

Specialised courts - Slovakia



Ez az oldal gépi fordítás eredménye – a fordítás minőségét nem áll módunkban garantálni.

This section provides information on the organisation of specialised courts in Slovakia.



Administrative courts

Matters of administrative law fall primarily within the jurisdiction of the regional **courts** and the **Supreme Court of the Slovak Republic**.

There are no administrative courts established in the Slovak Republic, but there are separate **boards** of administrative judges.

Specialised courts

Constitutional court

 [The Constitutional Court of the Slovak Republic](#) is an independent judicial body and its jurisdiction is the decision on the constitutionality  of legislation.

The Constitutional Court is located in Košice, at the address Main 110, Košice 042 65 and the field office of the Constitutional Court of the Slovak Republic is located in Bratislava, at the Župna square 12.

Competences

In accordance with the Constitution of the Slovak Republic, the Constitutional Court decides on the compliance of:

- The laws with **the Constitution, constitutional acts and international treaties** agreed by the **National Council of the Slovak Republic** which have been ratified and promulgated by law;
- Cabinet Regulations, generally binding legislation of ministries and other central government bodies with the Constitution, constitutional acts, international treaties, agreed by the National Council of the Slovak Republic, ratified and promulgated by law, and laws,
- statutes of general application with the Constitution (Article 68), constitutional acts, international agreements, approved and promulgated by the National Council of the Slovak Republic which have been ratified and promulgated by law, and laws if they are not decided by another court,
- the generally binding legislation of the local authorities of the local and regional authorities (as referred to in Article 71(2)) with the Constitution, constitutional acts, international treaties promulgated in the manner laid down by law, laws, regulations and generally binding legal provisions of ministries and other organs of general government, unless they are heard by another court.

Furthermore, the Constitutional Court:

- decide on the compliance of negotiated international treaties to which the consent of the National Council of the Slovak Republic is required and compliance with the Constitution or constitutional law;
- decide whether the subject of the referendum to be issued on the basis of a petition from citizens or by a resolution of the National Council of the Slovak Republic (as referred to in Article 95(1)) is compatible with the Constitution or constitutional law;
- decides on conflicts of jurisdiction between central government authorities if the law does not provide for such disputes to be decided by another public authority;

- decide on complaints from natural or legal persons claiming infringement of their fundamental rights or freedoms under an international treaty which the Slovak Republic has ratified and has been promulgated in the manner laid down by law, unless the protection of those rights and freedoms is decided by another court,
- decide on complaints from a municipal authority against a non-constitutional or unlawful decision or other unconstitutional or unlawful interference with territorial self-government if it is not decided by another court;
- provides an interpretation of the Constitution or of the constitutional law if the case is contested;
- decide on a complaint against a decision to verify or not to verify the mandate of a Member of the National Council;
- decide on the constitutionality and legality of the elections (the President of the Slovak Republic, the National Council of the Slovak Republic, the municipal authorities and the European Parliament);
- decides on complaints against the outcome of the referendum and on complaints against the outcome of the popular vote on the removal of the President of the Slovak Republic;
- decide whether the decision to dissolve or suspend the activities of a political party or political movement is in accordance with the constitutional laws and regulations;
- decides on the indictment of the National Council against the President of the Slovak Republic on wilful misconduct or treason,
- it decides whether a decision on a declaration of a state of emergency or an emergency and subsequent subsequent decisions have been taken in accordance with the Constitution or constitutional law.

Composition of the Court:

The Constitutional Court is composed of **13 judges**.

Judges of the Constitutional Court are appointed by the President of the Slovak Republic on a proposal from the National Council of the Slovak Republic for 12 years. The National Council of the Slovak Republic proposes twice the number of candidates for judges to be appointed by the President of the Slovak Republic.

Other relevant information

The Constitutional Court decides in **three-member panels** or in **plenary**.

The decisions of the Constitutional Court are final: i.e. no appeal may be lodged against such a decision.

The Constitutional Court may initiate proceedings on the basis of a **proposal** submitted to it:

- not less than one fifth of all the members of the National Council of the Slovak Republic,
- the President of the Slovak Republic,
- the Government of the Slovak Republic,
- courts;
- the Prosecutor General,
- any which is to be dealt with in the cases provided for in Article 127 (complaints by natural or legal persons) and Article 127a (complaints from municipal authorities);
- The Supreme Audit Office of the Slovak Republic in the cases provided for in Article 126(2) (whether it is the control of the Supreme Audit Office of the Slovak Republic),
- the President of the Judicial Council of the Slovak Republic in matters relating to conformity of legislation pursuant to Article 125 (1) concerning the administration of justice,
- to public defenders of rights in matters of conformity of legislation pursuant to Article 125(1), where their continued application may prejudice fundamental rights or freedoms or human rights and fundamental freedoms arising from an international treaty which the Slovak Republic has ratified and which has been promulgated in the manner laid down by law,
- anyone who objects to the control of the Supreme Audit Office of the Slovak Republic in the case provided for in Article 126 (2).

Legal databases

Access to  [the website of the Constitutional Court of the Slovak Republic](#) is made available free of charge:

- decisions of the Court
- reports on findings and decisions
- press releases
- international activities
- information on the court

Special Criminal Court

The Specialised Criminal Court was created in 2009 as the successor of a Special Court. A criminal court shall hear and determine criminal matters and other matters referred to in the Code of Procedure in proceedings before the Court of Justice (Code of Criminal Procedure). It is a court of first instance and has the status of a regional court. The scope of the Specialised Criminal Court is governed by Section 14 No 301/2005 of the Code of Criminal Procedure.

Contact information about the specialised criminal court in the Slovak Republic:

Address: Suvorovova No 5/A, P.O.BOX 117, 902 01 Pezinok

Telephone: + 421 33 69 031 14

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Scope

The scope of the Specialised Criminal Court refers to the following offences:

- the offence of murder in the positive murder;
- the offence of advertising in public procurement and public auction pursuant to Section 266 (3) of the Criminal Code;
- the offence of forgery, alteration and unauthorised production of money and securities pursuant to Section 270 (4) of the Criminal Code;
- offence of abuse of office by a public office-holder pursuant to Section 326 (3) and (4) of the Criminal Code in conjunction with the offences referred to in points (b), (c), (e), (f), (g), (h), (i), (l) or (m) thereof,
- offences concerning the acceptance of bribes under Sections 328 to 330 of the Criminal Code;
- crimes of bribery under Sections 332 to 334 of the Criminal Code;
- the offence of indirect corruption under Section 336 of the Criminal Code;
- the offence of electoral corruption under Section 336a of the Criminal Code;
- the crime of sports corruption under Section 336b of the Criminal Code;
- the offence of establishing, laying down and supporting a criminal organisation and particularly serious crimes committed by a criminal group;
- crimes of terrorism;
- an offence against property under the title of Part Four of the Criminal Code or of a criminal offence under the fifth title of a specific part of the Criminal Code, where such offences have caused damage or an advantage gained amounting to at least twenty-six thousand times the minor damage under the Criminal Code, or if such an act has been committed to an extent amounting to at least twenty thousand times of the minor damage under the Criminal Code,
- the criminal offence of harming the financial interests of the European Union;
- offences related to the offences referred to in points (a) to (l) or (m), where the conditions for joint action are met;
- crimes of extremism under Section 140a of the Criminal Code.

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