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ACT

of 23 September 2008

on the News Agency of the Slovak Republic and on amendment to certain acts

The National Council of the Slovak Republic has passed the following act:

Article I

§ 1

Scope of Application

This act shall regulate the position and activity of the News Agency of the Slovak Republic (hereinafter “News Agency”), its bodies and economy, and financing of the News Agency.

§ 2

Position of the News Agency

(1) The News Agency is a public, national, independent, information institution, which provides the public with news service.

(2) The News Agency is a legal entity incorporated in the Companies Register.

(3) The News Agency carries out its own activity in its own name, at its own expense and at its own liability; it can assign its rights and duties connected with its principal activity to another person neither by way of contract nor by way of other legal acts.

(4) In creating and distributing its news, the News Agency is free and independent. Other persons may interfere in news contents solely on the basis and within the scope of law. The News Agency news must not act in favour of or against any political, economic, religious, ethnic or other interest group.

§ 3

Principal Activity of the News Agency

(1) The principal activity of the News Agency shall cover providing the news service to the public.

(2) The news service to the public shall mean searching of up-to-date, timely, verified,

ungarbled and unbiased information, which is processed in the form of text files, sound records, sound and video records, video records or multimedia records and is mediated in the domestic and foreign agency news, as well as storage of gathered information and making it accessible.

(3) The News Agency shall search and process information from the Slovak Republic on

- a) Social, cultural, economic, political and sporting events at national level and at regional level,
- b) Public authorities, on budget organisations and allowance organisations established by public authorities and on legal entities established by law and on the activities thereof,
- c) Cultural activities, putting the accent on the national culture and culture of national minorities and ethnic groups and on the protection of cultural heritage,
- d) National minorities and ethnic groups living in the Slovak Republic,
- e) Activity of registered churches and religious communities,¹⁾
- f) Socially handicapped and risk groups of population,
- g) Educational system, science, research,
- h) Health service and lifestyle,
- i) Public security and crime prevention,
- j) Protection of infants and prevention of socially negative influences,
- k) Other important society life spheres.

(4) The News Agency shall search and process information from abroad on

- a) Social, cultural, economic, political and sporting events of world, European and regional importance,
- b) Events relating to the Slovak Republic,
- c) Activity and successes of citizens of the Slovak Republic abroad,
- d) Life and activity of Slovaks living abroad,
- e) Other significant events.

(5) The News Agency shall carry out the following services in the public interest within the scope of its principal activity

- a) It shall issue the full wording of proclamations of the President of the Slovak Republic, Government of the Slovak Republic, Constitutional Court of the Slovak Republic, Supreme Audit Office of the Slovak Republic, Chairman of the National Council of the Slovak Republic, Prime Minister of the Slovak Republic, other constitutional officials, Office of the President of the Slovak Republic, Office of the National Council of the Slovak Republic, Office of the Judicial Council, Office of the Public Defender of Rights and central state administration bodies, if they request for it,
- b) It shall inform on standpoints and notices of the President of the Slovak Republic, Government of the Slovak Republic, Constitutional Court of the Slovak Republic, Supreme Audit Office of the Slovak Republic, Chairman of the National Council of the Slovak Republic, Prime Minister of the Slovak Republic, other constitutional officials, Office of the President of the Slovak Republic, Office of the National Council of the Slovak Republic, Office of the Judicial Council, Office of the Public Defender of Rights and central state administration bodies, if they request for it,
- c) It shall inform on standpoints and notices of other public authorities, budget organisations and allowance organisations and legal entities established by law, if the respective central

¹⁾ § 4 of Act No. 308/1991 Coll. on the freedom of religious belief and status of churches and religious communities as amended.

state administration body or public authority, which does not have a superior central state administration body requests for it,

- d) It shall gather and make accessible information on operation, legislative process, decisions and activities of bodies of the European Union,
- e) It shall search and process information on social, cultural, economic, political and sporting events from the Slovak Republic for foreign countries in at least two foreign languages,
- f) It shall store and make accessible²⁾ the gathered information,
- g) It shall gather and make accessible a database of image records, audio records and video records in electronic form for study and scientific purposes.

(6) The News Agency shall establish regional news service offices of the News Agency in the regional seats and news service offices abroad.

(7) The News Agency shall perform other tasks according to special regulations.³⁾

(8) The agency news of the News Agency shall be balanced, plural and objective and it shall respect the right to information in a democratic society regardless of age, sex, race, colour, faith and religion, political or other opinions, national or social origin, membership of a national minority or ethnical group, state of health, property, gender or other position.

§ 4

Undertaking of the News Agency

(1) The News Agency shall be entitled to carry out only such business activity that is connected with the subject of its principal activity and that does not endanger performance of its principal activity pursuant to this act. The News Agency shall use the resources obtained from business activities to perform its principal activity and to create a reserve fund.

(2) The News Agency shall be entitled to take part in the establishment of a business company or to establish a business company itself, to take part in the undertaking of a business company or to become a sole partner or shareholder of a business company, if the line of business of such business company is related to the principal activity of the News Agency and if the News Agency, through this capital participation, utilises more efficiently its property for performance of its tasks.

(3) The News Agency must not take part in the business of a business company as a general partner with unlimited liability,⁴⁾ or establish such companies.

§ 5

Press Agency Economy

(1) The News Agency shall dispose of the property of the News Agency according to a

²⁾ § 4 Sect. 2 Letter d) of Act No. 395/2002 Coll. on archives and registries and on supplementation of certain acts as amended.

³⁾ For example § 3 Sect. 1 Letter e) of Act No. 275/2006 Coll. on information systems of public administration and on amendment and supplementation of certain acts as amended, § 70 Sect. 2 of Act of the National Council of the Slovak Republic No. 38/1993 Coll. on the organisation of the Constitutional Court of the Slovak Republic and proceedings before the Court as amended.

⁴⁾ § 86 of the Commercial Code.

special regulation,⁵⁾ unless otherwise provided by this act.

(2) The property of the News Agency is represented by the aggregate of assets, i.e. real estate, movable things, receivables, other rights and other values assessable in money.

(3) The News Agency shall be obliged to use the property pursuant to Section 2 for performance of its tasks provided herein, to keep the property in proper condition, to use all legal means to protect it and to take care that no damage, loss or misuse of it occurs. The News Agency shall be obliged to dispose of its property, which does not serve and will not serve in the future for performance of its tasks, purposefully, pursuant to § 12 Sect. 1 Letter h) and as economically as possible.

(4) Property of the News Agency acquired pursuant to § 17 Sect. 2 shall not be subject to execution according to special regulations.⁶⁾

(5) The News Agency shall draw up a budget consisting of receipts and expenditures for a calendar year and it shall manage on the basis of the budget.

(6) Financial resources, which the News Agency manages, can be used only for the purposes pursuant to this act and in necessary scope.

(7) The News Agency cannot use the financial resources from the state budget for undertaking according to § 4. The costs of undertaking and revenues from undertaking of the News Agency shall not be budgeted. The costs of undertaking must be covered by the revenues from such undertaking. If this condition is not fulfilled during three successive calendar years, the undertaking must be terminated and the loss incurred may be covered from the reserve fund. Separate analytical records shall be kept on undertaking in accounting and resources from undertaking shall be on a separate account in the State Treasury,⁷⁾ bank or branch of a foreign bank.⁸⁾

(8) Financial resources and the property of the News Agency cannot be used for financing of a political party, political movement or in favour of an electoral candidate.

(9) The News Agency may use the real estate, movable things or financial resources for the purpose of a partnership deed,⁹⁾ only if the agreed purpose of the partnership is related to the principal activity of the News Agency.

⁵⁾ Act No. 176/2004 Coll. on disposal of property of public institutions and on amendment to Act of the National Council of the Slovak Republic No. 259/1993 Coll. on the Slovak Forestry Chamber as amended by Act No. 464/2002 Coll. as amended by Act No. 581/2004 Coll.

⁶⁾ § 57 Sect. 1 Letter d) and § 114 of Act of the National Council of the Slovak Republic No. 233/1995 Coll. on court executors and execution proceedings (Execution Rules) and on amendment and supplementation of other acts as amended.

§ 80 Sect. 1 Letter g) a § 84d of Act of the Slovak National Council No. 511/1992 Coll. on tax and fee administration and on changes in the system of territorial financial bodies as amended.

⁷⁾ § 2a Sect. 1 Letter m) of Act No. 291/2002 Coll. on the state treasury system and on amendment and supplementation of certain acts as amended.

⁸⁾ § 2 Sect. 1, 5 and 8 of Act No. 483/2001 Coll. on banks and on amendment and supplementation of certain acts as amended.

⁹⁾ § 829 to 841 of the Civil Code.

(10) The News Agency shall keep accounts according to a special regulation.¹⁰⁾ Financial statements shall be verified by an auditor.¹¹⁾ The financial statements verified by an auditor and approved by the Board of Directors shall be published by the News Agency in the Commercial Journal¹²⁾ no later than by 30 April of the accounting period immediately following the period of the financial statements.

(11) The News Agency shall work out Annual Reports. Annual Reports on activities and economy of the News Agency must, in addition to compulsory particulars¹³⁾ contain

- a) Summary and evaluation of performance of tasks resulting from the principal activity of the News Agency and duties provided by this act and special regulations,³⁾
- b) Summary of economy results of the principal activity and business activity,
- c) Opinion of the Board of Directors on the evaluation of performance of principal tasks of the News Agency and on the economy results of the News Agency,
- d) Changes of the composition of the News Agency bodies, which occurred in the course of year and
- e) Other important information on the activity of the News Agency.

(12) The News Agency shall publish its Annual Report on activities and economy, negotiated by the National Council of the Slovak Republic (hereinafter “National Council“) at its Internet site.

(13) The News Agency shall provide its services for consideration, except the services for which an allowance pursuant to § 6 Sect. 1 Letter b) is provided.

(14) Economy of the News Agency shall be checked pursuant to special regulations.¹⁴⁾

§ 6 News Agency Financing

(1) Income of the News Agency shall include

- a) Income from principal activities,
- b) Contribution from the state budget pursuant to the act on state budget for the respective year, determined for the provision of services in the public interest pursuant to § 3 Sect. 5 on the basis of a contract for the provision of services in the public interest,
- c) Contribution from the state budget pursuant to the act on state budget for the respective year for capital expenditures, determined for the implementation of special purpose investment projects in the public interest,
- d) Income from business activities,
- e) Financial resources from state special purpose funds and resources of the European Union,
- f) Revenues from sales and lease of the property of the News Agency,

¹⁰⁾ Act No. 431/2002 Coll. on accounting as amended.

¹¹⁾ § 2 Sect. 2 of Act No. 540/2007 Coll. on auditors, audit and audit oversight and on amendment and supplementation of Act No. 431/2002 Coll. on accounting as amended.

¹²⁾ § 1 Sect. 2 of Regulation of the Government of the Slovak Republic No. 42/2004 Coll. on Commercial Journal as amended.

¹³⁾ § 20 of Act No. 431/2002 Coll.

¹⁴⁾ For example § 2 Sect. 1 Letter b) of Act of the National Council of the Slovak Republic No. 39/1993 Coll. on the Supreme Audit Office of the Slovak Republic as amended, Act No. 502/2001 Coll. on financial control and internal audit and on amendment and supplementation of certain acts as amended by Act No. 618/2004 Coll.

- g) Interests from deposits in banks or branches of foreign banks,⁸⁾ except the interests from the state budget resources, interests from capital participation and financial assets,
- h) Gifts,
- i) Other income.

(2) Contract for the provision of services in the public interest shall be a contract between the Ministry of Culture of the Slovak Republic (hereinafter “Ministry”) and the News Agency. The contract shall be concluded within 60 days following the effective date of the act on state budget for the respective year. The contract shall be concluded for one to three budget years and it shall contain the specification of

- a) The amount of contribution from the state budget and the method of payment thereof,
- b) The assumed amount and structure of costs,
- c) The type of expenses, which can be financed from the state budget contribution,
- d) The scope of services pursuant to § 3 Sect. 5,
- e) Other particulars.

(3) The Ministry shall carry out the inspection¹⁵⁾ of performance of the contract for the provision of services in the public interest.

(4) Financial resources of the News Agency shall be kept on the accounts established in the State Treasury⁷⁾, bank or branch of a foreign bank.⁸⁾

§ 7 Reserve Fund

(1) The News Agency shall create a reserve fund.

(2) The reserve fund shall be created

- a) From the after-tax profit from the principal activity of the News Agency,
- b) From the after-tax profit from the business activity of the News Agency.

(3) The reserve fund shall be used to

- a) Cover the loss from the principal activity of the News Agency,
- b) Cover the loss from the business activity of the News Agency.

Bodies of the News Agency

§ 8

The bodies of the News Agency shall be as follows:

- a) Board of Directors,
- b) General Director.

§ 9 Board of Directors

(1) The Board of Directors has five members and consists of

- a) An expert in law, expert in economics, expert in journalism and expert in information

¹⁵⁾ Act of the National Council of the Slovak Republic No. 10/1996 Coll. on inspection in state administration as amended.

technologies, who are elected and removed by the National Council from candidates for members of the Board of Directors, suggested by the respective committee of the National Council,

- b) One member, who is elected and removed by employees of the News Agency from the employees of the News Agency in employment; the General Director cannot be a member of the Board of Directors.

(2) Candidates for members of the Board of Directors pursuant to Section 1 Letter a) shall be submitted to the respective committee of the National Council by members of parliament or legal entities operating in the area of media, culture, audio-vision, science, education, information technologies, development and protection of spiritual values, human rights, representing professional associations, national minorities or ethnical groups or registered churches and religious communities. A natural person with second-degree university education, at least five years of professional experience and three years of managerial experience in the required area shall be considered to be an expert.

(3) A national of the Slovak Republic with full competency to perform legal acts and impeccable can become a member of the Board of Directors. For the purpose of this act, an impeccable person shall mean a person who has not been lawfully sentenced for a premeditated criminal act. Impeccability shall be proved by an abstract from criminal register no older than three months.

(4) Member of the Board of Directors must not perform a function in a political party or political movement, act on behalf of them or act in favour of them.

(5) Member of the Board of Directors must not be

- a) A publisher of periodical press,¹⁶⁾ a person searching and processing information with the aim to mediate it for consideration in agency news to the public, statutory bodies or members of statutory body, managing body, control body, supervisory body of such persons, or an employee of such persons, except the member of the Board of Directors pursuant to Section 1 Letter b), nor he/she can run a business in this area,
- b) A broadcaster of a programme service or operator of retransmission,¹⁷⁾ statutory body or a member of statutory body, managing body, control body, supervisory body or an employee of such persons, nor he/she can run a business in this area or
- c) An owner, co-owner or statutory body or a member of statutory body, managing body, control body, supervisory body of the person providing services connected with advertising and promotion or marketing communication.

(6) Members of the Board of Directors shall be obliged to inform immediately the Chairman of the Board of Directors in writing of any change of facts pursuant to Sections 3 to 5. The Chairman of the Board of Directors shall be obliged to inform immediately the Vice-Chairman of the Board of Directors in writing of any change of facts pursuant to Sections 3 to 5.

(7) When performing the function of member of the Board of Directors, members of the Board of Directors shall be obliged to act without bias and to refrain from performance, which

¹⁶⁾ § 2 Sect. 3 of Act No. 167/2008 Coll. on periodicals and agency news service and on amendment and supplementation of certain acts (the Press Act)

¹⁷⁾ § 2 and 3 of Act No. 308/2000 Coll. on broadcasting and retransmission and on amendment to Act No. 195/2000 Coll. on telecommunications as amended.

would prefer the personal interest to the public interest. Membership in the Board of Directors is unsubstitutable.

(8) Performance of the function of member of the Board of Directors shall be considered to be other act in the general interest.¹⁸⁾

(9) Members of the Board of Directors shall be entitled to reimbursement of expenses connected with the performance of this function according to a special regulation.¹⁹⁾

(10) Members of the Board of Directors shall be entitled to a monthly remuneration for the performance of this function in the amount of the average monthly nominal salary of employee in the economy of the Slovak Republic published by the Statistical Office of the Slovak Republic for the previous calendar year.

(11) The member of the Board of Directors performing the function of the Chairman of the Board of Directors or Vice-Chairman of the Board of Directors shall be entitled to a functional extra fee for the performance of this function. The functional extra fee for the Chairman of the Board of Directors shall amount to 25 % of the monthly remuneration and for the Vice-Chairman of the Board of Directors to 10 % of the monthly remuneration. The member of the Board of Directors performing a function in the Board of Directors shall be entitled to the functional extra fee for each month when the function is performed.

§ 10

Term of Office of Members of the Board of Directors

(1) Term of office of members of the Board of Directors shall be five years. A member of the Board of Directors can be re-elected for maximum two successive terms of office.

(2) If membership in the Board of Directors ends before the expiration of the term of office because of the reasons pursuant to § 11 Sect. 1 Letters b) to e), a new member of the Board of Directors shall be elected for the rest of the term of office of the substituted member of the Board of Directors.

§ 11

Termination of Function Performance of Members of the Board of Directors

- (1) Performance of function of a member of the Board of Directors shall be terminated
- a) After the expiration of the term of office,
 - b) By resignation of the member of the Board of Directors; the membership shall cease to exist on the date of delivery of the notice of resignation to the Chairman of the Board of Directors, if the Chairman of the Board of Directors resigns, on the date of delivery of the notice of resignation to the Vice-Chairman of the Board of Directors,
 - c) By removing the member of the Board of Directors from the function,
 - d) By death of the member of the Board of Directors or by declaring him/her dead,
 - e) By ending the employment of the member of the Board of Directors pursuant to § 9 Sect. 1 Letter b).

¹⁸⁾ § 136 and § 137 Sect. 1 of Labour Code

¹⁹⁾ Act No. 283/2002 Coll. on reimbursement of travel expenses as amended.

(2) The National Council shall remove a member of the Board of Directors pursuant to § 9 Sect. 1 Letter a) or the News Agency employees shall remove a member of the Board of Directors pursuant to § 9 Sect. 1 Letter b), if

- a) He/she performs function or activity incompatible with the function of member of the Board of Directors pursuant to § 9 Sect. 4 or 5,
- b) He/she was lawfully sentenced for a premeditated criminal act or for a criminal act, for which the execution of punishment of imprisonment was not conditionally reprieved,
- c) He/she was lawfully deprived of the competency to perform legal acts or his/her competency to perform legal acts was lawfully restricted,
- d) He/she does not perform the function of member of the Board of Directors for at least three successive calendar months or
- e) He/she lost the citizenship of the Slovak Republic.

(3) If facts pursuant to Section 1 Letter b) or d) or facts pursuant to Section 2 occur, the Chairman of the Board of Directors shall be obliged to communicate this fact immediately to

- a) The Chairman of the National Council, if a member of the Board of Directors is concerned pursuant to § 9 Sect. 1 Letter a) or
- b) The General Director, if a member of the Board of Directors elected pursuant to § 9 Sect. 1 Letter b) is concerned.

§ 12

Sphere of Authority of the Board of Directors

(1) The Board of Directors

- a) Supervises the observance of this act and fulfilment of tasks for the News Agency resulting from special regulations,³⁾
- b) Elects and removes the General Director and specifies remunerations for him/her, where the summary of annual remunerations must not exceed the amount of annual wage,
- c) Approves the statute of the News Agency, organisational rules of the News Agency and the statute of editors and co-workers of the News Agency,
- d) Approves long-term plans and concepts of development of the News Agency, submitted by the General Director pursuant to § 13 Sect. 5 Letter a),
- e) Negotiates and approves draft budgets of the News Agency, financial statements as well as proposals for using the reserve fund,
- f) Negotiates and approves Annual Reports on activity and economy of the News Agency and submits them for negotiation to the National Council by 30 April of the following calendar year,
- g) Approves draft business plans pursuant to § 4 Sect. 2 and proposals pursuant to § 5 Sect. 9,
- h) Approves proposals of the General Director for transfers of ownership right to redundant real estate or movable things with the cost of acquisition higher than SKK 500,000 and depreciated value kept in accounting pursuant to special regulation¹⁰⁾ higher than SKK 300,000,
- i) Approves the rule of procedure of the Board of Directors,
- j) Elects and removes the Chairman of the Board of Directors and the Vice-Chairman of the Board of Directors from its members,
- k) Controls the economy of the News Agency and controls the disposal of its property,
- l) Negotiates proposals, suggestions and complaints regarding the activity of the News Agency, addressed to the Board of Directors and proposes corrective measures in the

event of a violation of duties of the News Agency pursuant to this act or pursuant to special regulations,³⁾

- m) Approves the conclusion of the contract for the provision of services in the public interest,
- n) Determines a statutory body of the News Agency from employees of the News Agency, if performance of the function of the General Director ends according to § 16 and the General Director did not determine his/her substitute pursuant to § 13 Sect. 4.

(2) In performing their activities pursuant to Section 1 Letter k), the members of the Board of Directors shall be authorised to inspect all accounting, economic, financial and other documents and legal documents connected with the economy of the News Agency and with the disposal of the property of the News Agency.

§ 13 General Director

(1) General Director is a statutory body of the News Agency, who manages its activities and acts on behalf of it.

(2) Term of office of the General Director shall start on a day specified in the decision of the Board of Directors on the election of General Director pursuant to § 12 Sect. 1 Letter b) and shall last five years. The General Director can be re-elected for maximum two successive terms of office.

(3) The General Director shall be entitled to monthly salary equal to double the salary of a member of the National Council.²⁰⁾

(4) The General Director, for the case of absence, shall specify in writing his/her substitute from employees of the News Agency. The substitute of the General Director shall perform tasks of the General Director also in the event that performance of the function of the General Director ends before the expiration of his/her term of office, until a new General Director is elected.

(5) The General Director makes decisions on all issues regarding the New Agency, which, pursuant to this act, do not fall under the sphere of authority of the Board of Directors. In particular, the General Director:

- a) Submits draft long-term plans and concepts of development of the News Agency to the Board of Directors for approval,
- b) Submits draft budgets including the draft budget for ensuring the activity of the Board of Directors, proposals for using the reserve fund and draft financial statements to the Board of Directors for negotiation and approval,
- c) Approves the Working Regulations of the News Agency,
- d) Each year by 15 April, submits to the Board of Directors the Annual Report on the activity and economy of the News Agency pursuant to § 5 Sect. 11,
- e) Within specified periods, assures performance of measures proposed by the Board of Directors or respective inspection body to rectify a violation of duties of the News Agency provided by this act or special regulation,³⁾
- f) Submits to the Board of Directors draft business plans pursuant to § 4 Sect. 2 and

²⁰⁾ § 2 Sect. 1 of Act of the National Council of the Slovak Republic No. 120/1993 Coll. on salaries of certain constitutional officials of the Slovak Republic as amended.

proposals pursuant to § 5 Sect. 9, as well as proposals pursuant to § 12 Sect. 1 Letter c) a h).

(6) The General Director shall have the right to participate in all sessions of the Board of Directors, except the election of the General Director.

§ 14

Conditions for Performance of the Function of General Director

(1) A natural person can be elected General Director, if he/she

- a) Meets the conditions pursuant to § 9 Sect. 3,
- b) Has second-degree university education,
- c) Has at least five years of experience in managing,
- d) Does not perform a function or activity pursuant to § 9 Sect. 4 or 5.

(2) The General Director shall be obliged to inform immediately the Board of Directors in writing of any change of facts pursuant to Section 1 Letter a) and d).

§ 15

Election of the General Director

(1) The General Director shall be elected by the Board of Directors by public voting by absolute majority of all votes of members of the Board of Directors on the basis of public hearing of registered candidates.

(2) The Board of Directors shall publish a notice of public hearing for filling the vacant position of the General Director no later than 90 days before the expiration of the term of office of the General Director in press or other mass information means.

(3) If the performance of function of the General Director ends before the expiration of his/her term of office, the Board of Directors shall be obliged to publish a notice of public hearing pursuant to Section 2 within 15 days following the end of performance of the function of General Director.

§ 16

Termination of Performance of Function of the General Director

(1) Performance of function of the General Director shall be terminated

- a) After the expiration of the term of office of the General Director,
- b) By resignation of the General Director; the performance of function shall cease on the date of delivery of the notice of resignation to the Chairman of the Board of Directors,
- c) By removing the General Director from the function or
- d) By death of the General Director or by declaring him/her dead.

(2) The Board of Directors shall remove the General Director from function if

- a) He/she lost the citizenship of the Slovak Republic,
- b) He/she was lawfully sentenced for a premeditated criminal act or for a criminal act, for which the execution of punishment of imprisonment was not conditionally reprieved,
- c) He/she was lawfully deprived of the competency to perform legal acts or his/her competency to perform legal acts was lawfully restricted or

d) He/she performs function or activity incompatible with the function of the General Director pursuant to § 14 Sect. 1 Letter d).

(3) The Board of Directors may remove the General Director if

- a) He/she does not perform his/her function for at least three successive calendar months,
- b) The Board of Directors during six successive calendar months in its resolutions states at least two times that the News Agency fails to fulfil its tasks and duties provided by this act or special regulations,³⁾ of which the General Director was repeatedly advised by the Board of Directors,
- c) He/she fails to fulfil the duties pursuant to § 13 Sect. 5 Letter d) or pursuant to a special regulation²¹⁾.

(4) The Board of Directors makes decision on removing the General Director by public voting by absolute majority of all votes of members of the Board of Directors.

§ 17

Transitional and Final Provisions

(1) The News Agency of the Slovak Republic – Slovakia established pursuant to Act of the Slovak National Council No. 81/1992 Coll. on the Czech-Slovak News Agency of the Slovak Republic as amended by Act No. 442/2003 Coll. shall be the News Agency pursuant to this act.

(2) Property of the Slovak Republic and other property rights of the Slovak Republic, that are as of 31 December 2008 under administration of the News Agency of the Slovak Republic – Slovakia, shall pass to the ownership of the News Agency from 1 January 2009. Liabilities of news agency related to the property and other property rights under administration of the News Agency of the Slovak Republic – Slovakia shall pass to the News Agency from 1 January 2009.

(3) Rights and duties of the News Agency of the Slovak Republic – Slovakia, resulting from labour relations as of 31 December 2008 shall be performed from 1 January 2009 by the News Agency.

(4) Rights to the subjects of protection pursuant to the Copyright Act²²⁾ and other intellectual property rights, exercised by the News Agency of the Slovak Republic – Slovakia as of 31 December 2008, shall be exercised from 1 January 2009 by the News Agency.

(5) The text of § 12 Section 1 Letter m) shall not relate to the contract for the provision of services in the public interest concluded before all members of the first Board of Directors have been elected.

(6) Suggested names of candidates for members of the Board of Directors pursuant to § 9 Sect. 1 Letter a) shall be submitted to the respective committee of the National Council by 31 January 2009. Employees of the Press Agency shall elect the member of the Board of Directors pursuant to § 9 Sect. 1 Letter b) by 28 February 2009.

²¹⁾ Constitutional Act No. 357/2004 Coll. on the protection of public interest in the exercise of office by public officials as amended by Act No. 545/2005 Coll.

²²⁾ Act No. 618/2003 Coll. on copyright and rights related to copyright (the Copyright Act) as amended.

(7) The General Director of the Slovak Republic – Slovakia appointed pursuant to Act of the Slovak National Council No. 81/1992 Coll. on the Czech-Slovak News Agency of the Slovak Republic as amended by Act No. 442/2003 Coll., who performs the function of the General Director as of 31 December 2008, shall be considered the General Director pursuant to this act. The term of office of this General Director shall expire on the date when the General Director pursuant to § 15 has been elected.

(8) The Board of Directors shall be obliged to publish a notice of public hearing for filling the vacant position of the General Director pursuant to § 15 Sect. 2 within 15 days after all members of the Board of Directors have been elected.

§ 18 Repealing Provision

Act of the Slovak National Council No. 81/1992 Coll. on the Czech-Slovak News Agency of the Slovak Republic as amended by Act No. 442/2003 Coll. shall be repealed.

Article II

Act No. 275/2006 Coll. on information systems of public administration and on amendment and supplementation of certain acts as amended by Act No. 678/2006 Coll. shall be amended as follows:

In § 3 Sect. 1 Letter e), the words “News Agency of the Slovak Republic – Slovakia“ shall be replaced by the words “News Agency of the Slovak Republic“.

Article III

Act No. 553/2003 Coll. on the remuneration of certain employees for work in the public interest and on amendment and supplementation of certain acts as amended by Act No. 369/2004 Z. z., Act No. 81/2005 Coll., Act No. 131/2005 Coll., Act No. 204/2005 Coll., Act No. 628/2005 Coll., Act No. 231/2006 Coll., Act No. 348/2007 Coll., Act No. 519/2007 Coll., Act No. 630/2007 Coll. a Act No. 245/2008 Coll. shall be amended as follows:

In § 1 Sect. 1 Letter c), the comma after the word “philharmonic orchestra“ shall be replaced by the conjunction “and” and the words “and of the News Agency of the Slovak Republic – Slovakia“ shall be left out.

Article IV

This act shall become effective on 1 January 2009.