

312/2002 Coll.

ACT

of 13 June 2002

on officials of territorial self-governing units and amending certain other acts

Amendment: [46/2004 Coll.](#)
Amendment: [234/2006 Coll.](#)
Amendment: [264/2006 Coll.](#)
Amendment: [227/2009 Coll.](#)
Amendment: [365/2011 Coll.](#), [420/2011 Coll.](#)
Amendment: [89/2012 Coll.](#)
Amendment: [250/2014 Coll.](#)
Amendment: [183/2017 Coll.](#)

The Parliament has adopted the following Act of the Czech Republic:

PART ONE

OFFICIALS OF TERRITORIAL SELF-GOVERNING UNITS

CHAPTER I

INITIAL PROVISIONS

Section 1 [\[Comments WK\]](#) [\[DZ\]](#)

Scope of Regulation

- (1) This Act regulates the employment and education of the officials of territorial self-governing units.
- (2) The employment relations of officials of territorial self-governing units are governed by the Labour Code, unless this Act stipulates otherwise.
- (3) This Act shall not apply to the employees of a territorial self-governing unit who
- a) are assigned to its organizational units (branches), 1)
 - b) are only assigned to its special bodies, 2)
 - c) exclusively perform or manage the performance of auxiliary, service or manual work.

Section 2 [\[Comments WK\]](#)

Basic Definitions

- (1) A territorial self-governing unit means a municipality and a region and, for the purposes of this Act, also the capital city of Prague, a town, a statutory city and a city district of the capital city of Prague.
- (2) For the purposes of this Act, an authority means a municipal authority, a city authority, the city hall (magistrate) of a statutory city, the city hall of a territorially divided statutory city, a city borough authority or a city district authority of a territorially divided statutory city, a regional authority, the City Hall of the Capital City of Prague and a district authority of the Capital City of Prague.
- (3) For the purposes of this Act, administrative activities shall mean the fulfilment of tasks under independent or delegated powers of a territorial self-governing unit under other statutory provisions.
- (4) For the purposes of this Act, an official shall mean an employee of a territorial self-governing unit involved in the performance of administrative activities assigned to the municipal authority, city authority, the city hall (magistrate) of a statutory city, the city hall of a territorially divided statutory city, the city district authority or city borough authority of a territorially divided statutory city, the regional authority, the City Hall of the Capital City of Prague and the district authority of the Capital City of Prague.
- (5) For the purposes of this Act, a senior official shall mean the official who is a senior employee.³⁾

(6) The employment of senior officials is established by appointment. The appointment shall be made by the head of the given authority.

(7) For the purpose of this Act, the head of an authority shall mean the senior official who acts as the secretary of the municipal authority, the secretary of the city hall (magistrate) of a statutory city, the secretary of the city borough or city district authority of a territorially divided statutory city, the director of the regional authority, the director of the City Hall of the Capital City of Prague or the secretary of the district authority of the Capital City of Prague.

(8) In municipalities, city boroughs and city districts where the secretary's office has not been established or where the secretary has not been appointed, the tasks of the head of the authority under this Act shall be fulfilled by the mayor.

Section 3 [\[Comments WK\]](#) [\[DZ\]](#)

Assignment to administrative activities

The head of the authority shall assign a natural person to perform the administrative activities in accordance with the type of work specified in the employment contract.

CHAPTER II

EMPLOYMENT OF AN OFFICIAL

Division 1

Requirements for the Employment of an Official and Requirements for the Appointment of a Head of an Authority

Section 4 [\[Comments WK\]](#) [\[DZ\]](#)

Requirements for the Employment of an Official

(1) Any natural person who is a citizen of the Czech Republic or a foreign citizen with permanent residence in the Czech Republic⁴⁾, has reached the age of 18 years, has legal capacity, has clean criminal record, speaks the official language⁵⁾ and fulfils other requirements for the performance of administrative activities laid down by other statutory provisions may become an official.

(2) For the purposes of this Act, the following person shall not be considered a person with clean criminal record: a natural person who has been convicted by final judgment

(a) for an intentional criminal offense, or

(b) for an unintentional criminal offence due to negligence for actions relating to the performance of public administration, unless the conviction was lawfully deleted in which case the person is deemed to never have been convicted.

(3) An employment contract for the performance of the activities of an official may only be concluded with a natural person meeting the requirements pursuant to paragraph 1; for the appointment of the head of an authority and the appointment of a senior official, other requirements laid down by other statutory provisions have to be fulfilled. 6)

Section 5 [\[Comments WK\]](#) [\[DZ\]](#)

Requirements for the Appointment of the Head of an Authority

(1) The head of an authority may be a natural person who meets the requirements pursuant to [Section 4](#) and who has at least three years' experience

a) as a senior employee, or

b) with the performance of administrative activities as an employee of a territorial self-governing unit or with the performance of state administration as an employee or public servant of the government,

c) in the position of a member of the council of a territorial self-governing unit released for the purposes of the position in a long-term.

(2) The experience requirement pursuant to paragraph 1 must be fulfilled within a period of 8 years immediately preceding the appointment.

Division 2

Public Call and Tender

Section 6 [\[Comments WK\]](#) [\[DZ\]](#)

Public Call

(1) The execution of an employment contract with a person interested in signing an employment contract (hereinafter the "applicant") must be preceded by a public invitation to submit applications (hereinafter the "public call"), unless otherwise provided in this Act [\[Section 7 para. 1\(b\)\]](#). The first sentence does not apply to employment concluded for a definite period of time.

(2) The public call shall include the following information:

- a) the name of the territorial self-governing unit,
- b) type of work and place of work,
- c) the requirements pursuant to [Section 4](#),
- d) other requirements of the territorial self-governing unit for the establishment of an employment relationship corresponding to the nature of the administrative activities to be performed by the applicant,
- e) a list of the documents to be attached to the application (paragraph 4),
- f) the salary grade corresponding to the type of work,
- g) the deadline for submitting applications,
- h) the location and method of submitting applications, and
- i) the address to which the application shall be sent.

(3) An applicant shall submit a written application to the territorial self-governing unit. The application shall contain the following essential elements:

- a) the name, surname and title of the applicant,
- b) the date and place of birth of the applicant,
- c) the nationality of the applicant,
- d) the place of permanent residence of the applicant,
- e) the identity card number or the residence permit number of a foreigner, 4)
- f) the date and signature of the applicant.

(4) The following documents shall be attached to the application:

- a) a curriculum vitae showing the work experience, professional competence and skills concerning administrative activities,
- b) an extract from the Criminal Records Register not older than 3 months; for foreign nationals, a similar document certifying a clean criminal record issued by the home state; if no such document is issued by the home state, the proof of clean criminal record and integrity shall be in the form of an affidavit,
- c) a verified copy of the document supporting the highest level of education attained.

(5) The public call shall be posted on the official board of the authority at least 15 days before the date for the submission of applications and shall be published in a manner allowing for remote access,⁷⁾ the head of the authority shall be responsible for fulfilment of this duty.

(6) If an application does not contain the essential elements set out in paragraph 3 or if the documents referred to in paragraph 4 are not attached to the application, the head of the authority shall invite the applicant to complete the application or submit the missing documents within a reasonable period of time.

(7) Within 15 days from the execution of the employment contract with an applicant on the basis of a public call or from the decision that no employment contract will be signed with any of the applicants, the head of the authority shall prepare a report on the evaluation of applicants; the report will contain the following:

- a) a list of applicants,
- b) a list of applicants excluded from the tender because they did not meet the requirements and conditions set out in the public call or did not complete the application or submit the required documents within the additional period,
- (c) a brief description of the manner of evaluation of the applicants, and
- d) the designation of the applicant with whom the employment contract has been signed or a statement that no contract has been concluded with any of the applicants.

The head of the authority shall make the report available for inspection to all applicants.

(8) The employment contract can only be executed with an applicant who has fulfilled the requirements and conditions set out in the public call, has submitted a complete application and the ID card or the residence permit, if a foreigner,⁴⁾ and other documents pursuant to paragraph 4.

Tender

Section 7 [\[Comments WK\]](#) [\[DZ\]](#)

(1) A tender is a prerequisite for

- a) the appointment of the head of the authority and the senior official,
- b) the establishment of employment for an indefinite period of an official assigned to
 1. the regional authority,
 2. the City Hall of the Capital City of Prague,
 3. the municipal authority of a municipality with extended competence,
 4. the authorized municipal authority,
 5. the district or borough authority of a territorially divided statutory city or the district authority of the Capital City of Prague entrusted with the exercise of delegated powers to the extent of the authorized municipal office.

(2) The notice of a tender (hereinafter the "notice") shall contain the information stipulated in [Section 6 para. 2](#). Where the tender concerns the appointment of a natural person to the position subject to the requirements stipulated in [Section 5](#), such requirements shall be included in the notice. Fulfilment of the requirements pursuant to [Section 5](#) shall be demonstrated by the applicant by an affidavit.

(3) The tender shall be announced by the head of the authority by a notice that will be posted on the official board of the authority of the territorial self-governing unit at least 15 days before the date for submission of applications of applicants for the position of a senior official or applicants for employment as an official pursuant to paragraph 1(b) (hereinafter the "applicant") and, at the same time, published in a manner allowing for remote access.⁷⁾ In the case of a tender for the position of the head of the authority, the notice shall be announced by the head of the regional council, the head of the municipal council or the Mayor.

(4) An applicant shall submit a written application to the territorial self-governing unit. The applicant's application must include the following:

- a) the name, surname and title of the applicant,
- b) the date and place of birth of the applicant,
- c) the nationality of the applicant,
- d) the place of permanent residence of the applicant,
- e) the identity card number or the residence permit number of a foreigner, 4)
- f) the date and signature of the applicant.

(5) The documents stipulated in [Section 6 para. 4](#) shall be attached to the application.

(6) If an application does not contain the essential elements set out in paragraph 4 or if the documents referred to in [Section 6 para. 4](#) are not attached to the application, the head of the authority shall invite the applicant to complete the application or submit the missing documents within a reasonable period of time.

(7) Upon the expiry of the period pursuant to paragraph 3 or paragraph 6, as the case may be, the person stipulated in paragraph 3 shall submit the applications to the tender committee.

Section 8 [\[Comments WK\]](#)

(1) The applicants shall be evaluated by a tender committee. The tender committee has at least 3 members.

(2) The chairman and other members of the tender committee shall be appointed and recalled by the person stipulated in [Section 7 para. 3](#). At least one third of the committee members shall be the officials of the territorial self-governing unit announcing the tender.

(3) The meetings of the tender committee shall be non-public. The tender committee can meet, if the majority of all members is present; decisions are adopted by an absolute majority of the votes of the present members of the tender committee.

Section 9 [\[Comments WK\]](#)

(1) The tender committee shall assess whether an applicant has submitted a complete application and the documents pursuant to [Section 6 para. 4](#) and whether the applicant has fulfilled the requirements pursuant to [Section 4](#), or [Section 5](#), if the application is for the appointment of a senior official. If necessary for the assessment whether the applicants meet the requirements set out in the notice, the tender committee will invite the applicants who have submitted complete applications, including the documents pursuant to [Section 6 para. 4](#), and who meet the requirements pursuant to [Section 4](#), or [Section 5](#), if the application is for the appointment of a senior official, for an interview.

(2) The tender committee shall make a written report on the evaluation of the applicants; the report shall include the following

a) the composition of the tender committee,

b) a list of the applicants,

c) a list of the order of the applicants who have submitted complete applications, including the documents pursuant to [Section 6 para. 4](#), meet the requirements pursuant to [Section 4](#), or [Section 5](#), and meet the requirements set out in the notice.

(3) The report pursuant to paragraph 2 shall be signed by all members of the tender committee present; the chairman of the tender committee shall submit the report together with the file relating to the tender to the person stipulated to in [Section 7 para. 3](#).

(4) Only an applicant included in the list pursuant to paragraph 2(c) may be appointed the head of the authority or a senior official. An employment contract may only be concluded only with an applicant included in the list pursuant to paragraph 2(c).

(5) The head of the authority shall attach to the report pursuant to paragraph 2 a record of the execution of the employment contract or the appointment pursuant to paragraph 4. The person stipulated in [Section 7 para. 3](#) must, upon request, allow the applicant to inspect the report.

(6) The applicant shall bear the costs incurred by the applicant in connection with the participation in the tender.

Division 3

Employment

Section 10 [\[Comments WK\]](#) [\[DZ\]](#)

Term of Employment

(1) The employment of an official shall be established for an indefinite period of time. However, the employment may be concluded for a definite period of time, if there is a reason, i.e. the need to ensure administrative activities for a limited period of time or to replace a temporarily absent official, in particular due to maternity or parental leave, incapacity to work that, pursuant to the medical opinion, may be expected to exceed 3 months, the performance of community or military service or the performance of a public office.

(2) In the employment contract for a definite period of time, the territorial self-governing unit shall stipulate the reason why the employment contract was not concluded for an indefinite period of time. Unless the employment contract or the appointment contains the reasons as stipulated in the first sentence or unless the reason is in accordance with paragraph 1, the employment shall be deemed to be concluded for an indefinite period of time.

Section 11 [\[Comments WK\]](#) [\[DZ\]](#)

Transfer to Alternative Work

If an official fails to prove special professional competence within the deadline stipulated in [Section 21 para. 2](#), the official shall be transferred by the territorial self-governing unit to alternative activity the requirements for which are met by the official.

Section 12 [\[Comments WK\]](#) [\[DZ\]](#)

Dismissal

(1) A senior official or a head of an authority may only be removed from his/her office

(a) if he/she no longer meets any of the requirements pursuant to [Section 4](#),

(b) if he/she has seriously breached any of its statutory obligations or has committed at least two minor breaches of his/her statutory obligations over the last 6 months; or

(c) if he/she has failed to complete the training of senior officials within the time limit pursuant to [Section 27 para. 1](#).

(2) A senior official or head of an authority may also resign to his/her office.

(3) The dismissal (removal) or resignation is only valid if it is in writing and delivered to the other participant. In addition, the dismissal must include the reasons pursuant to paragraph 1, otherwise it is invalid. The performance of the office ends on the day following the receipt of the dismissal or the resignation, unless a later day is provided in the dismissal or resignation.

(4) The employment of a senior official or head of an authority shall not end upon his/her dismissal or resignation; this does not apply if the employment was established by appointment for a definite period of time. The territorial self-governing unit shall propose to the senior official or head of the authority a change of his/her position with the territorial self-governing unit to one that corresponds to his/her health condition and qualification. If the territorial self-governing unit does not have such job/position available for the senior official or head of the authority, or if the job/position offered is refused by the senior official or head of the authority, this shall constitute an obstacle to work on the part of the territorial self-governing unit and, at the same time, a reason for notice pursuant to [Section 52 point \(c\) of the Labour Code](#); the severance pay (redundancy payment) that is

granted to the senior official or head of the authority upon termination of an employment due to organizational changes shall only apply in the event of termination of employment following the dismissal from or resignation to the office of the senior official or head of the authority.

Section 13 [\[Comments WK\]](#) [\[DZ\]](#)

Additional Severance Pay

(1) An official whose employment with the territorial self-governing unit ends by a termination notice served by the territorial self-governing unit for reasons set out in [Section 52 points a\) through c\)](#) of the Labour Code or by agreement for the same reasons shall, in addition to the severance pay pursuant to [Section 67](#) and [68](#) of the Labour Code, be entitled to an additional severance pay in the amount and under the conditions set out in paragraphs 2 through 4.

(2) An additional severance pay shall be payable to an official who, as at the date of termination of employment, has completed the specific number of years of employment. The amount of the additional severance pay shall amount to

(a) twice the average monthly earnings of an official who, at the date of termination of employment, has completed at least 10 years of employment pursuant to paragraph 3,

(b) three times the average monthly earnings of an official who, at the date of termination of employment, has completed at least 15 years of employment pursuant to paragraph 3,

(c) four times the average monthly earnings of an official who, at the date of termination of employment, has completed at least 20 years of employment pursuant to paragraph 3

(3) For the purposes of paragraph 2,

(a) only the period of an official's employment with a territorial self-governing unit that has terminated the employment relationship with the official in the manner provided for in paragraph 1, with another territorial self-governing unit or with an administrative authority after 24 November 1990 shall be included, provided that the employment predominantly involved administrative activities ([Section 2 para. 3](#)),

(b) the period of employment which is a secondary part-time employment shall not be included.

Section 14 [\[Comments WK\]](#) [\[DZ\]](#)

Standby

If a state of danger or emergency or a condition of threat to the State is declared pursuant to other statutory provisions,⁸⁾ the territorial self-governing unit may order an official to be on call ("standby") at the workplace or at another location. On-call time in this case may be ordered if the requirements for overtime work have been met and only for the necessary period that will not exceed 400 hours per calendar year.

Section 15 [\[Comments WK\]](#)

Territorial Self-governing Unit's Liability for Damage to Property

The territorial self-governing unit shall be liable for the damage to property caused to an official also if evidence exists that the damage was caused to an official's property due to the performance of his/her work tasks.

TITLE III

BASIC DUTIES OF AN OFFICIAL

Section 16 [\[Comments WK\]](#) [\[DZ\]](#)

(1) An official shall have the following obligations

a) to observe the constitutional order of the Czech Republic, 9)

b) to comply with the legislation governing the work performed by the official; to comply with other regulations relating to the work performed by the official, if he/she has been duly informed of such regulations,

c) to defend public interest in the performance of administrative activities,

d) to fulfil the instructions of senior officials, unless they are in conflict with the law; if an official believes that an instruction contradicts legal regulations, he/she shall immediately notify the person who instructed him/her in writing or, if there is danger in delay, orally; then the official is obliged to only fulfil the instruction if he/she has received a written instruction to do so from the head of the authority; the official must not execute an instruction or order if it meant committing a crime, an offense or any other administrative delict; the official is obliged to report this fact to the head of the authority in writing without undue delay,

e) to enhance his/her qualification to the extent stipulated by this Act,

f) to act and make decisions impartially, regardless of his/her belief, and, in the performance of his/her work, to refrain from doing anything that might compromise confidence in the impartiality of decision-making,

- g) to refrain from any conduct that may seriously undermine the credibility of the territorial self-governing unit,
- h) to refrain from any acts which might lead to a conflict of public interest with personal interests, in particular the misuse of information acquired in connection with the performance of his/her job for one's own or someone else's benefit,
- i) in the context of performance of the job, to refrain from accepting gifts or other benefits, with the exception of gifts or benefits granted by the territorial self-governing unit by which he/she is employed or by virtue of legislation and collective agreements,
- j) to maintain confidentiality to the extent stipulated by other statutory provisions about the facts, which he/she learned during and in relation to the employment; this does not apply should the official be released from the confidentiality duty; the official may be released from the confidentiality duty by the head of the authority, the senior official authorized by the head of the authority or by the competent administrative authority in accordance with other statutory provisions, unless otherwise stipulated by other statutory provisions, 10)
- k) to provide information about the activity of the territorial self-governing unit in accordance with other statutory provisions¹¹⁾ to the extent given by his/her job,
- l) to communicate, in oral or written communication with natural or legal persons, his/her name, surname, the authority and the department of the authority to which he/she has been assigned to work; the territorial self-governing unit may determine, in the internal rules, the positions and activities for which the above designation may be replaced by the official's identification number,
- m) to notify the territorial self-governing unit that circumstances have arisen that justify a transfer to another job ([Section 11](#)) or a dismissal from the position ([Section 12](#)).

(2) An official is further obliged

- a) to work properly and diligently in accordance with his/her strength, knowledge and capabilities,
- b) to make full use of his/her working hours (working time) and the resources (means of work) for the performance of the work assigned, to properly and timely fulfil his/her work tasks,
- c) to properly manage the resources (means of work) entrusted to him/her by the territorial self-governing unit and to safeguard and protect its property against damage, loss, destruction and misuse, and to refrain from acting contrary to the legitimate interests of the territorial self-governing unit,
- d) to observe the rules of ethics in official negotiations and toward other employees engaged in public administration.

(3) An official may not be a member of the management, supervisory or controlling body of a business legal entity. This is not the case if the official is appointed to the body by the territorial self-governing unit of which he/she is an employee. An official who has been assigned to such body by the territorial self-governing unit shall not be entitled to remuneration for the exercise of the office pursuant to the first sentence. Remuneration shall not be granted even after termination of the employment.

(4) An official may only engage in another gainful activity subject to prior written consent of the territorial self-governing unit of which he/she is an employee.

(5) The restriction set forth in the preceding paragraph does not apply to scientific, pedagogical, journalistic, literary or artistic activities, the activity of an expert or interpreter carried out for a court or administrative authority under other statutory provisions¹²⁾, the activity in government advisory bodies and the administration of own property .

(6) The provision of [Section 301](#) and [303 of the Labour Code](#) shall not apply.

TITLE IV

EDUCATION OF OFFICIALS

Section 17 [\[Comments WK\] \[DZ\]](#)

(1) Enhancement of qualification pursuant to this Act may only be provided by

- a) a legal entity or natural person entitled to carry out educational activities under other statutory provisions that has been accredited pursuant to [Section 30](#) ,
- b) a contributory organization established by the Ministry of the Interior (hereinafter the "Ministry"),
- c) a territorial self-governing unit that has been accredited pursuant [Section 30](#) (hereinafter the "educational institution").

(2) An educational institution shall provide training and education in accordance with the education program accredited pursuant to [Section 31](#) for the relevant type of qualification enhancement ([Section 18 para. 1](#) and [2](#)).

(3) The territorial self-governing unit shall ensure enhancement of qualification of an official through the educational institutions accredited for the relevant education program.

(4) The territorial self-governing unit shall be obliged to ensure enhancement of qualification of an official according to this Act; follow the education plan pursuant to paragraph 5.

(5) The education plan includes the timetable for the enhancement of qualification of an official to the extent of at least 18 working days over the next 3 years. The territorial self-governing unit is obliged to draw up the education plan within 1 year from the establishment of the official's employment, to evaluate fulfilment of the plan at least once every three years and to update the plan according to the results of the evaluation.

Section 18 [\[Comments WK\]](#) [\[DZ\]](#)

(1) An official shall be required to enhance his/her qualifications by participating in the

- a) initial education,
- b) continuing education, and
- c) preparation and verification of special professional competence, unless the Act provides otherwise.

(2) The senior official and the head of the authority shall enhance their qualification also by participating in the training and education of senior officials ([Section 27](#)), unless otherwise provided in this Act.

(3) The territorial self-governing unit shall provide the official with time off work without any compensatory salary for the purposes of retaking the special professional competence examination (hereinafter the "examination").

(4) The costs of enhancing qualification under this Act shall be borne by the territorial self-governing unit; the costs of retaking the examination shall be borne by the official, except for retaking the examination pursuant to [Section 26 para. 1](#).

Section 19 [\[Comments WK\]](#)

Initial Education

(1) Initial education includes

- a) the knowledge of public administration basics, in particular the general principles of public administration and territorial self-governing unit organization and activity, the public law, public finance and European administrative law basics, the rights and obligations and rules of professional conduct of an official,
- b) the basic skills and habits necessary for the performance of administrative activities,
- c) the knowledge of IT use basics,
- d) basic communication, organizational and other skills relevant to his/her job.

(2) The official shall complete the initial education no later than within 3 months from the date of establishment of the employment.

(3) The completion of the initial education shall be proved by a certificate issued by the educational institution that organized the initial education.

(4) The obligation to complete the initial education does not apply to an official with special professional competence.

Section 20 [\[Comments WK\]](#)

Continuing Education

(1) Continuing education includes the enhancement and update of education and specialization training of officials focusing on the performance of administrative activities in the territorial self-governing unit, including the acquisition and enhancement of language skills.

(2) Continuing education has the form of training courses.

(3) The head of the authority shall decide about the participation of an official in individual courses on the basis of the needs of the territorial self-governing unit and taking into account the education plan of the official; the official is required to attend the course.

(4) Attendance of the course which constitutes part of continuing education shall be proved by a certificate issued by the educational institution that organized the course.

Section 21 [\[Comments WK\]](#)

Special Professional Competence

(1) The administrative activities provided for by an implementing regulation shall be ensured by the territorial self-governing unit through officials who have demonstrated special professional competence. In exceptional cases, these activities may also be performed by an official, who does not have special professional competence,

(a) for a maximum of 18 months from the date of establishment of the official's employment with the territorial self-governing unit or from the date of commencement of the activities the performance of which is subject to demonstrating special professional competence;

b) as long as he/she meets the requirements set out in [Section 34 para. 1](#) or [Section 43 para. 10](#).

(2) Special professional competence shall be verified by examination and demonstrated by a certificate. The official is obliged to demonstrate special professional competence to perform the administrative activities stipulated by the implementing legal regulation within 18 months from the establishment of the employment with the territorial self-governing unit or from the date of commencement of the activities the performance of which is subject to demonstrating special professional competence.

(3) Special professional competence shall include a set of the knowledge and skills necessary for carrying out the activities stipulated by the implementing legal regulation. Special professional competence has a general part and a specific part. The general part includes knowledge of the public administration basics, especially the general principles of public administration organization and activities, the knowledge of [the Act on Municipalities](#), [the Act on Regions](#), [the Act on the Capital City of Prague](#) and the Administrative Procedure Act, and the ability to apply this knowledge. The specific part includes the knowledge necessary for the performance of the administrative activities stipulated by the implementing legal regulation, especially the knowledge of the scope of competence of territorial self-governing bodies and territorial administrative authorities related to these activities and the ability to apply this knowledge.

(4) If an official performs two or more administrative activities stipulated by the implementing legal regulation

a) in a municipality that does not have at least two departments of the municipal authority established or that does not have an authorized municipal authority established, the official shall be obliged to only demonstrate special professional competence for a single administrative activity to be determined by the head of the authority,

b) in cases other than those referred to in (a), he/she shall demonstrate special professional competence for each of the administrative activities performed; in the second and any subsequent verification, the examination shall only be taken in the specific part.

(5) The territorial self-governing unit shall be obliged to register the official carrying out administrative activities stipulated by the implementing legal regulation for the examination within 6 months from the date of establishment of the official's employment with the territorial self-governing unit or within 3 months from the date of commencement of the administrative activities the performance of which is subject to demonstrating special professional competence. The implementing legal regulation will specify the way of registration for the examination, the essential elements of the application, the manner and course of the examination and the essential elements of the certificate.

(6) The senior official managing the officials who perform the administrative activities stipulated by the implementing regulation shall demonstrate the general and specific professional competence at least one of the administrative activities stipulated by the implementing regulation performed by the officials managed by the senior official as designated by the head of the authority.

(7) The head of the authority shall only demonstrate the general part of special professional competence.

Section 22 [\[Comments WK\]](#)

Securing the Examination

(1) The examinations and the issue of special professional competence certificates shall be secured by the Ministry in cooperation with the relevant ministries and other central administrative authorities.

(2) Within 30 days from the date of receipt of an application, the Ministry shall inform the official in writing of the date, place and time of the examination, the set of test questions and the list of literature.

Section 23 [\[Comments WK\]](#)

Examination Committee

(1) For the purposes of verification of special professional competence, the Ministry shall set up examination committees. The examination committees have 3 members and are composed of experts for the general part and experts for the specific part. The chairperson and other members of the examination committee are appointed by the Ministry.

(2) The activity of the examination committee shall be managed by the chairperson. The examination committee shall decide by a majority of votes of its members.

(3) The examining committee shall be bound by the pre-defined sets of test questions.

(4) The examination committee may exclude from the examination an applicant using prohibited aids during the examination or otherwise seriously interfering with the course of the examination.

Section 24 [\[Comments WK\]](#)

Examination

(1) The exam is divided into 2 parts, a written test and an oral examination, that are taken and evaluated separately.

The knowledge of the general part and the knowledge of the specific part are tested separately in both the written and oral exams.

(2) An official shall first take a written test. Successful completion of the written exam is a prerequisite for taking the oral examination.

(3) In case of further verification of special professional competence, the official shall only take the written and oral examination concerning the specific part.

(4) The examination committee shall prepare a report on the progress and outcome of the examination. The examination and the announcement of the results are public. The Ministry shall notify the official of the outcome of the written examination and the oral examination on the day on which the exams are taken.

(5) Should an official fail to pass the written test or the oral examination, he/she may twice resit the examination. The resitting shall take place no earlier than 30 days, but no later than 90 days, from the date of the examination in which the official failed.

Section 25 [\[Comments WK\]](#)

Certificate

(1) An official shall receive from the Ministry a certificate within 15 days from the date of the oral examination if the official has completed the oral examination with the classification "passed" in both the general part and the specific part.

(2) The Ministry shall maintain records of the issued certificates of special professional competence.

(3) The educational institution shall maintain records of the certificates of completion of courses of initial education, senior officials' education and continuing education organized by the institution.

Section 26 [\[Comments WK\]](#)

Objection Proceedings

(1) An official who received the classification "failed" in the written or oral examination shall have the right to lodge objections against the procedure of the examination committee within 15 days from the date on which he/she was notified of this fact; objections shall be lodged with the examination committee. The examination committee will grant the objections or refer them to the Ministry to decide. The Ministry will decide on the objections within 30 days from the date of receipt of the objections and will either confirm the decision of the examination committee or, if the classification was issued contradictory to the Act or other legal regulations, change or cancel the decision of the examination committee and invite the official to resit the examination.

(2) If an official receives the classification "failed" even if he/she has repeated the examination, the Ministry shall issue a decision to this extent upon the proposal of the examination committee.

(3) An official shall have the right to inspect all materials relating to his or her person that are relevant to the decision about the examination.

(4) The objection proceedings shall not be subject to general regulations governing administrative proceedings. 13)

Section 27 [\[Comments WK\]](#)

Education of Senior Officials and Heads of Authorities

(1) The management of officials is ensured by the territorial self-governing unit through senior officials who have completed the education of senior officials. In exceptional cases, the management of officials may also be exercised by a senior official who has not completed the education of senior officials, but for a maximum period of 2 years from the date on which he/she took the office of a senior official, or unless otherwise provided in this Act ([Section 43 para. 10](#)). Participation in the education of senior officials shall be demonstrated by a certificate issued by the educational institution organizing the course. A senior official shall be obliged to complete the education of senior officials within two years from the date on which he/she took the office of a senior official.

(2) The education of senior officials includes the general part and the specific part. The general part includes officials management knowledge and skills. The specific part includes an overview of the activities set forth by the implementing legal regulation carried out by subordinate officials.

(3) An official who has attended the education of senior officials pursuant to this Act and whose expenses have been covered by the territorial self-governing unit shall remain employed by the territorial self-governing unit for a period of three years after the completion of the education. Should an official terminate employment with the territorial self-governing unit before the expiration of 3 years from the completion of the education of senior officials, he/she shall compensate the territorial self-governing unit for the costs associated with that education. If the official only fulfils his/her obligation to remain employed with the territorial self-governing unit to a certain extent, the obligation to compensate the costs shall be reduced proportionately. The provision of [Section 235 para. 3 of the Labour Code](#) shall also apply to the official's duty to compensate the costs pursuant to this paragraph accordingly.

(4) The provisions of paragraphs 1 through 3 shall apply by analogy to the education of the heads of authorities.

Section 28 [\[Comments WK\]](#)

Calculation of Limitation Periods

(1) The limitation periods specified in [Section 21 para. 1, 2 and 5](#) and in [Section 27 para. 1 and 3](#) shall not include periods of maternity leave, parental leave, incapacity to work, basic military (alternative) service or community service or the period of release for the purposes of performance of a public office. Absence at work due to the execution of an unsuspended sentence of imprisonment and detention shall not be included if the sentence is final, unless a crime was committed contrary to the requirement of integrity and clean criminal record pursuant to [Section 4 para. 2](#).

(2) The termination and re-establishment of employment shall not result in a new beginning of the limitation periods stipulated in paragraph 1.

Section 29 [\[Comments WK\]](#)

Accreditation of Educational Institutions or Educational Programs

(1) The Ministry shall, for the purposes of this Act, accredit educational institutions or educational programs at the request of a natural person or legal entity (hereinafter the "applicant") and under the conditions laid down by this Act.

(2) The accreditation of an educational institution or the accreditation of an educational program shall be granted for a period of three years. Before the expiry of the deadline pursuant to the first sentence, the holder of the accreditation of the educational institution or the accreditation of the educational program may apply for a renewal.

(3) The accreditation of an educational institution or the accreditation of an educational program is non-transferable and does not pass to a legal successor.

(4) If, as a result of an inspection, the Ministry reveals irregularities of the implementation of an educational program, the Ministry shall invite the educational institution to remedy the situation within a reasonable period of time. Should the educational institution fail to remedy the situation within the set deadline, the Ministry shall withdraw the accreditation of the educational institution or the accreditation of the educational program. The Ministry shall also withdraw the accreditation of the educational institution or the accreditation of the educational program if circumstances arise on the part of the educational institution that would justify rejection of the application for an accreditation of the educational institution or accreditation of the educational program.

(5) If the Ministry has withdrawn the accreditation of an educational institution or the accreditation of an educational program, it is the responsibility of the educational institution whose accreditation was withdrawn to ensure that the officials may continue to participate in the same or similar educational program in the same or another educational institution. The Ministry shall set a reasonable time limit for the fulfilment of this obligation.

Section 30 [\[Comments WK\]](#) [\[DZ\]](#)

Accreditation of Educational Institutions

(1) The application for accreditation of an educational institution shall also include an application for accreditation of at least 1 educational program ([Section 31 para. 1 and 2](#)).

(2) The application for accreditation of an educational institution shall contain the applicant's name, surname, place of business and identification number (hereinafter the "identification number"), if the applicant is a natural person, or the applicant's name, registered office, statutory body and identification number, if the applicant is a legal entity.

(3) The following shall be attached to an application for accreditation of an educational institution

- a) a license for educational activities pursuant to other statutory provisions;¹⁵⁾ the license does not need to be documented if the applicant for accreditation of an educational institution is a territorial self-governing unit,
- b) an overview of the personnel, technical and material resources of the applicant for accreditation of an educational institution in the field of education pursuant to this Act,
- c) an overview of the applicant's activities in the field of education up to now,
- d) the educational program for which accreditation is being sought at the same time.

(4) The facts mentioned in paragraphs 2 and 3 are confidential and the Ministry may only use them for the purposes of evaluation of the application for accreditation of the educational institution for which they have been documented.

(5) The Ministry shall grant the accreditation of an educational institution to a natural person or legal entity if the requirements set out in paragraphs 2 and 3 have been fulfilled.

(6) The Ministry shall not grant the accreditation of an educational institution if the natural person or legal entity

- a) did not attach to the application the documents stipulated in paragraph 3,
- b) has provided incorrect or incomplete information in the application and has failed to correct or complete the application within the time limit set by the Ministry,
- c) does not meet the requirements stipulated in paragraph 3,

d) the educational program does not meet the requirements pursuant to [Section 31 para. 3](#),

e) does not have a clean criminal record.

(7) A natural person shall not be considered a person with clean criminal record if he/she has been convicted by final judgment of conviction for an intentional criminal offense unless the conviction was lawfully deleted in which case the person is deemed to never have been convicted.

(8) A legal entity shall not be considered an entity with clean criminal record if it has been convicted by final judgment of conviction for an intentional criminal offense unless the conviction was lawfully deleted in which case the person is deemed to never have been convicted.

(9) In order to prove its integrity and clean criminal record pursuant to paragraphs 7 or 8, the Ministry shall request an extract from the Criminal Records Register pursuant to other statutory provisions¹⁹⁾. The request for an extract from the Criminal Records Register and the extract from the Criminal Records Register shall be transmitted in an electronic form in a manner allowing for remote access.

Section 31 [\[Comments WK\]](#)

Accreditation of Educational Programs

(1) The application for accreditation of an educational program shall contain the applicant's name, surname, place of business and identification number, if the applicant is a natural person, or the applicant's name, registered office, statutory body and identification number, if the applicant is a legal entity.

(2) The following shall be attached to an application for accreditation of an educational program

a) a certified copy of the accreditation of the educational institution that will provide the educational program or an application by a natural person or legal entity for accreditation of an educational institution,

b) the educational program,

c) at least 2 expert opinions concerning the educational program.

(3) The educational program shall include

a) the name, type, form and goals; the type of educational program means the type of enhancement of qualification ([Section 18 para. 1](#) and [2](#)); the form of the educational program means whether it is a full-time education, distance education or a combination of both,

b) a breakdown of educational subjects and their characteristics,

c) the curriculum (educational plan); the curriculum sets out the sequence of educational subjects as to time and content and the period of education,

d) a list of professional lecturers for the training program.

(4) The facts mentioned in paragraphs 2 and 3 are confidential and the Ministry may only use them for the purposes of evaluation of the application for accreditation of the educational institution for which they have been documented.

(5) The Ministry shall grant the accreditation of an educational program to a natural person or legal entity if the requirements set out in paragraph 3 have been fulfilled.

(6) The Ministry shall not grant the accreditation if the natural person or legal entity

a) did not attach to the application the documents stipulated in paragraph 2,

b) has provided incorrect or incomplete information in the application and has failed to correct or complete the application within the time limit set by the Ministry,

c) the educational program does not meet the requirements pursuant to paragraph 3.

Section 32 [\[Comments WK\]](#)

Accreditation Committee

(1) The Ministry shall establish accreditation committees as its advisory bodies for the granting of accreditations pursuant to [Sections 29 through 31](#).

(2) The accreditation committee is composed of experts in public administration and representatives of regions and municipalities. The members of the accreditation committee shall be appointed and recalled by the Ministry.

(3) The accreditation committee shall assess whether the requirements have been met for granting accreditation and prepare an opinion on the application.

Equal Education

Section 33 [\[Comments WK\]](#)

(1) The obligation to demonstrate special competence ([Section 21](#)), the obligation to participate in the education of senior officials and heads of authorities ([Section 27](#)) or the obligation to participate in the initial education ([Section 19](#)) shall not apply to an official who has completed the bachelor degree or master degree study programs laid down by the implementing legal regulation or who has received a certificate of recognition of education or part thereof pursuant to [Section 34](#). The obligation to demonstrate special professional competence in the general part shall not apply to a natural person who has taken the civil service examination pursuant the [Civil Service Act](#).

(2) The territorial self-governing unit may also ensure the activities provided for by the implementing regulation ([Section 21](#)) or the management of officials ([Section 27](#)) through the officials stipulated in paragraph 1.

Section 34 [\[Comments WK\]](#) [\[DZ\]](#)

(1) At the request of an official or a territorial self-governing unit, the Ministry shall issue a certificate of recognition of education or a part thereof acquired by an official in a study program other than that provided for in the implementing regulation or of education acquired in another branch or course, if the applicant can demonstrate that the content and extent of the education the recognition of which is being sought are equivalent to the relevant educational program for the enhancement of qualification pursuant to this Act or a part thereof.

(2) Where the Ministry has ascertained that the extent and content of the branch, study program or course the recognition of which is being sought are substantially different from the relevant educational program for the enhancement of qualification pursuant to this Act, the application for recognition of education or part thereof shall be declined.

(3) The proceedings for issuing a certificate shall be governed by the general rules applicable to administrative proceedings,¹³⁾ unless further provided otherwise. The Ministry shall decide about the application for recognition of education or part thereof within 3 months from the receipt of the application.

TITLE V

STATE ADMINISTRATION IN THE AREA OF EDUCATION OF OFFICIALS

Section 35 [\[Comments WK\]](#)

Scope of Powers of the Ministry

(1) The Ministry shall

- a) coordinate the enhancement of qualification of officials pursuant to this Act,
- b) determine the content of the general test,
- c) determine a set of test questions for the general part of the test, including the content and evaluation criteria of the examination,
- d) maintain a list of experts on the general and specific parts of the examination,
- e) decide to include natural persons in the list of experts for the general part of the examination,
- f) appoint members of the Examination Committee from the list of experts pursuant to (d) above,
- g) annually publish the list of experts pursuant to (d) above in a manner allowing for remote access; (7)
- h) issue the certificates pursuant to [Section 25](#) and maintain their records,
- i) decide about objections against a decision pursuant to [Section 26](#),
- j) recognizes equivalent education pursuant to [Section 34](#),
- k) establish an accreditation committee pursuant to [Section 32](#) and appoint and remove its members,
- l) ensure the activities of the Accreditation Committee as to material resources and finance,
- m) control the activities of accredited educational institutions and the implementation of accredited programs ([Section 29 para. 4](#)); these steps of the Ministry are governed by other statutory provisions;¹⁶⁾
- n) decide about accreditations of educational institutions and educational programs,
- o) publish annually the list of educational institutions with valid accreditation pursuant to this Act in the Government Bulletin for regional and municipal authorities in a manner allowing for remote access; 7)

- p) publish in a manner allowing for remote access⁷⁾ reports of educational institutions pursuant to [Section 39](#).
- r) draw up and publish an annual report on the status of education of officials of territorial self-governing units,
- s) perform other tasks pursuant to this Act.

(2) The Ministry shall cooperate with other central government authorities and regional authorities.

Section 36 [\[Comments WK\]](#) [\[DZ\]](#)

Scope of Cooperation of the Ministry with Other Central Administrative Authorities

The relevant ministries and other central administrative authorities shall

- a) determine and continuously update the content of the specific part of the examination so that it complies with the current legal situation,
- b) determine the set of test questions for the specific part of the examination, including the content and evaluation criteria,
- c) decide to include natural persons to the list of experts for the specific part of the examination.

Section 37 [\[Comments WK\]](#)

If the educational institution fails to prepare for the exams or educate senior officials and heads of authorities, the Ministry shall, in cooperation with other relevant central administrative authorities, ensure the preparation and education. In such case, the Ministry shall ensure preparation for the general examination and education of senior officials and heads of authorities, and the relevant ministries and other central administrative authorities shall ensure preparation for the specific examination.

TITLE VI

JOINT AND TRANSITORY PROVISIONS

Part 1

Joint Provisions

Section 38 [\[Comments WK\]](#)

Infringements of Educational Institutions

(1) The educational institution shall be deemed to have committed infringement if it fails to fulfil the obligation pursuant to [Section 29 para. 5](#).

(2) A fine of up to CZK 200,000 may be imposed for an infringement pursuant to paragraph 1.

(3) The infringement pursuant to paragraph 1 shall be dealt with by the Ministry.

Section 39 [\[Comments WK\]](#) [\[DZ\]](#)

Every year, educational institutions shall prepare a written report containing key information on the education provided pursuant to this Act in the previous calendar year. The report shall always be sent to the Ministry by 31 May of the subsequent year.

Section 40 [\[Comments WK\]](#) [\[DZ\]](#)

A non-competition clause cannot be concluded with an official ([Section 310 of the Labour Code](#)).

Section 41 [\[Comments WK\]](#)

Joint Provisions on Committees

(1) The participation of members of the tender committee in the meetings of the committee, participation of members of the accreditation committee in the meetings of the committee and participation of members of the examination committee in the examinations pursuant to this Act constitutes another act in public interest¹⁷⁾, for the purposes of which the members of these committees shall be entitled to time off to the necessary extent and to compensatory wages (salary). Members of these committees who are not employed under an employment or similar contract, yet are engaged in a gainful activity, shall be entitled to a compensation for lost earnings for the period of performance of the office of a member of the committee at an amount documented by such members, however no more than CZK 80 per hour or CZK 680 per day. Members of the committee are entitled to reimbursement of travel expenses at the documented amount; the mode of transport shall be determined by the chairman of the committee; reimbursement of travel expenses and compensation for lost earnings shall be paid by the Ministry. The employer of a member of the committee shall not be entitled to compensatory wages (salary) for the period of release of the employee.

(2) Natural persons whose impartiality is reasonably doubted with regard to their relationship to an applicant in the tender or to an applicant for accreditation or to an official taking an examination shall not become members of a committee. A

member of the committee is obliged to notify the person who appointed him/her immediately after he/she becomes aware of the facts suggesting his/her impartiality. An applicant, a party to the proceedings or an official shall notify the person appointing the members of the committee of the facts suggesting impartiality of a member of the committee as soon as he/she becomes aware of the facts. The person who appoints the members of the committee shall decide, without undue delay, about the impartiality of a member of the committee. If a member of the committee is found impartial, he/she will be recalled and another person will be appointed in his/her place.

Section 42 [\[Comments WK\]](#)

The Ministry will adopt decrees to implement [Section 21](#) and [Section 33 para. 1](#).

Part 2

Transitory Provisions

Section 43 [\[Comments WK\]](#)

(1) This Act shall also govern employment arising before 1 January 2003, unless further stipulated otherwise; nevertheless, their origination, as well as claims arising therefrom, and legal acts made prior to 1 January 2003, shall be judged in accordance with the previous regulations.

(2) Unless this Act provides otherwise, a natural person who is an employee of a territorial self-governing unit at the date of entry into force of this Act, carries out administrative activities and meets the requirements of [Section 4](#), shall, from the date of effect of this Act, be considered an official pursuant to this Act.

(3) A natural person who is a senior employee of a territorial self-governing unit at the date of entry into force of this Act, carries out administrative activities and meets the requirements of [Section 4](#), shall, from the date of effect of this Act, be considered a senior official pursuant to this Act.

(4) A natural person who, at the date of entry into force of this Act, acts as the secretary of the municipal authority, the secretary of the city hall (magistrate) of a statutory city, the secretary of the city borough or city district authority of a territorially divided statutory city, the director of the regional authority, the director of the City Hall of the Capital City of Prague or the secretary of the district authority of the Capital City of Prague shall be considered a head of the authority pursuant to this Act.

(5) Special professional competence verified by an examination pursuant to other statutory provisions¹⁸⁾ between 24 November 1990 and the date of entry into force of this Act shall be considered special professional competence demonstrated pursuant to this Act.

(6) Applications for the examination of special professional competence submitted before the date of entry into force of this Act shall be considered applications made pursuant to [Section 21 para. 5](#).

(7) For an official who, at the date of entry into force of this Act, carries out administrative activities which are subject to the requirement of special professional competence and who does not meet the requirement, the time limits pursuant to [Section 21 para. 1](#) and [2](#) shall commence on the date of entry into force of this Act and shall be 30 months. If, on the date of entry into force of this Act, the official has not been registered for the examination of special professional competence, the territorial self-governing unit shall be obliged to register the official within 3 months from the date of entry into force of this Act.

(8) An official whose time limits pursuant to [Section 21 para. 1](#) and [2](#) would otherwise end before the expiry of 30 months from the date of entry into force of this Act, shall have such time-limits extended by 12 months.

(9) An employee who, at the date of entry into force of this Act, is a senior employee in the authority of the territorial self-governing unit, has the obligation to complete the education of senior officials within 4 years from the date of entry into force of this Act.

(10) An official whose entitlement to a retirement pension arises before 31 December 2007 shall only have to demonstrate his/her special professional competence if he/she so requests. A senior official whose entitlement to a retirement pension arises before 31 December 2007 shall only take part in the education of senior officials if he/she so requests.

(11) An official's education plan pursuant to [Section 17 para. 5](#) for a person who is an official as at the date of entry into force of this Act, shall be drawn up by the head of the authority no later than within two years from the date of entry into force of this Act.

(12) A natural person who, according to paragraph 3, is considered a senior official pursuant to this Act, and a natural person who, according to paragraph 4, is considered a head of the authority pursuant to this Act, shall be obliged to demonstrate fulfilment of the requirements pursuant to [Section 4 para. 3](#), the sentence after the semicolon, by 30 June 2003 at the latest.

PART TWO

repealed

Section 44 [\[DZ\]](#)

repealed

PART THREE

repealed

Section 45 [\[DZ\]](#)

repealed

PART FOUR

Amendment of [Act on the Capital City of Prague](#)

Section 46 [\[Comments WK\]](#) [\[DZ\]](#)

Act No. [131/2000 Coll.](#), on the Capital City of Prague, as amended by Act No. [145/2001 Coll.](#), Act No. [273/2001 Coll.](#), Act No. [320/2001 Coll.](#), Act No. [450/2001 Coll.](#) and Act No. [311/2002 Coll.](#), shall be amended as follows:

1. [Section 84](#), [85](#) and [86](#) are repealed.
2. The words "and 86" in [Section 120 para. 2](#) are repealed.
3. [Section 127](#) including footnote No. 24) and reference is repealed.

PART FIVE

Amendment to the Act stipulating certain other requirements for the performance of certain offices in government authorities and organizations of the Czech and Slovak Federal Republic, the Czech Republic and the Slovak Republic

Section 47 [\[Comments WK\]](#) [\[DZ\]](#)

Act No. [451/1991 Coll.](#), stipulating certain other requirements for the performance of certain offices in public authorities and organizations of the Czech and Slovak Federal Republic, the Czech Republic and the Slovak Republic, as amended by the finding of the Constitutional Court of the Czech and Slovak Federal Republic of 26 November 1992 published in section 116/1992 Coll., Act No. [254/1995 Coll.](#), Act No. [422/2000 Coll.](#), Act No. [147/2001 Coll.](#), Act No. [151/2002 Coll.](#) and Act No. [309/2002 Coll.](#), shall be amended as follows:

1. New [letter g\)](#) shall be inserted [after letter f\)](#) in [Section 1 para. 1](#) with the following wording:

"g) in the authorities of territorial self-governing units,".

2. The following sentence shall be added at the end of [Section 1 para. 3](#): "An office pursuant to [para. 1 letter g\)](#) shall mean the office of head of the authority and senior official".

PART SIX

LEGAL FORCE

Section 48 [\[Comments WK\]](#)

This Act shall take legal force on 1 January 2003, with the exception of the provision of [Sections 29 through 32](#), [Section 35 para. 1 letters k\), l\) and n\)](#) and [Section 41](#), which take legal effect upon publishing.

Klaus m. p.

Havel m. p.

Rychetský m. p. by proxy

Selected provisions of amendments

[Art. X of Act No. 234/2006 Coll.](#)

Transitory provision

As of the date of legal force of this Act, transfer to another work pursuant to [Section 11 para. 1 of Act No. 312/2002 Coll.](#), as effective until the date of legal force of this Act, shall be cancelled.

- 1) [Section 23 et seq. of Act No. 250/2000 Coll.](#), on [the budget rules](#) of territorial self-governing units.
 - 2) E.g. Act No. [254/2001 Coll.](#), on water and amending certain other acts (the [Water Act](#)), as amended by Act No. [76/2002 Coll.](#)
 - 3) [Section 9 para. 3 of the Labour Code](#).
 - 4) [Section 65 et seq. of Act No. 326/1999 Coll.](#), on the on the Residence of Foreign Nationals in the Czech Republic and amending certain other acts, as amended by Act No. [140/2001 Coll.](#)
 - 5) E.g. [Section 3 para. 1 of Act No. 337/1992 Coll.](#), on the administration of taxes, as amended by Act No. [255/1994 Coll.](#)
 - 6) Act No. [451/1991 Coll.](#), establishing additional conditions for the execution of some functions in state bodies and organizations of the Czech and Slovak Federal Republic, the Czech Republic and the Slovak Republic, as amended.
 - 7) [Section 3 para. 2 of Act No. 106/1999 Coll.](#), on free access to information.
 - 8) [Section 2 letter c\) of Act No. 240/2000 Coll.](#), on crisis management and amending certain other acts ([the Crisis Management Act](#)).
 - 9) [Art. 112 para. 1 of Constitutional Act No. 1/1993 Coll.](#), the Czech Republic Constitution.
 - 10) E.g. [Section 46 of Act No. 148/1998 Coll.](#), on the protection of classified information and amending certain other acts, as amended by Act No. [363/2000 Coll.](#)
 - 11) E.g. Act No. [106/1999 Coll.](#), as amended.
 - 12) Act No. [36/1967 Coll.](#), on experts and interpreters.
 - 13) Act No. [71/1967 Coll.](#), on administrative procedure ([the Administrative Procedure Code](#)), as amended.
 - 15) Act No. [29/1984 Coll.](#), on the system of elementary and secondary schools and vocational colleges ([the School Act](#)), as amended.
- Act No. [111/1998 Coll.](#), on higher education institutions and amending certain other acts ([the Higher Education Act](#)), as amended.
- [Trades Licensing Act](#).
- [Commercial Code](#).
- 16) Act No. [552/1991 Coll.](#), on state inspection, as amended.
 - 17) [Section 203 of the Labour Code](#).
 - 18) Act No. [128/2000 Coll.](#), on municipalities ([the Municipality Order](#)), as amended.
- Act No. [129/2000 Coll.](#), on regions (Regional Order), as amended.
- Act No. [131/2000 Coll.](#), on the capital city of Prague, as amended.
- Act No. [147/2000 Coll.](#), on district authorities, as amended by Act No. [320/2001 Coll.](#)
- Decree No. [345/2000 Coll.](#), on verification of special professional competence of employees of municipalities, regions, the capital city of Prague, Prague districts and district authorities, heads of special bodies established on the basis of other statutory provisions and chairpersons of committees authorised to exercise delegated powers (Special Professional Competence Decree), as amended by Decree No. [427/2000 Coll.](#)
- Decree No. [51/1998 Coll.](#), stipulating requirements for the performance of offices requiring special professional competence in district authorities and municipal authorities (Special Professional Competence Decree), as amended by Decree No. [121/1999 Coll.](#)
- Decree No. [260/1991 Coll.](#), on special professional competence and verification of competence of officials of district authorities, as amended by Decree No. [535/1992 Coll.](#)
- 19) Act No. [269/1994 Coll.](#), on Criminal Records Register, as amended.