

ACT

as of July 2, 2008

of youth work support and of alteration and amendment to the Act no. 131/2002 of universities and of alteration and amendment to some acts as consequently amended

The Slovak National Council has resolved upon this act:

Article I

§ 1

Subject of the Act

This act regulates the youth work support, the youth work funding, the accreditation of educational facilities within the scope of youth work and the voluntary service within the frame of youth work.

§ 2

Definition of basic terms

For the purposes of this Act

- A) a young person is a person aged 30 years maximum,
- B) youth is a group consisting of at least 3 young people,
- C) a young leader is a person aged at least 15 years and not older than 17 years, who actively participates in youth events organising under leadership of a youth leader or a youth worker,
- D) a youth leader is a person aged at least 18 years and manages, organises youth events and is in charge of their realisation,
- E) a youth worker is a person who
 1. prepares or organises events or programmes within the area of youth work,
 2. has competence to perform legal acts in full extent¹⁾,
 3. is in labour – law relations²⁾ with employers mentioned in § 15 article 2,
- F) youth work is mainly an educational activity, a societal activity, an informational activity and an advisory activity for youth, young leaders, youth leaders and youth workers,
- G) non-formal education within the frame of youth work is a further education of youth, young leaders, youth leaders and youth workers organised by educational facilities with the aim of gaining new knowledge, practical experience and skills needed for youth work, which enables its participants to complete, broaden and deepen their reached acquirements,
- H) youth mobility is mainly an educational activity, a societal activity, an informational activity and an advisory activity being organised abroad or in the Slovak Republic with international participation with a view to gaining knowledge and vocational skills, language skills improvement and getting acquainted with the Slovak Republic's and other states' history and culture,
- I) youth participation is an active involvement of youth in the process of planning, decision-making and realising of events and projects within the frame of societal and economic life,

J) a specialised activity within the scope of youth work is an activity realised within youth work by young leaders, youth leaders, youth volunteers, youth workers and other experts,
K) morally irreproachable individual is a person that has not been lawfully sentenced for a premeditated criminal act; irreproachability is proven by an extract from the Penal Register³⁾ not older than three months or by a document pursuant to a particular regulation⁴⁾

§ 3

Ban of discrimination

The rights stipulated in this act are guaranteed equally to young people, young leaders, youth leaders, youth workers and other experts working with youth in accordance with the principle of equal treatment in education appointed by a special act.⁵⁾ In accordance with the principle of equal treatment the discrimination on the ground of age, gender, sexual orientation, marital status, race, colour of complexion, health disability, language, political or different opinion, belonging to a national minority, religion, labour activity, nationality or social descent, property, kin or other condition is also banned.

§ 4

Ministry of Education of the Slovak Republic

Ministry of Education of the Slovak Republic (thereinafter referred to as „ministry“) as a central organ of state administration for state youth care mainly

- A) manages and checks the state administration execution in youth work segment,
- B) elaborates the conception of the state youth policy,
- C) elaborates the educational conception of youth volunteers, young leaders, youth leaders and youth workers,
- D) forms legal, organisational, research and economic conditions for youth work development,
- E) determines main tasks and projects resulting from the conception by the b) letter for particular period,
- F) supports the activity of legal persons and individuals within the area of youth work,
- G) supports organising of significant youth events on the Slovak Republic's territory,
- H) supports preparation of self-administration's programmes in the field of youth work development,
- I) coordinates activities of the state administration's central organs and the state administration's local organs, which result from the state youth policy,
- J) checks suitability and effectiveness of the use of financial resources granted from the state budget assigned for youth work,
- K) decides on accreditation of an educational facility for youth work and on the ground of the accreditation committee's recommendation issues a confirmation on accreditation for an educational facility.

§ 5

Upper territory unit

An upper territory unit within the youth care segment elaborates the conception of youth work development and in accord with it

- A) participates in gaining and analysing of information on youth within the scope of its powers,
- B) supports organising of youth work,
- C) supports an activity of health disabled youth,
- D) supports initiatives within youth work focussed on
 1. getting acquainted with historic and cultural heritage of its region,
 2. getting acquainted with historic and cultural heritage of the Slovak Republic,
 3. protection of the environment,
 4. youth mobility and international cooperation,
 5. interest activities of youth,
- E) insures running of educational facilities and cares about their purposeful utilization,
- F) checks activities of accredited educational facilities within youth work, whose founder it is,
- G) checks purposefulness of utilisation of financial resources granted from its budget for youth work,
- H) cooperates with individuals and legal persons mentioned in § 15 article 2,
- I) participates in non-formal education within the area of youth work
- J) supports informational and advisory services for youth,
- K) supports youth involvement into voluntary service,
- L) supports the youth participation.

§ 6

Municipality

Municipality within the youth care segment

- A) supports the youth work organising,
- B) supports an activity of health disabled youth
- C) forms conditions for youth work development
- D) supports initiatives within the frame of youth work focussed on
 1. getting to know the historic and cultural heritage of its region
 2. getting to know the historic and cultural heritage of the Slovak Republic
 3. protection of environment
 4. youth mobility and international cooperation
 5. informational and advisory services
 6. spare-time activities of youth
 7. the area of health support and health protection
- E) cooperates with legal persons and individuals mentioned in § 15 article 2
- F) supports youth involvement into voluntary service
- G) supports youth participation.

§ 7

Accreditation committee

- (1) An accreditation committee for specialised activities within the frame of youth work (thereinafter referred to as “accreditation committee”) is founded as an advisory organ of the Ministry of Education.
- (2) The accreditation committee consists of youth work experts being appointed and retracted by Minister of Education of the Slovak Republic (thereinafter referred to as “minister”).

(3) Neither a deputy of an educational facility nor any other candidate, whom a conflict of interest may arise by their acting in the accreditation committee, must not be appointed as a member of the accreditation committee.

(4) The accreditation committee considers the application form of an educational facility and on the ground of satisfying conditions recommends the ministry to issue a confirmation on accreditation to the educational facility.

(5) Accreditation committee's activity details will be regulated by the accreditation committee's statute, which will be issued by the ministry.

§ 8

Accreditation

(1) Accreditation of an educational facility (hereinafter referred to as "accreditation") is a state approval of an educational facility's competency to realise a specialised activity within the area of youth work on the ground of satisfying conditions appointed by this Act.

(2) An educational facility employs in labour relation a guarantor, who is responsible for realisation of a specialised activity within youth work.

(3) The condition to issue a confirmation on accreditation to an educational facility is a submission of

(A) a certificate on professional competence of the guarantor and the teachers,

(B) a certificate on material security of the educational facility,

(C) an educational programme matching by its extent and difficulty the appropriate specialised activity within youth work.

(4) The accreditation application form contains mainly,

(A) if a legal person is concerned,

1. the educational facility's name and legal form,

2. its domicile,

3. a characteristic of the educational facility's activity,

4. name of the specialised activity within youth work.

(B) if an individual is concerned,

1. name and family name,

2. permanent address,

3. a characteristic of the educational facility's activity,

4. name of the specialised activity within youth work.

(5) The annex of the application form contains records and documentation proving the fulfilment of the conditions under article 3.

(6) The ministry issues a certificate on accreditation to the educational facility, which satisfies the accreditation conditions appointed under this Act.

(7) The certificate on accreditation is issued for a period, which the educational facility requires in the accreditation application form, maximum for five years.

(8) The certificate on accreditation is unassignable and cannot be transferred onto a legal successor.

(9) The ministry exercises control of keeping to the conditions, which the certificate on accreditation has been issued on.

(10) The ministry decides on cancellation of accreditation, if the educational facility does not fulfil conditions mentioned in articles 2 and 3.

§ 9

Issuing of Certificates

(1) An accredited educational facility within the scope of youth work issues a certificate on acquired professional competence to participants after they have passed the preparation for a realisation of special activities within youth work.

(2) An accredited educational facility keeps documentation on education within the scope pursuant to the § 8 article 3.

(3) The list of accredited educational facilities with their specialised activities within youth work, which a certificate on accreditation has been issued for, as well as the retraction of a certificate on accreditation is made public on the ministry's web-site and in a ministry's publication.

§ 10

Professional competence for execution of specialised activities within the youth work

(1) For execution of specialised activities within the frame of youth work a professional competence is required.

(2) By professional competence for execution of specialised activities within youth work a complex of professional knowledge, skills and habitudes acquired by studies at an educational facility or by professional practice is understood.

(3) Professional competence for execution of specialised activities within the frame of youth work can be acquired also at an educational facility, which a certificate on accreditation under § 8 article 6 has been issued to.

(4) Content and volume of both, the theoretical and the practical parts of the preparation as well as the form and the extent of the final examination for execution of specialised activities within the area of youth work is a part of the educational programme, which an educational facility submits to the ministry for its approval.

§ 11

Young volunteer

(1) Young volunteer (thereinafter referred to as „volunteer“) can be a citizen of the Slovak Republic, a citizen of other European Union's member state or a citizen of a state, which is

not a European Union's member state (hereinafter referred to as „a third state“), at least 15 years old and maximum 30 years old and they are morally irreproachable persons.

(2) If a volunteer has not reached the age of 18 years, consent of a volunteer's legal representative is required for execution of the voluntary service.

(3) A volunteer can be a third state's citizen,

a) who sojourns on the Slovak Republic's territory as an applicant for asylum,⁶⁾

b) whose banishment from the Slovak Republic has been postponed for factual or legal reasons,⁷⁾

c) who is an employee⁸⁾ or a self-employed person⁹⁾

§ 12

Voluntary service agreement

(1) Voluntary service is a community service executed by a volunteer within the frame of youth work on the ground of a written agreement with a legal person, whose activity object is youth work.

(2) A voluntary service agreement contains mainly

A) the legal person's name and domicile by article 1,

B) the volunteer's name, family name and their date of birth,

C) a description of volunteer's tasks,

D) data concerning the place of execution of volunteer's tasks,

E) time of execution of the voluntary service by the volunteer, which must not exceed the appointed weekdays' working time,¹⁰⁾

F) the starting day and the ending day of the voluntary service,

G) a reference to the way of securing of surveillance over volunteer's care and safety throughout the entire voluntary service,

H) a reference to who will pay health insurance of the volunteer that is a citizen of the Slovak Republic and the legal person's obligation to pay health insurance of the volunteer that is other EU member state's citizen or a third state's citizen,

I) a reference to coverage of expenditures mentioned in article 3.

(3) The legal person mentioned in article 1 provides the volunteer with a travelling allowance¹¹⁾ in relation with execution of the voluntary service and the travel costs for the transportation to their permanent address after termination of the voluntary service execution, it pays the expenditures related to board, lodging and provides the volunteer with an allowance.

(4) If a special education is required for the voluntary service execution, the agreement by article 1 must contain personal data of the person providing it, its content and its duration.

(5) The agreement with the volunteer by article 1 may be concluded for one year maximum. If the activity lasts longer than one year, the agreement by article 1 may be concluded for a period of the activity's duration.

§ 13

Obligations at the securing of voluntary service

A legal person under § 12 article 1 is obliged

- A) to secure all things, which are necessary for voluntary service execution,
- B) to secure the volunteer's health insurance, in case it results from the voluntary service agreement,
- C) to dispose of a concluded valid contract on insurance of one's responsibility for damages caused by execution of one's activity,
- D) to instruct the volunteer on safety and health protection at the execution of voluntary service,
- E) to make out a written confirmation to the volunteer on duration and content of the voluntary service,
- F) to make out a written evaluation to the volunteer on execution of the voluntary service,
- G) to secure to a volunteer, who is not a citizen of the Slovak Republic, the basic knowledge of the official state language of the Slovak Republic and basic education of the Slovak Republic's history.

§ 14

Youth work financial resources

(1) The youth work financial resources are:

- A) subsidies from the state budget (thereinafter referred to as "subsidies"),
- B) means from the municipalities' budgets,
- C) means from the upper territory units' budgets,
- D) donations and contributions from legal persons as well as individuals,
- E) revenues from advertisements,
- F) revenues from businesses,¹²⁾
- G) European Union means,
- H) other resources by a special regulation.¹³⁾

(2) The financial resources mentioned in article 1, d) letter may be used exclusively for the purpose stated by the donor, if the donor identifies this purpose in the deed of gift.

§ 15

Purpose of subsidies provision

(1) Subsidies are provided to support

- A) selected projects of interest activity within the frame of sciences, technique, culture and sport,
- B) talented youth in particular areas of social, sport and cultural life,
- C) education of youth towards protection of environment,
- D) education of youth towards getting acquainted with historic and cultural heritage of the community, the region and the Slovak Republic,
- E) getting acquainted with life and cultures of the EU states,
- F) organising of youth camps,
- G) sojourn events for youth,

- H) youth mobility, international cooperation and international programmes within the youth area,
- I) publishing of youth oriented press,
- J) international youth organisations membership,
- K) significant youth, tourism and motion – recreational events,
- L) educational activities for youth workers, youth leaders and young leaders,
- M) information on youth,
- N) informational and advisory services for youth,
- O) protection, keeping and restoring of health of youth,
- P) other activities within the frame of youth work

(2) Subsidies by article 1 may be provided to applicants being:

- A) a municipality, which executes activities under § 6,
- B) upper territory unit, which executes activities under § 5,
- C) a civic association,¹⁴⁾
- D) a foundation,¹⁵⁾
- E) a non-profit organisation providing generally beneficial services,¹⁶⁾
- F) a registered church and a religious association,¹⁷⁾
- G) a nursery school,¹⁸⁾
- H) a school club for children,¹⁹⁾
- I) a school centre of interest activities,²⁰⁾
- J) a leisure time centre,²¹⁾
- K) a school hostel,²²⁾
- L) a school in nature,²³⁾
- M) an individual, who executes specialised activities within the frame of youth work, they are irrefragable and have reached the age of 18 years minimum.

§ 16

Subsidies provision

(1) A subsidy under § 15 article 1 may be provided maximum up to 80% of assumed expenditures.

(2) A subsidy under § 15 article 1 may be provided to an applicant, that proves to have at least 20% of expenditures from other sources.

(3) A subsidy can be provided as well

- A) for salaries and remuneration of persons executing specialised activities within the frame of youth work agreed in the employment contract or the performance contract,
- B) for travel compensations¹¹⁾ of persons, who execute specialised activities within the frame of youth work.

(4) A subsidy must not be provided

- A) for settlement of debts resulting from previous budgetary years,
- B) for reimbursement of expenditures settled within previous budgetary years,
- C) for redemption of bank loans and interests resulting from the bank loans.

(5) A subsidy must not be provided to an applicant that

- A) has not settled their financial relations with the state budget for previous budgetary year,

- B) has a record of tax arrears against the tax administrator; the above mentioned is irrelevant if the applicant is a municipality,
- C) has a record of insurance arrears for health insurance, social insurance and contributions for old age pension savings,
- D) is in bankruptcy, in liquidation or there is an executory proceeding led against them,
- E) has breached a ban of illegal work and illegal employment pursuant to a special regulation.²⁴⁾

(6) There is no legal claim for a subsidy provision.

§ 17

Application form for a subsidy provision

(1) A subsidy may be provided to the applicant on the ground of a written application form for a subsidy provision (hereinafter referred to as „application form“), which contains identification data of the applicant, which are:

- A) if a legal person is concerned,
 1. the applicant's name and legal form,
 2. domicile,
 3. identification number,
 4. tax identification number,
 5. name, family name, academic title, statutory organ's permanent address,
- B) if an individual is concerned,
 1. name, family name, maiden name, academic title,
 2. date of birth,
 3. personal identification number,
 4. domicile.

(2) The application contains further mainly

- A) definition of needs, specific action or project, which a subsidy is applied for, including marking the area under § 15 article 1, which these activities belong to,
- B) date and place of realisation of the activities by a) letter,
- C) subject-matter of the applicant's activity,
- D) mentioning of the fact, whether the applicant requires a subsidy for the mentioned activity also from other public administration's subject,
- E) budget of revenues and expenditures related to realisation of an activity under § 15 article 1, which a subsidy is applied for, of this the amount of required subsidy, whereas the amount of financial means required for salary costs is mentioned separately.

(3) The annex of the application form contains

- A) an extract from the Penal Register or a different document testifying the applicants legal personality, if the applicant is a legal person, except for an applicant being a municipality or an upper territory unit,
- B) an extract from the Penal Register 3) not older than three months if the applicant is an individual,
- C) a reference confirming the justification for entrepreneurship if it concerns the activity being the subject of the enterprise,

- D) the applicant's declaration on oath, that their financial relations with the state budget for previous budgetary year are settled,
- E) the Social Insurance Company's confirmation evidencing it does not have any record of insurance arrears for social insurance and the old age pension savings against the applicant and the Health Insurance Companies' confirmation evidencing they do not have any records of insurance arrears for health insurance against the applicant,
- F) a locally appropriate tax administrator's confirmation, with the exception of municipality, evidencing it does not have any record of insurance arrears against the applicant,
- G) the applicant's declaration on oath evidencing it does not have any arrears against the municipality,
- H) the applicant's declaration on oath evidencing they are not in bankruptcy, in liquidation or there is no executory proceeding led against them,
- I) the applicant's declaration on oath that they have not breached a ban of illegal work and illegal employment;²⁴⁾ if it concerns an applicant being justified to enterprise, a locally appropriate labour inspectorate's confirmation²⁵⁾ is required,
- J) due balance of the books as of the last day of the previous accounting period if the applicant is a legal person.

(4) The call concerning the application form submission under article 1 will be made public by the ministry on its web-site.

(5) The minister decides on the subsidy's provision.

(6) If the applicant breaches the financial discipline, the proceeding pursuant to a special regulation²⁶⁾ will be applied.

§ 18

Subsidy provision contract

(1) On the ground of the decision on a subsidy provision the ministry concludes a written subsidy provision contract with the applicant, which a subsidy has been approved to.

(2) A subsidy provision contract contains mainly

A) identification data of the contractual parties under § 17 article 1,

B) the banking institution's name and the beneficiary's separate bank account number for keeping the means provided from the state budget with exception of a municipality or an upper territory unit,

C) amount of the provided subsidy, out of it separately the amount of financial means provided for labour costs,

D) the purpose, which a subsidy is being provided for,

E) time-limit, which the subsidy may be used within, and time-limit for settlement of the subsidy,

F) time-limit for refunding of the unused financial means and the ministry's bank account number, which these financial means are transferred to,

G) date of remittance of the yields from the state budgets means and the ministry's bank account number, which these financial means are transferred to,

H) sanctions for breach of the contact conditions by the contractual parties,

I) form of the control of the financial means' effective use for the purpose, which the subsidy has been provided for.

(3) The ministry will make public the information on subsidies' provision to the applicants on its web-site.

§ 19

State supervision

(1) The ministry acts at the execution of supervision upon special regulation²⁷⁾.

(2) The execution of supervision under this Act does not concern justification of other control organs, which execute control pursuant to special regulations.

§ 20

Temporary arrangement

The application forms submitted until this Act's coming into force are assessed by this Act.

§ 21

Close provision

European Community's and European Union's legal acts mentioned in the enclosure are taken over by this Act.

Article II

Act no. 131/2002 of universities and of alteration and completion of some acts as amended in the Act

no. 209/2002, Act no. 401/2002, Act

no. 442/2003, Act no. 465/2003, Act

no. 528/2003, Act no. 365/2004, Act

no. 455/2004, Act no. 523/2004, Act

no. 578/2004, Act no. 5/2005, Act

no. 332/2005, Act no. 363/2007, Act

no. 129/2008 and Act no. 144/2008 has been altered and completed as follows:

1. § 57 article 7 reads:

„(7) University education of the first degree in appropriate specialisation and minimum one year special medical practice completed in a medical facility after having reached university education of the first degree in appropriate specialisation is the condition for admission to studying of study programme of the second degree in medical specialisations;

Requirement of one year special medical practice does not refer to admission to external studying of study programme of the second degree in medical specialisations and to admission to studying of study programme of the second degree in specialisation „public health service“.

2. After § 113a, the § 113aa is inserted, which reads:

§ 113aa

Requirement of one year special medical practice under § 57 article 7 does not refer to students that reached university education of the first degree in medical specialisations within external study form before September 1, 2008 and to students that reached university education of the first degree in the specialisation „public health service“ within full-time study form before September 1, 2008.

Article III

Effectiveness of the Act

This Act takes effect on September 1, 2008.

Ivan Gašparovič in own hand

Pavol Paška in own hand

Robert Fico in own hand

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- 1) § 8 of the Civic Code.
 - 2) For instance the Labour Code, Act no. 552/2003 of the execution of work in public interest as consequently amended.
 - 3) § 10 up to 12 of the Act no. 330/2007 of the Penal Register and amendment of some acts.
 - 4) § 79 article 1 of the Act no. 48/2002 of foreigners' sojourning and of alteration and amendment of some acts as consequently amended.
 - 5) § 5 of the Act no. 365/2004 of equal treatment in some areas and of protection against discrimination and of alteration and amendment of some acts (Antidiscrimination Act) as consequently amended.
 - 6) Act no. 480/2002 of asylum and of alteration and amendment of some acts as consequently amended.
 - 7) § 56 up to 61 of the Act no. 48/2002 as consequently amended.
 - 8) § 11 of the Labour Code.
 - 9) § 5 of the Act no. 461/2003 of social insurance as consequently amended.
 - 10) § 85 article 5 of the Labour Code.
 - 11) Act no. 283/2002 of travelling compensations as consequently amended.
 - 12) § 2 article 2 of the Commercial Code.
 - 13) For instance § 476 up to 480 of the Civic Code.
 - 14) Act no. 83/1990 citizens' clustering as consequently amended.
 - 15) Act no. 34/2002 of foundations and of alteration of the Civic Code as consequently amended.
 - 16) Act no. 213/1997 of non-profit organisations providing generally beneficial services as consequently amended.
 - 17) Act no. 308/1991 of religious freedom and of status of churches and parishes as consequently amended.
 - 18) § 28 of the Act no. 245/2008 of education (School Act) and of alteration and amendment of some acts.
 - 19) § 114 of the Act no. 245/2008
 - 20) § 115 of the Act no. 245/2008
 - 21) § 116 of the Act no. 245/2008
 - 22) § 117 of the Act no. 245/2008
 - 23) § 138 of the Act no. 245/2008
 - 24) Act no. 82/2005 of illegal work and illegal employment and of alteration and amendment of some acts as amended in the Act no. 125/2006
 - 25) § 2 article 4 Act no. 231/1999 of state aid as amended in Act no. 82/2005
 - 26) Act no. 523/2004 of the public administration's budgetary rules and of alteration and amendment of some acts as consequently amended.
 - 27) For instance the Act of the National Council of the Slovak Republic no. 10/1996 of control in state administration as consequently amended, Act no. 502/2001 of financial control and internal audit and of alteration and amendment of some Acts as consequently amended.

Annex to the Act no. 282/2008

LIST OF EUROPEAN COMMUNITY'S AND EUROPEAN UNION'S
OVERTAKEN LEGAL ACTS

The regulation of the Council 2004/114/ES as of December 13, 2004 on conditions of admission of the third states' citizens for purposes of studies, pupils' exchanges, unpaid vocational education or voluntary service (Ú. v. EÚ L 375, 23. 12. 2004).