force, has provided or intermediated consumer credit within the scope of the notifiable unqualified trade ‘Manufacture, trade and services not specified in Annexes 1 to 3 to the Trade Licensing Act’ may continue this activity for a period of one year as of the date on which this Act enters into force. If, before this period expires, the entrepreneur serves notice that he intends to continue operating this activity and submits documents to the trade licensing office proving professional competence for the professional trade ‘Provision or intermediation of consumer credit’, the trade licensing office shall make an entry in the trade licensing register and shall issue the entrepreneur with an extract; this act shall not be subject to an administrative fee. Upon expiry of this period without action, the authorization to provide or intermediate consumer credit shall lapse.