

Act. No 400/2015 Coll. on the Making of the Act and on the Collection of the Acts

Section 2

(1)

The aim of legislation drafting is to prepare, with the participation of the public, such legislation that will become a functional part of a balanced, transparent and stable legal system of the Slovak Republic ("the Legal System") compatible with European Union law and international law obligations of the Slovak Republic.

(3) Details on the process of legislation drafting , on preliminary information and legislative-technical instructions ensuring systematic and formal-legal uniformity of legal regulations until their submission to the National Council of the Slovak Republic shall be established by the Government of the Slovak Republic ("the Government"). This resolution is binding for the legislation submitter ("the Submitter").

Section 7

Requirements for the legislation drafting

(1)

In addition to the paragraph wording, the legislation drafting submitted to the comment procedure contains in particular:

a)

a presentation report,

b)

explanatory memorandum,

c)

selected impacts clause and impact analysis,

d)

a report on public participation in the drafting of legislation,

e)

a compatibility clause and, when taking-over or implementing a legally binding act of the European Union, also a table of compliance of the draft legislation with European Union law,

f)

a draft of implementing legal regulation, if the legal regulation contains an enabling provision for its issuance,

g)

informative consolidated wording of the legal regulation, if it is an amendment of the legal regulation.

Section 8

Portal

(1)

The creation of the draft legal regulation and its requirements according to Section 7 is carried out on the portal.

(2)

The portal is part of the public administration information system Slov-Lex ("the Slov-Lex"), whose administrator and operator is the Government Office of the Slovak Republic ("the Government Office").

Section 9

Preliminary information

Before starting the creation of a draft legal regulation, in the interest of informing the public and public administration bodies, the Submitter shall publish on the portal the preliminary information on the draft legal regulation being prepared. In the preliminary information, the Submitter shall in particular briefly state the basic objectives and theses of the draft legal regulation, the assessment of the current situation and the expected date of the comment procedure commencement.

Section 9a

Public hearing

A public hearing will be held on the draft legal regulation, determined on the basis of a government resolution, before it is submitted for comment procedure.

Section 10

Comment procedure

(1)

The draft legal regulation is obligatorily published for comment procedure on the portal. A draft law or a draft constitutional law that has not been drafted on the basis of a government resolution may be submitted for comment procedure only after discussion with the Deputy Prime Minister in charge of the legislation.

(2)

The comment procedure on the draft legal regulation is carried out on the portal in such a way as to ensure that the public can also submit comments.

(3)

A comment on a legal regulation is an applied, clearly formulated and substantiated proposal for the modification of a draft legal regulation within a specified period of time. A comment may suggest a new text or recommend the text amendment, supplement, change, deletion or clarification of the original text. Reasoned proposals which do not have as their object a proposal of a new text or a recommendation to amend the text, if they contain specific reservations to the proposed text and how to remedy the alleged shortcomings of the proposed text, shall also be considered as comments. The Submitter is not obliged to take into account Complaints that do not meet the requirements of this paragraph.

(4)

Dispute proceedings with the public representative may take place if the Submitter has not complied with the comment submitted by a large number of persons by the public and at the same time part of the comment is the authorization of the public representative to represent them ("the Collective comment"). A dispute procedure with a representative of the public shall be held whenever the Submitter has not complied with a collective comment with which at least 500 persons have identified. If the collective comment was submitted in electronic form via the portal, the list of persons who identified with the collective comment may also be sent to the Submitter in another way than via the portal.