SLOVAK REPUBLIC

Annual Report on Consumer Policy Developments

2000

1. Introduction

The Slovak Republic is highly interested in strengthening and improving consumer protection policy in connection with implementing EU Directives and OECD Recommendations.

General principles and aims of consumer protection policy in the Slovak Republic are:
- protection of life safety, health and economic interests of consumers
- protection of consumers against unfair competition
- promotion of non-governmental consumer organizations
- promotion of better consumer information system (consumer rights when buying goods and services)

Consumer protection policy requires continual following of new trends in consumer protection in connection with new technologies, e.g. promotion of electronic business development, labeling products that are safe to environment, etc. as well as improvement of enforcement of law for consumers.

2. Legal framework

Basis for enforcement of consumer protection policy are created through basic consumer rights in protection of health and safety, economic interests, information and education, redress, and consumer representation.

1. Product safety

Product safety is one of the most important tasks in the consumer protection policy. Key legislation applying to this matter in the Slovak Republic is:

- Act no. 264/1999 Coll. on Technical requirements for products and conformity assessment. There were 9 regulations of the Slovak Government issued to this Act, e.g. technical requirements for toys, machine equipment, electric equipment used within a specified range of voltage, gas appliances, etc.
Decree of Ministry of Economy of the Slovak Republic no. 18/1999 Coll. on labelling, composition and care of textile products implementing the EU Directive on textile names (96/47/EC as amended by 97/37/EC).
- Decree of Ministry of Economy of the Slovak Republic no. 105/2001 Coll. on labelling material components of footwear implementing the EU Directive on the labelling of the materials used in the main components of footwear for sale to the consumer (94/11/EC).
- Decree of Ministry of Economy of the Slovak Republic no. 106/2001 Coll. on labelling material components of crystal glass implementing the EU Directive on the approximation of the laws relating to crystal glass (69/493/EEC).

2. Protection of the economic interests of consumers

Consumer protection of the economic interests of consumers is covered by several acts:

- New Act on Advertising implementing the EU Directive concerning misleading advertising (84/450/EEC as amended by 97/55/EC) and the Directive on comparative advertising (84/450/EEC as amended by 97/55/EC) which is supposed to be in force from May 1st, 2001

3. Other legislative norms concerning consumer and health protection

- Act. no. 40/1964 Coll. as amended - Civil Code
- Act no. 274/1993 Coll. on the Scope of competence of relevant bodies in consumers protection matters as amended
- Act no. 272/1994 Coll. on Health protection as amended
- Act no. 18/1996 Coll. on Prices
- Act no. 152/1995 Coll. on Foodstuffs

4. Legal framework concerning economic interests of consumers being under the legislation process

1. New draft act on consumer credits implementing the EU Directive concerning consumer credits (87/102/EEC as amended by 90/88/EEC and 98/2/EC)
2. New act on entrepreneurial conditions in tourism implementing the EU Directive on package travel, package holidays and package tours (90/314/EEC)

3. Institutional Framework
From the institutional point of view, Slovak Republic has at its disposal a system of consumers protection bodies which adequately enforce the applicable legislation.

The central state administration authority in charge of the matters relating to consumer protection is Ministry of Economy of the Slovak Republic, department of consumer protection. Department of consumer protection is also a contact point for TRAPEX information system (system of rapid exchange of information on dangerous products in the CEE countries) for non-food products.

Competence of the Ministry extends over the state administration bodies working in this field. Supervision in the consumer protection is provided for in Act no. 274/1993 coll. on the Scope of competence of relevant bodies in consumer protection matters as amended, Act no. 70/1986 on the Slovak Agricultural and Food Inspection as amended, and Act no. 71/1986 Coll. on the Slovak Trade Inspection as amended.

There are other bodies active in the consumer protection policy:

- Slovak Trade Inspection,
- local state administration authorities - district and regional authorities,
- Slovak Agricultural and Food Inspection,
- State Veterinary Administration of the Slovak Republic,
- public health institutes,
- price control bodies.

General supervision over the implementation of Consumer Protection Act No. 634/1992 Coll. as amended is performed by the Slovak Trade Inspection and by the small traders’ and consumer protection departments of district and regional authorities within the meaning of Act No. 274/1993 Coll. on the Scope of competence of relevant bodies in consumer protection matters as amended.

1. Slovak Trade Inspection

Slovak Trade Inspection is in charge of market surveillance. It works under the competence of Ministry of Economy of the Slovak Republic. Its 8 regional inspectorates are subordinated to the Bratislava-based Central STI Inspectorate. Slovak Trade Inspection is an independent market surveillance body established under Act no. 71/1986 Coll. on Slovak Trade Inspection as amended by Act no. 417/1991 Coll. - its complete wording was promulgated under the Act no. 32/1992 Coll.

Slovak Trade Inspection acts as an authority having general competence over market surveillance in the consumer protection matters in conformity with Act no. 274/1993 Coll. on the Scope of competence of relevant bodies in consumer protection matters as amended, and oversees the implementation of the Consumer Protection Act no. 634/1992 Coll. as amended, and implementation of regulations and decrees issued under the Consumer Protection Act. At the same time, it acts as a price control body in compliance with Price Act no. 18/1996 Coll. Slovak Trade Inspection is also an executive body within the TRAPEX information system.

Slovak Trade Inspection acts also as a market surveillance body for non-food products under Act no. 264/1999 Coll. on Technical requirements for products and conformity assessment. Slovak Trade Inspection performs technical inspection of products introduced to the market in correspondence with conformity assessment procedures and relevant decrees of the Slovak Government.
2. **Local state administration authorities - regional and district authorities, small traders’ and consumer protection departments**

Local state administration authorities perform supervision over consumer protection matters under Act no. 634/1992 Coll. on Consumer protection as amended, Act no. 274/1993 Coll. on the Scope of competence of relevant bodies in consumer protection matters as amended (except for price control), and Act no. 222/1996 Coll. on the Organisation of local state administration. Dividing of the State administration authorities corresponds with the territorial structure of 8 regional authorities and 79 district authorities. Due to the structure of regional and district authorities, supervision over consumer protection matters is performed by Small Traders’ and Consumer Protection Departments and, more specifically, consumer protection sections. The supervision is executed at the level of district authorities and regional authorities serve as appealing bodies for the complaints against decisions of district authorities.

3. **Slovak Agricultural and Food Inspection**

Slovak Agricultural and Food Inspection established by Act no. 70/1986 Coll. on Slovak Agricultural and Food Inspection, performs food inspection upon the Act no. 152/1995 Coll. on Foodstuffs. The inspection covers production of foodstuffs of plant origin, beverages, including foodstuffs containing ingredients of animal origin (mixed origin) and their handling, and oversees also production of tobacco products and cosmetics, handling and sale of them including. Slovak Agricultural and Food Inspection also performs conformity assessment of foodstuffs prior to placing them on the market according the Act no. 264/1999 Coll. on Technical requirements for products and conformity assessment. Slovak Agricultural and Food Inspection has 1 central inspectorate based in Bratislava and 8 regional inspectorates.

4. **State Veterinary Administration of the Slovak Republic**

State Veterinary Administration of the Slovak Republic realises food inspection under the Act no. 152/1995 Coll on Foodstuffs as amended, in the production, handling and market placing of foodstuffs of animal origin, market placing of meat cuts, game, fresh-water fish, except for public catering and activities presenting epidemiological risks. State Veterinary Administration of the Slovak Republic also performs State administration in the area of veterinary care within the Act no. 337/1998 Coll. on Veterinary care.

State Veterinary Administration has one central office in Bratislava, 8 regional veterinary administrations, 79 district veterinary administration, 8 state veterinary institutes, 1 Institute for Veterinary Hygiene and Environment, 1 Institute for the Inspection of Veterinary Biopreparations and Medications, 20 Border Veterinary Stations and 1 Institute for Post-graduate Training of Veterinary Doctors. Food inspection is performed by regional veterinary administrations.

5. Public Health Institutions

Public health institutions function as control authorities and perform foodstuff control under Act no. 152/1995 Coll. on Foodstuff as amended, as well as public health control under Act no. 272/1994 Coll. on the Protection of public health as amended. Control is performed also by health protection authorities (district hygiene officers).

6. Price Control Bodies

Under the Price Act no. 18/1996 Coll., price control is carried out by:

- Ministry of Finance of the Slovak Republic
- District Authorities
- Financial Control Administrations
- Slovak Trade Inspection.

In the Financial Control Administration system, price control is performed according Price Act no. 18/1996 Coll., Decree of the Ministry of Finance of the Slovak Republic no. 87/1996 Coll. implementing the Price Act, and price regulation decrees issued by the Ministry of Finance of the Slovak Republic.

Price control focuses mainly on the fixing and application of prices regulated by the State. The widest group of regulated prices includes the prices that are subject to regulation and maximum prices charged by the suppliers of heat to housing management organisations.

4. Consumer Organisations

There are two umbrella non-governmental consumer organisations working in the Slovak Republic:

- Association of Slovak Consumers
- Association of Consumer Entities of Slovakia.

Except the above mentioned umbrella consumer organisations there are several independent regional consumer organisations.

The consumer organisations are in contact with Ministry of Economy of the Slovak Republic and their activities are realised with correspondence to Sections 26 and 26a of Act no. 634/1992 Coll. on Consumer protection, as amended. The consumer organisations carry out their activities through regional advisory centres in the Slovak Republic (approx. 50 advisory centres).

Under the Act no. 634/1992 Coll on Consumer protection as amended, the consumer organisations have the right to:

- participate in the development and supervision of the implementation of State consumer policy,
− participate in the drafting and commenting of legal norms adopted to protect the consumers,
− submit petitions to State administration bodies and market surveillance authorities in the matters related to consumer protection,
− mediate the settlement of disputes between consumers and sellers.

The advisory activities deal mostly with:
- complaints on annual cost housing bills,
- complaints on costs of heat and water supply,
- complaints on telecommunication services,
- complaints on quality consumer goods,
- complaints on construction works,
- complaints on services of travel agencies,
- complaints on services provided by bank and insurance companies,
- complaints on services of restaurants.

Both umbrella consumer organisations are members of the Consumer Policy Council - advisory body to the Minister of Economy of the Slovak Republic on consumer protection matters.

Ministry of Economy of the Slovak Republic provides financial assistance to consumer organisations to help them in their consumer protection activities.