

Full wording of Act No. 90/2008 Coll. on a European grouping of territorial cooperation, supplementing Act No. 540/2001 Coll., as amended, as provided for in the amendments and supplements.

Wording effective at 1 July 2020

Act No 90/2008 Coll.

of 15 February 2008

**on a European grouping of territorial cooperation and Annex to Act No 540/2001 Coll.
on national statistics as amended**

The National Council of the Slovak Republic has adopted the following Act:

Introductory provisions

Article 1

This Act regulates the setting-up, establishment, position, management, dissolution and winding-up of the European grouping of territorial cooperation with its registered office in the territory of the Slovak Republic (hereinafter as “grouping“) and the supervision of its activities in accordance with specific legislation.¹⁾

Article 2

Name of the grouping

The name of the grouping means the name under which a grouping is registered in the Register of European groupings of territorial cooperation (hereinafter as “register“). The name of a grouping shall contain the designation “European grouping of territorial cooperation“ or “e. g. t. c.” and it shall differ from the names of already existing groupings or any groupings that have already ceased their existence. Such designation may not be used by any other entity in its name or commercial name.

Composition of a grouping

Article 3

- (1) A grouping shall comprise at least one Slovak member and at least one foreign member.^{1a)}
- (2) The following entities may become Slovak members of a grouping:
 - a) the Slovak Republic;
 - b) a self-governing region;
 - c) a municipality;
 - d) a legal entity under specific legislation²⁾ with its registered office in the Slovak Republic;
 - e) an association of legal entities made up of members referred to under points (a) to (d) hereunder.

(3) The Slovak Republic may become a member of a grouping subject to prior approval from the government of the Slovak Republic (hereinafter as “government”). The proposal for an approval shall be submitted to the government by a central government agency governing the area of cooperation for the purpose of which the grouping was or shall be established. The government in its decision on approval shall also designate a central government agency that shall represent the Slovak Republic and act on its behalf in the performance of its rights and obligations as a member of the grouping.

(4) Entities under paragraph 2 point (b) and (c) hereunder may become members of a grouping subject to prior approval by the competent regional or local council.³⁾

(5) A foreign entity may become a member of a grouping in the territory of the Slovak Republic subject to its compliance with the conditions of membership in a grouping in accordance with the legislation of the State where it is located or where it has its registered office, and subject to having received approval from that State to become a member of a grouping.

Article 4 **Registry**

(1) The Ministry of Investments, Regional Development and Informatisation of the Slovak Republic acts as registry (hereinafter as “registry”).

(2) The registry:

- a) maintains the register and acts as its administrator pursuant to specific legislation;⁴⁾
- b) receives notifications and approves the participation of Slovak entities in a grouping in the territory of a Member State of the European Union (hereinafter as “Member State”) pursuant to specific legislation;^{4a)}
- c) approves a convention^{4b)} and any amendment thereto pursuant to specific legislation;^{4c)}
- d) decides on the registration of a grouping in the register, on the registration of any changes to the information already entered in the register, and on the deletion of a grouping from the register;
- e) receives notifications from Slovak entities on their inclusion in the register or on the publication of the convention and the statutes of a groupings established in the territory of another Member State;
- f) supervises compliance of a grouping with the purpose of its establishment;
- g) makes decisions pursuant to specific legislation;⁵⁾
- h) imposes sanctions in accordance with this Act.

(3) The registry evaluates the content of annual reports and reports any shortcomings to the organs of a grouping, requests their rectification as well as their compliance with the obligations laid down in general binding rules. If measures to rectify such shortcomings were not taken or obligations under the first sentence hereunder were not met, the registry may file a petition with the court to dissolve the grouping.

(4) The registry cooperates with an audit authority of another Member State in carrying out audits of the part of activities of a grouping that are performed in the territory of that Member State.

(5) The register is a public list. The registry shall issue, upon request, an extract from the register in the form of a paper copy or electronic document through the Central public administration

portal, and in accordance with specific legislation.^{5aa)} Such extract shall include the information as recorded in the register on the date of its issuance.

(6) The following information in official language^{5a)} is recorded in the register:

- a) the name and registered office of a grouping;
- b) identification number;
- c) the date of establishment of a grouping;
- d) the duration of the period for which a grouping was established;
- e) the objective and the tasks of a grouping;
- f) the subject matter of its activities under Article 26(1);
- g) the names of each member of a grouping, their registered offices and Member States where they are located or have their registered offices;
- h) the amounts of contributions of individual members and the amount of contribution paid-up;
- i) director's name, surname and residence;
- j) the date of entry into liquidation of a grouping and the date of completion of the process;
- k) the date of winding-up of a grouping;
- l) the reasons for winding-up of a grouping.

(7) The registry keeps in its deposit and publishes the convention and the statutes of a grouping and their amendments. All members of the grouping shall sign the convention and the statutes. All signatures shall be certified. The originals or certified copies of the convention and the statutes are deposited in the register.

Article 4a

Procedure of granting approval and adoption of the convention

(1) A proposal to approve the participation of a Slovak entity in a grouping established in the territory of a Member State and a proposal to approve a draft convention or a proposal to approve an amendment to the convention shall be submitted by the Slovak entity under Article 3(2) to the registry.

(2) The following documents shall be attached to a proposal to approve the participation of a Slovak entity in a grouping established in the territory of a Member State and to approve a draft convention:

- a) a certified copy of the draft convention;
- b) a certified copy of the draft statutes; and
- c) a consent given under Article 3 paragraphs 3 or 4.

(3) A proposal to approve the amendment to the convention shall be accompanied by the:

- a) convention and the amendment thereto;
- b) statutes and the amendment thereto.

(4) The procedure to approve the participation of a Slovak entity in a grouping established in the territory of a Member State and to approve a draft convention and an amendment thereto is governed by the general rule on administrative procedures^{5b)} if specific legislation¹⁾ or this Act do not regulate otherwise.

(5) No appeals are admissible against the decision on proposal under point (1) hereunder.

Article 5

(1) Membership in a grouping starts:

- a) on the date when the grouping was established, in the case of founding entities (hereinafter “founders”); or
- b) when a new member accedes during the existence of a grouping, on the date of their registration in the register.

(2) The registry shall include in the register a new member under paragraph 1 point (b) subject to its compliance with the conditions of membership under this Act and under specific legislation¹⁾, acting on the proposal by the grouping.

(3) Membership in a grouping expires with the:

- a) winding-up of a grouping;
- b) winding-up of a member of the grouping;
- c) deletion of a member from the register.

(4) The registry shall delete a member of the grouping from the register acting on the proposal by the grouping where:

- a) the assembly (under Article 16) decides on its exclusion from the grouping;
- b) a member of the grouping ceased to exist;
- c) a member of the grouping requests termination of its membership in the grouping.

Setting up and establishment of a grouping

Article 6

A grouping is established after its inclusion in a register. The establishment of a grouping is preceded by its set up.⁶⁾

Article 7

(1) A proposal for entry in the register shall be submitted by the founders or by a representative appointed by them. The scope of powers of an appointed representative shall be defined in the power of attorney signed by the founders.

(2) The following documents shall be attached to the proposal for entry in the register under paragraph 1:

- a) the convention;
- b) the statutes;
- c) the approval of the participation of founders in the grouping granted in accordance with specific legislation;^{4a)}
- d) an expert opinion proving that the value of the nonmonetary contribution is equivalent to the value of the assumed liability to contribute to the grouping’s assets, providing the founder made a nonmonetary contribution;
- e) the deeds proving the creation of the post of a director;
- g) the deeds proving integrity of the director under Article 35(3);
- h) the power of attorney of an authorised representative if entry in the register is made on the proposal by the authorised representative.

Article 8

(1) The registry shall issue its decision on inclusion of a grouping in the register within thirty days of the submission of a proposal for entry in the register if the:

- a) proposal for entry in the register complies with the provisions under Article 7;
- b) convention and the statutes are in compliance with this law and with specific legislation;¹⁾
- c) grouping complies with the provisions of this Act and of specific legislation;¹⁾
- d) founders received an approval of their membership in the grouping in accordance with this Act and with specific legislation.¹⁾

(2) Any change in the information of a grouping under Article 4(6) shall be registered without undue delay. The grouping shall submit a proposal for the registration of a change within 30 days of the date when such change came into force. Any such proposal for registration shall be accompanied with a deed indicating the entry, change or demise of the information to be registered.

(3) The Statistical Office of the Slovak Republic shall assign an identification number to the grouping upon request from the registry and in accordance with specific legislation.^{6aa)}

(4) Inclusion of the grouping in the register shall be executed as of the date indicated in the proposal for the entry of the grouping in the register. If the decision on entry is issued later or the date is not specified in the proposal for entry, the inclusion shall be executed as of the date of the issuance of the decision.

Article 9

Registry may refuse entry of the grouping in the register where the conditions under Article 8(1) were not met. Such refusal shall be issued within 30 days from the servicing of a proposal for the entry of the grouping in the register.

Article 10

(1) Until the grouping shall have been established, all affairs related to the establishment of a grouping shall be managed by its founders jointly or by a representative authorised by them.

(2) The commitments assumed by the founders or by their authorised representative on behalf of the grouping are shared jointly and severally.

(3) Commitments arising under paragraph 2 hereunder are transferred to the grouping as of the date of its establishment on condition they were not rejected by the assembly within three months.

Dissolution of a grouping

Article 11

The dissolution of a grouping becomes effective:

- a) on the date specified by the grouping in its decision on the dissolution of the grouping, otherwise on the date the decision was adopted;

- b) on the date specified by the court in its decision on the dissolution of the grouping, or on the date when the decision came into force;
- c) by terminating bankruptcy proceedings on grounds of insufficient assets or by terminating bankruptcy proceedings upon meeting the final schedule of proceeds;
- d) by lapse of the time for which the grouping was established.

Article 12

(1) Acting upon motion of the registry, a national authority or a person who lodges a determinable interest, the court shall decide on dissolution of the grouping and its liquidation, providing that the:

- a) grouping has not been achieving its objectives for more than a year;
- b) expenditures and costs of the grouping are excessively high considering the scope of the achieved objective for which it was established;
- c) grouping uses income from its activities and its assets in breach of this Act or of specific legislation;¹⁾
- d) grouping ceased to comply with the provisions under Article 8(1) point (b) or (c) or under specific legislation.^{6a)}

(2) Where the grouping was dissolved under paragraph 1 point (b) hereunder, its members may set up another grouping or become members of another already existing grouping not earlier than one year after all commitments stemming from the dissolved grouping have been settled.

(3) The court, acting upon proposal by the registry, a national authority or a person who lodged a determinable interest, shall decide on dissolution of the grouping and its liquidation, providing that:

- a) no assembly has been convened within previous 12 months;
- b) no new organs have been elected within six months of the end of their term of office, under Article 15 point (b) or (c).

(4) Prior to the court's decision on the motion to dissolve the grouping, the court may determine a deadline for rectification of the existing status quo, which was the ground for the motion to dissolve the grouping.

(5) The court shall notify the registry of the dissolution of the grouping within ten working days of entry into force of the decision.

Article 13

Repealed.

Article 14

Winding-up of a grouping

(1) The grouping is wound-up as of the date of its deletion from the register. Winding-up is preceded by liquidation of the grouping.

(2) Liquidation balance is distributed among the members of the grouping in proportion to their paid investments and financial contributions.

(3) The liquidator's fee shall be specified by the entity appointing the liquidator.

(4) Liquidation costs shall be covered from the assets of the grouping.

(5) If not stipulated otherwise under Article 28(4) hereof, the provisions under Article 70 and 75(a) of the Commercial Code shall be applied where appropriate.

Article 15 Organisation of the grouping

The organs of the grouping are:

- a) an assembly
- b) a director
- c) a supervisory board
- d) other organs under the convention and the statutes.

Assembly

Article 16

(1) The assembly is the supreme organ of the grouping. It is made up of all the members of the grouping. The assembly mainly:

- a) approves the budget of the grouping;
- b) approves the annual financial statements and the annual report;
- c) decides on the use of profits or on the ways of loss compensation, no later than by the end of the following accounting period;
- d) decides on dissolution of the grouping;
- e) decides on the proposals to change the information entered in the register;
- f) elects and dismisses the director and decides on his/her salary;
- g) elects and dismisses members of a supervisory board or an auditor;
- h) approves and dismisses an auditor;
- i) appoints and dismisses a liquidator;
- j) approves the transfers of immovable property of the grouping;
- k) decides on the amendments to the statutes with exclusion of certain provisions as agreed in the convention by the members of the grouping;

(2) The assembly decides on other aspects within the scope and conditions agreed in the convention and the statutes.

Article 17

(1) The assembly elects from among its members a president of the assembly and a vice-president of the assembly who acts on behalf of the president in his/her absence. They are elected for a period of 4 years unless regulated otherwise in the convention or the statutes.

(2) The president prepares, convenes and chairs meetings of the assembly unless regulated otherwise in Article 20(6) hereof.

(3) The assembly is convened according to the needs, at least once a year.

(4) Simple majority of all members is required to adopt a valid decision of an assembly unless specific legislation⁷⁾, the convention or the statutes do not stipulate otherwise.

Director

Article 18

(1) The director is a statutory organ of a grouping. The director manages all activities of a grouping and acts on its behalf. The director decides on all matters of the grouping unless they fall under the competence of other organs as regulated under this law, specific legislation,¹⁾ the convention or the statutes.

(2) The director shall carry out all activities within his/her remit with professional care and in compliance with the interests of the grouping and of all its members. The director shall acquire all available information related to the subject matter of his/her decision and take them into account before making decision. The director may not give priority to his/her own interests, the interests of certain members of the grouping or to the interests of third parties.

(3) The decision of the grouping, the convention or the statutes may limit the power of the director to act on behalf of the grouping.

(4) The director is elected and dismissed by the assembly. The details on election and dismissal of a director are regulated in the statutes.

(5) The director is elected for a four-year term. The term commences on the date of election unless the convention or the statutes regulate otherwise.

(6) The director participates in the meetings of the assembly.

(7) A natural person may be elected director subject to having full legal capacity and moral integrity. Moral integrity is proven under Article 35(3).

Article 19

(1) The performance of the function of the director shall terminate upon:

- a) dismissal;
- b) the expiration of the term of office or by the dissolution of the grouping before the expiration of the term of office;
- c) resignation;
- d) the day on which the director ceased to meet the conditions under Article 18(7),
- e) the death or declaration of death;
- f) for reasons specified in the convention or in the statutes.

(2) The director may resign by giving written notice to the president of the assembly. In this case, the term of office of the director shall cease on the day following the date of the delivery of the written notice to the president of the assembly unless the convention or the statutes stipulate otherwise.

(3) The director shall be dismissed by the assembly in the event:

- a) he/she acts in contravention of the provisions of specific legislation¹⁾, this act, the convention or of the statutes;
 - b) of not performing his/her function for more than six consecutive months;
 - c) he/she performs the activity specified under Article 23;
 - d) for reasons laid down in the convention or the statutes.
- (4) The director may be dismissed by the assembly in the event:
- (a) he/she is unable, according to a medical opinion, to perform that function for more than six consecutive months;
 - (b) it is proposed by the supervisory board or an auditor or a member of the grouping;
 - (c) on grounds laid down in the convention or in the statutes.

Supervisory board

Article 20

- (1) The supervisory board or an auditor is the group's supervisory organ which shall oversee the activities of the grouping.
- (2) The supervisory board shall be established in the event the value of the assets of the grouping is higher than EUR 100,000 or if its assets include priority assets pursuant to Article 28. In other cases, the supervisory board may be established if stipulated by the convention or the statutes.
- (3) In the event a supervisory board is not established, its powers shall be performed by an auditor.
- (4) The supervisory board is entitled to inspect all documents and records relating to the activities of the grouping and to inspect whether the grouping performs its activities in accordance with the generally binding legal regulations, the convention, and the statutes.
- (5) In particular, the supervisory board shall:
- a) examine annual financial statements and the annual report and submit its opinion to the assembly;
 - b) examine bookkeeping and other documents;
 - c) notify the assembly of identified shortcomings and submit proposals for rectification.
- (6) In particular, the supervisory board is entitled to:
- a) convene an extraordinary meeting of the assembly, if the interest of the grouping so requires;
 - b) submit to the assembly a proposal to dismiss the director;
 - c) take part in the meeting of the assembly; in the case of the supervisory board, each of its members enjoys this right;
 - d) notify the assembly of a detected infringement of the generally binding rules, the convention or of the statutes.
- (7) The supervisory board shall meet as necessary, however, no less than once a year.

Article 21

- (1) The supervisory board is composed of three members unless the convention or the statutes stipulate a higher number of members. An auditor or a member of the supervisory board may only be a natural person enjoying full legal capacity, has a second level of higher education in

law or a second level of higher education in economics and at least five years' experience in financial control and internal audit, and is a person of integrity. Integrity shall be established according to Article 35.3. The director may not be a member of the supervisory board or an auditor. An exemption from education and experience requirements may be granted to the supervisory board members and to the auditor by the assembly.

(2) The members of the supervisory board or the auditor are elected and removed by the assembly. The details of the election and removal of a member of the supervisory board or the auditor shall be stipulated by the convention or the statutes.

(3) The term of office of a member of the supervisory board or the auditor shall be six years unless the convention or the statutes stipulate otherwise.

(4) Membership in the supervisory board and the function of the auditor are honorary and irreplaceable. A member of the supervisory board or the auditor is entitled to the reimbursement of substantiated expenses incurred in the performance of his/her duties, in accordance with specific legislation.⁹⁾

Article 22

(1) The performance of the function of a member of the supervisory board or the auditor shall be terminated upon:

- a) dismissal;
- b) expiry of the term of office or winding up of the grouping prior to the expiry of the term of office;
- c) resignation;
- d) on the day on which he/she ceased to meet the conditions under Article 21(1);
- e) death or the declaration of death;
- f) for reasons laid down in the convention or in the statutes.

(2) A member of the supervisory board or an auditor may resign by notifying the president of the assembly in writing. In this case, the term of office of a member of the supervisory board or the auditor shall terminate on the day following the day of the delivery of the written notice to the president of the assembly unless the convention or the statutes stipulate otherwise.

(3) A member of the supervisory board or the auditor shall be dismissed by the assembly for:

- a) acting in contravention of the provisions of specific legislation,¹⁾ this Act, the convention, or of the statutes;
- b) not performing his/her function for more than six consecutive months;
- c) performing the activity stipulated under Article 23;
- d) reasons laid down by the convention or the statutes.

(4) A member of the supervisory board or an auditor may be dismissed by the assembly in the event:

- a) he/she, according to a medical opinion, is unable to perform this function for more than six consecutive months;
- b) it is proposed by the supervisory board or by a member of the grouping;
- c) for reasons specified in the convention or in the statutes.

Article 23

Ban on competition

A member of the assembly, the director and a member of the supervisory board or an auditor shall not:

- a) conclude transactions associated with the grouping activities in his/her own name or on his/her own account;
- b) act as an agent of other persons, mediating business activities of the grouping to them.

Article 24

Minutes of the meetings of the grouping's organs

Minutes of the meetings of the organs of the grouping shall be drawn up and kept by the grouping for a period laid down by the statutes, which shall not be less than four years.

Assets of the grouping

Article 25

- (1) The assets of the grouping consist mainly of the:
 - a) contributions of the founders and acceding members;
 - b) monetary contributions of the members;
 - c) income from their own activities;
 - d) business profits;
 - e) inheritance;
 - f) donations from natural and legal persons.

- (2) A central government authority may invest state assets in the grouping only on the basis of a government decision. A municipality and a self-governing region may invest the assets in the grouping in accordance with specific legislation.^{9a)}

- (3) The title to the property shall be transferred in the ownership of the grouping along with the rights and liabilities associated with the property.

- (4) A member of the grouping shall draw up a written protocol with the grouping on the transfer of assets after the grouping is established. The protocol shall lay down an exact definition and value of the assets transferred; in the event of a non-monetary contribution, the value shall be established by an expert opinion. The protocol is signed by the statutory representative of the member of the grouping and by the statutory representative of the grouping.

Article 26

- (1) The grouping may conduct business activities, providing a more efficient utilisation of its assets is achieved and the purpose for which the grouping was set up is not put at risk.

- (2) The grouping may not participate in the business of other persons and may not conclude a silent partnership agreement.

Article 27

(1) The grouping's assets may only be used in accordance with the terms and conditions laid down in the convention or in the statutes and to cover the expenses and costs of the grouping. The amount of the expenses and costs of the grouping shall be determined by the assembly annually in the budget to an extent necessary to ensure the activities of the grouping.

(2) In the event the grouping has received a gift from a natural person or a legal entity that serves a specific purpose, the grouping is entitled to use it for another purpose only with the prior consent of the person donating the gift.

Article 28 **Priority assets**

(1) For the purposes of this Act, priority assets is the immovable property of the State, a self-governing region or of a municipality which are invested by the State, a self-governing region or by a municipality as founder or member of the grouping, and which is intended exclusively to ensure the purpose for which the grouping has been set up.

(2) Priority assets may not be transferred to another person, leased or borrowed, pledged or otherwise encumbered, or otherwise used to secure the liabilities of the grouping or a third party. The designation of priority assets in the real estate cadastre shall be executed by making a note¹⁰⁾ on the motion of a member of the grouping who deposited priority assets in the grouping.

(3) Priority assets are not subject to enforcement of decision, collection enforcement and are not part of the bankruptcy estate.

(4) In the event the grouping is dissolved, the liquidator is obliged to make an onerous offer of priority assets to the member of the grouping investing priority assets in the grouping. In the event the member of the grouping shows no interest in priority assets, the liquidator shall make an onerous offer to the State, a self-governing region or a municipality in whose territory the registered office or the whereabouts of the member of the grouping investing priority assets in the grouping is located. In the event the entities show no interest in priority assets, the liquidator shall make an onerous offer to another self-governing region or a municipality.

(5) The liquidator shall make an offer of priority assets pursuant to paragraph 4 in a value set by an expert opinion.

Article 29 **Budget of the grouping**

(1) The grouping operates in accordance with an approved budget.

(2) The budget of the grouping contains all budgeted revenues and expenditures, it is prepared and approved for the relevant calendar year.

(3) The draft budget shall be submitted by the director to the assembly for approval no later than two months before the beginning of the calendar year for which the budget is drawn up.

The assembly shall approve the budget of the grouping no later than 31 December of the calendar year preceding the calendar year for which the budget is drawn up.

Accounting and annual report

Article 30

(1) The grouping keeps accounting records according to specific legislation.⁸⁾ The accounting period of the grouping is a calendar year.

(2) The grouping shall keep separate income and expenses associated with the fulfilment of the purpose for which the grouping was established and keep income and expenses associated with its business activity.

(3) Annual financial statements shall be audited by the auditor in the event:

a) the funds provided by the European Union, the state budget, the state fund budget, the budget of a self-governing region and the budget of a municipality exceed an amount of EUR 33,000 in the year for which the financial statements are prepared or

b) all revenues of the grouping exceed EUR 170,000 in the year for which the accounts are prepared.

(4) The annual financial statements and the auditor's report pursuant to paragraph 3 shall be published in the public section of the register of annual financial statements^{10a} no later than 15 April of the following year.

Article 31

(1) The grouping shall draw up an annual report by a date specified by the assembly, the convention or by the statutes after the close of the calendar year, no later than 30 June of the following year.

(2) The annual report shall contain:

a) an overview of all activities in the calendar year carried out to achieve the grouping's objectives and tasks;

b) a separate overview of all activities in the calendar year co-financed by the European Union or from the state budget;

c) an overview of the activities of the group's organs;

d) an evaluation of the basic data contained in the financial statements;

e) an overview of cash receipts and expenses;

f) an overview of the scope of income and revenues broken down by sources;

g) the balance and movement of the grouping's assets and liabilities;

h) changes and a new composition of the organs of the grouping in the calendar year;

i) information on the planned activities of the grouping;

j) other information requested by the assembly.

(3) The annual report shall be published in the public section of the register of financial statements by 15 July of the following year at the latest. In the event the grouping fails to comply with this obligation even within the alternative period specified by the registry, the registry shall file a petition with the court to dissolve the grouping.

(4) The annual report shall be made available to the general public at the registered office of the grouping.

Article 32 **Liability of the grouping and of its members**

(1) The grouping is liable, with all of its assets, for its debts.

(2) The members of the grouping who are Slovak entities shall be liable for the debts of the grouping with each member's share being fixed in proportion to its unpaid financial contributions entered in the register. The members of the grouping who are foreign entities may limit their liability for the debts of the grouping in the convention.

Article 32a **Administrative offence**

(1) The registry shall impose a fine from EUR 50 to 800 to a grouping, which has failed to notify the registry of an amendment of the information entered under Article 8.2.

(2) When determining the fine amount, the gravity of unlawful conduct, the manner and circumstances of the infringement shall be taken into account.

(3) The proceedings on imposition of a fine may be initiated within one year from the day of the registry becoming aware of the breach of duty, but no later than within three years from the day when the breach of duty occurred.

(4) Fines paid will provide revenue for the state budget.

Article 33 **Disclosure of information**

The grouping is obliged to publish information on the management of assets in accordance with specific legislation.¹¹⁾

Article 34 **Foreign grouping**

(1) A legal entity with its registered office outside the territory of the Slovak Republic which is a grouping according to specific legislation¹⁾ and the law of the state in whose territory it has its registered office, may operate in the Slovak Republic under the same conditions and to the same extent as a grouping established under this Act and according to specific legislation.¹⁾

(2) The members of a foreign grouping who are Slovak entities shall be liable for the debts of a foreign grouping with each member's share being fixed in proportion to its unpaid financial contributions or they may limit their liability according to specific legislation.^{11a)}

Article 35

Joint provisions

(1) The general rules on administrative proceedings shall apply to the proceedings on entry of a grouping in the register, on entry of a change to the information entered in the register, on deletion of a grouping from the register, and on imposition of a fine pursuant to Article 32a⁵⁾ unless stipulated otherwise under Articles 7 to 9 hereof.

(2) Acts in the proceedings on the endorsement of the participation of a Slovak entity in the grouping established in the territory of a Member State and on the endorsement of the proposed convention, in the proceedings on the endorsement of an amendment to the convention, in the proceedings under specific legislation⁵⁾, in the proceedings on entry of the grouping in the register, in the proceedings on imposition of a fine, in the proceedings on entry of a change to the information entered in the register, and in the proceedings on deletion of the grouping from the register may only be executed in documentary form.

(3) For the purposes of this Act, a natural person not finally sentenced is deemed a person of integrity. For the purpose of proving the integrity of a natural person who is a citizen of the Slovak Republic, the natural person shall provide the information necessary to request an extract from the criminal record.¹²⁾ The information pursuant to the second sentence shall be forwarded without delay by the registry in electronic form via electronic communication to the General Prosecution Office of the Slovak Republic, for the purpose of issuing an extract from the criminal record. For the purposes of this Act, the integrity of a natural person who is not a citizen of the Slovak Republic shall be proven by an extract from the criminal record or by other equivalent document not older than three months issued by the competent authority of the State of which the natural person is a national.

Article 36

Transitional provision to legislative acts effective as of 1 April 2015

Proceedings initiated and pending prior to 1 April 2015 shall be finalised in accordance with the act in force by 31 March 2015.

Article 36a

Transitional provision to a legislative act effective as of 1 June 2016

Proceedings initiated and pending prior to 1 June 2016 by the Office of the Government of the Slovak Republic shall be finalised by the Deputy Prime Minister's Office for Investments and Informatisation of the Slovak Republic under the legislative act in force as of 1 June 2016.

Entry into force

Act No. 90/2008 Coll. on the European Grouping of Territorial Cooperation, supplementing Act No. 540/2001 Coll. on state statistics, as amended (Article I), entered into force on 1 May 2008.

- 1) Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC). (OJ L 210, 31.7.2006), as amended.
 - 1a) Article 3(1) of Regulation (EU) No 1082/2006, as amended.
- 2) Articles 3 and 21 of Act No 575/2001 Coll. on the Organisation of Activities of the Government and Central State Administration, as amended.

Articles 6(2) and 8(1) point (a) of Act No 25/2006 Coll. on Public Procurement and on Amending Certain Acts, as amended.

Article 3(1) point (e) of Regulation (EC) No 1082/2006, as amended.
- 3) Article 11(2) point (i) of Act No 302/2001 Coll. on the Self-government of Higher Territorial Units (Self-governing Regions Act).

Articles 11(4) point (h) and 21 of the Act of the Slovak National Council No 369/1990 Coll. on Municipalities.
- 4) Act No 275/2006 Coll. on Public Administration Information Systems and on amending certain acts, as amended by Act No 678/2006 Coll.
 - 4a) Article 4(2) and Article 3 and Article 3a of Regulation (EC) No 1082/2006, as amended.
 - 4b) Article 8 of Regulation (EC) No 1082/2006, as amended.
 - 4c) Article 4(6) and Article 6a of Regulation (EC) No 1082/2006, as amended.
- 5) Article 13 of Regulation (EC) No 1082/2006, as amended.
 - 5a) Article 3 of the Act of the National Council of the Slovak Republic No 270/1995 Coll. on the Official Language of the Slovak Republic, as amended.
 - 5aa) Article 7(3) of Act No 272/2015 Coll. on the Register of Legal Entities, Entrepreneurs and Public Authorities and on amending certain acts.
 - 5b) Act No 71/1967 Coll. on Administrative Proceedings (Code of Administrative Procedure), as amended.
- 6) Article 4 of Regulation (EC) No 1082/2006 of the European Parliament and of the Council (EC).
 - 6a) Articles 7 and 14 of Regulation (EC) No 1082/2006, as amended.
 - 6aa) Article 9.3 of Act No 272/2015 Coll. on the Register of Legal Entities, Entrepreneurs and Public Authorities and on amending certain acts.
- 7) Articles 8(1) and 9(1) of Regulation (EC) No 1082/2006, as amended.
- 8) Act No 431/2002 Coll. on Accounting, as amended.
- 9) Act No 283/2002 Coll. on Indemnities for Travel, as amended.
- 9a) Article 6(5) of the Act of the Slovak National Council No. 138/1991 Coll. on the Property of Municipalities, as amended.

Article 6(4) of Act No. 446/2001 Coll. on the Property of Self-governing Regions, as amended.
- 10) Articles 38 and 39 of the Act of the National Council of the Slovak Republic No. 162/1995 Coll. on the Real Estate Cadastre and on the Registration of Ownership and Other Real Estate Rights (Cadastre Act), as amended.
 - 10a) Article 23 of Act No 431/2001 Coll., as amended by Act No 547/2011 Coll.
- 11) Article 2(4) of Act No 211/2000 Coll. on Free Access to Information and on amending certain acts (the Freedom of Information Act).
 - 11a) Article 12(2) point (a) of Regulation (EC) No 1082/2006, as amended.
- 12) Article 10(4) point (a) of Act No 330/2007 Coll. on the Criminal Records Register and on amending certain acts, as amended by Act No 91/2016 Coll.