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Slovakia

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I. Lists and registers of experts

There is an official list/register of experts in Slovak Republic. The [list of experts](#) is accessible online to anybody.

The responsible entity for keeping the register of experts is the Ministry of Justice.

In order to be listed in the register, Experts have to meet the following criteria:

- full legal capacity,
- extract from the criminal record with no listed criminal conviction,
- corresponding education (university degree, if possible),
- specific short-term course aimed at the legal norms regulating the profession of judicial experts,
- at least seven years of experience in the relevant field of expertise (wholly after earning a degree),
- specific exam organised by the Ministry of Justice or by a delegated subject,
- specific long-term course aimed at the legal norms regulating the profession of judicial experts and at the relevant section or subsection of the list (required only for selected sections and subsections),
- necessary material equipment,
- no deletion from the list during last three years due to administrative delict as the judicial expert and no ongoing ban due to administrative delict as the judicial expert,
- oath of the judicial expert.

Experts have to swear an oath in order to be registered. Experts have to apply in order to be listed. The Ministry of Justice is obliged to register to the list of experts a person who meets the statutory requirements.

The Ministry of Justice may remove the expert from the list:

- upon written request of the expert,
- if the person does not meet the abovementioned requirements anymore,
- as a disciplinary sanction,
- if the person performs activity without liability insurance,
- if the person does not pass the verification of professional competence.

The list of experts is permanently updated by the Ministry of Justice.

Experts can be found by using the [search tool](#). This search tool covers all experts. Experts are listed by specialisation and specialisations are accessible at the register.

II. Expert's qualifications

Experts have to obtain a certain educational level in their specialised discipline in order to be registered. Experts do not have to be a member of a professional body to practise as an expert. Experts have to improve their skills regularly. There are specialised expert institutes which are entitled to organise continuous professional training.

III. Remuneration of experts

The expert may agree with the contracting authority, which is not a court or other public authority, on the contractual remuneration or the amount of the expert. If they do not agree, the expert is entitled to a tariff fee, compensation for expenses and compensation for loss of time. The amount of the tariff fee for experts is determined either by time, by share method or by flat rate method.

Experts appointed by the court can receive an advance on cost. In civil procedure the remuneration of the expert is paid by the parties, in criminal proceedings by the State.

IV. Liability of experts

The regulations of the Slovak Republic contain a particular provision dealing with the expert's liability. The Act No. 382/2004 Coll. as last amended regulates several types of administrative offenses.

Experts are obliged to cover their possible liability via professional indemnity insurance. Such insurance does not cover the expert's liability for advice he or she gives in the other Member States.

Expert's liability is subject to a cap at EUR 33,193.

V. Additional information about expert proceedings

The main legal provisions applicable to judicial expertise in the Slovak Republic is the Act No. 382/2004 Coll. as last amended, the Regulation No. 228/2018 Coll., the Code of Civil Procedure, the Code of Criminal Procedure and the Code of Administrative Procedure.

General rules for the appointment of Experts for the purpose of proceedings before a civil, criminal and administrative court are alike.

The legal system of the Slovak Republic does not distinguish between expert witnesses, technical experts, law experts or any other kind of experts. The total number of registered experts is about 3 000.

Appointment of experts

Experts can be appointed by the court or other public authority. Experts can be appointed for the purpose of preliminary or pre-trial proceedings. In criminal pre-trial proceedings the expert can be appointed by the police officer or the prosecutor.

There are no differences between the appointment of an expert for the purpose of proceedings before a civil, criminal and administrative court. Court-appointed experts have a legal obligation to report any conflict of interest. In cases where experts are appointed by courts, the court uses a list or register of experts to select them. An expert from the list can be appointed by the court or selected by one of the parties. If there is no judicial expert registered in the list or if it is not possible for any registered judicial expert to perform the expertise, then the court can appoint a judicial expert on an *ad hoc* basis.

Procedure

Civil Procedure

Experts are usually cross-examined during trial. The court is not bound by the expert's opinion. The expert's report is of the same importance as any other evidence, the judge is obliged to evaluate it freely and in relation to the other means of evidence.

There is no any procedure whereby experts meet prior to trial or are cross-examined prior to trial to seek to narrow the issues and for the court to understand the differences of opinion.

Upon request of the court the parties are obliged to cooperate with the expert in obtaining the sources or data for the expertise.

1. Expert report

The expert's report has to be structured in the following way:

- title page
- introduction
- report
- conclusion
- annexes
- expert clause

Experts are not required to provide a preliminary report. Experts are not obliged to address the parties' arguments their report.

The court can order that the Expert provides an additional report. Experts deliver their report in writing or orally.

2. Court hearing

The expert has to attend a preliminary hearing. The expert has to attend the main hearing in order to answer the court's and the parties' questions. Experts are usually cross-examined during trial.

The information presented here was gathered during the Find an Expert Project from contacts per country selected by the European Expertise & Experts Institute EEEI.

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