595/2003 Coll.

ACT

of 04 December 2003

on income tax

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

Act No. 595/2003 Coll. on income tax as amended by Act No. 43/2004 Coll., Act No. 177/2004 Coll., Act No. 191/2004 Coll., Act No. 391/2004 Coll., Act No. 538/2004 Coll., Act No. 539/2004 Coll., Act No. 659/2004 Coll., Act No. 68/2005 Coll., Act No. 314/2005 Coll., Act No. 534/2005 Coll., Act No. 660/2005 Coll., Act No. 688/2006 Coll., Act No. 76/2007 Coll., Act No. 209/2007 Coll., Act No. 519/2007 Coll., Act No. 530/2007 Coll., Act No. 561/2007 Coll., Act No. 621/2007 Coll., Act No. 653/2007 Coll., Act No. 168/2008 Coll., Act No. 465/2008 Coll., Act No. 514/2008 Coll., Act No. 563/2008 Coll., Act No. 567/2008 Coll., Act No. 60/2009 Coll., Act No. 184/2009 Coll., Act No. 185/2009 Coll., Act No. 504/2009 Coll., Act No. 563/2009 Coll., Act No. 374/2010 Coll., Act No. 548/2010 Coll., Act No. 129/2011 Coll., Act No. 231/2011 Coll., Act No. 250/2011 Coll., Act No. 331/2011 Coll., Act No. 362/2011 Coll., Act No. 406/2011 Coll., Act No. 547/2011 Coll., Act No. 548/2011 Coll., Act No. 69/2012 Coll., Resolution of the Constitutional Court of the Slovak Republic No. 188/2012 Coll., Act No. 189/2012 Coll., Act No. 252/2012 Coll., Act No. 288/2012 Coll., Act No. 395/2012 Coll., Act No. 70/2013 Coll., Act No. 135/2013 Coll., Act No. 318/2013 Coll., Act No. 463/2013 Coll., Act No. 180/2014 Coll., Act No. 183/2014 Coll., Act No. 333/2014 Coll., Act No. 364/2014 Coll., Act No. 371/2014 Coll., Act No. 25/2015 Coll., Act No. 61/2015 Coll., Act No. 62/2015 Coll., Act No. 79/2015 Coll., Act No. 140/2015 Coll., Act No. 176/2015 Coll., Act No. 253/2015 Coll., Act No. 361/2015 Coll., Act No. 375/2015 Coll., Act No. 378/2015 Coll., Act No. 389/2015 Coll., Act No. 437/2015 Coll., Act No. 440/2015 Coll., Act No. 341/2016 Coll., Act No. 264/2017 Coll., Act No. 279/2017 Coll., Act No. 335/2017 Coll., Act No. 344/2017 Coll., Act No. 57/2018 Coll., Act No. 63/2018 Coll., Act No. 112/2018 Coll., Act No. 209/2018 Coll., Act No. 213/2018 Coll., Act No. 317/2018 Coll., Act No. 347/2018 Coll., Act No. 368/2018 Coll., Act No. 385/2018 Coll., Act No. 4/2019 Coll., Act No. 10/2019 Coll., Act No. 54/2019 Coll., Act No. 88/2019 Coll., Act No. 155/2019 Coll., Act No. 221/2019 Coll., Act No. 223/2019 Coll., Act No. 228/2019 Coll., Act No. 233/2019 Coll., Act No. 301/2019 Coll., Act No. 315/2019 Coll., Act No. 316/2019 Coll., Act No. 319/2019 Coll., Act No. 390/2019 Coll., Act No. 393/2019 Coll., and Act No. 462/2019 Coll. shall be amended as follows:

PART ONE

GENERAL PROVISIONS

Article 1

Subject Matter

(1) This Act regulates

a) personal income tax or corporation tax (hereinafter the "tax"),

b) tax payment and collection.

(2) Any international treaty approved, ratified, and promulgated in the way prescribed by law or any agreement concluded or approved by the Government of the Slovak Republic, which regulates taxation and related legal relations in relation to non-self-governing territories which act independently in international relations (hereinafter the "international treaty"), shall take precedence over this Act.

Article 2

Basic Terms

For the purposes of this Act

a) 'taxpayer' shall mean a natural person or a legal person,

b) 'subject of tax' shall mean income (revenue) from taxpayer's activity and from disposal of taxpayer's assets except for a specifically defined subject of tax pursuant to Article 12,

c) 'income' shall mean pecuniary income and benefit in kind, also acquired through an exchange, valued at prices in common use at the place and time of performance or consumption, according to the type, quality or rate of depreciation of the respective performance unless otherwise stipulated hereby; benefit in kind of a natural person using the single-entry bookkeeping system or keeping records pursuant to Article 6 (10) or (11) shall also include acceptance of a bill of exchange as a means of payment, by which the debtor has settled a receivable to a creditor, who is a natural person,

d) 'taxpayer with unlimited tax liability' shall mean

1. a natural person having their permanent residence,[1a)] domicile or usually staying in the territory of the Slovak Republic, where

1a. a natural person has domicile in the territory of the Slovak Republic if they have the possibility of accommodation, which does not serve only as occasional accommodation, and in view of all the related facts and circumstances including personal ties and economic ties of the natural person with the territory of the Slovak Republic, the intention of the natural person to permanently stay in the domicile is obvious,

1b. a natural person usually stays in the territory of the Slovak Republic if they stay here for at

least 183 days in the respective calendar year, continuously or in several periods; the period shall include every day, including incomplete days,

2. a legal person, which has its registered office or place of effective management in the territory of the Slovak Republic; place of effective management shall mean the place where managing and business decisions of statutory bodies and supervisory bodies of the legal person are adopted even if the address of this place is not registered in the Commercial Register,

e) 'taxpayer with limited tax liability' shall mean

1. a natural person not mentioned in Paragraph (d) Point 1,

2. a natural person mentioned in Paragraph (d) Point 1 that usually stays in the territory of the Slovak Republic only for the purpose of study or medical treatment or that crosses the border into the Slovak Republic on a daily basis or in agreed time periods only for the purpose of performance of employment, whose source is in the territory of the Slovak Republic,

3. a legal person not mentioned in Paragraph (d) Point 2,

f) 'subject of tax of a taxpayer with unlimited tax liability' shall mean income (revenue) resulting from sources in the territory of the Slovak Republic and from sources abroad,

g) 'subject of tax of a taxpayer with limited tax liability' shall mean income (revenue) resulting from sources in the territory of the Slovak Republic (Article 16),

h) 'taxable income' shall mean income subject to tax and not exempt from tax under this Act or under an International Treaty,

i) 'tax expenditure' shall mean an expenditure (cost) to attain, provide for and maintain taxable income provably incurred by the taxpayer, entered in the taxpayer's accounts[1)] or recorded in the taxpayer's records pursuant to Article 6 (11); in using the assets, which may be considered as assets for personal use and related expenditures (costs), the tax expenditure shall only be recognised proportionally pursuant to Article 19 (2) (t) to the extent it is used to attain, provide for and maintain taxable income unless otherwise stipulated by this Act,

j) 'tax base' shall mean the difference by which taxable income exceeds tax expenditures (Article 19) respecting the substantive and temporal connection[1)] of taxable income and tax expenditures in the respective tax period unless otherwise stipulated by this Act,

k) 'tax loss' shall mean the difference by which tax expenditures exceed taxable income respecting the substantive and temporal connection[1)] of taxable income and tax expenditures in the respective tax period,

l) 'tax period' shall mean a calendar year unless otherwise stipulated by this Act,

m) 'business assets' shall mean the summary of assets, i.e. things, receivables and other rights and other values measurable in cash, which the natural person with income pursuant to Article 6 owns and which are used to attain, provide for and maintain the income, on which the natural person keeps or kept the books,[1)] keeps or kept records pursuant to Article 6 (11); business assets pursuant to this provision shall also mean tangible assets acquired under a financial leasing agreement,

n) ‘associated person’ shall mean

1. a close person,[2)]

2. a person or entity with economic, personal or other ties,

3. a person or entity which is part of a consolidated whole for purposes of consolidation[2aa)],

o) ‘economic ties or personal ties’ shall mean a person’s or entity’s participation in the assets, control or management of other person or entity or mutual relation between persons or entities being under control or management of the same person, a person close to such person[2)] or entity, or in which such person, a person close to such person[2)] or entity has a direct ownership interest or indirect ownership interest; participation in

1. the assets or control shall mean a direct interest, indirect interest or indirect derived interest amounting to at least 25 % of the registered capital, a direct interest, indirect interest or indirect derived interest amounting to at least 25 % of voting rights or an interest amounting to at least 25 % of profit; indirect interest shall be calculated as the product of the percentage of direct interests divided by one hundred and the result calculated in this way shall be multiplied by one hundred and the indirect derived interest shall be calculated as a total of indirect interests; the indirect derived interest shall only be used to calculate the amount of participation of one person or entity in the assets or control of another person or entity where such one person or entity has participation in the assets or control of multiple persons or entities, each of which has participation in the assets or control of the same other person or entity; if the indirect derived interest exceeds 50% and more, all the persons or entities used to calculate its amount shall be deemed to have economic ties regardless of the actual amount of their interests; for the purpose of this point, the person or entity acting jointly with another person or entity as regards voting rights or interest in the registered capital shall be considered a person or entity having participation in all voting rights or owning the interest in the registered capital held by such other person or entity,

2. management shall mean the relationship between members of statutory bodies, supervisory bodies or other similar bodies of a legal person or entity and this legal person or entity,

p) ‘other ties’ shall mean a legal relationship or other similar relationship created mainly for the purpose of tax base reduction or tax loss increase,

r) ‘foreign associated person’ shall mean a domestic natural person, domestic legal person or domestic entity having ties with a foreign natural person, foreign legal person or foreign entity pursuant to Paragraph (n); the relationship between the taxpayer with unlimited tax liability and their permanent establishments abroad, as well as the relationship between the taxpayer with limited tax liability and their permanent establishment in the territory of the Slovak Republic, and the relationship between permanent establishments of taxpayers with mutual ties pursuant to Paragraph (n) and the mutual relationship between these permanent establishments and these taxpayers shall be assessed in the same way,

s) ‘financial leasing’ shall mean the acquisition of a tangible asset based on a leasing agreement containing a purchase option relating to the article leased where the price for the transfer of the ownership right to the leased property from the lessor to the taxpayer acquiring the tangible asset by way of financial leasing forms a part of the total amount of the payments agreed if

1. the ownership right is to be passed on to the taxpayer acquiring the tangible asset by way of

financial leasing without undue delay upon the expiry of the leasing; and

2. the period of leasing duration is at least 60 % of the depreciation period pursuant to Article 26 (1),

3. the period of leasing duration for a land, on which a building or structure included in Depreciation Category 5 is situated, is at least 60 % of the period of depreciation of such property; if the leasing includes the building along with the land, the price for which the ownership right to the leased land is passed on from the lessor to the taxpayer acquiring the tangible asset by way of financial leasing must be quantified separately,

4. the period of leasing duration for a land, on which a building or structure included in Depreciation Category 6 is situated, is at least 60 % of the period of depreciation of such property; if the leasing includes the building along with the land, the price for which the ownership right to the leased land is passed on from the lessor to the taxpayer acquiring the tangible asset by way of financial leasing must be quantified separately,

5. the period of leasing duration for a land, on which no building or structure is situated, is at least 60 % of the period of depreciation of the tangible asset included in Depreciation Category 6,

t) 'taxpayer of a Member State of the European Union' shall mean a natural person or legal person subject to taxation in the territory of such Member State of the European Union of income from the sources in the territory of such Member State of the European Union, as well as from the sources out of the territory of such Member State of the European Union which is not a taxpayer with unlimited tax liability in the territory of the Slovak Republic,

u) 'tax advance" shall mean a compulsory payment for a tax paid during the tax period if the real amount of tax for that period is not known yet,

v) 'taxable person' shall mean a natural person or legal person obliged to withhold or collect a tax or a tax advance from a taxpayer, and to pay the tax or tax advance collected from the taxpayer or withheld from the taxpayer to the tax administrator, and is responsible for the taxes as regards the rights of property,

w) 'micro-taxpayer' shall mean a taxpayer who is a natural person whose income (revenue) pursuant to Article 6 (1) and (2) for a tax period does not exceed an amount specified by a special regulation,[2a)] and a taxpayer that is a legal person whose income (revenue) for a tax period does not exceed an amount specified by a special regulation;[2a)] micro-taxpayer shall not mean a taxpayer

1. that is an associated person pursuant to Paragraphs (n) to (r) and executes a controlled transaction for that tax period,

2. that was declared bankrupt, entered liquidation or was permitted a schedule of payments,

3. whose tax period is shorter than 12 consecutive calendar months except for a taxpayer that has a shorter tax period because of death,

x) 'taxpayer of a non-cooperating State' shall mean a natural person, who does not have their permanent residence, or a a legal person, which does not have its registered office in the State included in the list of States published at the website of the Ministry of Finance of the Slovak Republic (hereinafter the "Ministry"); in this list, the Ministry shall include a State, which has entered into a double taxation agreement (hereinafter the "double taxation agreement") or an

international tax information exchange agreement with the Slovak Republic, or a State which is a contracting State of an international treaty containing provisions on tax information exchange in a similar scope binding on the State and the Slovak Republic, and at the same time, the State is not included in the list of the European Union published in the Official Journal of the European Union as at 1 January of the calendar year,

y) 'holder' shall mean a holder of medicine registration, a holder of licence for wholesale distribution of medicines, a holder of medicine production licence, a pharmaceutical company,[37ab)] a holder of licence for pharmaceutical services,[37aba)] a manufacturer and distributor of a medical device, a manufacturer and distributor of dietetic foodstuff[37ac)] or a third person mediating the provision of performance by such persons,

z) 'healthcare provider' shall mean a healthcare provider,[37aa)] their employee or a health professional,[37aa)]

aa) 'employee' shall mean a taxpayer with income pursuant to Article 5 received from the payer of such income (hereinafter the "employer"),

ab) 'controlled transaction' shall mean a legal relationship or other similar relationship between two or more associated persons pursuant to Paragraphs (n) and (r) where at least one of the persons is a taxpayer with income pursuant to Article 6 or a legal person attaining taxable income (revenue) from the activity or disposal of property; controlled transaction shall not mean any lease producing income pursuant to Article 6 (3), if real estate is concerned which is not included in the business assets pursuant to Paragraph (m), and the lessee is a natural person using the real estate for personal purposes; the real substance of the legal relationship or other similar relationship shall be taken into account in assessing the controlled transaction,

ac) 'contribution' shall mean

1. a contribution in cash and contribution in kind to the registered capital;[1)] paid-up contribution shall also mean an increase in the registered capital of a business company or cooperative based on a decision of the General Meeting[2b)] of the business company or cooperative board[2c)] from profit after tax recognised for the tax periods, for which the recognised profit share (dividend) was not subject to tax; business company or cooperative shall also mean a similar business company or cooperative based abroad,

2. a contribution to the capital fund from contributions[2d)] of the business company paid up by the taxpayer; business company shall also mean a similar business company based abroad,

3. a compulsory extra pay to the reserve fund, indivisible fund of the cooperative[2e)] paid up by the shareholder, partner or member of the cooperative, and the share premium[2e)] paid up by the shareholder,

ad) 'entity' shall mean a legal arrangement of assets or legal arrangement of persons without legal personality, or other legal arrangement, which owns assets or manages assets,

ae) 'head office' shall mean a legal person, which is the founder of a permanent establishment,

af) 'final beneficiary of income' shall mean a person receiving income for their own benefit and having the right to use the income without limitation without any contractual or other legal duty to transfer the income to another person, or a permanent establishment of this person if the

activity connected with this income is performed by this permanent establishment or the assets related to such income are functionally connected with this permanent establishment; final beneficiary of income shall not mean a person acting for another person as an intermediary,

ag) 'digital platform' shall mean a hardware platform or software platform necessary for the development and administration of applications,

ah) 'registered office' shall mean a registered office registered in the Commercial Register or in a similar register abroad; if a company does not have any registered office registered in the Commercial Register or in a similar register abroad, registered office shall mean the territory of the State, according to whose legal regulations the company was established or founded, and for an entity, which does not have any registered office registered in the Commercial Register or in a similar register abroad, registered office shall mean the territory of the State, in which the entity has its place of effective management, and if the registered office cannot be determined according to the previous methods, registered office shall mean the territory of the State, according to whose legal regulations the entity was established or founded,

ai) virtual currency sale shall mean the exchange of a virtual currency for assets, the exchange of a virtual currency for another virtual currency, the exchange of a virtual currency for services provided or the transfer of a virtual currency for consideration.

PART TWO

PERSONAL INCOME TAX

Article 3

Subject of Tax

(1) The following shall be subject to tax:

a) income from employment (Article 5),

b) income from business activities, from other self-employment, from lease and from the use of works and artistic performance (Article 6),

c) income from capital property (Article 7),

d) other income (Article 8),

e) profit share (dividend) paid from the profit of a business company or cooperative intended for distribution to the persons taking part in their registered capital or to the members of the statutory body or to the members of the supervisory body of this business company or cooperative; profit share (dividend) shall also mean the income coming from the reduction of the registered capital of the business company or cooperative or of the reserve fund of the business company in the part, in which they were increased before from the profit after tax, as well as the use of undivided profit after tax to pay up contributions to the capital fund from contributions, the share in the liquidation balance of the business company or cooperative, the settlement share, the share in the result of business activities paid to the silent partner unless

these are performances included in Paragraph (f); business company or cooperative shall also mean a foreign person paying a similar income,

f) the share in the result of business activities paid to the silent partner of a public company, the share in the profit of a partner of a public company and general partner of a limited partnership, and the share of a partner of a public company and general partner of a limited partnership in the liquidation balance during company liquidation, and the settlement share upon the termination of participation of a partner in a public company or upon the termination of participation of a general partner in a limited partnership; public company or limited partnership shall also mean a foreign person paying a similar income,

g) the share of a member of a land association with legal personality in the profit and assets intended for distribution to members of the land association with legal personality, or the share in the liquidation balance of the land association with legal personality; land association with legal personality shall also mean foreign person paying a similar income.

(2) The following shall not be subject to tax:

a) the received compensation of an authorised person pursuant to special regulations,[3)] income obtained as a result of release,[3)] donation[4)] or inheritance[5)] of real estate, flat, non-residential premises or parts thereof (hereinafter "real estate") or a movable thing, right or other property value except for income resulting from it and except for the gifts provided in connection with activity performance pursuant to Article 5 or Article 6 and gifts provided to healthcare provider by the holder,

b) credit and loan,

c) value added tax[6)] applied in the price of goods or services if the payer of this tax is concerned,

d) income resulting from the acquisition of new shares[7)] and interests,[7a)] as well as the income resulting from their exchange in the event of taxpayer dissolution without liquidation, including the case when the merger, fusion or split of a company includes the assets of a company having its registered office in Member States of the European Union.

Article 4

Tax Base

(1) Tax base is equal to

a) the sum of the partial tax base of the incomes pursuant to Article 5, which will be reduced by tax-free parts of the tax base or a part thereof (Article 11), and the partial tax bases of the incomes pursuant to Article 6 (3) and (4) and Article 8,

b) the partial tax base of the incomes pursuant to Article 6 (1) and (2), which will be reduced by tax-free parts of the tax base or a part thereof (Article 11).

(2) The tax base (partial tax base) determined from the incomes mentioned in Article 6 (1) and (2) shall be reduced by the tax loss using the procedure pursuant to Article 30.

(3) The income from employment (Article 5) earned by the taxpayer maximum until 31 January after the end of the tax period, for which they were attained, shall represent part of the tax base for this tax period.

(4) The expenditure incurred for acquiring stocks and other expenditure necessarily incurred, connected with the beginning of the activity and incurred in the calendar year preceding the year, in which the taxpayer with income pursuant to Article 6 started performing this activity, shall be included in the tax base starting from the tax period, in which the taxpayer started performing this activity. For a taxpayer with income pursuant to Article 6 that carries on with the activity[8)] of a testator, the stocks obtained from the inheritance of the testator that had income pursuant to Article 6 shall also be taken into account, if the testator's tax base has been increased by these stocks pursuant to Article 17 (8).

(5) The income from the sale of the real estate and movable things included in the business assets and used by the taxpayer only partially for business activities or other self-employment or leased by the taxpayer only partially, which is not exempt from tax pursuant to Article 9 (1) (a) to (c), shall be included in the tax base only to the extent in which the assets were used by the taxpayer for the above activities.

(6) The income, on which the withholding tax under Article 43 (6) (a) to (c) may be considered as tax advance, shall be included in the tax base, if the taxpayer made use of the possibility to deduct the withholding tax as a tax advance pursuant to Article 43 (7).

(7) The income, for which it is stipulated that the tax collected pursuant to Article 43 (6) shall be considered the fulfilment of the tax liability, shall not be included in the tax base.

(8) Unless otherwise stipulated by Article 8 (16), the income mentioned in Article 6 (3) and Article 8 earned by spouses from their undivided co-ownership shall be included in the tax base in the same proportions for each of them unless otherwise agreed by the spouses; the expenditure incurred for the attainment, provision or maintenance of the income shall be included in the tax base in the same proportions.

(9) For a taxpayer with income from business activities (Article 6), the tax base is determined always for a calendar year, even if the taxpayer was declared bankrupt or was permitted a schedule of payments;[8a)] for that purpose, the taxpayer shall be obliged to prepare financial statements as at the last day of the calendar year; this shall not affect the duty to prepare financial statements pursuant to a special regulation[77)].

Article 5

Income from Employment

(1) Income from employment shall include

a) the income from the current or previous labour relationship, service, civil service or membership or from a similar relationship, in which the taxpayer is during work performance for the income payer obliged to observe the instructions or orders of the income payer, and the profit share (dividend) paid by a business company or cooperative to the employee without participation in the registered capital of this company or cooperative,

b) the income for the work of liquidators, holders of procuration, trustees, members of cooperatives, partners and executive officers of limited liability companies and limited partners of limited partnerships, even though they are not obliged to follow another person's instructions when performing their work for the cooperative or company,

c) salaries and emoluments earned by constitutional officials of the Slovak Republic, ombudsman, children's commissioner, health and disability commissioner, Members of the European Parliament elected in the Slovak Republic, prosecutors of the Slovak Republic and heads of other central government bodies of the Slovak Republic laid down by special regulations,[9)]

d) remunerations for the performance of duties in public authorities, local government authorities, and bodies of other legal persons or communities[10)] unless income pursuant to Paragraphs (a) or (b) is concerned, or remunerations for the performance of duties unless income pursuant to Paragraphs (a), (b) and (g) is concerned,

e) remunerations of the accused persons in custody[11)] and remunerations of the convicted persons serving a prison sentence provided pursuant to a special regulation,[12)]

f) the income from social fund resources provided pursuant to a special regulation,[13)]

g) the income earned in connection with the past, present or future performance of employment or function duties regardless of whether the taxpayer really performed, performs or will perform this employment or function duties for the income payer,

h) service income,[14)]

i) insurance premium refunded from the premiums previously paid for public health insurance,[20)] social insurance[21)] and social security,[22)] by which the taxpayer reduced the income from employment pursuant to Clause 8 in the previous tax periods,

j) remuneration for the performance of duties of a chairman, member and minutes clerk of the election commission, chairman, member and minutes clerk of the commission for referendum and counting assistant,

k) the benefit in kind provided by the former employer that is a taxable person to the recipient of an early old-age pension, old-age pension, to the recipient of a pension for years in service after reaching the retirement age pursuant to a special regulation[21)] or to the person, to whom the right to such payments have passed on,

l) remuneration for productive work of a secondary vocational school student and income of a university student during professional experience,

m) income from a sportsman's activity based on a contract for professional sport performance and income from the activity of a sports expert based on a contract for performance of activity of a sports expert pursuant to a special regulation.[22a)]

(2) The income pursuant to Clause 1 shall mean regular, irregular or one-off income regardless of the legal reason thereof, which is paid, remitted or credited, or otherwise paid to the employee by the employer or in connection with employment performance. Such income

shall also include the income received by a person, to whom the right to such income has passed on from the employee.

(3) Employee's income also includes

a) during eight consecutive calendar years from the beginning of a motor vehicle use[1)] including the day of beginning, in

1. the first year, the amount of 1% of the entry price (Article 25) of the employer's motor vehicle provided for business and private purposes for each started calendar month; if a leased vehicle is concerned, the calculation shall be based on the acquisition cost of the vehicle paid by the original owner, even if the leased vehicle is subsequently purchased; if the entry price of the vehicle does not include the value-added tax,[6)] the entry price shall be increased by this tax for the purpose of this provision,

2. the next seven calendar years, the amount of 1% of the entry price of the motor vehicle pursuant to Point 1 reduced by 12.5 % each year as at the first day of the respective calendar year for each started calendar month, in which the vehicle is provided for business and private purposes, and to calculate the benefit in kind, the entry price of the employer's motor vehicle according to Point 1 shall also be increased by the sum of technical improvement of the motor vehicle carried out in these years,

b) the difference between the higher market price[1)] of an employee share and the price of this share guaranteed by the employee stock option on the day of the employee stock option exercise, reduced by the amount paid by the employee for the purchase of the employee stock option; for the purposes of this Act, the employee stock option shall mean the option acquired by the employee from the employer or from a business company with economic ties to the employer's business company which cannot be alienated; for the purposes of this Act, the employee share shall mean the share acquired by the employee from the employer or from a business company with economic ties to the employer's business company,

c) the prize or winning received by an employee who participated in a contest organized by their employer; employee's income also includes such prize or winning received by the spouse and children of the employee who are, for the purposes of this Act, deemed as dependent children of such employee (Article 33) if they took part in such a contest; for such winners, this prize or winning is assessed separately [Article 9 (2) (m)],

d) the benefit in kind provided to the employee by the employer that is a taxable person; the employer may increase this benefit in kind, except for the income pursuant to Paragraph (a), by the tax advance and premium for public health insurance,[20)] premium for social insurance,[21)] premium for social security[22)] or premium and contributions for foreign insurance of the same type, which the employee is obliged to pay from this benefit in kind; the benefit in kind increased in such a way shall be considered employee's income from employment.

(4) A taxpayer with unlimited tax liability is also an employer, if the employee performs work according to their instructions and orders or on behalf or under the responsibility of them although income for such work is paid through a person with the registered office or domicile abroad. For the purposes of this Act, the income paid in such way shall be considered income paid by the taxpayer with unlimited tax liability. If the real amount of employees' incomes is not proved in the employer's payments to a person with the registered office or domicile abroad except for a person with the registered office or domicile abroad that has a branch in the territory

of the Slovak Republic, the whole payment shall be considered employees' income.

(5) In addition to the income not subject to tax pursuant to Article 3 (2), neither the following shall be subject to tax:

a) reimbursement of travel expenses provided in connection with the performance of employment up to an amount, to which the employee is entitled pursuant to special regulations,[15)] except for the pocket money provided during a business trip abroad,

b) the benefit in kind in the amount of the value of personal protective equipment provided pursuant to special regulations, personal hygienic means and occupational clothing (e.g. working clothing, uniforms) including their maintenance or the amount which the employer uses to reimburse the proved employer's expenditure incurred for such purposes; this shall also apply to such benefits provided to students of secondary vocational schools and training colleges that have entered with the employer into a contract concluded pursuant to a special regulation,[15a)]

c) the amount received by the employee as an advance from the employer to be spent on behalf of the employer or the amount used by the employer to reimburse the proved employer's expenditures, which the employee has spent for the employer using their own money in the way that would be used to spend the expenditures by the employer,

d) the amount limited by a special regulation[16)] for the settlement of certain expenditures of the employee,

e) the value of provided convalescent stays, rehabilitation stays, conditional rehabilitations and preventive healthcare in the cases and under the conditions laid down by a special regulation,[17)]

f) reimbursement for the use of one's own tools, equipment and objects necessary to perform work pursuant to a special regulation[18)] if the amount of reimbursement is specified based on the calculation of real expenditures,

g) reimbursement of expenditures and payments provided in connection with performance of function duties to which the title comes into existence pursuant to special regulations,[9)] except for the reimbursement of taxable income loss and reimbursement of time loss.

(6) Payments and benefits pursuant to Clause 5 (b) and (f), which the employer set at a flat rate, shall not be subject to tax provided that in setting the flat- rate amount the employer used the average conditions decisive for the provision of these payments and benefits and their amount was determined based on the proved calculation of real expenditures. If the conditions, according to which the flat-rate amount was determined, change, the employer shall be obliged to review and modify the amount.

(7) In addition to the income exempt from tax pursuant to Article 9 the income provided as follows shall also be exempt from tax:

a) the amount spent by the employer on employee education[18a)] which is related to the activity or business of the employer; if an increase in the degree of education to first-degree or second-degree university education is concerned, the precondition of the existing labour relationship, service, civil service or membership of the employee with this employer or of a similar

relationship, in which the taxpayer is during work performance for the income payer obliged to observe the instructions or orders of the income payer, must be fulfilled as at the beginning of the respective academic year for at least 24 months continuously; this exemption shall not apply to the amounts paid to the employee as a compensation for the lost taxable income,

b) the value of food provided to the employee by the employer for consumption in the workplace or within catering provided through other entities, and the financial food allowance provided pursuant to a special regulation,[17a)] if based on a medical certificate from a specialist, for health reasons, the employee cannot use any of the ways of catering of employees provided by the employer, the sum of recreation allowance provided to the employee by the employer pursuant to a special regulation[17b)] and the sum of allowance for sporting activities of children provided to the employee by the employer pursuant to a special regulation,[17c)]

c) the value of soft drinks provided to the employee by the employer for consumption in the workplace,

d) the use of leisure amenities, healthcare, educational, pre-school, training or sports facility provided to employees by the employer; such benefit provided to the spouse and children of the employee who are, for the purposes of this Act, deemed as dependent children of such employee (Article 33) or their spouse, shall be assessed in the same way,

e) the premium for public health insurance,[20)] premium for social insurance,[21)] premium for social security[22)] and mandatory contributions to old-age pension savings pursuant to a special regulation or the premium and contributions for foreign insurance of the same type (hereinafter the "premium and contributions"), which the employer is obliged to pay for the employee,

f) the compensation for income and extra pay to the compensation for income at temporary incapacity for work provided by the employer to its employee pursuant to a special regulation,[23)]

g) the income from employment performed in the territory of the Slovak Republic received by the taxpayer with limited tax liability from the employer with the registered office or domicile abroad if the time period related to the performance of this activity does not exceed 183 days in any period of 12 consecutive months excluding the income mentioned in Article 16 (1) (d) and the income from activities performed in a permanent establishment (Article 16 (2)),

h) the contribution from the social fund of the employer if it is provided to the employer for a preventive medical examination beyond the scope specified by special regulations,[23a)]

i) the compensation for lost earnings paid to the employee pursuant to a special regulation,[23aa)] if the calculation is based on the average monthly net earning of the employee pursuant to a special regulation,[23ab)]

j) remunerations pursuant to Clause 1 (j),

k) the benefit in kind in the form of own-production products provided by the employer, whose objects of the company include agricultural production,[24)] maximum in the total amount of EUR 200 per year from all employers; if the specified benefit in kind exceeds EUR 200 per year, the tax base shall include only the benefit exceeding the specified amount,

l) social assistance because of death of a close person[2)] living in the household[57)] of the

employee, elimination or mitigation of consequences of natural disasters[24a)] or temporary incapacity for work[24b)] of the employee whose continuous duration exceeds a greater part of the tax period, provided from the resources of the social fund,[13)] paid in a total amount of maximum EUR 2,000 per tax period only from one employer; if such social assistance exceeds EUR 2,000 in the tax period, the tax base (partial tax base) shall include only the social assistance exceeding the specified sum; the condition of continuity is also considered fulfilled if the temporary incapacity for work of the employee started in the previous tax period and the greater part of the tax period shall also include the period of temporary incapacity for work from the previous tax period,

m) the benefit in kind provided to the employee by the employer in order to provide for the transport of the employee to the place of work performance and back pursuant to Article 19 (2) (s) Point 1 in a total amount of maximum EUR 60 per month; if the benefit in kind calculated from the resources provably spent by the employer converted into one place in a motor vehicle pursuant to Article 19 (2) (s) Point 1 exceeds EUR 60, the tax base (partial tax base) shall include only the benefit exceeding the specified sum,

n) the sum of pecuniary income pursuant to special regulations[24d)] paid on the date pursuant to special regulations[24e)] in the total amount of maximum EUR 500 from all employers if the sum of paid pecuniary income covered by this exemption amounts to at least EUR 500 from one employer and the labour relationship (civil service) of the employee with this employer lasts continuously at least 24 months as at 30 April of the respective calendar year; the tax base (partial tax base) shall include only the income exceeding the sum covered by the exemption,

o) the sum of pecuniary income pursuant to special regulations[24g)] paid on the date pursuant to special regulations[24e)] in the total amount of maximum EUR 500 from all employers if the sum of paid pecuniary income covered by this exemption amounts to at least the average monthly earning (function salary) of the employee[24f)] and the labour relationship (civil service) of the employee with this employer lasts continuously at least 48 months as at 31 October of the respective calendar year and the pecuniary income covered by the exemption pursuant to Paragraph (n) was paid to the employee for the respective tax period; the tax base (partial tax base) shall include only the income exceeding the sum covered by the exemption,

p) the benefit in kind provided to the employee in labour relationship[24h)] from the employer in order to provide for the accommodation of the employee in the total amount of maximum EUR 100 per month, and for the employee whose employment with this employer lasts continuously at least 24 months, in the total amount of maximum EUR 350 per month, which will be determined proportionally to the number of days, on which the accommodation of the employee was provided in the respective calendar month; if the determined benefit exceeds the sum mentioned in the part of the sentence before the semicolon or its proportional part corresponding to the amount according to the number of days of the accommodation of the employee in the respective calendar month, the taxable income shall only include the benefit exceeding the determined sum from the employer providing the accommodation,

r) the benefit in kind provided to the employee in the total amount of maximum EUR 500 for the tax period from all employers unless otherwise stipulated by this Act and unless the resources spent by the employer on this benefit in kind are applied as expenditures (costs) for the attainment, provision and maintenance of taxable income [Article 2 (i)]; the tax base (partial tax base) shall include only the benefit exceeding the determined sum.

(8) The tax base (partial tax base) includes the taxable income from employment reduced by the premium and contributions, which the employee is obliged to pay, or the contributions for foreign insurance of the employee covered by compulsory foreign insurance of the same type.

Article 6

Income from Business Activities, from other Self-Employment, from Lease and from the Use of Works and Artistic Performance

(1) Income from business activities shall include

a) income from agricultural production, forest and water management,[24)]

b) income from trade,[25)]

c) income from business activities performed pursuant to special regulations[26)] not included in Paragraphs (a) and (b),

d) income of partners of a public company and general partners of a limited partnership pursuant to Clauses 7 and 8.

(2) Income from other self-employment unless it is included in the income mentioned in Article 5 shall include

a) income from work creation and artistic performance,[27)] in which the taxpayer applied the procedure pursuant to Article 43 (14), and from publishing, reproduction and distribution of literary works and other works at the taxpayer's own expense, and from creation or execution of another object of intellectual property, and from the use of another object of intellectual property or from the assignment of rights to an object of intellectual property,

b) income from the activities,[28)] which are neither trade nor business activities,

c) income of experts and interpreters for the activity pursuant to a special regulation,[29)]

d) income from activities of brokers pursuant to special regulations, which are not trade,[29a)]

e) income from a sportsman's activity or from the activity of a sports expert pursuant to a special regulation[29aa)] including the income on the basis of a contract of sponsorship in sports.[29ab)]

(3) Income from leasing unless it is income mentioned in Clause 1 and in Article 5 includes the income from leasing of real estate including the income from leasing of movable things which are leased as real estate accessories.

(4) Income from the use of a work and from the use of artistic performance[27)] shall include the income for granting the consent to the use of the work and the consent to the use of artistic performance unless it is included in the income mentioned in Clause 2 (a), to which the taxpayer applied the procedure pursuant to Article 43 (14).

(5) Income from business activities or from other self-employment shall also include

a) income from any disposal of the taxpayer's business assets,

b) interests on financial resources on current accounts used in connection with the attainment of income from business activities and from other self-employment,

c) income from the sale of an enterprise or a part of it (Article 17a) based on a contract of sale of enterprise,[30)]

d) the amount of the forgiven debt or a part of it related to and resulting from the disposal of the debtor's business assets.

(6) The provisions of Articles 17 to 29 shall be used to ascertain the tax base (partial tax base) for the income pursuant to Clauses 1 and 2 and the tax base (partial tax base) for the income pursuant to Clauses 3 and 4. The taxpayer with the income pursuant to Clauses 1 and 2 showing a tax loss shall adjust the tax base (partial tax base) pursuant to Article 4 (2) and Article 30. If the provable tax expenditures connected with income pursuant to Clauses 3 and 4 are higher than the income, the difference shall not be taken into account. For the purposes of tax base determination, the income provided in Clause 1 (d) may be reduced only under the conditions provided in Clause 9. The amount of the forgiven debt or a part of it pursuant to Clause 5 (d) shall be included in the debtor's tax base in the tax period, in which the debt was forgiven.

(7) The tax base (partial tax base) of a partner of a public company is a part of the tax base of the public company determined pursuant to Articles 17 to 29. This part of tax base shall be determined in the same proportion as that used for profit division according to the memorandum of association, otherwise on an equal basis.[31)] If the public company shows a tax loss pursuant to Articles 17 to 29, a part of the loss shall be divided to the partner in the same way as the tax base. The tax base shall also include the public company partner's share in the liquidation balance during company liquidation, and the settlement share upon the termination of partner's participation in the business company.

(8) The tax base (partial tax base) of a general partner of a limited partnership is a part of the tax base of the limited partnership determined pursuant to Articles 17 to 29 falling on the general partner. This part of tax base shall be determined in the same proportion as that used for the division of the part of the profit falling on the general partner according to the memorandum of association, otherwise on an equal basis.[32)] If the limited partnership shows a tax loss pursuant to Articles 17 to 29, a part of the loss shall be divided to the general partner in the same way as the tax base. The tax base shall also include the limited partnership general partner's share in the liquidation balance during partnership liquidation, and the settlement share upon the termination of general partner's participation in the limited partnership.

(9) For the purpose of tax base determination, the income mentioned in Clause 1 (d) shall be reduced by the premium and contributions, which the partner of the public company or the general partner of the limited partnership is obliged to pay, and by the expenditures pursuant to Article 19 (2) (e) and (p) under the conditions laid down in the above provisions.

(10) If taxpayer that is not a value added tax payer or a taxpayer that is a value added tax payer only for a part of the tax period does not apply the provable tax expenditures, they may apply expenditures amounting to 60 % of the total amount of income mentioned in Clauses

1 and 2 maximum up to EUR 20,000. If the taxpayer with income pursuant to Clause 4 that is not a value added tax payer or that is a value added tax payer only for a part of the tax period does not apply the provable expenditures, they may apply expenditures amounting to 60 % of the income maximum up to EUR 20,000. If the taxpayer applies expenditures pursuant to this Clause, the amounts of expenditures shall include all the taxpayer's expenditures except for the paid premium and contributions, which the taxpayer is obliged to pay in connection with the attainment of income pursuant to Clauses 1 and 2 unless the premium and contributions were included in the tax base in the previous tax periods; the taxpayer may include the premium and contributions into the expenditures in the proved amount. While applying the expenditures in this way, the taxpayer shall be obliged to keep records within the scope of records pursuant to Clause 11 (a) and (d).

(11) If for the income mentioned in Clauses 1 to 4, the taxpayer applies provably incurred tax expenditures, during the entire tax period they may keep tax records of

a) income in time series and structured as necessary for tax base (partial tax base) determination including the received documents meeting the requirements for accounting documents,[33)]

b) tax expenditures in time series and structured as necessary for tax base (partial tax base) determination including the issued documents meeting the requirements for accounting documents,[33)]

c) tangible assets and intangible assets included in business assets [Article 2 (m)],

d) stocks and receivables,

e) liabilities.

(12) The taxpayer shall be obliged to retain the records pursuant to Clause 11 for a period, in which the right to impose or additionally impose a tax will cease to exist pursuant to a special regulation.[34)]

(13) If the taxpayer with income pursuant to Clauses 3 and 4 decides to use the single-entry bookkeeping system or double-entry bookkeeping system although the taxpayer is not obliged to do so pursuant to special regulations,[1)] the taxpayer shall be obliged to proceed in this way during the whole tax period.

(14) If in the filed tax return for the respective tax period the taxpayer applies provable tax expenditures, after the expiry of the time limit for the submission of the tax return for this tax period, the taxpayer must not change them to expenditures applied in the way pursuant to Clause 10. If in the filed tax return for the respective tax period the taxpayer applies expenditures in the way pursuant to Clause 10, after the expiry of the time limit for the submission of the tax return for this tax period, the taxpayer must not change them to provable tax expenditures.

(15) Movable things and real estate in undivided co-ownership of spouses, which both spouses use to attain, provide for and maintain the income pursuant to Clauses 1 to 4, shall be included in the business assets by one of the spouses. The expenditures related to the use of these movable things and real estate shall be divided between both spouses in the same proportion as the use of the movable things and real estate in their activity; the same proportion

shall also be used for the division of income from the sale of the movable things and real estate.

Article 7

Special Tax Base for Capital Property

(1) Income from capital property unless income pursuant to Article 6 (1) (d) is concerned shall include

a) interests and other revenues from securities,

b) interests, winnings and other revenues from deposits in deposit books, from financial resources on deposit accounts, on building saver's account and from current account except for interests mentioned in Article 6 (5) (b),

c) interests and other revenues from provided credits and loans and interests on the contribution paid up in the agreed amount of partners of public companies,

d) complementary pension savings benefits pursuant to a special regulation;[35)] severance pay provided pursuant to a special regulation shall be assessed in the same way,[35)]

e) insurance benefits for the case of survival to a certain age; any lump-sum settlement or surrender paid in the event of insurance of persons when insurance is terminated prematurely shall be assessed in the same way,

f) revenues from bills of exchange except for income from their sale,

g) revenues from units received when units are paid (returned),

h) revenues (income) from government bonds and government treasury bills.

(2) Income from capital property shall also include the revenue coming into existence upon the maturity of a security from the difference between the nominal value of the security and the rate of issue; if the security is repaid prematurely, the value, for which the security is repurchased, shall be used instead of the nominal value.

(3) The tax on the income mentioned in Clause 1 (a), (b), (d), (e) and (g) received from the sources in the territory of the Slovak Republic shall be collected pursuant to Article 43. In the event of bonds and bills sold below their nominal value, the income amounting to the difference between their nominal value and the lower acquisition cost will be included in the owner's special tax base upon their maturity. If the income mentioned in Clause 1 (a), (b), (d), (e) and (g) and in Clause 2 is received from sources abroad, it shall be included in the special tax base.

(4) The special tax base shall include the income mentioned in Paragraphs (a) to c), (f) and (h) not reduced by expenditures, except for the expenditures mentioned in Clause 7.

(5) The special tax base shall include the sum, by which the total amount of incomes pursuant to Clause 1 (g) exceeds the total amount of contributions of the unit-holder; the selling price of the repaid (returned) unit upon its issue shall be considered the contribution of the unit-

holder. If the total amount of contributions of the unit-holder exceeds the total amount of incomes pursuant to Clause 1 (g), the difference shall not be taken into account.

(6) If the taxpayer makes use of the possibility to deduct the withholding tax pursuant to Article 43 (10) as a tax advance pursuant to Article 43 (7), the special tax base shall be determined pursuant to Clause 5.

(7) For income pursuant to Clauses 1 to 3, which is part of the special tax base, the compulsorily paid premium[20)] from this income shall also be considered expenditure.

(8) The special tax base shall also include the income mentioned in Clause 1 (d) and (e) from sources abroad reduced by paid contributions or premium, and if pension is concerned, the paid contributions or premium shall be divided to the period of receipt of the pension; if the period of receipt of the pension has not been agreed, it shall be determined as the difference between the life expectancy at birth according to the data announced by the Statistical Office of the Slovak Republic and the age of the taxpayer at the time when they start receiving the pension for the first time.

(9) The income pursuant to Clauses 1 to 3 earned by spouses from their undivided co-ownership shall be included in the special tax base in the same proportions for each of them unless otherwise agreed by the spouses; the expenditures, by which the income included in the special tax base can be reduced pursuant to Clauses 2, 3, 5, 7 and 8, shall be included in the special tax base in the same proportion.

(10) The income pursuant to Clauses 1 to 3, on which the withholding tax under Article 43 (6) (a) to (c) may be considered as tax advance, shall be included in the special tax base, if the taxpayer made use of the possibility to deduct the withholding tax as a tax advance pursuant to Article 43 (7). The income, for which it is stipulated that the tax collected pursuant to Article 43 (6) shall be considered the fulfilment of the tax liability, shall not be included in the special tax base.

Article 8

Other Income

(1) Other income, provided that the income pursuant to Articles 5 to 7 is concerned, shall include in particular

a) income from occasional activities including the income from occasional agricultural production, forest and water management, and from occasional leasing of movable things; income attained from the activity performed based on a contractual relationship shall not be considered income from occasional activity pursuant to this provision if the paying taxpayer that is a legal person or natural person with income pursuant to Article 6 may reduce the tax base pursuant to Articles 17 to 29 by the remuneration paid based on a document meeting the requirements for accounting document,[33)]

b) income from the transfer of real estate ownership,

c) income from the sale of movable things,

d) income from the transfer of options,

e) income from the transfer of securities,

f) income from the transfer of participation (interest) in a limited liability company, limited partnership or from the transfer of membership rights of a cooperative,

g) income from inherited industrial property rights and other intellectual property rights including the copyright and copyright-related rights,[36)]

h) pensions[37)] and similar repeated benefits,

i) winnings in lotteries and other similar games, and winnings from advertising competitions and from drawing of lots,

j) prizes from public contests, prizes from contests, in which the circle of contestants is limited by the conditions of the contest or when contestants are selected by the contest organiser, and prizes from sports competitions unless a taxpayer performing the sporting activity within another self-employment [Article 6 (2) (e)] is concerned,

k) income from derivative operations,

l) pecuniary income and benefit in kind provided to a healthcare provider by a holder,

m) compensating payments pursuant to a special regulation,[37ad)]

n) redress for non-economic injury,[37ae)] except for the redress for non-economic injury, which was caused by a criminal offence,

o) income from waste purchase paid pursuant to a special regulation,[37af)]

p) income on the basis of a contract of sponsorship in sports[29ab)] received by a sportsman pursuant to a special regulation,[37afa)]

r) compensation for time loss of a volunteer registered in the sports information system pursuant to a special regulation,[37afb)]

s) income from the redistribution of a capital fund from contributions; the income from the redistribution of a capital fund from contributions shall also include the income attained by reducing the registered capital of a business company in the part, in which it was previously increased from the paid-up contributions to the capital fund from contributions,

t) income from the sale of virtual currency.

(2) The tax base (partial tax base) shall include the taxable income reduced by expenditures provably spent on its attainment. If the expenditures connected with individual income types mentioned in Clause 1 are higher than the income, the difference shall not be taken into account. The taxpayer providing a contribution in kind to a business company or cooperative (hereinafter the "provider of contribution in kind") shall include in the tax base (partial tax base) the difference between the higher value of the contribution in kind counted

towards the partner's contribution[37a)] and the value of contributed assets, in the tax period, in which the contribution in kind was paid up or until its complete inclusion gradually, maximum during seven consecutive tax periods, at least in the amount of one seventh per year, starting from the tax period, in which the contribution in kind was paid up; if during such period, on the part of the provider of contribution in kind there is a sale or other decrease in securities and business interest below the value of the contribution in kind counted towards the partner's contribution[37a)] or on the part of the beneficiary, who acquired the contribution in kind (hereinafter the "beneficiary of contribution in kind"), there is a sale or other disposal of more than 50% of the fair value pursuant to a special regulation[1)] (hereinafter the "fair value") of the tangible or intangible assets acquired by the contribution in kind, the provider of contribution in kind shall be obliged to include the whole remaining part of the reported difference in the tax base in the tax period, in which any of these facts occur, and when such facts occur, the provider of contribution in kind shall be obliged to apply procedure pursuant to Article 17b (2) and the beneficiary of contribution in kind shall be obliged to apply the procedure pursuant to Article 17b (7). The value of contributed assets shall be

a) for the assets except for the assets, for which the income from its sale is exempt from tax pursuant to Article 9 (1) (a) to (d) and (i)

1. the price of the assets determined pursuant to Article 25 (1),

2. the depreciated price pursuant to Article 25 (3), if the contribution is the property, which was previously business assets pursuant to Article 2 (m),

3. the total amount of costs of acquisition of the securities and business interest,

b) for an individually contributed receivable, the nominal value or acquisition cost of the receivable,

c) for stocks, the acquisition cost or price of the stocks, which the provider of contribution in kind had to apply to adjust the tax base pursuant to Article 17 (8) (a) and (c), if the stocks were previously business assets pursuant to Article 2 (m).

(3) The tax base (partial tax base) shall include the taxable income not reduced by expenditures except for the expenditures listed in Clause 12 in the event of

a) the income pursuant to Clause 1 (i) and (j) from sources abroad,

b) pensions,[37)]

c) the income pursuant to Clause 1 (l); in executing clinical trials,[37ab)] expenditures shall also include the expenditures provably incurred by the healthcare provider in connection with the performance of this activity.

(4) The tax base (partial tax base) shall include the income from the sale of real estate pursuant to Clause 1 (b) only in the tax period, in which it was received, no matter in which taxable period the purchaser acquired the ownership right to the real estate.

The income mentioned in Clause 1 (b) to (f) paid in instalments based on a purchase contract or other contract, under which the ownership is transferred, or advances agreed and received under such contracts, or received under the contract of future sale or other transfer shall be included in the tax base (partial tax base) in the tax period, in which they were received.

(5) For the income pursuant to Clause 1 (b) to (e) and (s), the expenditures shall include

a) the purchase price provably paid for the thing, security or option,

b) the price of the thing, security or option determined at the time of acquisition unless it is an expenditure pursuant to Paragraph (a), and for real estate acquired by inheritance or donation, the price pursuant to Article 25 shall be used as the basis,

c) the depreciated price pursuant to Article 25 (3), if the property previously included in business assets is concerned,

d) the financial resources provably spent on technical improvement, repair and maintenance of the thing including other expenditures related to the sale of the thing except for the expenditures for personal purposes,

e) the expenditures related to acquisition and sale of securities and options; in selling employee shares also the sum of benefit in kind mentioned in Article 5 (3) (b) taxed pursuant to Article 35,

f) the expenditures provably incurred for property acquisition or production using the taxpayer's own sources; the expenditures provably incurred for real estate acquisition shall also include

1. the payment for the transfer of membership rights and duties connected with the transfer of the right to use a rental cooperative apartment,

2. mortgage interests[37b)] or building credit interests[37c)] related to acquisition of the real estate or special-purpose housing loan interests, where the loan contract conditions contain the acquisition of this real estate, except for the interests applied as a tax expenditure during the inclusion of this real estate into the business assets; other fees connected with the provided credit shall be assessed identically,

g) the sum of paid up contribution,[2d)] for the income pursuant to Clause 1 (s); the sum of paid up contribution exceeding the income pursuant to Clause 1 (s) in the tax period, in which the income was received, may be applied in this tax period up to the amount of the income, and if such income is also received in the next tax period, the same procedure shall be used, up to the amount of the total sum of paid up contribution.

(6) The value of the taxpayer's own work in the thing, which the taxpayer produced themselves of improved by their own work, shall not be an expenditure pursuant to Clause 5.

(7) For income pursuant to Clause 1 (e) and (f), the expenditures shall include any contribution or acquisition cost of an interest; for an interest in a limited liability company, limited partnership or for a membership right in a cooperative acquired by inheritance or donation, the price pursuant to Article 25 (1) (c) at the time of acquisition shall be used as the basis.

(8) The expenditures exceeding the income pursuant to Clause 1 (b) to (f) in the tax period, in which instalments or advances for the sale of movable things, securities, real estate or for the transfer of options, business interest of a partner of a limited liability company, of a limited partner of a limited partnership or of membership rights of a cooperative member are

paid for the first time, may be applied in this tax period up to the amount of such income. If this income is also received in the next tax period, the same procedure shall be applied, up to the amount of the total sum that may be applied pursuant to this provision.

(9) If for the income from occasional agricultural production, forest and water management [Clause 1 (a)], the taxpayer fails to apply the expenditures provably incurred to attain the income, the taxpayer may apply expenditures amounting to 25 % of the income, maximum up to EUR 5,040 per year.

(10) Tax pursuant to Article 43 shall be collected on the income pursuant to Clause 1 (i) and (j), except for the winning or prize in kind, received from sources in the territory of the Slovak Republic, and on the income pursuant to Clause 1 (m) and (o). If a winning or prize in kind is provided, the operator or organiser of the game, competition or drawing of lots shall be obliged to notify the winner of the value of the winning or prize, which is the acquisition cost or own costs of the operator or organiser of the game, competition or drawing of lots or provider of the winning or prize. If the prize from public contest includes the remuneration for the use of work or performance, the prize shall be reduced by the sum falling on this remuneration and the sum shall be included in the income mentioned in Article 6.

(11) For the income pursuant to Clause 1 (k), expenditures shall include the fees and other similar payments related to the execution of derivative operations and the expenditures related to the settlement of these derivative operations.

(12) For income pursuant to Clauses 1 and 2, which is part of the tax base (partial tax base), the compulsorily paid premium[20)] from this income shall also be considered expenditure.

(13) Tax on pecuniary income and benefits in kind pursuant to Clause 1 (l) shall be collected pursuant to Article 43 except for the income from the execution of clinical trials.[37ab)]

(14) In the tax period, in which the taxpayer violated the conditions laid down by a special regulation,[37afc)] the taxpayer shall include in the tax base (partial tax base), the total of sums determined by individual tax periods, in which they attained income exempt pursuant to Article 9 (1) (l). The sums for individual tax periods shall be calculated as the total of positive differences between individual income types pursuant to Clause 1 (d), (e) and (k) and expenditures pursuant to Clauses 5 and 11 appertaining to individual income types pursuant to Clause 1 (d), (e) and (k); in calculating them, the taxpayer shall not apply exemption pursuant to Article 9 (1) (i) and (k). In including this sum into the tax base (partial tax base), the taxpayer shall use the data provided by the financial institution entitled to provide investment services pursuant to a special regulation.[37ag)] Violations of conditions laid down pursuant to a special regulation[37afc)] shall not include the case when the taxpayer dies during the period of long-term investment savings.[37afc)]

(15) For the income pursuant to Clause 1 (p), expenditures shall mean all the expenditures provably incurred based on a contract of sponsorship in sports. The income under a contract of sponsorship in sports for a period exceeding the tax period shall be included in the tax base gradually in the period of receiving the income based on the contract of sponsorship in sports up to the amount of expenditures incurred in the respective tax period pursuant to a special regulation.[37ah)]

(16) The income pursuant to Clause 1 received by spouses from the transfer of assets or

right in their undivided co-ownership, which was included in the business assets of either spouse, shall be taxed on the part of the spouse, whose business assets included such assets or right as the last one.

(17)The income pursuant to Clause 1 (t) from the sale of the virtual currency acquired by mining shall be included in the tax base (partial tax base) in the period of taxation, in which the virtual currency is sold. The tax base (partial tax base) shall include the income from the sale of virtual currency reached in exchanging the virtual currency for assets, in exchanging the virtual currency for another virtual currency, or in exchanging the virtual currency for the provision of a service, while using the valuation in the way pursuant to Article 17 (43). If the assets, from which the income is obtained pursuant to Clauses 1 and 2, were acquired by exchanging for a virtual currency, the way mentioned in Article 25b shall be used to value the expenses spent to reach such income.

Article 9

Income Exempt from Tax

(1) The following income shall be exempt from tax:

a) from the sale of the real estate, which is not covered by exemption pursuant to Paragraph (b), after the expiry of five years from the date of its acquisition or exclusion from the business assets provided that such real estate was included in the business assets, except for the income earned by the taxpayer according to the contract of future sale of the real estate concluded within five years from its acquisition or from its exclusion from the business assets although the purchase contract will be concluded only after five years from its acquisition or from its exclusion from the business assets,

b) from the sale of the real estate acquired by inheritance (gradual inheritance) in the descending line or by either spouse if at least five years expire from the date of acquisition of this real estate provably to ownership or co-ownership of the testator (testators) or of exclusion from the business assets provided that such real estate was included in the business assets, except for the income earned by the taxpayer according to the contract of future sale of the real estate concluded within five years from its acquisition or from its exclusion from the business assets although the purchase contract will be concluded only after five years from its acquisition or from its exclusion from the business assets,

c) from the sale of a movable thing except for the income from the sale of a movable thing, which was included in the business assets, within five years from its exclusion from the business assets; for the purposes of this Act, movable thing shall not mean a security,

d) from the sale of real estate or a movable thing released to an authorised person pursuant to special regulations,[3)] received by this person,

e) from the sale of assets included in the bankrupt's estate[38)] and from the write-off of liabilities during bankruptcy or for a schedule of payments, which are carried out pursuant to a special regulation[38)] including the write-off of liabilities vis-à-vis the creditors that failed to assert their claims against the taxpayer in the bankruptcy; the same procedure shall be applied to the write-off of liabilities on the part of the taxpayer if bankruptcy is cancelled pursuant to a special regulation,[38b)]

f) received within the maintenance obligation fulfilment pursuant to a special regulation[39)] and similar income provided from abroad,

g) income pursuant to Article 6 (3) and Article 8 (1) (a) if the total amount of such incomes in the tax period does not exceed EUR 500, and if such specified incomes exceed EUR 500, the tax base shall include only the income exceeding the specified sum; the expenditures concerning the income included in the tax base shall be determined in the same ratio as that of income included in the tax base to total income,

h) from the transfer of membership rights and duties in a housing cooperative related to the transfer of the right to use a rental cooperative apartment if the taxpayer used this apartment for living for at least five years from the date of conclusion of the lease contract with the housing cooperative, except for the income received by the taxpayer on the basis of the contract for future transfer of membership rights and duties in a housing cooperative related to the transfer of the right to use a rental cooperative apartment concluded within five years from the date of conclusion of the lease contract with the housing cooperative,

i) income pursuant to Article 8 (1) (d) to (f) if the total amount of these incomes reduced by the expenditure pursuant to Article 8 (5) and (7) does not exceed EUR 500 in the tax period; if the specified difference between the total amount of incomes and total amount of expenditures exceeds EUR 500, the tax base shall only include the difference exceeding the sum; if the taxpayer also attained income pursuant to Article 6 (3) and Article 8 (1) (a), exemption from tax shall be applied pursuant to Paragraph (g) and pursuant to this Paragraph in the maximum total amount of EUR 500,

j) income obtained by the acquisition of the ownership of an apartment as a compensation for a vacated apartment or a received compensation for a vacated apartment by the apartment user from an authorised person, to whom real estate was released pursuant to special regulations[3)] or from a heir of the authorised person, to whom the real estate was released, in which the apartment is situated,

k) from the sale of securities pursuant to Article 8 (1) (e) admitted to trading on a regulated market[39b)] or on a similar foreign regulated market after the expiry of one year from their acquisition if the period between their admission to a regulated market or similar foreign regulated market and the sale exceeds one year; the income from the sale of securities included in the business assets of the taxpayer shall not be exempt from tax,

l) from the sale of securities, options and income from derivative operations flowing from long-term investment savings after the fulfilment of the conditions laid down by a special regulation[37afc)] including the income paid after the expiry of 15 years from the beginning of long-term investment savings; the income from the sale of securities, options and income from derivative operations included in the business assets of the taxpayer shall not be exempt from tax,

m) income pursuant to Article 8 (1) (r) if the total amount of such incomes in the tax period does not exceed EUR 500, and if such specified incomes exceed EUR 500, the tax base shall include only the income exceeding the specified sum; the expenditures concerning the income included in the tax base shall be determined in the same ratio as that of income included in the tax base to total income,

n) income pursuant to Article 3 (1) (g), if it does not exceed EUR 500 in the respective tax period from an individual land association with legal personality; if such specified income exceeds EUR 500,

1. the tax on such income shall be withholding tax pursuant to Article 43 (3) (r) only on the amount exceeding EUR 500 form individual taxable person in the respective tax period,

2. it shall be be included in the special tax base pursuant to Article 51e only in the amount exceeding EUR 500 from an individual land association with legal personality in the respective tax period.

(2) The following shall also be exempt from tax:

a) benefits, supports and services from public health insurance,[20)] individual health insurance,[20)] social insurance,[21a)] sickness security and accident security,[40)] payments from old-age pension savings,[40a)] except for the amount paid according to a special regulation,[40c)] and payments from compulsory foreign insurance of the same type,

b) benefits and allowances for the provision of basic living conditions and solving of material need,[41)] social services,[42)] pecuniary allowances for the compensation of social consequences of severe disability,[42)] state benefits and state social benefits regulated by special regulations,[43)] other social benefits[44)] and income of the same type from Member States of the European Union and States, which are Contracting Parties to the Agreement on the European Economic Area,

c) supplement to income compensation, supplement to sickness benefit, supplement to the support during family member treatment, supplement to the financial assistance in maternity and supplement to pension including the supplement for the performance of duties of a judge, judge of the Constitutional Court and prosecutor provided pursuant to special regulations,[45)]

d) payments provided within the active labour market policy[46)] except for the payments received in connection with the performance of the activities, from which income is received pursuant to Article 6,

e) a lump-sum benefit for the performance of extraordinary service,[47)] incentive benefit, in-kind requisites, reimbursement for travel expenses[47a)] and lump-sum compensation for survivors[47b)] provided in connection with inclusion in active reserves pursuant to a special regulation,

f) benefits of security for years in service and services of social security of members of the armed forces, armed security corps, armed corps, National Security Authority, Fire and Rescue Corps, Mountain Rescue Service, and Slovak Information Service provided pursuant to special regulations[49)] except for the allowance for years in service, retirement benefits and recreational care,

g) gifts in kind or monetary gifts provided to members of the Fire and Rescue Corps, employees and members of fire brigades and natural persons for the saving of lives and property,[50)]

h) benefits from insurance of persons except for insurance benefits for the case of survival to a certain age or complementary pension savings pursuant to a special regulation,[35)]

i) received compensations for damage, redress for non-economic injury except for the redress

for non-economic injury pursuant to Article 8 (1) (n), payments provided for the elimination or mitigation of consequences of an extraordinary event,[50a)] benefits from insurance of assets and benefits from insurance of liability for damage except for the payments received as a compensation for

1. the loss of taxable income unless it is a loss of income secured by benefits or supplements pursuant to Paragraphs (a) and (c) or unless these are benefits provided by the insurance company to the taxpayer as a consequence of an injury if their ability to perform the current activity drops by more than 40%, maximum up to the amount pursuant to Article 11 (2) (a); if such specified benefits exceed the sum pursuant to Article 11 (2) (a), the tax base shall include only the benefits exceeding the specified sum; if the benefit is paid to the taxpayer for several years, tax exemption shall be applied in the tax period of paying the benefit amounting to the product of the sum pursuant to Article 11 (2) (a) valid in the year of payment of the benefit and the number of years, for which the benefit is paid, starting from the year, in which the payment was made, maximum up to EUR 20,000; the benefit exceeding the specified sum shall be included in the tax base (partial tax base) of the taxpayer,

2. damage caused to the assets, which represented business assets at the time of damage occurrence,

3. damage caused in connection with business activities or other self-employment of the taxpayer (Article 6 (1) and (2)) and damage caused by the taxpayer in connection with lease (Article 6 (3)),

4. damage caused to the assets leased to the taxpayer if the taxpayer used the assets for business activities or other self-employment,

j) scholarships[51)] provided from State budget resources or provided by universities and similar benefits provided from abroad, scholarships provided to pupils pursuant to a special regulation,[51a)] business scholarships provided to university students pursuant to a special regulation,[51b)] support and allowances from resources of foundations and civil associations,[52)] non-profit organisations and non-investment funds[53)] including benefits in kind, support and allowances[54)] provided from State budget resources, budgets of municipalities, higher territorial units and State funds including the benefits in kind except for payments received as a compensation for income loss or in connection with the performance of activities providing income pursuant to Articles 5 and 6,

k) interests on the tax overpaid caused by the tax administrator,[55)]

l) winnings in lotteries and other similar games operated based on the licence issued pursuant to special regulation[56)] and similar winnings from abroad,

m) received prizes or winnings unspecified in Paragraph (l) in the value not exceeding EUR 350 per prize or winning; if the specified income exceeds the amount of EUR 350, the tax base shall include only the income exceeding the specified amount; prize or winning shall mean

1. a prize from a public contest, prize from a contest, in which the circle of contestants is limited by the conditions of the contest or when contestants are selected by the contest organiser, except for the remuneration included in this prize for then use of a work or performance if it is part of the prize,

2. a winning from an advertising competition or from drawing of lots,

3. a prize from a sports competition; prizes from sports competitions received by taxpayers

performing the sporting activity as another self-employment (Article 6) shall not be exempt from tax,

n) the amount of tax advantage for a dependent child living with the taxpayer in the household[57)] (hereinafter the "tax bonus") paid to the taxpayer pursuant to Article 33, the amount of tax advantage for interests paid within housing loans[57a)] (hereinafter the "tax bonus for paid interests") pursuant to Article 33a and payments of the same type from Member States of the European Union and States, which are Contracting Parties to the Agreement on the European Economic Area,

o) monetary compensations from the Deposit Protection Fund[58)] and from the Investment Guarantee Fund,[59)]

p) income from the sale of a unit up to the amount of the current price of the unit valid on the date of sale except for the sale of the unit to a person with the registered office or domicile abroad,

r) compensation received for the expropriation of lands and buildings in public interest paid pursuant to a special regulation,[59b)]

s) financial resources from grants provided based on international treaties binding on the Slovak Republic,

t) the sum admitted and paid to an employee pursuant to Article 32a (hereinafter the "employee bonus"),

u) material support for pupils of secondary vocational schools and training colleges provided pursuant to a special regulation,[59c)]

v) pecuniary income or benefit in kind provided by a legal person pursuant to a special regulation[59ca)] to a natural person during the transfer of book-entry securities without consideration pursuant to a special regulation,[59d)]

w) income of persons acting in favour of the Police Force paid to the persons from special financial resources, which the Police Force uses for the reimbursement of expenditures connected with performance of operational search activities, with performance of criminal intelligence, with the use of agents and protection of witness,[59e)]

x) payments provided to volunteers pursuant to a special regulation,[59i)]

y) benefit in kind provided by the holder in the form of value of food provided to the healthcare provider at a professional event[37ab)] that is to serve exclusively for educational purposes, and benefit in kind provided by the holder in the form of participation of the healthcare provider in continuous education pursuant to a special regulation;[59ia)] participation in continuous education shall not mean the value of accommodation and transport provided in connection with such education,

z) payment provided to mining pensioners and widows of miners or widows of mining pensioners, whose title to such payment came into existence pursuant to Edict of the Federal Ministry of Fuel and Energy No. 1/1990 Coll. of 23 January 1990 on free coal and wood[59j)] till

16 January 1992,

aa) remuneration provided by the Authority for Protection of Notifiers of Criminal Social Activity pursuant to a special regulation,[59ja)]

ab) financial allowance,[59jb)] lump-sum compensation for survivors[59jc)] and in-kind requisites[59jd)] provided in connection with voluntary military training pursuant to a special regulation,

ac) pecuniary income and benefit in kind provided from State budget resources on the occasion of awarding State prizes and State orders,[59je)] State titles of honour[59jf)] and rewards for national athletes[79d)] for results achieved in significant contests,[59jg)]

ad) allowance for deserts in sports provided pursuant to a special regulation,[59jh)]

ae) lump-sum allowance for deserts in sports provided pursuant to a special regulation.[59ji)]

(3) In the event of sale of real estate mentioned in Clause 1 (a) or (b) after the end of existence and settlement of the undivided co-ownership of spouses,[60)] the period provided in Clause 1 (a) or (b) shall include the period, for which such real estate was in the undivided co-ownership of spouses.

(4) The exemption of income from the sale or transfer of real estate pursuant to Clause 1 (a) and (b) or from the transfer provided in Clause 1 (h) on the part of the seller or transferor shall be assessed according to the day of receipt of the first payment or advance or according to the date of conclusion of the contract for transfer, whichever is earlier, no matter in which tax period the purchaser or transferee acquired the ownership right to the real estate or the right connected with the membership interest.

(5) The date of assets exclusion from the business assets of the taxpayer shall mean the date on which the taxpayer last time entered the assets in the accounting or included in records pursuant to Article 6 (11).

Article 10

Calculation of Income and Expenditures of the Co-Owner and Participant in the Association, which is not a Legal Person

(1) The income attained jointly by two or more taxpayers on the ground of co-ownership of a thing or from joint rights and joint expenditures spent to attain, provide for and maintain it shall be included in the tax base of individual taxpayers according to their co-ownership interests unless a different interest is laid down by a legal regulation or agreed by the participants.[61)]

(2) The income attained by taxpayers in common business activities or from other common self-employment (Article 6 (1) and (2)), based on a written contract of association,[62)] and tax expenditures shall be included in the tax base of individual taxpayers in the same proportions unless otherwise stipulated in the contract of association. This shall also apply to income and tax expenditures during joint business activity (Article 6) on the basis of a written contract of association[62)] between natural persons and legal persons.

Article 11

Tax-Free Parts of Tax Base

(1) The tax base (partial tax base) determined from the income pursuant to Article 5 or Article 6 (1) and (2) or the sum of partial tax bases from this income shall be reduced by tax-free parts of tax base mentioned in Clauses 2, 3, 8, and 12.

(2) If in the respective tax period the taxpayer attains the tax base, which

a) is equal to or lower than 92.8 times the minimum subsistence amount[39a)] in force as of 1 January of the respective tax period (hereinafter the "minimum subsistence amount in force"), the annual tax-free part of tax base per taxpayer is a sum corresponding to 21.0 times the minimum subsistence amount[39a)] in force as of 1 January of the respective tax period (hereinafter the "minimum subsistence amount in force"),

b) is higher than 92.8 times the minimum subsistence amount in force, the annual tax-free part of tax base per taxpayer is a sum corresponding to the difference of 44.2 times the minimum subsistence amount in force and one fourth of the tax base; if this sum is lower than zero, the annual tax-free part of tax base per taxpayer shall be equal to zero.

(3) If in the respective tax period the taxpayer attains the tax base, which

a) is equal to or lower than 176.8 times the minimum subsistence amount in force and their spouse living in the household with the taxpayer[57)] in this tax period

1. has no own income, the annual tax-free part of tax base per the spouse shall be the amount corresponding to 19.2 times the minimum subsistence amount in force,

2. has their own income not exceeding the sum corresponding to 19.2 times the minimum subsistence amount in force, the annual tax-free part of tax base per the spouse shall be the difference between the sum corresponding to 19.2 times the minimum subsistence amount in force and the spouse's own income,

3. has their own income exceeding the sum corresponding to 19.2 times the minimum subsistence amount in force, the tax-free part of tax base per the spouse shall be equal to zero,

b) is higher than 176.8 times the minimum subsistence amount in force and their spouse living in the household with the taxpayer[57)] in this tax period

1. has no own income, the annual tax-free part of tax base per the spouse is a sum corresponding to the difference of 63.4 times the minimum subsistence amount in force and one fourth of the tax base of this taxpayer; if this sum is lower than zero, the tax-free part of tax base per the spouse shall be equal to zero,

2. has their own income, the annual tax-free part of tax base per the spouse is a sum calculated according to Point 1, reduced by the spouse's own income; if this sum is lower than zero, the tax-free part of tax base per the spouse shall be equal to zero.

(4) For the purposes of application of the tax-free part of tax base pursuant to Clause 3

a) the spouse to whom the taxpayer may apply the tax-free part of tax base shall mean the spouse

living in the household with the taxpayer, who, in the respective tax period, took care of a dependent (Article 33 (2)) minor child pursuant to a special regulation[63a)] living in the household with the taxpayer or who, in the respective tax period, received monetary allowance for nursing[63b)] or was included in the records of job applicants[63c)] or is considered a handicapped citizen[63d)] or is considered a citizen with severe disability[63e)] and at the same time

b) the spouse's own income shall mean the income of the spouse reduced by paid premiums and contributions, which the spouse was obliged to pay in the respective tax period from this income; the spouse's own income shall not include the employee bonus pursuant to Article 32a, tax bonus pursuant to Article 33, pension increase for helplessness, state social allowances[64)] and scholarship provided to the student continuously preparing for the future profession.[125)]

(5) The taxpayer that may apply the tax-free part of tax base pursuant to Clause 3 for only one or several calendar months in the tax period may reduce the tax base by the tax-free part of tax base corresponding to one twelfth of the tax-free part of tax base pursuant to Clause 3 for every calendar month, at the beginning o which the conditions for the application of this tax-free part of tax base were met.

(6) The taxpayer's tax base shall not be reduced by the sum calculated pursuant to Clause 2 if at the beginning of the tax period, the taxpayer is a recipient of an old-age pension, compensating supplement or early old-age pension from the social insurance, old-age pension savings or a pension from the foreign compulsory insurance of the same type or a pension for years in service[22)] or similar pension from abroad (hereinafter the "pension") or if the pension was awarded retroactively as of the beginning of the tax period or as of the beginning of the previous tax periods and the sum of the pension is in aggregate higher than the sum by which the tax base is reduced pursuant to Clause 2. If the sum of the pension in aggregate does not exceed the sum by which the tax base is reduced pursuant to Clause 2, the tax base shall be reduced pursuant to Clause 2 only by the amount of the difference between the sum by which the tax base is reduced pursuant to Clause 2 and the paid sum of the pension.

(7) The tax base shall also be reduced by the tax-free part of tax base pursuant to Clauses 3, 8, and 12 for a taxpayer with limited tax liability if the total amount of their taxable incomes from sources in the territory of the Slovak Republic (Article 16) in the respective tax period represents at least 90 % of all incomes of this taxpayer flowing from sources in the territory of the Slovak Republic and from sources abroad.

(8) The tax-free part of tax base shall also include contributions to complementary pension savings pursuant to a special regulation[35)] and to complementary pension savings of the same or comparable type abroad.

(9) The contributions of the taxpayer to complementary pension savings pursuant to Clause 8 may be deducted from the tax base in the amount, in which they were provably paid in the tax period, in aggregate maximum up to EUR 180 per year; the procedure pursuant to Article 4 (3) shall be used to calculate the total amount of contributions to complementary pension savings paid by the employer and employee participating in the savings.

(10) The following conditions must be cumulatively met to apply the tax-free part of tax base pursuant to Clause 8:

a) the taxpayer paid the contributions to complementary pension savings pursuant to Clause 8

based on the participation contract concluded after 31 December 2013 or on the basis of a change of the participation contract, which includes the cancellation of the benefit plan,

b) the taxpayer has not concluded any other participation contract pursuant to a special regulation,[35)] which does not meet the conditions mentioned in Paragraph (a).

(11) If premature withdrawal[65)] was paid to the taxpayer, and in the previous tax periods the taxpayer applied the tax-free part of tax base pursuant to Clause 8, they shall be obliged to increase the tax base within three tax periods from the end of the tax period, in which this amount was paid, by the sum of paid contributions to complementary pension savings, by which the taxpayer reduced their tax base in the previous tax periods.

(12) The tax-free part of tax base shall also include the provably paid amounts in relation to spa care and related services spent in the respective tax period in natural medical spas and spa resorts operated based on a licence pursuant to a special regulation[65a)] up to a maximum total amount of EUR 50 per year.
The tax-free part of tax base shall also include these paid amounts for the spouse of the taxpayer and the child of the taxpayer considered dependent for the purposes of this Act (Article 33) up to a maximum total amount of EUR 50 per year per each of them. Only one of these taxpayers may apply this tax-free part of tax base, preferably the taxpayer alone unless they agree otherwise. If several taxpayers are entitled to apply this tax-free part of tax base for a child (children) of the taxpayer and they fail to agree otherwise, the tax-free part of tax base shall be applied in the order: mother, father, other entitled person. The tax-free part of tax base shall not include the payments related to spa care and related services, for which procedure pursuant to a special regulation[17b)] or procedure pursuant to Article 19 (2) (w) has been applied.

(13) If the taxpayer has a sum of partial income tax bases pursuant to Article 5 and Article 6 (1) and (2), they shall reduce first the partial tax base from income pursuant to Article 5 by tax-free parts of tax base mentioned in Clauses 2, 3, 8, and 12. The taxpayer shall reduce the partial income tax base pursuant to Article 6 (1) and (2) only by the tax-free parts of tax base mentioned in Clauses 2, 3, 8, and 12 exceeding the partial income tax base pursuant to Article 5.

PART THREE

CORPORATION TAX

Article 12

Subject of Tax

(1) The subject of tax of a taxpayer that is

a) a management company and creates common funds[66)] shall only include the income of the management company,

b) a complementary pension company and creates complementary pension funds[35)] shall only include the income of the complementary pension company,

c) a pension management company and creates and manages pension funds[40a)] shall only include the income of the pension management company,

d) an investment fund with variable registered capital[66a)] shall include the income of this fund including the income of sub-funds created by it.

(2) The subject of tax of the taxpayers that have not been founded or established for business[67)] shall include the income from the activities, through which they make profit or which can be used to make profit, including the income from the sale of assets, income from rent, income from advertising, income from membership fees, income, on which tax is collected pursuant to Article 43, and income under the contract of sponsorship in sports.[29ab)]

(3) Taxpayers pursuant to Clause 2 include

a) civil associations, foundations, non-investment funds and non-profit organisations providing services of general interest,

b) interest groupings of legal persons, professional chambers, political parties and political movements, churches recognised by the State and religious societies, communities of owners of apartments and non-residential premises, municipalities, higher territorial units,[68)] state-budget funded organisations and contributory organisations, state funds,[69)] universities,[70)] Healthcare Surveillance Authority, Social Insurance Agency, Office of the Council for Budget Responsibility,[71)] Deposit Protection Fund, Slovak Insurers Bureau, Slovak Land Fund, Radio and Television of Slovakia, Investment Guarantee Fund,[59)] organisations, whose non-profit activity results from a special regulation, based on which they were established; for the purposes of this Act, business companies not established for business activities shall not be considered taxpayers that have not been founded or established for business.

(4) The subject of tax of a taxpayer that is a public company and the National Bank of Slovakia[72)] shall only include the income on which tax is collected pursuant to Article 43.

(5) The subject of tax of a taxpayer that is a partner of a public company shall also include the income pursuant to Article 14 (4) and (6).

(6) The subject of tax of a taxpayer that is a general partner of a limited partnership shall also include the income pursuant to Article 14 (5) and (7).

(7) The following shall not be subject to tax:

a) the income pursuant to Article 50,

b) the income obtained by donation[4)] except for the gifts provided to healthcare provider by the holder or through inheritance,[5)]

c) the profit share (dividend) paid from the profit of a business company or cooperative [Article 3 (1) (e)] in so far as it is not a tax expenditure of the taxpayer paying this profit share, compensating share, the share in the liquidation balance, the share in the result of business activities paid to the silent partner or the share in the profit and assets of a land association with legal personality [Article 3 (1) (g)], except for

1. the income (revenue) pursuant to Article 3 (1) (e) and (g) paid to a legal person if the income is received by the taxpayer pursuant to Article 2 (d) Point 2 from a legal person that is a taxpayer of a non-cooperating State pursuant to Article 2 (x) or is paid by the taxpayer pursuant to Article 2 (d) Point to a legal person that is a taxpayer of a non-cooperating State pursuant to Article 2 (x),

2. the income (revenue) pursuant to Article 3 (1) (f) paid to a legal person,

d) income resulting from the acquisition of new shares[7)] and interests,[7a)] as well as the income resulting from their exchange in the event of taxpayer dissolution without liquidation, including the case when the merger, fusion or split of a company includes the assets of a company having its registered office in Member States of the European Union.

Article 13

Exemption from Tax

(1) The following income shall be exempt from tax:

a) the income of taxpayers mentioned in Article 12 (3) from the activity, for the purpose of which these taxpayers were established or which is included in their core activity specified by a special regulation, except for the income from the sale of assets, income from rent, income from advertising, income from membership fees unless it is exempt pursuant to Paragraphs (b) to (g) or Clause 2, income under the contract of sponsorship in sports,[29ab)] income from the activities that are business activities and income on which tax is collected pursuant to Article 43,

b) the income of state-budget funded organisation from the lease and sale of assets included in the founder's budget except for the income on which tax is collected pursuant to Article 43,

c) the income of state funds,[69)] income of the Resolution Council,[73)] income the Investment Guarantee Fund[59)] and income of the Deposit Protection Fund[58)] except for the income on which tax is collected pursuant to Article 43,

d) the income from the sale of assets included in the bankrupt's estate[38)] and from the write-off of liabilities during bankruptcy or restructuring,[38a)] including the write-off of liabilities vis-à-vis the creditors that failed to assert their claims against the taxpayer in the bankruptcy; the same procedure shall be applied to the write-off of liabilities on the part of the taxpayer, which is dissolved by refusing the petition for bankruptcy due to a lack of assets, and on the part of the taxpayer, which is dissolved by bankruptcy cancellation because the bankrupt's assets are not sufficient to settle the expenditures and remuneration of the bankruptcy trustee,

e) the income of municipalities and higher territorial units from lease and sale of their assets,

f) the income from the write-off of liabilities based on a decision of the Resolution Council pursuant to a special regulation,[73a)]

g) the income from advertising for charitable purposes of the taxpayers mentioned in Article 12 (3) (a) maximum up to an amount of EUR 20,000 for the respective tax period; the taxpayer shall be obliged to use the income only for the purpose specified in Article 50 (5), no later than

by the end of the year following the year, in which the taxpayer received the income; if until the expiry of this time limit, the taxpayer fails to use the income from advertising exempt from tax for the purpose specified in Article 50 (5), they shall be obliged to include this income or its unused part in the tax base no later than in the tax period, in which this time limit expires.

(2) The following shall also be exempt from tax:

a) revenues from church collections, church acts and contributions provided to registered churches and religious societies,

b) membership fees according to articles of association, statute, founding documents or establishment documents received by interest groupings of legal persons, professional chambers, civil associations including trade unions, political parties and political movements,

c) interests on the tax overpaid caused by the tax administrator,[55)]

d) payments for the administration of apartments owned by housing cooperatives and administered by these housing cooperatives, and for the administration of apartments by communities of owners of apartments,

e) account interests paid to the State Treasury, the income from financial operations carried out by the Debt and Liquidity Management Agency pursuant to a special regulation,[74a)]

f) interests and other revenues from provided credits and loans, revenues from assets in a common fund,[74b)] income from units attained by their repayment (returning), bonds, deposit certificates, treasury notes, deposit papers and other securities and deposits equal to them received from sources in the territory of the Slovak Republic by a legal person that is a taxpayer of a Member State of the European Union and that is also the final beneficiary of these incomes or by a permanent establishment of this legal person situated in the territory of another Member State of the European Union, if it is the final beneficiary of these incomes, from a taxpayer pursuant to Article 2 (d) Point 2 or from a permanent establishment of the legal person that is a taxpayer of a Member State of the European Union; however, only provided that till the date of income payment, during a period of at least 24 consecutive months

1. the taxpayer paying the income has held at least a 25 % direct interest in the registered capital of the final beneficiary of this income or

2. the final beneficiary of this income has held at least a 25 % direct interest in the registered capital of the taxpayer paying the income or

3. other legal person with its registered office in a Member State of the European Union has held at least a 25 % direct interest in the registered capital of the taxpayer paying the income, and at the same time, it has held at least a 25 % direct interest in the registered capital of the final beneficiary of this income,

g) financial resources from grants provided based on international treaties binding on the Slovak Republic,

h) the income pursuant to Article 16 (1) (e) Point 1 and Point 2 and compensation for the use of or provision of the right to use industrial, commercial or scientific equipment received from sources in the territory of the Slovak Republic by a legal person that is a taxpayer of a Member

State of the European Union and that is also the final beneficiary of these incomes or by a permanent establishment of this legal person situated in the territory of another Member State of the European Union, if it is the final beneficiary of these incomes, from a taxpayer pursuant to Article 2 (d) Point 2 or from a permanent establishment of the legal person that is a taxpayer of a Member State of the European Union; however, only provided that till the date of income payment, during a period of at least 24 consecutive months

1. the taxpayer paying the income has held at least a 25 % direct interest in the registered capital of the final beneficiary of this income or

2. the final beneficiary of this income has held at least a 25 % direct interest in the registered capital of the taxpayer paying the income or

3. other legal person with its registered office in a Member State of the European Union has held at least a 25 % direct interest in the registered capital of the taxpayer paying the income, and at the same time, it has held at least a 25 % direct interest in the registered capital of the final beneficiary of this income,

i) revenues from public health insurance provided that the following conditions are also met:

1. the revenues from public health insurance are part of the positive economic outturn from public health insurance,[74aa)]

2. the positive economic outturn pursuant to Point 1 shall only be used for the settlements within the scope specified in a special regulation,[74ab)] no later than by the end of the calendar year following the calendar year, for which it was created,

j) the received compensations for damage and redress for non-economic injury based on the decision of the European Court of Human Rights.

(3) The exemption pursuant to Clause 2 (f) and (h) may also be applied if the condition of direct interest in the registered capital during 24 months is met after the date, on which the taxable person paid the income to the taxpayer and in applying the exemption, the procedure pursuant to Article 43 (21) shall be used.

Article 13a

(1) The income (revenue) of the taxpayer mentioned in Article 2 (d) Point 2 shall be exempt from tax if it is income from considerations for the provision of right to use or for the use of

a) an invention protected by patent[74ba)] or technical solution protected by utility model,[74bb)] which represent the result of research and development[1)] carried out by the taxpayer, including the invention that is the subject of a patent application, and technical solution that is the subject of a utility model application, in the amount of 50 % of the considerations (income),

b) software representing the result of development[1)] carried out by the taxpayer and subject to copyright pursuant to a special regulation,[74bc)] in the amount of 50 % of the considerations (income).

(2) The exemption pursuant to Clause 1 may also be applied on the part of the taxpayer mentioned in Article 2 (e) Point 3 that carries out activity in the territory of the Slovak Republic

through a permanent establishment if the invention protected by patent or the technical solution protected by utility model or the software is functionally connected with this permanent establishment.

(3) The exemption pursuant to Clause 1 shall be applied during the tax periods of inclusion of depreciations of capitalised costs of development[1)] of the invention protected by patent, technical solution protected by utility model or software into tax expenditures.

(4) If the costs of development[1)] of an invention protected by patent, technical solution protected by utility model or software or the capitalised costs of development[1)] of an invention protected by patent, technical solution protected by utility model or software include intangible results of research and development acquired from another person, the exemption in the amount pursuant to Clause 1 may be, during the period pursuant to Clause 3, applied only to a part of the income; this part shall be calculated by multiplying the income (revenue) by a coefficient, which shall be calculated as the quotient of

a) the sum of costs of development[1)] of the invention protected by patent, technical solution protected by utility model or software and capitalised costs of development[1)] of the invention protected by patent, technical solution protected by utility model or software, which does not contain the costs of intangible results of research and development acquired from another person, and

b) the sum of costs of development[1)] of the invention protected by patent, technical solution protected by utility model or software and capitalised costs of development[1)] of the invention protected by patent, technical solution protected by utility model or software.

5) If the taxpayer that started applying the exemption pursuant to Clause 1 ceases to exist because of dissolution without liquidation, its legal successor must not carry on with the application of the exemption. If a provider of contribution in kind applied the exemption pursuant to Clause 1 and the subject of the contribution in kind is an invention protected by patent, technical solution protected by utility model or software, the recipient of the contribution in kind must not carry on with the application of the exemption.

(6) Within three calendar months after the expiry of the time limit for the submission of tax return, the Financial Directorate of the Slovak Republic (hereinafter the "Financial Directorate") shall publish the following data on the taxpayer applying the exemption pursuant to Clause 1 in the list of tax entities pursuant to a special regulation:[120l)]

a) business name and registered office,

b) tax identification number,

c) the amount of the exemption applied and the tax period of application,

d) the number of the patent, utility model or patent application or utility model application including the register, in which the patent or utility model is registered, or the name of the software.

(7) For the purposes of exemption pursuant to Clause 1, the taxpayer shall be obliged to keep records of

a) costs by types of the development[1)] of the invention protected by patent, technical solution protected by utility model or software,

b) capitalised costs by types of the development[1)] of the invention protected by patent, technical solution protected by utility model or software,

c) costs by types of intangible results of research and development acquired from another person spent in connection with the development of the invention protected by patent, technical solution protected by utility model or software.

(8) The taxpayer shall submit the records pursuant to Clause 7 to the tax administrator or Financial Directorate no later than within eight days from the date of delivery of the call.

(9) The taxpayer shall lose the title to apply the exemption pursuant to Clause 1 in the respective tax period and shall be obliged to submit an additional tax return for each tax period, in which they applied the exemption pursuant to Clause 1 if

a) the patent is cancelled, withdrawn or transferred[74bd)] to another holder or the patent application is rejected,

b) the utility model is deleted or transferred[74be)] to another holder or the utility model application is rejected.

(10) The taxpayer shall be obliged to submit an additional tax return pursuant to Clause 9 within the period pursuant to a special regulation;[128)] the additionally declared tax shall also be due within the same time limit.

(11) If the taxpayer receiving income (revenue) pursuant to Clause 1 decides to capitalise the costs of development[1)] of an invention protected by patent, technical solution protected by utility model or software only after the tax period, in which the taxpayer started receiving such income (revenue), the exemption pursuant to Clause 1, prior to application of the procedure pursuant to Clause 4, shall be applied to a part of the income (revenue), which will be calculated so that the income (revenue) shall be multiplied by a coefficient, which will be calculated as the quotient of

a) capitalised costs of the development[1)] of the invention protected by patent, technical solution protected by utility model or software, and

b) the sum of costs of development[1)] of the invention protected by patent, technical solution protected by utility model or software, which were incurred by the taxpayer during maximum five tax periods immediately preceding the tax period of capitalisation of costs of the development[1)] and capitalised costs of the development[1)] of the invention protected by patent, technical solution protected by utility model or software.

(12) If several taxpayers meeting the conditions pursuant to Clause 1 receive the income (revenue) pursuant to Clause 1, the exemption pursuant to Clause 1 may be applied to each such taxpayer within the scope corresponding to the proportion, in which they took part in the research and development[1)] of the invention protected by patent, technical solution protected by utility model or software.

(13) The taxpayer that applies the exemption pursuant to Clause 1 for the first time in the tax period of inclusion of depreciations of capitalised costs of the development[1)] of the invention protected by patent, technical solution protected by utility model or software into tax expenditures shall be obliged to apply the exemption in the following tax periods, in which the taxpayer continues to include the depreciations of the capitalised costs of development[1)] into tax expenditures.

Article 13b

(1) The income (revenue) of the taxpayer mentioned in Article 2 (d) Point 2 from the sale of products shall be exempt from tax in the amount pursuant to Clause 4, if an invention protected by patent or technical solution protected by utility model, which represent the result of research and development[1)] carried out by the taxpayer, were partially or fully used in producing the products and the products are

a) acquired from persons whom the taxpayer as the owner allowed to use the invention protected by patent or technical solution protected by utility model during the production or

b) created by the taxpayer's own activity.[1)]

(2) The exemption pursuant to Clause 1 may also be applied on the part of the taxpayer mentioned in Article 2 (e) Point 3 that carries out activity in the territory of the Slovak Republic through a permanent establishment if the invention protected by patent or the technical solution protected by utility model is functionally connected with this permanent establishment.

(3) The exemption pursuant to Clause 1 shall be applied during the tax periods of inclusion of depreciations of capitalised costs[1)] for the development of the invention protected by patent or technical solution protected by utility model into tax expenditures.

(4) The exemption pursuant to Clause 1 shall be applied in the amount of 50 % of that part of income (revenue) from the sale of products, which falls on the selling price of the product after the reduction by real direct costs and real indirect costs connected with the functions of production, administration and sales including the appertaining overhead costs and profit margins, which the supplier would apply in relation to independent persons in terms of performed functions and market conditions.
For the purpose of this provision, the functions of sales shall also mean, in addition to selling activities, the activities connected with promotion, intermediation of sale and marketing of the sold products, and the profit margin connected with the sales function shall also include the profit margin connected with the business name of the taxpayer, trademark or other intangible assets connected with these sales functions.

(5) If intangible results of research and development acquired from another person are part of the costs of development[1)] of the invention protected by patent or technical solution protected by utility model or part of the capitalised costs of development[1)] of the invention protected by patent or technical solution protected by utility model, the exemption in the amount pursuant to Clause 4 during the period pursuant to Clause 3 may be applied only to a part of the income (revenue), which will be calculated so that the product of the number of sold products and the selling price of the product after the reduction by real direct costs and real indirect costs connected with the functions of production, administration and sales including the appertaining

overhead costs and profit margins, which the supplier would apply in relation to independent persons in terms of performed functions and market conditions shall be multiplied by a coefficient, which shall be calculated as the quotient of

a) the sum of costs of development[1)] of the invention protected by patent or technical solution protected by utility model and capitalised costs of development[1)] of the invention protected by patent or technical solution protected by utility model, which does not contain the costs of intangible results of research and development acquired from another person, and

b) the sum of costs of development[1)] of the invention protected by patent or technical solution protected by utility model and capitalised costs of development[1)] of the invention protected by patent or technical solution protected by utility model.

6) If the taxpayer that started applying the exemption pursuant to Clause 1 ceases to exist because of dissolution without liquidation, its legal successor must not carry on with the application of the exemption. If a provider of contribution in kind applied the exemption pursuant to Clause 1 and the subject of the contribution in kind is an invention protected by patent or technical solution protected by utility model, the recipient of the contribution in kind must not carry on with the application of the exemption.

(7) Within three calendar months after the expiry of the time limit for the submission of tax return, the Financial Directorate shall publish the following data on the taxpayer applying the exemption pursuant to Clause 1 in the list of tax entities pursuant to a special regulation:[120l)]

a) business name and registered office,

b) tax identification number,

c) the amount of the exemption applied and the tax period of application,

d) the number of the patent, utility model or patent application or utility model application including the register, in which the patent or utility model is registered.

(8) For the purposes of exemption pursuant to Clause 1, the taxpayer shall be obliged to keep records of

a) product price calculation,

b) costs by types of the development[1)] of the invention protected by patent or technical solution protected by utility model,

c) capitalised costs by types of the development[1)] of the invention protected by patent or technical solution protected by utility model and their depreciation plan,

d) costs by types of intangible results of research and development acquired from another person spent in connection with the development of the invention protected by patent or technical solution protected by utility model,

e) the number of products, to whose income (revenue) from sale the exemption is applied,

f) the technical solution with the description of the use of the invention protected by patent or technical solution protected by utility model in the production of products.

(9) The taxpayer shall submit the records pursuant to Clause 8 to the tax administrator or Financial Directorate no later than within eight days from the date of delivery of the call.

(10) The taxpayer shall lose the title to apply the exemption pursuant to Clause 1 in the respective tax period and shall be obliged to submit an additional tax return for each tax period, in which they applied the exemption pursuant to Clause 1 if

a) the patent is cancelled, withdrawn or transferred[74bd)] to another holder or the patent application is rejected,

b) the utility model is deleted or transferred[74be)] to another holder or the utility model application is rejected.

(11) The taxpayer shall be obliged to submit an additional tax return pursuant to Clause 10 within the period pursuant to a special regulation;[128)] the additionally declared tax shall also be due within the same time limit.

(12) If the taxpayer receiving income (revenue) pursuant to Clause 1 decides to capitalise the costs of development[1)] of an invention protected by patent or technical solution protected by utility model only after the tax period, in which the taxpayer started receiving such income (revenue), the exemption pursuant to Clause 1, prior to application of the procedure pursuant to Clause 5, shall be applied to a part of the income (revenue), which will be calculated so that the income (revenue) shall be multiplied by a coefficient, which will be calculated as the quotient of

a) capitalised costs of the development[1)] of the invention protected by patent or technical solution protected by utility model, and

b) the sum of costs of development[1)] of the invention protected by patent or technical solution protected by utility model, which were incurred by the taxpayer during maximum five tax periods immediately preceding the tax period of capitalisation of costs of the development[1)] and capitalised costs of the development[1)] of the invention protected by patent or technical solution protected by utility model.

(13) If several taxpayers meeting the conditions pursuant to Clause 1 receive the income (revenue) pursuant to Clause 1, the exemption pursuant to Clause 1 may be applied to each such taxpayer within the scope corresponding to the proportion, in which they took part in the research and development[1)] of the invention protected by patent or technical solution protected by utility model.

(14) The taxpayer that applies the exemption pursuant to Clause 1 for the first time in the tax period of inclusion of depreciations of capitalised costs of the development[1)] of the invention protected by patent or technical solution protected by utility model into tax expenditures shall be obliged to apply the exemption in the following tax periods, in which the taxpayer continues to include the depreciations of the capitalised costs of development[1)] into tax expenditures.

Article 13c

(1) The exemption from tax shall apply to income (revenue) from the sale of shares for a shareholder of a joint-stock company or from the sale of ordinary shares or shares, which carry special rights, for a shareholder of a simple joint-stock company, the sale of business interest for a partner of a limited liability company or for a limited partner of a limited partnership or similar company abroad after the fulfilment of the conditions pursuant to Clause 2, for the taxpayer pursuant to Article 2 (d) Point 2 and Article 2 (e) Point 3 with a permanent establishment (Article 16 (2)) except for a taxpayer, who trades in securities pursuant to a special regulation.[88)]

(2) The exemption pursuant to Clause 1 shall be applied if

a) the income from the sale of shares by a shareholder of a joint-stock company, of ordinary shares or shares, which carry special rights, by a shareholder of a simple joint-stock company, and the sale of business interest flows no sooner than after the expiry of 24 consecutive calendar months from the date of acquisition of a direct interest of at least 10 % of the registered capital of the business company pursuant to Clause 1, and

b) in the territory of the Slovak Republic, the taxpayer performs essential functions, manages and bears the risks connected with the ownership of shares of the joint-stock company, ordinary shares or shares, which carry special rights, of the simple joint-stock company or business interest, and disposes of necessary human resources and material equipment necessary to perform the functions, and in calculating the tax base, they follow Article 17 (1) (b) or (c).

(3) The following shall not be exempt from tax:

a) the income (revenue) from the sale of shares of a shareholder of a joint-stock company, of ordinary shares or shares, which carry special rights, of a shareholder of a simple joint-stock company, and from the sale of business interest in a company pursuant to Clause 1, which is in liquidation, bankruptcy or restructuring,

b) the income (revenue) from the sale of shares of a shareholder of a joint-stock company, of ordinary shares or shares, which carry special rights, of a shareholder of a simple joint-stock company, and from the sale of business interest, if the taxpayer pursuant to Clause 1 is in liquidation,

c) the income (revenue) from the sale of own shares.[74bea)]

(4) Pursuant to Clause 2 (a), the date of acquisition of a direct interest in the registered capital of a business company pursuant to Clause 1 shall mean the date

a) of the complete paying-up of the contribution in cash, which must not be earlier than the date of registration in the Commercial Register,[74beb)]

b) of the paying-up of the contribution in kind, which must not be earlier than the date of registration in the Commercial Register; the same procedure shall be used for the beneficiary of contribution in kind if they sell shares or a business interest acquired as individually contributed financial assets[1)] or part of the contribution of enterprise or a part of it,

c) of acquisition completion, which means

1. the date of registration of shares in the records of the central depository or central depository member,[74bf)]

2. the date of transfer by endorsement and certificated share hand-over,[74bg)]

3. the effective date of a written contract of the transfer of an interest in a limited liability company and limited partnership,[74bh)]

d) of registration in the Commercial Register, on which the effects of fusion, merger or division of business companies come into being pursuant to a special regulation[74bi)] on the part of the legal successor of the taxpayer dissolved without liquidation if they sell the shares or business interest acquired by the taxpayer dissolved without liquidation; the same procedure shall be applied to a taxpayer, which acquires shares or a business interest of the legal successor upon the dissolution of the taxpayer without liquidation,

e) of registration in the Commercial Register upon the relocation of the registered office of the company to the territory of the Slovak Republic.[74bj)]

(5) Pursuant to Clause 2 (a), the date of acquisition of a direct interest in the registered capital of a business company pursuant to Clause 1 shall not mean

a) the conclusion of a contract, based on which shares or a business interest are transferred in the future or once other suspensive conditions have been met or conclusion of other similar agreement or contract,

b) purchase of an option or

c) acquisition of the right or first refusal for an interest.

Article 14

Tax Base

(1) The tax base shall be determined pursuant to Articles 17 to 29.

(2) The tax base of taxpayers that are dissolved with liquidation, have been declared bankrupt or are dissolved by refusing the petition for bankruptcy due to a lack of assets or are dissolved by terminating the bankruptcy proceeding due to a lack of assets or are dissolved by court decision on the erasure of the company or have been ordered additional liquidation[75)] in the tax period pursuant to Article 41 shall mean the economic outturn determined pursuant to a special regulation,[1)] adjusted pursuant to Article 17. During these tax periods, Article 30 shall not be used to reduce the tax base. If the tax period is longer than one calendar year or goes beyond the end of the calendar year, the total tax base shall be equal to the sum of individual tax bases calculated for individual calendar years or a period shorter than one calendar year. This tax base shall be determined from the economic outturn recognised in the interim financial statements prepared as at the end of each calendar year, which is part of the tax period during liquidation or bankruptcy. If restructuring is permitted to the taxpayer, the tax period shall not be changed for that reason as at the date of permission of restructuring or during restructuring.

(3) The tax base of the taxpayer, which is a management company and creates common funds,[66)] shall be determined only for the management company. The tax base of the taxpayer, which is a complementary pension company and creates complementary pension funds, shall be determined only for the complementary pension company. The tax base of the taxpayer, which is a pension management company and creates and manages pension funds, shall be determined only for the pension management company.

(4) The tax base of the taxpayer, which is a public company, shall be determined for the company as a whole pursuant to Articles 17 to 29. This tax base shall be divided among individual partners in the same proportion as used to divide profit[31)] pursuant to the memorandum of association. If the memorandum of association does not specify the division of profit, the tax base shall be divided among individual partners in the same proportions. The tax loss shall be divided in the same way as the tax base calculated pursuant to Articles 17 to 29.

(5) The tax base of the taxpayer, which is a limited partnership, shall be determined for the company as a whole pursuant to Articles 17 to 29. The share falling on the general partners shall be deducted from the tax base determined in this way; such share shall be determined in the same proportion as that used to divide pre-tax profit between the limited partners and general partners.[32)] The remaining tax base shall represent the tax base of the limited partnership. The tax loss shall be divided in the same way as the tax base calculated pursuant to Articles 17 to 29.

(6) The tax base of the taxpayer, who is a public company partner, also includes the part of the tax base or the part of the tax loss of the public company falling on the partner pursuant to Clause 4. This part of the tax base or of the tax loss shall be included in the tax base in the tax period, for which the public company submitted its tax return.

(7) The tax base of the taxpayer, who is a general partner of a limited partnership, shall also include the part of the tax base or the part of the tax loss of the limited partnership falling on an individual general partner; this part of the tax base or tax loss shall be determined in the same proportion as that used to divide the part of pre-tax profit falling on general partners among individual general partners.[32)]

PART FOUR

COMMON PROVISIONS

Article 15

Tax Rate

The tax rate is, except for Article 15a, Articles 43 and 44, for

a) a natural person

1. from the tax base determined pursuant to Article 4 (1) (a)

1a. 19 % of that part of the tax base, which does not exceed 176.8 times the minimum subsistence amount in force including this amount,

1b. 25 % of that part of the tax base, which exceeds 176.8 times the minimum subsistence amount in force,

2. 15 % of the tax base determined according to Article 4 (1) (b) reduced by the tax loss for a taxpayer achieving for the tax period the income (revenue) pursuant to Article 6 (1) and (2) not exceeding the amount of EUR 100,000,

3. from the tax base determined according to Article 4 (1) (b) reduced by the tax loss for a taxpayer achieving for the tax period the income (revenue) pursuant to Article 6 (1) and (2) exceeding the amount of EUR 100,000

3a. 19 % of that part of the tax base, which does not exceed 176.8 times the minimum subsistence amount in force including this amount,

3b. 25 % of that part of the tax base, which exceeds 176.8 times the minimum subsistence amount in force,

4. 19 % of the special tax base determined according to Article 7,

5. 7% of the special tax base determined pursuant to Article 51e (3) (a),

6. 35 % of the special tax base determined according to Article 51e (3) (b),

b) a legal entity

1. from the tax base reduced by a tax loss

1a. 15 % for the taxpayer achieving for the tax period the income (revenue) not exceeding the amount of EUR 100,000,

1b. 21 % for the taxpayer not included in Point 1a.,

2. 35 % of the special tax base determined according to Article 51e (4),

3. 21 % of the special tax base determined according to Article 17f (1) and (2).

Article 15a

Special Tax Rate

(1) The taxable income from employment earned by the President of the Slovak Republic, Member of the National Council of the Slovak Republic, Member of the Government of the Slovak Republic, Chairman and Vice-Chairman of the Supreme Audit Office of the Slovak Republic (hereinafter the "selected constitutional official") pursuant to a special regulation[75a)] including the income provided in Article 5 (1) (f) and (3) (c) from the employer that is a taxable person and pays income to the selected constitutional official pursuant to a special regulation[75a)] shall also be, in addition to the tax rate pursuant to Article 15 (a), subject to taxation with a special tax rate amounting to 5 % (hereinafter a "special tax").

(2) The sum of the special tax of the selected constitutional official calculated from the taxable income from employment mentioned in Clause 1 using the tax rate pursuant to Clause 1 and rounded pursuant to Article 47 shall not reduce the total amount of taxable incomes from employment of the selected constitutional official in tax base calculation.

(3) The employer that is a taxable person shall be responsible for the correctness of special tax calculation, withholding and payment. The special tax of the selected constitutional

official shall be levied by the employer, which is a taxable person, to the tax administrator within the time limit pursuant to Article 35 (6) and by levying it, the special tax shall be settled; if the taxable person fails to withhold the tax, fails to withhold the tax in a correct amount or fails to levy the withholding tax, the procedure provided in Article 43 (12) shall be used.

(4) The statement of remuneration pursuant to Article 39 (2) of the selected constitutional official shall also contain the data on the sum of the special tax on income provided in Clause 1.

(5) The employer that is a taxable person shall be obliged to notify the tax administrator of the amount of the special tax of the selected constitutional official on the income from employment mentioned in Clause 1 within the time limit pursuant to Article 49 (2) set for the submission of the overview in a blank form, whose sample shall be specified by the Financial Directorate.

(6) The application of the special tax on income from employment mentioned in Clause 1 earned by the selected constitutional official shall not affect the other provisions of this Act on income from employment.

Article 16

Source of Income of a Taxpayer with Limited Tax Liability

(1) The income from sources in the territory of the Slovak Republic of a taxpayer with limited tax liability shall mean the income

a) from activities carried out through their permanent establishment situated in the territory of the Slovak Republic and from any disposal of the assets of this permanent establishment; the income (revenue) from the disposal of the assets of a permanent establishment shall also mean the income included in the special tax base pursuant to Article 17f (1) (b) and (2) (b),

b) from employment carried out in the territory of the Slovak Republic or on board a ship or aircraft operated by a taxpayer with unlimited tax liability,

c) from services including business, technical or other consulting, from management and mediating activities, from building and assembly activities and projects and similar activities provided in the territory of the Slovak Republic although they are not performed through a permanent establishment,

d) from the activity of an artist, sportsman, performer or co-performing persons and from other similar activities personally performed or providing income in the territory of the Slovak Republic no matter whether the income is earned by these persons directly or through a mediating person,

e) from payments from the taxpayers with unlimited tax liability and from permanent establishments of the taxpayers with limited tax liability including

1. considerations for the provision of the right to use or for the use of an industrial property subject, software, designs or models, plans, production technical and other economically utilisable knowledge (know-how),

2. considerations for the provision of the right to use or for the use of a copyright or copyright-related right,

3. interests and other revenues from the provided credits and loans and from deposits in deposit books, from cash deposits on current accounts and deposit accounts, from revenues from the assets in a common fund,[74b)] from the income from units attained by repayment (return) thereof, from the revenues from deposit certificates, treasury notes, deposit papers and other securities equal to them, and from derivatives pursuant to a special regulation,[76)] except for the revenues from bonds and treasury notes,

4. the rent or income earned by other use of movable things situated in the territory of the Slovak Republic; movable things situated in the territory of the Slovak Republic shall also include motor vehicles and other transport means listed in Annex No. 1 used by the taxpayer pursuant to Article 2 (d) or by the permanent establishment of the taxpayer pursuant to Article 2 (e) in international transport,

5. the income from the transfer of movable things situated in the territory of the Slovak Republic, from the transfer of the rights in assets registered in the territory of the Slovak Republic, and from the transfer of securities issued by the taxpayers with the registered office in the territory of the Slovak Republic, except for the income from the transfer of government bonds and government treasury bills,

6. remunerations of members of statutory bodies and other bodies of legal persons for the performance of function,

7. winnings in lotteries and other similar games, winnings from advertising competitions and from drawing of lots, prizes from public contests and sports competitions,

8. maintenance, pensions, rents and similar income,

9. the profit share (dividend) paid from the profit of a business company or cooperative intended for distribution to the persons taking part in their registered capital or to the members of the statutory body and supervisory body of this business company or cooperative; profit share (dividend) shall also mean the income coming from the reduction of the registered capital of the business company or cooperative or of the reserve fund of the business company in the part, in which they were increased before from the profit after tax, as well as the use of undivided profit after tax to pay up contributions to the capital fund from contributions, the settlement share, the share in the liquidation balance of the business company, cooperative or land association with legal personality, the share in the result of business activities paid to the silent partner, and the share of a member of a land association with legal personality in the profit and in the assets intended for distribution to the members of the land association with legal personality,

10. the considerations for the provision of services of business, technical or other consulting, for data processing, from management activities, mediating activities and for marketing services except for the marketing services and services of mediating activities, which are provably connected with goods supply to the recipients of marketing services and services of mediating activities to the State, in which these services are provided, in the amount, in which such consideration is also applied as a tax expenditure pursuant to Article 19,

11. the income pursuant to Article 12 (7) (c) Point 2 if it is paid to the taxpayer from a non-cooperating State pursuant to Article 2 (x), and the income pursuant to Article 3 (1) (f) paid by a public company or limited partnership, which earned the income due to the participation in the registered capital of the business company or cooperative,

12. income from the redistribution of a capital fund from contributions; the income from the redistribution of a capital fund from contributions shall also include the income attained by reducing the registered capital of a business company in the part, in which it was previously increased from the paid-up contributions to the capital fund from contributions,

f) from the transfer, rent and from other utilisation of real estate situated in the territory of the Slovak Republic,

g) from the transfer of participation or interest in a business company or from the transfer of the membership right in a cooperative with its registered office in the territory of the Slovak Republic,

h) from the transfer of shares, participations or interests in a company or from the transfer of the membership right in a cooperative if this company or this cooperative owns movable property situated in the territory of the Slovak Republic, whose book value resulting from the financial statements prepared for the tax period preceding the transfer exceeds 50 % of the value of the registered capital of this company or of this cooperative,

i) from the difference between the higher value of the contribution in kind to a business company or cooperative with the registered office in the territory of the Slovak Republic counted towards the partner's contribution and the value of contributed assets (Article 8 (2)) or the value of the contribution in kind found in the accounting [Article 17b (1) (b)],

j) from pecuniary incomes and benefits in kind provided to the healthcare provider by the holder that is a taxpayer with unlimited tax liability or a taxpayer with limited tax liability having a branch or permanent establishment in the territory of the Slovak Republic provided that such income or benefits are provided in connection with activities in the territory of the Slovak Republic,

k) from payment of differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives in the amount exceeding the quotient pursuant to Article 17e (14).

(2) For the purposes of this Act, permanent establishment shall mean a permanent place or equipment for activity performance, through which the taxpayer with limited tax liability performs in full or in part their activity in the territory of the Slovak Republic, in particular the place, from which the activity of the taxpayer is organised, a branch, office, workshop, point of sale, technical equipment or place of survey and extraction of natural resources. A place or equipment for activity performance shall be considered permanent if it is used for activity performance continuously or repeatedly. Repeated mediation of services of transport and accommodation including through a digital platform shall also be considered activity performance with a permanent place in the territory of the Slovak Republic. If the activity is performed only once, the place or equipment, in which the activity is performed, shall be considered permanent if the period of activity performance exceeds six months continuously or in several periods in any period of 12 consecutive months. A building site, place of performance of building projects and assembly projects shall be considered a permanent establishment only provided that the performance of the activity of the taxpayer with limited tax liability or their associated persons at these places exceeds six months. Activity performed through a permanent establishment shall also mean an activity performed in the territory of the Slovak Republic in providing services by the taxpayer or by persons working for the taxpayer if the period of

performance of this activity exceeds 183 days continuously or in several periods in any period of 12 consecutive months. Permanent establishment shall also mean a person that acts on behalf of the taxpayer with limited tax liability and continuously or repeatedly negotiates, concludes, mediates the conclusion of contracts or plays a central role leading to the conclusion of contracts, which are subsequently concluded by the taxpayer without any change of their essential details, and these contracts are concluded on behalf of the taxpayer or their subject matter is the transfer of ownership right or the granting of the right to use the assets owned by the taxpayer or assets, which the taxpayer is entitled to use or the provision of services by the taxpayer. A person acts on behalf of the taxpayer if they act on the basis of the taxpayer's instructions and the taxpayer controls the results of their activity and bears the business risk concerning the results.

(3) Income attained in a permanent establishment shall also include the income of partners of a public company and of general partners of a limited partnership that are taxpayers with limited tax liability, which they receive based on the participation in these companies and from the credits and loans provided to these companies. Article 44 (2) shall be used to obtain tax from the above income.

(4) Income attained in a permanent establishment shall also include the income of members of a European Economic Interest Grouping with the registered office in the territory of the Slovak Republic that are taxpayers with limited tax liability, which they receive based on the membership in this grouping and from the credits and loans provided to this grouping. The provision of Article 44 (2) shall be used to obtain tax from the above income.

Article 17

General Provisions on Determining the Tax Base

(1) The tax base or tax loss shall be determined

a) for a taxpayer using the single-entry bookkeeping system[1)] or for a taxpayer keeping records pursuant to Article 6 (10) or (11), on the basis of the difference between income and expenditures,

b) for a taxpayer using the double-entry bookkeeping system[1)] on the basis of the economic outturn,

c) for a taxpayer that based on the duties pursuant to a special regulation[1)] shows the economic outturn in individual financial statements[77a)] pursuant to the International Financial Reporting Standards, on the basis of this economic outturn adjusted in the way laid down in a generally binding legal regulation issued by the Ministry or on the basis of the economic outturn, which the taxpayer would quantify if it used the double-entry bookkeeping system;[1)] for the purpose of determination of this economic outturn, the taxpayer shall be obliged to keep records within the scope and in the way stipulated for the double-entry bookkeeping system[1)] and to save it pursuant to a special regulation;[77b)] if in determining the tax base, the taxpayer applies the procedure using the economic outturn showed in individual financial statements pursuant to the International Financial Reporting Standards adjusted in the way laid down in a generally binding legal regulation issued by the Ministry, the taxpayer shall also be obliged to apply the same procedure in the next tax periods,

d) for a taxpayer with limited tax liability [Article 2 (e)] that is not obliged to keep accounts pursuant to a special regulation[1)] and does not decide to follow Paragraphs (a) or (b), on the basis of the difference between income and expenditures unless otherwise stipulated by this Act.

(2) In determining the tax base, the economic outturn or the difference between income and expenditures pursuant to Clause 1 shall be

a) increased by the sums that cannot be included in tax expenditures according to this Act or that were included in tax expenditures in an incorrect amount,

b) adjusted by the sums that are not part of the economic outturn; however, pursuant to this Act they are included in the tax base,

c) adjusted by the sums that are part of the economic outturn; however, pursuant to this Act they are not included in the tax base,

d) as a consequence of a change of the accounting method in using the International Financial Reporting Standards, in addition to tax base adjustment pursuant to Clause 44, in the tax period, in which the change of the accounting method was accounted,

1. increased by the sum, which, as a consequence of this change, increased own resources if such change of the accounting method affected the taxable income and tax expenditures in this tax period,

2. reduced by the sum, which, as a consequence of this change, decreased own resources if such change of the accounting method affected the taxable income and tax expenditures in this tax period.

(3) The tax base pursuant to Clause 1 shall not include

a) the income, for which the withholding tax pursuant to Article 43 (6) ensures the fulfilment of tax liability or for which the taxpayer does not utilise the possibility to deduct the withholding tax as a tax advance pursuant to Article 43 (7),

b) the income from purchase of own shares for a value lower than their nominal value with the following reduction of the registered capital; the income from purchase shall mean the difference between the nominal value of the shares and the lower value, for which they were purchased,

c) the sum, which has already been taxed for the taxpayer pursuant to this Act or pursuant to current regulations,

d) value added tax related to tangible assets and intangible assets,

1. for which the value added tax payer[6)] set up a claim to deduction during registration pursuant to a special regulation, where the taxpayer is obliged to reduce the entry price of the tangible assets and intangible assets by the value added tax,[6)]

2. which the value added tax payer is obliged to levy during registration cancellation pursuant to a special regulation,[6)] by which the taxpayer will adjust the entry price of the tangible assets and intangible assets,

e) the sum equal to the value of 45 % of the difference, by which the total amount of expenditures (costs) from the operation of the taxpayer's own catering facility exceeds the total amount of income from its operation,

f) the subsidy provided for the acquisition of depreciated tangible assets in the tax period, in which it was posted in revenues pursuant to a special regulation;[1)] this subsidy shall be included in the tax base during the period of depreciation of these assets pursuant to Article 26 and in the amount of depreciation pursuant to Article 27 or Article 28 or in the aliquot part corresponding to the amount of the subsidy used to acquire the assets,

g) the sum related to the acquisition of fixed intangible assets or fixed tangible assets or fixed financial assets accounted on the accounts of acquisition of fixed intangible assets or acquisition of fixed tangible assets or acquisition of fixed financial assets or in the book of fixed assets pursuant to a special regulation[1)] or included in the records pursuant to Article 6 (11) at work cancellation and work permanent stoppage or at the termination of acquisition of fixed tangible assets unless damage is concerned; this sum shall be included in the tax base uniformly during 36 months starting from the month, in which the taxpayer accounted these facts or recorded them in the records pursuant to Article 6 (11),

h) the subsidy, support and contribution for the taxpayer using the single-entry bookkeeping system or keeping tax records pursuant to Article 6 (11) in the tax period, in which the taxpayer received them unless they were used to cover tax expenditures; this income unused to cover tax expenditures shall be included in the tax base
1. gradually in the amount of depreciations of the assets acquired from such income or in the aliquot part corresponding to the amount of the subsidy, support and contribution used to acquire the depreciated assets,
2. in the period of drawing of the subsidy, support and contribution if such income is not related to the expenditure accounted in the tax period, in which it was received,

i) the income and acquisition cost of a security accounted in expenditures (costs) during the securing transfer of a security on the part of the debtor and during re-transfer of the security on the part of the creditor,

j) the stock-taking surplus of depreciated tangible assets and intangible assets ascertained during the stock-taking[1)] in the tax period, in which it was accounted in revenues pursuant to a special regulation;[1)] this surplus shall be included in the tax base during the period of depreciation of these assets pursuant to Article 26 and in the amount of depreciation pursuant to Article 27,

k) the income on the basis of a contract of sponsorship in sports[29ab)] for the taxpayer using the single-entry bookkeeping system or keeping tax records pursuant to Article 6 (11) in the tax period, in which the taxpayer received it unless it was used to cover tax expenditures; this income unused to cover tax expenditures shall be included in the tax base

1. gradually in the amount of depreciations of the assets acquired from such income or in the aliquot part corresponding to the amount of the income used to acquire the depreciated assets,

2. in the period of drawing of the sponsorship if such income is not related to the expenditure accounted in the tax period, in which it was received,

l) the income (revenue) on the basis of a contract of sponsorship in sports[29ab)] used to acquire

depreciated tangible assets in the tax period, in which it was accounted in revenues pursuant to a special regulation;[1)] the sponsorship shall be included in the tax base during the period of depreciation of these assets pursuant to Article 26 and in the amount of depreciation pursuant to Article 27 or Article 28 or in the aliquot part corresponding to the amount of the income used to acquire the assets,

m) the income (revenue) from advertising earned by the taxpayer pursuant to Article 12 (3) (a) that uses the double-entry bookkeeping system in the tax period, in which it was accounted in revenues pursuant to a special regulation;[1)] this income (revenue) from advertising shall be included in the tax base of the taxpayer in the tax period, in which the taxpayer received it,

n) the income (revenue) from the virtual currency acquired by mining in the tax period of the mining; this income (revenue) shall be included in the tax base in the tax period when the virtual currency is sold,

o) the sum equal to the difference between the fair value[77ba)] and the entry price pursuant to Article 25b (1) (a) for the virtual currency acquired by purchasing it.

(4) The tax base shall also include the income, on which the withholding tax pursuant to Article 43 (6) (a) to (c) may be considered as tax advance, for which the taxpayer made use of the possibility to deduct the withholding tax as a tax advance pursuant to Article 43 (7). The tax base of a taxpayer with limited tax liability pursuant to Article 2 (e) Point 3 running a business in the territory of the Slovak Republic through a permanent establishment and a taxpayer with unlimited tax liability pursuant to Article 2 (d) Point 2 except for an entity that has not been founded or established for business (Article 12 (2)) and the National Bank of Slovakia shall also include the revenue from bonds and treasury notes.

(5) The tax base of an associated person pursuant to Article 2 (n) and (r) shall also include the difference, by which the prices or conditions in controlled transactions differ from the prices or conditions, which would be used between independent persons in comparable transactions, whereby this difference reduces the tax base or increases the tax loss. The procedure pursuant to Article 18 shall be used in determining the difference. In determining the tax base of an associated person, it is permitted to also include in the tax expenditures the proportional part of expenditures (costs) incurred by another person, to which it is an associated person if

a) these expenditures (costs) are provably related to the subject of activity of this associated person,

b) it would have to bear these expenditures (costs) itself or to order such service from independent persons if it were not provided by the person to which it is an associated person,

c) the sum of the expenditures (costs) or the price of the service corresponds to the arm's length principle (Article 18 (1)),

d) it proves the total amount of the expenditures (costs) related to or spent on this service and the way of their division among the persons receiving benefit from this service.

(6) The adjustment of the tax base of the associated person in the territory of the Slovak Republic shall be permitted by the tax administrator published by the Financial Directorate at

its website if the tax administration of the State, which has entered into a double taxation agreement with the Slovak Republic, has performed an adjustment of the tax base of the associated person abroad, which is in compliance with the arm's length principle pursuant to Article 18 (1). The tax administrator published by the Financial Directorate at its website shall notify the taxpayer of the permission of such adjustment in writing. If a taxpayer with unlimited tax liability adjusts the tax base pursuant to Clause 5 or if the tax administrator adjusts the tax base of another associated person in the territory of the Slovak Republic pursuant to Clause 5, which is compliance with the arm's length principle pursuant to Article 18 (1), another associated person that is a taxpayer with unlimited tax liability may adjust the tax base for controlled transactions subject to adjustment pursuant to Clause 5. If the tax base of another associated person in the territory of the Slovak Republic is adjusted pursuant to Clause 5 and the taxpayer with unlimited tax liability applies a tax relief pursuant to Article 30a or Article 30b, this taxpayer shall be obliged to adjust the tax base for controlled transactions. If the taxpayer applying a tax relief pursuant to Article 30a or Article 30b reduces the tax base and at the time, applies the procedure pursuant to Article 30a (8) or Article 30b (8), the other associated person in the territory of the Slovak Republic shall be obliged to adjust the tax base for controlled transactions pursuant to Clause 5. At the same time, within the time limit for the submission of tax return or additional tax return, the taxpayer shall be obliged to submit to the tax administrator a notification of such tax base adjustment, whose sample shall be determined and published by the Financial Directorate at its website. This notification shall include

a) identification of the taxpayer that adjusted the tax base according to the first to sixth sentences, within the following scope:
1. tax identification number,
2. name, surname, permanent address,
3. business name or name, registered office address,
4. information on applying the tax relief for investment aid recipients pursuant to Article 30a,
5. information on applying the tax relief for the beneficiary of incentives pursuant to Article 30b,
6. other data identifying the taxpayer adjusting the tax base,

b) data on the other associated person in the territory of the Slovak Republic adjusting the tax base pursuant to Clause 5, within the following scope:
1. tax identification number,
2. name, surname, permanent address,
3. business name or name, registered office address,
4. information on applying the tax relief for investment aid recipients pursuant to Article 30a,
5. information on applying the tax relief for the beneficiary of incentives pursuant to Article 30b,
6. other data identifying the associated person adjusting the tax base,

c) data on the amount of tax base adjustment pursuant to the first to sixth sentences.

(7) The tax base or tax loss of the taxpayer with limited tax liability performing activity in the territory of the Slovak Republic through a permanent establishment must not be lower or the tax loss must not be higher than the one achieved if the taxpayer as an independent person performed the same or similar activities independently from its founder; the tax base or tax loss shall be determined pursuant to Articles 17 to 29. The procedure pursuant to Article 18 shall be used accordingly to adjust the tax base of the permanent establishment. The taxable income shall include the income attained by the activity of the permanent establishment. The tax

expenditures may also include the costs provably spent by the founder of the permanent establishment for purposes of this permanent establishment including the costs of management and general administrative expenditures regardless of the place of their incurrence if the founder of the permanent establishment proves the total amount of these costs for the enterprise as a whole, justifies the way of division thereof among individual parts of the taxpayer's enterprise and proves the flow of products or services to the permanent establishment. If the tax base cannot be determined in this way, it can also be determined by means of the ratio of profit or loss to costs or to gross income in comparable activities of comparable taxpayers or the comparable amount of business margin and similar comparable indicators if the tax base is provably quantified based on them. Further, the method of division of total profits of the taxpayer's enterprise to its various parts or branches can be used provided that the arm's length principle is observed (Article 18). The taxpayer may ask in writing the tax administrator published by the Financial Directorate at its website to approve the use of a particular method for the determination of the tax base of the permanent establishment. The procedure pursuant to Article 18 (4) to (10) shall be used accordingly to approve the use of a particular method for the determination of the tax base of the permanent establishment.

(8) The tax base in the tax period, in which the taxpayer is dissolved with liquidation (Article 41 (3)) or in which the taxpayer is declared bankrupt (Article 41 (5)) or in which the taxpayer terminates its business (Article 6) or other self-employment or lease is terminated (Article 6), shall be adjusted by the taxpayer, which

a) uses the single-entry bookkeeping system or keeps records pursuant to Article 6 (11), by the price of unconsumed stocks, the balances of created reserves pursuant to Article 20 (9) (b), (d) and (e) and provisions to assets acquired, the amount of liabilities whose settlement is considered a tax expenditure pursuant to Article 19, and the amount of receivables whose collection is considered taxable income, except for the receivables mentioned in Article 19 (2) (h) Points 1 to 5, and by the aliquot amount of rent falling on the respective tax period or a part of it; during the next sale of unconsumed stocks, the tax base shall include only the difference, by which the price, for which the unconsumed stocks were sold, exceeds the price of unconsumed stocks already included in the tax base,

b) uses the double-entry bookkeeping system, by the balances of created reserves and provisions, accrued income, deferred income, deferred expenditures and deferred costs with the exception of those provably related with the period of liquidation or bankruptcy,

c) applies expenditures pursuant to Article 6 (10), by the price of unconsumed stocks and by the amount of receivables except for the receivables provided in Article 19 (2) (h).

(9) For the purposes of determination of the tax base pursuant to Clause 8 of the taxpayer that is a natural person, termination of business activity, other self-employment or lease shall mean the end of validity of an authorisation, certificate or other decision for activity performance, interruption or suspension and a failure to resume the business activities until the deadline for the submission of the tax return except for seasonal activities or end of receiving of income from business activities, other self-employment or receiving of income from lease.

(10) The difference from the mutual set-off of receivables and liabilities during the merger or fusion of business companies or cooperatives recognised pursuant to a special regulation[1)] posted on the account of retained profits from previous years or unsettled loss of previous years shall be included in the tax base in the tax period starting on the decisive date

pursuant to a special regulation.[77c)]

(11) To quantify the tax base pursuant to Clause 1 at

a) the purchase of an enterprise or a part of it, fair value measurement of assets shall be used, and Article 17a shall be followed in the event of a taxpayer determining the tax base pursuant to Clause 1 (a), (b) or (c),

b) the contribution in kind, the measurement of assets

1. at fair values or at the value counted towards the partner's contribution[37a)] shall be used if Article 17b is followed or

2. at original prices shall be used if Article 17d is followed,

c) the merger, fusion or division of business companies or cooperatives, the measurement of assets

1. at fair values shall be used if Article 17c is followed or

2. at original prices shall be used if Article 17e is followed.

(12) The tax base of the taxpayer with income pursuant to Article 6, which uses the single-entry bookkeeping system or keeps records pursuant to Article 6 (10) or (11) shall be

a) increased by the nominal value of the receivable at the moment of putting it into the business company or cooperative or upon its assignment, even if it is a receivable put or assigned by the taxpayer for a price lower than its nominal value,

b) increased, when a receivable is excluded from accounting or records, by the sum amounting to the depreciation of the nominal value of the receivable or for a receivable acquired by assignment in the amount of its acquisition cost, except for the receivables listed in Article 19 (2) (h) Points 1 to 5,

c) reduced, when a receivable is excluded from accounting or records, by the sum amounting to the paid acquisition cost of the receivable acquired by assignment provided that conditions listed in Article 19 (2) (h) Points 1 to 5 are met,

d) reduced by the sum amounting to the paid acquisition cost of the receivable acquired by assignment in the tax period, in which the settlement was made by the debtor or assignee at the next assignment, however, maximum up to the amount of the income from this settlement.

(13) The procedure pursuant to Clause 19 shall be used during tax base determination by the taxpayer that

a) purchases an enterprise or a part of it (hereinafter the "taxpayer purchasing an enterprise"),

b) is a beneficiary of contribution in kind,

c) is a legal successor of the taxpayer dissolved without liquidation.

(14) The tax base of the taxpayer with unlimited tax liability shall also include the tax

base or tax loss of the permanent establishment situated abroad. In determining it, Clause 1 shall be followed, except for the expenditures, which the taxpayer is obliged to pay pursuant to legal regulations valid in the State, in which the source of income is situated, which may be applied in tax expenditures within the scope laid down in these legal regulations. The taxpayer shall use the same procedure in the event of a change of registered office or place of effective management of the business company or cooperative from abroad to the territory of the Slovak Republic if the taxpayer's permanent establishment remains abroad.

(15) If the provisions and reserves on the account of retained profits of previous years[1)] are cancelled, the tax base shall be increased by the posted amount of the balances of these accounts if the creation thereof is considered a tax expenditure. Corrections of mistakes of previous accounting periods, if costs (expenditures) recognised as tax expenditures or revenues (income) included in the taxable income are concerned, shall be included in the tax base of the tax period related to them as regards the subject and time no matter whether they are posted in costs, revenues or on the account of retained profits from previous years.

(16) The tax base of the taxpayer that has not been founded or established for business (Article 12 (2)) shall, upon the sale of the assets used for the activity, the income from which is subject to tax, include the difference, by which the income from its sale exceeds the price pursuant to Article 25, reduced by the depreciations applied in tax expenditures calculated pursuant to Article 27 or Article 28. In selling the tangible assets, which this taxpayer did not use for the activity, the income from which is subject to tax, the tax base shall also include the difference, by which the income from their sale exceeds the price, at which the assets were valued in the accounting at the time of acquisition, increased by the costs provably spent on its technical improvement.

(17) Exchange rate differences arising within accounting due to unexecuted collection of receivables or unsettled payments of liabilities as at the date of preparation of financial statements shall be included in the tax base of the taxpayer in the tax period, in which they are accounted for unless the taxpayer decides to include them in the tax base in the tax period, in which collection or write-off of the receivable, payment or write-off of the liability occurred. In the tax period, in which the taxpayer decides to include exchange rate differences in the tax base in compliance with accounting, the taxpayer shall be obliged to also include in the tax base the exchange rate differences quantified in accounting and not included in the tax base in the previous tax periods. The legal successor of the taxpayer dissolved without liquidation may continue the procedure of non-inclusion of exchange rate differences arising within accounting in the tax base, if the legal successor is a newly established business company or if this procedure was already applied by the taxpayer that is the legal successor of the taxpayer dissolved without liquidation. The taxpayer shall provide the data on the special way of inclusion and termination of inclusion of exchange rate differences in the tax base in the tax return for the respective tax period.

(18) The tax base shall also include the value added tax,

a) to whose deduction the taxpayer set up a claim during registration pursuant to a special regulation[6)] with the exception pursuant to Clause 3 (d),

b) which is additionally deductible or additionally non-deductible if the value added tax payer has changed the purpose of use of tangible assets pursuant to a special regulation.[78)]

(19) The tax base of the taxpayer, except the expenditures (costs), which are part of the acquisition cost or total costs of assets, only after payment, shall include

a) compensating payments made pursuant to a special regulation[37ad)] on the part of their debtor,

b) leasing expenditures (costs) for the lease of a movable thing, real estate, considerations for the provision of the right to use or for the use of an industrial property subject, software, designs or models, plans, production technical and other economically utilisable knowledge (know-how), and considerations for the provision of the right to use or for the use of a copyright or copyright-related right, and these expenditures (costs) and considerations paid to the natural person for the respective tax period shall be recognised maximum up to the amount accrued appertaining to the tax period,

c) expenditures (costs) on marketing studies and other studies and of market research on the part of the debtor,

d) considerations (commissions) for intermediation on the part of service recipient, even in the event of intermediation based on mandate contracts or similar contracts,[79a)]

e) expenditures (costs) related to the settlement of income pursuant to Article 16 (1) paid, remitted or credited in favour of a taxpayer of a non-cooperating State and after the fulfilment of the duties laid down in Article 43 (11) or Article 44 (3) for the taxpayer, who pays, remits or credits the income, if such duties of this taxpayer have come into existence,

f) expenditures (costs) on advisory services and legal services classified under codes of Classification of Products 69.1, 69.2, 70.1, and 70.22,[120)]

g) lumps-um compensation for the costs connected with raising a claim,[77d)] contractual penalties, charges for defaulting, and default interests on the part of the debtor, and the severance pay on the part of the authorised person,[79b)]

h) expenditures (costs) on sponsorship on the part of the sponsor under a contract of sponsorship in sports[29ab)] provided during the term of the contract of sponsorship in sports[29ab)] within the scope according to its real use in the respective tax period if the sponsor recognises a positive tax base in the respective tax period; expenditures (costs) on sponsorship shall not include the provision of sponsorship for a sportsman[79c)] except for a national athlete,[79d)]

i) advertising expenditures (costs) provided to a taxpayer pursuant to Article 12 (3) (a),

j) the insurance tax paid by the policy holder and the insurance tax on the recharged costs of insurance pursuant to a special regulation.[79e)]

(20) The tax base shall also include the income in kind of the lessor owning the thing leased based on a lease contract or other relationship of use,[80)] (hereinafter the "lease contract"), in the amount of expenditures incurred by the lessee or user pursuant to a special regulation[80)] (hereinafter the "lessee"), after the previous written consent of the lessor, of the technical improvement of this thing beyond the duties agreed in the lease contract[80)] and unpaid by the lessor, in the tax period in which

a) the technical improvement was put into use if the owner of the leased thing increased the

entry (depreciated) price of the assets by the value of the technical improvement,

b) the lease contract was terminated; the income in kind shall be determined in the amount of the depreciated price, which the technical improvement would have with the use of even depreciation (Article 27).

(21) The income in kind of the lessor shall also include the expenditures incurred by the lessee for repairs of the leased tangible assets included in tax expenditures of the lessee beyond the lessee's duties agreed in the lease contract.[80)]

(22) In determining the tax loss, the same procedure shall be applied as in determining the tax base.

(23) The cost, for which a reserve was created pursuant to a special regulation,[1)] whose creation is not recognised as a tax expenditure, shall be included in the tax base in the tax period, in which the reserve is used, up to the amount, in which this cost is also recognised as a tax expenditure pursuant to Article 19; the posted difference between the cost, for which the reserve was created, and the sum of this reserve shall not be included in the tax base. The cancellation of the reserve, whose creation is not recognised as a tax expenditure, shall not be included in the tax base. The same procedure shall be applied to a provision not recognised as a tax expenditure pursuant to Article 19.

(24) In quantifying the tax base in the tax period, in which

a) conditions of financial leasing pursuant to Article 2 (s) were violated on the part of the taxpayer that acquires tangible assets through financial leasing, Article 19 (3) (b), (d), (e) or (g) shall be followed during disposal of the tangible assets,

b) after the termination of lease without a previously agreed right of purchase of the leased thing, the leased thing was purchased for a purchase price lower than its depreciated price pursuant to Article 25 (3), the tax base shall be increased by the positive difference of the rent already applied in tax expenditures, and the depreciations, which could be applied by the owner from these assets during the term of the lease contract pursuant to Article 27, and the entry price of the acquired assets shall be increased by this difference.

(25) The tax base of the taxpayer pursuant to Article 2 (e) shall be calculated as the sum of tax bases and tax losses of individual permanent establishments and the tax base from the income types, which are not part of the tax base of the permanent establishment, from which withholding tax is collected pursuant to Article 43, or from which by collecting the withholding tax, the tax liability is not fulfilled.

(26) If during the relocation of the registered office or place of effective management of a business company or cooperative from the territory of the Slovak Republic to a Member State of the European Union a permanent establishment is created in the territory of the Slovak Republic, the taxpayer shall not adjust the tax base by the balances of reserves, provisions, and accruals and deferrals accounts, if they relate to the assets and liabilities of this permanent establishment, except for the provision pursuant to Article 20, continues to depreciate the tangible assets and intangible assets of this permanent establishment and to deduct the tax loss pursuant to Article 30, if it is related to the assets and liabilities of this permanent establishment.

(27) The taxpayer, except for the taxpayer pursuant to a special regulation[80a)] and the taxpayer declared bankrupt, shall adjust the tax base determined pursuant to Clause 1 (b) and (c) by the amount of the liability appertaining to the expenditure (cost), which is pursuant to Article 19 a tax expenditure, also to the expenditure (cost) appertaining to the depreciated and non-depreciated assets, stocks, financial assets and other assets, for which the expenditure (cost) incurs upon its inclusion or exclusion from consumption or use or unsettled part of such liability, as well as by the amount of the liability posted as a reduction in revenue (income) so that the increase in the tax base, if from the agreed time limit of liability maturity, which cannot be extended for the purpose of this provision, a period expired that is longer than

a) 360 days, represented in aggregate at least 20 % of the nominal value of the liability or its unsettled part,

b) 720 days, represented in aggregate at least 50 % of the nominal value of the liability or its unsettled part,

c) 1,080 days, represented in aggregate at least 100 % of the nominal value of the liability or its unsettled part.

(28) The tax base ascertained pursuant to Article 17 (1) (b) and (c) shall be, in the tax period, in which

a) the receivable is assigned, increased by the amount of the provision, whose creation was recognised as a tax expenditure pursuant to Article 19, and at the same time reduced by the expenditure (cost) pursuant to Article 19 (3) (h), if the receivable was in the tax period of receivable assignment non-time-barred for at least one calendar day; in the event of assignment of a receivable which in the tax period of its assignment was not non-time-barred for at least one calendar day, the tax base may be reduced by the expenditure (cost) pursuant to article 19 (3) (h) maximum up to the amount of the provision to the receivable, which the taxpayer applied as a tax expenditure at the time, when the receivable was not time-barred yet,

b) the receivable is written off, increased by the amount of the provision, whose creation was recognised as a tax expenditure pursuant to Article 19, and at the same time reduced by the expenditure (cost) pursuant to Article 19 (2) (h), or reduced by the expenditure (cost) pursuant to Article 19 (2) (r), if the receivable was in the tax period of receivable write-off non-time-barred for at least one calendar day; in the event of write-off of a receivable which in the tax period of its write-off was not non-time-barred for at least one calendar day, the tax base may be reduced by the expenditure (cost) pursuant to article 19 (2) (r) maximum up to the amount of the provision, which the taxpayer applied as a tax expenditure at the time, when the receivable was not time-barred yet,

c) the receivable is partially paid, adjusted by a part of the provision pursuant to Article 20.

(29) If in the respective tax period, the taxpayer included in the economic outturn higher revenues (income) than according to a special regulation[1)] or in the respective tax period, the taxpayer included in the economic outturn lower costs (expenditures) than according to a special regulation,[1)] and for that reason, the taxpayer recognised a higher tax base and levied a higher tax, the adjustment of the economic outturn or retained profits from previous years or unsettled loss from previous years in the following accounting periods shall not affect the amount of the tax base and tax liability; if the taxpayer decides for such procedure in the

respective tax period, the adjustment of the tax base pursuant to Clause 15 shall not be applied. The taxpayer may use such procedure only provided that the right of taxation has not expired for the respective tax period.[34)]

(30) A special levy pursuant to a special regulation[80aa)] shall be included in the tax base in the amount of its payment or a part of its payment in the tax period, in which the payment was made.

(31) For the disposal of tangible assets, in which depreciations were applied pursuant to Article 26 (13), prior to the expiry of the depreciation period pursuant to Article 26 (1) and (5), the taxpayer shall be obliged to increase the tax base by the positive difference between the already applied depreciations pursuant to Article 26 (13) and the depreciations quantified pursuant to Article 27 or Article 28.

(32) If after the period, in which the tax base was increased pursuant to Clause 27

a) by 100 % of the nominal value of the liability or its unsettled part, the liability or its part is settled, the tax base shall be reduced by the amount of the settled liability in the tax period, in which the liability or its part was settled; liability settlement shall not mean the replacement of the liability by a bill of exchange,

b) the liability becomes time-barred, ceases to exist, is written off or partially written off, the tax base shall be reduced by the amount of the liability, by which the taxpayer increased the tax base pursuant to Clause 27, maximum up to the amount of the revenue posted in the tax period, in which the revenue is included in the accounts,

c) the current liability is replaced by a new liability,[80aaaa)] the tax base shall be reduced maximum by the amount, by which the nominal value of the original liability exceeds the nominal value of the new liability; for the purposes of Clause 27, the maturity date of the liability shall mean the maturity date of the original liability,

d) the restructuring plan is confirmed by court[38a)] or the taxpayer is declared bankrupt,[80aaa)] the tax base shall be reduced by the amount of the liability appertaining to the expenditure (cost), by which the tax base was increased pursuant to Clause 27 in the tax period, in which the restructuring plan was confirmed by court[38a)] or in the tax period ending as at the date preceding the effective date of bankruptcy declaration;[80b)] the taxpayer shall not apply the procedure pursuant to Clause 27 to the liabilities contained in the restructuring plan confirmed by court.[38a)]

(33) The tax base shall include

a) wages including premium and contributions with working time banking,[80ab)] which are paid by the employer for the employee prior to work performance and charged to the account of deferred costs;[1)] the subsequent accounting of deferred costs pursuant to a special regulation[1)] at the time of work performance shall not be included in the tax base,

b) the revenue from the sale of assets, which the seller at the same time acquires under the contract of financial leasing, charged to the account of deferred income;[1)] the subsequent accounting of deferred income pursuant to a special regulation[1)] during the agreed period of financial leasing shall not be included in the tax base,

c) for the taxpayer using the double-entry bookkeeping system, the valuation of securities intended for trading accounted as costs or revenues with fair value valuation.

(34) The tax base of a taxpayer that is a legal person or the tax base (partial tax base) from income pursuant to Article 6 of a taxpayer that is a natural person shall be increased by the positive difference between the total amount of really applied tax depreciations in the respective tax period from passenger cars classified under code of Classification of Products 29.10.2 with an entry price (Article 25) of EUR 48,000 and more pursuant to Article 19 (3) (a) and the total amount of annual depreciations or aliquot parts of annual depreciations for the respective tax period from these passenger cars calculated from the entry price of EUR 48,000 using the method pursuant to Article 27, if this tax base is lower than the product of the number of passenger cars with an entry price of EUR 48,000 and more and the annual tax depreciation calculated from the entry price of EUR 48,000. This adjustment of the tax base shall not be carried out for the lessor of passenger cars, which were leased on the basis of a leasing agreement not containing a purchase option relating to the article leased.

(35) The tax base of a taxpayer that is a legal person or the tax base (partial tax base) from income pursuant to Article 6 of a taxpayer that is a natural person shall be increased by the difference between the total amount of applied rent based on a lease contract without the previously agreed right to purchase the leased thing in the tax expenditures in the respective tax period from passenger cars classified under code of Classification of Products 29.10.2 with an entry price (Article 25) of EUR 48,000 and more and the sum of products of the number of these leased passenger cars and the limited annual rent amounting to EUR 14,400 corresponding to the number of months of lease in the respective tax period, if this tax base is lower than the sum of products of the number of leased passenger cars with an entry price of EUR 48,000 and more and the limited annual rent amounting to EUR 14,400 corresponding to the number of months of lease in the respective tax period.

(36) In the tax period, in which the taxpayer became a micro-accounting unit pursuant to a special regulation[1)] and in the previous tax period the taxpayer included in the economic outturn the change of fair value of securities, which was included in the accounts as at the date of preparation of financial statements, the tax base

a) shall be increased by the value posted in costs and removed to the account of retained profits from previous years or to the account of unsettled loss from previous years,

b) shall be reduced by the value posted in revenues and removed to the account of retained profits from previous years or to the account of unsettled loss from previous years.

(37) The tax base of a taxpayer providing practical training to a pupil based on a teaching contract pursuant to a special regulation [80ac)] shall be reduced by

a) EUR 3,200 per pupil if the taxpayer provides more than 400 hours of practical training in the tax period,

b) EUR 1,600 per pupil if the taxpayer provides more than 200 hours of practical training in the tax period.

(38) The tax base of the taxpayer that is a legal person or the tax base (partial tax base) from income pursuant to Article 6 (1) and (2) or the tax base (partial tax base) from income

pursuant to Article 6 (3) and (4) of the taxpayer that is a natural person for the purpose of application of Clause 19 (h), Clauses 34, 35 and 37, Article 19 (3) (n) and Article 21 (1) (h) shall mean the tax base of the taxpayer that is a legal person or the tax base (partial tax base) from income pursuant to Article 6 (1) and (2) or the tax base (partial tax base) from income pursuant to Article 6 (3) and (4) of the taxpayer that is a natural person determined pursuant to Articles 17 to 29 except for the provisions of Article 17 (19) (h), Clauses 34, 35 and 37, Article 19 (3) (n) and Article 21 (1) (h).

(39) The tax base of a motor vehicle holder pursuant to a special regulation[80aca)] that within one year after the registration of the motor vehicle in the register of vehicles in the Slovak Republic does not transfer the possession of the motor vehicle and at the same time, within 15 days after the expiry of this period, fails to pay the fee pursuant to a special regulation[80acb)] in the amount corresponding to the amount of fee for initial registration of vehicle, shall be, in the tax period, in which the time limit for the payment of the fee expires pursuant to a special regulation,[80acb)] increased by the expenditures on acquisition, technical improvement, operation and maintenance of the motor vehicle applied in the tax period, in which the motor vehicle was registered in the register of vehicles in the Slovak Republic. Starting from the tax period following the tax period, in which the motor vehicle was registered in the register of vehicles in the Slovak Republic, the tax base of the motor vehicle holder[80aca)] shall be increased by the expenditures on acquisition, technical improvement, operation and maintenance of the motor vehicle applied in the tax base, for every tax base until the tax base of the tax period preceding the tax period, in which a fee is paid pursuant to a special regulation[80acb)] in the amount corresponding to the amount of fee during the first registration of the vehicle. The holder of the motor vehicle,[80aca)] until the tax period preceding the tax period, in which a fee is paid pursuant to a special regulation[80acb)] in the amount corresponding to the amount of fee during the first registration of the vehicle, shall not apply the interruption of depreciation pursuant to Article 22 (9) for a motor vehicle, for which such fee is not paid pursuant to a special regulation.[80acb)]

(40) The tax base of the taxpayer determining the tax base pursuant to Article 17 (1) (b) or (c) shall not include income from the redistribution of the capital fund from contributions up to the amount of the contribution paid by the taxpayer. The income from the redistribution of a capital fund from contributions shall also include the income attained by reducing the registered capital of a business company in the part, in which it was previously increased from the paid-up contributions to the capital fund from contributions. The tax base of the taxpayer that did not provide the contribution shall only include the sum of revenue from the redistribution of the capital fund from contributions in the tax period, in which such receivable is accounted.[1)]

(41) The tax base of the taxpayer using the single-entry bookkeeping system or keeping records pursuant to Article 6 (11) shall also include the income from the redistribution of the capital fund from contributions in the tax period, in which they received it; the income from the redistribution of a capital fund from contributions shall also include the income attained by reducing the registered capital of a business company in the part, in which it was previously increased from the paid-up contributions to the capital fund from contributions. The tax base of the taxpayer shall be reduced by the sum of contribution paid by them. If the sum of paid contribution exceeds the income pursuant to the first sentence, it may be applied in this tax period up to the amount of the income, and if such income also flows in the next tax period, the same procedure shall be used, up to the amount of the total sum of paid contribution. The tax base of the taxpayer that did not provide the contribution shall only include the income from the redistribution of the capital fund from contributions in the tax period, in which they received it.

(42) In applying the exemption pursuant to Article 13a or Article 13b, the expenditure (costs) spent on the income (revenues) pursuant to Article 13a or Article 13b are not part of the tax base in the same proportion as that of exemption from tax of the income (revenues).

43) The tax base shall include the income from the sale of the virtual currency reached in exchanging the virtual currency for assets, in exchanging the virtual currency for another virtual currency, or in exchanging the virtual currency for the provision of a service in the tax period, in which the exchange takes place, while using the valuation of the virtual currency being exchanged at fair value[80acc]) as at the date of exchange.

(44) The tax base of the taxpayer that in determining the tax base or tax loss follows Clause 1 (c) and utilised the possibility to price the financial assets at fair values in own resources without influence of the economic outturn, in executing this financial instrument, shall also include the sum corresponding to changes of own resources related to this financial instrument from its acquisition to its execution including the sum, by which the tax base pursuant to Clause 2 (d) was not adjusted; this shall not apply to the financial assets, from which the income (revenue) from sale meets the conditions for exemption pursuant to Article 13c. In applying the tax expenditure pursuant to Article 19 (2) (f) or (g), the entry price of the financial assets pursuant to Article 25a adjusted by the sum of changes of own resources related to the financial assets included in the tax base shall be used as the basis.

Valuation at Fair Values during Sale and Purchase of an Enterprise or a Part of it, Contribution in Kind and Merger, Fusion or Division of Business Companies or Cooperatives

Article 17a

Sale and Purchase of an Enterprise or a Part of it at Fair Values

(1) The taxpayer selling an enterprise or a part of it (hereinafter the "taxpayer selling an enterprise") and determining the tax base pursuant to Article 17 (1) (a) shall include the income from the sale of the enterprise or a part of it in the tax base at an agreed purchase price

a) increased by the liabilities taken over by the taxpayer purchasing the enterprise and by unused reserves [Article 20 (9) (b), (d) to (f)],

b) reduced by the value of liabilities related to expenditures, which, if they were settled before the sale of the enterprise or a part of it, would represent a tax expenditure on the part of the taxpayer selling an enterprise, by the depreciated price of the sold tangible assets and intangible assets, and by the value of receivables, which would not be considered taxable income upon collection,

c) reduced by the depreciated value of an asset provision to assets acquired[1)] or increased by the depreciated value of the liability provision to assets acquired.[1)]

(2) The taxpayer purchasing an enterprise and determining the tax base pursuant to Article 17 (1) (a) shall value the assets of the enterprise or a part of it at fair value, and the procedure pursuant to Article 26 shall be applied to assets depreciation. The provision to assets

acquired shall be depreciated by the taxpayer according to a special regulation.[1)] To receivables acquired by purchasing the enterprise or a part of it, the taxpayer shall apply the procedure pursuant to Article 17 (12) (d). The liabilities taken over by the taxpayer purchasing an enterprise from the taxpayer selling the enterprise shall be included in the tax base in the tax period, in which the purchaser settles them if it is the settlement of liabilities, which would represent a tax expenditure on the part of the taxpayer selling the enterprise before the sale of the enterprise.

(3) The taxpayer selling an enterprise and determining the tax base pursuant to Article 17 (1) (b) or (c) shall adjust the economic outturn ascertained in the accounting[1)] for the depreciated assets by the difference between the depreciated price determined pursuant to a special regulation[1)] and depreciated price pursuant to Article 25 (3), and by the difference between the fair value[80ad)] of the non-depreciated assets acquired as a gift and their entry price pursuant to Article 25 (1) (a) and (g).

(4) The tax base of the taxpayer selling an enterprise pursuant to Clause 3 shall be reduced by

a) the sum (amount) of the reserve taken over by the taxpayer purchasing the enterprise, whose creation was not included in the tax base pursuant to Article 20 if the cost related to the reserve would represent a tax expenditure,

b) the difference between the created provisions in the amount pursuant to a special regulation[1)] and provisions already included in the tax base pursuant to Article 20; this difference shall not include the provisions to fixed tangible assets and fixed intangible assets,[1)]

c) the sum of liability appertaining to the expenditure (cost), by which the tax base was increased pursuant to Article 17 (27).

(5) The taxpayer purchasing an enterprise and determining the tax base pursuant to Article 17 (1) (b) or (c) shall value the assets and liabilities acquired by purchasing the enterprise or a part of it at fair value, and the procedure pursuant to Article 26 shall be applied to assets depreciation. Goodwill or negative goodwill shall be included in the tax base until it is fully included, maximum during seven consecutive tax periods, at least in the amount of one seventh per year, starting from the tax period, in which the contract of sale of the enterprise or a part of it comes into effect;[30)] if during this period

a) the taxpayer is dissolved with liquidation, no later than in the tax period ending as at the date preceding the date of entry into liquidation,[80b)]

b) the taxpayer is dissolved without liquidation, no later than in the tax period ending as at the date preceding the decisive day,[80b)]

c) the taxpayer is declared bankrupt, no later than in the tax period ending as at the date preceding the effective date of bankruptcy order[80b)] or

d) the enterprise is sold, no later than on the effective date of the contract of sale of the enterprise[30)] or if there is a contribution in kind, no later than on the date, on which the contribution in kind is paid up.[80c)]

(6) The taxpayer purchasing an enterprise pursuant to Clause 5 shall adjust the tax base by the difference between the sum of the reserve taken over and the amount of real settlement of the liability in the tax period, in which the liability, to which the reserve had been created, was settled, if the cost related to this liability would represent a tax expenditure. The cancellation of the reserve acquired by purchasing the enterprise or a part of it shall be included in the tax base pursuant to a special regulation.[1)] The provisions of Article 17 (23) and Article 20 on the creation, use or cancellation of reserves shall apply to further creation of reserves on the part of the taxpayer purchasing the enterprise.

(7) For the receivable, which was in the tax period of its assignment or write-off non-time-barred for at least one calendar day, and was acquired by purchasing the enterprise or a part of it valued at fair value, which must not be higher than its nominal value, the taxpayer purchasing an enterprise pursuant to Clause 5 shall apply as a tax expenditure pursuant to Article 19 upon

a) the assignment of this receivable, the fair value of this receivable without interests and charges, maximum up to the amount of the income from its assignment or the sum maximum up to

1. 20 % of the fair value of receivable without interests and charges if a period longer than 360 days has expired from the effective date of the contract of sale of enterprise or a part of it,

2. 50 % of the fair value of receivable without interests and charges if a period longer than 720 days has expired from the effective date of the contract of sale of enterprise or a part of it,

3. 100 % of the fair value of receivable without interests and charges if a period longer than 1,080 days has expired from the effective date of the contract of sale of enterprise or a part of it,

b) the write-off of the receivable, the sum maximum up to

1. 20 % of the fair value of receivable without interests and charges if a period longer than 360 days has expired from the effective date of the contract of sale of enterprise or a part of it,

2. 50 % of the fair value of receivable without interests and charges if a period longer than 720 days has expired from the effective date of the contract of sale of enterprise or a part of it,

3. 100 % of the fair value of receivable without interests and charges if a period longer than 1,080 days has expired from the effective date of the contract of sale of enterprise or a part of it.

(8) The adjustment of the tax base for the taxpayer selling an enterprise pursuant to Clauses 1, 3, and 4 shall be carried out in the tax period, in which the contract of sale of the enterprise or a part of it comes into effect.[30)]

(9) For the purposes of this Act, the tax expenditures for the assets and liabilities acquired by purchasing the enterprise or a part of it shall be applied based on the fair value of the assets and liabilities pursuant to Clause 5.

Article 17b

Contribution in Kind at Fair Values

(1) The provider of contribution in kind consisting of individually contributed assets, enterprise or a part of it, which determines the tax base pursuant to Article 17 (1) (b) or (c), shall

a) not adjust the economic outturn by the difference between the value of the contribution in kind counted towards the partner's contribution[37a)] and the value of the contribution in kind determined in the accounting[1)] if they decide to include this difference as a lump sum in the tax base, in the tax period, in which the contribution in kind is paid up,[80c)]

b) adjust the economic outturn by the difference between the value of the contribution in kind counted towards the partner's contribution[37a)] and the value of the contribution in kind determined in the accounting[1)] gradually until its full inclusion, maximum for a period of seven consecutive tax periods, at least in the amount of one seventh per year, starting from the tax period, in which the contribution in kind - the enterprise or a part of it - is paid up[80c)] if during such period

1. the taxpayer is dissolved with liquidation, no later than in the tax period ending as at the date preceding the date of entry into liquidation,[80b)]

2. the taxpayer is dissolved without liquidation, no later than in the tax period ending as at the date preceding the decisive day,[80b)]

3. the taxpayer is declared bankrupt, no later than in the tax period ending as at the date preceding the effective date of bankruptcy order[80b)] or if

4. on the part of the provider of contribution in kind, there is a sale or other decrease in securities and business interest below the value of the financial assets[1)] acquired by this contribution in kind or on the part of the beneficiary of the contribution in kind there is a sale or other disposal of more than 50 % of the fair value of the tangible assets and intangible assets acquired by the contribution in kind, the provider of contribution in kind shall be obliged to include the whole remaining part of the recognised difference into the tax base in the tax period, in which some of the above facts occurs,

c) adjust the economic outturn by the difference between the depreciated price of the contributed depreciated assets ascertained pursuant to a special regulation[1)] and their depreciated price pursuant to Article 25 (3) and by the difference between the fair value[80ad)] of non-depreciated assets acquired as donation and their entry price pursuant to Article 25 (1) (a) and (g) in the tax period, in which the contribution in kind is paid up,[80c)]

d) reduce the economic outturn by the sum (amount) of the reserve, whose creation was not included in the tax base pursuant to Article 20 if the cost related to this reserve would represent a tax expenditure, and which is part of the contribution in kind - the enterprise or a part of it - in the tax period, in which the contribution in kind is paid up,[80c)]

e) reduce the economic outturn by the difference of created provisions pursuant to a special regulation[1)] and provisions already included in the tax base pursuant to Article 20 in the tax period, in which the contribution in kind is paid up;[80c)] this difference shall not include the

provisions to fixed tangible assets and fixed intangible assets,[1)]

f) reduce the economic outturn by the sum of the liability appertaining to the expenditure (cost), by which the tax base was increased pursuant to Article 17 (27), in the tax period, in which the contribution in kind is paid up.[80c)]

(2) If the provider of contribution in kind includes in the tax base the difference between the value of the contribution in kind counted towards the partner's contribution[37a)] and the value of contribution in kind in accounting[1)] pursuant to Clause 1 (a), they shall be obliged to notify the fact to the beneficiary of the contribution in kind within 30 days from the date, on which the contribution in kind is paid up.[80c)]

(3) The beneficiary of the contribution in kind, which is

a) individually contributed assets, shall value these assets at the value of the contribution in kind counted towards the partner's contribution,[37a)]

b) an enterprise or a part of it, shall value the acquired assets and liabilities at fair value.

(4) The beneficiary of the contribution in kind

a) shall depreciate tangible assets as newly acquired assets using the procedure pursuant to Article 26 from the fair value or from the value of the contribution in kind counted towards the partner's contribution[37a)] or

b) may continue to depreciate tangible assets from the fair value or from the contribution in kind counted towards the partner's contribution[37a)] if the provider of contribution in kind applies the procedure pursuant to Clause 1 (a), and

1. with even depreciation, the period of depreciation shall be extended by the period resulting from the method of calculation pursuant to Article 27,

2. with accelerated depreciation, Article 28 shall be followed as in the next years of depreciation, during the remaining period of depreciation pursuant to Article 26.

(5) The beneficiary of contribution in kind shall include in the tax base

a) the difference between the sum of the reserve taken over and the amount of real settlement of the liability in the tax period, in which the liability was settled, to which the reserve was created, if the cost related to the liability would be a tax expenditure; the cancellation of the reserve acquired by the contribution in kind shall be included in the tax base pursuant to a special regulation;[1)] the provisions of Article 17 (23) or Article 20 on the creation, use or cancellation of reserves shall apply to further creation of reserves on the part of the beneficiary of the contribution in kind,

b) goodwill or negative goodwill until it is fully included, maximum during seven consecutive tax periods, at least in the amount of one seventh per year, starting from the tax period, in which the contribution in kind - enterprise or a part of it - is paid up;[80c)] if during this period

1. the taxpayer is dissolved with liquidation, no later than in the tax period ending as at the date preceding the date of entry into liquidation,[80b)]

2. the taxpayer is dissolved without liquidation, no later than in the tax period ending as at the date preceding the decisive day,[80b)]

3. the taxpayer is declared bankrupt, no later than in the tax period ending as at the date preceding the effective date of bankruptcy order[80b)] or

4. the enterprise is sold, no later than on the effective date of the contract of sale of the enterprise[30)] or if there is a contribution in kind, no later than on the date, on which the contribution in kind is paid up.[80c)]

(6) The beneficiary of contribution in kind shall include in the tax base as a tax expenditure pursuant to Article 19

a) upon the assignment of a receivable, which was in the tax period of its assignment non-time-barred for at least one calendar day, and was acquired by the beneficiary of the contribution in kind valued at fair value, which must not be higher than its nominal value, the real value of this receivable without interests and charges, maximum up to the amount of the income from its assignment or the amount maximum up to

1. 20 % of the fair value of receivable without interests and charges if a period longer than 360 days has expired from the date of acquisition of the receivable through contribution in kind,

2. 50 % of the fair value of receivable without interests and charges if a period longer than 720 days has expired from the date of acquisition of the receivable through contribution in kind,

3. 100 % of the fair value of receivable without interests and charges if a period longer than 1,080 days has expired from the date of acquisition of the receivable through contribution in kind,

b) upon the write-off of a receivable, which was in the tax period of its write-off non-time-barred for at least one calendar day, and was acquired by the beneficiary of the contribution in kind valued at fair value, which must not be higher than its nominal value, the amount maximum up to

1. 20 % of the fair value of receivable without interests and charges if a period longer than 360 days has expired from the date of acquisition of the receivable through contribution in kind,

2. 50 % of the fair value of receivable without interests and charges if a period longer than 720 days has expired from the date of acquisition of the receivable through contribution in kind,

3. 100 % of the fair value of receivable without interests and charges if a period longer than 1,080 days has expired from the date of acquisition of the receivable through contribution in kind.

(7) If during maximum seven consecutive tax periods, starting from the tax period, in which the contribution in kind was paid up,[80c)] more than 50 % of fair value of tangible assets and intangible assets acquired by the contribution in kind is sold or otherwise disposed of on the part of the beneficiary of the contribution in kind, the beneficiary of the contribution in kind shall be obliged to notify this fact to the provider of contribution in kind within 30 days from the date of the fact occurrence, except for the case that they notified the facts pursuant to Clause 2.

(8) The provider of the contribution in kind, which is an individually contributed property out of the territory of the Slovak Republic, shall follow Clause 1 (a). The same

procedure shall be applied if the provider of the contribution in kind is a taxpayer with limited tax liability [Article 2 (e)] for an individually contributed property. The provider of the contribution in kind, which is a property individually contributed abroad, may apply the procedure pursuant to Article 17d provided that conditions included in Article 17d (7) have been met.

(9) If the provider of contribution in kind is a taxpayer with unlimited tax liability [Article 2 (d)], in the event of the contribution in kind represented by an enterprise or a part of it to a beneficiary of this contribution in kind with the registered office out of the territory of the Slovak Republic, to whom a permanent establishment remains in the territory of the Slovak Republic, the beneficiary may, in quantifying the tax base of the permanent establishment, value the assets and liabilities at fair value unless they use the procedure pursuant to Article 17d. If the provider of the contribution in kind, which is an enterprise or a part of it, is a taxpayer with unlimited tax liability [Article 2 (d)] and the enterprise or a part of it does not remain functionally connected with the permanent establishment of the beneficiary of the contribution in kind situated in the territory of the Slovak Republic, the provider of the contribution in kind shall follow Clause 1 (a) and shall not apply the procedure pursuant to Article 17d.

(10) If the provider of the contribution in kind is a taxpayer with limited tax liability [Article 2 (e)], in the event of the contribution in kind represented by an enterprise or a part of it to a beneficiary of this contribution in kind with the registered office in the territory of the Slovak Republic, the beneficiary may value the assets and liabilities at fair value, if they prove that the difference between the value of the contribution in kind counted towards the partner's contribution[37a)] and the value of the contribution in kind in accounting of the provider of the contribution in kind was provably taxed on the part of the provider of the contribution in kind, and the beneficiary of the contribution in kind shall not apply the procedure pursuant to Article 17d.

(11) The provider of contribution in kind determining the tax base pursuant to Article 17 (1) (a), shall apply the procedure pursuant to Clauses 1, 2, 8, and 9 accordingly; if the provider of contribution in kind is a natural person, who does not account the assets, they shall apply the procedure pursuant to Article 8 (2) in measuring the contribution in kind.

(12) For the purposes of this Act, the tax expenditures for the assets and liabilities acquired by contribution in kind shall be applied based on the value of the assets and liabilities pursuant to Clause 3.

(13) If the contribution in kind is represented by an enterprise or a part of it, whose provider is a taxpayer with the registered office in the territory of the Slovak Republic, and the enterprise or a part of it remains functionally connected with the permanent establishment of the beneficiary of the contribution in kind situated in the territory of the Slovak Republic, and subsequently assets are transferred pursuant to Article 17f (1) (b) or business is transferred pursuant to Article 17f (2) (b) from this permanent establishment, the procedure pursuant to Article 17f shall be applied.

Article 17c

Merger, Fusion or Division of Business Companies or Cooperatives at Fair Values

(1) The tax base of a taxpayer dissolved without liquidation in the tax period ending on

the day preceding the decisive day[80b)] shall

a) be adjusted by the sum amounting to the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives recognised pursuant to a special regulation[1)] if these differences in valuation are not included in the tax base of the legal successor of this taxpayer,

b) be adjusted by the difference between the depreciated price of the depreciated tangible assets ascertained pursuant to a special regulation[1)] and their depreciated price pursuant to Article 25 (3) and by the difference between the fair value[80ad)] of non-depreciated assets acquired as donation and their entry price pursuant to Article 25 (1) (a) and (g) and by the goodwill or negative goodwill not yet included in the tax base,

c) be reduced by the sum (amount) of the reserve, whose creation was not recognised as tax expenditure pursuant to Article 20, if the cost related to this reserve would be tax expenditure, and which is passed on to the legal successor of the taxpayer dissolved without liquidation,

d) be reduced by the difference amounting to created provisions pursuant to a special regulation[1)] and provisions already included in the tax base pursuant to Article 20; this difference shall not include the provisions to fixed tangible assets and fixed intangible assets,[1)]

e) be reduced by the sum of liability appertaining to the expenditure (cost), by which the tax base was increased pursuant to Article 17 (27).

(2) The assets and liabilities acquired by the legal successor from the taxpayer dissolved without liquidation shall be measured at fair value. The legal successor of the taxpayer dissolved without liquidation

a) shall depreciate tangible assets from fair value as newly acquired assets using the procedure pursuant to Article 26 or

b) may continue the depreciation of tangible assets from fair value; with even depreciation, the period of depreciation shall be extended by the period resulting from the way of calculation pursuant to Article 27, and with accelerated depreciation, Article 28 shall be followed as in the next years of depreciation, during the remaining period of depreciation pursuant to Article 26, if the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives recognised pursuant to a special regulation[1)] are included in the tax base by the taxpayer dissolved without liquidation or by this legal successor as a lump sum in the tax period, in which the decisive day occurred.[77c)]

(3) The tax base of the legal successor of the taxpayer dissolved without liquidation

a) may include the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives recognised pursuant to a special regulation[1)] pursuant to Clause 2 or until they are fully included, maximum during seven consecutive tax periods, at least in the amount of one seventh per year, starting from the tax period, in which the decisive day occurred[77c)] unless otherwise provided by Clause 11; if during this period the registered capital is increased, dividends are paid, more than 50 % of the fair value of tangible assets and intangible assets, to which the differences in valuation are related, is sold or otherwise disposed of, the legal successor shall be obliged to include the remaining part of these

differences in the tax base in the tax period, in which some of these facts occurs; if during this period

1. the taxpayer is dissolved with liquidation, no later than in the tax period ending as at the date preceding the date of entry into liquidation,[80b)]

2. the taxpayer is dissolved without liquidation, no later than in the tax period ending as at the date preceding the decisive day,[80b)]

3. the taxpayer is declared bankrupt, no later than as at the date preceding the effective date of bankruptcy order[80b)] or

4. the enterprise is sold, no later than on the effective date of the contract of sale of the enterprise[30)] or if there is a contribution in kind, no later than on the date, on which the contribution in kind is paid up,[80c)]

b) shall include only the difference between the sum of the reserve taken over and the amount of real settlement of the liability in the tax period, in which the liability was settled, to which this reserve was created, if the cost related to the liability would be a tax expenditure; the cancellation of the reserve acquired during the merger, fusion or division of business companies or cooperatives shall be included in the tax base pursuant to a special regulation;[1)] the provisions of Article 17 (23) or Article 20 on the creation, use or cancellation of reserves shall apply to further creation of reserves on the part of this taxpayer,

c) shall include goodwill or negative goodwill adjusted according to a special regulation[1)] until it is fully included, maximum during seven consecutive tax periods, at least in the amount of one seventh per year, starting from the tax period, in which the decisive day occurred;[77c)] if during this period

1. the taxpayer is dissolved with liquidation, no later than in the tax period ending as at the date preceding the date of entry into liquidation,[80b)]

2. the taxpayer is dissolved without liquidation, no later than in the tax period ending as at the date preceding the decisive day,[80b)]

3. the taxpayer is declared bankrupt, no later than in the tax period ending as at the date preceding the effective date of bankruptcy order[80b)] or

4. the enterprise is sold, no later than on the effective date of the contract of sale of the enterprise[30)] or if there is a contribution in kind, no later than on the date, on which the contribution in kind is paid up.[80c)]

(4) The legal successor of the taxpayer dissolved without liquidation shall include in the tax base the tax expenditure pursuant to Article 19

a) upon the assignment of a receivable, which was in the tax period of its assignment non-time-barred for at least one calendar day, and was acquired by the merger, fusion or division of business companies or cooperatives and valued at fair value, which must not be higher than its nominal value, the real value of this receivable without interests and charges, maximum up to the amount of the income from its assignment or the amount maximum up to

1. 20 % of the fair value of receivable without interests and charges if a period longer than 360 days has expired from the date of acquisition of the receivable during the merger, fusion or division of business companies or cooperatives,[77c)]

2. 50 % of the fair value of receivable without interests and charges if a period longer than 720 days has expired from the date of acquisition of the receivable during the merger, fusion or division of business companies or cooperatives,[77c)]

3. 100 % of the fair value of receivable without interests and charges if a period longer than 1,080 days has expired from the date of acquisition of the receivable during the merger, fusion or division of business companies or cooperatives,[77c)]

b) upon the write-off of a receivable, which was in the tax period of its write-off non-time-barred for at least one calendar day, and was acquired by the merger, fusion or division of business companies or cooperatives and valued at fair value, which must not be higher than its nominal value, the amount maximum up to

1. 20 % of the fair value of receivable without interests and charges if a period longer than 360 days has expired from the date of acquisition of the receivable during the merger, fusion or division of business companies or cooperatives,[77c)]

2. 50 % of the fair value of receivable without interests and charges if a period longer than 720 days has expired from the date of acquisition of the receivable during the merger, fusion or division of business companies or cooperatives,[77c)]

3. 100 % of the fair value of receivable without interests and charges if a period longer than 1,080 days has expired from the date of acquisition of the receivable during the merger, fusion or division of business companies or cooperatives.[77c)]

(5) In deducting the tax loss on the part of the legal successor of a taxpayer dissolved without liquidation, Article 30 shall be followed.

(6) If on the dissolution of a taxpayer without liquidation with the registered office in the territory of the Slovak Republic, whose legal successor is a taxpayer with the registered office out of the territory of the Slovak Republic, where the assets remain part of the permanent establishment of this legal successor situated in the territory of the Slovak Republic, the assets and liabilities shall be measured at fair value pursuant to Clause 2 unless procedure pursuant to Article 17e is used, and the legal successor may deduct the tax loss of the taxpayer dissolved without liquidation in the amount and way pursuant to Article 30, if it relates to the assets and liabilities of this permanent establishment.

(7) If on the dissolution of a taxpayer without liquidation with the registered office out of the territory of the Slovak Republic, whose legal successor is a taxpayer with the registered office in the territory of the Slovak Republic, where the assets remain part of the permanent establishment situated out of the territory of the Slovak Republic, this legal successor may measure the assets and liabilities at fair value if the differences in valuation from revaluation of the assets are part of the tax base of the legal successor pursuant to Clause 3 (a) and the procedure pursuant to Article 17e is not applied.

(8) For the purposes of this Act, the tax expenditures for the assets and liabilities acquired during the merger, fusion or division of business companies or cooperatives shall be applied based on the fair value of the assets and liabilities pursuant to Clause 2.

(9) If the assets and liabilities of the taxpayer dissolved without liquidation are not functionally connected with the permanent establishment of the legal successor with the registered office abroad situated in the territory of the Slovak Republic, the taxpayer dissolved

without liquidation shall follow Clause 1 (a) and must not apply the procedure pursuant to Article 17e.

(10) If a permanent establishment is established in the territory of the Slovak Republic on the part of the legal successor of a taxpayer dissolved without liquidation with the registered office abroad and the assets and liabilities of the taxpayer dissolved without liquidation are functionally connected with this permanent establishment, and subsequently, the assets are transferred pursuant to Article 17f (1) (b) or business is transferred pursuant to Article 17f (2) (b) from this permanent establishment, the procedure pursuant to Article 17f shall be applied.

(11) If on the part of the legal successor of the taxpayer dissolved without liquidation there is payment of the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives recognised pursuant to a special regulation[1)] in the amount higher than the sum of the differences in valuation included in the tax base in aggregate pursuant to Clause 3 (a), the legal successor of the taxpayer dissolved without liquidation shall be obliged to include into the tax base in the tax period, in which the differences in valuation are paid, the sum exceeding the differences in valuation already included in the tax base. The same procedure shall be applied if income flows

a) from the reduction of the registered capital of the business company or cooperative in the part, in which the registered capital was previously increased from the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives ,

b) from the redistribution of the capital fund from contributions[2d)] in the part, in which the capital fund from contributions[2d)] was increased from the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives.

Valuation at Original Prices for Contribution in Kind and Merger, Fusion or Division of Business Companies or Cooperatives

Article 17d

Contribution in Kind at Original Prices

(1) The tax base of the provider of contribution in kind which is individually contributed property, enterprise or a part of it, and which determines the tax base pursuant to Article 17 (1) (b) or (c), shall, in the tax period, in which the contribution in kind is paid up,[80c)]

a) not include the difference between the value of the contribution in kind counted towards the partner's contribution[37a)] and the value of the contribution in kind in the accounting;[1)] the beneficiary of the contribution in kind shall take over the contributed assets and liabilities at original prices pursuant to a special regulation[1)] and the tangible assets and intangible assets at original prices pursuant to Article 25,

b) not include the provisions created to stocks, securities and fixed tangible assets and fixed intangible assets[1)] if the beneficiary of contribution in kind takes over the original prices of stocks, securities, tangible assets and intangible assets,

c) include reserves pursuant to Article 20,

d) include provisions to receivables recognised as a tax expenditure to a maximum extent pursuant to Article 20 no later than in the tax period, in which the contribution in kind was paid up[80c)] and the beneficiary of the contribution in kind may continue their creation pursuant to Article 20.

(2) The tax base of the beneficiary of the contribution in kind, which is individually contributed property, enterprise or a part of it, shall

a) include the difference between the sum of the reserve taken over pursuant to Article 20 and the amount of real settlement of the liability in the tax period, in which the liability, to which the reserve had been created, was settled, if the cost related to this liability would represent a tax expenditure, and in creating further the reserve recognised as a tax expenditure, the beneficiary of the contribution in kind shall follow Article 20; the cost to which the reserve was created pursuant to a special regulation,[1)] whose creation is not recognised as a tax expenditure, shall be included in the tax base of the beneficiary in the tax period, in which the reserve is used on the part of this beneficiary pursuant to Article 17 (23), a similar procedure shall be used for the provision,

b) not include goodwill or negative goodwill.

(3) The beneficiary of the contribution in kind shall take over the value of the receivable at fair value or acquisition cost ascertained on the part of the provider of contribution in kind, the date of maturity of the receivable, the provision pursuant to Article 20 and shall continue the creation of this provision pursuant to Article 20.

(4) The provider of contribution in kind shall apply from the calculated annual depreciation pursuant to Articles 26 to 28 an aliquot part falling on whole calendar months, during which the taxpayer accounted the assets.[1)]

(5) The beneficiary of the contribution in kind shall take over the tangible assets and intangible assets acquired through the contribution in kind represented by an enterprise or a part of it, including individual components of assets at original prices, the already applied tax depreciations including the depreciated prices pursuant to Article 25 (3), and shall apply the remaining part of the annual depreciation converted into months, starting from the month, in which the assets were posted in the assets of the beneficiary of the contribution in kind. For intangible assets, the beneficiary of the contribution in kind shall continue the depreciation from the original price during the period of depreciation laid down in the plan of depreciation[1)] of this beneficiary maximum up to the amount pursuant to Article 25 (3).

(6) The beneficiary of the contribution in kind shall be obliged to record the amount of originally valued assets and liabilities starting from the tax period, in which the contribution in kind was paid up,[80c)] at least until the expiry of the time limit for the extinction of the right to impose a tax pursuant to a special regulation.[34)]

(7) Clauses 1 to 6 shall be applied if the contribution in kind is represented by an individually contributed property, such as a security or business interest or enterprise or a part of it, which is contributed by a provider of contribution in kind with the registered office in the territory of the Slovak Republic to a beneficiary of the contribution in kind to a Member State or the European Union or a State, which is a Contracting Party to the Agreement on the

European Economic Area, where these assets, enterprise or a part of it remain functionally connected with the permanent establishment of the beneficiary of the contribution in kind situated in the territory of the Slovak Republic and the beneficiary of the contribution in kind takes over the contribution in kind at original prices. If on the part of the beneficiary of the contribution in kind, the assets, enterprise or a part of it does not remain functionally connected with the permanent establishment situated in the territory of the Slovak Republic, the provider of contribution in kind shall follow Article 17b.

(8) If the contribution in kind is represented by an enterprise or a part of it or individually contributed property, which is contributed by a provider of contribution in kind with the registered office in the territory of the Slovak Republic, and the conditions pursuant to Clause 7 are met, in quantifying the tax base of the permanent establishment, the beneficiary of the contribution in kind

a) shall take over the value of the assets and liabilities pursuant to Clause 1 (a) at original prices, the created reserves, provisions and accruals and deferrals accounts, which are related to the assets and liabilities of this permanent establishment and

b) shall continue the depreciation of the tangible assets and intangible assets of this permanent establishment pursuant to Clause 5.

(9) If the contribution in kind is represented by an enterprise or a part of it and provider of this contribution in kind is a taxpayer with the registered office out of the territory of the Slovak Republic, where a permanent establishment is established on the part of beneficiary of this contribution in kind pursuant to Article 2 (d) Point 2 out of the territory of the Slovak Republic, in quantifying the tax base, the beneficiary of the contribution in kind

a) shall take over the value of the assets and liabilities pursuant to Clause 1 (a) at original prices, the created reserves, provisions and accruals and deferrals accounts, if they are related to the assets and liabilities of this permanent establishment and

b) shall continue the depreciation of the tangible assets and intangible assets of this permanent establishment pursuant to Clause 5 accordingly.

(10) If the contribution in kind is represented by an enterprise or a part of it, whose provider is a taxpayer with the registered office in the territory of the Slovak Republic, and the enterprise or a part of it remains functionally connected with the permanent establishment of the beneficiary of the contribution in kind with the registered office abroad situated in the territory of the Slovak Republic, and subsequently assets are transferred pursuant to Article 17f (1) (b) or business is transferred pursuant to Article 17f (2) (b) from this permanent establishment, the procedure pursuant to Article 17f shall be applied.

(11) If the provider of contribution in kind is a taxpayer determining the tax base pursuant to Article 17 (1) (a), the procedure pursuant to Clauses 1, 4, and 7 shall be applied accordingly.

(12) The original price for a contribution in kind shall mean the valuation

a) of the assets and liabilities of the provider of contribution in kind ascertained pursuant to a special regulation[1)] and

b) of tangible assets and intangible assets of the provider of contribution in kind ascertained pursuant to Article 25.

(13) Clauses 1 to 12 shall not be applied and the procedure pursuant to Article 17b shall be applied if the main purpose or one of the main purposes of the contribution in kind of an enterprise or a part of it is to reduce the tax liability or to avoid the tax liability. If the contribution in kind of an enterprise or a part of it is not carried out for proper business reasons, such as restructuring or rationalisation of activities, it can be assumed that the main objective or one of the main reasons for the contribution in kind of an enterprise or a part of it is to reduce the tax liability or to avoid the tax liability.

Article 17e

Merger, Fusion or Division of Business Companies or Cooperatives at Original Prices

(1) The tax base of a taxpayer dissolved without liquidation in the tax period ending on the day preceding the decisive day[80b)] shall

a) not include the amount of differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives recognised pursuant to a special regulation[1)] if they are related to the assets and liabilities, which the legal successor of this taxpayer took over at original prices pursuant to a special regulation,[1)] and to the tangible assets and intangible assets taken over with the valuation pursuant to Article 25,

b) not include the provisions created to stocks, securities and fixed tangible assets and fixed intangible assets[1)] if the legal successor of this taxpayer takes over the original prices of stocks, securities, fixed tangible assets and fixed intangible assets,

c) also include the reserves pursuant to Article 20 and provisions to receivables recognised as a tax expenditure to an extent maximum pursuant to Article 20 and no later than in the tax period ending on the day preceding the decisive day,[80b)] and the legal successor of the taxpayer dissolved without liquidation may continue the creation of provisions to receivables pursuant to Article 20.

(2) The tax base of the legal successor of the taxpayer dissolved without liquidation

a) shall include the difference between the sum of the reserve taken over pursuant to Article 20 and the amount of real settlement of the liability in the tax period, in which the liability, to which the reserve had been created, was settled; in further creating of the reserve included in the tax base pursuant to Article 20 (1), the legal successor shall follow Article 20; a similar procedure shall be applied to provisions,

b) the cost, to which a reserve was created pursuant to a special regulation,[1)] whose creation is not part of the tax base pursuant to Article 20, shall be included in the tax base in the tax period, in which the reserve is used by the legal successor of the taxpayer dissolved without liquidation pursuant to Article 17 (23); a similar procedure shall be applied to provisions,

c) shall not include goodwill or negative goodwill recognised in the opening balance sheet of the legal successor not adjusted pursuant to a special regulation.[1)]

(3) The legal successor of the taxpayer dissolved without liquidation shall take over the receivable at fair value or acquisition cost ascertained on the part of the taxpayer dissolved without liquidation, the date of maturity of the receivable, the created provision pursuant to Article 20 and shall continue the creation of this provision pursuant to Article 20.

(4) The taxpayer dissolved without liquidation shall include in the tax base an aliquot part of the calculated annual depreciation falling on whole calendar months, during which the taxpayer accounted the assets.[1)]

(5) The legal successor of the taxpayer dissolved without liquidation shall apply the residual part of the annual depreciation converted into months, starting from the month, in which the assets were posted on the part of this legal successor. At the same time, they shall take over the original prices, the already applied tax depreciations and depreciated prices of the assets pursuant to Article 25 (3) for the depreciated assets and shall continue the depreciation started by the original owner. For intangible assets, the legal successor shall continue the depreciation from the original entry price during the period of depreciation laid down in the plan of depreciation[1)] of the legal successor maximum up to the amount pursuant to Article 25 (3). For non-depreciated assets, the legal successor shall take over the entry price pursuant to Article 25.

(6) The legal successor of the taxpayer dissolved without liquidation or, if it has not been established yet, the taxpayer dissolved without liquidation shall record the amount of the originally valued assets and liabilities starting from the tax period, in which the decisive day occurred pursuant to a special regulation,[77c)] at least until the expiry of the time limit for the extinction of the right to impose tax pursuant to a special regulation.[34)]

(7) In deducting the tax loss on the part of the legal successor of a taxpayer dissolved without liquidation, Article 30 shall be followed.

(8) Clauses 1 to 7 shall be applied if

a) the legal successor of the taxpayer dissolved without liquidation is a legal successor with the registered office in a Member State of the European Union or State, which is a Contracting Party to the Agreement on the European Economic Area,

b) the assets and liabilities of the taxpayer dissolved without liquidation remain functionally connected with the permanent establishment of the legal successor situated in the territory of the Slovak Republic,

c) the Member State of the European Union or the State, which is a Contracting Party to the Agreement on the European Economic Area, in which the legal successor has its registered office, allows the measurement of the assets and liabilities acquired by the legal successorship at original prices,

d) the legal successor values the assets and liabilities acquired by the legal successorship at original prices.

(9) If on the dissolution of a taxpayer without liquidation with the registered office in the territory of the Slovak Republic, whose legal successor is a taxpayer with the registered

office out of the territory of the Slovak Republic, a permanent establishment is established for the legal successor in the territory of the Slovak Republic and the conditions pursuant to Clause 8 are met, the legal successor

a) shall not adjust the tax base by the balances of reserves, provisions, and accruals and deferrals accounts, if they relate to the assets and liabilities of this permanent establishment, except for the provision to receivables pursuant to Article 20,

b) shall continue the depreciation of the tangible assets and intangible assets of this permanent establishment pursuant to Clause 5,

c) shall deduct the tax loss of the taxpayer dissolved without liquidation in the amount and way pursuant to Article 30, if it relates to the assets and liabilities of this permanent establishment.

(10) If on the dissolution of a taxpayer without liquidation with the registered office abroad, whose legal successor is a taxpayer with the registered office in the territory of the Slovak Republic, a permanent establishment is established for the legal successor abroad pursuant to Article 2 (d) Point 2, and the State, in which the taxpayer dissolved without liquidation has its registered office, allows the legal success to take over the assets and liabilities at original prices, and the legal successor measures the assets and liabilities acquired by legal successorship at original prices, in quantifying the tax base pursuant to Article 17 (14), this legal successor shall continue the creation of reserves, provisions, and accruals and deferrals accounts, if they relate to the assets and liabilities of this permanent establishment, and the depreciation of the tangible assets and intangible assets of the permanent establishment started by the taxpayer dissolved without liquidation with the registered office abroad accordingly pursuant to Clause 5.

(11) The original price during the merger, fusion or division of business companies or cooperatives shall be the valuation of

a) the assets and liabilities of the taxpayer dissolved without liquidation ascertained pursuant to a special regulation[1)] without revaluation to fair value and

b) the tangible assets and intangible assets of the taxpayer dissolved without liquidation ascertained pursuant to Article 25.

(12) If a permanent establishment is established in the territory of the Slovak Republic on the part of the legal successor of a taxpayer dissolved without liquidation with the registered office abroad and the assets and liabilities of the taxpayer dissolved without liquidation are functionally connected with this permanent establishment, and subsequently, the assets are transferred pursuant to Article 17f (1) (b) or business is transferred pursuant to Article 17f (2) (b) from this permanent establishment, the procedure pursuant to Article 17f shall be applied.

(13) Clauses 1 to 11 shall not be applied and the procedure pursuant to Article 17c shall be applied if the main purpose or one of the main purposes of the merger, fusion or division of business companies or cooperatives is to reduce the tax liability or to avoid the tax liability. If the merger, fusion or division of business companies or cooperatives is not carried out for proper business reasons, such as restructuring or rationalisation of activities, it can be assumed that the main objective or one of the main reasons for the merger, fusion or division of business companies or cooperatives is to reduce the tax liability or to avoid the tax liability.

(14) If on the part of the legal successor of the taxpayer dissolved without liquidation there is payment of the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives recognised pursuant to a special regulation[1)] in the amount higher than the product of the quotient of the sum of recognised differences in valuation and the longest period of depreciation pursuant to Article 26 (1) for the assets acquired during the merger, fusion or division and the number of tax periods of depreciation of these assets, the sum of paid differences in valuation exceeding this quotient shall be taxed pursuant to Article 43. If the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives relate only to non-depreciated assets or financial assets, the whole paid amount shall be taxed pursuant to Article 43. The same procedure shall be applied if on the part of the legal successor of the taxpayer dissolved without liquidation the resources are paid in cash or in kind

a) from the reduction of the registered capital of the business company or cooperative in the part, in which the registered capital was previously increased from the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives ,

b) from the redistribution of the capital fund from contributions[2d)] in the part, in which the capital fund from contributions was increased from the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives.

Article 17f

Taxation on the Transfer of Taxpayer's Assets, Exit of Taxpayer or Transfer of Taxpayer's Business Abroad

(1) The special tax base of a taxpayer pursuant to Article 2 (d) Point 2 and (e) Point 3 with a permanent establishment (Article 16 (2)) shall include the difference between the fair value[80ca)] of the transferred assets at the time of asset transfer abroad and the tax expenditures pursuant to Article 19 (2) (f) or (g), Article 19 (3) (b), (e) and (h), Article 21 (2) (k) and the value of stocks in the tax period, in which

a) the taxpayer pursuant to Article 2 (d) Point 2 transfers the assets from the head office in the territory of the Slovak Republic to the permanent establishment abroad or

b) the taxpayer pursuant to Article 2 (e) Point 3 transfers the assets from the permanent establishment in the territory of the Slovak Republic to their head office abroad or to their permanent establishment abroad.

(2) The special tax base of a taxpayer pursuant to Article 2 (d) Point 2 and (e) Point 3 with a permanent establishment (Article 16 (2)) shall include the fair value[80ca)] of the transferred assets and liabilities at the time of transfer of business or exit of the taxpayer abroad; in quantifying the special tax base Article 17a and Article 17 (13) (a) shall be followed accordingly, if the taxpayer pursuant to Article 2 (d) Point 2

a) ceases to be a taxpayer pursuant to Article 2 (d) Point 2 in the territory of the Slovak Republic except for the assets and liabilities remaining functionally connected with the permanent establishment situated in the territory of the Slovak Republic or

b) transfers the business or a part of it abroad or the taxpayer pursuant to Article 2 (e) Point 3 transfers the business or a part of it carried out by a permanent establishment situated in the territory of the Slovak Republic abroad, except for the assets and liabilities remaining functionally connected with the head office or with the permanent establishment situated in the territory of the Slovak Republic.

(3) The total special tax base pursuant to Clauses 1 and 2 must not have a negative value.

(4) Clauses 1 to 3 shall not apply to asset transfers related to the financing of securities, assets posted as collateral or where the asset transfer takes place in order to meet prudential capital requirements or for the purpose

of liquidity management, provided that the assets were transferred abroad and are set to revert within a period of 12 months. If the assets pursuant to the first sentence are not transferred to the territory of the Slovak Republic within 12 months from the date of transfer, the taxpayer shall be obliged to submit an additional tax return for the tax period, in which the assets were transferred, and apply the procedure pursuant to Clauses 1 and 2. The taxpayer shall be obliged to submit an additional tax return by the end of the calendar month following the month, in which the duty to submit an additional tax return was found out; the tax shall be due within the same time limit.

(5) In submitting the tax return pursuant to Article 41, the tax shall be calculated from the special tax base pursuant to Clauses 1 and 2 with the use of the tax rate pursuant to Article 15 (b) Point 3.

(6) On the transfer of the assets pursuant to Clause 1 (a),

a) the financial assets, non-depreciated assets, receivables and stocks shall be measured at fair value[80ca)] pursuant to Clause 1,

b) the depreciated tangible assets shall be measured at fair value[80ca)] pursuant to Clause 1 and the taxpayer pursuant to Article 2 (d) Point 2

1. shall depreciate the tangible assets pursuant to Article 26 from the fair value[80ca)] as newly acquired assets or

2. may continue the depreciation of the tangible assets from the fair value[80ca)] and

2a. with even depreciation, the period of depreciation shall be extended by the period resulting from the method of calculation pursuant to Article 27,

2b. with accelerated depreciation, Article 28 shall be followed as in the next years of depreciation, during the remaining period of depreciation pursuant to Article 26.

(7) If the assets transferred pursuant to Clause 1 (a) are concerned, the tax expenditures for the purposes of this Act shall be applied based on the fair value[80ca)] pursuant to Clause 1. In assigning a receivable or writing off a receivable, the procedure pursuant to Article 17a (7) shall be followed accordingly; the time limit shall be counted from the date of receivable assignment.

(8) If a taxpayer with unlimited tax liability abroad becomes a taxpayer pursuant to Article 2 (d) Point 2 in the territory of the Slovak Republic and in transferring the assets and

liabilities pursuant to Clauses 1 and 2 to the territory of the Slovak Republic, the assets and liabilities shall be measured at fair value; the fair value shall mean

a) the value, at which the assets and liabilities were valued abroad for the purposes of taxation on the transfer of the taxpayer's assets, exit of the taxpayer or transfer of the taxpayer's business abroad, however, maximum up to the amount of the fair value,[80ca)] and the taxpayer shall follow Clause 6; in accounting for the reserves, whose creation represented a tax expenditure in another State, Article 17a (6) shall be followed accordingly; the taxpayer pursuant to Article 2 (d) Point 2 shall depreciate the depreciated tangible assets measured according to the first sentence pursuant to Article 26 as newly acquired assets or

b) the value for tax purposes, at which the assets and liabilities were valued abroad, if this other State does not apply taxation on the transfer of the taxpayer's assets, exit of the taxpayer or transfer of the taxpayer's business abroad, however, maximum up to the amount of the fair value;[80ca)] the taxpayer pursuant to Article 2 (d) Point 2 shall depreciate the depreciated tangible assets measured according to the first sentence pursuant to Article 26 as newly acquired assets.

(9) If a taxpayer with unlimited tax liability abroad becomes a taxpayer pursuant to Article 2 (d) Point 2 in the territory of the Slovak Republic, the assets and liabilities functionally connected with the permanent establishment of this taxpayer situated abroad shall be valued pursuant to Clause 8 (b). In depreciating the tangible assets, the procedure pursuant to Clause 8 (b) shall be followed.

(10) If the assets and liabilities transferred to the territory of the Slovak Republic pursuant to Clause 8 are concerned, the application of tax expenditures shall be based on the valuation pursuant to Clause 8.
In assigning a receivable or writing off a receivable, the procedure pursuant to Article 17a (7) shall be followed accordingly; the time limit shall be counted from the date of receivable assignment to the territory of the Slovak Republic.

Article 17g

Special Tax Payment on the Transfer of Taxpayer's Assets, Exit of Taxpayer or Transfer of Taxpayer's Business Abroad

(1) The taxpayer may pay the tax from a special tax base pursuant to Article 17f, which is related to the transfer of assets, business or a part of it or to the conversion of a taxpayer pursuant to Article 2 (d) Point 2 into a taxpayer pursuant to Article 2 (e) Point 3, pursuant to Article 17f (1) and (2) to a Member State of the European Union or to a State, which is a Contracting Party to the Agreement on the European Economic Area, if this State that is a Contracting Party to the Agreement on the European Economic Area has entered into an agreement on mutual assistance for the recovery of claims with the Slovak Republic or with the European Union, in a lump sum within the time limit for the submission of tax return pursuant to Article 49 or in instalments during five years starting from the year, in which the tax was imposed. In other cases, the tax pursuant to a special tax base pursuant to Article 17f shall be due within the time limit for the submission of tax return pursuant to Article 49.

(2) The taxpayer shall apply for tax payment in instalments pursuant to Clause 1 in the tax return.

(3) The tax administrator shall permit tax payment in instalments during five years at the request of the taxpayer pursuant to Clause 2, however, at the earliest after the expiry of the time limit for the submission of tax return; the tax administrator shall determine the amount of the tax instalment and due dates of instalments in a decision.

(4) No appeal may be lodged against the decision on tax payment in instalments. The time limit set in the decision on permitting tax payment in instalments may not be extended, nor any delay may be forgiven.

(5) If there is a provable risk or real risk that the tax liability corresponding to the taxation on the transfer of the taxpayer's assets, exit of the taxpayer or transfer of the taxpayer's business abroad will not be settled through the instalments, the tax administrator may secure the outstanding amount by a lien pursuant to a special regulation[80cb)] or pursuant to Articles 544 to 558 of the Civil Code; this shall not apply if the amount of the tax corresponding to the taxation on the transfer of the taxpayer's assets, exit of the taxpayer or transfer of the taxpayer's business abroad does not exceed EUR 3,000.

(6) For the period of permitted tax payment in instalments, the taxpayer shall pay an interest on the amount of permitted instalment pursuant to a special regulation.[80cc)]

(7) If the taxpayer pursuant to Clause 1 repeatedly fails to pay the tax instalment in the amount and within the time limit specified by the tax administrator in the decision, the whole amount of the unsettled tax shall become due on the original due date of the tax instalment, and the tax administrator shall impose on the amount of the unsettled tax a default interest pursuant to a special regulation.[80cd)] The tax administrator shall be obliged to start tax execution proceedings within 30 days from the date, on which the tax instalment should have been paid.

(8) If the taxpayer applies procedure pursuant to Clause 3, the tax from the special tax base pursuant to Article 17f shall be due by the end of the calendar month following the month, in which

a) the taxpayer sold or otherwise transferred the assets of business carried out through a permanent establishment ,

b) the taxpayer subsequently transferred the assets to a State other than mentioned in Clause 1,

c) the taxpayer became a taxpayer with unlimited tax liability in a State other than mentioned in Clause 1,

d) the business carried out by the permanent establishment of the taxpayer was subsequently transferred to a State other than mentioned in Clause 1,

e) the taxpayer was declared bankrupt or the taxpayer is dissolved with liquidation.

(9) The taxpayer shall be obliged to notify the facts pursuant to Clause 8 (a) to (e) to the tax administrator within the time limit by the end of the calendar month following the month, in which some of the above facts occurred.

Article 17h

Rules for Controlled Foreign Companies

(1) Controlled foreign company of a taxpayer pursuant to Article 2 (d) Point 2 shall mean a legal person or entity with the registered office abroad if

a) the taxpayer pursuant to Article 2 (d) Point 2 alone or together with associated persons pursuant to Article 2 (n) to (r) holds a direct interest or indirect interest in the registered capital of more than 50 %, holds a direct interest or indirect interest in voting rights of more than 50 % or has a title to a share in the profit of this legal person or entity of more than 50 %, and

b) the corporation tax paid by the controlled foreign company abroad is lower than the difference between the corporation tax of the controlled foreign company calculated pursuant to Articles 17 to 29 and the corporation tax, which the controlled foreign company would pay abroad.

(2) The income of a permanent establishment of a controlled foreign company, which is not subject to tax or is exempt from tax in the State, in which the controlled foreign company is situated, shall not be included in the taxable income for the purposes of calculation of corporation tax pursuant to Clause 1 (b).

(3) Controlled foreign company shall also mean a permanent establishment of the taxpayer pursuant to Article 2 (d) Point 2 situated abroad, whose income is not subject to tax pursuant to Article 12 or is exempt from tax pursuant to Article 13 or whose tax base is covered by the method of income exemption pursuant to Article 45, if the corporation tax paid on income of the permanent establishment abroad is lower than the difference between the corporation tax calculated pursuant to Articles 17 to 29 falling on this permanent establishment and the corporation tax paid on income of the permanent establishment abroad.

(4) The tax base of the taxpayer pursuant to Article 2 (d) Point 2 shall also include the income of the controlled foreign company flowing from the measure or several measures that are not real and were carried out in order to obtain a tax advantage to an extent, to which the tax base was not adjusted for them pursuant to Article 17 (5).

(5) For purposes of Clause 4, the measure or several measures in attaining the income or a part of it shall not be considered real to an extent, to which the assets and risks appertaining to this income would not belong top the controlled foreign company, if it was not managed and controlled by a taxpayer pursuant to Article 2 (d) Point 2, which performs important functions, to which the assets and risks appertain and which serve to create income of the controlled foreign company.

(6) Pursuant to Clause 4, the tax base of the taxpayer pursuant to Article 2 (d) Point 2 shall include the tax base of the controlled foreign company to an extent, to which it is assignable to the assets and risks related to performance of important functions by the taxpayer that manages and controls the controlled foreign company. The income (revenue) of the controlled foreign company included in the tax base of the taxpayer pursuant to Article 2 (d) Point 2 shall be assigned in accordance with the arm's length principle pursuant to Article 18 (1).

(7) The tax base of the controlled foreign company pursuant to Clause 6 shall be included in the tax base of the taxpayer in the tax period, during which the tax period of the

controlled foreign company ends.

(8) The paid tax of the controlled foreign company may be counted towards the tax liability only to an extent pursuant to Clause 5 in the way pursuant to Article 45. The paid tax of the controlled foreign company shall mean the withholding tax, which was collected from the controlled foreign company on the income flowing from sources abroad, to an extent, to which it would be collected according to the double taxation agreement between the Slovak Republic and the respective State.

(9) If the controlled foreign company pays profit shares (dividends), which are already subject to tax pursuant to Article 12 (7) (c), the tax base shall be reduced by the sums already included in the tax base pursuant to Clause 6 related to this controlled foreign company, however, maximum up to an amount of received profit shares (dividends) from this controlled foreign company in the respective tax period.

(10) In selling the shares or business interest in the controlled foreign company the income (revenue) from the sale of the shares or business interest, which is not exempt from tax, shall be reduced by the tax expenditure pursuant to Article 19 (2) (f) or (g) and at the same time, it shall be reduced by the sums already included in the tax base pursuant to Clause 6 reduced by the sums pursuant to Clause 9 related to the controlled foreign company, whose shares or business interest are sold.

(11) On the transfer of business of the taxpayer pursuant to Article 2 (d) Point 2 from a permanent establishment, which is a controlled foreign company in relation to this taxpayer, the tax base of this taxpayer shall be reduced by the sums of income (revenue) of this permanent establishment already included in the tax base pursuant to Clause 6 related to this permanent establishment.

Article 17i

Hybrid Mismatches

(1) The tax base of a taxpayer pursuant to Article 2 (d) Point 2 and Article 2 (e) Point 3 shall be modified according to Clause (5) if a hybrid mismatch occurs

a) between associated persons [Article 2 (n) to (r)] or

b) between the persons that are not associated persons within a structured arrangement, which means a measure or several measures leading to a hybrid mismatch, whose result is taken into account in the prices or conditions of these measures, or a measure or several measures, which were set to create a hybrid mismatch except for the situation, when the taxpayer or an associated person could not know that a hybrid mismatch would occur and did not use a tax advantage, which could directly or indirectly result from these measures.

(2) Hybrid mismatch shall mean

a) a mismatch leading to

1. the deduction of an expenditure (cost) without inclusion in the income (revenue) due to a payment made on the basis of a financial instrument, if the financial instrument is differently

assessed for tax purposes and if the income (revenue) is not included in the taxable income within an adequate period,

2. the deduction of an expenditure (cost) without inclusion in the income (revenue), which occurs as a consequence of a different approach to the inclusion of the income (revenue) in the taxable income of the hybrid entity pursuant to the tax regulations of the State, in which it was established or registered, and the State of the taxpayer that has an ownership participation in this hybrid entity,

3. the deduction of an expenditure (cost) without inclusion in the income (revenue), which occurs as a consequence of a different approach to the inclusion of the income (revenue) in the taxable income between the head office and permanent establishment or between two or more permanent establishments of the same taxpayer pursuant to tax regulations of the States, in which the taxpayer carries out the activity,

4. the deduction of an expenditure (cost) without inclusion in the income (revenue), which occurs as a consequence of a different approach to the inclusion of the income (revenue) in the taxable income between the head office and permanent establishment due to different assessment of permanent establishment creation in the territory of another State pursuant to tax regulations of the State of the head office and the other State,

5. the deduction of an expenditure (cost) without inclusion in the income (revenue), which occurs by applying the expenditure (cost) as a consequence of a payment made by a hybrid entity and the subsequent non-inclusion of this payment as an income (revenue) in the taxable income of the recipient,

6. the deduction of an expenditure (cost) without inclusion in the income (revenue), which occurs as a consequence of a notional payment in the relation between the head office and the permanent establishment or in the relation between two or more permanent establishments of the same taxpayer and the following non-inclusion of the related income (revenue) in the taxable income of the head office of permanent establishment,

7. a multiple deduction of an expenditure (cost) within the scope, in which there is no multiple inclusion of the income (revenue) in the taxable income,

b) an inserted mismatch which occurs, if the expenditure (cost) of the taxpayer pursuant to Clause 1 is directly or indirectly used to finance expenditures (costs), which leads to the occurrence of a hybrid mismatch pursuant to Paragraph (a) through one or more transactions between associated persons or within a structured arrangement except for the situation, when the influence of the hybrid mismatch was eliminated on the part of another person participating in the transaction or a series of transactions leading to a hybrid mismatch.

(3) For the purposes of Clause 2

a) the deduction of an expenditure (cost) without inclusion in the income (revenue) shall mean the application of a payment or a notional payment or another expenditure leading to the reduction of the tax base or increase in the tax loss on the part of one taxpayer and non-inclusion of the corresponding income (revenue) in the taxable income on the part of the other taxpayer; notional payment shall mean the application of an expenditure (cost) in the relation between the head office and its permanent establishment or in the relation between two or more permanent establishments of the same taxpayer,

b) hybrid entity shall mean a legal person, a legal person that is a permanent establishment or a

legal person or an entity, which are considered a taxpayer pursuant to tax regulations of one State but whose income (revenue) and expenditures (costs) are considered income (revenue) and expenditures (costs) on the part of another taxpayer or taxpayers according to tax regulations of another State,

c) financial instrument shall mean any instrument to the extent that it gives rise to a financing or equity return that is taxed under the rules for taxing debt, equity or derivatives under the tax regulations of one State or another State and includes a hybrid transfer; hybrid transfer shall mean any

arrangement to transfer a financial instrument where the underlying income (revenue) from the transferred financial instrument is treated for tax purposes as derived simultaneously by more than one of the parties to that arrangement,

d) the income (revenue) shall be considered included within an adequate period in the tax base if it is included in the tax base in the respective tax period, which begins no later than within 12 calendar months from the end of the tax period of the taxpayer that applied the deduction of the expenditure (cost) or if it is provable that the income (revenue) will be included in the tax base in the next tax periods and the agreed payment conditions are in compliance with the arm's length principle pursuant to Article 18 (1),

e) the hybrid mismatch pursuant to Clause 2 (a) Points 2 to 5 and Point 7 comes into existence between associated persons, which are associated persons pursuant to Article 2 (n) to (r), where participation or control shall mean a direct interest, indirect interest or indirect derived interest of at least 50 % of the registered capital, direct interest, indirect interest or indirect derived interest of at least 50 % of the voting rights or an interest of at least 50% of the profit,

f) the hybrid mismatch pursuant to Clause 2 (a) Points 5 to Point 7 comes into existence only provided that it is possible to deduct the expenditure (cost) vis-à-vis the income (revenue), which is not a multiple-included income (revenue),

g) the multiple deduction of the expenditure (cost) shall mean the deduction of the same expenditure (cost) or loss on the part of several persons,

h) the multiple inclusion of the income (revenue) shall mean the inclusion of the same income (revenue) in the taxable income on the part of several persons.

(4) Hybrid mismatch shall not mean a hybrid mismatch in which

a) one of the parties to the hybrid mismatch is a taxpayer pursuant to Article 12 (3) or a similar taxpayer in another State, on the part of which the income is exempt from tax pursuant to Article 13, or a natural person, for whom this income is not a taxable income,

b) the payment representing the underlying income (revenue) from the transferred financial instrument was made by a security trader within a hybrid transfer on a regulated market[39b)] or similar foreign regulated market, the security trader included in the taxable income all the sums received in connection with the transferred financial instrument and it is not part of a structured arrangement.

(5) In the tax period of hybrid mismatch occurrence, the tax base pursuant to Clause 1

shall be increased by the amount of

a) the expenditure (cost), loss or other tax base reduction or tax loss increase to an extent, to which it leads to a hybrid mismatch pursuant to Clause 2 (a) Point 7; this procedure shall be applied by

1. the taxpayer pursuant to Clause 1 applying the expenditure (cost) pursuant to this Act in the territory of the Slovak Republic and having a participation in this other associated person in another State or

2. the taxpayer pursuant to Clause 1 applying the expenditure (cost) pursuant to this Act in the territory of the Slovak Republic, and the hybrid mismatch was not prevented by a taxpayer from another State having a participation in the the taxpayer pursuant to Clause 1 in the territory of the Slovak Republic and,

b) the expenditure (cost), loss or other tax base reduction or tax loss increase to an extent, to which it leads to a hybrid mismatch pursuant to Clause 2 (a) Points 1 to 6,

c) the expenditure (cost), loss or other tax base reduction or tax loss increase to an extent, to which it leads to a hybrid mismatch pursuant to Clause 2 (b),

d) the expenditure (cost), loss or other tax base reduction or tax loss increase to an extent, to which it can be several times deducted from the income (revenue), which is not a multiple-inclusion income, if the taxpayer pursuant to Clause 1 is a taxpayer with unlimited tax liability pursuant to this Act, as well as a taxpayer with unlimited tax liability pursuant to tax regulations of another State; if this other State is a Member State of the European Union, the tax base shall be increased by the expenditure (cost) if as a consequence of application of the respective double taxation agreement they are not a taxpayer with unlimited tax liability in the territory of the Slovak Republic,

e) the income (revenue), which according to this Act is not subject to tax or is exempt from tax within the scope of the hybrid mismatch, if the hybrid mismatch pursuant to Clause 2 (a) Points 1 to 6 and the hybrid mismatch pursuant to Clause 2 (b) was not prevented by another person, on the part of which the expenditure (cost) or loss was deducted or tax base was decreased or tax loss was increased otherwise.

(6) The taxpayer that has adjusted the tax base pursuant to Clause 5 (a), may reduce the tax base by the amount of the expenditure (cost) pursuant to Clause 5 (a), in the tax period in which this expenditure (cost) may be set off against the related multiple-inclusion income (revenue).

(7) The procedure pursuant to Clause 5 (e) shall not be applied if a hybrid mismatch pursuant to Clause 2 (a) Point 4 is concerned, if the income (revenue), which should be included in the tax base pursuant to Clause 5 (e), cannot be included in the tax base on the basis of a double taxation agreement concluded between the Slovak Republic and a non-EU State.

(8) The income (revenue) or profit pursuant to Clause 5 shall be considered not included in the tax base of the recipient if

a) it is not subject to corporation tax or a similar tax abroad,

b) it is subject to tax but it is exempt from tax; it is considered not included within the scope of exemption,

c) because of the inclusion of the income (revenue) in another category of income (revenues) as a consequence of hybrid mismatch, an income tax rate applied to it is different from the income tax rate applied to such attained income (revenues) because it is income (revenue) or profit from an associated person or within the structured arrangement; it shall be considered not included to an extent falling on the positive difference between the income tax rate and this other income tax rate applied,

d) tax set-off or tax refund may be applied to it, also through a natural person or legal person holding a participation in the associated person, except for the withholding tax considered a tax advance and the set-off of a tax paid abroad to eliminate double taxation, or other tax relief, except for the tax relief pursuant to Articles 30a and 30b or a similar tax relief abroad, if a hybrid mismatch pursuant to Clause 2 (a) Point 1 is concerned; it shall be considered not included to an extent of the resulting tax-free amount,

e) on the part of the income (revenue) recipient it is possible to allocate an expenditure (cost) to it or other tax base reduction, which is considered executed by this taxpayer, this expenditure (cost) shall not be recognised as an income (revenue), nor it will be included in the tax base of another taxpayer; it shall be considered not included to an extent of the resulting tax-free amount,

f) on the part of the taxpayer pursuant to Clause 1, the expenditure (cost) leads to tax base reduction, and on the part of the recipient this income (revenue) is not taken into account; it shall be considered not included to an extent of the resulting tax-free amount,

g) it flows to an entity without legal personality, where on the part of the final beneficiary of income it is not included in the tax base pursuant to Paragraphs (a) to (e).

(9) If an entity of collective investment without legal personality[74b)] is a hybrid mismatch participant, the condition of associated person pursuant to Article 2 (n) to (r) shall be assessed in the relation of the unit-holder to the entity of collective investment.

Article 18

Adjustment of Tax Base of Associated Persons

(1) In determining the method of determination of prices and conditions for the purposes of Article 17 (5), which would be used between independent persons in comparable transactions, the method pursuant to Clause 2 or Clause 3 or their mutual combination shall be used, or other methods that are not mentioned in Clauses 2 and 3. Only such method may be used whose use is in compliance with the arm's length principle. The arm's length principle is based on a comparison between the conditions agreed in controlled transactions between associated persons and the conditions, which would be agreed by independent persons in comparable transactions under comparable circumstances in respective periods. For purposes of the comparison, activities performed by the compared persons, in particular production, assembly operations, research and development, purchase and sale etc., as well as the scope of business risks, properties of the compared property or service, contractual conditions agreed, economic environment of the market, and business strategy are taken into account. The

conditions are mutually comparable if there is no essential difference between them or the influence of these differences can be eliminated. The taxpayer shall be obliged to keep documents on the controlled transactions and on the method used to ascertain the method of determination of prices and conditions, which would be used between independent persons in comparable transactions. The content and scope of the documentation on the controlled transactions and on the method used shall be specified by the Ministry.

(2) The methods, which are based on price comparison, include:

a) the comparable uncontrolled price method, in which the price of transfer of property or service agreed between associated persons and the comparable arm's length price agreed between independent persons is compared; if there is a difference between these prices, the price agreed between associated persons shall be replaced by the arm's length price, which would be used by independent persons in comparable business or financial relations under comparable conditions,

b) the resale price method, in which the price of transfer of the property purchased by an associated person is converted into the arm's length price from the price, for which the associated person resells the property to an independent person, reduced by a usual amount of trade margin of comparable independent sellers,

c) the cost-plus method, in which the arm's length price is calculated from real direct and indirect costs of the property or service transferred between associated persons, increased by the amount of a price mark-up applied by the same supplier in relation to independent persons or by the amount of a price mark-up, which would be applied by an independent person in a comparable transaction under comparable conditions.

(3) The methods, which are based on profit comparison, include:

a) the profit split method, which is based on such splitting of the expected profit achieved by associated persons, which would be expected by independent persons in joint business while observing the arm's length principle,

b) the transactional net margin method, which ascertains the amount of net profit margin from a business relation or financial relation between associated persons in relation to costs, revenues or other base, which it compares with the profit margin used in relation to independent persons.

(4) The taxpayer may ask in writing the tax administrator published by the Financial Directorate at its website for the issuance of a decision[128)] on approving the use of a particular method pursuant to Clause 2 or Clause 3, or other method and way of pricing (hereinafter the "decision on approving the use of pricing method") no later than 60 days before the beginning of the tax period, during which the approved pricing method should be applied. The decision on approving the use of pricing method, in which the tax administrator published by the Financial Directorate at its website grants the application of the taxpayer, shall be issued for maximum five tax periods. At the request of the taxpayer submitted at least 60 days before the expiry of the time limit mentioned in the decision on approving the use of pricing method, the tax administrator published by the Financial Directorate at its website may issue the decision on approving the use of pricing method for maximum five additional tax periods if the taxpayer proves that there has been no change of conditions, based on which the previous decision on approving the use of pricing method had been issued.

(5) The taxpayer may ask the tax administrator published by the Financial Directorate at its website for the issuance of a decision on unilateral approval of the use of pricing method. The taxpayer may also ask for the issuance of the decision on approving the use of pricing method based on the application of the double taxation agreement, which is approved by the competent authorities of two Contracting States or several Contracting States. In issuing the decision on approving the use of pricing method based on the application of the double taxation agreement, the competent authorities may also agree upon the use of the pricing method for the tax periods before the request was submitted. If as a consequence of issuance of the decision on approving the use of pricing method based on the application of the double taxation agreement the tax base is adjusted, such adjustment shall not be considered the violation of the arm's length principle, and by submitting an additional tax return, the taxpayer shall not commit an administrative tort pursuant to a special regulation.[80d)] If the taxpayer asks for the issuance of the decision on approving the use of pricing method based on the application of the double taxation agreement and the affected States do not reach an agreement, the tax administrator published by the Financial Directorate at its website may issue a decision on unilateral approval of the use of pricing method.

(6) In addition to the documentation pursuant to Clause 1, the application for the issuance of the decision on approving the use of pricing method shall also contain the following details:

a) identification of persons in the controlled transaction under assessment, i.e. the name, surname, business name, domicile or registered office, place of business, tax identification number, company identification number, if assigned,

b) the tax period, to which the decision on approving the use of pricing method should apply,

c) the description of the controlled transaction,

d) the expected value of the assessed controlled transaction,

e) the proposed method of pricing.

(7) Along with the application for the issuance of the decision on approving the use of pricing method, the taxpayer shall make a payment amounting to EUR 10,000 in the event of a fee for the issuance of the decision on unilateral approval of the use of pricing method by the tax administrator published by the Financial Directorate at its website, and amounting to EUR 30,000 in the event of approving the use of pricing method based on the application of the double taxation agreement. The payment pursuant to the first sentence shall be paid without a call and shall be due on the submission of the application for the issuance of the decision on approving the use of pricing method. If the payment is not made on the submission of the application and in the specified amount, it shall be due within 15 days from the date of delivery of a written call for payment from the tax administrator published by the Financial Directorate at its website. If the payment is not made within the time limit or in the amount specified in the call, the application shall be considered as not submitted. The tax administrator published by the Financial Directorate at its website shall notify this fact to the taxpayer and refund the payment made to the taxpayer. If the tax administrator published by the Financial Directorate at its website issues a notice of the rejection of the application, the payment made shall not be refunded to the taxpayer.

(8) If the taxpayer fails to observe the time limit for the submission of the application for the issuance of the decision on approving the use of pricing method, the application shall be considered as not submitted; this fact shall be notified to the taxpayer by the tax administrator published by the Financial Directorate at its website and the payment made shall be refunded to the taxpayer.

(9) No appeal may be lodged against the decision on approving the use of pricing method. The tax administrator published by the Financial Directorate at its website shall send to the taxpayer a written notice of the rejection of the taxpayer's application; no decision shall be issued.

(10) The tax administrator published by the Financial Directorate at its website

a) shall cancel the decision on approving the use of pricing method it it was issued based on inaccurate or false data provided by the taxpayer,

b) shall cancel or change the decision on approving the use of pricing method if there has been a change of essential conditions, based on which the decision on approving the use of pricing method was issued and the taxpayer fails to apply for its change,

c) may cancel or change the decision on approving the use of pricing method if the taxpayer asks for it proving that there has been a change of essential conditions, based on which the decision on approving the use of pricing method was issued.

(11) The correctness of the use of the method and quantification of the difference pursuant to Article 17 (5) shall be verified by the tax administrator or Financial Directorate during a tax audit[82)] based on the arm's length principle, the method used and the analysis of pricing comparability. In justified cases, the tax administrator or Financial Directorate shall be entitled to call upon the taxpayer to submit the documentation pursuant to Clause 1. The taxpayer shall be obliged to submit the documentation pursuant to Clause 1 within 15 days from the date of delivery of the call from the tax administrator or Financial Directorate; this call concerning the documentation for the respective tax period may be sent on the first day following the expiry of the time limit for the submission of tax return pursuant to Article 49 for this tax period at the earliest. The taxpayer shall submit the documentation in the official language,[82a)] and based on the taxpayer's request, the tax administrator or Financial Directorate may permit the submission of the documentation in a language other than the official one.

(12) The taxpayer shall be obliged to keep the documentation pursuant to Clause 1 during a period pursuant to a special regulation.[34)]

(13) The taxpayer shall submit the documentation pursuant to Clause 1 to the tax administrator, Financial Directorate or Ministry along with the application if they apply for

a) an adjustment of the tax base pursuant to Article 17 (6),

b) the commencement of a mutual agreement procedure based on

1. the respective article of the double taxation agreement in connection with the elimination of double taxation of profit of associated persons,

2. Convention 90/436/EEC of 23 July 1990 on the elimination of double taxation in connection with the adjustment of profits of associated enterprises.

Article 18a

(1) If after a tax audit, the tax administrator imposes a tax or tax difference on the taxpayer, and in determining the tax base, the tax administrator followed Article 17 (5) and also applied the procedure pursuant to Article 50a or pursuant to a special regulation,[82b)] the tax administrator shall impose a penalty upon the taxpayer equivalent to twice the amount of the penalty specified pursuant to a special regulation.[82c)]

(2) If the taxpayer does not lodge an appeal against the decision of the tax administrator, through which the tax administrator increased the tax provided in the tax return or additional tax return, and pays the difference of the tax to the imposed tax within the time limit for lodging the appeal, the increase in the penalty pursuant to Clause 1 shall not be applied.

(3) If the taxpayer has asked the tax administrator for the issuance of the decision on approving the use of pricing method and the tax administrator begins a tax audit for the tax period, in which the application for the issuance of the decision on approving the use of pricing method was submitted or for two tax periods preceding the tax period, in which the application for the issuance of the decision on approving the use of pricing method was submitted, and in determining the tax base, the tax administrator follows Article 17 (5) and does not apply the procedure pursuant to Article 50a or pursuant to a special regulation,[82b)] and imposes a tax or tax difference upon the taxpayer after the tax audit, the tax administrator shall impose upon the taxpayer a penalty pursuant to a special regulation.[82d)]

Tax Expenditures

Article 19

(1) If the amount of an expenditure (cost) is limited by a special regulation,[83)] the proved expenditure (cost) may be included in tax expenditures maximum up to the amount of this limit. If the amount of the expenditure (cost) is limited by this Act except for the expenditure (cost) spent by the employer on the provided taxable income pursuant to Article 5 (1) and (3) (d) under the conditions laid down by a special regulation,[89)] or its inclusion in the tax period is regulated by this Act in an amount different from the special regulation,[1)] the proved expenditure (cost) may be included in tax expenditures only within the scope and under the conditions laid down in this Act. If the amount of the expenditure (cost) is limited by this Act by the amount of the attained income or by the amount of the income from the received settlement, the expenditure (cost) or a part of it shall be included in tax expenditures in the tax period, in which the income was attained or the settlement was received.

(2) The tax expenditures that may be applied only within the scope and under the conditions laid down in this Act shall include

a) the expenditures (costs), which the taxpayer is obliged to settle pursuant to special regulations,[84)]

b) the expenditures (costs) on the operation of the taxpayer's own equipment for environmental

protection pursuant to special regulations,[85)]

c) the expenditures (costs) on working and social conditions and health care spent on

1. occupational health and safety and sanitary equipment of workplaces,

2. employee health care within the scope laid down by special regulations and own healthcare facilities,[86)]

3. education of employees[18a)] related to the activity or business of the employer, own educational facilities,

4. remuneration for productive work[86aa)] maximum up to the amount of 100 % of the hourly minimum wage, business scholarship,[86ab)] material support for pupils,[59c)] provision of practical training and for operation of secondary vocational school beyond the scope of provided normative financial resources,[86ac)]

5. allowances for employee catering, allowance for employee recreation, and allowance for sporting activities of children provided under conditions laid down by a special regulation,[86a)]

6. the wage and other labour-law titles of employees within the scope laid down by labour-law regulations,[17)]

7. the premium and contributions of the employee from the increased benefit in kind pursuant to Article 5 (3) (d), and the tax advances withheld pursuant to Article 35 from this increased benefit in kind,

8. business scholarships provided to university students pursuant to a special regulation,[51b)]

d) reimbursement of travel expenses up to an amount, to which a title comes into existence pursuant to special regulations,[15)] and the pocket money provided during a business trip abroad pursuant to a special regulation,[87a)]

e) the expenditures (costs) on the taxpayer with the income pursuant to Article 6 (1) and (2) spent in connection with the activity performed at other place than the place, at which the activity is performed on a regular basis, maximum in the amount set for employees pursuant to a special regulation,[87)] for catering except for the expenditure on food provided as benefit in kind by the holder [Article 9 (2) (y)] to the healthcare provider, accommodation, travel expenses for travelling by transport means and the necessary expenditures connected with the stay at this place; if the taxpayer uses their own passenger motor vehicle not included in business assets for travelling, they shall apply the expenditures (costs)

1. up to the reimbursement of consumed fuels according to prices in force at the time of their purchase, and only provided that it was not included in business assets in the previous tax periods for this taxpayer, they shall also apply the expenditures (costs) up to the amount of the basic compensation for each one kilometre of drive pursuant to a special regulation[87)] or

2. in the form of lump-sum expenditures up to 50 % of the total proved purchase of fuels for the respective tax period adequate to the number of driven kilometres according to tachometer at the beginning and at the end of the respective tax period for each motor vehicle separately,

f) the expenditures (costs) amounting to the sum of entry prices of shares and the sum of entry prices of other securities pursuant to Article 25a in the tax period, in which their sale takes place, up to the amount of the sum of income from their sale except for

1. a bond, whose sale price is lower by maximum the amount of yield from the bond included

in the tax base until the time of sale or due date of the bond,

2. the taxpayers who trade in securities pursuant to a special regulation,[88)] to whom the expenditure (cost) of securities acquisition shall be recognised up to the amount accounted as cost,

g) the expenditures (costs) amounting to the entry price pursuant to Article 25

1. of the business interest in a business company or cooperative except for the entry price pursuant to Article 25a of the interest in a joint-stock company and simple joint-stock company (shares), to which the provision of Paragraph (f) applies, on its sale only up to the amount of income from the sale, assessed for each sale separately,

2. of the bill of exchange, which is accounted[1)] as a security, on its sale only up to the amount of income from the sale, assessed for each sale separately,

h) the expenditure (cost) up to the amount of the write-off of the nominal value of a receivable,[1)] which was included in the taxable income including the principal of an unpaid loan for a taxpayer pursuant to Article 20 (4) and for a taxpayer that performs a business activity consisting in providing consumer credits,[102)] or of its unpaid part including default interests and fees for delay and other payments, which increase the receivable due to late payment (hereinafter the "interests and charges") if these interests and charges are included in the tax base, or the expenditure up to the amount of the write-off by the assignee of the paid acquisition cost of the receivable acquired by assignment for a taxpayer ascertaining the tax base pursuant to Article 17 (1) (b) and (c) or up to the amount of the fair value pursuant to Articles 17a to 17c, or for a taxpayer that used the double-entry bookkeeping system and changed the method of accounting to single-entry bookkeeping system for receivables already included in the income in the previous tax periods, in which the taxpayer used the double-entry bookkeeping system if

1. the court refused the petition for bankruptcy due to a lack of assets or terminated the bankruptcy proceeding due to a lack of assets or cancelled the bankruptcy proceeding because the debtor's assets are not sufficient to settle the expenditures and remuneration of the bankruptcy trustee, or cancelled the bankruptcy proceeding because the bankrupt's assets are not sufficient to settle the receivables against the bankrupt's estate, or if bankruptcy is cancelled pursuant to a special regulation,[38b)] also for a taxpayer that did not lodge their claim but submits a court resolution on bankruptcy cancellation because the debtor's assets are not sufficient to settle the expenditures and remuneration of the bankruptcy trustee or court resolution that the bankrupt's assets are not sufficient to settle the receivables against the bankrupt's estate or the notice in the Commercial Journal that the bankrupt's estate will not cover the bankruptcy costs,

2. it results from bankruptcy proceedings, restructuring proceeding or discharge from debts through a schedule of payments,[38)]

3. the debtor has died and the receivable could not be settled by recovery from the debtor's heirs, either,

4. the distraint or decision execution is stopped by the court or executor because after the execution title had occurred, the circumstances causing the end of existence of the recovered claim came into existence,

5. the distraint or decision execution is stopped by the court or executor for a reason pursuant to a special regulation;[88aaa)] this shall also apply to the other receivables registered by the taxpayer against the same debtor,

6. it results from a decision of the Resolution Council pursuant to a special regulation,[73a)]

i) the expenditures (costs) of a gambling game operator on prizes in kind for a lottery game - raffle[88aa)] up to the amount of income from the sale of lots; every lottery game - raffle shall be assessed separately,

j) the expenditure (cost) in the amount of levy from yield,[56)]

k) the advertising expenditures (costs) spent on presentation of the taxpayer's business, goods, services, real estate, business name, trademark, commercial designation of products and other rights and obligations related to the taxpayer's activity with the intention to attain, provide, maintain or increase the taxpayer's income,

l) the expenditures (costs) on consumed fuels

1. according to the prices valid at the time of purchase, recalculated according to the consumption provided in the registration certificate or certificate of roadworthiness; if the consumption in the registration certificate or certificate of roadworthiness is not equal to the real consumption of fuels or it is not mentioned there, the consumption, which is proved by a document issued by a person holding the authorisation pursuant to a special regulation[88a)] or by the supplementary data of the manufacturer or vendor proving other fuel consumption shall be used; in the event of trucks or working mechanisms, for which the consumption in the registration certificate or certificate of roadworthiness is not equal to the real consumption of fuels or it is not mentioned there, according to the proved consumption including the consumption proved by an own internal management act, which provably determines and justifies the way of calculation of fuel consumption or

2. based on the documents on fuel purchase maximum up to the amount stated according to the instruments of the satellite-based vehicle monitoring system or

3. in the form of lump-sum expenditures up to 80 % of the total provable purchase of fuels for the respective tax period adequate to the number of driven kilometres according to tachometer at the beginning and at the end of the respective tax period for each motor vehicle separately,

m) the expenditures, for the settlement of which subsidies, supports and contributions from the resources of the state budget, budgets of municipalities, budgets of higher territorial units, state funds and National Labour Authority included in income have been provided,

n) depreciations for the assets, which are not directly used by the taxpayer but serve to

1. provide for the taxable income of this taxpayer and at the same time, of the taxpayer that was provided with them, in the event of the provision of the assets serving to support the sale of goods, services or products of the taxpayer that provided the assets for the direct use to another taxpayer,

2. to provide practical training of pupils based on a contract of practical training provision and dual education contract[88b)] or serve for the activity of a secondary vocational school designated as business school,[88c)]

o) the total amount of expenditures (costs) on derivatives[1)] up to the amount of income (revenue) from derivatives in aggregate for the tax period except for

1. the taxpayers performing activity pursuant to a special regulation,[88)] Export-Import Bank of the Slovak Republic, insurance companies, branches of foreign insurance companies,

reinsurance companies, branches of foreign reinsurance companies, to which the expenditure (cost) on derivatives shall be recognised up to the amount accounted as a cost,

2. hedging derivatives,[1)] for which the expenditure (cost) shall be recognised up to the amount accounted as a cost,

p) subsistence expenses except for the expenditure on food provided as a benefit in kind by a holder [Article 9 (2) (y)] to a healthcare provider, spent by a taxpayer with income pursuant to Article 6 (1) and (2) for every day worked in a calendar year, maximum up to the extent and amount specified for a calendar day for the time band 5 to 12 hours pursuant to a special regulation,[87)] unless at the same time, the taxpayer's title to a catering allowance comes into existence pursuant to a special regulation[89)] in connection with the performance of employment or provided that the taxpayer does not apply expenditures (costs) on catering pursuant to Paragraph (e),

r) the write-off of a receivable up to the amount of a provision, which would be recognised as a tax expenditure pursuant to Article 20 (4) or (14) and interests and charges of the receivable up to the amount of the provision, which would be recognised as a tax expenditure pursuant to Article 20 (22),

s) employer's expenditures

1. on the employee's transport to the place of work performance and back due to the fact that a public provider of regular transport provably does not provide the transport at all or does not provide the transport to an extent corresponding to the employer's needs, and for that purpose, the employer uses motor vehicles classified under the code of Classification of Products 29.10.3,

2. on the accommodation of employees in employment[24h)] in the buildings classified under the codes of Classification of Buildings 112 and 113 pursuant to a special regulation[106)] if the employer's prevailing activity is production performed in multi-shift operation,

t) the expenditures (costs) on acquisition, technical improvement, operation, repairs and maintenance of assets, except for the expenditures for personal consumption pursuant to Article 21 (1) (i), expenditures related to real estate and the employer applying the procedure pursuant to Article 5 (3) (a),

1. in the form of lump-sum expenditures amounting to 80 % if the assets are also used for private purposes or

2. in a provable amount depending on the proportion of the use of the assets for the provision of taxable income,

u) the expenditures spent by the taxpayer in the form of donations provided for the purposes of material humanitarian aid abroad based on a donation agreement concluded with the Ministry of Interior of the Slovak Republic,

v) the expenses (costs) amounting to the sum of entry prices of virtual currencies pursuant to Article 25b in the tax period, in which their sale takes place, up to the amount of the sum of income from their sale,

w) the expenditures (costs) on the recreation of a taxpayer with income pursuant to Article 6

(1) and (2), who performs this activity for at least 24 months continuously, to an extent, in the amount and under the conditions set for employees pursuant to a special regulation[17b)] unless an allowance for recreation pursuant to a special regulation[17b)] was provided to the taxpayer in connection with employment performance,

x) the expenditures (costs) of the taxpayer on the sporting activity of a child of a taxpayer with income pursuant to Article 6 (1) and (2), who performs this activity for at least 24 months continuously, to an extent, in the amount and under the conditions set for employees pursuant to a special regulation[17c)] unless an allowance for the sporting activity of a child pursuant to a special regulation[17c)] was provided to the taxpayer in connection with employment performance.

(3) Tax expenditures shall also include

a) depreciations of tangible assets and intangible assets (Articles 22 to 29), except for the tangible assets provided for leasing, in which the lessor's tax expenditures include depreciations maximum up to an amount of accrued income (revenues) from the lease of these assets appertaining to the respective tax period, and if the tangible assets are provided for leasing only in part or for a part of the tax period, the amount of depreciations included in the tax expenditures of the lessor shall be determined according to the scope and time of leasing of such assets, where this limit of the amount of depreciations shall not apply to the lease of tangible assets included in Depreciation Categories 0 to 4 for a micro-taxpayer, and if a micro-taxpayer that is a natural person is concerned, only to the lease of the tangible assets included in business assets [Article 2 (m)] in connection with the attaining of income pursuant to Article 6 (1) and (2); the part of the annual depreciation of the leased tangible assets, which was not applied, shall be applied starting from the year following the expiry of the period of depreciation of the tangible assets pursuant to Article 26 (1) in the amount of annual depreciation calculated as the ratio of the entry price of the tangible assets and the period of depreciation set for the respective Depreciation Category in Article 26 (1), and if the tangible assets are provided for lease, up to the amount of income from leasing,

b) the depreciated price (Article 25 (3)) or a proportional part of the depreciated price of tangible assets and intangible assets on their disposal

1. by selling, except for the depreciated price of passenger cars classified under the code of the Classification of Products 29.10.2, vehicles for travelling on snow, golf cars and the like, with engines classified under the code of the Classification of Products 29.10.52, pleasure and sporting boats classified under the code of the Classification of Products 30.12, ships and floating structures classified under the code of the Classification of Products 30.11, air and spacecraft and related machinery classified under the code of the Classification of Products 30.3, motorcycles classified under the code of the Classification of Products 30.91, bicycles and other cycles, not motorised classified under the code of the Classification of Products 30.92.1, and buildings and structures included in Depreciation Category 6 except for the technical improvement carried out by the lessee on a building and structure included in this Depreciation Category, which is included in the amount of income (revenue) from the sale included in the tax base,

2. by liquidating, where the depreciated price of the building structure or a part of it under liquidation in connection with the construction of a new building structure or technical improvement of the structure shall be included in the acquisition cost,[1)]

c) the depreciated price or acquisition cost of tangible assets handed over free of charge to the ownership of organisation providing their further utilisation pursuant to a special regulation[90)] unless it is part of the acquisition cost of the building depreciated by the handing-over taxpayer,

d) the depreciated price of the tangible assets and intangible assets disposed of due to damage up to the amount of income from compensations included in the tax base including the received payments from the sale of disposed assets with the exception mentioned in Paragraph (g),

e) the entry price on the sale of the tangible assets excluded from depreciation pursuant to Article 23, where in selling the assets mentioned in Article 23 (1) (d) to (g) and lands unaffected by mining, the entry price may be included only up to the amount of income from sale,

f) creation of reserves and provisions pursuant to Article 20,

g) damage not caused by the taxpayer

1. caused by a natural disaster, such as earthquake, flood, hailstorm, avalanche or lightning,

2. caused by an unknown perpetrator in the tax period, in which this fact was confirmed by the police,

h) on the assignment of a receivable, the nominal value of the receivable or its unpaid part up to the amount of income from its assignment or up to the amount of creation of a provision, which would be recognised as a tax expenditure pursuant to Article 20, where for the taxpayer with income pursuant to Article 6 using the single-entry bookkeeping system or keeping records pursuant to Article 6 (11), the procedure pursuant to Article 17 (12) (a) and (d) shall be applied; if the assignment of the receivable also includes the interest and charges, the tax expenditure shall include the value of the interests and charges if it is included in the taxable income, maximum up to the amount of the income flowing from its assignment,

i) the premium and contributions paid by the taxpayer with income pursuant to Article 6 (1) and (2), the premium and contributions, which the employer is obliged to pay for the employee,

j) tax on motor vehicles,[90aa)] local taxes and local fee pursuant to a special regulation,[90a)] and fees related to the activities, the income from which is subject to tax,

k) value added tax

1. which the value added tax payer is obliged to levy on the cancellation of registration pursuant to a special regulation[6)] with the exception provided in Article 17 (3) (d) Point 2,

2. if the value added tax payer is not entitled to deduct it, or a proportional part of the value added tax if the value added tax payer applies the title to deduct the tax using the coefficient pursuant to a special regulation,[6)] except for the value added tax, which is related to tangible assets and intangible assets and is part of the entry price pursuant to Article 25 (5) (c),

3. if the value added tax payer is entitled to its refund in the Member State of the European Union, in which goods or services were supplied to them or to which they imported goods, if the tax expenditure is the goods or service, to which the tax is related, in the tax period, in which they account the title to refund[90b)] in the way pursuant to a special regulation[1)] and if a taxpayer using the single-entry bookkeeping system[1)] or keeping records pursuant to Article 6 (11) is concerned, in the tax period, in which they set up a claim to its refund in the way pursuant to a

special regulation,[90b)]

4. if the value added tax payer is not entitled to its refund in the Member State of the European Union, in which goods or services were supplied to them or to which they imported goods, if the tax expenditure is the goods or service, to which the tax is related, for the reason that the amount of value added tax does not reach the prescribed amount for its refund, in the tax period, in which the goods and services were settled,

l) contributions to complementary pension savings paid by the employer for the employee pursuant to a special regulation[35)] and to complementary pension savings abroad of the same or comparable type; these contributions may be recognised in total maximum up to the amount of 6 % of the accounted wage, wage compensation and remuneration of the employee that is a participant of complementary pension savings,

m) the levy for failing to fulfil the compulsory share of employment of handicapped citizens and citizens with more serious disability pursuant to a special regulation,

n) the membership contributions resulting from optional membership in a legal person established for the purpose of protection of payer's interests in aggregate up to the amount of 5 % of the tax base, however, maximum up to the amount of EUR 30,000 annually,

o) the interest on the financial leasing included in the tax base for the whole period of duration of financial leasing pursuant to a special regulation,[1)]

p) considerations (commissions) for recovery of claims maximum up to the amount of 50 % of the recovered claim,

r) a membership fee resulting from compulsory membership in a legal person,

s) interests on credits for the acquisition of fixed tangible assets if they are accounted in costs pursuant to a special regulation,[1)]

t) the expenditure (cost) up to the amount of write-off of the nominal value of receivable or its unpaid part without interests and charges against the Slovak Republic in the tax period, in which the taxpayer waived its recovery; in this case, a receivable recognised by the Slovak Republic is always concerned,

u) interests paid on credits and loans used to acquire shares of a joint-stock company or a business interest of a partner of a limited liability company or a limited partner of a limited partnership or of a similar company abroad for a taxpayer pursuant to Article 2 (d) Point 2 and Article 2 (e) Point 3 with a permanent establishment (Article 16 (2)) only in the tax period, in which the shares or business interest are sold, if the taxpayer in this tax period, in which the shares or business interest are sold, does not meet the conditions for exemption pursuant to Article 13c; this shall not apply to a taxpayer trading in securities pursuant to a special regulation.[88)]

Article 20

Reserves and Provisions

(1) Reserves, whose creation is part of the tax base under the conditions laid down in this Act, shall mean the reserves in insurance, reserves created by health insurance companies[93a)] (Clauses 16 and 18) and the reserves pursuant to Clause 9.

(2) Provisions, whose creation represents a tax expenditure pursuant to Article 19 (3) (f) under the conditions laid down in this Act, shall mean the provisions to

a) the acquired assets[1)] (Clause 13),

b) non-time-barred receivables (Clause 14),

c) receivables against debtors in bankruptcy proceedings, restructuring proceedings and receivables against the debtors, to which a court determined a schedule of payments[38)] (Clauses 10 to 12),

d) non-time-barred receivables created by banks and branches of foreign banks[94)] and the Export-Import Bank of the Slovak Republic,[95)]

e) non-time-barred receivables from insurance in case of insurance termination[96)] created by insurance companies and branches of foreign insurance companies (reinsurance companies and branches of foreign reinsurance companies),

f) non-time-barred receivables of health insurance companies[93a)] (Clause 17) except for the receivables from public health insurance appertaining to the revenues exempt from tax pursuant to Article 13 (2) (i),

g) non-time-barred receivables against persons in resolution proceedings pursuant to a special regulation[96a)] (Clause 21),

h) non-time-barred receivables on the part of a micro-taxpayer (Clause 23).

(3) The principles of creation, use and reversal of reserves and provisions are laid down by a special regulation.[1)] For the purposes of this Act, a receivable shall be considered non-time-barred as at the last day of the tax period if it was non-time-barred for at least one calendar day in the respective tax period.

(4) Banks and branches of foreign banks[94)] and the Export-Import Bank of the Slovak Republic[95)] may include in tax expenditures the creation of a provision pursuant to Clause 6 to a receivable from an unpaid credit, which is not covered by the value of security if from the due date of the receivable, for which the provision is created, a period expired that is longer than

a) 360 days, maximum up to the amount of 20 % of the unpaid credit, which is not covered by the value of security,

b) 720 days, maximum up to the amount of 50 % of the unpaid credit, which is not covered by the value of security,

c) 1,080 days, maximum up to the amount of 100 % of the unpaid credit, which is not covered by the value of security.

(5) The provision pursuant to Clause 4 is created for the amount of the receivable, which does not include the default interest not included in the tax base and the interest not included in income.

(6) The amount of the provision pursuant to Clause 4 to receivables listed in Clause 4 shall be determined by means of procedures according to the International Financial Reporting Standards.

(7) The amount of the provisions, whose creation is a tax expenditure pursuant to Clause 4, shall also include the balance of provisions from the previous tax period.

(8) Tax expenditures shall include the creation of technical reserves

a) created in insurance pursuant to special regulations,[97)] which are accounted in costs pursuant to a special regulation,[1)] except for the technical reserve for indemnities concerning claims occurred and non-reported in the current accounting period,

b) in an insurance company, branch of an insurance company from another Member State, branch of a foreign insurance company, reinsurance company, branch of a reinsurance company from another Member State, and branch of a foreign reinsurance company in the amount, which must not exceed the volume of liabilities calculated by means of the methods pursuant to a special regulation,[97a)] no matter whether it is an insurance company, branch of an insurance company from another Member State, branch of a foreign insurance company, reinsurance company, branch of a reinsurance company from another Member State or branch of a foreign reinsurance company, to which a special regime is applied,[97b)] if the technical reserves are accounted in costs pursuant to a special regulation,[1)] except for a technical reserve for indemnities concerning claims occurred and non-reported in the current accounting period.

(9) Tax expenditures shall also include the creation of reserves accounted as a cost[1)] for

a) unused holidays including the premium and contributions, which the employer is obliged to pay for the employee, the wage in applying the working time banking[80ab)] including the premium and contributions, which the employer is obliged to pay for the employee, reserves for emissions produced in accordance with a special regulation;[149)] this shall not apply to taxpayers using the single-entry bookkeeping system,

b) forest silvicultural operations carried out pursuant to a special act;[98)] the creation of a reserve for forest silvicultural operations shall be determined in the project of forest silvicultural operations for the period from culture establishment or self-seeding occurrence to the completion of clearance of the young forest stand[99)] confirmed by a professional forest manager,[99a)] also on the part of a taxpayer using the single-entry bookkeeping system,[1)]

c) liquidation of main mining workings, quarries and wastes from mining activities or activities carried out by mining methods, and for reclamation of lands affected by mining activities or activities carried out by mining methods;[100)] this shall not apply to taxpayers using the single-entry bookkeeping system,

d) closure, reclamation and monitoring of dumping sites[101)] after their closure, also on the part of a taxpayer using the single-entry bookkeeping system,

e) disposal of electrical waste handed over from households, if the amount of the reserve calculated and proved by the taxpayer corresponds to the costs connected with the disposal of electrical waste, also on the part of a taxpayer using the single-entry bookkeeping system,

f) a special-purpose financial reserve pursuant to a special act.[101a)]

(10) The creation of provisions to the receivables that were included in the taxable income against debtors in bankruptcy proceedings and restructuring proceedings including the receivable from the principal of unpaid credit for a taxpayer pursuant to Clause 4 and for a taxpayer performing commercial activity consisting in providing consumer credits,[102)] shall be a tax expenditure on the part of the taxpayers using the double-entry bookkeeping system, maximum up to the amount of the nominal value of receivables or paid acquisition cost of the receivables registered within the time limit specified pursuant to a special regulation[38)] including the interests and charges if included in the tax base. For banks, provisions against debtors in bankruptcy proceedings and restructuring proceedings are recognised in the amount of the difference between the value of receivables registered within the time limit specified in the resolution on bankruptcy order and their value included in expenditures pursuant to Clause 4. The provisions to receivables against debtors in bankruptcy proceedings and restructuring proceedings shall represent tax expenditures starting from the tax period, in which the receivables were registered within the specified time limit. The creation of provisions to the receivables that were included in the taxable income against debtors, to which a court determined a schedule of payments, including the receivable from the principal of unpaid credit for a taxpayer pursuant to Clause 4 and the receivable from the principal of a consumer credit,[102)] shall be a tax expenditure on the part of the taxpayers using the double-entry bookkeeping system, maximum up to the amount of the nominal value of receivables or paid acquisition cost of the receivables including interests and charges, if included in the tax base, starting from the tax period, in which a draft schedule of payments was published in the Commercial Journal.[102aa)] For banks, provisions vis-à-vis the debtors, to which a court determined a schedule of payments, shall be recognised in the amount of the difference between the value of receivables in the schedule of payments and their value included in expenditures pursuant to Clause 4.

(11) The provisions to the receivables against debtors in bankruptcy proceedings, restructuring proceedings and receivables against the debtors, to which a court determined a schedule of payments, shall be included in the tax base in the tax period, in which the receivable was settled. If receivables have been denied by a trustee in bankruptcy and the creditor does not set up a claim to the settlement of this receivable from the bankrupt's estate through a court or competent administrative authority, the tax base shall be increased by the amount of these denied receivables. If the receivable has been denied by a trustee in bankruptcy and the creditor sets up a claim to the settlement of this receivable from the bankrupt's estate through a court or competent administrative authority, the tax base shall be increased by the amount of these denied receivables or a part of them in the tax period, in which the court or competent administrative authority rejected such proposal.

(12) Clauses 10 and 11 shall also be used for the receivables against debtors abroad. In the event of receivables against debtors with the registered office or domicile in the State, which does not have any legal regulation regulating bankruptcy, restructuring and schedule of payments, the provisions created by the taxpayer for the receivables recovered through court in another State may also be recognised as a tax expenditure.

(13) The provision created to acquired assets shall be included in tax expenditures or income in compliance with the accounting regulations;[1)] the period of inclusion is the same for both the taxpayer using the single-entry bookkeeping system and the taxpayer using the double-entry bookkeeping system.

(14) The creation of a provision to the receivable, which is at risk that the debtor will not pay it in full or in part and was included in the taxable income, or in the event of a taxpayer performing commercial activities consisting in providing consumer credits,[102)] the creation of the provision to the part of the receivable related to the principal and the interest included in the income from the consumer credit, if a period longer than

a) 360 days expired from the due date of the receivable, shall also be included in the expenditures up to the amount of 20 % of the nominal value of the receivable or its unpaid part without interests and charges,

b) 720 days expired from the due date of the receivable, shall also be included in the expenditures up to the amount of 50 % of the nominal value of the receivable or its unpaid part without interests and charges,

c) 1,080 days expired from the due date of the receivable, shall also be included in the expenditures up to the amount of 100 % of the nominal value of the receivable or its unpaid part without interests and charges.

(15) The provisions of Clauses 4, 6, 14, 17, and 23 on provisions recognised as a tax expenditure shall not be used for the receivable acquired through assignment or for the receivable that can be set off against the due liabilities vis-à-vis the debtor.

(16) From the reserves created by health insurance companies, the creation of technical reserves pursuant to a special regulation shall also mean a tax expenditure.[102a)]

(17) From the provisions created by health insurance companies,[93a)] the creation of a provision to the receivable, which is at risk that the debtor will not pay it in full or in part and was included in the taxable income, shall also represent a tax expenditure, in the amount and under the conditions laid down in Clause 14.

(18) The technical reserves for the settlement of healthcare or planned healthcare pursuant to Clause 16 shall be included in the tax expenditures maximum up to the amount of 100 % of technical reserves for healthcare settlement accounted pursuant to a special regulation.[1)]

(19) No tax expenditures including the creation of a provision may be applied to the revenues, which are exempt from tax pursuant to Article 13 (2) (i). The creation, use and reversal of a reserve created to the liability, whose cost is related to revenues exempt from tax pursuant to Article 13 (2) (i), shall not be included in the tax base.

(20) The difference between the amount of the created reserve recognised as a tax expenditure and the sum of real cost, to which the reserve was created, shall be included in the tax base in the tax period, in which the reserve was used or reversed.

(21) The creation of provisions to the receivables against persons in resolution

proceedings pursuant to a special regulation[96a)] shall be a tax expenditure for the taxpayers using the double-entry bookkeeping system, maximum up to the amount of the nominal value of the receivables or paid acquisition cost of the receivables including interests and charges if included in the tax base. The provisions to the receivables against persons in resolution proceedings pursuant to a special regulation[96a)] shall be included in the tax base starting from the tax period, in which the resolution proceedings commence.

(22) The creation of a provision to the receivable interests and charges, which are at risk that the debtor will not pay them in full or in part and were included in the taxable income, shall be included in the expenditures up to the amount of 100 % of the value of the interests and charges or their unpaid part, if a period longer than 1,080 days expired from the due date of the receivable, to which the interests and charges are related or if a period longer than 1,080 days expired from the due date of the interests and charges. The interests and charges may be written off pursuant to Article 19 (2) (r) after the fulfilment of the condition provided in the first sentence.

(23) The creation of a provision to the receivable, which is at risk that the debtor will not pay it in full or in part and was included in the taxable income, may be included in the expenditures for a micro-taxpayer using the double-entry bookkeeping system in compliance with a special regulation.[1)] The procedure pursuant to the first sentence may also be applied in creating a provision to the interests and charges of a receivable, which are at risk that the debtor will not pay them in full or in part and were included in the taxable income.

Article 21

(1) Tax expenditures shall not include the expenditures (costs), which are not related to the taxable income, although the taxpayer accounted these expenditures (costs),[1)] the expenditures (costs), whose spending on tax purposes is not sufficiently proved and

a) the expenditures (costs) on acquisition of tangible assets, intangible assets (Article 22), and tangible assets and intangible assets excluded from depreciation (Article 23),

b) the expenditures for the increase in the registered capital including loan repayment,

c) bribes or other unjustified advantages provided to another person directly or indirectly even if the provision of such bribe or other unjustified advantage is usually tolerated in the respective State,

d) expenditures on paid profit shares including the profit shares (royalties) of members of statutory bodies and other bodies of legal persons,

e) the expenditures (costs) exceeding the limits laid down by this Act or special regulations[15)] except for the expenditures (costs) spent by the employer on the provided taxable income pursuant to Article 5 (1) and Clause 3 (d) under the conditions laid down by a special regulation,[89)] and the expenditures (costs) spent in conflict with this Act or with special regulations,[103)]

f) the expenditures exceeding the income in facilities satisfying the needs of employees or other persons except for Article 17 (3) (e) and Article 26 (14); the expenditures and income are assessed in aggregate for all facilities; in the facilities satisfying the needs of employees, in

which the employer provides accommodation pursuant to Article 19 (2) (s) Point 2, the benefit in kind provided to the employee for the purpose of provision of their accommodation shall also be considered income,

g) expenditures on technical improvement (Article 29 (1)), and the expenditure, which is considered the technical improvement (Article 29 (2)),

h) entertainment and representation expenditures except for the expenditures on promotional items at a value not exceeding EUR 17 per item; the following shall not be considered promotional items

1. promotional gift vouchers,

2. tobacco products except for the taxpayer, for which the production of tobacco products is a core activity,

3. alcoholic beverages except for the alcoholic beverages pursuant to a special regulation[103a)] in the total amount of maximum 5 % of the tax base; the above shall not apply to the taxpayer, for which the production of alcoholic beverages is a core activity,

i) expenditures on taxpayer's personal needs including the expenditures (costs) on the protection of the person of the taxpayer and close persons of the taxpayer, on the protection of the taxpayer's property, which is not included in the business assets of the taxpayer, and of the property of close persons of the taxpayer; this provision shall not be applied to the expenditures (costs) pursuant to Article 19 (2) (e), (p), (w), and (x),

j) the expenditures (costs) spent on the income not included in the tax base,

k) the expenditures (costs) on the purchase of own shares in the amount exceeding the nominal value of the shares.

(2) Nor tax expenditures shall include

a) increase in taxes, surcharges to the premium paid for health insurance, special contributions pursuant to a special regulation,[103b)] interests paid for the period of tax and customs duty deferment, penalties and fines,

b) surcharges to basic rates of fees for air pollution and waste disposal,[104)]

c) surcharges to basic considerations for waste water discharges,[105)]

d) creation of a reserve fund, capital fund from contributions and other special-purpose funds except for the compulsory allocation to a social fund pursuant to a special regulation,[13)]

e) shortages and losses[1)] exceeding the received compensations with the exception provided in Article 19 (3) (g), expected losses in retail sale based on the economically justified standards of decrease in goods specified by the taxpayer, and with the exception of accidental mortality of animals, which are not considered tangible assets for the purposes of this Act; proved death or inevitable slaughter of an animal from the basic herd shall not represent a loss,

f) the depreciated price of permanently disposed tangible assets and intangible assets with the

exception provided in Article 19 (3) (b) to (d),

g) tax pursuant to this Act,

h) taxes paid for another taxpayer,

i) value added tax on the part of payers of this tax with the exception of cases provided in Article 19 (3) (k) and with the exception of additionally imposed value added tax for the previous tax periods accounted as a cost,

j) creation of reserves and creation of provisions except for pursuant to Article 20,

k) the difference between the value of the receivable and the lower income from its assignment on the assignment of the acquired receivable to another assignee except for the assigned receivable or its unpaid part, if this receivable meets the condition for the creation of a provision recognised as tax expenditure pursuant to Article 20 (10) to (12), for which the acquisition cost is considered a tax expenditure only up to the amount of creation of a provision recognised as a tax expenditure pursuant to Article 20 (10) to (12),

l) expenditures of a healthcare provider related to a monetary gift or gift in kind received from the holder,

m) expenditures (costs) in the amount of the acquisition costs of the stocks of goods disposed

1. due to their classification as hazardous pursuant to a special regulation,[105a)]

2. by liquidating due to the expiry of the useful life or shelf life unless the taxpayer proves that before the expiry of this period, measures were taken to support their sale before the expiry of this period in the form of gradual price cutting, except for food stocks hand-over free of charge to the Food Bank of Slovakia or to a taxpayer pursuant to Article 12 (3), whose activities include the purpose specified in Article 50 (5) or to a registered social enterprise,[105aa)] whose activities include the purpose specified in Article 50 (5) (a), (c), (e) and (i), and medicines, whose dispensing requires a medical prescription pursuant to a special regulation,[37ab)]

3. without a set useful life or shelf life unless the taxpayer proves the income from their sale, except for food stocks hand-over free of charge to the Food Bank of Slovakia or to a taxpayer pursuant to Article 12 (3), whose activities include the purpose specified in Article 50 (5) or to a registered social enterprise,[105aa)] whose activities include the purpose specified in Article 50 (5) (a), (c), (e) and (i).

Article 21a

Thin Capitalisation Rules

(1) For a taxpayer pursuant to Article 2 (d) Point 2 and Paragraph (e) Point 3 with a permanent establishment (Article 16 (2)), which determines the tax base pursuant to Article 17 (1) (b) or (c), tax expenditures shall not include the interests paid on credits and loans and the related expenditures (costs) on borrowings, if the creditor is an associated person in relation to the debtor; the state of credits and loans shall not include the credits and loans or parts of them, the interests on which are part of the acquisition cost of assets pursuant to a special regulation,[1)] in the amount of the interests, which during the tax period exceed 25 % of the value of the indicator calculated as the sum of the pre-tax economic outturn recognised pursuant to a special

regulation[1)] or the pre-tax economic outturn recognised according to the international accounting standards[77a)] and the depreciations and cost interests included therein.

(2) If the condition for the provision of a credit or loan to the debtor is the provision of a directly related credit, loan or deposit to this creditor by an associated person, for the purposes of Clause 1 and in relation to this credit or loan, the creditor shall be considered an associated person in relation to the debtor.

(3) Clauses 1 and 2 shall not be applied to a debtor that is a bank or a foreign bank branch,[94)] an insurance company, branch of an insurance company from another Member State or branch of a foreign insurance company, a reinsurance company, branch of a reinsurance company from another Member State or branch of a foreign reinsurance company, an entity pursuant to a special regulation[105b)] or a leasing company.[105c)]

Article 22

Depreciations of Tangible Assets and Intangible Assets

(1) For the purposes of this Act, depreciation shall mean the gradual inclusion of depreciations from tangible assets and intangible assets in tax expenditures, which are accounted[1)] or recorded pursuant to Article 6 (11) and used to provide for the taxable income. The procedure in depreciating tangible assets is specified in Articles 26 to 28 and of intangible assets in Clause 8 unless tangible assets and intangible assets excluded from depreciation pursuant to Article 23 are concerned.

(2) For the purposes of this Act, the depreciated tangible assets shall include

a) individual movable things or sets of movable things, which have individual technical economic intention, whose price is higher than EUR 1,700 and technical operating functions longer than one year,

b) buildings and other constructions[106)] except for

1. operating mining workings,

2. small buildings on forest land serving to provide for forest production and hunting, and fencing serving to provide for forest production and hunting,[107)]

c) silvicultural units of permanent growths[108)] pursuant to Clause 5 with a period of productiveness longer than three years,

d) animals listed in Annex No. 1,

e) other assets pursuant to Clause 6.

(3) Individual movable things also include manufacturing equipment, the equipment and object serving to provide services, special-purpose object and other equipment, which does not create one functional unit with the building although it is firmly connected with it.

(4) Set of movable things shall mean the summary of individual movable things, which have individual technical economic intention. A part of a manufacturing or other unit also

represents a set of movable things with individual technical economic intention. A set of movable things shall be accounted or recorded pursuant to Article 6 (11) individually in order to provably provide for the technical and value data on individual things included in the set, on the determination of the main functional thing and on any changes of the set, for example on additions and disposals, including the data on the date of the change carried out, on the scope of the change, on entry and depreciated prices of individual additions and disposals, on the total price of the set of movable things, on the amount of depreciations including their changes resulting from the change of the entry price of the set of movable things.

(5) The silvicultural units of permanent growths with a period of productiveness longer than three years pursuant to Clause 2 shall include

a) fruit trees planted on an unbroken land with an area of over 0.25 hectares with a density of at least 90 trees per 1 hectare,

b) fruit bushes planted on an unbroken land with an area of over 0.25 hectares with a density of at least 1000 bushes per 1 hectare,

c) hop-fields and vineyards.

(6) For the purposes of this Act, other assets shall include

a) openings of new quarries, sand pits, clay pits, waste dumps unless they are included in the entry price or depreciated price of tangible assets,

b) technical reclamations unless otherwise laid down by a special regulation,[109)]

c) technical improvement of an immovable cultural monument worth more than EUR 1,700,

d) technical improvement of leased assets worth more than EUR 1,700, performed and depreciated by the lessee,

e) technical improvement of fully depreciated tangible assets worth more than EUR 1,700,

f) the total amount of technical improvement and repairs performed on a building, in which spa care and related services are provided based on a licence pursuant to special regulations,[65a)] which is worth at least 10 % of the entry price of this building; the same procedure shall be followed, if a building leased for that purpose based on a lease contract is concerned.

(7) For the purposes of this Act, intangible assets shall mean fixed intangible assets pursuant to a special regulation,[1)] whose entry price is higher than EUR 2,400 and useful life or technical operating functions last longer than one year, including the fixed intangible assets posted by the legal successor of a taxpayer dissolved without liquidation earmarked from goodwill or negative goodwill pursuant to a special regulation,[1)] only in applying fair values pursuant to Article 17c.

(8) Intangible assets shall be depreciated in compliance with accounting regulations,[1)] maximum up to the amount of entry price (Article 25) except for the goodwill and negative goodwill, which is included in the tax base pursuant to Article 17a to 17c.

(9) The taxpayer may interrupt the application of depreciations of tangible assets, only for one whole tax period or several whole tax periods; in the next tax period, the taxpayer shall continue the depreciation as if it has not been interrupted, and the total period of depreciation shall be extended by the period of interruption of depreciation. The taxpayer may not apply the interruption of depreciation if they apply expenditures pursuant to Article 6 (10); in such case the taxpayer shall keep depreciations only in records and may not extend the period intended for depreciation of tangible assets by this period. The micro-taxpayer applying depreciations pursuant to Article 26 (13) may not apply the interruption of depreciation, either. The taxpayer, except for the taxpayer applying tax relief pursuant to Article 30a and 30b, shall be obliged to interrupt the application of depreciation of tangible assets in the tax period,

a) in which the tangible assets were not used to provide taxable income, except for tangible assets of insurance and reserve character necessary to provide for the operation of tangible assets in use, and tangible assets pursuant to Article 26 (7) provided on the basis of a borrowing contract,[110)]

b) which begins on the day of the second change of tax period in order, from calendar year to marketing year or vice versa, if the second change in order occurs during two consecutive calendar years, until the tax period, in which 12 consecutive calendar months expire from the last change of tax period,

c) in which the validity of the permit for premature use of building is not extended[111a)] or temporary use of building for trial operation is not extended,[111b)] until the tax period, in which the building authority[107)] makes decision on further extension of the validity of the permit for premature use of building,[111a)] on further extension of temporary use of building for trial operation[111b)] or issues a certificate of occupancy.

(10) For the purposes of this Act, tangible assets shall not include stocks.

(11) The taxpayer may apply the depreciation amounting to the calculated annual depreciation of tangible assets pursuant to Article 26 (6) and (7), Article 27 or Article 28 accounted[1)] or recorded pursuant to Article 6 (11) as at the last day of the tax period, except for the assets excluded from depreciation.

(12) Upon the disposal of the tangible assets and intangible assets depreciated pursuant to Article 26 (6) and (7), the taxpayer shall apply a depreciation in the amount falling on the number of whole months, during which the taxpayer accounted[1)] or recorded the assets pursuant to Article 6 (11).
For the tangible assets, for which the depreciated price represents a tax expenditure only up to the amount of income (revenues) from sale pursuant to Article 19 (3) (b) Point 1, the taxpayer may apply a depreciation in the amount falling on the number of whole months, during which the taxpayer accounted[1)] or recorded the assets pursuant to Article 6 (11).

(13) Upon the transfer of administration of the assets of the State, assets of a municipality or assets of a higher territorial unit, the taxpayer shall apply a proportional part of the annual depreciation in the amount falling on the number of whole calendar months from the beginning of the tax period to the day of transfer, during which they accounted[1)] the assets and used them to provide for taxable income. The taxpayer that acquired the right to administrate the assets of the State, assets of a municipality or assets of a higher territorial unit shall apply the rest part of the annual depreciation starting from the calendar month, in which such fact

occurred.

(14) For a taxpayer, whose tax period is shorter than a calendar year because of death, an aliquot part from the calculated annual depreciation shall be applied falling on whole months, during which the taxpayer accounted the assets as business assets.[1)] The rest part of the annual depreciation recalculated to calendar months shall be applied by the taxpayer continuing the activity of the deceased taxpayer, where the rest part of the depreciation shall be applied already in the month, in which the assets were recorded in the assets of the taxpayer continuing the activity of the deceased taxpayer.

(15) The tangible assets pursuant to Clause 2 (a) may be divided into individual separable parts of the tangible assets (hereinafter the "individual separable part") if the entry price of each individual separable part exceeds EUR 1,700. The individual separable parts shall be recorded individually in order to provably provide for the technical and value data on individual separable parts and any changes of individual separable parts, such as their additions and disposals, including the data on the date of the change performed, on the scope of the change, on entry prices and depreciated prices of individual separable parts, on the total price of the tangible assets and on the sum of depreciations including their changes resulting from the change of the entry price of these assets. Only the individual separable parts of the tangible assets pursuant to Clause 2 (b) listed in Annex No.1 may be allocated for individual depreciation.

Article 23

Tangible and Intangible Assets Excluded from Depreciation

(1) The following is excluded from depreciation:

a) lands,

b) silvicultural units of permanent growths with a period of productiveness longer than three years, which have not reached the fruit-bearing caducity,

c) protection dams,

d) works of art,[111)] which are not part of constructions and buildings,

e) movable national cultural monuments,[113)]

f) surface and ground waters, forests, caves, survey marks, signals and other equipment of selected geodetic points and printed supporting documents of State map works,

g) objects with museum and gallery value.[114)]

(2) The following is also excluded from depreciation:

a) relaying of energy works at their owner's places if it is financed by a natural person or legal person that initiated the relaying,[90)]

b) intangible assets constituting a contribution to a business company or a membership

contribution to the registered capital of a cooperative, if the provider acquired them free of charge, for example know-how, a trademark or if under the conditions of the contribution, the business company or cooperative was only provided with the right of use without the transfer of the ownership rights to the intangible assets and without the possibility to provide the right of use to other persons,

c) the tangible assets for a creditor that acquired the ownership right as a consequence of liability securing by the transfer of the right[115)] during the securing of this liability,

d) the tangible assets acquired free of charge by an organisation ensuring their further use pursuant to a special regulation[90)] if the expenditures spent on their construction are on the part of the handing-over taxpayer included in the acquisition cost of the construction or were included in expenditures upon the hand-over carried out free of charge [(Article 19 (3) (c)].

Article 24

(1) Tangible assets and intangible assets shall be depreciated by a taxpayer holding the ownership right to the assets. Tangible assets and intangible assets shall also be depreciated by a taxpayer that does not hold the ownership right to the assets if they account[1)] or keep records pursuant to Article 6 (11) of

a) tangible assets upon the transfer of the ownership right due to liability securing by the transfer of the right[115)] to the creditor if the original owner (debtor) agrees in writing with the creditor on the borrowing[116)] of these assets during the securing of the liability,

b) fixed tangible movable assets, to which the ownership right passes on to the buyer only after the purchase price has been fully paid, and until the acquisition of the ownership right, the buyer uses the assets,

c) a real property acquired on the basis of the contract, under which the ownership right is acquired based on the permitted registration in the land register, if they use the real estate until the ownership right is acquired,

d) tangible assets leased in the form of financial leasing,

e) tangible assets and intangible assets of the State, municipality or higher territorial unit, which was put into administration by a state-budget funded organisation, contributory organisation or other legal person.[116a)]

(2) The technical improvement of leased tangible assets paid by the lessee may be depreciated by the lessee based on a written contract with the owner unless the owner has increased the entry price of the tangible assets by these expenditures. In depreciating the technical improvement, the lessee shall follow the procedure specified for tangible assets. The lessee shall include the technical improvement in the Depreciation Category, in which the leased tangible assets are included. Other assets listed in Article 22 (6) (e) shall be depreciated in the same way. In performing technical improvement of a building used for several purposes pursuant to Article 26 (2), the lessee shall include the technical improvement in the Depreciation Category based on the purpose, for which the lessee uses the leased assets.

(3) The tangible assets and intangible assets that are in joint ownership shall be

depreciated by each joint owner from the entry price, proportionally to the joint ownership share.

(4) In depreciating the tangible assets and intangible assets that are only partially used to provide for taxable income, the expenditures on the provision of taxable income shall include a proportional part of depreciations.

(5) The taxpayer that is a natural person, in reclassifying the tangible assets and intangible assets from personal use to business assets, and a taxpayer that has not been founded or established for business, on the commencement of use of the assets for the activity, the income from which is subject to tax, shall depreciate such assets as in the next years of depreciation from the entry price laid down in Article 25 (1) (d).

(6) The tangible assets and intangible assets individually specified[117)] and provided to an association without legal personality for common utilisation by association participants shall be depreciated by the association participant that provided the assets for common utilisation by association participants.

(7) In addition to the owner, intangible assets may also be depreciated by the taxpayer that has acquired the right to use them for consideration.

(8) In depreciating the assets, the expenditures (costs) on attaining, providing and maintaining the taxable income shall include the annual depreciation at the same percentage as used by the taxpayer to apply the expenditures (costs) pursuant to Article 19 (2) (t).

Article 25

(1) Entry price of tangible assets and intangible assets shall mean

a) the acquisition cost;[118)] the acquisition cost of assets acquired from a natural person as a gift shall mean the acquisition cost determined on the part of the donor only provided that the assets concerned were not included in business assets of the donor and on their sale executed on the date of donation, the exemption pursuant to Article 9 would not apply to them,

b) the sum amounting to own costs,[118)]

c) the general price[118a)] for the tangible assets and intangible assets acquired by inheritance and the price pursuant to a special regulation[29)] for the tangible assets and intangible assets acquired by donation; for immovable cultural monuments, the price shall be determined as the price of construction determined pursuant to a special regulation[119)] without taking into account the category of the cultural monument, its historical value and the price of artistic and artistic-handicraft works, which are part of it,

d) the price determined pursuant to Paragraphs (a) to (c) on the reclassification of assets from personal use of a natural person to business assets or for a taxpayer that has not been founded or established for business, on the commencement of use of the assets for the activity, the income from which is subject to tax; no depreciations shall be applied for the years, when the tangible assets and intangible assets are not used to provide taxable income,

e) the sum amounting to the receivable, which is secured by the transfer of the ownership right

to the tangible movable property and to the tangible immovable property, which in case of a failure to settle the receivable or a part of it is transferred to the ownership of the creditor,[115)] reduced by the amount of the credit or loan repaid,

f) the depreciated price of the assets ascertained on the part of the donor upon the disposal as a consequence of donation, except for the assets excluded from depreciation or the depreciated price of the assets ascertained on the part of the donor that is a natural person, upon the exclusion from business assets (Article 9 (5)), if the assets, which were included in the donor's business assets, are concerned [Article 2 (m)], where upon their sale executed on the date of donation, the exemption pursuant to Article 9 would not apply to them, except for the assets excluded from depreciation,

g) the acquisition cost of the assets excluded from depreciation on the part of the donor upon the disposal as a consequence of donation or the acquisition cost of the assets excluded from depreciation ascertained on the part of the donor that is a natural person, upon the exclusion from business assets (Article 9 (5)), if the assets, which were included in the donor's business assets, are concerned [Article 2 (m)], where upon their sale executed on the date of donation, the exemption pursuant to Article 9 would not apply to them,

h) for individual separable parts pursuant to Article 22 (15)

1. the acquisition cost,[118)]

2. the price determined pursuant to a qualified estimate or by an expert opinion if the price mentioned in Point 1 is not available,

i) the fair value of the transferred tangible assets and intangible assets at which the assets were valued for the purposes of taxation on the transfer of taxpayer's assets, exit of taxpayer or transfer of taxpayer's business abroad (Article 17f (6) and (8)).

(2) The entry price shall include the technical improvement in the tax period, in which it was completed and put into use; with the accelerated depreciation, the technical improvement shall also increase the depreciated price.

(3) For the purposes of this Act, depreciated price shall mean the difference between the entry price of the tangible assets and intangible assets and the total amount of depreciations of these assets included in tax expenditures [Article 19 (3) (a) and Article 22 (12)] except for the depreciated price pursuant to Article 28 (2) (b), where in the tax periods, in which the taxpayer follows Article 17 (31), (34) and (39), and Article 19 (2) (t), the amount of depreciation included in the tax expenditures shall mean the annual depreciation pursuant to Article 27 or Article 28.

(4) The technical improvement in using the accelerated method of depreciation pursuant to Article 28 for the purposes of calculation of the annual amount of depreciation and assignment of an annual coefficient shall increase the depreciated price (hereinafter the "depreciated price"); this shall not apply if the technical improvement was executed in the first year of depreciation.

(5) The entry price shall also include

a) value added tax for a taxpayer that is not a value added tax payer,

b) value added tax for a taxpayer that is a value added tax payer and may not deduct it or

c) a part of non-deducted value added tax for a taxpayer that is a value added tax payer if they set up a claim to its deduction using the coefficient pursuant to a special regulation.[6)]

(6) In acquiring tangible assets through financial leasing, the acquisition cost for the taxpayer acquiring the tangible assets through financial leasing shall not include the value added tax.

(7) Upon an increase in the entry price or decrease in the entry price occurring for the already depreciated tangible assets for other reason than their technical improvement (hereinafter the "adjusted entry price"), the depreciation shall be determined from the adjusted entry (depreciated) price while maintaining the valid annual depreciation rate or coefficient pursuant to Article 27 or Article 28.

(8) The sum of entry prices of individual separable parts mentioned in Article 22 (15) shall be equal to the entry price of these tangible assets.

Article 25a

The entry price of financial assets[1)] shall be

a) the acquisition cost,[118)] if the financial assets have been acquired by purchasing except for the fair value pursuant to Paragraph (d), adjusted by any reductions in this cost, which have not been included in the tax base, except for the decrease in this cost due to payment of income from the reduction in the registered capital of a business company or cooperative in the part, in which it was increased till the day of acquisition of the financial assets from the after-tax profit [Article 3 (1) (e), Article 12 (7) (c) Point 1],

b) the price determined pursuant to a special regulation,[29)] if the financial assets have been acquired free of charge,

c) the value of a contribution in kind counted towards the partner's contribution[37a)] in the event of

1. financial assets[1)] acquired by the provider of contribution in kind paid up in the form of individually contributed assets or in the form of an enterprise or a part of it during the procedure pursuant to Article 17b,

2. individually contributed financial assets[1)] acquired by the beneficiary of the contribution in kind pursuant to Article 17b,

d) the fair value[119a)] in the event of the financial assets[1)]

1. acquired through the purchase of an enterprise or a part of it,

2. acquired through the contribution of an enterprise or a part of it on the part of the provider of the contribution in kind and beneficiary of the contribution in kind pursuant to Article 17b,

3. acquired by the legal successor of the taxpayer dissolved without liquidation in applying fair values pursuant to Article 17c,

4. whose initial valuation at fair value is laid down by a special regulation,[119a)]

5. intended for trading, whose revaluation to a fair value recognised as a cost or revenue was included in the tax base,

e) the original price in the event of the financial assets acquired by

1. the beneficiary of the contribution in kind in applying the original prices pursuant to Article 17d and the legal successor of the taxpayer dissolved without liquidation in applying the original prices pursuant to Article 17e; the financial assets acquired by the provider of the contribution in kind shall be valued at the original price which means the total value of the contribution in kind expressed in original prices and taken over by the beneficiary of the contribution in kind pursuant to Article 17d,

2. the shareholder or partner of the taxpayer dissolved without liquidation during the merger, fusion or division of business companies or cooperatives from the legal successor of the taxpayer dissolved without liquidation; the original price shall mean the valuation of shares or interest for tax purposes, by which the shares or interest were valued prior to the merger, fusion or division of business companies or cooperatives,

f) the value of contribution in cash paid up [Article 2 (ac)],

g) the fair value of the financial assets at which the financial assets were valued for the purposes of taxation on the transfer of taxpayer's assets, exit of taxpayer or transfer of taxpayer's business abroad (Article 17f (6) and (8)).

Article 25b

(1) The entry price of the virtual currency shall mean

a) the cost of acquisition[118]) if the virtual price was acquired by purchasing it,

b) the fair value[119b]) if the virtual price was acquired by exchanging for other virtual currency.

(2) The entry price of the assets and service obtained by exchanging for the virtual currency as at the date of exchange shall mean the fair value[119c]) of the virtual currency.

Article 26

Tangible Assets Depreciation Procedure

(1) In the first year of depreciation, the taxpayer shall classify the tangible assets under Depreciation Categories listed in Annex No. 1 organising them according to Classification of Products and Classification of Buildings.[120)] Depreciation Period

Depreciation Category	Depreciation Period
0	2 years
1	4 years
2	6 years
3	8 years
4	12 years
5	20 years
6	40 years.

(2) The tangible assets, which cannot be classified under Depreciation Categories pursuant to the annex and whose useful life does not result from other regulations, shall be, for the purpose of depreciation, classified under Depreciation Category 2; this shall not apply to the tangible assets pursuant to Clauses 6 and 7. In using a building for several purposes, to classify this building under a Depreciation Category, the main utilisation shall be used, determined from the total useful area.[106)] The set of movable things shall be classified under a Depreciation Category pursuant to the main functional unit. With the procedure applied pursuant to Article 22 (15), individual separable parts shall be classified under the same Depreciation Category, in which these tangible assets are included, except for individual separable parts of buildings and constructions included in Annex No. 1.

(3) The taxpayer shall depreciate the tangible assets using the method of even depreciation (Article 27). The taxpayer may use the method of accelerated depreciation (Article 28) to depreciate the tangible assets classified pursuant to Annex No. 1 under Depreciation Categories 2 and 3. The taxpayer shall determine the way of depreciation for any newly acquired tangible assets and it shall not be changed for the entire period of depreciation.

(4) The tangible assets shall be depreciated maximum up to the amount of the entry price, possibly increased by any technical improvement performed or with the accelerated depreciation, up to the amount of the increased depreciated price.

(5) On the execution of the technical improvement or reduction of the depreciation period, the tangible assets depreciation shall be completed up to the amount of the entry price, possibly increased by the technical improvement performed using the valid annual depreciation rate or up to the amount of the depreciated price or increased depreciated price using the coefficient for the respective Depreciation Category. Technical improvement performance shall extend the period of depreciation by the period resulting from the method of calculation pursuant to Article 27 or Article 28.

(6) The annual depreciation of openings of new quarries, sand pits, clay pits and technical reclamation unless they are part of the tangible assets, in whose entry price they are included, temporary buildings[107)] and mining workings shall be determined as the quotient of the entry price and specified period of duration.

(7) For moulds, models and templates classified under the codes of Classification of Products 25.73.6, 28.92.4, if machines for forming foundry moulds from sand are concerned, and codes 28.96.1 and 25.73.5, the annual depreciation shall be determined as the quotient of the entry price and specified useful life or specified number of produced castings or pressings. The limit of depreciation amount pursuant to Article 19 (3) (a) shall not be applied to the tangible assets mentioned in the first sentence provided on the basis of a borrowing contract.[110)]

(8) The tangible assets leased in the form of financial leasing, except for lands, shall be depreciated by the taxpayer during the period of depreciation of these assets pursuant to Clause 1 up to the amount of the entry price laid down in Article 25 in the way pursuant to Article 27 or Article 28 taking into account the procedure pursuant to Article 17 (34).

(9) The annual depreciation pursuant to Clauses 6 and 7 shall be determined with an accuracy of whole calendar months, starting from the month, in which the conditions for depreciation commencement were met. The month, in which the conditions for depreciation

commencement were met, shall be the month, in which the assets are accounted or recorded pursuant to Article 6 (11) for the first time.

(10) The monthly depreciation calculated pursuant to Clauses 6 and 7 shall be rounded pursuant to Article 47.

(11) The interruption of depreciation and change of interruption of depreciation pursuant to Article 22 (9) may not be applied during a tax audit and in imposition proceedings pursuant to a special regulation[128)] and in the additional tax return for a tax period, for which a tax audit was carried out.

(12) The annual depreciation of a building, in which spa care and related services are provided based on a licence pursuant to special regulations,[65a)] shall be determined maximum during the period of depreciation pursuant to Clause 1 and at least during one half of the depreciation period specified for the Depreciation Category 6 pursuant to Article 27.

(13) A micro-taxpayer may depreciate the tangible assets classified under the Depreciation Categories 0 to 4 except for a passenger car classified under the code of Classification of Products 29.10.2 with an entry price (Article 25) of EUR 48,000 and more, however, maximum during the period of depreciation pursuant to Clauses 1 and 5 in the amount determined by them, maximum up to an amount of the entry price pursuant to Article 25 (1). The same procedure shall be applied to other assets provided in Article 22 (6) (e). This way of depreciation shall be used by the taxpayer that is

a) a legal person, for the tangible assets put into use in the tax period, in which the taxpayer was considered to be micro-taxpayer,

b) a natural person, for the tangible assets included in business assets [Article 2 (m)] in connection with the attaining of income pursuant to Article 6 (1) and (2), in the tax period, in which the taxpayer was considered to be micro-taxpayer.

(14) The taxpayer employing more than 49 employees that is a business company or cooperative may depreciate the buildings classified under Depreciation Category 6 during the period of depreciation lasting 6 years in the way pursuant to Article 27, if these are own buildings classified under the codes of Classification of Buildings 112 and 113 pursuant to a special regulation,[106)] in which the floorage of each apartment unit is maximum 100 m^2, acquired by purchase or own activity, serving for the living of employees in employment with the employer to an extent of minimum 70 %.[24h)] If all the conditions pursuant to the first sentence are not met as at the last day of the tax period, the depreciation of the building shall be determined with the use of the depreciation period valid for Depreciation Category 6 pursuant to Clause 1. In disposing of the building, to which the depreciations pursuant to the first sentence were applied before the expiry of ten years from the beginning of application of this provision, the taxpayer shall be obliged to increase the tax base by the positive difference between the already applied depreciations pursuant to the first sentence and the depreciations quantified pursuant to Article 27. For the purpose of application of depreciations pursuant to the first sentence, the procedure of limitation of the depreciations of the leased tangible assets pursuant to Article 19 (3) (a) shall not be applied.

Article 27

Even Depreciation of Tangible Assets

(1) With even depreciation, the annual depreciation shall be determined as the quotient of the entry price of tangible assets and the period of depreciation specified for the respective Depreciation Category in Article 26 (1) as follows:

Depreciation Category	Annual Depreciation
0	1/2
1	1/4
2	1/6
3	1/8
4	1/12
5	1/20
6	1/40.

(2) In the first year of depreciation of the tangible assets, only a proportional part of the annual depreciation shall be applied, calculated according to Clause 1 depending on the number of months, starting from the month, when they were put into use, to the end of this tax period. If during the period of depreciation of tangible assets pursuant to Article 26 (1)

a) no technical improvement of the tangible assets was carried out, the proportional part of this annual depreciation, which was not applied, shall be applied in the year following the year of expiry of the period of depreciation of tangible assets pursuant to Article 26 (1),

b) a technical improvement of the tangible assets was carried out, the proportional part of this annual depreciation, which was not applied, shall be applied pursuant to Article 26 (5).

(3) The annual depreciation calculated pursuant to Clause 1, proportional part of the annual depreciation pursuant to Clause 2, and the proportional part of the annual depreciation pursuant to Article 22 (12) second sentence shall be rounded pursuant to Article 47.

Article 28

Accelerated Depreciation of Tangible Assets Included in Depreciation Categories 2 and 3

(1) When accelerated depreciation of tangible assets is used, the following coefficients for accelerated depreciation shall be assigned to Depreciation Categories 2 and 3:

Coefficient for accelerated depreciation			
Depreciation Category	In the first year of depreciation	In the next years of depreciation	For an increased depreciated price
2	6	7	6
3	8	9	8.

(2) For the accelerated depreciation of tangible assets, depreciations of tangible assets shall be determined as follows:

a) in the first year of depreciation of tangible assets, only a proportional part of the annual depreciation determined as the quotient of the entry price and the assigned coefficient for accelerated depreciation of tangible assets valid in the first year of depreciation, depending on

the number of months, starting from the month, when they were put into use, till the end of this tax period,

b) in the next years of depreciation of tangible assets, as the quotient of twice the depreciated price and the difference between the assigned coefficient for accelerated depreciation valid in the next years of depreciation and the number of years, during which they were already depreciated; only for the purpose of calculation of annual depreciations

1. in the second year of depreciation, the depreciated price of tangible assets shall be determined as the difference between the entry price and the quotient of their entry price and the assigned coefficient for accelerated depreciation valid in the first year of depreciation not reduced by the proportional part of the annual depreciation not applied in the tax expenditures in the first year of depreciation,

2. in the next years of depreciation, the depreciated price determined pursuant to Point 1 shall be reduced by the annual depreciations of these assets included in tax expenditures, starting from the second year of depreciation.

(3) For accelerated depreciation of tangible assets after a technical improvement has been carried out, the depreciations shall be determined as follows:

a) in the year of an increase in the depreciated price as the quotient of twice this price of tangible assets and the assigned coefficient of accelerated depreciation valid for the increased depreciated price,

b) in the next years of depreciation as the quotient of twice the depreciated price of tangible assets and the difference between the assigned coefficient of accelerated depreciation valid for the increased depreciated price and the number of years, during which they were depreciated from the increased depreciated price.

(4) If during the period of depreciation of tangible assets pursuant to Article 26 (1)

a) no technical improvement of the tangible assets was carried out, the proportional part of the annual depreciation pursuant to Clause 2 (a), which was not applied, shall be applied in the year following the year of expiry of the period of depreciation of tangible assets pursuant to Article 26 (1),

b) a technical improvement of the tangible assets was carried out, the proportional part of the annual depreciation pursuant to Clause 2 (a), which was not applied, shall increase the depreciated price of the assets in the year of technical improvement execution.

(5) The annual depreciation calculated pursuant to Clauses 2 and 3, proportional part of the annual depreciation pursuant to Clause 2, and the proportional part of the annual depreciation pursuant to Article 22 (12) second sentence shall be rounded pursuant to Article 47.

Article 29

Technical Improvement of Tangible Assets and Intangible Assets

(1) For the purposes of this Act, technical improvement of tangible assets and intangible

assets shall mean expenditures on completed superstructures, annex buildings and building modifications,[107)] reconstructions and modernisations exceeding for individual tangible assets and intangible assets EUR 1,700 in aggregate for a tax period. For the purposes of this Act, technical improvement of tangible assets shall also mean the value of energy improvement of assets based on energy performance contracting for the public sector[120aa)] accepted by a public entity and executed by a provider of energy service with guaranteed energy savings.

(2) Technical improvement of tangible assets and intangible assets pursuant to Clause 1 shall also mean the technical improvement not exceeding EUR 1,700 in aggregate for a tax period if the taxpayer decides to consider such expenditures to be expenditures on technical improvement. In such case, such expenditures shall be depreciated as part of the entry price, increased entry price or increased depreciated price of tangible assets and intangible assets.

(3) Technical improvement shall also mean the technical improvement exceeding EUR 1,700 for a tax period executed on fixed tangible assets,[1)] whose acquisition cost amounted to EUR 1,700 and less. Such technical improvement shall be added to the acquisition cost of the fixed tangible assets and the annual depreciation calculated pursuant to Article 26 shall be applied.

(4) For the purposes of this Act, reconstruction shall mean such interventions in tangible assets, which result in the change of the purpose of their use, a quality change of performance or technical parameters. The substitution of the material used while observing its comparable properties may not be considered change of technical parameters.

(5) For the purposes of this Act, modernisation shall mean the extension of equipment or usability of tangible assets and intangible assets with parts not included in the original assets, which represent an integral part of the assets. The integral part of the assets shall mean independent things intended for the joint usage with the main thing, representing one property unit with the main thing.

Article 30

Tax Loss Deduction

(1) Tax loss may be deducted from the tax base of a taxpayer that is a legal person or from the tax base (partial tax base) from income pursuant to Article 6 (1) and (2) of a taxpayer that is a natural person during maximum five consecutive tax periods, starting from the tax period immediately following the tax period, for which the tax loss was recognised. The taxpayer may apply this tax loss deduction maximum up to an amount of

a) the tax base of a taxpayer that is a legal person or the tax base (partial tax base) from income pursuant to Article 6 (1) and (2) of a taxpayer that is a natural person if they are considered micro-taxpayer in the respective tax period, in which they apply the tax loss deduction,

b) 50% of the tax base of a taxpayer that is a legal person or the tax base (partial tax base) from income pursuant to Article 6 (1) and (2) of a taxpayer that is a natural person if they are not a taxpayer pursuant to Paragraph (a).

(2) If the taxpayer that started deducting a tax loss or the taxpayer whose title to deduct the tax loss came into existence pursuant to Clause 1 ceased to exist as a consequence of

dissolution without liquidation, the tax loss shall be deducted by the legal successor; if there are more legal successors, the tax loss shall be deducted on the part of each of them proportionally, according to the amount of the registered capital of the dissolved taxpayer passed on to individual legal successors. The legal successor may deduct the tax loss if the legal person dissolved and its legal successor are taxpayers of corporation tax and provided that the purpose of this dissolution is not only to reduce or avoid the tax liability. As at the date of taxpayer's entry into liquidation or bankruptcy order, the taxpayer's title to deduct the tax loss shall cease to exist from the date of entry into liquidation or bankruptcy order. If the tax period is shorter than 12 consecutive calendar months, the taxpayer may apply the whole annual deduction of the tax loss.

(3) The tax loss on the part of a taxpayer that is a partner of a public company shall be increased by a part of the tax loss of the public company falling on this taxpayer or reduced by a part of the tax base of the public company falling on this taxpayer.

(4) The tax loss on the part of a taxpayer that is a general partner of a limited partnership shall be increased by a part of the tax loss of the limited partnership falling on this taxpayer or reduced by a part of the tax base of the limited partnership falling on this taxpayer.

(5) If the taxpayer that started deducting a tax loss or the taxpayer whose title to deduct the tax loss came into existence pursuant to Clause 1 changed their legal form, they shall be entitled to continue the deduction pursuant to Clause 1.

(6) The provisions of Articles 17 to 29 shall apply to ascertain the tax loss, which may be deducted pursuant to Clause 1.

Article 30a

Tax Relief for Investment Aid Recipients

(1) The taxpayer that received a decision issued on the provision of the investment aid containing a tax relief pursuant to a special regulation[120a)] may set up a claim to the tax relief up to an amount according to Clause 2 provided that they also meet the conditions laid down by a special regulation[120a)] and special conditions according to Clause 3.

(2) The taxpayer may set up a claim to the tax relief up to an amount of the tax falling on the aliquot part of the tax base. The aliquot part of the tax base shall be calculated so that the tax base is multiplied by the coefficient 0.5 and by the percentage of the total amount of eligible costs[120b)] incurred after the submission of the application for the investment aid pursuant to a special regulation[120a)] till the end of the respective tax period, for which the claim is set up to the tax relief for the total amount of eligible costs,[120b)] for which the investment aid was provided pursuant to a special regulation.[120a)] The amount of the tax relief must not exceed 20 % of the value of the total approved investment aid in the form of tax relief pursuant to a special regulation.[120a)]

(3) Special conditions pursuant to Clause 1 shall include:

a) during the tax periods, for which the taxpayer applies the tax relief, the taxpayer shall utilise all the provisions of this Act reducing the tax base, which the taxpayer is entitled to, in particular by applying

1. the depreciations pursuant to Articles 22 to 29; in the period of tax relief application it is not possible to interrupt the depreciation of the tangible assets pursuant to Article 22 (9),

2. provisions and reserves pursuant to Article 20,

b) during the tax periods, for which the taxpayer applies the tax relief, the taxpayer shall be obliged to deduct from the tax base the tax loss or a part of the tax loss, by which the taxpayer's tax base was not reduced in the previous tax periods, in the amount of the tax base; if the tax base is higher than the amount of the tax loss, by which the taxpayer's tax base was not reduced in the previous tax periods, the tax base shall be reduced by the amount of this loss,

c) the taxpayer must not apply the tax relief pursuant to Clause 4 on the dissolution without liquidation, on the entry into liquidation, on bankruptcy declaration or on business cancellation or suspension,

d) in quantifying the tax base in the mutual business relationship with an associated person, the taxpayer shall be obliged to follow Article 18 and observe the arm's length principle.

(4) The taxpayer may set up a claim to the tax relief pursuant to Clause 1 for maximum ten consecutive tax periods, where the first tax period, for which the tax relief may be applied, is the tax period, in which the decision on the provision of the investment aid was issued to the taxpayer and the taxpayer met the conditions set by a special regulation[120a)] and the special conditions pursuant to Clause 3, however, no later than the tax period, in which three years expired from the issuance of the decision issued pursuant to a special regulation.[120a)]

(5) The taxpayer may set up a claim to the tax relief maximum up to the amount, which during the tax periods, for which the taxpayer applies the tax relief, does not exceed in aggregate the value specified for this type of investment aid in the decision on the provision of the investment aid issued pursuant to a special regulation.[120a)]

(6) The amount of the tax relief shall not be changed if a higher tax liability is additionally imposed on the taxpayer or if the taxpayer provides a higher tax liability in an additional tax return than the one provided in the tax return.

(7) The amount of the unused value of investment aid in the form of tax relief shall not be changed if a lower tax liability is imposed on the taxpayer or if the taxpayer provides a lower tax liability in an additional tax return than the one provided in the tax return.

(8) If the taxpayer fails to observe any of the conditions laid down by a special regulation[120a)] or a special condition included in Clause 3 (c), the title to tax relief pursuant to Clause 1 shall cease to exist, and the taxpayer shall be obliged to submit an additional tax return for all tax periods, in which they applied the tax relief. The taxpayer shall be obliged to submit the additional tax return within a time limit pursuant to a special regulation;[128)] the tax, to which the tax relief was applied and which was recognised in the additional tax return, shall be due within the same time limit. Neither tax nor a tax difference may be imposed after the expiry of ten years from the end of the year, in which the duty to submit a tax return for the tax period, for which the tax relief was applied, came into existence. The title to the tax relief pursuant to Clause 1 shall also cease to exist if during a tax audit the tax administrator finds out that the taxpayer failed to observe the condition mentioned in Clause 3 (d), whose violation in aggregate caused an increase in the aliquot part of the tax base, which resulted in ineligible use of tax

relief, and this tax difference represents more than 10 % of the value of tax relief provided in the decision on the provision of the investment aid.[120a)]

(9) If the taxpayer fails to observe any of the conditions listed in Clause 3 (a), (b) or (d), whose violation in aggregate caused an increase in the aliquot part of the tax base, which resulted in ineligible use of tax relief, and this increase in the aliquot part of the tax base is

a) 10 % and less in comparison with the aliquot part of the tax base, the title to the tax relief in the respective tax period, in which the taxpayer failed to observe some of the conditions, shall be reduced by a sum amounting to the product of the respective tax rate pursuant to Article 15 and the part of the change of tax base, which results from the violation of the condition pursuant to Clause 3 (a), (b) or (d), and the taxpayer shall be obliged to submit an additional tax return for the respective tax period; at the same time, by the sum of ineligible use of tax relief, the title to the use of tax relief provided in the decision on the provision of the investment aid shall be decreased,[120a)]

b) more than 10 % in comparison with the aliquot part of the tax base, the title to the tax relief in the respective tax period shall cease to exist to a full extent and the taxpayer shall be obliged to submit an additional tax return; at the same time, by the sum of ineligible use of tax relief, the title to the use of tax relief provided in the decision on the provision of the investment aid shall be decreased.[120a)]

(10) The taxpayer shall be obliged to submit an additional tax return pursuant to Clause 9 within the period pursuant to a special regulation;[128)] the additionally declared tax shall also be due within the same time limit. Neither tax nor a tax difference may be imposed after the expiry of ten years from the end of the year, in which the duty to submit a tax return for the tax period, for which the tax relief was applied, came into existence.

(11) The taxpayer that was provided with a new decision on the provision of the investment aid containing a tax relief during the application of the tax relief based on the decision on the provision of the investment aid pursuant to a special regulation[120a)] may apply the tax relief based on this new decision only after the end of application of the tax relief on the basis of the decision issued previously.

(12) If during the application of the tax relief, the taxpayer was provided with a new decision on the provision of the investment aid pursuant to a special regulation[120a)] containing a tax relief, the period of application of the tax relief based on this new decision shall be reduced by the period, during which the taxpayer applies the tax relief on the basis of the decision issued previously.

Article 30b

Tax Relief for the Beneficiary of Incentives

(1) The taxpayer provided with a decision on the approval of provision of incentives pursuant to a special regulation[120d)] may set up a claim to the tax relief pursuant to Clause 2 individually for each tax period during the entire period, for which the decision was issued, however, maximum up to the amount of costs recognised in the financial statements of the taxpayer settled from their own resources[120e)] for the purpose pursuant to a special regulation,[120d)] if the taxpayer also meets the conditions pursuant to a special regulation[120d)] and

special conditions pursuant to Clause 3.

(2) The taxpayer may set up a claim to the tax relief up to an amount of the tax falling on the aliquot part of the tax base. The aliquot part of the tax base shall be calculated so that the tax base will be multiplied by the coefficient, which will be calculated as the quotient of

a) the costs recognised in the financial statements of the taxpayer settled from their own resources[120e)] for the purpose pursuant to a special regulation[120d)] for the respective tax period, in which they set up a claim to the tax relief, and

b) the sum of costs pursuant to Paragraph (a) and the subsidy provided on the basis of the decision on the approval of provision of incentives pursuant to a special regulation[120d)] in the amount pursuant to Clause 3 (e) for the respective tax period, in which they set up a claim to the tax relief.

(3) Special conditions pursuant to Clause 1 shall include:

a) during the tax periods, for which the taxpayer applies the tax relief, the taxpayer shall utilise all the provisions of this Act reducing the tax base, which the taxpayer is entitled to, in particular by applying

1. the depreciations pursuant to Articles 22 to 29; in the period of tax relief application it is not possible to interrupt the depreciation of the tangible assets pursuant to Article 22 (9),

2. provisions and reserves pursuant to Article 20,

b) during the tax periods, for which the taxpayer applies the tax relief, the taxpayer shall be obliged to deduct from the tax base the tax loss or a part of the tax loss, by which the taxpayer's tax base was not reduced in the previous tax periods, in the amount of the tax base; if the tax base is higher than the amount of the tax loss, by which the taxpayer's tax base was not reduced in the previous tax periods, the tax base shall be reduced by the amount of this loss,

c) the taxpayer must not apply the tax relief pursuant to Clause 4 on the dissolution without liquidation, on the entry into liquidation, on bankruptcy declaration or on business cancellation or suspension,

d) in quantifying the tax base in the mutual business relationship with an associated person, the taxpayer shall be obliged to follow Article 18 and observe the arm's length principle,

e) the subsidy provided on the basis of the decision on the approval of provision of incentives pursuant to a special regulation[120d)] shall be included in the coefficient for purposes of calculation of the proportional part of tax base pursuant to Clause 2

1. evenly during the period of tax relief drawing if provided for the acquisition of depreciated tangible assets and intangible assets, and

2. in material and time respects with the posting of costs pursuant to a special regulation[1)] if provided for operating costs.

(4) The taxpayer may set up a claim to the tax relief pursuant to Clause 1 for maximum three consecutive tax periods, where the first tax period, for which the tax relief may be applied, is the tax period, in which the decision on the approval of provision of incentives was issued to

the taxpayer and the taxpayer met the conditions set by a special regulation[120d)] and the special conditions pursuant to Clause 3, however, no later than the tax period, in which three years expired from the issuance of the decision on the approval of provision of incentives pursuant to a special regulation.[120f)]

(5) The taxpayer may set up a claim to the tax relief maximum up to the amount, which during the tax periods, for which the taxpayer applies the tax relief, does not exceed in aggregate the value specified in the decision on the approval of provision of incentives issued pursuant to a special regulation.[120f)]

(6) The amount of the tax relief shall not be changed if a higher tax liability is additionally imposed on the taxpayer or if the taxpayer provides a higher tax liability in an additional tax return than the one provided in the tax return.

(7) The amount of the unused value of incentives in the form of tax relief shall not be changed if a lower tax liability is imposed on the taxpayer or if the taxpayer provides a lower tax liability in an additional tax return than the one provided in the tax return.

(8) If the taxpayer fails to observe any of the general conditions laid down by a special regulation[120d)] or a special condition included in Clause 3 (c), the title to tax relief pursuant to Clause 1 shall cease to exist, and the taxpayer shall be obliged to submit an additional tax return for all tax periods, in which they applied the tax relief. The taxpayer shall be obliged to submit the additional tax return within a time limit pursuant to a special regulation;[128)] the tax, to which the tax relief was applied and which was recognised in the additional tax return, shall be due within the same time limit. Neither tax nor a tax difference may be imposed after the expiry of ten years from the end of the year, in which the duty to submit a tax return for the tax period, for which the tax relief was applied, came into existence. The title to the tax relief pursuant to Clause 1 shall also cease to exist if during a tax audit the tax administrator finds out that the taxpayer failed to observe the condition mentioned in Clause 3 (d), whose violation in aggregate caused an increase in the aliquot part of the tax base, which resulted in ineligible use of tax relief, and this tax difference represents more than 10 % of the value of tax relief provided in the decision on the approval of provision of incentives.[120d)]

(9) If the taxpayer fails to observe any of the conditions listed in Clause 3 (a), (b) or (d), whose violation in aggregate caused an increase in the aliquot part of the tax base, which resulted in ineligible use of tax relief, and this increase in the aliquot part of the tax base is

a) 10 % and less in comparison with the aliquot part of the tax base, the title to the tax relief in the respective tax period, in which the taxpayer failed to observe some of the conditions, shall be reduced by a sum amounting to the product of the respective tax rate pursuant to Article 15 and the part of the change of tax base, which results from the violation of the condition pursuant to Clause 3 (a), (b) or (d), and the taxpayer shall be obliged to submit an additional tax return for the respective tax period; at the same time, by the sum of ineligible use of tax relief, the title to the use of tax relief provided in the decision on the approval of provision of incentives shall be decreased,[120d)]

b) more than 10 % in comparison with the aliquot part of the tax base, the title to the tax relief in the respective tax period shall cease to exist to a full extent and the taxpayer shall be obliged to submit an additional tax return; at the same time, by the sum of ineligible use of tax relief, the title to the use of tax relief provided in the decision on the approval of provision of incentives

shall be decreased.[120d)]

(10) The taxpayer shall be obliged to submit an additional tax return pursuant to Clause 9 within the period pursuant to a special regulation;[128)] the additionally declared tax shall also be due within the same time limit. Neither tax nor a tax difference may be imposed after the expiry of ten years from the end of the year, in which the duty to submit a tax return for the tax period, for which the tax relief was applied, came into existence.

Article 30c

Deduction of Expenditures (Costs) on Research and Development

(1) In implementing a research and development project, 200 % of expenditures (costs) spent on research and development[1)] may be deducted in the tax period, for which the tax return is submitted, from the tax base reduced by tax loss deduction of a taxpayer that is a legal person or from the tax base (partial tax base) from income pursuant to Article 6 (1) and (2) reduced by tax loss deduction of a taxpayer that is a natural person .

(2) The deduction pursuant to Clause 1 may be increased in the tax period by 100 % of the positive difference between the average total expenditures (costs) spent in

a) the tax period on research and development[1)] included in the deduction and the total expenditures (costs) spent in the immediately preceding tax period on research and development[1)] included in the deduction and

b) two immediately preceding tax periods on research and development[1)] included in the deduction.

(3) The taxpayer with income pursuant to Article 6 (1) and (2) keeping records pursuant to Article 6 (11) shall use the same procedure for the deduction of expenditures (costs) on research and development from the tax base pursuant to Clauses 1 and 2.

(4) Only the tax expenditures pursuant to Article 2 (i) recorded separately from the other expenditures (costs) of the taxpayer may be deducted from the tax base pursuant to Clauses 1 and 2. If the expenditures (costs) spent on research and development[1)] are related to research and development project implementation only partially, the deduction pursuant to Clauses 1 and 2 may be applied only from the difference between the real expenditures (costs) and the expenditures (costs) not related to research and development project implementation.

(5) The deduction pursuant to Clauses 1 and 2 may not be applied to the expenditures (costs)

a) to which partial or full support from public finances was provided,

b) on services, licences,[1)] except for licences[1)] for the software directly used in research and development project implementation, and intangible results of research and development acquired from other persons except for the expenditures (costs) on

1. the services related to research and development project implementation and intangible results of research and development acquired from the Slovak Academy of Science,[120g)] legal

persons executing research and development established by central government authorities,[120h)] public universities[70)] and state universities,[70)]

2. the intangible results of research and development acquired from persons pursuant to a special regulation,[120i)] to whom a certificate of competence to execute research and development was issued,[120j)]

3. the certification of own research and development results incurred by the taxpayer.

(6) The deduction pursuant to Clauses 1 and 2 may be used by the taxpayer that

a) does not apply a tax relief pursuant to Article 30b in the tax period,

b) as a holder of the certificate of competence to execute research and development[120j)] does not implement a research and development project in order to sell intangible results of research and development.

(7) The research and development project, in whose implementation the deduction pursuant to Clauses 1 and 2 may be applied, shall mean a written document, in which the taxpayer specifies the subject of research and development. This document must contain in particular the basic data on the taxpayer, such as the name and registered office of the company, tax identification number, for a taxpayer that is a natural person, the name and surname, permanent address and place of business, date of beginning and expected completion of research and development project implementation, the project objectives, which are achievable during the period of its implementation and measurable after the completion, the total expected expenditures (costs) on project implementation and the expected expenditures (costs) in individual years of project implementation. The research and development project must be signed by a person authorised to act for the taxpayer within the time limit for the submission of the tax return, in which the taxpayer applies the deduction pursuant to Clauses 1 and 2 during the implementation of the research and development project. During a tax audit,[82)] the tax administrator or the Financial Directorate[120k)] shall be entitled to call upon the taxpayer to submit the research and development project. The research and development project shall be submitted to the tax administrator or to the Financial Directorate by the taxpayer within eight days from the date of delivery of the call to the taxpayer.

(8) Within three calendar months after the expiry of the time limit for the submission of tax return, the Financial Directorate shall publish the following data on the taxpayer applying the deduction during the implementation of the research and development project pursuant to Clauses 1 and 2 in the list of tax entities pursuant to a special regulation:[120l)]

a) name, surname, permanent address of the natural person or business name and registered office of the legal person, tax identification number,

b) the amount of the deduction applied and the tax period of application,

c) date of beginning of research and development project implementation,

d) the project objectives, which are achievable during the period of its implementation and measurable after the completion.

(9) If the deduction pursuant to Clauses 1 and 2 cannot be applied because the taxpayer

recognised a tax loss or the tax base after being reduced by the deduction of the tax loss is lower than the deduction pursuant to Clauses 1 and 2, the deduction of expenditures (costs) on research and development or its remaining part may be applied in the very next tax period, in which the taxpayer recognises a tax base, however, maximum in five tax periods immediately following the tax period, in which the title to the deduction pursuant to Clauses 1 and 2 came into existence.

(10) If the taxpayer that is a holder of the certificate of competence to execute research and development[120j)] sells intangible results of research and development and during the implementation of the research and development project, whose results they represent, the taxpayer applied the deduction pursuant to Clauses 1 and 2, they shall loose the title to deduction pursuant to Clauses 1 and 2 in the respective tax period and shall be obliged to submit the additional tax return for each tax period, in which they applied the deduction pursuant to Clauses 1 and 2. The taxpayer shall be obliged to submit an additional tax return within the period pursuant to a special regulation;[128)] the additionally declared tax shall also be due within the same time limit.

Article 30d

Tax Relief for Registered Social Enterprises

(1) The taxpayer that is a legal person and a public benefit purpose enterprise pursuant to a special regulation[120m)] may apply the title to tax relief for economic activity[120n)] amounting to the percentage of the obligation to use the profit for the achievement of main objective pursuant to a special regulation[120o)] for the tax period, in which it has the statute of registered social enterprise as at the last day of the tax period.

(2) The tax relief pursuant to Clause 1 in the respective tax period may be applied by the taxpayer that does not apply the tax relief pursuant to Article 30a or Article 30b and does not apply the deduction of expenditures (costs) pursuant to Article 30c and is not a beneficiary of the share of the tax paid pursuant to Article 50.

(3) The taxpayer that applied the tax relief pursuant to Clause 1 shall be obliged to use the sum of the tax relief pursuant to Clause 1

a) to achieve the main objective pursuant to a special regulation[120p)] in the respective tax period, for which they apply the tax relief,

b) for the transfer of the moneyed resources pursuant to Clause 4 in the amount of the positive difference between the tax relief pursuant to Clause 1 and the costs of achievement of the main objective pursuant to a special regulation[120p)] pursuant to Paragraph (a).

(4) The taxpayer applying the procedure pursuant to Clause 3 (b) shall be obliged to levy the moneyed resources in the amount pursuant to Clause 3 (b) to a special account in the bank or foreign bank branch intended only for the receipt of these moneyed resources and their use pursuant to Clause 5, by the end of the calendar month following the month, in which the time limit for the submission of tax return for the tax period, in which the taxpayer applied the tax relief pursuant to Clause 1, expired. If the taxpayer fails to observe the time limit for the levying of the moneyed resources in the amount pursuant to Clause 3 (b) to a special account in the bank or foreign bank branch, it shall lose the title to apply the tax relief pursuant to Clause

1 and it shall be obliged to submit the additional tax return for the tax period, in which it applied this tax relief, by the end of the third calendar month after the expiry of the time limit for the transfer of the moneyed resource to a special account in the bank or foreign bank branch; the additionally recognised tax shall be due within the same time limit.

(5) The moneyed resources on the special account in the bank or foreign bank branch pursuant to Clause 4 including the interests on them may be used only to acquire the tangible assets, no later than within five years from the date of crediting of the moneyed resources or interests to the special account in the bank or foreign bank branch. If the condition pursuant to the first sentence is not met, the taxpayer shall lose the title to the tax relief pursuant to Clause 1 in the respective tax period in the amount, which was not used to acquire tangible assets, and it shall be obliged to submit the additional tax return for the tax period, in which it applied this tax relief. The taxpayer shall be obliged to submit the additional tax return by the end of the calendar month following the month, in which the duty to submit an additional tax return was found out; the additionally recognised tax shall also be due within the same time limit.

(6) The taxpayer pursuant to Clause 1 shall lose the title to the tax relief pursuant to Clause 1 and shall be obliged to increase the tax base in the amount of the total amount of tax relief pursuant to Clause 1 applied by the taxpayer for five consecutive tax periods preceding the tax period, in which the taxpayer loses the title to tax relief pursuant to Clause 1 if

a) it is dissolved with liquidation, in the tax period ending as at the date preceding the date of entry into liquidation,[80b)]

b) it is dissolved without liquidation, in the tax period ending as at the date preceding the decisive day;[80b)] this shall not apply to the dissolution without liquidation in compliance with a special regulation;[120q)] the conditions of use of the moneyed resources pursuant to Clause 5 including the time limit for the use of these moneyed resources shall also remain preserved for the legal successor,

c) the taxpayer is declared bankrupt, in the tax period ending as at the date preceding the effective date of bankruptcy order,[80b)]

d) the taxpayer returned the statute of registered social enterprise pursuant to a special regulation[120r)] or its statute of registered social enterprise was cancelled pursuant to a special regulation,[120s)] in the tax period in which it returned the statute of registered social enterprise or in which its statute of registered social enterprise was cancelled.

Article 31

Conversion Rate

(1) If the taxpayer is an accounting unit, the reference exchange rate determined and declared by the European Central Bank or by the National Bank of Slovakia (hereinafter the "exchange rate"), valid as at the date, as at which it is applied by the taxpayer in accounting,[1)] unless otherwise stipulated by this Act, shall be used for the conversion of a foreign currency to euros. When a foreign currency is purchased and sold for euros, the procedure pursuant to a special regulation shall be applied.[121)]

(2) If the taxpayer is not an accounting unit, for conversion the following shall be used:

a) for income,

1. the average exchange rate for the calendar month, in which it was provided or

2. the exchange rate valid on the date on which it was received in the foreign currency or credited by the bank or foreign bank branch or

3. the annual average exchange rate for the tax period, for which the tax return is submitted or

4. the average of average monthly exchange rates for the calendar months, for which the tax return is submitted, in which the taxpayer received income,

b) for expenditures, accordingly the procedure provided in Paragraph (a) in the tax period, in which these expenditures were spent.

(3) For the conversion of the tax on interests on the accounts in a foreign currency and deposit papers in a foreign currency, on which tax is collected pursuant to Article 43, the exchange rate on the date of crediting of interests to the taxpayer shall be used. The same procedure shall be used for further income pursuant to Article 16, on which tax is collected pursuant to Article 43 or from which tax securing is provided pursuant to Article 44, and for the conversion of the tax withheld or sum withheld to secure the tax, the exchange rate valid on the date of withholding shall be used.

(4) The annual average exchange rate for the tax period, for which the tax return is submitted, shall be used for the set-off of the tax paid abroad. If the tax period is a period other than a calendar year, the average calculated from average monthly exchange rates for the period, for which the tax return is submitted, shall be used for conversion.

PART FIVE

TAX COLLECTION AND PAYMENT

Section One

Personal Income Tax

Article 32

Tax Return

(1) The taxpayer shall be obliged to submit a tax return for a tax period if they attain taxable income exceeding 50 % of the sum pursuant to Article 11 (2) (a) for the tax period, with the exception provided in Clause 4. The taxpayer, whose taxable income for the tax period did not exceed 50 % of the sum pursuant to Article 11 (2) (a), shall also be obliged to submit a tax return if they recognised a tax loss. The sum corresponding to 50 % of the sum pursuant to Article 11 (2) (a) shall not include the income, on which tax is collected pursuant to Article 43 if

a) by collecting this tax the tax liability is fulfilled (Article 43 (6)) or

b) the taxpayer fails to apply the procedure pursuant to Article 43 (7).

(2) The taxpayer shall also be obliged to submit a tax return for a tax period if they attain taxable income only pursuant to Article 5 exceeding 50 % of the sum pursuant to Article 11 (2) (a) for the tax period if

a) it is received from the employer that is not a taxable person or foreign taxable person pursuant to Article 48,

b) it is received from sources abroad except for the cases listed in Clause 4,

c) a tax advance cannot be withheld from this income [Article 35 (3) (a)],

d) the taxpayer did not ask the employer that is a taxable person to prepare the annual account of tax advances from income from employment (hereinafter the "annual account") or asked for the preparation of the annual account but did not submit the necessary documents within the specified time limit (Article 38 (5)) for the preparation of the annual account or if they are obliged to increase the tax base pursuant to Article 11 (11).

(3) The taxpayer to whom the employer that is a taxable person prepared an annual account shall also be obliged to submit a tax return for a tax period if in this tax period the taxpayer received

a) income pursuant to Article 5 from several employers and failed to submit the required documents from each employer to the employer that prepared the annual account,

b) other types of taxable income pursuant to Articles 6 to 8 including the income on which the tax is collected pursuant to Article 43, for which the taxpayer applies the procedure pursuant to Article 43 (7) or if they are obliged to increase the tax base pursuant to Article 11 (11).

(4) The taxpayer shall not be obliged to submit a tax return if they have only income

a) pursuant to Article 5 and are not obliged to submit a tax return pursuant to Clause 2 or

b) on which tax is collected pursuant to Article 43 and they do not apply the procedure pursuant to Article 43 (7) or

c) received from a foreign representative office in the territory of the Slovak Republic and the taxpayer enjoys privileges and immunities according to international law or[122a)]

d) from employment received by employees of the European Union or its bodies, which was provably taxed in favour of the general budget of the European Union or

e) that is exempt from tax.

(5) The taxpayer that does not have the duty to submit a tax return pursuant to Clauses 1 and 2 may also submit a tax return.

(6) The taxpayer submitting a tax return shall also be obliged to provide in this tax return, besides the calculation of the tax liability or employee bonus, the personal data broken down as follows:

a) surname, name,

b) degree, personal number,

c) permanent address, address of the domicile or residence address if it is a taxpayer usually staying in the territory of the Slovak Republic, i.e. street, number, postal code, municipality, State,

d) surname, name and personal numbers of the persons to whom the taxpayer applies the tax base reduction (Article 11 (3) and (12)) and the tax bonus (Article 33).

(7) In addition to the data listed in Clause 6, the taxpayer may also provide the telephone number and e-mail address in the tax return; the tax administrator shall be entitled to process the data.

(8) If the tax return is submitted for the taxpayer by a legal representative, legal successor or representative, they shall provide personal data on the taxpayer pursuant to Clauses 6 and 7, for whom the tax return is submitted, and their personal data pursuant to Clauses 6 and 7 in the tax return. The person pursuant to a special regulation[122aa)] and the person mentioned in Article 49 (4) shall also include in the total amount of taxable income from employment of the deceased taxpayer, for whom they submit the tax return, the taxable income from employment, which the employer of the deceased taxpayer paid to the person, to whom the right to receive such income has passed on to. If this person receives the income from employment of the deceased taxpayer after the tax return has been submitted, this person shall be obliged to submit the additional tax return for the deceased taxpayer. In this case, the tax administrator shall not apply the procedure pursuant to a special regulation.[132a)]

(9) If the tax return is submitted by the taxpayer that was not obliged to submit a tax return pursuant to Clauses 1 and 2, or whose duty to submit a tax return pursuant to Clause 3 has not come into existence, and the employer that is a taxable person prepared the annual account of the taxpayer pursuant to Article 38, this tax return shall be considered a correcting or additional tax return pursuant to a special regulation,[122a)] and in this case the prepared annual account pursuant to Article 38 shall be considered the tax return submitted.

(10) The taxpayer that submits a tax return and applies a tax bonus pursuant to Article 33, except for the employee, to whom the employer has paid the tax bonus pursuant to Article 33 in the full amount which they were entitled to, shall be obliged to prove the title to its application by means of a document or confirmation pursuant to Article 37 (2), except for the confirmation of the school or confirmation of the competent authority about the receipt of dependent child allowance, if the child living in the household with the taxpayer[57)] systematically prepares for profession by studying[125)] at a school with its registered office in the territory of the Slovak Republic. The documents pursuant to the first sentence shall be part of the tax return; this shall not apply if they have already been submitted to the tax administrator and the data included therein have not changed. The taxpayer submitting a tax return and applying the tax bonus for paid interests pursuant to Article 33a shall be obliged to prove the title to its application by means of a confirmation issued by the creditor pursuant to a special

regulation,[122ab)] which is part of the tax return.

(11) The taxpayer to whom the pension was awarded retroactively (Article 11 (6)) as of the beginning of the immediately preceding tax period or as of the beginning of the tax periods preceding this tax period, shall submit the additional tax return for these tax periods if they applied a tax-free part of tax base per taxpayer for these tax periods. If the taxpayer submits the additional tax return only for this reason, the procedure pursuant to a special regulation shall not be applied.[132a)]

(12) If the taxpayer after the termination of business activity, other self-employment or lease (Article 17 (9)) additionally receives taxable income related to these activities or additionally pays expenditures in connection with these activities, which would be recognised as tax expenditures spent on these activities, shall increase the income or tax expenditures by these received or paid amounts for the tax period, in which they terminated the business activity, other self-employment or lease (Article 17 (9)). If the taxpayer submits the tax return or additional tax return for the tax period, in which they terminated the business activity, other self-employment or lease only for this reason, the procedure pursuant to a special regulation shall not be applied.[132a)] If it is more convenient for the taxpayer to include these received or paid amounts in the tax base for the tax period, in which they received or paid such amounts, they shall apply this more convenient procedure. The same procedure shall be used by the taxpayer that returns the income included in the tax base (partial tax base) from income pursuant to Articles 6 to 8 in the previous tax periods or additionally pays the expenditures, which would be recognised as tax expenditures spent in connection with income pursuant to Articles 6 to 8.

Article 32a

Employee Bonus

(1) The taxpayer's title to employee bonus for the respective tax period

a) shall come into existence if

1. the taxpayer attained taxable income from employment mentioned in Article 5 (1) (a) and (f) and performed only in the territory of the Slovak Republic (hereinafter the "income under assessment"), in the sum total of at least six times the minimum wage,[123)]

2. the taxpayer received the income under assessment for at least six calendar months,

3. the taxpayer failed to apply the procedure pursuant to Article 43 (7) for the income, the tax on which is collected by withholding pursuant to Article 43,

4. the taxpayer did not receive income mentioned in Article 5 (1) (b) to (e), (g) and (h) and Clause 3,

5. the taxpayer did not receive any other income (Articles 6 to 8) besides the income mentioned in Point 3,

6. at the beginning of the respective tax period, the taxpayer does not receive any pension (Article 11 (6) or the pension was not awarded to this taxpayer retroactively as of the beginning of the respective tax period, and

7. the amount calculated pursuant to Clause 3 is a positive number,

b) shall not come into existence if all the conditions listed in Paragraph (a) are met but it is an

employee, whose maintenance of employment was supported in the respective tax period by a contribution pursuant to a special regulation.[122b)]

(2) If the employee attained the income under assessment for a calendar month only on the basis of agreements on work performed out of employment,[122c)] this month shall not be included in the period mentioned in Clause 1 (a) Point 2.

(3) If the employee attained the income under assessment for the respective tax period in the sum total of at least six times the minimum wage and lower than 12 times the minimum wage, the employee bonus shall be the sum calculated by means of tax rate percentage pursuant to Article 15 from the difference of the sum of the tax-free part of tax base pursuant to Article 11 (2) (a) and the tax base calculated pursuant to Article 5 (8) from the sum of 12 times the minimum wage. If the employee attained the income under assessment for the tax period in the amount of at least 12 times the minimum wage, the employee bonus shall be the sum calculated by means of tax rate percentage pursuant to Article 15 from the difference of the sum of the tax-free part of tax base pursuant to Article 11 (2) (a) and the tax base calculated pursuant to Article 5 (8) from the income under assessment of this employee. The calculated amount of the employee bonus shall be rounded pursuant to Article 47.

(4) The title to employee bonus pursuant to Clause 3 in full amount shall come into existence for the employee that received the income under assessment in the tax period for 12 calendar months if all the conditions listed in Clause 1 are met. The title to a proportional part of employee bonus shall come into existence for the employee that received the income under assessment in the tax period for fewer than 12 calendar months if all the conditions listed in Clause 1 are met; the proportional part shall be for those calendar months, for which the employee received the income. The calculated proportional part of the employee bonus shall be rounded pursuant to Article 47.

(5) The employee bonus of the employee to whom the title to employee bonus came into existence for the respective tax period and to whom the employer that is a taxable person prepares an annual account shall be recognised and paid at the employee's request by the employer. If the tax advances from income from employment (Article 35) were withheld to this employee, in preparing the annual account, the employer that is a taxable person shall use the procedure pursuant to Article 38 (6).

(6) The employee bonus of the employee to whom the title to employee bonus came into existence for the respective tax period and who submits the tax return shall be paid at the employee's request by the tax administrator that in paying the employee bonus uses the same procedure as for the refund of the tax overpaid.[126)] The same procedure shall be used by the tax administrator if tax advances from income from employment (Article 35) were withheld to this employee.

(7) The employer that is a taxable person shall be responsible for employee bonus payment in the correct amount and within the time limit pursuant to this Act.

(8) If Clauses 5 or 6 are followed in preparing the annual account or in submitting the tax return, for the purposes of application of employee bonus the calculated tax shall be equal to zero and the procedure pursuant to Article 11 shall not be used.

Tax Bonus

(1) The taxpayer that in the tax period attained the taxable income pursuant to Article 5 at least in the amount of six times the minimum wage[123)] or attained the taxable income pursuant to Article 6 (1) and (2) at least in the amount of six times the minimum wage[123)] and recognised the tax base (partial tax base) from the income pursuant to Article 6 (1) and (2) may apply the tax bonus to each dependent child living in the household with the taxpayer,[57)] where the temporary residence of the child outside the household[57)] shall not affect the application of this tax bonus. The amount of the tax bonus, by which the tax is reduced, shall be

a) EUR 22.17 per month or

b) twice the amount pursuant to Paragraph (a) per month if the dependent child has not reached the age of six years, last time for the calendar month, in which the dependent child reaches the age of six years.

(2) The dependent child of the taxpayer that is their own, adopted or taken over to a care substituting the parental care based on a decision of the competent authority and the child of the other spouse shall be considered unprovided for pursuant to a special regulation.[125)] A child of full age pursuant to a special regulation shall also be considered the dependent child of the taxpayer.[125a)]

(3) The taxpayer who is a parent of the child or whose care of the child substitutes the parental care based on a decision of the competent authority, if the child lives with them in the household,[57)] may apply the tax bonus after the expiry of the tax period, if the spouse of this child has no taxable income exceeding the amount pursuant to Article 11 (2) (a) for this tax period.

(4) If the child (children) mentioned in Clause 2 are supported in the household[57)] by several taxpayers, only one of them may apply the tax bonus. With the use of the provision of Clause 5, one of the taxpayers may apply a proportional part of the tax bonus to all dependent children for a part of the tax period, the other taxpayer for the rest part. If several taxpayers meet the conditions for the application of the tax bonus and if they fail to agree otherwise, the tax bonus shall be applied to or awarded for all dependent children in the following order: mother, father, other entitled person.

(5) The tax or tax advances concerning the income pursuant to Article 5 of the taxpayer supporting a child only for one or several calendar months in the tax period may be reduced only by the amount of the tax bonus pursuant to Clause 1 for each calendar month, at the beginning of which conditions for its application were met. The tax bonus may already be applied in the calendar month, in which the child was born or in which the child's systematic preparation for future profession starts or in which the child was adopted or taken over to a care substituting the parental care based on a decision of the competent authority.

(6) The tax bonus may be applied maximum up to the amount of the tax calculated for the respective tax period pursuant to this Act. If the amount of tax calculated for the respective tax period is lower than the amount of the applied tax bonus, the taxpayer submitting the tax return shall ask the locally competent tax administrator for payment of the amount equal to the difference between the amount of the tax bonus and the amount of tax calculated for the

respective tax period; in refunding this sum, the tax administrator shall follow the same procedure as for the refund of the tax overpaid;[126)] if a taxpayer with taxable income pursuant to Article 5 or for whom the annual account was prepared is concerned, the procedure pursuant to Article 35 (5) and (7) or Article 36 (5) or Article 38 shall be applied.

(7) If in the tax period, the taxpayer attained taxable income pursuant to Article 5 in the amount of at least one half of minimum wage only in some calendar months and the employer that is a taxable person awarded the tax bonus in these calendar months, the taxpayer shall not lose the title to the tax bonus already awarded.

(8) The tax bonus may also be applied by the taxpayer that in the tax period did not attain taxable income pursuant to Article 5 in the amount of at least six times the minimum wage,[123)] if in this taxable period they attained taxable income pursuant to Article 6 (1) and (2) in the amount of at least six times the minimum wage[123)] and showed the tax base (partial tax base) from income pursuant to Article 6 (1) and (2).

(9) If in the tax period, the taxpayer received taxable income pursuant to Article 5 and the employer that is a taxable person awarded the tax bonus only in the proportional part, and in this tax period, the taxpayer also showed the tax base pursuant to Article 6 (1) and (2), the taxpayer may apply the remaining proportional part of the tax bonus not awarded by the employer that is a taxable person upon the submission of the tax return.

(10) The tax bonus pursuant to Clauses 1 to 9 may also be applied by a taxpayer with limited tax liability if the total amount of their taxable incomes from sources in the territory of the Slovak Republic (Article 16) in the respective tax period represents at least 90 % of all incomes of this taxpayer flowing from sources in the territory of the Slovak Republic and from sources abroad.

Article 33a

Tax Bonus for Paid Interests

(1) The taxpayer's title to the tax bonus for paid interests shall come into existence in the respective tax period, where the interests are calculated from the amount of the housing loan provided,[57a)] based on one housing loan agreement,[57a)] maximum from the amount of EUR 50,000 per one inland residential real estate,[132b)] which is an apartment or a single-family house if

a) the taxpayer is at least 18 years old and maximum 35 years old as at the date of submission of application for this loan,

b) the taxpayer's average monthly income calculated from their taxable income, which is part of the tax base (partial tax base) from income pursuant to Articles 5, 6 and 8 and special tax base from income pursuant to Article 7 and 51e for the calendar year preceding the calendar year, in which the housing loan agreement was concluded,[57a)] amounts to maximum 1.3 times the average monthly wage of employees in the economy of the Slovak Republic ascertained by the Statistical Office of the Slovak Republic for the calendar year preceding the calendar year, in which the housing loan agreement was concluded;[57a)] the average monthly income shall be calculated as one twelfth of the sum of taxable incomes that are part of the tax base (partial tax base) from income pursuant to Articles 5, 6 and 8 and special tax base from income pursuant

to Article 7 and 51e.

(2) Any change of the housing loan agreement shall be considered the same housing loan agreement[57a)], this shall not affect the provisions of a special regulation.[57a)]

(3) The tax bonus for paid interests shall amount to 50 % of interests paid in the respective tax period pursuant to Clause 1, maximum up to an amount of EUR 400 per year.

(4) If the taxpayer is a debtor under a housing loan agreement,[57a)] in relation to which they set up a claim to the tax bonus for paid interests, along with another debtor or along with several other debtors (hereinafter the "co-debtor"),

a) the co-debtor must also fulfil the condition pursuant to Clause 1 (a),

b) the average monthly income pursuant to Clause 1 (b) of the debtor along with the co-debtor must not exceed the product of the number of debtors and co-debtors and 1.3 times the average monthly wage of an employee pursuant to Clause 1 (b),

c) the co-debtor's title to the tax bonus for paid interests shall not come into existence.

(5) The conditions mentioned in Clause 1 (b) and Clause 4 (b) must be met as at the date of conclusion of the housing loan agreement.[57a)]

(6) The title to the tax bonus for paid interests shall not come into existence for the taxpayer that is a debtor under a housing loan agreement,[57a)] if at the same time, they are a co-debtor under another housing loan agreement,[57a)] in relation to which the claim to the tax bonus for paid interests is set up.

(7) The title to the tax bonus for paid interests shall come into existence during five consecutive years, starting from the month, in which payments of interests on the housing loan provided on the basis of one and the same housing loan agreement started.[57a)] In the year, in which payments of interests on the housing loan started, the taxpayer shall be entitled to a proportional part of the tax bonus for paid interests from the maximum amount provided in Clause 3 falling on the number of calendar months in the tax period, from the month in which the payments of interests on the housing loan started. The same procedure shall be followed by the taxpayer in the year, in which the five-year period for setting up the claim to the tax bonus for paid interests expires; they shall apply only a proportional part of this tax bonus falling on the number of calendar months in the tax period, ending in the month, in which the five-year period ended.

(8) The tax of the taxpayer that is a debtor under a housing loan agreement[57a)] shall be reduced by the sum of the tax bonus for paid interests; at first, the tax shall be reduced by the sum of tax bonus pursuant to Article 33 if the tax bonus pursuant to Article 33 is applied.

(9) The tax bonus for paid interests may be applied maximum up to the amount of the tax calculated for the respective tax period pursuant to this Act reduced by the tax bonus pursuant to Article 33. If the amount of tax reduced by the tax bonus pursuant to Article 33 calculated for the respective tax period is lower than the amount of the applied tax bonus for paid interests, the taxpayer submitting the tax return shall ask the tax administrator for payment of the amount equal to the difference between the amount of the tax bonus for paid interests

and the amount of tax calculated for the respective tax period reduced by the tax bonus pursuant to Article 33; in refunding this sum, the tax administrator shall follow the same procedure as for the refund of the tax overpaid;[126)] if a taxpayer with taxable income pursuant to Article 5 or for whom the annual account was prepared is concerned, the procedure pursuant to Article 38 shall be applied. (5) The tax bonus for paid interests of the taxpayer to whom the title to the tax bonus for paid interests came into existence and to whom the employer that is a taxable person prepares an annual account shall be awarded and paid at the taxpayer's request by the employer.

(10) The tax bonus for paid interests pursuant to Clauses 1 to 9 may also be applied by a taxpayer with limited tax liability if the total amount of their taxable incomes from sources in the territory of the Slovak Republic (Article 16) in the respective tax period represents at least 90 % of all incomes of this taxpayer flowing from sources in the territory of the Slovak Republic and from sources abroad.

(11) If the taxpayer, to whom the title to the tax bonus for paid interests came into existence, dies, the claim to the tax bonus for paid interests may be set up by the taxpayer, to whom the outstanding liabilities of the deceased taxpayer under the housing loan passed on;[57a)] the conditions pursuant to Clause 1 (a) and (b) and Clause 4 (b) and (c) shall not be applied, and the provisions of Clause 1 initial sentence and Clauses 2 and 6 shall not be affected. The claim to the tax bonus for paid interests shall be set up for the deceased taxpayer for the months of living including the month, in which the taxpayer died, and for the taxpayer, to whom the outstanding liabilities under the housing loan passed on,[57a)] starting from the month following the month of the taxpayer's death until the expiry of the five-year period for setting up the claim to the tax bonus for paid interests, which is calculated from the inception of the title to the tax bonus for paid interests on the part of the deceased taxpayer.

(12) For the purposes of fulfilment of state housing policy tasks, the Financial Directorate provides the Ministry of Transport and Construction of the Slovak Republic with summary data on the number of tax entities that set up a claim to the tax bonus for paid interests pursuant to Article 33a including the total amount of the tax bonus for paid interests applied for the previous tax period.

Article 34

Payment of Tax Advances

(1) Tax advances during the advance period shall be paid by the taxpayer, whose last known tax liability exceeded EUR 5,000; advance period shall mean the period from the first day following the expiry of the time limit for the submission of tax return for the previous tax period to the last day of the time limit for the submission of tax return in the following tax period.

(2) The taxpayer, whose last known tax liability exceeded EUR 5,000 and did not exceed EUR 16,600, shall pay quarterly tax advances for the current tax period in the amount of 1/4 of the last known tax liability unless otherwise stipulated by this Act. The quarterly tax advances shall be due by the end of each calendar quarter.

(3) The taxpayer, whose last known tax liability exceeded EUR 16,600 shall pay monthly tax advances for the current tax period in the amount of 1/12 of the last known tax liability unless otherwise stipulated by this Act. The monthly tax advances shall be due by the

end of each calendar month.

(4) In justified cases, at the request of the taxpayer, the tax administrator may determine the payment of tax advances otherwise.

(5) The last known tax liability for the calculation of tax advances in the advance period pursuant to Clause 1 shall be the tax calculated from the tax base (partial tax base) ascertained from the income pursuant to Article 6 (1) and (2) reduced by the deduction of tax loss provided in the last tax return using the tax rate amounting to 19 %. Upon a change of the last known tax liability from the tax return submitted in the current tax period as at the beginning of the advance period pursuant to Clause 1, the tax advances due by the beginning of this advance period shall not be changed; if the tax advances paid until such change are higher than the advances calculated from the submitted tax return, the sum of tax advances from the last known tax liability exceeding the sum of advances calculated from the submitted tax return shall be set off for the settlement of further tax advances paid after this change or they shall be refunded to the taxpayer based on request. The procedure of the tax administrator in refunding the tax advances at the taxpayer's request shall follow the provisions of a special regulation.[126)]

(6) If the taxpayer has terminated the business activity and other self-employment (Article 17 (9)), they shall not be obliged to pay tax advances from the payment of the tax advance due after the day, on which decisive facts occurred.

(7) Within 30 days from the submission of the taxpayer's application, the tax administrator shall refund the tax advances paid if the taxpayer's duty to pay tax advances pursuant to this Act has not come into existence, or the difference of the tax advances paid if the taxpayer has paid tax advances in an amount higher than they were obliged to pay pursuant to this Act. The procedure of the tax administrator in refunding the tax advances paid or the difference of the tax advances paid shall follow the provisions of a special regulation.[126)]

Collection and Payment of Tax Advances and Tax on Income from Employment

Article 35

(1) The employer that is a taxable person shall collect the tax advance for the tax on taxable wage with the exception mentioned in Clause 8. Taxable wage shall mean the total amount of taxable income from employment accounted and paid to an employee for a calendar month or tax period reduced by

a) the sums withheld for premium and contributions, which the employee is obliged to pay,

b) the tax-free part of tax base per taxpayer [Article 11 (2) (a)]; the tax base for the calculation of tax advance per calendar month shall be reduced by the amount corresponding to 1/12 of the tax-free part of tax base per taxpayer [Article 11 (2) (a)]; the tax-free parts of tax base pursuant to Article 11 (2) (b), (3), (6), (8), and (12) shall be taken into account by the employer that is a taxable person only in the annual account for the tax period.

(2) The tax advance for the tax on taxable wage rounded pursuant to Article 47, accounted for and paid for a calendar month or tax period, shall amount to 19 % of the part of the taxable wage, which does not exceed 1/12 of the amount of 176.8 times the minimum subsistence amount in force including this amount and 25 % of the part of the taxable wage,

which exceeds 1/12 of the amount of 176.8 times the minimum subsistence amount in force. This tax advance shall be reduced by the amount corresponding to the amount of tax bonus pursuant to Article 33 (1).

(3) The tax advance shall be withheld upon the payment or remittance or crediting of the taxable wage to the employee regardless of the period, for which this taxable wage is paid. If the employee that is a taxable person prepares the account of income from employment on a monthly basis, it shall withhold the tax advance in accounting for the taxable wage for the past calendar month. To the employee,

a) whose taxable wage consists only in the benefit in kind, to which the procedure pursuant to Article 5 (3) (d) is not applied, or this benefit in kind represents a greater part of the taxable wage, when withholding cannot be carried out, the tax advance shall be withheld additionally upon the very next pecuniary income or the tax shall be settled in the annual account (Article 38) or in submitting the tax return (Article 32), or if the employee's duty to submit a tax return does not come into existence pursuant to Article 32, the tax shall be considered settled on the date for the submission of tax return (Article 49),

b) whose income from employment and compensation for this income for a holiday consists of a part in euros and from a part in a foreign currency, the tax advance shall be withheld from the taxable wage calculated from the sum of the part in euros and the part in the foreign currency converted into euros; the provisions of a special regulation[130)] on tax advance withholding shall not be used,

c) to whom the the employer provides a foreign contribution to the income from employment pursuant to a special regulation,[131)] the tax advance shall be withheld from the taxable wage calculated from the sum of the part in euros and the foreign contribution converted into euros.

(4) For the employee that failed to submit the statement pursuant to Article 36 (6), the taxable wage shall mean the total amount of taxable income from employment paid to them by the employer that is a taxable person, reduced by the amounts withheld for premium and contributions, which the employee is obliged to pay.

(5) The employer that is a taxable person shall reduce the tax advance by the sum of tax bonus to an employee who has submitted to the employer the statement pursuant to Article 36 (6), if the total amount of taxable income from employment paid by this employer to the employee in the respective calendar month amounts to at least one half of the minimum wage. The employer that is a taxable person shall reduce the levy of tax advances for the respective calendar month by this amount.

(6) The employer that is a taxable person shall levy the tax advances reduced by the total amount of the tax bonus pursuant to Clause 5 no later than within five days after the date of payment, remittance or crediting of the taxable wage to the employee unless the tax administrator specifies otherwise at the request of the employer that is a taxable person. If the taxable wage is paid to the employee by a person with the registered office or domicile abroad that does not have any branch in the territory of the Slovak Republic, the employer that is a taxable person shall levy the tax advances no later than by the 15th day of the calendar month following the month, in which they received the document confirming the income of the employee pursuant to Article 5 (4). The employer that is a taxable person shall be obliged to withhold and levy tax advances for the employee from the amount of an increased benefit in

kind pursuant to Article 5 (3) (d).

(7) The employer that is a taxable person shall be responsible for tax bonus payment. If the amount of the tax advance of the employee, who received taxable income from employment for a calendar month at least in the amount of one half of the minimum wage from the employer that is a taxable person, to which the employee submitted the statement pursuant to Article 36 (6), is lower than the amount of the tax bonus or if the taxable wage of this employee consists only in the benefit in kind or the benefit in kind represents a greater part of the taxable wage, when tax advance withholding cannot be carried out, the employer that is a taxable person shall pay this employee the amount of the tax bonus or a part of it from the total amount of tax advances and tax withheld of all employees. If the total amount of tax advances and tax withheld of all employees is lower than the total amount of the tax bonus for entitled employees, the employer that is a taxable person, in paying, remitting or crediting the wage to the employee, shall pay the employee the tax bonus or a part of it up to the amount specified by this Act for the respective calendar month from its resources. In this case the employer that is a taxable person shall ask the locally competent tax administrator, on the form pursuant to Article 39 (9) (a), after the end of a calendar quarter for the respective calendar months of the quarter, to remit the sum amounting to the difference between the sum of tax bonus for entitled employees and the total amount of tax advances and the tax withheld of all employees. The tax administrator shall be obliged to remit the sum of the difference provided in the application to the employer that is a taxable person no later than within 15 working days from the delivery of the application; for these purposes, the tax administrator shall not issue the decision pursuant to a special regulation.[128)]

(8) The employer that is a taxable person shall not collect the tax advance pursuant to Clauses 1 to 7, if the employee's income taxed abroad is concerned.

(9) The employer that is a taxable person and pays the taxable wage for several months of the respective tax period together shall calculate the tax advance and award and pay the tax bonus in the same way as if the taxable wage was paid in individual months if such method is more convenient for the employee.

(10) The taxpayer with unlimited tax liability pursuant to Article 2 (d) Point 1 with income pursuant to Article 5 performing employment with the employer that is not a taxable person or foreign taxable person pursuant to Article 48, shall pay tax advances from this income from employment to the locally competent tax administrator[128)] in the amount calculated from the income paid, remitted or credited to the taxpayer's account in the respective calendar month using the method pursuant to this provision. These advances shall be due by the end of the calendar month following the month, in which such income was paid, remitted or credited to the taxpayer's account. The taxpayer shall be obliged to inform the locally competent tax administrator[128)] on the commencement of receipt of this income by the end of the calendar month, in which such income was paid, remitted or credited to the taxpayer for the first time.

(11) The taxpayer with limited tax liability with income pursuant to Article 16 (1) (b) performing employment with the employer that is not a taxable person or foreign taxable person pursuant to Article 48, shall pay tax advances from this income from employment to the locally competent tax administrator[128)] calculated from the income paid, remitted or credited to the taxpayer's account in the respective calendar month, reduced by a proportional part of the tax-free part of tax base per taxpayer pursuant to Article 11 (2) (a), using the tax rate pursuant to Article 15 valid in the tax period, for which the income was paid, remitted or credited. These

advances shall be due by the end of the calendar month following the month, in which such income was paid, remitted or credited to the taxpayer's account. The taxpayer shall be obliged to inform the locally competent tax administrator[128)] on the commencement of receipt of this income by the end of the calendar month, in which such income was paid, remitted or credited to the taxpayer for the first time. If the contract, based on which this taxpayer receives income,

a) implies that the taxpayer will stay in the territory of the Slovak Republic for more than 183 days, they shall pay tax advances from the beginning of their stay in the territory of the Slovak Republic,

b) does not imply that the taxpayer will stay in the territory of the Slovak Republic for more than 183 days, they shall pay tax advances only from the calendar month following the expiry of 183 days of stay in the territory of the Slovak Republic.

(12) In justified cases, at the request of the taxpayer, the tax administrator may determine the payment of tax advances pursuant to Clauses 10 and 11 otherwise.

Article 36

Application of the Tax-Free Part of Tax Base per Taxpayer, Employee Bonus and Tax Bonus

(1) The employee applying the tax bonus with the employer that is a taxable person shall be obliged to prove to this employer the fulfilment of conditions for awarding the tax bonus no later than by the end of the calendar month, in which they fulfil these conditions. The employer that is a taxable person shall take into account the submitted documents starting from the calendar month following the month, in which they are submitted to the employer that is a taxable person; if the employee starts the employment, the employer that is a taxable person shall take into account the submitted documents already in the calendar month, in which the employee started the employment if they submit them by the end of this calendar month and do not apply them in this calendar month with another employer that is a taxable person.

(2) If a child is born to the employee, a child is adopted by the employee or taken over to a care substituting the parental care based on a decision of the competent authority, the employer that is a taxable person shall take it into account already in the calendar month, in which this fact occurred, if the employee submits a document on proving the fulfilment of conditions for tax bonus application within 30 days from the date when such fact occurred. The same procedure shall be applied when the child starts systematically preparing for profession.

(3) If in a calendar month, the employee receives the taxable wage at the same time or consecutively from several employers that are taxable persons, only one employer that is a taxable person, with which the employee sets up claims pursuant to Clauses 1 and 2, shall take into account the tax-free part of tax base per taxpayer [Article 11 (2) (a)] and the tax bonus.

(4) If the employee fails to apply the tax-free part of tax base per taxpayer and to prove the fulfilment of conditions for tax bonus application during the tax period, the employer that is a taxable person shall apply the tax-free part of tax base per taxpayer and take into account the proved conditions for tax bonus award additionally upon the preparation of the annual account if the employee proves them no later than by 15 February of the year following the expiry of the tax period, for which the employee applies the tax-free part of tax base per

taxpayer and the tax bonus or the employee shall apply them upon the submission of the tax return.

(5) If for a calendar month, the employee did not receive taxable income from employment in cash or in kind at least in the amount of one half of the minimum wage with the employer that is a taxable person, with which they set up a claim to the tax-free part of tax base per taxpayer [Article 11 (2) (a)] and the tax bonus, they shall apply this part of the tax bonus upon the preparation of the annual account or submission of the tax return, if the total amount of taxable income from employment for the period, for which the employer that is a taxable person prepared the annual account or for which the employee submits the tax return, reaches at least six times the minimum wage.

(6) The employer that is a taxable person shall take into account the tax-free part of tax base per taxpayer [Article 11 (2) (a)] and the tax bonus if the employee submits a statement delivered to the employer in paper form, unless they agree upon the delivery by electronic means, whose sample shall be specified by the Financial Directorate, which will publish it at its website,

a) that they apply the tax bonus and meet the conditions for its award, or when and how they changed,

b) that at the same time, for the same tax period, they do not set up a claim to the tax-free part of tax base per taxpayer [Article 11 (2) (a)] and the tax bonus with another employer and that no other taxpayer exercises the right to the tax bonus for the same persons for the same tax period,

c) whether they receive the pension mentioned in Article 11 (6).

(7) If during the tax period there is a change of conditions decisive for the award of the tax bonus and tax-free part of tax base per taxpayer [Article 11 (2) (a)], the employee shall be obliged to notify these facts to the employer that is a taxable person, with which they set up a claim to the tax bonus and tax-free part of tax base per taxpayer [Article 11 (2) (a)], in paper form, for example by changing the statement pursuant to Clause 6, unless they agree with the employer that is a taxable person upon the notification thereof by electronic means, no later than on the last day of the calendar month, in which the change occurred. The employer that is a taxable person shall record the change in the employee’s statement of remuneration.

(8) If during the tax period there is a change of the employer, with which the employee sets up a claim to the tax-free part of tax base per taxpayer [Article 11 (2) (a)] or the tax bonus, the employee shall be obliged to confirm this fact by their signature in the statement pursuant to Clause 6 with the employer, with which they set up a claim to the tax-free part of tax base per taxpayer [Article 11 (2) (a)] and the tax bonus, as at the day on which such fact occurred.

(9) If the employee proves the title to the employee bonus to the employer that is a taxable person no later than by 15 February of the year following the expiry of the tax period, for which they apply the employee bonus, the employer that is a taxable person shall follow Article 32a (5).

Article 37

Method of Proving the Title to Tax Base Reduction, Employee Bonus, Tax Bonus and Tax Bonus for Paid Interests

(1) The employee shall prove the title to tax base reduction to the employer that is a taxable person

a) by submitting a document proving the justice of the title to the application of the tax-free part of tax base pursuant to Article 11 (3) issued by an authorised entity and by a declaration on oath on the amount of the spouse's own income,

b) by the last decision on granting a pension or by the document on the annual total amount of the pension paid (Article 11 (6)) if the total amount of such pension does not exceed the amount specified in Article 11 (2),

c) by submitting a document proving the justice of the title to the application of the tax-free part of tax base pursuant to Article 11 (8) issued by an authorised entity if the employer does not levy the contribution to complementary pension savings for the employee,

d) by submitting a document proving the justice of the title to the application of the tax-free part of tax base pursuant to Article 11 (12) second sentence, and by submitting the document on payment in connection with spa care and related services made in natural medical spas and spa medical institutions operated based on a licence pursuant to special regulations.[65a)]

(2) The employee shall prove the title to tax bonus award to the employer that is a taxable person

a) by submitting a document proving the justice of the title to the award of tax bonus for a dependent child and by the confirmation of the school that the child living in joint household with the employee[57)] systematically prepares for profession by studying[125)] or by the confirmation of the competent authority about the receipt of dependent child allowance,

b) by the confirmation of the competent authority that the child living in the household with the employee[57)] is considered dependent and cannot systematically prepare for profession by studying or perform a gainful activity because of a disease or injury or by the confirmation of the competent authority about the receipt of dependent child allowance,

(3) The documents listed in Clause 1 (a) and (b) shall be valid until there is a change of data provided therein. The confirmation of the school that the child living in joint household with the employee[57)] systematically prepares for profession by studying shall always be valid for the school year, for which it was issued. The confirmation pursuant to the second sentence and the confirmation of the competent authority about the receipt of dependent child allowance shall not be submitted to the employer pursuant to a special regulation[131aa)] if the child living in the household with the employee[57)] systematically prepares for profession by studying at school with its registered office in the territory of the Slovak Republic; the employee shall submit the data including the name, surname and personal number or date of birth of the child necessary for the purpose of verification of the pupil's or student's status. The decision on granting a pension or the document on the annual total amount of the pension paid pursuant to

Clause 1 (b) shall not be submitted to the employer pursuant to a special regulation.[131aa)] The documents shall be valid provided that the facts decisive for the award of the tax-free part of tax base [Article 11 (3)] and the tax bonus have not changed on the part of employee and their dependent persons.

(4) The employee shall prove the title to employee bonus to the employer that is a taxable person by a declaration on oath that they meet the conditions provided in Article 32a (1).

(5) The employee shall prove the title to tax bonus for paid interests pursuant to Article 33a to the employer that is a taxable person by submitting the confirmation issued by the creditor pursuant to a special regulation[122ab)] and declaration on oath that they were not provided with a mortgage based on the mortgage agreement concluded before 1 January 2018, to which a state allowance or state allowance for young people is applied pursuant to a special regulation.[131a)]

(6) The employer, tax administrator and the Ministry shall be obliged to process the personal data of the affected persons for the purposes of proving the title pursuant to Clauses 1 to 5, ascertaining, verifying and checking the correct procedure in proving the title to tax base reduction, employee bonus, tax bonus and tax bonus for paid interests pursuant to Article 33a, for the purpose of protecting and claiming the rights of the taxpayer, employer and tax administrator. For these purposes, the employer, tax administrator and the Ministry shall be entitled, even without the consent of the affected person, to obtain the data of such person by copying, scanning or recording in other way the official documents to the extent necessary for the achievement of the purpose of processing.

Article 38

Annual Account

(1) The employee who received taxable income only from employment mentioned in Article 5 and did not receive the income on which the tax is collected by withholding pursuant to Article 43, to which they applied the procedure pursuant to Article 43 (7) or who is not obliged to increase the tax base pursuant to Article 11 (11) may, no later than by 15 February of the year following the expiry of the tax period, ask the last employer, with which they applied the tax-free part of tax base per taxpayer and the tax bonus, for the preparation of the annual account of the total amount of taxable wage from all employers that are taxable persons. The employee shall deliver the application for annual account preparation to the employer in paper form unless they agree upon its delivery by electronic means.

(2) The annual account shall be prepared by the employer that is a taxable person, at the request of the employee mentioned in Clause 1. If in the tax period, the employee did not apply the tax-free part of tax base per taxpayer and the tax bonus with any employer that is a taxable person, they may ask any of them for the preparation of the annual account and this employer shall take them into account additionally in the annual account if the employee proves that they were entitled to the application of the tax-free part of tax base per taxpayer and the tax bonus.

(3) The employer that is a taxable person shall prepare the annual account pursuant to Clauses 1 and 2 only for the employee, who is not obliged to submit the tax return pursuant to Article 32.

(4) The employer that is a taxable person shall calculate the tax and at the same time, take into account the withheld tax advances, the tax-free part of tax base per taxpayer pursuant to Article 11 (2) (a) or (b), the tax-free part of tax base per spouse pursuant to Article 11 (3), the tax-free part of tax base pursuant to Article 11 (6), (8) and (12), the employee bonus, tax bonus and tax bonus for paid interests pursuant to Article 33a, if by 15 February after the expiry of the tax period the employee asks for the preparation of the annual account and signs the application, whose sample shall be specified by the Financial Directorate; the form shall contain the personal data provided in Article 32 (6).

(5)The employer that is a taxable person shall prepare the annual account pursuant to Clauses 1 and 2 on the basis of data on the taxable wage (Article 35 (1)), which it is obliged to keep pursuant to this Act (Article 39), on the basis of documents proving the title to tax base reduction, tax bonus (Article 33) and tax bonus for paid interests (Article 33a), and on the basis of the confirmations of the total amount of the income from employment accounted for and paid and of withheld tax advances from this income, of arrears of tax on taxable income in kind and of the tax bonus awarded and paid by all employees that are taxable persons. The employee shall be obliged to submit the documents for the past tax period to the employer that is a taxable person no later than by 15 February of the year following the expiry of the tax period. If the employee asks the employer that is a taxable person to prepare the annual account and fails to submit the requested documents within the specified time limit, they shall be obliged to submit a tax return (Article 32).

(6) The employer that is a taxable person shall prepare the annual account and calculate the tax no later than by 31 March of the year following the expiry of the tax period. After the preparation of the annual account, however, no later than in accounting for the wage for April in the year, in which the annual account is prepared, the employer that is a taxable person shall return to the employee the difference between the calculated tax and the total amount of the tax advances withheld in favour of the employee and pay the employee bonus (Article 32a), tax bonus or a part of it (Article 33) and tax bonus for paid interests or a part of it (Article 33a) up to the amount specified by this Act. The employer that is a taxable person shall reduce the levy of tax advances by the returned difference from the annual account no later than by the end of the calendar year, in which the annual account was prepared, or the procedure pursuant to Article 40 (8) shall be applied. The employer that is a taxable person shall reduce the levy of tax advances by the paid tax bonus or a part of it and tax bonus for paid interests or a part of it no later than by the end of the calendar year, in which the annual account was prepared, or the procedure pursuant to Article 35 (7) shall be applied. The employer that is a taxable person and followed Article 32a (5) shall also reduce the levy of tax advances by the amount of the employee bonus no later than by the end of the calendar year, in which the annual account was prepared, or the procedure pursuant to Article 35 (7) shall be applied.

(7) The employer that is a taxable person shall withhold the tax arrears resulting from the annual account exceeding the amount of EUR 5 to the employee from the taxable wage no later than by the end of the tax period, in which the annual account was prepared. The employer that is a taxable person shall levy the withheld tax arrears or the withheld part of the tax arrears to the tax administrator on the very next date for the levy of tax advances. The employer shall reduce the tax arrears resulting from the annual account by the amount of the tax bonus and tax bonus for paid interests and also take into account the tax arrears in the amount of EUR 5 or lower than EUR 5. If the employee applies the procedure pursuant to Article 50, the employer that is a taxable person shall also withhold to the employee the tax arrears in the amount of

EUR 5 or lower than EUR 5 if the tax arrears were not paid in the correct amount by reducing the amount of the tax bonus and tax bonus for paid interests, no later than by 30 April after the end of the tax period, for which the annual account was prepared.

(8) If the employee mentioned in Clause 1 cannot apply for the preparation of the annual account because of the dissolution of the employer that is a taxable person without a legal successor, they shall be obliged to submit the tax return pursuant to Article 32.

(9) If the tax administrator finds out that the employer that is a taxable person failed to prepare the annual account to the employee who asked the taxable person for the preparation of the annual account, where the employee fulfilled all the conditions for such preparation pursuant to this Act, it shall impose a penalty of at least EUR 15 for each such employee upon the employer. The amount of the total penalty for the respective tax period must not exceed EUR 30,000 for all the employees who applied for the preparation of the annual account, fulfilled all the conditions for such preparation pursuant to this Act but the employer that is a taxable person failed to prepare the annual account to the employees. The same procedure shall be used if the tax administrator finds out that the employer that is a taxable person failed to issue and deliver the document mentioned in Article 39 (5) and (6) within the time limit set by this Act.

(10) The annual account shall be prepared on the form, whose sample shall be determined by the Ministry; the form shall contain the personal data provided in Article 32 (6). These personal data shall not be provided for the persons covered by special ways of data reporting pursuant to a special regulation.[132)]

(11) If it is necessary for the concealment of the activity or identity of a member of the Military Intelligence or of the fulfilment of tasks of the Military Intelligence, the annual account or the tax return concerning the income received from the service of a member of the Military Intelligence may be prepared separately from the annual account or tax return of a member of the Military Intelligence concerning the income from activities pursuant to a special regulation[132c)] or from the performance of the activity establishing the title to an income taxed pursuant to Articles 5 to 8. The Military Intelligence shall prepare the summary account of income of a member of the Military Intelligence so that concealment of their service will be preserved in relation to the member of the Military Intelligence. The details on preparing this summary account shall be laid down by the Director of the Military Intelligence in an internal regulation.

Duties of the Employer that is a Taxable Person

Article 39

(1) The employer that is a taxable person shall be obliged to keep employees' statements of remuneration with the exception mentioned in Clause 4 and pay slips including their recapitulation for each calendar month and for the whole tax period.

(2) For tax purposes, the statement of remuneration must contain

a) name and surname of the employee including the previous one,

b) personal number of the employee,

c) permanent address of the employee,

d) names, surnames, and personal numbers of the persons to whom the employee applies the tax-free part of tax base [Article 11 (3)] and the tax bonus,

e) the amount of individual tax-free parts of tax base including the reason for award,

f) for each calendar month

1. the number of days of work performance,

2. the total amount of taxable wages paid regardless of whether it is pecuniary income or benefit in kind pursuant to Article 5 (3) (d), except for the amounts mentioned in Points 9 and 10,

3. the amounts exempt from tax, except for the amounts mentioned in Points 9 and 10,

4. the sums of premium and contribution, which the employee is obliged to pay,

5. the tax base, tax-free parts of tax base, taxable wage, tax advance,

6. the tax bonus amount,

7. the amount of a voluntary contribution to old-age pension savings levied by the employer,

8. the amount of a contributions to complementary pension savings levied by the employer for the employee,

9. the amount of pecuniary income pursuant to special regulations[24d)] and out of it the amount exempt pursuant to Article 5 (7) (n),

10. the amount of pecuniary income pursuant to special regulations[24g)] and out of it the amount exempt pursuant to Article 5 (7) (o),

g) the sum of individual data mentioned in Paragraph (f) for the tax period,

h) the amount of employee bonus paid (Article 32a),

(3) The data mentioned in Clause 2 (a) to (d) shall not be provided for the persons covered by special ways of data reporting pursuant to a special regulation.[132)]

(4) If the employer that is a taxable person fails to keep statements of employment for the employees who only receive benefits in kind provided in Article 5 (3), it shall be obliged to keep records (list) containing the name and surname of the employee including the previous one, their personal number, permanent address, data on working activity duration and the total amount of the benefits in kind mentioned in Article 5 (3).

(5) The employer that is a taxable person shall be obliged, for the period of payment of taxable income to the employee, to issue a confirmation of natural person's taxable income from employment based on the data provided in the statement of remuneration or in the records pursuant to Clause 4, which are decisive for the calculation of tax base, tax advances, tax, for the award of the employee bonus and for the award of tax bonus for the respective tax period, whose sample shall be specified by the Financial Directorate, which shall publish it at its website, and to deliver it to the employee no later than by

a) 10 March of the tax period, in which the tax return is submitted or

b) 10 February after the end of the tax period, in which or for which the employer that is a taxable person paid income from employment to an employee asking for the preparation of the annual account another employer that is a taxable person if they ask for the issuance of the document no later than by 5 February after the end of the tax period.

(6) The employer that is a taxable person shall be obliged to deliver the document on the annual account prepared (Article 38 (10)) to the employee no later than by the end of April in the year, in which it prepared the annual account for the employee. At the request of the employee, the employer that is a taxable person shall be obliged, within ten days from the delivery of the application, to issue a supplemented document on the annual account prepared, i.e. the data on the settlement of the tax arrears, tax overpaid, employee bonus, tax bonus (Article 33) or tax bonus for paid interests (Article 33a) resulting from this annual account. The employer that is a taxable person, for the tax period for which it issued the supplemented document on the annual account prepared, shall not withhold or pay the amounts of the tax arrears, tax overpaid, employee bonus, tax bonus (Article 33) or tax bonus for paid interests (Article 33a) mentioned in this document after the date of completion of this document.

(7) At the request of the employee, the employer that is a taxable person shall be obliged to issue the confirmation of tax payment for purposes of Article 50 no later than by 15 April of the year, in which it prepared the annual account for the employee, on the form whose sample shall be specified and published at its website by the Financial Directorate.

(8) The employer that is a taxable person shall be obliged to store copies of the documents mentioned in Clauses 1 and 4 to 6 for a period set by a special regulation.[1)]

(9) Within the time limit pursuant to Article 49, the employer that is a taxable person shall be obliged to submit to the tax administrator

a) the overview of the withheld and levied tax advances for the tax on income from employment paid to employees, of the employee bonus, tax bonus and tax bonus for paid interests for the past calendar month (hereinafter the "overview"),

b) the report on accounting for the tax and on the total amount of income from employment provided to individual employees regardless of whether it is pecuniary income or benefit in kind for the previous tax period, on tax advances withheld, on the employee bonus, tax bonus and on the tax bonus for paid interest (hereinafter the "report"); the report shall also contain the name and surname of the person to whom the income was provided, their personal number, tax-free parts of tax base, premium and contributions paid by the employee, tax advances, tax bonus, employee bonus and tax, unless these are persons covered by special ways of data reporting pursuant to a special regulation.[132)]

(10) The overview and report pursuant to Clause 9 shall be submitted on the form, whose sample shall be specified by the Ministry.

(11) The reports are covered by the provisions of this Act and the provisions of a special regulation related to tax return,[128)] where the report is considered tax return, correcting report is considered correcting tax return, and additional report is considered additional tax return pursuant to a special regulation.[128)] If the employer that is a taxable person was obliged to

submit the overview and failed to submit it within the time limit provided in Article 49 (2) for the submission of the overview, the tax administrator shall use the procedure pursuant to a special regulation[132a)] if for this calendar month, the duty of the employer that is a taxable person to levy tax advances for income from employment came into existence or the employer that is a taxable person asked the tax administrator for the payment of the tax bonus, tax bonus for paid interests or employee bonus.

(12) Only the employer that is a taxable person or a foreign taxable person pursuant to Article 48, which in the respective period did not pay income from employment, shall not be obliged to submit the report and overview pursuant to Clause 9.

(13) The employer that is a taxable person shall submit a correcting overview by the end of the calendar month following the month, in which it found out that the submitted overview did not contain correct data for the respective period. In such case, the submitted overview or submitted previous corrective overviews shall not be taken into account.

(14) If any doubts arise about the correctness, veracity or completeness of the submitted overview or about the veracity of data provided therein, the tax administrator shall notify these doubts to the employer that is a taxable person and call upon it to comment on them, in particular to supplement incomplete data, clarify ambiguities and correct incorrect data or properly prove the veracity of the data. In the call, the tax administrator shall specify for the employer that is a taxable person an adequate time limit for commenting and make it aware of the consequences connected with a failure to eliminate the doubts or observe the specified time limit resulting from a special regulation.[128)] If the call to eliminate deficiencies in the submitted overview is sent within the time limit for the remittance of the amount of the difference of tax bonus, tax bonus for paid interests or employee bonus pursuant to Article 35 (7), the time limit for the refund of the difference of tax bonus, tax bonus for paid interests or employee bonus shall be suspended from the date on which the call was posted at the post office or at the provider of postal services or from the date of sending of the call by electronic means to the date of elimination of overview deficiencies.

(15) If after the time limit for the submission of the report, the employer that is a taxable person finds out that the submitted report is incorrect or incomplete or its correction results in the change of the amount of the tax bonus, tax bonus for paid interests or employee bonus, it shall be obliged to submit an additional report for the respective tax period to the tax administrator by the end of the calendar month following the month, in which it found out this fact. The employer that is a taxable person may increase or reduce the title to tax bonus, increase or reduce the title to tax bonus for paid interests or increase or reduce the title to employee bonus based on an additional report only if they apply the facts that were not subject to tax audit.

(16) The employer that is a taxable person shall issue and deliver the documents pursuant to Clauses 5 to 7 to the employee in paper form unless they agree upon their delivery by electronic means. The document delivered by electronic means shall contain a preprinted seal of the employer and facsimile of employer's signature and it may not be altered or modified additionally. The confirmation of electronic message delivery containing the date and time of electronic delivery, including the designation of the electronic mailbox of the recipient agreed between the employee and employer, is required during electronic communication between the employer and the employee.

Article 40

(1) The employer that is a taxable person, which withheld a higher tax to an employee than it was obliged to withhold pursuant to this Act, shall refund the tax difference to this employee unless the time limit pursuant to a special regulation has expired.[34)] If in the current tax period this employer withheld higher tax advances to an employee than it was obliged to withhold pursuant to this Act, it shall refund the tax advances overpaid to this employee in the following calendar month, no later than by 31 March of the next year unless by this date the annual account has been prepared to the employee or the employee has submitted the tax return. The employer that is a taxable person shall reduce the next levy of tax advances to the tax administrator by the refunded tax overpaid or tax advances overpaid.

(2) If the employer that is a taxable person awarded or paid to an employee the tax bonus for the tax period in an amount lower than it was obliged to pay pursuant to this Act, the employer shall refund to the employee the amount of tax bonus difference unless the time limit pursuant to a special regulation has expired,[34)] if the amount of tax bonus difference has not been paid to the employee for this tax period based on the prepared annual account (Article 38) or submitted tax return (Article 33 (6)). If the employer that is a taxable person awarded or paid to an employee the tax bonus for in the current tax period in an amount lower than it was obliged to pay pursuant to this Act, the employer shall refund to the employee the amount of tax bonus difference in the following calendar month, no later than by 31 March of the next year unless by this date the annual account has been prepared to the employee or the employee has submitted the tax return. The employer that is a taxable person shall reduce the next levy of tax advances to the tax administrator by the refunded amount of tax bonus difference or apply the procedure pursuant to Article 35 (7).

(3) If the employer that is a taxable person

a) failed to withhold the employee's tax, which it should have withheld in the amount set by this Act, it may withhold it additionally only provided that the time limit pursuant to a special regulation has not expired,[34)]

b) failed to withhold the employee's tax advance in the amount, in which it should have withheld it pursuant to this Act, it may withhold the tax advance arrears additionally no later than by 31 March of the next year,

c) awarded or paid a higher amount of tax bonus than it was obliged to pursuant to this Act, it may additionally collect it from the employee only provided that from the time, when it incorrectly awarded or paid a higher amount of tax bonus, the time limit pursuant to a special regulation has not expired.[34)]

(4) If the employer that is a taxable person, by the fault of the employee,

a) failed to withhold the tax or withheld it in an incorrect amount, it shall withhold it including the interests and charges unless the time limit pursuant to a special regulation has expired,[34)]

b) awarded and paid a higher amount of tax bonus than it is set in this Act, it shall collect it from the employee including the interests and charges unless the time limit pursuant to a special regulation has expired.[34)]

(5) If the employer that is a taxable person cannot withhold tax arrears from the taxable wage of an employee for the reason pursuant to Clause 4 (a) and the tax arrears resulting from the annual account, or if it cannot collect from the employee the tax bonus pursuant to Clause 4 (b) and a higher amount of tax bonus than it is set by this Act resulting from the annual account because it does not pay wage to the employee anymore or because the withholding cannot be executed to the employee pursuant to special regulations, the tax arrears or the amount of the tax bonus difference shall be collected by the tax administrator competent pursuant to the employee's permanent address. For that purpose, the employer that is a taxable person shall send all the necessary documents within 30 days from the date when this fact occurred or when this employer found it out. The employee shall be obliged to settle the tax arrears occurred by their fault including the default interest or the amount of tax bonus difference including the default interest to the locally competent tax administrator no later than by the end of the tax period, in which the tax administrator performed the act or in which the decision on the tax arrears or on the amount of tax bonus difference was delivered to the employee. The employer that is a taxable person and the tax administrator shall not use this procedure if the tax arrears or the amount of tax bonus difference are equal to EUR 5 or are lower than EUR 5, however, only provided that the taxpayer fails to utilise the possibility to submit the statement pursuant to Article 50.

(6) The employer that is a taxable person shall levy the additionally withheld or collected tax or tax advance pursuant to Clauses 3 and 4 to the tax administrator on the very next date for the levy of tax advances unless it applies the procedure pursuant to Article 35 (7) or if it does not use the additionally collected amount of tax bonus difference pursuant to Clauses 3 and 4 for the award of tax bonus to another employee.

(7) If the employer that is a taxable person failed to provide correct data pursuant to this Act in the document pursuant to Article 39 (5) for the tax period to the employee, who submitted the tax return or additional tax return for this tax period or to whom another employer prepared the annual account pursuant to this Act (Article 38), it shall be obliged to issue to this employee a correcting document within one month from the date, on which the additional payment assessment came into legal force, through which tax or tax difference was imposed upon this employer that is a taxable person. If the incorrect data in the document pursuant to Article 39 (5) were found by the employee or employer that is a taxable person, the employer that is a taxable person shall issue a correcting document by the end of month following the month in which this fact was found or in which the employee notified the employer that is a taxable person of this error. In this case, the procedure pursuant to a special regulation[132a)] in connection with income pursuant to Article 5 shall not be applied to the employee, who submitted the tax return or additional tax return for this tax period.

(8) If the employer that is a taxable person levied tax advances in an amount higher than it was obliged to levy a cannot reduce the levy of tax advances by this amount, it shall ask the tax administrator for the refund of this amount. The tax administrator shall refund the amount of the tax advances paid in excess if the employer that is a taxable person could not reduce the levy of tax advances by this amount and levied all the tax advances in a correct amount. The same procedure may be applied in the event of a difference resulting from the annual account. The tax administrator shall refund the requested amount to the employer that is a taxable person within one month from the delivery of the request.

(9) If the employer that is a taxable person awarded and paid a lower or higher amount of employee bonus or tax bonus for paid interests than the amount set by this Act or if by the

fault of the employee it awarded and paid a higher amount of employee bonus or tax bonus for paid interests than the amount set by this Act, it shall follow Clauses 1 to 8.

(10) The control of tax bonus, tax bonus for paid interests or employee bonus shall be covered accordingly by the provisions of a special regulation on tax audit.[128)] The control for the purpose of ascertainment of the justice of remittance of the tax bonus, tax bonus for paid interests or employee bonus or a part of them shall commence on the day of preparation of minutes of audit commencement or on the day mentioned in the notice of audit.

(11) In determining the tax bonus, tax bonus for paid interests or employee bonus according to aids, the tax administrator shall apply the same procedure as in determining the tax according to aids pursuant to a special regulation.[128)]

(12) The tax administrator shall determine the tax bonus, tax bonus for paid interests or employee bonus according to aids if

a) the employer that is a taxable person

1. does not submit any report even on the tax administrator's call,

2. in proving the facts provided by it, fails to fulfil some of its legal duties, as a consequence of which the tax bonus, tax bonus for paid interests or employee bonus cannot be determined correctly or

3. does not enable the performance of the control pursuant to Clause 10,

b) the taxpayer applying the tax bonus, tax bonus for paid interests or employee bonus in the submitted tax return

1. in proving the facts provided by it, fails to fulfil some of its legal duties, as a consequence of which the tax bonus, tax bonus for paid interests or employee bonus cannot be determined correctly or

2. does not enable the performance of the control pursuant to Clause 10.

Section Two

Corporation Tax

Article 41

Tax Return and Tax Period

(1) The taxpayer shall be obliged to submit the tax return for the previous tax period within the time limit pursuant to Article 49. The taxpayer, which is not established or founded for business and the National Bank of Slovakia shall not be obliged to submit the tax return if they have only the income that is not subject to tax, and income on which tax is collected pursuant to Article 43. Civil associations need not submit the tax return if they have only the income that is not subject to tax, income on which tax is collected pursuant to Article 43, and income exempt from tax pursuant to Article 13 (2) (b). State-budget funded organisations and contributory organisations need not submit the tax return if in addition to the income on which

tax is collected pursuant to Article 43, they have only income exempt from tax. The taxpayer having only income pursuant to Article 13 (2) (a) and income on which tax is collected pursuant to Article 43 need not submit the tax return, either.

(2) The tax return concerning the taxable income of the taxpayer dissolved without liquidation shall be submitted by the taxpayer's legal successor. If a taxpayer declared bankrupt is concerned, the tax return shall be submitted by the bankruptcy trustee.

(3) If the taxpayer is dissolved with liquidation, the tax period, which started before the entry of the taxpayer into liquidation, shall end on the day preceding the day of its entry into liquidation.

(4) The tax period of the taxpayer that entered liquidation, shall start on the day of its entry into liquidation and end on the day of liquidation completion.[133)] If liquidation is not finished by 31 December of the second year following the year, in which the taxpayer entered liquidation, this tax period shall end on 31 December of the second year following the year, in which the taxpayer entered liquidation. If the taxpayer does not finish liquidation by 31 December of the second year following the year, in which the taxpayer entered liquidation, until the liquidation completion a calendar year shall be the tax period. If liquidation is finished during a calendar year, this tax period shall end on the date of liquidation completion. If the taxpayer in liquidation is declared bankrupt, the tax period shall end on the day preceding the date of bankruptcy order.

(5) If the taxpayer is declared bankrupt, the tax period shall end on the day preceding the date of bankruptcy order.

(6) The tax period of the taxpayer declared bankrupt shall begin on the date of bankruptcy order and end on the date of bankruptcy termination. If bankruptcy is not terminated by 31 December of the second year following the year, in which the taxpayer was declared bankrupt, this tax period shall end on 31 December of the second year following the year, in which the taxpayer was declared bankrupt. If bankruptcy is not terminated by 31 December of the second year following the year, in which the taxpayer was declared bankrupt, tax period shall be a calendar year until the bankruptcy termination. If bankruptcy is terminated during a calendar year, the tax period shall end on the date of bankruptcy termination. After the bankruptcy termination, the tax period shall begin on the date following the bankruptcy termination and end on 31 December of the calendar year, in which bankruptcy was terminated.

(7) If the taxpayer's legal form is changed, the tax period shall end on the date preceding the date of change registration in the Commercial Register. A new tax period shall begin on the date of change registration in the Commercial Register and last until the date, on which the taxpayer's tax period would end if no change of legal form occurred. In these cases, financial statements pursuant to a special regulation[133a)] shall be prepared as at the date preceding the date of change registration in the Commercial Register. This provision shall not apply to a change of the legal form of a limited liability company to joint-stock company or cooperative, of a joint-stock company to limited liability company or cooperative, of a simple joint-stock company to joint-stock company, or of a cooperative to limited liability company or joint-stock company.

(8) If the taxpayer is dissolved by refusing the petition for bankruptcy due to a lack of assets, the tax period shall end on the date of refusal of the petition for bankruptcy due to a lack

of assets of the taxpayer. If the taxpayer is dissolved by terminating the bankruptcy proceedings due to a lack of assets, the tax period shall end on the date of publishing of the notice of legal force of the resolution on terminating the bankruptcy proceedings due to a lack of assets in the Commercial Journal.[133b)]

(9) If the taxpayer changes the tax period from calendar year to marketing year or vice versa, they shall be obliged to submit a tax return for the tax period ended on the date preceding the date of change within a time limit pursuant to Article 49 (2).

(10) If in compliance with a special regulation[134)] there was a change of tax period to marketing year, marketing year shall also represent the tax period. In this case, the provisions of this Act on dates of submission of tax return shall be used accordingly for the date of submission of tax return. If the tax period, which is a calendar year, is changed to marketing year, the period from the beginning of the calendar year to the date preceding the change of tax period to marketing year shall be considered a separate tax period.

(11) If upon the change of the registered office or place of effective management of a business company or cooperative the taxpayer ceases to be a taxpayer pursuant to Article 2 (d) Point 2 and at the same time, no permanent establishment is created in the territory of the Slovak Republic, the tax period shall end on the date preceding the date, on which the registered office or place of effective management of the business company or cooperative was changed. The tax base shall be calculated pursuant to Articles 17 to 29, and the procedure pursuant to Articles 17f and 17g shall also be applied.

(12) If upon the change of the registered office or place of effective management of a business company or cooperative the taxpayer ceases to be a taxpayer pursuant to Article 2 (d) Point 2 and at the same time, a permanent establishment is created in the territory of the Slovak Republic, the tax period shall end on the last day of the original tax period of the taxpayer, which the taxpayer had prior to this change. The tax base shall be calculated pursuant to Articles 17 to 29, and the procedure pursuant to Articles 17f and 17g shall also be applied to the transfer of the assets and liabilities, which are not related to the assets and liabilities of this permanent establishment.

(13) If the decision on taxpayer dissolution was issued and the notice of expected bankruptcy of the company or cooperative was published, and no proposal for liquidator appointment was submitted along with an advance deposited, nor a petition for bankruptcy was filed in relation to the taxpayer's assets,[134aa)] the tax period shall end on the date of erasure of the taxpayer from the Commercial Register.[134aa)]

(14) If additional liquidation was ordered,[134ab)] the tax period shall begin on the date of renewal of registration of the company or cooperative in the Commercial Register[134ab)] and end on the date of erasure of the taxpayer from the Commercial Register due to the termination of the additional liquidation.

Article 42

Payment of Tax Advances

(1) The taxpayer, whose tax for the previous tax period calculated pursuant to Clause 6 exceeded EUR 16,600, shall be obliged to pay, starting from the first month of the following

tax period, monthly tax advances amounting to 1/12 of the tax for the previous tax period, always by the end of the respective month. The taxpayer shall settle the annual tax within the time limit for the submission of tax return.

(2) The taxpayer, whose tax in the previous tax period calculated pursuant to Clause 6 exceeded EUR 5,000 and did not exceed EUR 16,600, shall pay quarterly tax advances for the current tax period amounting to 1/4 of the tax for the previous tax period. The quarterly tax advances shall be due by the end of the respective calendar quarter, and if a taxpayer, whose tax period is marketing year, is concerned, by the end of the respective quarter of the marketing year. The taxpayer shall settle the annual tax within the time limit for the submission of tax return.

(3) If the tax administrator does not determine tax advance payment pursuant to Clause 10, tax advances shall not be paid by

a) a taxpayer, whose tax for the previous tax period calculated pursuant to Clause 6 did not exceed EUR 5,000,

b) a taxpayer in liquidation or in bankruptcy in the tax period pursuant to Article 41 (4) and (6),

c) a taxpayer pursuant to Clause 8.

(4) The taxpayer established during the calendar year in a way different from merger, fusion or division, shall not pay tax advances for the tax period, in which it was established. The taxpayer that during the year

a) changed the legal form, shall continue the payment of tax advances in the amount calculated from the tax for the previous tax period preceding the tax period, in which the legal form was changed,

b) was established by fusion, shall pay tax advances in the amount calculated from the sum of tax of the taxpayers dissolved by fusion for the tax period preceding the tax period, in which the taxpayers were dissolved,

c) merged with another taxpayer, shall pay tax advances in the amount calculated from the sum of tax

1. of the taxpayer dissolved by merger for the tax period preceding the tax period, in which the taxpayer was dissolved,

2. of the taxpayer, with which the dissolved taxpayer merged for the tax period preceding the tax period, in which the merger occurred,

d) was established by division, shall pay tax advances in the proportional amount calculated from the tax of the taxpayer dissolved by dividing for the tax period preceding the tax period, in which the taxpayer was dissolved, corresponding to the ratio of the registered capital of the dissolved taxpayer taken over by the taxpayer established by division.

(5) If the tax for the previous tax period concerned only a part of the tax period, in the next tax period the taxpayer shall pay tax advances for this tax period pursuant to Clauses 1 and 2.

(6) Tax for the previous tax period shall mean the tax calculated from the tax base reduced by the tax loss provided in the tax return submitted for the tax period immediately preceding the tax period, for which tax advances are paid, using the tax rate pursuant to Article 15 provided in the tax return submitted for the tax period immediately preceding the tax period, for which tax advances are paid, reduced by tax relief under this Act.

(7) Until the deadline for the submission of the tax return containing the tax for the previous tax period, the taxpayer shall pay tax advances calculated from the tax on the basis of the last known tax liability provided in the tax return submitted for the tax period before the immediately preceding tax period. The procedure for the calculation of the last known tax liability shall be identical with the calculation of tax for the previous tax period including the use of the tax rate pursuant to Article 15 provided in the tax return submitted for the tax period before the immediately preceding tax period. The taxpayer, which was established in the previous tax period by fusion or division and during a merger, shall pay tax advances until the deadline for the submission of tax return in the way and amount pursuant to Clause 4 (b) to (d).

(8) The taxpayer submitting the tax return for the first time, in the tax period, in which the tax return is to be submitted, until the deadline for its submission shall not pay any tax advances. It shall settle the sum of tax advances due by the deadline for the submission of the tax return by the end of the calendar month following the expiry of the deadline for the submission of the tax return in the amount calculated from the tax provided in the tax return.

(9) If the tax advances paid pursuant to Clause 7 are lower than tax advances resulting from the calculation according to the tax return containing the tax for the previous tax period, the taxpayer shall be obliged to pay the difference of tax advances paid from the beginning of the tax period by the end of the calendar month following the deadline for the submission of the tax return. The same procedure shall be used by the taxpayer, to which the tax administrator determined tax advance payment pursuant to Clause 10, unless otherwise provided by the tax administrator in the decision issued by the end of the calendar month following the expiry of the deadline for the submission of the tax return. If the tax advances paid are higher, they shall be used for future tax advances or they shall be refunded to the taxpayer at the taxpayer's request. The procedure of the tax administrator in refunding the tax advances at the taxpayer's request shall follow the provisions of a special regulation.[126)]

(10) The tax administrator may determine tax advance payment otherwise if they are paid on the basis of the amount of expected tax, the amount determined pursuant to Clauses 3 and 4 and if the tax provided in the tax return, based on which tax advances are paid, was changed by the tax administrator's decision or by the additional tax return. In justified cases, at the request of the taxpayer, the tax administrator may determine the payment of tax advances otherwise.

(11) If the tax calculated in the tax return is higher than the tax advances paid, the taxpayer shall be obliged to pay the difference within the time limit for the submission of the tax return.

(12) Within 30 days from the submission of the taxpayer's application, the tax administrator shall refund the tax advances paid if the taxpayer's duty to pay tax advances pursuant to this Act has not come into existence, or the difference of the tax advances paid if the taxpayer has paid tax advances in an amount higher than they were obliged to pay pursuant

to this Act. The procedure of the tax administrator in refunding the tax advances paid or the difference of the tax advances paid shall follow the provisions of a special regulation.[126)]

Section Three

Common Provisions for Tax Collection and Payment

Article 43

Withholding Tax

(1) Tax is collected by withholding in the amount of

a) 7 % of income pursuant to Clause 3 (r) and (s) except for the income taxed pursuant to Paragraph (c),

b) 19 % of income pursuant to Clauses 2 and 3 except for the income taxed pursuant to Paragraphs (a) and (c),

c) 35 % of income pursuant to Clauses 2 and 3 if the income is paid, remitted or credited to a taxpayer of a non-cooperating State pursuant to Article 2 (x).

(2) The tax on income received from sources in the territory of the Slovak Republic by taxpayers with limited tax liability except for the income received by the permanent establishment of these taxpayers (Article 16 (2)), which is registered pursuant to Article 49a (5), shall be collected by withholding in the event of income pursuant to Article 16 (1) (c) to (e) Points 1, 2, 4, 10 and 12, Article 16 (1) (e) Point 9, if it is received by a taxpayer of a non-cooperating State pursuant to Article 2 (x), and income pursuant to Article 16 (1) (k), interests and other revenues from provided credits and loans and from derivatives pursuant to a special regulation.[76)]

(3) The tax on income received from sources in the territory of the Slovak Republic by taxpayers with limited tax liability and unlimited tax liability shall be collected by withholding in the event of

a) interests, winnings and other revenues from deposits in deposit books, from financial resources on current accounts, on building saver's account and from deposit accounts except for the case when the recipient of the interest or revenue is a common fund,[66)] complementary pension fund,[35)] pension fund,[134a)] bank or foreign bank branch[94)] or the Export-Import Bank of the Slovak Republic,[95)]

b) revenues from the assets in a common fund,[74b)] revenues from units attained from their payment (return), revenues from deposit certificates and from deposit papers except for the case when the recipient of the revenue or income is a common fund,[66)] complementary pension fund[35)] and pension fund,[134a)]

c) monetary winnings in lotteries and other similar games and monetary winnings from advertising competitions and from drawing of lots [Article 8 (1) (i)] except for the winnings exempt from tax pursuant to Article 9,

d) monetary prizes from public contests, from contests, in which the circle of contestants is limited by the conditions of the contest or when contestants are selected by the contest organiser, and from sports competitions [Article 8 (1) (j)] except for the prizes exempt from tax pursuant to Article 9,

e) complementary pension savings benefits pursuant to a special regulation[35)] [Article 7 (1) (d)],

f) insurance benefits for the case of survival to a certain age [Article 7 (1) (e)],

g) income of the fund of operation, maintenance and repairs[135)] such as

1. income from the lease of common parts of the house, common facilities of the house, common non-residential premises, accessories and adjacent land including the received default interests and penalties related to the lease,

2. contractual penalties and default interests resulting from the use of resources of this fund,

3. income from the sale of common non-residential premises, common parts of the house or common facilities of the house unless otherwise agreed by the owners of apartments and non-residential premises in the house,

h) income from work creation and artistic performance[27)] pursuant to Article 6 (2) (a) and income pursuant to Article 6 (4) unless the taxpayer applies the procedure pursuant to Clause 14,

i) revenues (income) from bonds and treasury bills if received by a taxpayer that has not been founded or established for business (Article 12 (2)) and the National Bank of Slovakia,

j) premium from the premium paid for public health insurance, by which the taxpayer reduced the income in the previous tax periods pursuant to Article 5 or Article 6, refunded by the health insurance company to the taxpayer from the annual account of premium,[136aa)] premium from the premium paid for social insurance, by which the taxpayer reduced the income in the previous tax periods pursuant to Article 5 or Article 6, refunded by the Social Insurance Agency to the taxpayer from the annual account of premium paid in advances,[21)]

k) the compensation for lost earnings paid to the employee pursuant to a special regulation,[23aa)] if the calculation is not based on the average monthly net earning of the employee pursuant to a special regulation,[23ab)]

l) revenues (income) from the sale of bonds and treasury bills if received by a taxpayer that has not been founded or established for business (Article 12 (2)) and the National Bank of Slovakia,

m) compensating payments pursuant to a special regulation,[37ad)]

n) revenue (income) from bonds and treasury bills if received by a natural person, except for revenues from government bonds and government treasury bills received by this natural person,

o) pecuniary income and benefit in kind, which was provided to a healthcare provider by a holder [Article 8 (1) (l)] except for income and benefits paid for clinical trials,[37ab)]

p) premium from the premium paid for public health insurance refunded by the health insurance company from the annual account of premium because of application of the deductible item pursuant to a special regulation,[136aaa)]

q) income from waste purchase paid pursuant to a special regulation[37af)] [Article 8 (1) (o)],

r) income pursuant to Article 3 (1) (e) and (g), except for the income taxed pursuant to Clause 2 received by a natural person, and income pursuant to Article 3 (1) (g) exempt from tax pursuant to Article 9; the withholding tax is not collected on the income that is subject to tax pursuant to Article 12 (7) (c) Point 1, if the recipient is a common fund,[66)] complementary pension fund[35)] and pension fund,[134a)]

s) income pursuant to Article 3 (1) (f) and Article 12 (7) (c) Point 2 received by the taxpayer from a non-cooperating State pursuant to Article 2 (x), paid by a public company or limited partnership, which earned the income due to the participation in the registered capital of the business company or cooperative,

t) paid differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives in the amount exceeding the quotient pursuant to Article 17e (14).

(4) The tax base for withholding tax on income listed in Clauses 2 and 3 shall be only the income unless the procedure pursuant to Clauses 5, 9 or Clause 10 is followed. The tax base and the tax shall be rounded pursuant to Article 47; in the event of accounts in a foreign currency, the tax base shall be determined in the foreign currency without rounding.

(5) The tax base for the withholding tax on the income provided

a) in Clause 3 (e) and (f), is the income reduced by the contributions or premium paid; in the event of payments from insurance for the case of survival to a certain age made as advances, the difference between the premium paid and higher insurance benefits for the case of survival to a certain age shall be subject to withholding tax, in the tax period, in which upon the payment of insurance benefit the total amount of insurance benefits for the case of survival to a certain age exceeds the total amount of premiums paid, where the tax collected on previous payments shall be set off to settle the total tax; in the event of pension, the contributions or premiums paid shall be divided to the period of pension receipt; if the period of receipt of the pension has not been agreed, it shall be determined as the difference between the life expectancy at birth according to the data announced by the Statistical Office of the Slovak Republic and the age of the taxpayer at the time when they start receiving the pension for the first time,

b) in Clause 3 (h) is the income reduced by the contribution withheld pursuant to a special regulation,[136ad)]

c) in Clause 3 (i) and (l) is the total amount of these revenues (income) in the tax period, in which they are paid, remitted or credited in favour of the taxpayer, reduced by the acquisition cost of bonds excluded from the assets pursuant to a special regulation[1)] in the respective tax period and the fees connected with their acquisition,

d) in Clause 2 and Clause 3 (r) and (s) is the settlement share or the share in the liquidation balance reduced by the value of the contribution paid up and ascertained pursuant to Article

25a (c) to (f), and in the other cases by the acquisition cost ascertained in the way pursuant to Article 25a for each share individually; if the value of an individual contribution paid up is higher than the settlement share or the share in the liquidation balance, the difference shall not be taken into account,

e) in Clause 2 is the income from the redistribution of a capital fund from contributions reduced by the value of contribution to the capital fund from contributions paid up by the taxpayer [Article 2 (ac)].

(6) The tax liability of the taxpayer in the event of income, the tax on which is collected by withholding, shall be considered fulfilled by proper tax withholding. The withholding tax may be considered tax advance if it was collected on

a) the income pursuant to Article 16 (1) (d) on the part of the taxpayer with limited tax liability,

b) the income pursuant to Article 16 (1) (e) Points 1, 2, 4, 10 and 12, interests and other revenues from the provided credits, loans and derivatives pursuant to a special regulation[76)] and income from units attained by repayment (return) thereof of the taxpayer from a Member State of the European Union and the taxpayer with limited tax liability in other States, which are Contracting Parties to the Agreement on the European Economic Area,

c) the income from units attained by repayment (return) thereof of the taxpayer with unlimited tax liability pursuant to Article 2 (d) except for a taxpayer that has not been founded or established for business (Article 12 (2)) and the National Bank of Slovakia.

(7) If the taxpayer pursuant to Clause 6 (a) to (c) decides to consider the withholding tax on the income pursuant to Clause 6 (a) to (c) to be a tax advance, they may deduct this tax advance from the tax in the tax return, and if the amount of withholding tax exceeds the calculated amount of tax of the taxpayer in the tax return, they shall be entitled to the refund of the tax overpaid;[126)] identically, a partner of a public company or a general partner of a limited partnership may deduct a proportional part of the tax withheld to the public company or limited partnership, in the same proportion, in which the part of the profit falling on the partner or general partner is divided according to the memorandum of association, otherwise in the same proportion; the spouses receiving the income from their undivided co-ownership, for which the withholding tax may be deducted as a tax advance, may deduct a proportional part of the withholding tax in the same proportion as used to tax such income.

(8) The taxpayer that may deduct the withholding tax pursuant to Clause 7 and that, in ascertaining the tax base, follows Article 17 to 29, shall include the income, on which tax is collected by withholding, in the tax base for the tax period, in which the tax was collected.

(9) If revenues from securities are received by a recipient from a management company,[66)] the tax base for the withholding tax is the revenue paid from the assets in the common fund[74b)] reduced by the income received by the management company, on which the tax is collected by withholding.

(10) The taxable person shall be obliged to withhold the tax upon payment, remittance or crediting of the settlement in favour of the taxpayer. Crediting the settlement in favour of the taxpayer shall also mean the income reached as a consequence of set-off of mutual receivables and liabilities or the allocation of costs to the permanent establishment by its founder that made

payment related to these costs in another State. For revenues from securities received by the recipient from management companies, the inclusion of the revenue in the current price of the unit already issued, which fulfils the duty of annual payment of revenue from the assets of the common fund, shall not be considered the crediting of the settlement in favour of the taxpayer. In paying (returning) a unit, the tax shall be withheld from the positive difference between the paid untaxed amount and the contribution of the unit-holder, which is the total amount of sale prices of units upon issuance; if the recipient is a security trader or a foreign security trader holding units in their name for their clients within the provision of an investment service in the territory of the Slovak Republic through their branch or without the establishment of a branch, the tax shall not be withheld and the taxable person concerning the withholding tax on unit payment (return) shall be the security trader or foreign security trader. The same procedure shall be used if units or similar securities are paid by a foreign entity of collective investment or a foreign management company.[136a)]

(11) The taxable person shall be obliged to levy the withholding tax to the tax administrator no later than by the 15th day of each month for the previous calendar month unless otherwise specified by the tax administrator at the request of the taxable person. Tax withholding shall be carried out from the amount of settlement or crediting of the amount due in favour of the taxpayer. A benefit in kind shall also be considered settlement. At the same time, within the same time limit, the taxable person shall be obliged to submit to the tax administrator a notification of tax withholding and levying on a form, whose sample shall be specified and published at its website by the Financial Directorate. This form shall contain summary data on the withholding tax withheld and levied broken down by taxpayers pursuant to

a) Article 2 (d), except for the taxpayer pursuant to Article 2 (x),

b) Article 2 (e), except for the taxpayer pursuant to Article 2 (x); if this taxpayer asks the tax administrator for the issuance of an income tax payment receipt, the form shall also contain data broken down pursuant to Paragraph (c),

c) Article 2 (x); for this taxpayer, the form shall also contain data on the tax withheld broken down by individual types of income pursuant to Article 16 (1), the sum of taxable income, tax rate, the sum of tax withheld, date of payment of the taxable income, and the date of levying the tax withheld, and if

1. a natural person is concerned, the form shall also contain the name, surname, permanent address and date of birth,

2. a legal person is concerned, the form shall also contain the name, registered office and company identification number.

(12) If the taxable person fails to withhold the tax or levy the tax withheld in time, the tax shall be recovered in the same way as a tax not paid by them. A similar procedure shall be used if the taxable person fails to withhold the tax in a correct amount.

(13) The taxable person for the income mentioned in Clause (g) is the association of owners of apartments and non-residential premises[135)] or a natural person or legal person that has entered into a contract of administration with the owners of apartments and non-residential premises.[135)] This taxable person shall be obliged to levy the tax to the tax administrator no later than by the end of the calendar month following the expiry of the calendar year, in which the

income was remitted or credited in favour of the account of the fund of operation, maintenance and repairs.[135)] At the same time, within the same time limit, the taxable person shall be obliged to submit to the tax administrator a notification of tax withholding and levying on a form, whose sample shall be specified and published at its website by the Financial Directorate.

(14) The tax on the income pursuant to Clause 3 (h) shall not be collected only provided that the taxpayer agrees with the taxable person in writing in advance. The taxable person shall be obliged to notify the tax administrator of such agreement no later than by the end of the calendar month following the expiry of the calendar year, in which it was concluded, on a form, whose sample shall be specified and published at its website by the Financial Directorate. This form shall contain the identification data on the taxpayer, who is a natural person, i.e. the name, surname, permanent address and personal number, or the date of birth if it is a taxpayer without an assigned personal number in the Slovak Republic.

(15) The taxable person for the income mentioned in Clause 3 (i) and (l) shall be a taxpayer, that has not been founded or established for business (Article 12 (2)) and the National Bank of Slovakia. These taxable persons shall be obliged to levy the tax to the tax administrator no later than by the end of the calendar month following the expiry of the tax period, in which such income was paid, remitted or credited in favour of them. At the same time, within the same time limit, the taxable person shall be obliged to submit to the tax administrator a notification of tax withholding and levying on a form, whose sample shall be specified and published at its website by the Financial Directorate.

(16) The taxable person for the income mentioned in Clause 3 (n) shall be a security trader holding financial instruments and monetary resources of clients, from which such income is received.

(17) The taxable person for the benefits in kind mentioned in Clause 3 (o) shall be the recipient of the benefit in kind. This taxable person shall be obliged to levy the tax to the tax administrator within three calendar months after the expiry of the calendar year, in which the benefit in kind was received. On a form, whose sample shall be specified and published at its website by the Financial Directorate,

a) the taxable person shall be obliged to submit a notification of tax withholding and levying to the tax administrator within three calendar months from the expiry of the calendar year; this form shall contain the data on the amount of the benefit in kind from individual holders and on the withholding tax withheld and levied, the name, surname, permanent address, the address of the healthcare facility, in which the taxable person provides healthcare or performs employment of the employee, date of birth, tax identification number if assigned,

b) the holder shall be obliged to submit a notification of the amount of benefit in kind and of the date of its provision to the tax administrator by the end of the calendar month after the expiry of the calendar year, in which the benefit in kind was provided; the notification shall also contain the data on the natural person to whom it was provided, i.e. the name, surname, the address of the healthcare facility, in which the natural person provides healthcare or performs employment of the employee, date of birth, tax identification number of the natural person if assigned.

(18) If the taxable person pursuant to Clause 17 does not have an assigned account number of the tax administrator kept for the taxpayer, they shall be obliged to notify the tax

administrator of the commencement of receipt of the benefits in kind within 15 days after the expiry of the calendar month, in which the benefit in kind was received. The taxable person that has not been informed on the account number of the tax administrator kept for the taxpayer by the tax administrator within the time limit for the submission of the notification of tax withholding and levying shall be obliged to levy the tax to the tax administrator within eight days from the delivery of this notice, if this notice is delivered after the deadline for the submission of the notification of tax withholding and levying. Within the same time limit, the taxable person shall also be obliged to submit the notification of tax withholding and levying to the tax administrator. The sample of the notification pursuant to the first sentence shall be specified and published at its website by the Financial Directorate; this form shall also contain the name, surname, permanent address and personal number of the natural person, or the date of birth if it is a foreign natural person.

(19) The holder shall be obliged to notify the amount of the benefit in kind mentioned in Clause 3 (o) to the recipient of the benefit by the end of the calendar month after the expiry of the calendar year, in which it provided the benefit in kind. If the holder provided the benefit in kind through another holder that is a third person mediating the provision of the benefit, the amount of the benefit in kind shall be notified to the recipient of the benefit and to the tax administrator pursuant to Clause 17 (b) by this other holder unless the holders agree otherwise in writing; this shall not apply if this holder that is a third person mediating the provision of the benefit from the holder is a foreign person.

(20) The income mentioned in Clause 3 (o) received by a taxpayer with unlimited tax liability shall be taxed by the withholding tax including the case when it flows from sources abroad. For pecuniary income and benefit in kind provided in Clause 3 (o) received from sources abroad, the recipient shall follow the method provided in Clauses 17 and 18. If the pecuniary income and benefit in kind is paid or provided by a holder that is a natural person with domicile abroad or a legal person with its registered office abroad, having in the territory of the Slovak Republic a branch or permanent establishment, for the pecuniary income, Clauses 10 to 12, and for the benefit in kind, Clauses 17 to 19 shall be followed. If a taxpayer with unlimited tax liability receives income mentioned in Clause 3 (o) from a State, which has entered into a double taxation agreement with the Slovak Republic, to eliminate double taxation this double taxation agreement shall be followed.

(21) If the condition of direct interest in the registered capital for at least 24 consecutive months for exemption of the income pursuant to Article 13 (2) (f) and (h) is met after the day, on which the taxable person paid the income to the taxpayer, the tax administrator shall refund the tax withheld by the taxable person to the taxpayer based on an application. The taxpayer may ask for the refund of the tax withheld on the first day after the expiry of 24 consecutive months at the earliest. The procedure in refunding the tax shall be the same as in refunding the tax overpaid.[126)] The taxpayer shall file the application for tax refunding on a form, whose sample shall be specified and published at its website by the Financial Directorate; the application must contain the identification data of the taxpayer, i.e. the name, registered office, identification number of the company and tax identification number if assigned, and other data necessary for the refund of the tax withheld.

(22) The income mentioned in Clause 3 (i) and (l) received by a taxpayer with unlimited tax liability, except for the National Bank of Slovakia, shall be taxed by the withholding tax including the case when it flows from sources abroad. For the income mentioned in Clause 3 (i) and (l) received from sources abroad, the recipient, except for the National Bank of Slovakia,

shall follow the method provided in Clause 15. If a taxpayer with unlimited tax liability, except for the National Bank of Slovakia, receives income mentioned in Clause 3 (i) and (l) from a State, which has entered into a double taxation agreement with the Slovak Republic, to eliminate double taxation this double taxation agreement shall be followed.

(23) The taxpayer with unlimited tax liability may eliminate double taxation pursuant to Clauses 20 and 22 in the taxable person's notification of tax withholding and levying pursuant to Clause 15 and Clause 17 (a). The holder that is a natural person with domicile abroad or a legal person with its registered office abroad having a branch or permanent establishment in the territory of the Slovak Republic shall issue, for the purposes of elimination of double taxation, to the recipient of the pecuniary income mentioned in Clause 3 (o) a confirmation of the amount of the income and tax withheld pursuant to Clause 10 by the end of the calendar month after the expiry of the calendar year, in which the pecuniary income was paid, remitted or credited in favour of the recipient. If in such case, the beneficiary eliminates double taxation pursuant to Clause 20, this confirmation shall be attached to the notification pursuant to Clause 17 (a). If the elimination of double taxation results in an amount to be refunded, the procedure of the tax administrator in refunding shall be covered by the provisions of a special regulation.[126)]

(24) The taxable person for the income pursuant to Clause 3 (s) shall be

a) the paying public company or the paying limited partnership, if it has its registered office in the territory of the Slovak Republic, through which the above income is paid to partners of public companies or general partners of limited partnerships,

b) the paying business company or the paying cooperative with the registered office in the territory of the Slovak Republic, if it pays the income to a taxpayer with limited tax liability that is a foreign person not subject to taxation similarly to a limited liability company or joint-stock company established and situated in the territory of the Slovak Republic; if such foreign person fails to prove to the paying business company or the paying cooperative the final beneficiaries of the income paid, it shall collect the withholding tax on the whole amount of income paid.

(25) If the taxable person is not able to prove the final beneficiary of the income paid pursuant to Article 16 (1), it shall withhold the tax in the amount pursuant to Clause 1 (c) on this income and in the notification of tax withholding and levying submitted pursuant to Clause 11, it shall not provide the identification data on the beneficiary if

a) a natural person is concerned, the name, surname, permanent address and date of birth,

b) a legal person is concerned, the name, registered office and company identification number.

Article 43a

(1) If the taxpayer has doubts about the correctness of the tax or tax advance withheld, they may ask the taxable person for explanation within 12 calendar months from the day on which the tax or tax advance was withheld. The application shall contain the reasons proving the doubts. The taxable person shall be obliged to notify the requested data to the taxpayer in writing within 30 days from the date of delivery of the application, and to correct any error within the same time limit. If the taxable person fails to fulfil this duty, the taxpayer shall be

entitled to file a complaint with the tax administrator within 60 days from the date, on which the taxable person should have delivered the written explanation to the taxpayer and should have corrected any error.

(2) If after the delivery of the written explanation from the taxable person pursuant to Clause 1, the taxpayer does not agree with the procedure of the taxable person, the taxpayer may file a complaint of the procedure of the taxable person with the tax administrator within 30 days after the day of delivery of the written explanation from the taxable person to the taxpayer.

(3) The tax administrator that is locally competent for the taxable person pursuant to this Act or pursuant to a special regulation[136ab)] shall decide on the complaint mentioned in Clause 1 or Clause 2 so that it shall grant the complaint in full or in part, and at the same time, it shall impose a duty upon the taxable person to provide correction within a specified time limit or it shall reject the complaint. The decision on the complaint shall be delivered both to the taxpayer and to the taxable person and both the taxpayer and the taxable person may lodge an appeal against the decision within 30 days from the date of its delivery. The appeal has a suspensory effect. If the taxable person fails to make correction within the time limit specified in the decision, the tax administrator shall impose a penalty upon the taxable person pursuant to a special regulation.[136ac)]

Article 44

Tax Securing

(1) In a decision, the tax administrator may order natural persons and legal persons to withhold an amount of 9.5 % of pecuniary income to secure the tax in the event of pecuniary income provided to another taxpayer. The amount of tax securing shall be considered a tax advance.

(2) To secure the tax on taxable income except for the income, on which the tax is collected by withholding and income from employment, on which a tax advance is withheld pursuant to Article 35, the taxable person paying, remitting or crediting payments in favour of a taxpayer with limited tax liability, except for the taxpayer pursuant to Article 2 (t) or a taxpayer from a State, which is a Contracting Party to the Agreement on the European Economic Area, shall be obliged to withhold an amount of 19 % of the pecuniary income, and in favour of a taxpayer of a non-cooperating State pursuant to Article 2 (x), to withhold an amount of 35% of the pecuniary income. If an interest of a taxpayer that is a partner of a public company, general partner of a limited partnership or member of a European economic interest grouping is concerned, the amount for tax securing shall be withheld regardless of payment of a profit share no later than within three months following the expiry of the tax period.

(3) The amounts for tax securing pursuant to Clauses 1 and 2 shall be levied by the 15th day of each calendar month for the previous calendar month to the competent tax administrator. Within the same time limit, the taxable person shall be obliged to notify the tax administrator of this fact, unless the tax administrator determines otherwise at the request of the taxable person, on a form, whose sample shall be specified and published at its website by the Financial Directorate. This form shall contain summary data on the tax secured and levied broken down by taxpayers pursuant to

a) Article 2 (d), except for the taxpayer pursuant to Article 2 (x),

b) Article 2 písm. (e), except for the taxpayer pursuant to Article 2 (x); if this taxpayer asks the tax administrator for the issuance of an income tax payment receipt, the form shall also contain data broken down pursuant to Paragraph (c),

c) Article 2 (x); for this taxpayer, the form shall also contain data on the tax secured broken down by individual types of income pursuant to Article 16 (1), the sum of taxable income, tax rate, the sum withheld for tax securing, date of payment of the taxable income, and the date of levying the tax secured, and if

1. a natural person is concerned, the form shall also contain the name, surname, permanent address and date of birth,

2. a legal person is concerned, the form shall also contain the name, registered office and company identification number.

(4) The taxable person shall not withhold the sum for tax securing pursuant to Clause 2 if the taxpayer submits a confirmation from the tax administrator that they pay tax advances pursuant to Article 34 or Article 42 unless the tax administrator decides otherwise.

(5) If the taxpayer does not submit the tax return, by withholding the sum for tax securing pursuant to Clauses 1 and 2, the tax administrator may decide that the tax liability has been fulfilled.

(6) The taxable person that does not withhold the sum for tax securing or withholds it in an incorrect amount, or fails to levy the sum withheld for tax securing in time, shall be liable for the tax, which should have been secured in the same way as for the tax unpaid by the taxable person.

(7) If the taxable person is not able to prove the final beneficiary of the income paid pursuant to Article 16 (1), it shall withhold the sum for tax securing in an amount of 35% of the income and in the notification of tax withholding and levying submitted pursuant to Clause 3 (c), it shall not provide the identification data on the beneficiary if

a) a natural person is concerned, the name, surname, permanent address and date of birth,

b) a legal person is concerned, the name, registered office and company identification number.

Article 45

Elimination of Double Taxation

(1) If a taxpayer with unlimited tax liability receives income from a State, which has entered into a double taxation agreement with the Slovak Republic, to eliminate double taxation this double taxation agreement shall be followed, with the exception mentioned in Clause 3 (c). If according to the double taxation agreement, the method of tax set-off is applied, the tax paid in the other contracting State shall be set off for tax settlement pursuant to this Act maximum at the amount, which may be collected in the other contracting State in compliance with this double taxation agreement; the set-off of the tax shall be carried out maximum at the amount of the tax falling on income flowing from sources abroad. The total amount of income (tax

bases) subject to tax abroad, to which the tax set-off pursuant to the double taxation agreement is applied, shall be rounded pursuant to Article 47. For the purposes of tax set-off, the tax base from the income subject to tax abroad shall mean the tax base quantified from the income pursuant to Article 5, Article 6 (3) and (4), Article 8, and the tax base quantified according to Article 17 (14) and the special tax base pursuant to Articles 7 and 51e. The percentage of the share of income from sources abroad from the total tax base in the tax period shall be rounded pursuant to Article 47; for a taxpayer that is a natural person, the total tax base (for the purpose of tax set-off) shall mean the tax base not reduced by the tax-free parts of tax base pursuant to Article 11. The maximum amount of tax paid abroad that can be set off shall be rounded pursuant to Article 47. Only the tax related to the income included in the tax base for the respective tax period may be set off. If according to the double taxation agreement, the method of income exemption is applied, the tax base or tax loss from the income subject to tax abroad for the purposes of income exemption shall mean the tax base quantified from the income pursuant to Article 5, Article 6 (3) and (4), Article 8, the tax base or tax loss quantified according to Article 17 (14) and the special tax base pursuant to Articles 7 and 51e.

(2) If the taxpayer receives income from sources abroad, where the tax period is different from the tax period in the Slovak Republic, and within the time limit for the submission of tax return pursuant to Article 49, the taxpayer has no document on tax payment from the tax administrator abroad, in the tax return they shall provide the expected amount of income received from sources abroad and the tax falling on this income for the tax period, for which the tax return is submitted.

(3) The method of income exemption pursuant to Clause 1 shall be applied if a taxpayer with unlimited tax liability receives income from employment

a) for the work performed for the European Union and its bodies, which was provably taxed in favour of the general budget of the European Union or

b) from sources abroad, from a State that has not entered into a double taxation agreement with the Slovak Republic, and the income was provably taxed abroad,

c) from sources abroad, from a State that has entered into a double taxation agreement with the Slovak Republic, and the income was provably taxed abroad, if this procedure is more convenient for the taxpayer.

(4) More detailed procedures of application of a double taxation agreement in relation to the taxpayer pursuant to Article 2 (d) and (e) shall be specified by the Ministry.

(5) If according to the double taxation agreement, the method of tax set-off is applied, the tax paid in the other contracting State in the event of a hybrid transfer shall be set off for tax settlement pursuant to this Act maximum at the amount, which may be collected in the other contracting State in compliance with this double taxation agreement; the set-off of the tax shall be carried out maximum at the amount of the tax falling on the net income (revenue) included in the tax base flowing from sources abroad and the procedure pursuant to Clause 1 shall not be applied.

Article 46

The tax due quantified in the tax return shall not be paid if it does not exceed EUR 5.

The withholding tax pursuant to Article 43 (17) shall not be paid if the benefit in kind pursuant to Article 43 (17) in aggregate for the respective calendar year does not exceed EUR 40.

Article 46a

Minimum Amount of Personal Income Tax

The personal income tax shall not be imposed and paid if it does not exceed EUR 17 for the tax period or if the total taxable income of the taxpayer for the tax period does not exceed 50 % of the amount pursuant to Article 11 (2) (a). This shall not apply if the taxpayer applies the tax bonus pursuant to Article 33 or if the taxpayer applies the tax bonus for paid interests pursuant to Article 33a or if the tax is collected pursuant to Article 43, or if tax advances are withheld pursuant to Article 35 or if advances for tax securing pursuant to Article 44 are withheld. A taxpayer with limited tax liability mentioned in Article 11 (6) shall use the procedure pursuant to the first sentence and second sentence, if the total amount of their taxable incomes from sources in the territory of the Slovak Republic (Article 16) in the respective tax period represents at least 90 % of all incomes of this taxpayer flowing from sources in the territory of the Slovak Republic and from sources abroad.

Article 47

Rounding

All the calculations pursuant to this Act shall be calculated to two decimal places, where the second figure after the decimal point shall be modified according to the figures following it so that

a) the figure being rounded followed by a figure lower than five shall remain unchanged,

b) the figure being rounded followed by the figure five or a figure higher than five shall be increased by one.

Article 48

Foreign Taxable Person

(1) The taxable persons pursuant to Articles 35, 43 and 44 shall also include a natural person with domicile abroad or a legal person with its registered office abroad having a permanent establishment or employing employees in the territory of the Slovak Republic for a period longer than 183 days continuously or in several periods in any period of 12 consecutive months; this shall not apply to the provision of services mentioned in Article 16 (1) (c) or foreign representative offices in the territory of the Slovak Republic. For employees that do not enjoy privileges and immunities according to international law, the employer that is a taxable person may also be a foreign representative office in the territory of the Slovak Republic or an organisation subordinate to it if it pays, remits or credits these employees the income pursuant to Article 5, and the foreign representative office decides to apply for registration as a taxable person.

(2) In the case mentioned in Article 5 (4), a natural person with domicile abroad or a

legal person with registered office abroad shall not be a taxable person. This shall not apply to a person with the registered office or domicile abroad having a branch in the territory of the Slovak Republic, when such person is the taxable person within the scope of the wage provided.[136bg)]

Article 49

Time Limits for Tax Return, Overview and Report Submission

(1) The taxpayer shall submit a tax return (Articles 32 and 41), overview [Article 39 (9) (a)] or report [Article 39 (9) (b)] to the tax administrator. The documents listed on the respective form of tax return shall be attached to the tax return.

(2) Tax return shall be submitted within three calendar months after the expiry of the tax period, and the report shall be submitted by the end of April after the expiry of the tax period unless otherwise stipulated by this Act; the overview shall be submitted by the end of the calendar month for the previous calendar month. The taxable person, taxpayer, heir or a person pursuant to a special regulation[122aa)] shall also be obliged to pay the tax within the time limit for the submission of the tax return or report. The taxpayer that has not been informed on the account number of the tax administrator kept for the taxpayer by the tax administrator within the time limit for the submission of the tax return pursuant to this Clause or within the time limit pursuant to Clause 3 shall be obliged to pay the tax within eight days from the delivery of this notice, if this notice is delivered after the deadline for the submission of the tax return. The same procedure shall be used if the tax return for the person that has not been informed on the account number of the tax administrator kept for the taxpayer by the tax administrator within the time limit for the submission of the tax return is submitted by a heir or person pursuant to a special regulation.[122aa)]

(3) To the taxpayer that is obliged to submit the tax return after the expiry of the tax period within the time limit pursuant to Clause 2, based on

a) a notification submitted to the competent tax administrator[128)] by the expiry of the time limit for tax return submission pursuant to Clause 2, this time limit shall be extended by maximum three whole calendar months except for a taxpayer in bankruptcy or in liquidation; in the notification submitted on a form, whose sample shall be specified and published at its website by the Financial Directorate, the taxpayer shall provide a new deadline, which is the end of the calendar month, in which the taxpayer will submit the tax return, and the tax shall be due within this new time limit,

b) a notification submitted to the competent tax administrator[128)] by the expiry of the time limit for tax return submission pursuant to Clause 2, this time limit shall be extended by maximum six whole calendar months if its income includes taxable income received from sources abroad except for a taxpayer in bankruptcy or in liquidation; in the notification submitted on a form, whose sample shall be specified and published at its website by the Financial Directorate, the taxpayer shall provide this fact and a new deadline, which is the end of the calendar month, in which the taxpayer will submit the tax return, and the tax shall be due within this new time limit; if in the submitted tax return, the taxpayer does not provide the income received from sources abroad, the tax administrator shall apply the procedure pursuant to a special regulation,[132a)]

c) an application of the taxpayer in bankruptcy or in liquidation submitted no later than 15 days prior to the expiry of the time limit for tax return submission pursuant to Clause 2 for the extension this time limit, the tax administrator may extend the time limit for tax return submission pursuant to Clause 2 in a decision maximum by three calendar months; no appeal may be lodged against the decision on the extension of the time limit for tax return submission.

(4) If the taxpayer dies, the heir shall be obliged to submit the tax return for the respective part of the year. If there are more heirs, the tax return shall be submitted by the heir specified according to the agreement of the heirs. If they fail to agree upon the heir, who should submit the tax return, such heir shall be determined by the tax administrator. If the heir is the Slovak Republic, no tax return shall be submitted. The tax return shall be submitted within three months after the death of the taxpayer; at the request of the heir, the tax administrator may extend this time limit provided that the heir submits such request no later than 15 days prior to the expiry of the time limit for tax return submission pursuant to this Clause. Within the same time limit, the tax return shall be submitted for a deceased taxpayer by the person pursuant to a special regulation.[122aa)] If this taxpayer was also an employer that is a taxable person, the same procedure shall also be used for the submission of the report and overview.

(5) If before their death, the taxpayer was obliged to submit the tax return for the previous tax period and the tax was not imposed, the heir, except for the Slovak Republic, shall be obliged to submit the tax return instead of the deceased taxpayer within three months after the death of the taxpayer. For serious reasons, at the request of the heir, the tax administrator may extend this time limit provided that the heir submits such request no later than 15 days prior to the expiry of the time limit for tax return submission pursuant to this Clause. Within the same time limit, the tax return shall be submitted for a deceased taxpayer by the person pursuant to a special regulation.[122aa)] If this taxpayer was also an employer that is a taxable person, the same procedure shall also be used for the submission of the report and overview.

(6) If the taxpayer is dissolved without liquidation, this taxpayer or their legal successor shall be obliged to submit the tax return within the time limit provided in Clause 2 for the tax period ended as at the date pursuant to a special regulation.[77c)] The assets and liabilities coming into existence starting from the decisive day pursuant to a special regulation[77c)] to the day of taxpayer dissolution shall be part of the assets and liabilities of their legal successor. If the legal successor has not been established yet, the tax return shall be submitted by the taxpayer dissolved without liquidation for the tax period starting on the decisive day pursuant to a special regulation[77c)] and ending on 31 December of the calendar year following the year, in which decisive day occurred pursuant to a special regulation,[77c)] within the time limit pursuant to Clause 2.

(7) If the taxpayer cancels the permanent establishment situated in the territory of the Slovak Republic and has no other taxable income besides the income, on which tax is collected by withholding and thus the tax liability is fulfilled, or has no other permanent establishments situated in the territory of the Slovak Republic, or has no branch in the territory of the Slovak Republic,[136ae)] the taxpayer shall be obliged to submit the tax return or report no later than within three calendar months following the month, in which the permanent establishment was cancelled. If the taxpayer that cancels the permanent establishment situated in the territory of the Slovak Republic also has other taxable income besides the income, on which tax is collected by withholding and thus the tax liability is fulfilled, or also has other permanent establishments situated in the territory of the Slovak Republic, or has a branch in the territory of the Slovak Republic,[136ae)] the taxpayer shall be obliged to submit the tax return within the time limit

pursuant to Clause 2.

(8) If a permanent establishment of the taxpayer comes into existence pursuant to this Act or double taxation agreement only in the tax period following the tax period, in which the taxpayer started performing activity, they shall be obliged to submit the tax return for this tax period by the end of the third month following the month, in which the permanent establishment came into existence pursuant to this Act or double taxation agreement. The procedure pursuant to the first sentence shall not be applied by the taxpayer with limited tax liability [Article 2 (e) Point3] having a branch in the territory of the Slovak Republic.[136ae)] In submitting the tax return for the tax period, in which the taxpayer continues the activity, the procedure pursuant to Clause 2 shall be followed.

(9) The taxpayer, heir or person pursuant to a special regulation[122aa)] shall be obliged to calculate the tax in the tax return themselves and also provide any possible exceptions, exemptions, advantages, relief and to calculate their amount.

(10) The facts decisive for tax imposition shall be assessed for each tax period separately.

(11) For the purpose of tax return submission, the taxpayer shall be obliged to prepare financial statements[1)] as at the end of the tax period pursuant to this Act and to save it within the time limit for tax return submission pursuant to a special regulation[1)] unless otherwise stipulated by a special regulation.[136af)]

(12) The submission of a correcting tax return or report or additional tax return or report shall be governed by a special regulation.[128)]

(13) The tax return for the tax period pursuant to Article 41 (8), (13) and (14) shall be submitted within the time limit pursuant to Clause 2 by the last statutory body or member of the statutory body registered in the Commercial Register prior to the erasure of the taxpayer from the Commercial Register, authorised to act for the taxpayer within the scope registered in the Commercial Register prior to the erasure of the taxpayer from the Commercial Register, and they shall also be obliged to pay the tax within the time limit for tax return submission.

Article 49a

Registration Duty and Notification Duty

(1) The tax administrator shall register the natural person or legal person that is registered in the register of legal persons, entrepreneurs and public authorities [136ag)] in the territory of the Slovak Republic within a time limit and in the way laid down by a special regulation.[128)]

(2) The natural person or an organisational unit of the association acting on its behalf[136ah)] that is not registered in the register of legal persons, entrepreneurs and public authorities[136ag)] shall be registered by the tax administrator within a time limit and in the way laid down by a special regulation[128)] based on the first tax return submitted.

(3) The natural person and legal person that is not registered pursuant to Clause 1 or Clause 2, shall be obliged to ask the tax administrator for registration as a taxable person by the

end of the calendar month following the expiry of the month, in which the duty to withhold tax or tax advances or to collect tax came into existence. The registration duty pursuant to this provision shall not apply to the taxable person mentioned in Article 43 (17).

(4) If a permanent establishment of the natural person or legal person that is not registered pursuant to Clauses 1 to 3 was created in the territory of the Slovak Republic, they shall be obliged to ask the tax administrator for registration as a taxable person by the end of the calendar month following the expiry of the month, in which the permanent establishment was created. If this natural person or legal person has already been registered pursuant to Clauses 1 to 3, they shall be obliged to notify the creation of the permanent establishment to the tax administrator by the end of the calendar month following the expiry of the month, in which the permanent establishment of this natural person or legal person was created. The notification on the creation of a permanent establishment shall be submitted on the form, whose sample shall be specified and published at its website by the Financial Directorate. This notification shall include

a) the identification of the taxpayer submitting the notification in the following scope:

1. tax identification number,

2. name, surname, date of birth, address of permanent residence abroad, telephone number and e-mail address,

3. business name or name, address of registered office abroad, legal form, company identification number if assigned, telephone number and e-mail address,

4. other data identifying the taxpayer submitting the notification,

b) data on the permanent establishment of the taxpayer including

1. permanent establishment type,

2. name,

3. name and surname or name of the representative,

4. address in the territory of the Slovak Republic,

5. date of creation of the permanent establishment,

6. other data on the taxpayer's permanent establishment.

(5) The taxpayer with unlimited tax liability and the taxpayer with limited tax liability having a permanent establishment in the territory of the Slovak Republic shall be obliged to notify the locally competent tax administrator of the conclusion of a contract with a taxpayer having the registered office or domicile abroad, based on which the taxpayer having the registered office or domicile abroad may create a permanent establishment in the territory of the Slovak Republic or based on which the tax liability of employees or persons working for such taxpayer in the territory of the Slovak Republic may come into existence, within 15 days from the conclusion of such contract. The notification shall be submitted on the form, whose sample shall be specified and published at its website by the Financial Directorate. This notification shall include

a) the identification of the taxpayer submitting the notification in the following scope:

1. tax identification number,

2. name, surname, address of permanent residence, telephone number and e-mail address,

3. business name or name, address of registered office, telephone number and e-mail address,

4. address of the permanent establishment in the territory of the Slovak Republic,

5. other data identifying the taxpayer submitting the notification,

b) the identification of the taxpayer entering into the contract in the following scope:

1. name, surname, date of birth, address of permanent residence abroad,

2. business name or name, address of registered office abroad, legal form,

3. other data identifying the taxpayer entering into the contract,

c) data on the concluded contract in the following scope

1. contract type,

2. date of contract conclusion,

3. other data on the concluded contract,

d) place for special records of the taxpayer.

(6) A holder shall be obliged to submit to the tax administrator a notification of the amount of the benefit in kind exceeding the scope specified by a special regulation[37ab)] and of the date of its provision by the end of the month after the expiry of the calendar year, in which this benefit in kind was provided to the healthcare provider except for the benefits in kind notified pursuant to Article 43 (17); if the benefit in kind was provided to

a) a natural person, the form shall also contain their name, surname, address of the healthcare facility, in which the natural person provides healthcare or performs employment of the employee, date of birth, tax identification number of this natural person if assigned,

b) a legal person, the form shall also contain its business name or name, registered office and the tax identification number.

(7) The holder shall be obliged to notify the amount of the taxable benefit in kind, except for the benefits in kind notified pursuant to Article 43 (17), to the recipient by the end of the calendar month after the expiry of the calendar year, in which it provided the benefit in kind. If the holder provided the benefit in kind through another holder that is a third person mediating the provision of the benefit, the amount of the benefit in kind shall be notified to the recipient of the benefit by this other holder unless the holders agree otherwise in writing; this shall not apply if this holder that is a third person mediating the provision of the benefit from the holder is a foreign person.

Article 50

Using the Share of the Tax Paid for Special Purposes

(1) The taxpayer that is

a) a natural person shall be entitled to declare in the tax return within the time limit for tax

return submission or on the form,whose sample shall be specified and published at its website by the Financial Directorate, submitted to the tax administrator by 30 April after the end of the tax period in the event of a taxpayer, for whom an annual account was prepared by the employer that is a taxable person, that the share of the tax paid up to an amount of 2 % is to be remitted to a legal person determined by the taxpayer pursuant to Clause 4 (hereinafter the "beneficiary") or that the share of the tax paid up to an amount of 3 % is to be remitted to the beneficiary, if in the tax period concerned by the statement, the taxpayer carried out voluntary activities pursuant to a special regulation[136f)] for at least 40 hours in the tax period and submits a written confirmation of it pursuant to a special regulation;[59k)] if this taxpayer applies the procedure pursuant to Article 33 or Article 33a, or Article 33 and 33a, the tax paid shall mean the tax paid reduced by the tax bonus pursuant to Article 33, or the tax paid reduced by the tax bonus for paid interests pursuant to Article 33a or the tax paid reduced by the tax bonus pursuant to Article 33 and by the tax bonus for paid interests pursuant to Article 33a,

b) a legal person shall be entitled to declare in the tax return within the time limit for tax return submission that the share of the tax paid up to an amount of 2 % is to be remitted to beneficiaries specified by them pursuant to Clause 4, if in the tax period, to which the declaration is related or no later than within the time limit for the submission of this tax return, the taxpayer donated financial resources in the amount corresponding to at least 0.5 % of the tax paid to taxpayers specified by them that are not established or founded for business,[67)] for the purposes specified in Clause 5; if the taxpayer has not provided these financial resources as a donation in the amount of at least 0.5 % of the tax paid, they shall be entitled to declare in the tax return within the time limit for the submission of the tax return that the share of the tax paid is to be remitted to beneficiaries specified by them pursuant to Clause 4 only up to an amount of 1 % of the tax paid.

(2) The share of the tax paid pursuant to Clause 1 shall be rounded pursuant to Article 47 and shall amount to at least

a) EUR 3 if the taxpayer is a natural person,

b) EUR 8 for one beneficiary if the taxpayer is a legal person.

(3) The statement of remittance of the share of the income tax paid for the tax period, for which the tax is paid, which is part of the tax return or provided on the form pursuant to Clause 1 (a) (hereinafter the "statement"), shall contain

a) the identification of the taxpayer submitting the statement in the following scope:

1. name, surname, personal number, permanent address, telephone number if the statement is submitted by a taxpayer that is a natural person,

2. name, registered office, legal form, taxpayer's identification number if the statement is submitted by a taxpayer that is a legal person,

b) the sum corresponding to the share of the tax paid,

c) the tax period to which the statement is related,

d) identification data of the beneficiary or beneficiaries pursuant to Clause 4 including the name, registered office, legal form, company identification number,

e) the sum falling on each beneficiary.

(4) A share of the tax paid may be provided to a beneficiary that is

a) a civil association,[137)]

b) a foundation,[138)]

c) a non-investment fund,[139)]

d) a non-profit organisation providing services of general economic interest,[140)]

e) a special-purpose facility of a church and religious society,[141)]

f) an organisation with an international element,[142)]

g) the Slovak Red Cross,

h) research and development entities.[142a)]

(5) A share of the tax paid may be provided to a beneficiary and used only for purposes included in its object of activity if its objects of activity are

a) health protection and support; prevention, treatment, social reintegration of drug addicts in the area of healthcare and social services,

b) promotion and development of sport,

c) provision of social assistance,

d) preservation of cultural values,

e) support for education,

f) protection of human rights,

g) protection and creation of the environment,

h) science and research,

i) organising and mediating voluntary activities.

(6) The tax administrator shall remit the share of the tax paid to the beneficiary if the following conditions have been met:

a) the taxpayer has no tax arrears within 15 days after the expiry of the time limit for tax return submission; for the purposes of this provision, tax arrears shall not mean the amount of tax arrears not exceeding EUR 5; the taxpayer, for whom the employer that is a taxable person prepared the annual account, shall prove by a confirmation from this employer that the tax for

the tax period, for which the annual account was prepared, has been withheld to the taxpayer or the taxpayer shall settle the tax arrears for the tax period, for which the annual account was prepared, in a correct amount within the time limit for the submission of the statement pursuant to Clause 1; such confirmation shall be issued by the employer at the request of the employee (Article 39 (7)) and this confirmation shall be attached to the statement,

b) in the statement, the taxpayer specified as a beneficiary

1. only one legal person pursuant to Clause 4 with the provision of the respective amount, if the taxpayer is a natural person or

2. one or more legal persons pursuant to Clause 4 with the provision of the respective amounts, if the taxpayer is a legal person,

c) as at 31 December of the previous calendar year, the beneficiary has been included in the central register of beneficiaries kept by the Chamber of Notaries of the Slovak Republic pursuant to a special regulation[143)] (hereinafter the "Chamber"),

d) the beneficiary is a person mentioned in Clause 4, whose objects of activity include the activities listed in Clause 5,

e) the beneficiary was established no later than during the calendar year preceding the year, in which the fulfilment of the conditions pursuant to Paragraphs (d), (g) and (h) is proved,

f) the beneficiary has no tax arrears within 15 days after the expiry of the time limit for tax return submission; for the purposes of this provision, tax arrears shall not mean the amount of tax arrears not exceeding EUR 5,

g) the beneficiary has no registered arrears of premium for social insurance and the health insurance company does not record any overdue claims against the beneficiary pursuant to special regulations,[143a)]

h) the beneficiary proves that it has an account kept by a bank or a foreign bank branch by the confirmation of the bank or foreign bank branch no older than 30 days and notifies the account number,

i) a notary has attested to the beneficiary and notified to the Chamber without undue delay the identification data of the beneficiary, name of the bank or foreign bank branch, which keeps the beneficiary's account, and the number of that account,

j) the beneficiary is included in the register of non-governmental non-profit organisations.[143b)]

(7) Every year by 15 December of the current year, the notary[144)] shall attest the fulfilment of the conditions pursuant to Clause 6 (d), (e), (g) and (h) by the beneficiary, starting from 1 September of the current year. The notary that has performed the attestation shall be obliged to notify to the Chamber without undue delay the identification data of the beneficiary within the scope pursuant to Clause 3 (d), the name of the bank or foreign bank branch, which keeps the beneficiary's account, and the number of that account for the purpose of the inclusion of the beneficiary into the list of beneficiaries for the following year. The list of beneficiaries shall contain the business name or name of the beneficiary and its registered office, the legal form of the beneficiary, company identification number, account number and name of the bank

or foreign bank branch, which keeps the beneficiary's account. The list of beneficiaries is a public list published by the Chamber on an annual basis pursuant to a special regulation[145)] by 15 January of the calendar year, in which the beneficiary may be provided with the share of the tax paid. Within the same time limit, the Chamber shall deliver the list to the Financial Directorate.

(8) Once the conditions pursuant to Clause 6 have been met, the tax administrator shall be obliged to transfer the shares of the tax paid to the beneficiary's account within three months after the deadline for the submission of the statement pursuant to Clause 1. When the taxpayer grants their consent, the tax administrator shall notify the beneficiary of the identification of the taxpayer remitting the share of the tax paid, i.e. the name, surname and permanent address, if the taxpayer is a natural person, and the business name or name, registered office, legal form, if the taxpayer is a legal person. If the fulfilment of the conditions pursuant to Clause 6 has not been proved or if the submitted statement contains incorrect data on the beneficiary, the title to remit the amount corresponding to the share of the tax paid pursuant to Clause 1 shall cease to exist. If the submitted statement also contains other incorrect data, the tax administrator shall call upon the taxpayer to correct it, and if the deficiencies in the statement are not eliminated within the time limit specified in the call, the title to remit the share of the tax paid pursuant to Clause 1 shall cease to exist. The tax administrator shall inform the taxpayer on these facts without undue delay. In examining the conditions pursuant to Clause 6 (a), (b), (c) and (f) and in remitting the amount corresponding to the share of the tax paid to the beneficiary's account, the tax administrator shall not issue a decision pursuant to a special regulation.[128)]

(9) If between the attestation of fulfilment of the conditions pursuant to Article 6 and the remittance of the share of the tax paid by the tax administrator, the beneficiary is dissolved, the title to the share of the tax paid shall cease to exist. If the beneficiary is dissolved within 12 months after the remittance of the share of the tax paid by the tax administrator, it shall be obliged to refund the share of the tax paid to the tax administrator locally competent pursuant to the registered office of the beneficiary no later than on the date of dissolution. The failure to observe this duty shall be governed by the provisions on the violation of financial discipline pursuant to a special regulation.[74)]

(10) The share of the tax paid remitted by the tax administrator to the beneficiary may not be modified if it is found out additionally that the tax liability of the taxpayer was different. If there is some tax overpaid on the part of the taxpayer, the tax overpaid shall be reduced by the difference between the amount remitted to the beneficiary and the amount corresponding to the share of the tax paid from the adjusted tax liability. If the beneficiary does not use the received share of the tax paid and provides it to another legal person, the beneficiary shall be responsible for the use of the share of the tax paid for the purposes specified in Clause 5; the beneficiary shall be obliged to prove the use of the share of the tax paid by the documents of that other legal person. The other legal person shall be obliged to use the received share of the tax paid only for the purposes specified in Clause 5, within the time limit, within which the beneficiary should have used the received share of the tax paid pursuant to Clause 11.

(11) If the beneficiary does not use the provided share of the tax paid for the activities pursuant to Clause 5 no later than by the end of the year following the year, in which the share of the tax paid was remitted to it, the provisions on the violation of financial discipline pursuant to a special regulation[74)] shall apply to the beneficiary, and the beneficiary shall be obliged to refund the share of the tax paid to the tax administrator locally competent pursuant to the registered office of the beneficiary within 90 days from the date of occurrence of the fact

connected with duty to refund the provided share of the tax paid. If the beneficiary uses the provided share of the tax paid in conflict with the purpose pursuant to Clause 5, it violates the financial discipline pursuant to a special regulation.[146)] The use of the share of the tax paid for the acquisition of a movable thing and real estate used for the purposes pursuant to Clause 5 shall not be considered the violation of financial discipline pursuant to a special regulation.[146)] The use of the share of the tax paid for advertising[146aa)] for the purposes pursuant to Clause 5 shall also be assessed in the same way. The contribution of up to 25 % of the received share of the tax paid to the foundation assets[146aaa)] of a foundation shall also be considered the use of the share of the tax paid.

(12) From the data of tax administrators on the provision of the share of the tax paid, the Financial Directorate shall prepare an annual overview of beneficiaries pursuant to the status as at 31 December of the previous calendar year. The annual overview shall contain the beneficiary's name and registered office, company identification number and the summary of shares of the tax paid that were provided to the beneficiary. The Financial Directorate shall publish the annual overview of beneficiaries for the previous year always by 31 January of the current year, and at the same time, it shall send the overview to the Chamber.

(13) The beneficiary, whose summary of shares of the tax paid on income of natural persons and legal persons in the annual overview of beneficiaries pursuant to Clause 12 is higher than EUR 3,320, shall be obliged, within 16 months from the date of publishing of the annual overview of beneficiaries pursuant to Clause 12, to publish an accurate specification of use of the received share in the Commercial Journal; the specification shall contain in particular the amount and purpose of the use of the share of the tax paid pursuant to Clause 5, the way of the use of the share of the tax paid broken down to the amounts and types of expenditures directly related to the purpose of use pursuant to Clause 5 and the amounts and types of expenditures directly related to the operation of the beneficiary, and the auditor's opinion if pursuant to a special regulation[1)] the beneficiary's financial statements must be verified by an auditor. The beneficiary, whose summary of shares of the tax paid on income of natural persons and legal persons in the respective calendar year is higher than EUR 33,000, shall be obliged, no later than within 30 days from receipt of this amount, to establish a special account in a bank or foreign bank branch, in which it shall only keep the receiving and drawing of the share of the tax paid; the beneficiary shall transfer the financial resources corresponding to the share of the tax paid received in the respective calendar year before the above period reduced by the amounts used to this account within 30 days from the duty to establish it. The beneficiary shall be obliged to notify the number of the special account to the notary on an annual basis for the purpose of attestation in proving the fulfilment of the condition pursuant to Clause 6 (h). The beneficiary shall use the interests on the financial resources in the special account reduced by the withholding tax pursuant to Article 43 and by the costs settled in connection with the keeping of this account only for the purposes specified in Clause 5, which represent objects of its activity.

(14) If the beneficiary fails to fulfil the duty pursuant to Clause 13, the Chamber shall not include the beneficiary in the list of beneficiaries for a period of one year following the year, in which the duty pursuant to Clause 13 was not fulfilled.

(15) If in performing a tax audit pursuant to a special regulation[82)] or during local investigation pursuant to a special regulation,[146ab)] the locally competent tax administrator finds out, that the taxpayer pursuant to Clause 1 (b) violated conditions pursuant to Clause 1 (b) and Article 52i (2) and (3), in a decision it shall order this taxpayer to pay a sum amounting to the

difference between the sum of the share of the tax paid provided in the statement pursuant to Clause 3 and the sum of the share of the tax paid, which it was entitled to provide in the statement (hereinafter the "difference"). An appeal may be lodged against this decision. The tax administrator shall impose upon the taxpayer an interest on late payment on the difference from the day following the day of remittance of the share of the tax paid to the beneficiary to the day of payment of the difference in the amount of four times the basic interest rate of the European Central Bank valid on the day of remittance of the share of the tax paid; if the amount of four times the basic interest rate of the European Central Bank does not achieve 15 %, in calculating the interest on late payment, the annual interest rate of 15 % shall be used instead of the amount of four times the basic interest rate of the European Central Bank. If the taxpayer pursuant to Clause 1 (b) finds out that in the statement it provided a higher amount of the share of the tax paid than it was entitled to provide according to Clause 1 (b) and Article 52i (2) and (3), it shall notify this fact to the tax administrator by the end of the month following this finding, specifying the period, to which the finding is related, and within the same time limit, it shall also pay the difference; the tax administrator shall impose upon the taxpayer an interest on late payment on the difference from the day following the day of remittance of the share of the tax paid to the beneficiary to the day of payment of the difference in the amount of twice the basic interest rate of the European Central Bank valid on the day of remittance of the share of the tax paid; if the amount of twice the basic interest rate of the European Central Bank does not achieve 7.5 %, in calculating the interest on late payment, the annual interest rate of 7.5 % shall be used instead of the amount of twice the basic interest rate of the European Central Bank. The interest on late payment shall be calculated maximum for four years of delay in payment of the difference. The interest on late payment may not be imposed if five years have already passed since the end of the year, in which the taxpayer should have paid the difference. The same procedure shall be used if it is proved that the taxpayer mentioned in Clause 1 (a) failed to fulfil the conditions specified pursuant to a special regulation.[59l)]

(16) The Ministry and the Government Audit Office perform government audits[146ac)] of observance of the provisions of this Act on using the share of the tax paid for special purposes.

Anti-Abuse Rules

Article 50a

(1) If the taxpayer obtains a profit share based on a measure or several measures, which in view of all related facts and circumstances cannot be considered real for the purposes of this Act, and their main purpose or one of main purposes is to obtain an advantage for the taxpayer, which is in conflict with the subject or purpose of this Act, this profit share shall be subject to tax. The measure pursuant to the first sentence may consist of several measures or parts of them.

(2) For the purposes of this Act, the measure pursuant to Clause 1 shall not be considered real to an extent, to which it is not executed based on proper business reasons corresponding to the economic reality.

PART SIX

COMMON, TRANSITIONAL AND FINAL PROVISIONS

Article 51

The procedure for the switching from accounting using the single-entry bookkeeping system to the double-entry bookkeeping system and vice versa, and the details on the provisions of this Act shall be laid down by a generally binding legal regulation to be issued by the Ministry.

Article 51a

(1) The taxpayer that changes the method of application of expenditures pursuant to Article 6 (10) to application of provable expenditures pursuant to Article 6 (11) and vice versa shall adjust the tax base using a procedure specified by the Ministry.

(2) The taxpayer that applied expenditures pursuant to Article 6 (11) in a tax period, and after this tax period started using the double-entry double-entry bookkeeping system or the taxpayer, that used the double-entry bookkeeping system in a tax period, and after this tax period started applying expenditures pursuant to Article 6 (11), shall adjust the tax base using a procedure specified by the Ministry.

(3) The taxpayer that starts keeping tax records pursuant to Article 6 (11) immediately after the period, in which they used the single-entry bookkeeping system,[1)] shall increase the tax base by the balances of reserves created pursuant to Article 20 (9) (b), (d) to (f) in the tax period, in which the change occurred, according to the state ascertained as at the beginning of the tax period, in which they start keeping tax records pursuant to Article 6 (11). The taxpayer that starts using the single-entry bookkeeping system[1)] immediately after the period, in which they kept tax records pursuant to Article 6 (11), shall not adjust the tax base.

(4) The taxpayer that started using the double-entry bookkeeping system[1)] after a period, in which they applied expenditures in the way according to Article 6 (10) and vice versa, shall adjust the tax base pursuant to Article 17 (8) (b) or (c) in the tax period, in which this change occurred. This taxpayer shall adjust the tax base on the basis of the ascertained state of individual items as at the beginning of the tax period, in which they start using the double-entry bookkeeping system or keeping records pursuant to Article 6 (10).

(5) The taxpayer that starts keeping records pursuant to Article 6 (10) immediately after the period, in which they used the single-entry bookkeeping system,[1)] shall increase the tax base by the balances of reserves created pursuant to Article 20 (9) (b), (d) to (f) in the tax period, in which the change occurred, according to the state ascertained as at the beginning of the tax period, in which they start keeping records pursuant to Article 6 (10).

(6) The taxpayer that starts keeping records pursuant to Article 6 (10) immediately after the period, in which they used the single-entry bookkeeping system[1)] or the double-entry bookkeeping system,[1)] if in tax periods they posted a provision to the acquired assets pursuant to a special regulation,[1)] shall only keep this provision as a record and during the period of record-keeping pursuant to Article 6 (10), this provision shall only affect the amount of income; during the period of record-keeping pursuant to Article 6 (10), the taxpayer may not interrupt

or extend the period of inclusion of this provision in the tax expenditures or income.

(7) The taxpayer that starts keeping records pursuant to Article 6 (11) immediately after the period, in which they used the single-entry bookkeeping system[1)] or the double-entry bookkeeping system,[1)] or kept records pursuant to Article 6 (10), if in tax periods they posted a provision to the acquired assets pursuant to a special regulation,[1)] shall also include this provision in the tax expenditures or income in compliance with the accounting regulations[1)] during the period of record-keeping pursuant to Article 6 (11).

Article 51c

(1) Tax advances shall be paid to a locally competent tax administrator in EUR and after the end of the tax period, the tax advances paid for this tax period shall be set off against the tax liability for this tax period.

(2) Income tax administration shall be governed by the provisions of a special regulation.[128)]

Article 51d

Separate Tax Base

(1) The income included in the separate tax base shall be profit shares (dividends) of a business company or cooperative recognised for the tax periods no later than by 31 December 2003, the decision on payment of which the General Meeting made after 31 December 2012, except for the profit shares of partners of public companies and general partners of limited partnerships. These are profit shares (dividends) paid

a) by the taxpayer pursuant to Article 2 (d) Point 2 to a taxpayer with unlimited tax liability in the territory of the Slovak Republic [Article 2 (d)],

b) by the taxpayer pursuant to Article 2 (d) Point 2 to a taxpayer with limited tax liability in the territory of the Slovak Republic [Article 2 (e)],

c) to a taxpayer with unlimited tax liability [Article 2 (d)] from sources abroad.

(2) Tax on profit shares (dividends) paid to a taxpayer pursuant to Clause 1 (a) and (b) shall be collected by withholding pursuant to Article 43, with a tax rate of 15 %. The taxation of profit shares (dividends) shall follow the procedure pursuant to Article 43 and the paying business company or cooperative shall be considered a taxable person pursuant to Article 43, to which the duties resulting from this provision apply.

(3) If profit shares (dividends) are paid to the taxpayer pursuant to Clause 1 (c), they shall be part of the separate tax base for taxation in submitting the tax return pursuant to Article 32 or Article 41; the separate tax base shall be the income not reduced by expenditures. The tax rate for the separate tax base shall amount to 15 %.

(4) The provisions of Clauses 1 to shall not be applied if the income is paid

a) to a taxpayer with the registered office in another Member State of the European Union that

at the time of payment, remittance or crediting of such income in favour of them has at least a 10-percent direct interest in the registered capital of the entity, from which they receive such income,

b) to a taxpayer pursuant to Article 2 (d) with the registered office in another Member State of the European Union and this taxpayer at the time of payment, remittance or crediting of such income in favour of them has at least a 10-percent direct interest in the registered capital of the entity, from which they receive such income.

(5) The procedure pursuant to Article 52 (24) shall not be applied to the taxation of profit shares (dividends) pursuant to Clause 4.

Article 51e

Special Tax Base from the Profit Share (Dividend), Settlement Share, Share in the Liquidation Balance, Share of Business Result Paid to a Silent Partner, and Share of a Member of a Land Association with Legal Personality in the Profit and Assets

(1) The special tax base shall include the income pursuant to Article 3 (1) (e) and (g) except for the income pursuant to Article 3 (1) (g) exempt from tax pursuant to Article 9 and the income subject to tax pursuant to Article 12 (7) (c) Point 1 received by the taxpayer

a) pursuant to Article 2 (d) Point 1, if the income flows from sources abroad, except for the taxpayer pursuant to Paragraph (b),

b) pursuant to Article 2 (d) Point 1, if the income flows from sources abroad from a taxpayer of a non-cooperating State pursuant to Article 2 (x),

c) pursuant to Article 2 (d) Point 2, if the income flows from sources abroad from a taxpayer of a non-cooperating State pursuant to Article 2 (x).

(2) The special tax base shall include the income pursuant to Article 3 (1) (f) and Article 12 (7) (c) Point 2, received from a foreign person not subject to taxation similarly to a limited liability company or joint-stock company with the registered office or place of effective management in the territory of the Slovak Republic, which received the above income because it participates in the registered capital of the foreign person, if the taxpayer receives it pursuant to

a) Article 2 (d) Point 1 except for the taxpayer pursuant to Paragraph (b),

b) Article 2 (d) Point 1, if the income flows from a taxpayer of a non-cooperating State pursuant to Article 2 (x),

c) Article 2 (d) Point 2, if the income flows from a taxpayer of a non-cooperating State pursuant to Article 2 (x).

(3) The income pursuant to Article 3 (1) (e) to (g) not reduced by expenditures, paid to the taxpayer pursuant to

a) Clause 1 (a) and Clause 2 (a) shall be part of the special tax base in submitting the tax return

pursuant to Article 32 taxed with the tax rate pursuant to Article 15 (a) Point 3, except for the settlement share or share in the liquidation balance, which are part of the special tax base after the reduction by the value of the contribution paid up, determined pursuant to Article 25a (c) to (f), and in the other cases, by the acquisition cost ascertained in the way pursuant to Article 25a for each share individually; if the value of the contribution paid up is higher than the settlement share or share in the liquidation balance, the difference shall not be taken into account,

b) Clause 1 (b) and Clause 2 (b) shall be part of the special tax base in submitting the tax return pursuant to Article 32 taxed with the tax rate pursuant to Article 15 (a) Point 4, except for the settlement share or share in the liquidation balance, which are part of the special tax base after the reduction by the value of the contribution paid up, determined pursuant to Article 25a (c) to (f), and in the other cases, by the acquisition cost ascertained in the way pursuant to Article 25a for each share individually; if the value of the contribution paid up is higher than the settlement share or share in the liquidation balance, the difference shall not be taken into account.

(4) The income (revenues) pursuant to Article 12 (7) (c) Point 1 not reduced by expenditures, paid to the taxpayer pursuant to Clause 1 (c), and the income (revenues) pursuant to Article 12 (7) (c) Point 2 not reduced by expenditures, paid to the taxpayer pursuant to Clause 2 (c) shall be part of the special tax base in submitting the tax return pursuant to Article 41 taxed with the tax rate pursuant to Article 15 (b) Point 2, except for the settlement share or share in the liquidation balance, which are part of the special tax base after the reduction by the value of the contribution paid up, determined pursuant to Article 25a (c) to (f), and in the other cases, by the acquisition cost ascertained in the way pursuant to Article 25a for each share individually; if the value of the contribution paid up is higher than the settlement share or share in the liquidation balance, the difference shall not be taken into account.

Article 51f

The measures concerning micro-taxpayers, which represent State aid, may be executed only in compliance with State aid regulations.[146ad)]

Article 52

(1) The tax liabilities for the year 2003 and previous years except pursuant to Clause 14 and the taxation of income from employment and benefits accounted for until 31 December 2003 pursuant to Act No. 366/1999 Coll. on income tax as amended and paid until 31 January 2004, and the preparation of their annual account shall be governed by Act No. 366/1999 Coll. on income tax as amended. The sanctions imposed from 01 January 2004 shall be governed by the provisions of a special regulation.[146a)]

(2) The exemption, relief and other advantages applied pursuant to the current regulations shall be applied until the expiry of the deadline, until which the exemption, relief and other advantages apply to them. The conditions laid down for the application of exemption from tax or tax reduction pursuant to Article 4 (1) (m), Article 5 (7), Article 13 (3) to (7) and lump-sum tax relief pursuant to Article 16 (1) and (2) of Act No. 366/1999 Coll. on income tax as amended, applied until 31 December 2003, shall also be used after the effective date of this Act. The title to lump-sum tax relief pursuant to Act No. 366/1999 Coll. on income tax as amended shall cease to exist on the effective date of this Act.

(3) The taxpayers established within the time limits pursuant to Article 35 and 35a of

Act No. 366/1999 Coll. on income tax as amended, may set up a claim to relief and to the drawing of relief pursuant to the current regulations under the conditions laid down in Article 52b while not proving the fulfilment of the conditions listed in Article 35 (1) (b) of Act No. 366/1999 Coll. on income tax as amended on observing the share of the contribution paid up from sources abroad during the entire period of drawing of a tax credit of at least 75 % and in Article 35a (1) (b) of Act No. 366/1999 Coll. on income tax as amended in the amount of 60 %. The provisions of a special regulation[147)] shall not be affected.

(4) Tax relief for the recipients of investment incentives pursuant to Article 35b and 35c of Act No. 366/1999 Coll. on income tax as amended shall be used for the taxpayers, to whom a decision on the provision of investment incentives containing tax relief was issued no later than till 31 December 2007, also after 01 January 2004. The title of these taxpayers to draw the relief shall remain in force until it has been drawn off pursuant to the conditions laid down in the decision on the provision of investment incentives; this decision cannot be issued repeatedly.

(5) The exemption from tax pursuant to the current regulation shall apply to the retirement benefit pursuant to special regulations[22)] received after the effective date of this Act provided that until 31 December 2003, the service lasted at least five years.

(6) If the condition of duration of service, with which a special regulation[22)] connects the existence of the title to a retirement benefit, is met only after the effective date of this Act, and if the title to retirement benefit payment pursuant to a special regulation[22)] comes into existence till

a) 31 December 2004, the amount corresponding to 20% of the received retirement benefit shall be included in the tax base for the tax period of the year 2004,

b) 31 December 2005, the amount corresponding to 40 % of the received retirement benefit shall be included in the tax base for the tax period of the year 2005,

c) 31 December 2006, the amount corresponding to 60 % of the received retirement benefit shall be included in the tax base for the tax period of the year 2006,

d) 31 December 2007, the amount corresponding to 80 % of the received retirement benefit shall be included in the tax base for the tax period of the year 2007.

(7) The income from the sale of an apartment acquired before 01 January 2004, which was attained until 31 December 2004, shall be governed by the provisions of Act No. 366/1999 Coll. as amended. Article 9 of this Act shall be used for the income attained after 31 December 2004 from the sale of an apartment acquired before 01 January 2004.

(8) The provision of Article 30 shall be used for the losses, which the taxpayer may deduct for the first time after the effective date of this Act although they were recognised before the effective date of this Act. The taxpayer that reduced or could reduce the tax base by the loss recognised before the effective date of this Act shall continue to deduct it according to the current regulations.

(9) The reserves for repairs of tangible assets whose creation was recognised as a tax expenditure till 31 December 2003, shall be completely used, reversed and included in the tax

base according to the plan of repairs specified by the taxpayer starting from the tax return submitted after the effective date of this Act, no later than by 31 December 2008. The reserves that are used according to the plan of repairs specified by the taxpayer after 31 December 2008 shall be reversed in the tax base starting from the tax period of the year 2004 evenly, in each tax period in the amount of one fifth of the total amount of the created reserve. If the taxpayer is dissolved without liquidation until 31 December 2008, the reserves shall be reversed by the legal successor according to the first sentence no later than by 31 December 2008. If until 31 December 2008, the taxpayer is declared bankrupt, the reserves shall be reversed no later than by 31 December 2008; if after the bankruptcy order the taxpayer is dissolved in bankruptcy without a legal successor, the reserves shall be reversed no later than by the date of dissolution of this taxpayer. If the taxpayer is dissolved with liquidation until 31 December 2008, the reserves shall be reversed no later than by the date of dissolution of the taxpayer. The reserves for repairs of tangible assets in Depreciation Category 2, whose creation was not recognised as a tax expenditure already in 2003, shall be drawn or reversed in the same way.

(10) The balances of reserves and provisions recognised as expenditures (costs) for attainment, provision and maintenance of income according to the current regulations created till 31 December 2003, except for the reserves for repairs of tangible assets, whose procedure for drawing and reversing in included in Clause 9, shall be transferred to the next tax period and considered reserves or provisions pursuant to this Acts.

(11) The balances of reserves in banking, whose creation was recognised as a tax expenditure pursuant to the current regulation, shall be included in the income in the period of their drawing no later than within five years after the effective date of this Act.

(12) The income and expenditures (costs), which, according to the current regulation, were included in the tax base only after payment or receipt of settlement, posted until 31 December 2003 in the revenues or costs of the taxpayer, shall be included in the tax base, with the exception pursuant to Clause 1, in the tax period, in which they will also be paid or received after 31 December 2003.

(13) The current regulation shall be used for the taxation of contributions in kind to the registered capital of a business company or cooperative executed till 31 December 2003.

(14) In submitting the tax return after the effective date of this Act, the tax base shall not include the difference in valuation of individual components of the depreciated assets performed pursuant to a special regulation[1)] as at the date of taxpayer dissolution without liquidation related to the assets of the taxpayer, for which the legal successor continues the depreciation, and the goodwill and badwill accounted for by the acquirer, the exchange rate difference from valuation of assets and liabilities and the difference in valuation of derivatives and securities coming into existence at their valuation at fair value, if they are posted in costs or revenues till 31 December 2003.

(15) If there is a change of the Depreciation Category of tangible assets and intangible assets, a change of depreciation period, annual depreciation rate or coefficient, the taxpayer shall be obliged to also carry out these changes for the assets depreciated pursuant to the current regulation; the already applied depreciations shall not be adjusted retroactively.

(16) The taxpayer that till 31 December 2003 acquired and depreciated transport means, to which the limited entry price pursuant to Article 24 (2) (a) of Act No. 366/1999 Coll. on

income tax as amended or the limited amount of rent included in tax expenditures pursuant to Article 24 (3) (f) of Act No. 366/1999 Coll. on income tax as amended applied, shall continue, after 31 December 2003, the depreciation from the proved entry price or the rent inclusion in tax expenditures from the proved amount of rent agreed in the leasing agreement; after 31 December 2003, the taxpayer may include in tax expenditures only the depreciations and rent falling on the tax periods coming after 31 December 2003. The depreciations and rent, which exceeded the limit specified by law till 31 December 2003, may not be additionally included in the tax base after 31 December 2003.

(17) The current regulation shall be used for leasing agreements with a previously agreed right of purchase of the leased thing concluded till 31 December 2003. The changes resulting from the shortening of tangible assets depreciation periods in Article 30 (1) of Act No. 366/1999 Coll. on income tax as amended may be carried out only after a mutual agreement of the lessee and the lessor.

(18) The creation of provisions to non-time-barred receivables at risk of non-payment by the debtor in full or in part, which were included in the income till 31 December 2003 and became due after 31 December 2001, shall be recognised as tax expenditures in the amount and under the conditions provided in Article 25 (1) (v) Point 3 of Act No. 366/1999 Coll. on income tax as amended, if these receivables came into existence till 31 December 2003. The provision of Article 20 (14) shall be used for the receivables, which came into existence after the effective date of this Act.

(19) The taxpayer that as at 31 December 2003 or after this date fulfilled the conditions for the write-off of the receivable, which became due till 31 December 2002, to tax expenditures pursuant to Article 24 (2) (s) Point 7 of Act No. 366/1999 Coll. on income tax as amended, shall write off these receivables to tax expenditures according to the conditions of this Act if the permanent waiver of recovery of a non-time-barred receivable was accounted in costs after 31 December 2002; the assignment of this receivable after 31 December 2003 shall follow the provisions of Article 24 (2) (r) of Act No. 366/1999 Coll. on income tax as amended. The inclusion of the forgiven amount of liability in the tax base appertaining to these receivables shall follow the provisions of Article 23 (27) of Act No. 366/1999 Coll. on income tax as amended.

(20) The provisions of Article 4 (1) (d), Article 10 (3) (a) and Article 58 (8) of Act No. 366/1999 Coll. on income tax as amended shall also be used for the taxation of income from the sale of securities acquired before the effective date of this Act after 31 December 2003.

(21) The taxation of income from the transfer of membership rights of a cooperative or from the transfer of participation in business companies unless the sale of securities acquired before the effective date of this Act is concerned, if the period between the acquirement and transfer exceeds five years, shall also follow the provisions of Article 4 (1) (h) of Act No. 366/1999 Coll. on income tax as amended after 31 December 2003.

(22) The current regulations shall be used for the taxation of revenues from government bonds in foreign currency issued till 31 December 2003. The provisions of Article 9 (2) (s) and Article 13 (2) (f) shall be used for government bonds issued and registered abroad after 31 December 2003 if the revenue is paid, remitted or credited after 31 December 2004.

(23) The current regulation shall be used for the taxation of interests, winnings and other

revenues from deposits in deposit books, from financial resources on current accounts and from deposit accounts credited as at 31 December 2003. The provision of Article 36 (2) (e) of Act No. 366/1999 Coll. on income tax as amended shall be used for the taxation of the interest or other revenue received by a natural person from a deposit with an agreed fixed term of at least three years, which is not intended for business, under the condition that the principal and the interest are drawn only after the expiry of this fixed term if the deposit is terminated no later than by 31 December 2006 and the interest is credited no later than by 31 December 2006.

(24) The provision of Article 3 (2) (c) and Article 12 (7) (c), pursuant to which the income listed is not subject to tax, shall be used for the shares of profit recognised for the tax period after the effective date of this Act, for the settlement shares and shares in the liquidation balance, the title to payment of which came into existence after the effective date of this Act. If the share of profit recognised for the tax periods till 31 December 2003 flows from 01 April 2004 to a taxpayer with limited tax liability, it represents an income from a source in the territory of the Slovak Republic taxed by withholding tax (Article 43); this income shall not be subject to tax if it flows to a taxpayer with the registered office in a Member State of the European Union that has, at the time of payment, remittance or crediting of such income in favour of them, at least a 25-percent direct interest in the registered capital of the entity, from which such income flows. If the share of profit recognised for the tax periods till 31 December 2003 flows to a taxpayer with unlimited tax liability from an entity with the registered office in another Member State of the European Union, and at the time of payment, remittance or crediting of such income in favour of them, this taxpayer has at least a 25-percent direct interest in the registered capital of the entity, from which such income flows, this income shall not be subject to tax from the effective date of the Accession Treaty of the Slovak Republic to the European Union.

(25) The provision of Article 23 (2) (f) shall be used for the tangible assets handed over free of charge after 31 December 2003.

(26) The provisions of Articles 48 and 51a of Act No. 366/1999 Coll. on income tax as amended shall be used in 2004 in assessing the fulfilment of the conditions for the remittance of the share of the tax paid pursuant to Article 50.

(27) The provision of Article 17 (13) on the dissolution of the taxpayer without liquidation during the merger, fusion and division of a business company or cooperative with the registered office in a Member State of the European Union shall be applied for the first time in the tax period, in which the Slovak Republic will become member of the European Union.

(28) The changes resulting from the method of accounting pursuant to Article 86 (1) (i) and (l) of Measure of the Ministry No. 23 054/2002-92 laying down details on accounting procedures and chart of accounts framework for entrepreneurs using the double-entry bookkeeping system (Notice No. 740/2002 Coll.) on accounts 01 - Fixed intangible assets, 381 - Deferred costs, and 382 - Complex deferred costs, shall be settled by the taxpayer in the tax base no later than by the end of 2006. This shall also apply to the tax returns submitted after the effective date of this Act.

(29) Until the beginning of the advance period pursuant to Article 34 in 2004, the taxpayers, who are natural persons, shall pay tax advances calculated according to the current regulation.

(30) The provision of Article 6 (8) (a) and Article 58 (9) of Act No. 366/1999 Coll. on income tax as amended shall be used for monetary advantage in connection with the loans provided before the effective date of this Act.

(31) The exemption from tax pursuant to the current regulation shall apply to the retirement benefit of judges and prosecutors pursuant to special regulations[148)] if it is

a) received till 31 December 2004,

b) received after 31 December 2004 and if

1. the performance of duties of a judge lasted at least five years until 31 December 2004 or

2. the contributing practice of a prosecutor achieved at least five years until 31 December 2004.

(32) If the condition pursuant to Clause 31 (b) Points 1 and 2, with which special regulations[148)] connect the existence of the title to a retirement benefit, is met only after 31 December 2004, and if the title to retirement benefit payment pursuant to special regulations[148)] comes into existence till

a) 31 December 2005, the amount corresponding to 20% of the received retirement benefit shall be included in the tax base for the tax period of the year 2005,

b) 31 December 2006, the amount corresponding to 40 % of the received retirement benefit shall be included in the tax base for the tax period of the year 2006,

c) 31 December 2007, the amount corresponding to 60 % of the received retirement benefit shall be included in the tax base for the tax period of the year 2007,

d) 31 December 2008, the amount corresponding to 80 % of the received retirement benefit shall be included in the tax base for the tax period of the year 2008.

(33) The proportional part of the interest revenue from bonds and treasury bills posted till 31 December 2003 in revenues, not included in the tax base pursuant to Article 23 (4) (a) of Act No. 366/1999 Coll. on income tax as amended, shall be included in the tax base in the tax period, in which they are sold or become due after the effective date of this Act.

(34) In submitting the tax return after the effective date of this Act, the creation of reserves for uninvoiced supplies and services, unused holidays and for payment of premiums and rewards, posted in costs till 31 December 2003, shall also be included in tax expenditures.

(35) For purposes of tax base quantification pursuant to Articles 5 and 6 of this Act, in the tax period of the year 2004, contributions to complementary pension insurance paid by the taxpayer with income pursuant to Article 5 or Article 6 in 2004 may be deducted maximum up to the amount and in the way pursuant to Act No. 366/1999 Coll. on income tax as amended, and for the tax periods of the years 2005 and 2006, maximum up to the amount, in the way and under the conditions laid down in Article 11 (6) (a) and (b) of this Act.

(36) The procedure for the transfer from records of income, tangible assets and intangible assets used for business, receivables and liabilities, received and issued accounting documents kept by the taxpayer pursuant to Article 15 of Act No. 366/1999 Coll. on income

tax as amended to the single-entry bookkeeping system or double-entry bookkeeping system shall be laid down by a generally binding legal regulation to be issued by the Ministry.

(37) The exchange rate difference between the nominal value of a receivable or liability posted on their origination and the value after the revaluation in the period, in which the receivable is collected or written off or the liability is paid or written off shall be included in the tax base in the tax period, in which the receivable is collected or written off or the liability is paid or written off.

(38) The provisions on the exemption of interest revenues provided in Article 4 (2) (p) and Article 19 (2) (e) of Act No. 366/1999 Coll. on income tax as amended shall also be used after 31 December 2003 for the taxation of interest revenues from mortgage bonds issued till 31 December 2003.

(39) The provision of Article 17 (17) in the wording effective after 31 December 2004 shall be used in submitting the tax return after 31 December 2004. If the taxpayer decides to not include the exchange rate differences in the tax base already for the first tax period, for which the tax return is submitted after 31 December 2004, they shall deliver the notification of non-inclusion of exchange rate differences in the tax base pursuant to Article 17 (17) for this tax period to the tax administrator within the time limit for tax return submission for this tax period. The exchange rate differences, differences from revaluation of securities and derivatives not included in the tax base shall be included in the tax base no later than in the tax period ending on 31 December 2007, starting from the tax period, for which the tax return is submitted after 31 December 2004.

(40) The provisions of Article 2 (s), Article 17 (15), (18), (19), and (26), Article 19 (2) (i), Article 19 (3) (o), Article 20 (9) (a), Article 23 (1) (e), Article 25 (6), Article 26 (8), Article 32 (2) (b), Article 32 (4) (c), and Article 45 (3) in the wording effective after 31 December 2004 shall be used in submitting the tax return after 31 December 2004.

(41) For the tax period of the year 2005, the taxpayer may apply, under the conditions laid down in Article 33, the tax bonus for a dependent child in the amount of SKK 5,000; for the calendar months of January to August in the amount of SKK 400 per month and for the calendar months of September to December in the amount of SKK 450 per month.

(42) For the profit shares without participation paid after 01 January 2005, on which a tax advance was collected for the tax on income from employment until the effective date of this Act,

a) Article 3 (2) (c) of this Act shall be used, if a member of the statutory and supervisory body of a business company or cooperative is concerned,

b) Article 5 (7) (i) of this Act shall be used, if an employee of a business company or cooperative is concerned, except for Paragraph (a), and

c) the tax collected until the effective date of this Act shall be settled no later than upon the annual account pursuant to Article 38 or upon the submission of the tax return pursuant to Article 32.

(43) If the taxpayer decides to not include the exchange rate differences in the tax base

pursuant to Article 17 (17) starting from the tax period of the year 2005, they shall deliver the notification of non-inclusion thereof to the tax administrator by 31 December 2005.

(44) The differences from revaluation of securities not included in the tax base in the tax period of the year 2003, which the taxpayer is obliged to include in the tax base no later than within the time limit ended on 31 December 2007, shall also include the differences in valuation from the securities to be sold and traded, resulting from the valuation of the securities at fair value, which the taxpayer was obliged to account as at 01 January 2003 on the account of economic outturn of the previous years.

(45) The amount of the loss recognised till 31 December 2003 deducted pursuant to Article 30 shall be governed by the provisions of generally binding legal regulations effective till 31 December 2003. If during the deduction of the loss pursuant to generally binding legal regulations valid until 31 December 2003, the taxpayer recognises additional loss, Article 30 shall be used for its deduction.

(46) The differences occurred as at 31 December 1999 between the depreciated price of the provision to assets acquired for consideration depreciated pursuant to Act No. 366/1999 Coll.
on income tax as amended, not included in expenditures or income of the taxpayer by the end of the year 2004, shall be included in the expenditures or income of the taxpayer no later than by the end of the year 2006.

(47) The procedure pursuant to Article 11 (10) shall also be used for the taxpayer that applied tax base reduction pursuant to Article 11 (1) (c) to (e) in 2005.

(48) The tax bonus pursuant to Article 33 shall be increased using the same coefficient and for the same calendar months of the tax period as the minimum subsistence amount.[39a)] This procedure shall be used for the first time for the tax period of the year 2007.

(49) In extending or shortening the agreed period of financial leasing, the amount of the monthly depreciation calculated pursuant to Article 26 (8) shall be adjusted starting from the month, in which the lessee and the lessor agreed upon the change of duration of the financial leasing period.

(50) The tax period of the current health insurance company,[149)] which started before the dissolution of the current health insurance company, shall end on the date preceding the date of dissolution of the current health insurance company pursuant to a special regulation.[150)]

(51) The tax base of the health insurance company[93a)] shall not include the drawing and reversal of reserves and provisions, which were created prior to the establishment of the health insurance company.[93a)]

(52) The provisions of Article 12 (3), Article 19 (2) (h) Point 5, Article 19 (3) (h), Article 20 (1), Article 20 (2) (f), Article 20 (16) to (19), Article 52 (50) and (51) in the wording effective after 31 December 2005 shall be used in submitting the tax return after 31 December 2005.

(53) The balance of the technical reserve for extraordinary risks of insurance companies, whose creation does not correspond to the accounting procedure pursuant to the International Financial Reporting Standards, shall be included in the tax base evenly during ten consecutive

tax periods. If an insurance company established after 1995 is concerned, the balance of the technical reserve for extraordinary risks shall be included in the tax base during the tax periods expired from its establishment to 31 December 2005. Regardless of the above mentioned, the balance of the reserve shall be included in the tax base no later than in the tax period until the date of taxpayer dissolution without liquidation, the date preceding the date of entry into liquidation, as at the date preceding the date of entry into bankruptcy, as at the date of change registration in the Commercial Register upon a change of legal form, in which the duty comes into existence to submit a tax return pursuant to Article 41 (8), and as at the date of change of the registered office or place of management out of the territory of the Slovak Republic.

Article 52a

This Act transposes the legally binding acts of the European Union specified in Annex No. 2.

Article 52b

Transitional Provisions to Amendments Effective from 01 January 2007

(1) The provision of Article 5 (1) (i) may be used for the first time in producing the annual account for the tax period of the year 2006 or in submitting the tax return for the income pursuant to Article 5 for the tax period of the year 2006, submitted after 31 December 2006.

(2) The provisions of Article 11 in the wording effective from 01 January 2007 shall be used for the first time for the tax period of 2007.

(3) Pursuant to Article 45 (4) in the wording effective from 01 January 2007, the tax withheld on the interest income may be included for the first time in the tax return for the tax period of the year 2006. Pursuant to Article 45 (4) in the wording effective from 01 January 2007, the tax withheld on the interest income paid, remitted or credited in the period from 01 July 2005 to 31 December 2005 may be set off in the tax return or in the additional tax return for the tax period of the year 2005 submitted after 31 December 2006; this additional tax return shall not be covered by the provisions of Article 39 (3) last sentence, (4) and (5) of a special regulation.[128)]

(4) The taxpayers covered by Article 52 (3) may set up the claims laid down in Article 52 (3), if the conditions pursuant to Article 35 (1) (a) and Article 35a (1) (a) of Act No. 366/1999 Coll. on income tax as amended by Act No. 466/2000 Coll. are fulfilled no later than by 31 March 2007.

(5) The time limits set in Article 35 (8) and in Article 35a (2) of Act No. 366/1999 Coll. on income tax as amended by Act No. 466/2000 Coll. shall also be used accordingly for the tax periods that are marketing years.

(6) The interests on late payment posted by the banks in revenues, not included in the tax base till the end of the year 2005 pursuant to Article 17 (21) in the wording effective till 31 December 2005, shall be included in the tax base starting from the tax period, for which a tax return is submitted after 31 December 2006, however, no later than by 31 December 2007. The interests on late payment paid to banks, included in tax expenditures pursuant to Article 17 (21) in the wording effective till 31 December 2005, shall be included in the tax base of the taxpayer

in the tax period, in which they were paid.

(7) The provisions of Article 25 (5) (c) in the wording effective from 01 January 2007 shall be used starting from the tax period, for which the taxpayer is obliged to submit the tax return after 31 December 2006. The provisions of Article 50 (1) and (2) in the wording effective from 29 December 2006 shall be used for the statements submitted for the tax period ended no later than on 31 December 2006, and the provision of Article 50 (5) in the wording effective till 28 December 2006 shall be used in remitting the share of the tax paid to the beneficiaries included in the list of beneficiaries in 2006.

(8) The provision of Article 17 (1) (c) in the wording effective from the date of promulgation shall be used for the first time in the tax return submitted after the date of promulgation.

(9) The provision of Article 19 (2) (o) Point 2 in the wording effective from 01 January 2007 shall be used for the hedging derivatives,[1)] for which the last settlement, termination or exercise of the right occurred after 01 January 2007. If the last settlement, termination or exercise of the right occurred before 01 January 2007, the taxpayer may adjust the tax base by the costs of hedging derivatives exceeding the income (revenues) from the derivatives for the tax period ended no later than in 2007.

(10) The provision of Article 9 (2) (r) in the wording effective from 01 January 2007 shall be used for the income from the sale of units from 01 April 2007.

(11) The provision of Article 43 (10) in the wording effective from 01 April 2007 shall also be used for the units acquired till 31 December 2003, if they are repaid (returned) from 01 April 2007; in submitting the tax return, the taxpayer may use the provision of Article 52 (20) for these units. If the taxpayer acquired the units before 31 March 2007 and when they are repaid (returned), tax is withheld from 01 April 2007 pursuant to Article 43 (10) in the wording effective from 01 April 2007, in submitting the tax return, the taxpayer may reduce the tax base recognised for the withholding tax on this income by the sum of difference, by which the expenditures connected with the acquirement of the units exceed the price, for which the units were issued.

Article 52c

Transitional Provisions to Amendments Effective from 01 March 2007

(1) The provisions of Article 17 (25) and Article 20 (20) in the wording effective from 01 March 2007 shall be used for the first time in submitting the tax return for the tax period ending in 2007, submitted after 28 February 2007.

(2) The provision of Article 50 (5) in the wording effective from 01 March 2007 shall be used for the first time in remitting the share of the tax paid to the beneficiaries included in the list of beneficiaries in 2007.

Article 52d

Transitional Provisions to Amendments Effective from 01 January 2008

(1) The taxpayer, to whom settlement or restructuring was permitted by 31 December 2006, shall use the provisions of the Act effective till 31 December 2006 to determine the tax period, whose beginning is within this time limit, and for tax advances.

(2) The provisions of the Act in the wording effective till 31 December 2007 shall be used to quantify the tax base for the tax period started till 31 December 2007.

(3) The taxpayer that followed Article 17 (12) (b) in the wording effective till 31 December 2007, shall adjust the tax base no later than by 31 December 2008 by the provided or received advance payment for goods, services or other performance although the supply of the goods, service or other performance, which was settled by the provided or received advance payment, has not been carried out by the end of the tax period of the year 2008.

(4) The taxpayer that was provided with a subsidy for the acquisition of tangible assets by 31 December 2007, shall include the difference between the amount of tax depreciations of these tangible assets recognised as a tax expenditure as at 31 December 2007 and the amount of the subsidy included in the tax base until 31 December 2007, in the tax base evenly during two consecutive tax periods ended no later than on 31 December 2009.

(5) The provision of Article 17 (29) in the wording effective from 01 January 2008 shall also be used for the liabilities, for which until 31 December 2007, a period longer than 36 months has expired from the due date; the amount of these liabilities increasing the tax base shall be included in the tax base evenly during two consecutive tax periods ended no later than on 31 December 2009.

(6) The difference between the provisions included in tax expenditures pursuant to Article 20 (4) in the wording effective till 31 December 2007, and the provisions recognised as tax expenditures pursuant to Article 20 (4) in the wording effective from 01 January 2008, shall be included in the tax base evenly during two consecutive tax periods ended no later than on 31 December 2009, and if until this period

a) the taxpayer is dissolved with liquidation, no later than in the tax period ending on the date preceding the date of entry into liquidation,

b) the taxpayer is declared bankrupt, no later than on the date preceding the date of bankruptcy order or

c) the taxpayer is dissolved without liquidation, no later than on the date of dissolution.

(7) The balance of the technical reserve for indemnities concerning claims occurred and non-reported in the current accounting period recognised before 01 January 2008, the creation of which was recognised as a tax expenditure, shall be included in the tax base during two consecutive tax periods ended no later than on 31 December 2009, and if until this period

a) the taxpayer is dissolved with liquidation, no later than in the tax period ending on the date preceding the date of entry into liquidation,

b) the taxpayer is declared bankrupt, no later than on the date preceding the date of bankruptcy order or

c) the taxpayer is dissolved without liquidation, no later than on the date of dissolution.

(8) The difference, by which the balance of provisions in insurance, the creation of which was recognised as a tax expenditure pursuant to Article 20 (8) (c) in the wording effective till 31 December 2007, exceeds the balance of provisions calculated pursuant to Article 20 (14) effective from 01 January 2008, shall be included in the tax base evenly during two consecutive tax periods ended no later than on 31 December 2009, and if until this period

a) the taxpayer is dissolved with liquidation, no later than in the tax period ending on the date preceding the date of entry into liquidation,

b) the taxpayer is declared bankrupt, no later than on the date preceding the date of bankruptcy order or

c) the taxpayer is dissolved without liquidation, no later than on the date of dissolution.

(9) The difference between the provisions included in tax expenditures pursuant to Article 20 (14) in the wording effective till 31 December 2007, and the provisions recognised as tax expenditures pursuant to Article 20 (14) in the wording effective from 01 January 2008, shall be included in the tax base evenly during two consecutive tax periods ended no later than on 31 December 2009, and if until this period

a) the taxpayer is dissolved with liquidation, no later than in the tax period ending on the date preceding the date of entry into liquidation,

b) the taxpayer is declared bankrupt, no later than on the date preceding the date of bankruptcy order or

c) the taxpayer is dissolved without liquidation, no later than on the date of dissolution.

(10) If the due date of the nominal value of a bond is preceded by the due date of the revenue from the bond,[151)] the proportional part of the interest revenue pursuant to Article 52 (33) shall be included in the tax base in the tax period, in which the revenue from the bond including this proportional part of the interest revenue is due. The due revenue from the bond not included in the tax base in the tax period ended on 31 December 2007 shall be included in the tax base no later than in the tax period ended on 31 December 2008.

(11) The provision of Article 50 (5) in the wording effective from 01 January 2008 shall be used for the first time in remitting the share of the tax paid to the beneficiaries included in the list of beneficiaries published in 2008.

Article 52e

Transitional Provisions to Amendments Effective from 01 January 2009

(1) The expenditures (costs) provably spent by the taxpayer in connection with the changeover from the Slovak currency to the euro including the expenditures (costs) on rounding shall be considered tax expenditures if they meet the conditions laid down in Article 2 (i) and Articles 19 to 21 in the wording effective from 01 January 2009.

(2) The taxpayer that has submitted pursuant to Article 17 (17) the notification of non-inclusion of exchange rate differences in the tax base in the period, in which they are accounted, shall include the exchange rate differences in the tax base in the tax period, in which the receivable is collected or written off or liability is paid or written off; the exchange rate difference for a receivable or liability in

a) euro represents the difference between the value of the receivable or liability posted upon their origination in Slovak Korunas converted at the conversion rate to euros, and the value of the receivable or liability in euros as at the day, on which the receivable is collected or written off or liability is paid or written off,

b) a foreign currency represents the difference between the value of the receivable or liability posted upon their origination in Slovak Korunas converted at the conversion rate to euros, and the value of the receivable or liability in the foreign currency converted pursuant to Article 31(1) in the wording effective from 01 January 2009 as at the day, on which the receivable is collected or written off or liability is paid or written off.

(3) The taxpayer that acquired and put into use[1)] the tangible assets by 31 December 2008, shall convert the entry price, tax depreciations and the depreciated price expressed in Slovak Korunas as at 01 January 2009 at the conversion rate to euros and round them pursuant to Article 47 (2) in the wording effective from 01 January 2009.

(4) The taxpayer that applied accelerated depreciation of the tangible assets till 31 December 2008 pursuant to Article 28, after 31 December 2008 shall continue the depreciation pursuant to Article 28 from the depreciated price converted at the conversion rate pursuant to Clause 3. The taxpayer that applied even depreciation of the tangible assets till 31 December 2008 pursuant to Article 27, after 31 December 2008 shall continue the depreciation pursuant to Article 27 from the entry price converted at the conversion rate pursuant to Clause 3.

(5) If the taxpayer was obliged to pay tax advances pursuant to Article 34 or Article 42 till 31 December 2008 in Slovak Korunas and paid them after 1 January 2009, these tax advances shall be converted at the conversion rate to Slovak Korunas and rounded up to the nearest whole Koruna.

(6) The expenditures (costs) spent by the taxpayer till 31 December 2008 and the expenditures (costs) accounted till 31 December 2008 in Slovak Korunas, which affect the tax base in the tax periods ending after 01 January 2009, shall be converted at the conversion rate to euros and rounded up to the nearest euro cent. The same procedure shall be used in applying the tax loss pursuant to Article 30.

Article 52f

Transitional Provision to Amendments Effective from 01 January 2009

(1) The provisions of Articles 32a, 38, and 43 in the wording effective from 01 January 2009 shall be used for the first time for the tax period of 2009.

(2) The provision of Article 18 (1) in the wording effective from 01 January 2009 shall be used for the first time for the tax period beginning after 31 December 2008.

Article 52g

Transitional Provisions to Amendments Effective from 01 March 2009

(1) Article 11 (2) and (3) shall not be used to reduce the tax base by the tax-free parts of tax base for the tax periods of the years 2009 and 2010, and the tax base for these tax periods shall be reduced as follows:

a) if in the respective tax period the taxpayer attains the tax base, which

1. is equal to or lower than 86 times the minimum subsistence amount in force, the annual tax-free part of tax base per taxpayer is the sum corresponding to 22.5 times the minimum subsistence amount in force,

2. is higher than 86 times the minimum subsistence amount in force, the annual tax-free part of tax base per taxpayer is a sum corresponding to the difference of 44 times the minimum subsistence amount in force and one fourth of the tax base; if this sum is lower than zero, the annual tax-free part of tax base per taxpayer shall be equal to zero,

b) if in the respective tax period the taxpayer attains the tax base, which

1. is equal to or lower than 176 times the minimum subsistence amount in force and their spouse living in the household with the taxpayer[57)] in this tax period

1a. has no own income, the annual tax-free part of tax base per the spouse shall be the amount corresponding to 22.5 times the minimum subsistence amount in force,

1b. has their own income not exceeding the sum corresponding to 22.5 times the minimum subsistence amount in force, the annual tax-free part of tax base per the spouse shall be the difference between the sum corresponding to 22.5 times the minimum subsistence amount in force and the spouse's own income,

1c. has their own income exceeding the sum corresponding to 22.5 times the minimum subsistence amount in force, the tax-free part of tax base per the spouse shall be equal to zero,

2. is higher than 176 times the minimum subsistence amount in force and their spouse living in the household with the taxpayer[57)] in this tax period

2a. has no own income, the annual tax-free part of tax base per the spouse is a sum corresponding to the difference of 66.5 times the minimum subsistence amount in force and one fourth of the tax base of this taxpayer; if this sum is lower than zero, the tax-free part of tax base per the spouse shall be equal to zero,

2b. has their own income, the annual tax-free part of tax base per the spouse is a sum calculated according to Point 1, reduced by the spouse's own income; if this sum is lower than zero, the tax-free part of tax base per the spouse shall be equal to zero.

(2) The provision of Clause 1 (a) Point 1 shall be used for the first time in collecting the tax advances pursuant to Article 35 from the taxable wage for March 2009. The provisions of Clause 1 shall be used for the preparation of the annual account for the tax periods of the years 2009 and 2010 or on the submission of the tax return for the tax periods of the years 2009 and

2010.

(3) The procedure pursuant to the provision of Article 6 (14) in the wording effective from 01 March 2009 may also be used for the whole tax period by the taxpayer performing business or other self-employment that in the tax period of the year 2009 till 28 February 2009 accounted[1)] or kept records pursuant to Article 6 (10).

(4) To quantify the tax base for the tax period ending after 28 February 2009, the provisions of the Act in the wording effective from 01 March 2009 shall be used, with the exception of Annex No. 1 in the wording effective from 01 March 2009, according to which the taxpayer, if they decide so, shall include the tangible assets in depreciation categories only from 01 January 2010.

(5) The taxpayer may apply the depreciation of tangible assets, for which a permit for premature use of building[111a)] or the decision on temporary use of the building for trial operation[111b)] was issued, for the first time in the tax period, which will end after 28 February 2009.

(6) For the tangible assets, whose entry price amounts to EUR 1,700 and less, the taxpayer, whose tax period ends after 28 February 2009, may include the depreciated price in full amount into tax expenditures for the tax period ending in 2009 in the tax return submitted after 28 February 2009 or continue in the started depreciation pursuant to Article 27 or Article 28.

(7) The taxpayer shall include the depreciated price of first costs in full amount in the tax expenditures for the tax period ending in 2009 in the tax return submitted after 28 February 2009.

(8) The taxpayer may use the provision in Article 22 (15) in the wording effective from 01 March 2009 for the first time for the assets put into use in the tax period ending in 2009.

(9) The taxpayer, whose tax period is a marketing year and who follows Article 52d (4) to (6), (8) and (9), shall adjust the tax base in compliance with these provisions evenly during two consecutive tax periods ended no later than on 31 December 2010, and who follows Article 52d (7), no later than by 31 December 2010.

(10) The taxation of the revenues from government bonds of the Slovak Republic, which were issued and registered abroad by 28 February 2009, shall be governed by the provisions of Article 9 (2) (r) and Article 13 (2) (f) in the wording effective till 28 February 2009.

(11) The exception stipulated in Article 17 (29) in the wording effective from 01 March 2009 shall be used for the first time in submitting the tax return submitted after 28 February 2009.

Article 52h

Transitional Provision to Amendments Effective from 01 January 2010

(1) The provision of Article 5 (3) (b) in the wording effective from 01 January 2010 shall be used for the first time for the employee stock option provided by the employer after 31

December 2009 for the purchase of employee shares.

(2) The provision of Article 17 (14) in the wording effective from 01 January 2010 shall be used for the first time for the tax loss of a permanent establishment situated abroad, recognised after 31 December 2009.

(3) The provisions of Article 19 (3) (t) and Article 51a (3) to (7) in the wording effective from 01 January 2010 shall be used in submitting the tax return after 1 January 2010 for the tax period ending in 2009.

(4) During the amortisation of the goodwill or negative goodwill related to the purchase of an enterprise or a part of it or to the contribution in kind of an enterprise or a part of it, which occurred until 31 December 2009, the provisions of the Act in the wording effective till 31 December 2009 shall also be used after this period.

(5) In applying the differences in valuation from participating interests in capital related to contributions in kind executed till 31 December 2009 including the determination of the entry price in depreciating the tangible assets and intangible assets, the provisions of the Act in the wording effective till 31 December 2009 shall also be used after this period.

(6) In applying the differences in valuation from revaluation during the merger, fusion, division of business companies or cooperatives recognised pursuant to a special regulation[1)] till 31 December 2009, the provisions of the Act in the wording effective till 31 December 2009 shall also be used after this period.

(7) The provision of Article 20 (14) in the wording effective from 01 January 2010 shall be used for the receivables coming into existence after 31 December 2009; if the taxpayer decides so, they may also use the provision of Article 20 (14) in the wording effective from 01 January 2010 for the receivables coming into existence till 31 December 2009.

(8) The provision of Article 25 (1) (f) and (g) in the wording effective till 31 December 2009 shall also be used to apply the expenditures pursuant to Article 19 in selling and disposing of tangible assets and intangible assets including the application of expenditures pursuant to Article 19 in selling and disposing of tangible assets and intangible assets pursuant to Articles 17a to 17e after 31 December 2009 if the assets were acquired till 31 December 2009.

(9) The provision of Article 30 (1) in the wording effective from 01 January 2010 shall be used for the tax losses recognised after 31 December 2009.

(10) If by 31 December 2009, the taxpayer calculated tax advances pursuant to Article 42 for the tax for the previous tax period reduced by the applied title to tax relief in the correct amount pursuant to this Act and paid such calculated tax advances within the time limit pursuant to Article 42, the tax administrator shall not apply the interest on late payment pursuant to a special regulation,[127)] and if such interest on late payment has already been paid, the tax administrator shall refund it at the request of the taxpayer.

(11) The provision of Article 49 (3) in the wording effective from 01 January 2010 shall be used for the first time in submitting the corporation tax return for the tax period ending on 31 December 2009 at the earliest, and in submitting the personal income tax return for the tax period ending on 31 December 2010 at the earliest.

(12) The provision of Article 50 (14) in the wording effective from 01 January 2010 shall also be used for the beneficiary that failed to fulfil the duty pursuant to Article 50 (13) in the wording effective till 31 December 2009 and the Chamber did not include it in the list of beneficiaries for the year 2010.

(13) For the calculation of tax-free parts of tax base pursuant to Article 52g (1) for the tax period of the year 2010, the minimum subsistence amount in force as at 1 January 2009 shall be used in the amount of EUR 178.92.

(14) The provision of Article 9 (2) (v) in the wording effective from 01 January 2010 shall be used for the first time in submitting the tax return for the tax period ending on 31 December 2009.

Article 52i

Transitional Provision to Amendments Effective from 01 January 2011

(1) The provision of Article 50 (1) (b) in the wording effective from 01 January 2011 shall be used for the first time in submitting the tax return for the tax period ending no later than on 31 December 2010, and in submitting the tax return for the tax period ending no later than on 31 December 2014.

(2) In the submitted tax returns for the tax periods ending no later than on 31 December 2015 to 31 December 2017, the taxpayer that is a legal person shall be entitled to declare, within the time limit for the submission of these tax returns, that the share of the tax paid up to an amount of 1.5 % is to be remitted to beneficiaries specified by them pursuant to Article 50 (4), if in the tax period, to which the declaration is related or no later than within the time limit for the submission of the tax return, the taxpayer donated financial resources in the amount corresponding to at least 1 % of the tax paid to taxpayers specified by them that are not established or founded for business,[67)] for the purposes specified in Article 50 (5); if the taxpayer has not provided these financial resources as a donation in the amount of at least 1 % of the tax paid, they shall be entitled to declare in the tax returns within the time limit for the submission of these tax returns that the share of the tax paid is to be remitted to beneficiaries specified by them only up to an amount of 1 % of the tax paid.

(3) In the submitted tax returns for the tax periods ending no later than on 31 December 2018 to 31 December 2020, the taxpayer that is a legal person shall be entitled to declare, within the time limit for the submission of these tax returns, that the share of the tax paid up to an amount of 1 % is to be remitted to beneficiaries specified by them pursuant to Article 50 (4), if in the tax period, to which the declaration is related or no later than within the time limit for the submission of the tax return, the taxpayer donated financial resources in the amount corresponding to at least 1.5 % of the tax paid to taxpayers specified by them that are not established or founded for business,[67)] for the purposes specified in Article 50 (5); if the taxpayer has not provided these financial resources as a donation in the amount of at least 1.5 % of the tax paid, they shall be entitled to declare in the tax returns within the time limit for the submission of these tax returns that the share of the tax paid is to be remitted to beneficiaries specified by them only up to an amount of 0.5 % of the tax paid.

(4) The taxpayer that is a legal person shall be entitled to declare in the submitted tax

returns starting from the tax period ending on 31 December 2021 at the earliest, within the time limit for the submission of these tax returns, that the share of the tax paid up to the amount of 0.5 % is to be remitted to the beneficiaries specified by them pursuant to Article 50 (4) for the purposes specified in Article 50 (5).

Article 52j

Transitional Provisions to Amendments Effective from 01 January 2011

(1) The provision of Article 5 (5) (a) of the regulation effective from 01 January 2011 shall also be used for a business trip abroad, to which the employee was sent after 31 December 2010.

(2) The exemption of income pursuant to Article 9 (1) (a), (i) and (j) of the regulation effective till 31 December 2010 shall be used for the income from the sale of such assets acquired till 31 December 2010. Article 9 of the regulation effective till 31 December 2010 shall be used for the income attained after 31 December 2010 from the sale of an apartment acquired before 01 January 2004.

(3) The provisions of the regulation effective till 31 December 2010 shall be used for the application of Article 11 (1) to (4) and (9) for the tax period of the year 2010 and the previous tax periods.

(4) The provision on the violation of conditions pursuant to Article 5 (9) of the regulation effective till 31 December 2010 shall also be used in case of violation of conditions after 31 December 2010.

(5) The provision of Article 17c (3) (c) of the regulation effective from 01 January 2011 shall be used for goodwill or negative goodwill recognised on the part of the legal successor during the merger, fusion or division of business companies or cooperatives, for which the decisive day[77c)] occurred after 31 December 2010.

(6) The provision of Article 22 (7) of the regulation effective from 01 January 2011 shall be applied to the intangible assets put into use after 31 December 2010.

(7) The provision of Article 43 of the regulation effective till 31 December 2010 shall be used for the taxation of income from employment accounted for until 31 December 2010 and paid until 31 January 2011.

(8) The provisions of Article 9 (2) (x) and Article 13 (2) (j) of the regulation effective from 01 January 2011 shall be used for the revenues (income) from the sale of emission allowances allocated for free and registered in 2011 and 2012 pursuant to a special regulation[59h)] received until 31 December 2012 by the mandatory participant in the trading scheme[59f)] that performs activities pursuant to a special regulation.[59g)]

(9) The provisions of Article 51b (1) to (12) of the regulation effective from 01 January 2011 shall be used for the last time in submitting the tax return for the tax on emission allowances for the year 2012.

(10) The provisions of Article 1 (1) (c), Article 21 (2) (l) and 51b (13) of the regulation

effective from 01 January 2011 shall be applied if the tax liability concerning the tax on emission allowances came into existence by the end of 2012.

Article 52k

Transitional Provisions to Amendments Effective from 01 August 2011

(1) The provisions of Article 30a of the regulation effective from 01 August 2011 shall be applied to the taxpayer, to whom from 01 August 2011 the decision was issued on the approval of investment aid pursuant to a special regulation[120a)] containing a tax relief; such taxpayer must not apply, at the same time, the tax relief pursuant to Act No. 366/1999 Coll. as amended, Article 30a of the regulation effective till 31 July 2011 or Article 30b, and the tax relief pursuant to Article 30a of the regulation effective from 01 August 2011.

(2) If after 01 August 2011, the taxpayer continues the application of the tax relief pursuant to Act No. 366/1999 Coll. as amended, Article 30a of the regulation effective till 31 July 2011 or Article 30b, and at the same time the possibility to apply the tax relief pursuant to Article 30a of the regulation effective from 01 August 2011 comes into existence, the taxpayer may start applying the tax relief pursuant to Article 30a of the regulation effective from 01 August 2011 if

a) they do not apply at the same time the tax relief pursuant to Act No. 366/1999 Coll. as amended, Article 30a of the regulation effective till 31 July 2011 or Article 30b or

b) they complete the application of the tax relief pursuant to Act No. 366/1999 Coll. as amended, Article 30a of the regulation effective till 31 July 2011 or Article 30b, where the period pursuant to Article 30a of the regulation effective from 01 August 2011 shall be reduced by this period of tax relief application.

(3) The tax administrator shall be obliged to check the observance of the conditions for tax relief application pursuant to Articles 35, 35a, 35b and 35c of Act No. 366/1999 Coll. on income tax as amended for every tax period, in which the tax relief was applied, within a time limit pursuant to a special regulation.[34)]

(4) The claim to tax relief application pursuant to Article 30a (2) (b) of the regulation effective from 01 August 2011 may be set up only by the taxpayer, to whom the decision on the approval of investment aid pursuant to a special regulation[120a)] was issued after 31 July 2011.

Article 52l

Transitional Provision to Amendment Effective from 01 August 2011

If the taxpayer does not use the positive economic outturn from public health insurance in compliance with Article 13 (2) (i) pursuant to this Act in the wording effective from 01 August 2011, they shall be obliged to include such revenues from public health insurance pursuant to Article 13 (2) (i) in the tax base no later than in the tax period of the year 2012.

Article 52m

Transitional Provisions to Amendments Effective from 01 January 2012

(1) If the registration duty or notification duty of a natural person or legal person came into existence before 01 January 2012, and this registration duty and notification duty was not fulfilled till 31 December 2011, the provisions of this Act in the wording effective from 01 January 2012 and the provisions of a special regulation[128)] shall be used for the registration procedure for the first time from 01 January 2012.

(2) If a natural person or legal person with a permanent establishment created in the territory of the Slovak Republic till 31 December 2011 is not registered, it shall be obliged to get registered pursuant to this Act by 31 March 2012.

(3) The organisational unit of a natural person or legal person, which was registered as a taxable person pursuant to a special regulation effective till 31 December 2011, shall be considered a taxable person pursuant to this Act in the wording effective from 01 January 2012, and the natural person or legal person, which established this organisational unit, shall be obliged to deregister the organisational unit as a taxable person by 30 June 2012. If the natural person or legal person fails to deregister the organisational unit as a taxable person with the specified time limit and fails to do so even after a call from the tax administrator, the tax administrator shall deregister this organisational unit by virtue of office no later than by 31 December 2012.

(4) The provisions of this Act in the wording effective from 01 January 2012 and the provisions of a special regulation[128)] shall be used for the deregistration of the organisational unit as a taxable person for the first time from 01 January 2012, and from the date of deregistration, the rights and duties of this organisational unit as a taxable person under this Act or special regulation[128)] shall be passed on to the natural person or legal person that created the organisational unit.

(5) The provision of a special regulation[128)] shall be used for the sanctions imposed after 31 December 2011.

Article 52n

Transitional Provisions to Amendments Effective from 01 December 2011

The provision of Article 50 (1) (a), Clause 5 and 15 in the wording effective from 01 December 2011 shall be used for the first time in submitting the tax return or annual account of tax advances from income from employment for the tax period of the year 2012.

Article 52o

Transitional Provisions to Amendments Effective from 01 January 2012

(1) For leasing agreements containing a purchase option relating to the article leased concluded till 31 December 2011 including the assignment of these lease contracts without a change of conditions to a new lessee also after 31 December 2011, the provisions of the regulation effective till 31 December 2011 shall be used.

(2) The provision of Article 6 (6) first sentence in the wording effective from 01 January

2012 shall be used for the first time in submitting the tax return for the tax period of 2011.

(3) The provisions of Article 4 (2), Article 6 (6) the second sentence and third sentence, and Article 30 (1) in the wording effective from 01 January 2012 shall be applied to the tax loss recognised after 31 December 2011.

(4) The provisions of Article 13 (1) (b) and (e) in the wording effective from 01 January 2012 shall be used for the first time in submitting the tax return after 31 December 2011.

(5) The provisions of Article 27 (2) and (3) and Article 28 (2) in the wording effective from 01 January 2012 shall be applied to the tangible assets put into use after 31 December 2011.

Article 52p

Transitional Provisions to Amendments Effective from 30 June 2012

(1) The provisions of Article 51b in the wording effective till 29 June 2012 shall be used in submitting the tax return concerning the tax on emission allowances for the last tax period preceding the tax period of the year 2012, and the provision of Article 52j (9) shall not be applied.

(2) The provisions of Article 9 (2) (x) and Article 13 (2) (j) in the wording effective till 29 June 2012 shall be used for the revenues (income) from the sale of emission allowances allocated for free and registered in 2011 pursuant to a special regulation[59h)] received by the mandatory participant in the trading scheme[59f)] that performs activities pursuant to a special regulation,[59g)] and the provision of Article 52j (8) shall not be applied. The revenues (income) from the sale of emission allowances allocated for free and registered in 2012 pursuant to a special regulation[59h)] received by the mandatory participant in the trading scheme[59f)] that performs activities pursuant to a special regulation[59g)] shall be included in the tax base. The revenues (income) from the sale of emission allowances allocated for free and registered in 2012 pursuant to a special regulation[59h)] received till 29 June 2012 by the mandatory participant in the trading scheme[59f)] that performs activities pursuant to a special regulation[59g)] shall be included in the tax base in submitting the income tax return after 29 June 2012. If these revenues (income) from the sale of emission allowances allocated for free and registered in 2012 pursuant to a special regulation[59h)] received till 29 June 2012 were not included in the tax base in the income tax return submitted till 29 June 2012 and are not included in the tax base for emission allowances, the taxpayer shall be obliged to include them in the tax base in the very next tax period.

(3) The provisions of Article 1 (1) (c), Article 21 (2) (l) and Article 51c (2) in the wording effective till 29 June 2012 shall be applied to the tax liability concerning the tax on emission allowances, which came into existence for the last tax period preceding the tax period of the year 2012, and the provision of Article 52j (10) shall not be applied.

(4) If the taxpayer paid tax advances for the tax on emission allowances for the year 2012, the procedure pursuant to Article 42 (13) shall be applied accordingly.

Article 52r

Transitional Provision to Amendments Effective from 01 January 2013

The provisions of this Act in the wording effective till 31 December 2012 shall be used to the application of the tax-free part of tax base for the tax period of the year 2013 for a person that paid voluntary contributions to old-age insurance savings and that lost the legal position of saver pursuant to a special regulation.[152)]

Article 52s

Transitional Provisions for the Submitting of Tax Return Concerning the Tax on Emission Allowances

(1) The taxpayer that failed to submit a tax return concerning the tax on emission allowances for the last tax period preceding the tax period of the year 2012 till 29 September 2012 shall be obliged to submit this tax return by 15 October 2012; the tax on emission allowances shall be due within the same time limit.

(2) The procedure of the tax administrator in refunding the difference of tax advances for the tax on emission allowances, which are higher than the tax on emission allowances calculated in the tax return, shall follow the provisions of a special regulation.[126)]

Article 52t

Transitional Provisions to Amendments Effective from 1 January 2013

(1) The provisions of the Act effective till 31 December 2012 shall be used to tax the income from employment accounted for till 31 December 2012 and paid by 31 January 2013 and to the performance of their annual account.

(2) The provision of Article 15 in the wording effective from 01 January 2013 shall be used for the first time for the tax period beginning on 01 January 2013 at the earliest with the exception mentioned in Clause 10.

(3) The provisions of Article 7 (4) and (7), Article 8 (3) and (12) and Article 9 (2) (i) in the wording effective from 01 January 2013 shall be used for the first time in submitting the tax return after 31 December 2012.

(4) Until the beginning of the advance period pursuant to Article 34 in 2013, the taxpayers, who are natural persons, shall pay tax advances calculated according to the charge effective till 31 December 2012.

(5) The provision of Article 39 (9) in the wording effective from 01 January 2013 shall be used for the first time in submitting the report for the tax period 2012 and in submitting the overview for January 2013.

(6) The provisions of Article 13 (1) (b) and (e) in the wording effective from 01 January 2013 shall be used for the first time in submitting the tax return after 31 December 2012.

(7) The provisions of Article 49 (3) (a) and b) shall not be used in submitting the tax

return, whose last day of the time-limit for submission falls on the calendar year 2013. For the taxpayer that is obliged to submit a tax return after the expiry of the tax period within the time limit pursuant to Article 49 (2) and their income includes the income received from sources abroad, except for a taxpayer in bankruptcy or in liquidation, based on a notice provided to the respective tax administrator until the expiry of the time limit for the submission of a tax return pursuant to Article 49 (2), the time limit for the submission of the tax return shall be extended by maximum three calendar months and the end of this extended time limit must be set to the last day of one of these three calendar months. In the notice, the taxpayer shall provide the fact on income from sources abroad and the extended time limit pursuant to the second sentence; the tax shall also be due within this extended time limit.

(8) In justified cases, the time limit pursuant to Clause 7 may be extended again by maximum three calendar months on the basis of request of the taxpayer filed with the competent tax administrator no later than 15 days before the expiry of the extended time limit for the submission of tax return pursuant to Clause 7. If the until the expiry of the extended time limit for the submission of tax return pursuant to Clause 7, the taxpayer does not receive a decision of the tax administrator on the repeated extension of the time limit for the submission of tax return, they shall be obliged to submit the tax return within the time limit for the submission of tax return mentioned in the notice pursuant to Clause 7. If the tax administrator decides on the repeated extension of the time limit for the submission of tax return, the tax shall become due within such repeatedly extended time limit.

(9) If according to the tax return submitted within the time limit pursuant to Clause 7 or Clause 8 the taxpayer did not attain income flowing from sources abroad, the tax return shall be considered submitted after the deadline pursuant to Article 49 (2), and the tax administrator shall apply the procedure pursuant to a special regulation.[132a)]

(10) The taxpayer, whose tax period is a marketing year, which started in the calendar year 2012 and will end in 2013, shall calculate their tax liability as the sum of

a) the product of the proportional part of the tax base for the number of months from the beginning of the tax period to 31 December 2012 and the tax rate amounting to 19 %; this proportional part of the tax base shall be calculated as the product of the quotient of the tax base reduced by the tax loss and the number of months of the tax period, and the number of months from the beginning of the tax period to 31 December 2012 and

b) the product of the proportional part of the tax base for the number of months from the beginning of the calendar year 2013 to the end of the tax period and the tax rate amounting to 23 %; this proportional part of the tax base shall be calculated as the product of the quotient of the tax base reduced by the tax loss and the number of months of the tax period, and the number of months from 01 January 2013 to the end of the tax period.

(11) The provision of Article 51d in the wording effective from 01 January 2013 shall be used for profit shares (dividends) paid no later than on 31 December 2013.

Article 52u

Transitional Provisions to Amendments Effective from 01 May 2013

(1) The provisions of Article 30a of the regulation effective from 01 May 2013 shall be

applied to the taxpayer, to whom from 01 May 2013 the decision was issued on the approval of investment aid pursuant to a special regulation[120a)] containing a tax relief; such taxpayer must not apply, at the same time, the tax relief pursuant to Act No. 366/1999 Coll. as amended, Article 30a of the regulation effective till 30 April 2013 or Article 30b, and the tax relief pursuant to Article 30a of the regulation effective from 01 May 2013.

(2) If after 01 May 2013, the taxpayer continues the application of the tax relief pursuant to Act No. 366/1999 Coll. as amended, Article 30a of the regulation effective till 30 April 2013 or Article 30b, and at the same time the possibility to apply the tax relief pursuant to Article 30a of the regulation effective from 01 May 2013 comes into existence, the taxpayer may start applying the tax relief pursuant to Article 30a of the regulation effective from 01 May 2013 if

a) they do not apply at the same time the tax relief pursuant to Act No. 366/1999 Coll. as amended, Article 30a of the regulation effective till 30 April 2013 or Article 30b or

b) they complete the application of the tax relief pursuant to Act No. 366/1999 Coll. as amended, Article 30a of the regulation effective till 30 April 2013 or Article 30b, where the period pursuant to Article 30a of the regulation effective from 01 May 2013 shall be reduced by this period of tax relief application.

(3) The claim to tax relief application pursuant to Article 30a (2) of the regulation effective from 01 May 2013 may be set up only by the taxpayer, to whom the decision on the approval of investment aid pursuant to a special regulation[120a)] was issued after 30 April 2013.

Article 52v

Transitional Provision to Amendments Effective from 01 July 2013

The procedure pursuant to Article 6 (2) (a), Article 7 (1) (h) and (3), Article 16 (1) (e) Point 3, Article 43 (3) (h), (i) and (l) and Article 43 (5) (c) in the wording effective from 01 July 2013 shall be used for the taxation of revenues (income) from bonds and treasury bills paid, remitted or credited in favour of the taxpayer from 01 July 2013.

Article 52z

Transitional Provision to Amendments Effective from 01 January 2014

The provisions of Article 11 (10) to (13) in the wording effective from 01 January 2014 shall be used for the first time in preparing the annual account and submitting the report for the tax period 2014 and in submitting the tax return for the tax period 2014.

Article 52za

Transitional Provisions to Amendments Effective from 01 January 2014

(1) The procedure pursuant to Article 5 (3) (a) in the wording effective from 01 January 2014 shall be used for the first time in calculating the income in kind of an employee for January 2014. If in the previous tax periods, the employee was provided with the same motor vehicle of the employer to be used for both business and private purposes, the benefit in kind shall be

calculated from the reduced entry price pursuant to Article 5 (3) (a) Point 2 in the wording effective from 01 January 2014.

(2) Until the beginning of the advance period pursuant to Article 34 in 2014, the taxpayers, who are natural persons, shall pay tax advances calculated according to the charge effective till 31 December 2013.

(3) If the employer that is a taxable person, in the issued confirmation pursuant to Article 39 (5) failed to provide data pursuant to Article 39 (2) (i) in the wording effective till 31 December 2013 for some calendar months of 2013 or for the whole tax period of 2013, in 2014 such confirmation shall be accepted in preparing the annual account or submitting the tax return for the year 2013 even in the event that this employer that is a taxable person paid to its employee the income provided in the statement of remuneration pursuant to Article 39 (2) (i) in the wording effective till 31 December 2013.

(4) The non-applied tax losses recognised for the tax periods ended in 2010 to 2013 or the sum of these non-applied tax losses, although they could be deducted from the tax base, shall be deducted from the tax base uniformly during four consecutive tax periods starting from the tax period on 01 January 2014 at the earliest. The same procedure shall be applied to the tax loss recognised for the tax period of the years 2010 and 2011 from the income from lease pursuant to Article 6 (3).

(5) In 2014, the revenues from mortgage bonds[153)] pursuant to Article 7 (1) (h) in the wording effective till 31 December 2013 received by a natural person from 01 July 2013 to 31 December 2013 shall be taxed by withholding tax in the way laid down in Article 43 (10) based on a written agreement between the taxable person and the natural person who is the recipient of such revenue. The provisions of Article 43 (1), (4), (11) and (12) shall be used accordingly for the procedure of the taxable person in withholding and levying the withholding tax; the taxable person shall be obliged to levy the withholding tax to the tax administrator no later than by 28 February 2014. If by 15 February 2014, the natural person, who is the recipient of such revenue, fails to enter into such written agreement with the taxable person, they shall be obliged to include this revenue into the tax base (partial tax base) from the income pursuant to Article 7.

(6) The provision of Article 15 (b) in the wording effective from 01 January 2014 shall be used for the first time for the tax period beginning on 01 January 2014 at the earliest.

(7) The provision of Article 46b in the wording effective from 01 January 2014 shall be used for the first time for the tax period beginning on 01 January 2014 at the earliest except for the tax period pursuant to Clause 8.

(8) The taxpayer, which is dissolved with liquidation or which was declared bankrupt during the calendar year 2014, shall not pay the tax licence pursuant to Article § 46b for the tax period ending on the date preceding the date of its entry into liquidation or on the date preceding the date of bankruptcy order.

(9) The taxpayer changing the tax period in the calendar year 2014 from calendar year to marketing year shall pay the tax licence pursuant to Article 46b for the tax period ending on the date preceding the date of change along with the tax licence for the very next tax period.

Article 52zb

Transitional Provision to Amendment Effective from 01 March 2014

If the Slovak Republic enters into an international double taxation agreement or an international tax information exchange agreement during the tax period of the year 2014, the respective State shall be added to the list pursuant to Article 2 (x) irrespective of the fact that the international double taxation agreement or the international tax information exchange agreement will come into effect after 31 December 2014.

Article 52zc

Transitional Provision to Amendment Effective from 01 January 2016

The procedure pursuant to Article 39 (7) and (9) (b) and Article 50 (6) (a) in the wording effective from 01 January 2016 shall be used for the first time on the remittance of the share of the tax paid after 31 December 2017.

Article 52zd

Transitional Provisions to Amendments Effective from 01 January 2015

(1) For leasing agreements with a previously agreed right of purchase of the leased thing concluded from 01 January 2004 to 31 December 2014, the provisions of the regulation effective from 01 January 2015 shall be used, except for the change of duration of these agreements, which can be carried out only after a mutual agreement of the lessee and the lessor within the scope resulting from the shortening or extending of the period of depreciation of tangible assets pursuant to Article 26 (1).

(2) The provisions of Article 2 (s), Article 17 (5), (6), (19), (24), (34), and (35), Article 18, Article 19 (2) (t), and (3) (a), (b), (n), and (p), Article 20 (9) (a), and (10), Article 21 (1) (h), Article 21 (2) (m), and (n), Article 22 (9), (11), and (12), Article 24 (8), Article 25 (3), Article 25 (5) (c), Article 26 (1) to (3) and (8) to (11), Article 27 (1), Article 28, Article 30c, Article 42 (2), Annex No. 1 in the wording effective from 01 January 2015 shall be used for the first time for the tax period, which begins on 01 January 2015 at the earliest.

(3) The procedure pursuant to Article 5 (3) (d) in the wording effective from 01 January 2015 shall be used for the first time in calculating the income in kind provided to an employee after 31 December 2014.

(4) The provision of Article 17 (33) (b) in the wording effective from 01 January 2015 shall be used for the first time for the contracts of assets sale, for which the revenues from the sale of assets shall be posted on the account of deferred income after 31 December 2014.

(5) The provision of Article 21a in the wording effective from 01 January 2015 shall be used for the first time for the interests accrued based on credit and loan agreements in submitting the tax return for the tax period starting on 01 January 2015 at the earliest.

(6) If there is a change of depreciation method, a change of Depreciation Category, a change of depreciation period, annual depreciation rate or coefficient, the taxpayer shall be

obliged to also carry out changes for the assets already depreciated pursuant to the regulation effective till 31 December 2014; the already applied depreciations shall not be adjusted retroactively.

(7) The tax bonus pursuant to Article 33 shall be increased as of 01 January of the respective tax period using the same coefficient as that used for the increase of the minimum subsistence amount[39a)] as of 01 July of the previous tax period. This procedure shall be used for the first time for the tax period of the year 2015. The provision of Article 52 (48) shall not be applied from 01 January 2015.

(8) Until the beginning of the advance period pursuant to Article 34 in 2015, the taxpayers, who are natural persons, shall pay tax advances calculated according to the charge effective till 31 December 2014.

(9) The provision of Article 17 (36) in the wording effective from 01 January 2015 shall be used for the first time in submitting the tax return after 31 December 2014.

Article 52ze

Transitional Provision Effective from 15 March 2015

The taxpayer that applied the tax-free part of tax base pursuant to Article 11 (8) in the previous tax periods shall be obliged to increase the tax base by the amount of voluntary contributions to old-age pension savings paid, by which they reduced the tax base in the previous tax periods if they lost the legal position of saver pursuant to a special regulation[153a)] and

a) if they were paid an amount pursuant to a special regulation,[153b)] by submitting the tax return for the tax period, in which such amount was paid to them, or for the very next tax period,

b) if they entered into an agreement on old-age pension or early old-age pension programmed withdrawal payment pursuant to a special regulation,[153c)] by submitting the tax return for the tax period, in which this agreement was concluded, or for the very next tax period, in which they lost the legal position of saver pursuant to a special regulation.[153a)]

Article 52zf

Transitional Provisions to Amendments Effective from 01 April 2015

(1) The provisions of Article 30a of the regulation effective from 01 April 2015 shall be applied to the taxpayer, to whom from 01 April 2015 the decision was issued on the approval of investment aid pursuant to a special regulation[120a)] containing a tax relief; such taxpayer must not apply, at the same time, the tax relief pursuant to Act No. 366/1999 Coll. as amended, Article 30a of the regulation effective till 31 March 2015 or Article 30b, and the tax relief pursuant to Article 30a of the regulation effective from 01 April 2015.

(2) The claim to tax relief application pursuant to Article 30a (2) of the regulation effective from 01 April 2015 may be set up only by the taxpayer, to whom the decision on the approval of investment aid pursuant to a special regulation[120a)] was issued after 31 March 2015.

Article 52zg

Transitional Provisions to Amendments Effective from 01 January 2016

(1) The provisions of Article 13 (1) (d), Article 17 (32), Article 17a (7) (a) and (b), Article 17b (6) (a) and (b), and Article 17c (4) (a) and (b) in the wording effective from 01 January 2016 may be used for the first time in submitting the tax return after 31 December 2015.

(2) The provisions of Article 17a (3), Article 17b (1) (c) and Article 17c (1) (b) in the wording effective from 01 January 2016 shall be used in adjusting the economic outturn for the assets valued at fair value[80ac)] after 31 December 2015. Article 17a (3), Article 17b (1) (c) and Article 17c (1) (b) in the wording effective till 31 December 2015 shall be used for the assets valued at replacement acquisition cost[1)] in adjusting the economic outturn.

(3) The provision of Article 20 (8) in the wording effective from 01 January 2016 shall be used for the creation of technical reserves in the tax period beginning on 01 January 2016 at the earliest.

(4) The provisions of Article 38 (1) to (3), Article 39 (7) and (9) (b) and Article 50 (6) (a) in the wording effective till 31 December 2015 shall be used in remitting the sum of the share of the tax paid in the period from 01 January 2016 to 31 December 2017.

(5) The provision of Article 50 (1) (b) in the wording effective from 01 January 2016 shall be used for the first time in remitting the share of the tax paid after 31 December 2015. The provisions of Article 52i shall not be used from 01 January 2016.

(6) In remitting the share of the tax paid in the period from 01 January 2016 to 31 December 2017, the statement shall contain

a) the exact identification of the taxpayer submitting the statement in the following scope:

1. name, surname, personal number, permanent address, telephone number if the statement is submitted by a taxpayer that is a natural person,

2. business name or name, registered office, legal form, taxpayer's identification number if the statement is submitted by a taxpayer that is a legal person,

b) the sum corresponding to the share of the tax paid,

c) the tax period to which the statement is related,

d) identification data of the beneficiary or beneficiaries pursuant to Article 50 (4) including the business name or name, registered office, legal form, company identification number,

e) the sum falling on each beneficiary.

(7) In the period from 01 January 2016 to 31 December 2017, the notary that attests to the beneficiary the fulfilment of the conditions pursuant to Article 50 (6) (d), (e), (g), (h) every year by 15 December of the current year shall be obliged to notify to the Chamber without undue delay the identification data of the beneficiary within the scope pursuant to Clause 6 (d),

the name of the bank or foreign bank branch, which keeps the beneficiary's account, and the number of that account for the purpose of the inclusion of the beneficiary into the list of beneficiaries for the following year.

(8) The provisions of Article 19 (2) (f) and (g), Article 25a and Article 25 (1) (c) in the wording effective from 01 January 2016 shall be used for the financial assets,[1)] tangible assets and intangible assets acquired after 31 December 2015.

(9) The balance of the technical reserve for the settlement of liabilities towards the Slovak Insurers Bureau recognised before 01 January 2016 shall be included in the tax base evenly during two consecutive tax periods, starting from the tax period, which begins on 01 January 2016 at the earliest, and if until this period

a) the taxpayer is dissolved without liquidation, no later than in the tax period ending on the date preceding the decisive day,[80b)]

b) the taxpayer is dissolved with liquidation, no later than in the tax period ending on the date preceding the date of entry into liquidation,

c) the taxpayer is declared bankrupt, no later than in the tax period ending on the date preceding the date of bankruptcy order,

d) there is a change of legal form, in which the duty to submit a tax return pursuant to Article 41 (7) comes into existence, no later than in the tax period ending on the date preceding the date of registration of the change in the Commercial Register or

e) there is a change of the registered office or place of management out of the territory of the Slovak Republic, no later than in the tax period, in which the registered office or place of management out of the territory of the Slovak Republic is changed.

(10) The provisions of Article 17 (19) (f) and (g), Article 19 (2) (c) and (r), Article 19 (3) (a), (b), (h) and (j), Article 20 (22), Article 21 (2) (a), Article 22 (12), Article 24 (2), Article 25 (3), Article 27 (3), Article 28 (5), Article 37 (1) (c) and Article 46b (7) (e) in the wording effective from 01 January 2016 shall be used for the first time in submitting the tax return after 31 December 2015.

(11) The provision of Article 46b (7) (f) in the wording effective from 01 January 2016 shall be used for the first time in submitting the tax return after 31 December 2015. The taxpayer that filed a petition for dissolution without liquidation[136bf)] in the previous tax periods shall not pay the tax licence for the tax period of the year 2015, for which they submit the tax return after 31 December 2015.

(12) The provision of Article 5 (7) (m) in the wording effective from 01 January 2016 shall be used for the first time for the social assistance provided to an employee after 31 December 2015.

(13) The provisions of Article 43 (17) and Article 46 in the wording effective from 01 January 2016 shall be used for the first time for benefits in kind provided by a holder to a healthcare provider after 31 December 2015.

Article 52zh

Transitional Provisions to Amendments Effective from 01 January 2016

(1) The provisions of Article 12 (2), Article 17 (3) (k) and (l), and Article 17 (19) (h) in the wording effective from 01 January 2016 shall be used for the first time for the tax period beginning on 01 January 2016 at the earliest.

(2) The provision of Article 13 (1) (a) in the wording effective from 01 January 2016 shall be used for the first time for the tax period beginning on 01 January 2016 at the earliest, except for the taxpayers, which are ministries and state-budget funded organisations and contributory organisations established by ministries, for which this provision shall be used for the first time for advertising income (revenue) after 31 March 2017.

Article 52zi

Transitional Provisions to Amendments Effective from 01 January 2017

(1) The provision of Article 15 (b) Point 1 in the wording effective from 01 January 2017 shall be used for the first time for the tax period beginning on 01 January 2017 at the earliest.

(2) The provision of Article 17 (5), (6) and (19) (b) in the wording effective from 01 January 2017 shall be used for the first time in submitting the tax return after 31 December 2016.

(3) The provision of Article 18a (1) and (2) in the wording effective from 01 January 2017 shall be used for the first time in preparing the minutes of tax audit commencement, in delivering the notice of tax audit, in delivering the notice of tax audit extension to another tax period after 31 December 2016.

(4) In imposing a penalty, Article 18a (3) in the wording effective from 01 January 2017 shall be followed, if the tax or tax difference was imposed after 31 December 2016.

(5) The provisions of Article 3 (1)(e) to (g), Article 3 (2), Article 5 (1) (a), Article 9 (1) (n), Article 12 (7) (c), Article 15 (a) Point 3 and 4 and (b) Point 2, Article 16 (1) (e) Point 9, Article 32a (1) (a) Point 4, Article 43 (1) and (2), Article 43 (3) (r), Article 43 (5) (d), Article 43 (9) and Article 51e in the wording effective from 01 January 2017 shall be used for

a) the profit share (dividend) paid from the profit of a business company or cooperative intended for the distribution to the persons taking part in the registered capital, or to the members of the statutory body or to the members of the supervisory body of this business company or cooperative, the share of business result paid to a silent partner unless payments mentioned in Article 3 (1) (f) are concerned, and the share of a member of a land association with legal personality in the profit and assets intended for the distribution among the members of the land association with legal personality recognised for the tax period beginning on 01 January 2017 at the earliest, and the share of a member of a land association with legal personality in the profit and assets intended for the distribution among the members of the land association with legal personality [Article 12 (7) (c)] recognised for the tax periods till 31 December 2016 and paid after 31 December 2016,

b) the profit share (dividend) paid by a business company or cooperative to an employee without participation in the registered capital of the company or cooperative recognised for the tax period beginning on 01 January 2017 at the earliest and recognised for the tax periods till 31 December 2003 paid after 31 December 2016,

c) the share in the liquidation balance of a business company or cooperative, if the business company or cooperative enters liquidation on 01 January 2017 at the earliest or if the court decided on the dissolution of the company pursuant to a special regulation[136bf)] on 01 January 2017 at the earliest,

d) the settlement share, whose amount was specified based on ordinary individual financial statements for the tax period beginning on 01 January 2017 at the earliest.

(6) If the profit share (dividend) recognised for the tax periods till 31 December 2003 flows in the tax period beginning on 01 January 2017 at the earliest from sources in the territory of the Slovak Republic to a taxpayer pursuant to

a) Article 2 (d) Point 1, it is the income taxed by withholding tax (Article 43) with the use of a tax rate of 7 %, and the procedure pursuant to Article 52 (24) shall not be applied,

b) Article 2 (d) Point 2, it is taxed pursuant to Article 52 (24).

(7) If the profit share (dividend) recognised for the tax periods till 31 December 2003 flows from 01 January 2017 from sources in the territory of the Slovak Republic to a taxpayer pursuant to

a) Article 2 (e) Points 1 and 2, it is the income taxed by withholding tax (Article 43) with the use of a tax rate of 7 %, and the procedure pursuant to Article 52 (24) shall not be applied,

b) Article 2 (e) Point 3, it is taxed pursuant to Article 52 (24), and if a withholding tax is applied, a tax rate of 19 % shall be used.

(8) If the profit share (dividend) recognised for the tax periods till 31 December 2003 flows in the tax period beginning on 01 January 2017 at the earliest from sources abroad to a taxpayer pursuant to

a) Article 2 (d) Point 1, it is the income included in a special tax base pursuant to Article 51e with the use of a tax rate pursuant to Article 15 (a) Point 3, and the procedure pursuant to Article 52 (24) shall not be applied,

b) Article 2 (d) Point 2, it is taxed pursuant to Article 52 (24).

(9) In determining the tax base pursuant to Article 43 (5) (d) and Article 51e (2) and (3) in the wording effective from 01 January 2017, the value of the contribution paid up, acquired till 31 December 2015, shall mean the value of the contribution paid up laid down pursuant to the regulation effective till 31 December 2015 and assessed for each settlement share and share in the liquidation balance individually. If the value of the contribution paid up is higher than the settlement share or share in the liquidation balance, the difference shall not be taken into account.

Article 52zj

Transitional Provision to Amendments Effective from 01 February 2017

The provisions of Article 17 (39) and Article 25 (3) in the wording effective from 01 February 2017 shall be used for a motor vehicle registered in the register of vehicles in the Slovak Republic after 31 January 2017.

Article 52zk

Transitional Provision to Amendments Effective from 01 January 2018

The provision of Article 46b in the wording effective till 31 December 2017 shall be applied for the last time for the tax period ending on 31 December 2017, and if the tax period is a marketing year, for the tax period ending during the calendar year 2018. If for the tax periods ending in 2015 to 2017 and for a tax period which is a marketing year, ending in 2015 to 2018, the taxpayer paid a tax licence pursuant to Article 46b in the wording effective till 31 December 2017, the title pursuant to Article 46b (5) in the wording effective till 31 December 2017 to the set-off of the positive difference between the tax licence and the tax calculated in the tax return shall also be applied after 31 December 2017 in compliance with Article 46b (5) in the wording effective till 31 December 2017.

Article 52zl

Transitional Provision to Amendments Effective from 01 January 2018

The provision of Article 3 (1) (e) in the wording effective from 1 January 2018 shall be used for the income received from the decrease in the registered capital of the business company or cooperative in the part, in which it was previously increased from the after-tax profit recognised for the tax periods, for which the recognised profit share (dividend) was subject to tax.

Article 52zm

Transitional Provisions to Amendments Effective from 01 January 2018

(1) The provisions of Article 9 (2) (n), Article 32 (10), Article 33a, Article 37 (5) and (6), Article 38 (4), (5) and (7), Article 39 (6), (9) (a) and (b), (11), (14) and (15), Article 40 (9) to (12), Article 46a, Article 47 (1) and Article 50 (1) (a) in the wording effective from 01 January 2018 shall be used for the first time for housing loan agreements[57a)] concluded after 31 December 2017; if the taxpayer was provided with a mortgage based on a mortgage agreement concluded before 1 January 2018, to which a state allowance or state allowance for young people is applied pursuant to a special regulation,[131a)] they shall be entitled to the tax bonus for paid interests for the first time only in the calendar month following the calendar month, for which the title to a state allowance or state allowance for young people existed last time.

(2) For the purposes of fulfilment of state housing policy tasks, the Financial Directorate

shall provide the Ministry of Transport and Construction of the Slovak Republic with summary data on the number of tax entities that set up a claim to the tax bonus for paid interests pursuant to Article 33a including the total amount of the tax bonus for paid interests applied for the first time for the tax period, which started on 01 January 2018.

Article 52zn

Transitional Provisions to Amendments Effective from 01 January 2018

(1) The provisions of Article 2 (n), (o), (r), (ad) to (ag), Article 17 (42), Article 21 (2) (o) and Article 30c in the wording effective from 01 January 2018 shall be used for the first time for the tax period starting on 01 January 2018 at the earliest.

(2) The provisions of Article 4 (9), Article 9 (1) (e), Article 13 (2) (j), Article 19 (2) (h) Point 1 and Point 2, Article 20 (2) (c), Article 20 (10) to (12) and Article 45 (1) in the wording effective from 01 January 2018 shall be used for the first time in submitting the tax return after 31 December 2017.

(3) The provision of Article 8 (16) in the wording effective from 01 January 2018 shall also be used for the income from the sale of assets acquired before 31 December 2017.

(4) The provision of Article 9 (2) (y) in the wording effective from 01 January 2018 shall be used for the first time in submitting the notification pursuant to Article 43 (17) after 31 December 2017.

(5) The provision of Article 11 (6) in the wording effective from 01 January 2018 shall be applied for the first time in calculating the tax for the tax period of 2017.

(6) The provision of Article 13a in the wording effective from 01 January 2018 shall be used for the first time for the tax period beginning on 01 January 2018 at the earliest. The provision of Article 13a in the wording effective from 01 January 2018 shall also be used for the taxpayer, to whom in the tax period beginning on 01 January 2018 at the earliest the income (revenue) flows from considerations for the provision of the right to use or for the use of an invention protected by patent or technical solution protected by utility model, which represent the result of research and development[1)] carried out by the taxpayer, including the invention that is the subject of a patent application, and technical solution that is the subject of a utility model application, or software resulting from the taxpayer's own activity and is subject to copyright pursuant to a special regulation,[74bc)] which were after 31 December 2017 transferred back to the taxpayer by another person.

(7) The provision of Article 13b in the wording effective from 01 January 2018 shall be used for the first time for the tax period beginning on 01 January 2018 at the earliest. The provision of Article 13b in the wording effective from 01 January 2018 shall also be used for the taxpayer, to whom in the tax period beginning on 01 January 2018 at the earliest the income (revenue) flows from the sale of products, during the production of which an invention protected by patent or technical solution protected by utility model were used in full or in part, which represent the result of research and development[1)] carried out by the taxpayer,including the invention that is the subject of a patent application, and technical solution that is the subject of a utility model application, which were after 31 December 2017 transferred back to the taxpayer by another person.

(8) The provisions of Article 17b (8), (9), (11), and (13) and Article 17d (7), (8), (10) to (13) in the wording effective from 01 January 2018 shall be used for the payment of contribution in kind[80c)] after 31 December 2017.

(9) The provisions of Article 17c (9) and (10) and Article 17e (8) to (10) and (12) and (13) in the wording effective from 01 January 2018 shall be used for the merger, fusion or division of business companies or cooperatives, for which the decisive day occurs after 01 January 2018 at the earliest.

(10) The provisions of Article 17c (3) (a) and (11) and Article 17e (14) in the wording effective from 01 January 2018 shall be used for the first time in paying the differences in valuation from revaluation during the merger, fusion or division of business companies or cooperatives in the tax period beginning on 01 January 2018 at the earliest.

(11) The provisions of Articles 17f, 17g, Article 25 (1) (i) and Article 25a (g) in the wording effective from 01 January 2018 shall be used for the first time on the transfer of the taxpayer's assets, exit of the taxpayer or transfer of the taxpayer's business abroad after 31 December 2017.

(12) The provision of Article 22 (6) (f) and Annex No. 1 in the wording effective from 01 January 2018 shall be used for the first time for technical improvement and repairs carried out and put into use after 31 December 2017.

(13) The provisions of Article 30a (8) to (10) and Article 30b (8) to (10) in the wording effective from 01 January 2018 shall be used for the first time for tax audits completed after 31 December 2017.

(14) The provision of Article 33 (2) in the wording effective from 01 January 2018 shall be used for the first time for the tax period of 2017.

(15) The provision of Article 52zc shall not be applied from 01 January 2018.

(16) The provision of Article 26 (12) in the wording effective from 01 January 2018 shall be used for the first time in the tax period starting on 01 January 2018 at the earliest, also for the assets depreciated pursuant to the regulation effective till 31 December 2017; the depreciations already applied shall not be modified retroactively.

(17) The provision of Article 13c in the wording effective from 01 January 2018 shall be used for the income from the sale of shares or business interest acquired before 1 January 2018, for which the condition of direct interest in the registered capital of 10%, paid up and registered in the Commercial Register, has been met, where for the purpose of the fulfilment of the condition pursuant to Article 13c (2) (a), the period of 24 consecutive calendar months begins on 01 January 2018. For a taxpayer, whose tax period is a marketing year, the provision of Article 13c in the wording effective from 01 January 2018 shall be used for the income from the sale of shares or business interest acquired until the end of the tax period immediately preceding the tax period starting after 31 December 2017, for which the condition of direct interest in the registered capital of 10%, paid up and registered in the Commercial Register, has been met, where for the purpose of the fulfilment of the condition pursuant to Article 13c (2) (a), the period of 24 consecutive calendar months begins on the first day of the tax period

starting after 31 December 2017.

(18) The provision of Article 19 (2) (f) Point 1 in the wording effective till 31 December 2017 shall be used on the sale of shares acquired no later than till 31 December 2017, and for a taxpayer, whose tax period is a marketing year, on the sale of shares acquired until the end of the tax period immediately preceding the tax period starting after 31 December 2017, for which the conditions of exemption pursuant to Clause 17 and Article 13c have not been met.

(19) The provisions of Article 5 (7) (m) and Article 19 (2) (s) in the wording effective from 01 January 2018 shall be used for the first time in providing transport to the place of work performance and back after 31 December 2017.

Article 52zo

Transitional Provision to Amendments Effective from 01 January 2019

The provisions of Article 2 (ah) and Article 17h in the wording effective from 01 January 2019 shall be used for the first time for the tax period beginning on 01 January 2019 at the earliest.

Article 52zp

Transitional Provisions to Amendments Effective from 01 April 2018

(1) The provisions of Article 30a in the wording effective from 01 April 2018 shall be applied to the taxpayer, to whom from 01 April 2018 the decision was issued on the provision of investment aid pursuant to a special regulation[120a)] containing a tax relief; such taxpayer must not apply, at the same time, the tax relief pursuant to Act No. 366/1999 Coll. on income tax as amended, Article 30a in the wording effective till 31 March 2018 or Article 30b, and the tax relief pursuant to Article 30a in the wording effective from 01 April 2018.

(2) If after 01 April 2018, the taxpayer continues the application of the tax relief pursuant to Act No. 366/1999 Coll. on income tax as amended, Article 30a in the wording effective till 31 March 2018 or Article 30b, and at the same time, the possibility to apply the tax relief pursuant to Article 30a in the wording effective from 01 April 2018 comes into existence, the taxpayer may start applying the tax relief pursuant to Article 30a in the wording effective from 01 April 2018 only provided that they finish the application of tax relief pursuant to Act No. 366/1999 Coll. on income tax as amended, Article 30a in the wording effective till 31 March 2018 or Article 30b.

(3) If during the application of tax relief pursuant to Act No. 366/1999 Coll. on income tax as amended or tax relief pursuant to Article 30a in the wording effective till 31 March 2018, a decision on the provision of investment aid pursuant to a special regulation[120a)] containing a tax relief pursuant to Article 30a in the wording effective from 01 April 2018 is issued to the taxpayer, the period of application of tax relief based on this decision shall be reduced by the period, during which the taxpayer applies the tax relief pursuant to Act No. 366/1999 Coll. on income tax as amended or pursuant to Article 30a in the wording effective till 31 March 2018.

(4) The claim to tax relief application pursuant to Article 30a (2) in the wording effective from 01 April 2018 may be set up only by the taxpayer, to whom the decision on the provision

of investment aid pursuant to a special regulation[120a)] was issued after 31 March 2018.

Article 52zr

Transitional Provisions to Amendments Effective from 01 May 2018

(1) The provision of Article 5 (7) (n) shall be used for the first time for the amount of pecuniary income pursuant to special regulations[24d)] paid in June 2019.

(2) The provision of Article 5 (7) (o) shall be used for the first time for the amount of pecuniary income pursuant to special regulations[24g)] paid to an employee in December 2018 provided that in June 2018, the employee was also paid the amount of pecuniary income pursuant to special regulations[24d)] at least in the amount of an average monthly earning (function salary) of the employee pursuant to special regulations.[24f)]

(3) The provision of Article 39 (2) (f) Points 2, 3, 9, and 10 in the wording effective from 01 May 2018 shall be used for the first time in keeping the statement of remuneration of the employee after 30 April 2018.

Article 52zs

Transitional Provision to Amendments Effective from 01 October 2018

The provisions of Article 2 (ai), Article 8 (1) (t) and (17), Article 17 (3) (n) and (o) and (43), Article 19 (2) (v), and Article 25b shall be used for the first time in submitting the tax return after 30 September 2018.

Article 52zt

Transitional Provision to Amendments Effective from 01 January 2019

The provisions of Article 5 (7) (b), Article 11 (14), Article 19 (2) (c) Point 5, Article 19 (2) (w) and Article 21 (1) (i) in the wording effective from 01 January 2019 shall be used for the recreations pursuant to a special regulation,[17b)] which begin after 31 December 2018.

Article 52zu

Transitional Provisions to Amendments Effective as of 1 January 2012

(1) The provision of Article 5 (7) (p) in the wording effective from 01 January 2019 shall be used for benefits in kind provided to employees by the employer after 31 December 2017 for the first time in preparing the annual account for the tax period of the year 2018 or in submitting the tax return after 31 December 2018. The provisions of Article 19 (2) (s) Point 2 and Article 21 (1) (f) in the wording effective from 01 January 2019 shall be used for the first time in submitting the tax return after 31 December 2018.

(2) The provision of Article 9 (2) (ac) in the wording effective from 01 January 2019 shall be used for the first time for the tax period of 2018.

(3) The provisions of Article 17 (2) (d) and Article 17 (44) in the wording effective from

01 January 2019 shall be used for the first time in submitting the tax return after 31 December 2018.

Article 52zv

Transitional Provision to Amendment Effective from 01 January 2019

The provision of Article 17 (19) (k) in the wording effective from 01 January 2019 shall be used for the first time for the special levy of marketing chains[79f)] paid after 31 December 2018.

Article 52zw

Transitional Provision to Amendment Effective from 01 April 2019

The taxpayer may set up a claim to the tax bonus pursuant to the provision of Article 33 (1) in the wording effective from 01 April 2019 for the first time for the calendar month of April 2019.

Article 52zx

Transitional Provision to Amendment Effective from 01 March 2019

The provision of Article 5 (7) (n) in the wording effective from 01 March 2019 shall be used for the first time for the amount of pecuniary income pursuant to special regulations[24d)] paid in June 2019.

Article 52zy

Transitional Provision

The special levy of marketing chains paid before the effective date of this Act shall be included in the taxpayer's tax base.

Article 52zz

Transitional Provision to Amendment Effective from 01 December 2019

The provision of Article 32 (10) in the wording effective from 01 December 2019 shall be used for the first time in submitting the tax return for the tax period of 2019.

Article 52zza

Transitional Provisions to Amendments Effective from 01 January 2020

(1) The provision of Article 5 (7) (p) in the wording effective from 01 January 2020 shall be used for the first time in providing accommodation after 31 December 2019.

(2) The provision of Article 11 (9) in the wording effective till 31 December 2019 shall also be used after 31 December 2019.

(3) The provisions of Article 13 (3) and Article 43 (21) in the wording effective from 01 January 2020 shall be used for the income paid after 31 December 2019.

(4) The provisions of Article 13c (1) to (3) in the wording effective from 01 January 2020 shall be used for the income from the sale of shares of a simple joint-stock company acquired before 1 January 2018, for which the condition of direct interest in the registered capital of at least 10%, paid up and registered in the Commercial Register, has been met, where for the purpose of the fulfilment of the condition pursuant to Article 13c (2) (a), the period of 24 consecutive calendar months began on 01 January 2018. For a taxpayer, whose tax period is a marketing year, the provisions of Article 13c (1) to (3) in the wording effective from 01 January 2020 shall be used for the income from the sale of shares of a simple joint-stock company acquired until the end of the tax period immediately preceding the tax period starting after 31 December 2017, for which the condition of direct interest in the registered capital of at least 10%, paid up and registered in the Commercial Register, has been met, where for the purpose of the fulfilment of the condition pursuant to Article 13c (2) (a), the period of 24 consecutive calendar months began on the first day of the tax period, which started on 01 January 2018 at the earliest.

(5) The provisions of Article 17 (19) and Article 21 (2) (m) in the wording effective from 01 January 2020 shall be used for the expenditures (costs) included in the records pursuant to Article 6 (11) or accounted for[1)] at the earliest in the tax period starting on 01 January 2020 at the earliest.

(6) The provision of Article 17 (19) (c) in the wording effective till 31 December 2019 shall be used for the income (revenues) for marketing and other studies and for market survey on the part of the creditor, which were accounted for[1)] no later than in the tax period ending no later than on 31 December 2019, also after 31 December 2019. For a taxpayer, whose tax period is a marketing year, the provision of Article 17 (19) (c) in the wording effective till 31 December 2019 shall be used for the income (revenues) for marketing and other studies and for market survey on the part of the creditor, which were accounted for no later than in the tax period started in the calendar year 2019 and ending after 31 December 2019, also after 31 December 2019.

(7) The provisions of Article 17 (19) (d) and (g) in the wording effective till 31 December 2019 shall be used for the expenditures (costs) included in the records pursuant to Article 6 (11) or accounted for no later than in the tax period ending no later than on 31 December 2019, also after 31 December 2019. For a taxpayer, whose tax period is a marketing year, the provisions of Article 17 (19) (d) and (g) in the wording effective till 31 December 2019 shall be used for the expenditures (costs), which were accounted for no later than in the tax period started in the calendar year 2019 and ending after 31 December 2019, also after 31 December 2019.

(8) The provisions of Article 17 (31), Article 21 (2) (l), Article 43 (3) (o) and (17), (18), (20) and (21) in the wording effective till 31 December 2019 shall be last time applied to the income and benefits provided and paid no later than by 31 December 2019.

(9) The provisions of Article 17a (7), Article 17b (6) (a) and (b), Article 17c (4) (a) and (b) and Article 20 (3) in the wording effective from 01 January 2020 shall be used for the first time in the tax period beginning on 01 January 2020 at the earliest.

(10) The provisions of Article 17i and Article 45 (5) shall be used for the first time in the tax period beginning after 31 December 2019 at the earliest.

(11) The provision of Article 20 (9) (b) in the wording effective after 31 December 2019 shall be used for the first time for the creation of a reserve for forest silvicultural operations in the tax period beginning on 01 January 2020 at the earliest.

(12) The provision of Article 20 (9) (b) in the wording effective till 31 December 2019 shall be used for the creation of a reserve for forest silvicultural operations for the period till the provision of young forest stand confirmed by a professional forest manager, which was created till 31 December 2019, also after 31 December 2019.

(13) The provisions of Article 21 (1) (l) and (2) (o) in the wording effective till 31 December 2019 shall be used for the last time in the tax period, which started no later than in the calendar year 2019 and ended no later than after 31 December 2019.

(14) The provision of Article 21 (2) (m) in the wording effective till 31 December 2019 shall be used for the lump-sum reimbursement of costs connected with filing claims,[37aa)] contractual penalties, fees for late payment and interests on late payment on the part of the debtor, which were included in the records pursuant to Article 6 (11) or accounted for no later than in the tax period ending no later than on 31 December 2019, also after 31 December 2019. For a taxpayer, whose tax period is a marketing year, the provision of Article 21 (2) (m) in the wording effective till 31 December 2019 shall be used for the lump-sum reimbursement of costs connected with filing claims, contractual penalties, fees for late payment and interests on late payment on the part of the debtor, which were accounted for no later than in the tax period started in the calendar year 2019 and ending after 31 December 2019, also after 31 December 2019.

(15) The provisions of Article 26 (1), Article 27 (1) and Annex No.1 in the wording effective from 01 January 2020 shall be used for the first time in submitting the tax return after 31 December 2019. If there is a change of Depreciation Category, a change of depreciation period or a change of the annual depreciation rate, the taxpayer shall be obliged to also carry out changes for the assets already depreciated pursuant to the regulation effective till 31 December 2018; the already applied depreciations shall not be adjusted retroactively.

(16) The provision of Article 30 (1) first sentence and (b) in the wording effective from 01 January 2020 shall be used for tax losses recognised for the tax periods beginning on 01 January 2020 at the earliest.

(17) In submitting a tax return after 31 December 2019, for the implementation of a research and development project pursuant to Article 30c (1) in the wording effective till 31 December 2019, 150 % of expenditures (costs) spent on research and development in the tax period, which started on 01 January 2019 at the earliest, may be deducted. The provision of Article 30c (1) in the wording effective from 01 January 2020 shall be used for the first time for the tax period beginning on 01 January 2020 at the earliest.

(18) The provisions of Article 30c (7) and (9) in the wording effective from 01 January 2020 shall be used for the first time for a research and development project, whose implementation will begin in the tax period starting on 01 January 2020 at the earliest.

(19) Until the beginning of the advance period pursuant to Article 34 in 2020, the taxpayers, who are natural persons, shall pay tax advances calculated according to the charge effective till 31 December 2019.

(20) The provisions of Article 36 (6) and (7), Article 38 (1), and Article 39 (16) regulating the way of delivery in electronic form, in the wording effective from 01 January 2020, shall be used in notifying changes and delivering documents between the employer and the employee by electronic means after 31 December 2019.

(21) The provisions of Article 42 (2) and (3) in the wording effective from 01 January 2020 shall be used for the first time in paying the advances for the tax period beginning on 01 January 2020 at the earliest.

(22) The provision of Article 45 (4) in the wording effective till 31 December 2019 shall be used for the last time in submitting the tax return for the tax period ending on 31 December 2019 at the latest.

(23) The procedure of rounding pursuant to Article 47 in the wording effective till 31 December 2019 shall be used for tax liabilities for the year 2019 and for the previous years, for the taxation of income from employment and benefits accounted for by 31 December 2019 and paid until 31 January 2020, and for the preparation of the annual account for the year 2019.

(24) The provisions of Article 5 (7) (a) and Article 19 (2) (c) Point 3 in the wording effective from 01 January 2020 shall be used for the first time for the amount spent by the employer on employee's education in accounting for the wage for January 2020. In providing education, which increases the degree of education to first-degree or second-degree university education, these provisions shall be used for the first time for the academic year beginning after 31 December 2019.

Article 52zzb

Transitional Provisions to Amendments Effective from 01 January 2021

(1) A taxpayer may for the first time obtain the position of a micro-taxpayer pursuant to Article 2 (w) in the wording effective from 01 January 2021 for the tax period starting on 01 January 2021 at the earliest.

(2) The provision of Article 5 (7) (m) in the wording effective from 01 January 2021 shall be used for the first time in providing transport to the place of work performance and back after 31 December 2020.

(3) The provisions of Article 17 (31), Article 19 (3) (a), Article 22 (9), Article 25 (3) and Article 26 (13) in the wording effective from 01 January 2021 shall be used for the tangible assets acquired on 01 January 2021 at the earliest.

(4) The provisions of Article 20 (2) (h), Article 20 (15) and Article 20 (23) in the wording effective from 01 January 2021 may be used for the creation of a provision to receivable and receivable interests and charges included in the taxable income in the tax period, in which the taxpayer was a micro-taxpayer.

(5) The provision of Article 30 (1) (a) in the wording effective from 01 January 2021 shall be used for tax losses recognised for the tax periods beginning on 01 January 2021 at the earliest.

(6) The tax administrator shall also proceed accordingly pursuant to Article 49a (2) in the wording effective from 01 January 2021 in the case of a natural person, who after 31 December 2020 submits a tax return, which is not their first tax return.

Article 52zzc

Transitional Provision to Amendment Effective from 01 January 2022

The provision of Article 5 (7) (r) in the wording effective from 01 January 2022 shall be used only for the benefit in kind provided and accounted for by the employee after 31 December 2021.

Article 52zzd

Transitional Provision to Amendments Effective from 01 January 2020

(1) The provision of Article 15 (b) Point 1 in the wording effective from 01 January 2020 shall be applied for the first time for the tax period beginning on 01 January 2020 at the earliest.

(2) The provisions of Article 42 (6) and (7) in the wording effective from 01 January 2020 shall be used for the first time in paying the advances for the tax period beginning on 01 January 2020 at the earliest.

Article 52zze

Transitional Provision to Amendment Effective from 01 January 2020

The provision of Article 11 (2) (a) and (b) in the wording effective from 01 January 2020 shall be used for the first time for the tax period of 2020.

Article 52zzf

Transitional Provision to Amendments Effective from 01 January 2020

The provisions of Article 5 (7) (b), Article 19 (2) (c) Point 5, Article 19 (2) (x) and Article 21 (1) (i) in the wording effective from 01 January 2020 shall be used for the sporting activity of a child pursuant to a special regulation,[17c)] which the child carries out after 31 December 2019.

Article 52zzg

Transitional Provisions to Amendments Effective from 01 October 2020

(1) The provision of Article 41 (8) in the wording effective till 30 September 2020 shall

be used for a taxpayer if the taxpayer after the bankruptcy end entered liquidation no later than on 30 September 2020 or the liquidation continues until 30 September 2020 at the latest.

(2) The provision of Article 41 (14) shall be used for a taxpayer that was ordered additional liquidation after 30 September 2020.

(3) If the taxpayer is dissolved without liquidation,[153d)] the tax period shall end on the date of taxpayer erasure from the Commercial Register. The tax return for this tax period shall be submitted within the time limit pursuant to Article 49 (2) by the last statutory body or member of the statutory body registered in the Commercial Register prior to the erasure of the taxpayer from the Commercial Register, authorised to act for the taxpayer within the scope registered in the Commercial Register prior to the erasure of the taxpayer from the Commercial Register, and they shall also be obliged to pay the tax within the time limit for tax return submission.

Article 52zzh

Transitional Provisions to Amendments Effective from 01 January 2020

(1) The provision of Article 5 (7) (p) in the wording effective from 01 January 2020 shall be used for the first time in providing accommodation to an employee after 31 December 2019.

(2) The provision of Article 21 (1) (f) in the wording effective from 01 January 2020 shall be used for the first time for the tax period beginning on 01 January 2020 at the earliest.

(3) The provision of Article 26 (14) in the wording effective from 01 January 2020 shall be used for the first time for the tax period beginning on 01 January 2020 at the earliest. The change of depreciation period pursuant to Article 26 (14) in the wording effective from 01 January 2020 may also be carried out for the assets, which were depreciated pursuant to the regulation effective till 31 December 2019; the depreciations already applied shall not be adjusted retroactively.

Article 53

The following is repealed:

1. Act No. 366/1999 Coll on income tax as amended by Act No. 358/2000 Coll., Act No. 385/2000 Coll., Act No. 466/2000 Coll., Act No. 154/2001 Coll., Act No. 381/2001 Coll., Act No. 561/2001 Coll., Act No. 565/2001 Coll., Act No. 247/2002 Coll., Act No. 437/2002 Coll., Act No. 472/2002 Coll., Act No. 473/2002 Coll., and Act No. 163/2003 Coll.,

2. Act No. 368/1999 Coll. on reserves and provisions for the determination of income tax base.

Article 53a

Decree of the Ministry of Health of the Slovak Republic No. 161/2006 Coll. laying down the scope and amount of creation of technical reserves and provisions to receivables, which can be included in tax expenditures of health insurance companies, is repealed.

Article 54

This Act shall come into effect on 01 January 2004.

Act No. 191/2004 Coll. came into effect on 15 April 2004.

Act No. 177/2004 Coll. came into effect on the date of entry into force of the Accession Treaty of the Slovak Republic to the European Union.

Act No. 391/2004 Coll. came into effect on 09 July 2004.

Act No. 538/2004 Coll. came into effect on 14 October 2004.

Act No. 539/2004 Coll. came into effect on 01 November 2004.

Act No. 43/2004 Coll. came into effect on 01 January 2005.

Act No. 659/2004 Coll. came into effect on 01 January 2005 except for Section I Point 22, which came into effect on 01 July 2005, and except for Section I Point 35, which came into effect on 01 May 2006.

Act No. 68/2005 Coll. came into effect on 01 March 2005.

Act No. 314/2005 Coll. came into effect on 20 July 2005 except for Section I Points 5 and 6, which came into effect on 1 September 2005.

Act No. 534/2005 Coll. came into effect on 15 December 2005 except for Section I Points 10 - 12, 15, 17, 19, 22, 23, 33, 37, 41, 45 to 50, 52, 53, 55, 59, 60, 63, 64, 70, 78, 79, 82, 94, 96 to 102, 104, 111 to 115, Section V and Section IX, which came into effect on 01 January 2006, and except for Section I Point 35, which came into effect on 1 May 2006.

Act No. 660/2005 Coll. came into effect on 01 January 2006.

Act No. 688/2006 Coll. came into effect on 29 December 2006, except for Section I Points 1 to 6, 9 to 18, 21, 22, 23, 26, 27, 29, 30, 32, 33, 37, 38, 40, 41, 45 to 63, 65 to 87, 89 to 97, 100, 102, 105, Article 52b (1) to (7) and (9) to (12) and Point 106, which came into effect on 01 January 2007, and Section I Point 7, Point 8, Article 7 (7) and Point 88, which came into effect on 01 April 2007.

Act No. 76/2007 Coll. came into effect on 01 March 2007.

Act No. 209/2007 Coll. came into effect on 01 May 2007.

Acts No. 519/2007 Coll., No. 561/2007 Coll., No. 621/2007 Coll. except for Section I Point 26 which came into effect on 01 January 2009 and except for Article 21 (2) (k) in Section. I Point 41, which came into effect on 01 January 2010, and No. 653/2007 Coll. came into effect on 1 January 2008.

Act No. 168/2008 Coll. came into effect on 01 June 2008.

Act No. 514/2008 Coll. came into effect on 15 December 2008.

Acts No. 530/2007 Coll., No. 465/2008 Coll. except for Section II Point 6, which came into effect on 01 January 2010, No. 563/2008 Coll., and No. 567/2008 Coll. came into effect on 01 January 2009.

Act No. 60/2009 Coll. came into effect on 01 March 2009.

Act No. 184/2009 Coll. came into effect on 01 September 2009.

Acts No. 185/2009 Coll., No. 504/2009 Coll, and 563/2009 Coll. came into effect on 01

January 2010, except for Section I Point 40 of Act No. 504/2009 Coll., which came into effect on 01 January 2011.

Act No. 374/2010 Coll. came into effect on 30 September 2010.

Act No. 548/2010 Coll. came into effect on 01 January 2011.

Act No. 129/2011 Coll. came into effect on 01 May 2011.

Acts No. 231/2011 Coll. and No. 250/2011 Coll. came into effect on 01 August 2011.

Acts No. 362/2011 Coll. and No. 406/2011 Coll. came into effect on 01 December 2011.

Act No. 331/2011 Coll. came into effect on 01 January 2012.

Act No. 547/2011 Coll. came into effect on 01 January 2013.

Act No. 548/2011 Coll. came into effect on 01 January 2012.

Act No. 69/2012 Coll. came into effect on 01 March 2012.

Resolution of the Constitutional Court No. 188/2012 Coll. came into effect on 29 June 2012.

Act No. 189/2012 Coll. came into effect on 30 June 2012.

Act No. 288/2012 Coll. came into effect on 30 September 2012.

Acts No. 252/2012 Coll. and No. 395/2012 Coll. came into effect on 01 January 2013.

Act No. 70/2013 Coll. came into effect on 01 May 2013.

Act No. 135/2013 Coll. came into effect on 01 July 2013.

Acts No. 547/2011 Coll. as amended by Act No. 440/2012 Coll. and No. 318/2013 Coll. came into effect on 01 January 2014.

Act No. 463/2013 Coll. came into effect on 01 January 2014 except for Section I Points 4, 47, 73, 76, 79, 80 and 107, which came into effect on 01 March 2014, Section I last sentence in Point 38 (Article 18 (4)), which came into effect on 1 September 2014, and Article I Points 55 to 57, 63, 64, 96, 98 and 108, which came into effect on 01 January 2016.

Acts No. 183/2014 Coll., No. 333/2014 Coll., No. 364/2014 Coll., and No. 371/2014 Coll. came into effect on 01 January 2015.

Act No. 25/2015 Coll. came into effect on 15 March 2015.

Act No. 62/2015 Coll. came into effect on 01 April 2015.

Act No. 140/2015 Coll. came into effect on 01 July 2015 except for Section III Point 1, which came into effect 01 January 2016.

Acts No. 61/2015 Coll. and No. 176/2015 Coll. came into effect on 01 September 2015.

Act No. 253/2015 Coll. came into effect on 31 December 2015 except for Section I Points 1 to 88 and 90 to 93, which came into effect on 01 January 2016.

Acts No. 180/2014 Coll., No. 79/2015 Coll., No. 375/2015 Coll., No. 437/2015 Coll., and No. 440/2015 Coll. came into effect on 01 January 2016.

Act No. 378/2015 Coll. came into effect on 02 January 2016.

Act No. 361/2015 Coll. came into effect on 18 March 2016.

Act No. 389/2015 Coll. came into effect on 01 January 2017.

Act No. 341/2016 Coll. came into effect on 01 January 2017 except for Section I Points 20, 30 and Article 52zj in Point 42, which came into effect on 01 February 2017, and Section I Point 39, and Article 52zk in Point 42, which came into effect 01 January 2018.

Act No. 335/2017 Coll. came into effect on 30 December 2017.

Acts No. 264/2017 Coll. and No. 279/2017 Coll. came into effect on 01 January 2018.

Act No. 344/2017 Coll. came into effect on 01 January 2018 except for Section I Article 2 (ah) in Point 4, Article 17h in Point 52 and Article 52zo in Point 128, which came into effect on 01 January 2019.

Act No. 57/2018 Coll. came into effect on 01 April 2018.

Act No. 63/2018 Coll. came into effect on 01 May 2018.

Act No. 209/2018 Coll. came into effect on 01 September 2018.

Act No. 213/2018 Coll. came into effect on 01 October 2018 except for Section IV Point 5, which came into effect on 01 January 2019.

Acts No. 112/2018 Coll., No. 347/2018 Coll., No. 368/2018 Coll., and No. 385/2018 Coll. came into effect on 01 January 2019.

Act No. 4/2019 Coll. came into effect on 01 February 2019.

Act No. 54/2019 Coll. came into effect on 01 March 2019.

Act No. 10/2019 Coll. came into effect on 01 April 2019.

Act No. 88/2019 Coll. came into effect on 09 April 2019.

Act No. 155/2019 Coll. came into effect on 01 July 2019.

Act No. 223/2019 Coll. came into effect on 01 September 2019.

Act No. 221/2019 Coll. came into effect on 1 December 2019 except for Section XV Point 3, which came into effect 01 January 2021.

Act No. 301/2019 Coll. came into effect on 01 December 2019 except for Section I Points 2 to 8, 10, 12 to 42, 44 to 51, 54 to 57, 60 to 64, 66, 68 to 73, 75, Article 30 (1) first sentence and (b) in Point 76, Points 77 to 131, 133 to 138, Article 52zza to Article 52zzc in Point 140 and Points 141 to 146, which came into effect on 01 January 2020, Section I Points 1, 9, 43, 52, 53, 58, 59, 65, 67, 74, Article 30 (1) (a) in Point 76 and Points 132 and 139, which came into effect on 01 January 2021, and Section I Point 11, which came into effect on 01 January 2022.

Acts No. 228/2019 Coll., No. 233/2019 Coll., No. 315/2019 Coll., No. 316/2019 Coll., No. 319/2019 Coll., and No. 462/2019 Coll. came into effect on 01 January 2020.

Act No. 393/2019 Coll. came into effect on 01 April 2020.

Act No. 390/2019 Coll. came into effect on 01 October 2020.

Act No. 317/2018 Coll. came into effect on 01 January 2023.

Pavol Hrušovský m.p.

Mikuláš Dzurinda m.p.

Annex No.1

CLASSIFICATION OF TANGIBLE ASSETS IN DEPRECIATION CATEGORIES

Depreciation Category 0

Item	CPA	Name
0-1	29.10.2	Only: passenger cars having in the registration certificate Part II in Item "18 P.3 Fuel type/energy source" the designation - "BEV" or - "PHEV" in any combination with another fuel type or energy source.

Depreciation Category 1

Item	CPA	Name
1-1	01.41.10	Dairy cattle, live
1-2	01.42.11	Other cattle and buffaloes, except calves, live
1-3	01.43.10	Only: other equines, live
1-4	01.45.1	Sheep and goats, live
1-5	01.46.10	Swine, live
1-6	01.47.13	Geese, live
1-7	13.92.22	Tarpaulins, awnings and sunblinds; sails for boats, sailboards or landcraft; tents and camping goods
1-8	22.29	Other plastic products
1-9	23.19.2	Technical and other glass
1-10	23.44	Other technical ceramic products
1-11	23.9	Other non-metallic mineral products
1-12	25.73	Other hand tools except for - 25.73.5 - Moulds; moulding boxes for metal foundry; mould bases; moulding patterns - 25.73.6 - Other tools
1-13	26.2	Computers and peripheral equipment
1-14	26.3	Communication equipment
1-15	26.4	Consumer electronics
1-16	26.51	Measuring, testing and navigating equipment
1-17	26.7	Optical instruments and photographic equipment
1-18	28.23	Office machinery and equipment (except computers and peripheral equipment)
1-19	28.24	Power-driven hand tools

1-20	28.29.3	Industrial, household and other weighing and measuring machinery
1-21	28.3	Agricultural and forestry machinery
1-22	28.93	Machinery for food, beverage and tobacco processing
1-23	28.94	Machinery for textile, apparel and leather production
1-24	29.10.2	Passenger cars except for - passenger cars having in the registration certificate Part II in Item "18 P.3 Fuel type/energy source" the designation - "BEV" or - "PHEV" in any combination with another fuel type or energy source
1-25	29.10.3	Motor vehicles for the transport of 10 or more persons (buses) except for trolleybuses and electric buses
1-26	29.10.4	Motor vehicles for the transport of goods
1-27	30.92	Bicycles and invalid carriages
1-28	32.40	Games and toys except for - 32.40.4 - Other games
1-29	32.9	Manufactured goods not elsewhere classified

Depreciation Category 2

Item	CPA	Name
2-1	01.43.10	Only: horses - live
2-2	13.9	Other textiles except for - 13.92.22 - Tarpaulins, awnings and sunblinds; sails for boats, sailboards or landcraft; tents and camping goods
2-3	15	Leather and related products
2-4	16.23.2	Prefabricated wooden buildings unless they are standalone structures connected to utility infrastructure
2-5	22.23.2	Prefabricated buildings of plastics unless they are standalone structures connected to utility infrastructure
2-6	25.21	Central heating radiators and boilers
2-7	25.7	Cutlery, tools and general hardware except for - 25.71.15 - Swords, cutlasses, bayonets, lances and similar arms and parts thereof - 25.73 - Tools
2-8	25.9	Other fabricated metal products except for - 25.99.2 - Other articles of base metal
2-9	26.52	Watches and clocks

2-10	26.6	Irradiation, electromedical and electrotherapeutic equipment
2-11	27.11.31	Generating sets with compression-ignition internal combustion piston engines
2-12	27.2	Batteries and accumulators
2-13	27.3	Wiring and wiring devices
2-14	27.4	Electric lighting equipment
2-15	27.5	Domestic appliances
2-16	27.9	Other electrical equipment
2-17	28.11.11	Outboard motors for marine propulsion
2-18	28.12	Fluid power equipment
2-19	28.13	Other pumps and compressors
2-20	28.22	Lifting and handling equipment
2-21	28.25.13	Refrigeration and freezing equipment and heat pumps, except household type equipment
2-22	28.29	Other general-purpose machinery not elsewhere classified except for - 28.29.1 - Gas generators, distilling and filtering apparatus - 28.29.3 - Industrial, household and other weighing and measuring machinery
2-23	28.4	Metal forming machinery and machine tools
2-24	28.92	Machinery for mining, quarrying and construction
2-25	28.95	Machinery for paper and paperboard production
2-26	28.96	Plastics and rubber machinery
2-27	28.99	Other special-purpose machinery not elsewhere classified
2-28	29.10.3	Only: trolleybuses and electric buses
2-29	29.10.5	Special-purpose motor vehicles
2-30	29.2	Bodies (coachwork) for motor vehicles; trailers and semi-trailers
2-31	30.20.33	Only mining rail vehicles and local tracks (special-purpose railways)
2-32	30.91.1	Motorcycles and side-cars
2-33	30.99	Other transport equipment not elsewhere classified
2-34	31.0	Furniture
2-35	32.2	Musical instruments
2-36	32.3	Sports goods
2-37	32.40.4	Other games
2-38	32.5	Medical and dental instruments and supplies
2-39		Technical improvement of immovable cultural monument

2-40		Individual separable parts inbuilt in buildings intended for separate depreciation (Article 22 (15)) - computer network distribution systems
2-41		Summary of technical improvements and repairs carried out on buildings, in which spa care and related services are provided

Depreciation Category 3

Item	CPA	Name
3-1	27.1	Electric motors, generators, transformers and electricity distribution and control apparatus except for - 27.11.31 - Generating sets with compression-ignition internal combustion piston engines
3-2	28.11.12	Marine propulsion spark-ignition engines; other engines
3-3	28.11.13	Other compression-ignition internal combustion piston engines
3-4	28.11.2	Turbines
3-5	28.21.1	Ovens and furnace burners and parts thereof
3-6	28.25	Non-domestic cooling and ventilation equipment except for - 28.25.13 - Refrigeration and freezing equipment and heat pumps, except household type equipment
3-7	28.29.1	Gas generators, distilling and filtering apparatus
3-8	28.91	Machinery for metallurgy

Depreciation Category 4

Item	CPA	Name
4-1	23.61.20	Prefabricated buildings of concrete unless they are standalone structures connected to utility infrastructure
4-2	25.11.10	Prefabricated buildings of metal unless they are standalone structures connected to utility infrastructure
4-3	25.29	Other tanks, reservoirs and containers of metal
4-4	25.3	Steam generators, except central heating hot water boilers
4-5	25.4	Weapons and ammunition
4-6	25.71.15	Swords, cutlasses, bayonets, lances and similar arms and parts thereof
4-7	25.99.2	Other articles of base metal
4-8	30.11	Ships and floating structures
4-9	30.12	Pleasure and sporting boats

4-10	30.2	Railway locomotives and rolling stock
4-11	30.3	Air and spacecraft and related machinery
4-12	30.4	Military fighting vehicles
4-13		Silvicultural units of permanent growths with a period of productiveness longer than three years
4-14		2213 KS - Long-distance telecommunication networks and lines
4-15		2224 KS - local electrical and telecommunication distribution systems and lines
4-16		Small buildings specified by a special regulation[107)] except for Article 22 (2) (b) Point 2
4-17		Individual separable parts inbuilt in buildings intended for separate depreciation (Article 22 (15)) - air-conditioning equipment - passenger and freight lifts - escalators and travelators

Depreciation Category 5

Item	KS	Name
5-1	1	Buildings except for codes provided in Depreciation Category 6
5-2	2	Civil engineering structures except for the codes included in Depreciation Categories 4 and 6 and except for individual separable parts included in Depreciation Categories 2 and 4

Depreciation Category 6

Item	KS	Name
6-1	11	Apartment buildings
6-2	121	Hotels and similar buildings
6-3	1220	Buildings for administration
6-4	126	Buildings for culture and public entertainment, education and healthcare
6-5	127	Other non-residential buildings except for - 1271 - Non-residential agricultural buildings - 1274 - Other buildings not elsewhere classified only buildings and barracks for firemen
6-6	24	Other civil engineering structures

Notes:

1) Item - designates the Depreciation Category number (1 to 6) and the serial number of item in the respective Depreciation Category.
2) CPA - code of statistical classification of products by activity (CPA) issued by Regulation (EC) No. 451/2008 of the European Parliament and of the Council of 23 April 2008, which is decisive for the classification of tangible assets under Depreciation Categories. If for the sake of text briefness, the name is specified otherwise, the CPA code shall be decisive.
3) Name - content specification of individual items and codes mostly using the text of CPA or KS text.
4) KS - classification code laid down by Decree of the Statistical Office of the Slovak Republic No. 323/2010 Coll. issuing the Statistical Classification of Buildings.

Annex No.2
List of Transposed Legally Binding Acts of the European Union

1. Council Directive 2008/7/EC of 12 February 2008 concerning indirect taxes on the raising of capital (OJ L 46, 21.2.2008).
2. Council Directive 2009/133/EC of 19 October 2009 on the common system of taxation applicable to mergers, divisions, partial divisions, transfers of assets and exchanges of shares concerning companies of different Member States and to the transfer of the registered office of an SE or SCE between Member States (codified version) (OJ L 310, 25.11.2009).
3. Council Directive 2011/96/EU of 30 November 2011 on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States (recast) (OJ L 345, 29.12.2011).
4. Council Directive 2003/49/EC of 3 June 2003 on a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States (OJ L 157, 26.06.2003) as amended by Council Directive 2004/66/EC of 26 April 2004 (OJ L 168, 1.5.2004), Council Directive 2004/76/EC of 29 April 2004 (OJ L 157, 30.4.2004) as amended by Council Directive 2006/98/EC of 20 November 2006 (OJ L 363, 20.12.2006).
5. Council Directive 2014/86/EU of 8 July 2014 amending Directive 2011/96/EU on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States (OJ L 219, 25.7.2014).
6. Council Directive (EU) 2015/121 of 27 January 2015 amending Directive 2011/96/EU on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States (OJ L 21, 28.1.2015).
7. Council Directive (EU) 2015/2060 of 10 November 2015 repealing Directive 2003/48/EC on taxation of savings income in the form of interest payments (OJ L 301, 18.11.2015).
8. Council Directive (EU) 2016/1164 of 12 July 2016 laying down rules against tax avoidance practices that directly affect the functioning of the internal market (OJ L 193, 19.7.2016).
9. Council Directive (EU) 2017/952 of 29 May 2017 amending Directive (EU) 2016/1164 as regards hybrid mismatches with third countries (OJ L 144, 7.6.2017).

1) Act No. 431/2002 Coll. on accounting.

1a) Act No. 253/1998 Coll. on reporting of residence of citizens of the Slovak Republic and on the register of inhabitants of the Slovak Republic as amended.
Act No. 404/2011 Coll. on the stay of aliens and on the amendment to certain acts as amended.

2) Articles 116 and 117 of the Civil Code.

2a) Article 4 (1) of Act No. 222/2004 Coll. on value added tax as amended.

2aa) Article 22 of Act No. 431/2002 Coll. as amended.

2b) Articles 144 and 208 of the Commercial Code.

2c) Article 223 (9) of the Commercial Code.

2d) Article 123 (2) and Article 217a of the Commercial Code.

2e) Article 67, Article 157, Article 217 and 235 of the Commercial Code as amended.

3) E.g. Act No. 119/1990 Coll. on judicial rehabilitation as amended, Act No. 403/1990 Coll. on mitigating the consequences of some property injuries as amended, Act No. 87/1991 Coll. on extrajudicial rehabilitations as amended, Act No. 229/1991 Coll. on the arrangement of ownership relations to land and other agricultural property as amended, Act of the Slovak National Council No. 319/1991 Coll. on the mitigation of some property and other injuries and on the competence of bodies of public administration of the Slovak Republic in the area of extrajudicial rehabilitations as amended, Act No. 42/1992 Coll. on the arrangement of property relations and settlement of property claims in cooperatives as amended, Act No. 105/2002 Coll. on providing a one-off financial contribution to members of Czechoslovak foreign or allied armies, as well as of domestic resistance in 1939 - 1945 as amended, Act No. 462/2002 Coll. on providing a one-off financial contribution to political prisoners as amended by Act No. 665/2002 Coll.

4) E.g. Articles 628 to 630 of the Civil Code.

5) E.g. Articles 460 to 487 of the Civil Code.

6) Act No. 222/2004 Coll. on value added tax as amended.

7) Article 208 of the Commercial Code.

7a) Articles 144 and 223 of the Commercial Code.

8) E.g. Article 13 of Act No. 455/1991 Coll. on trade licensing (Trade Licensing Act) as amended.

8a) Articles 166 to 171c of Act No. 7/2005 Coll. as amended by Act No. 377/2016 Coll.

9) E.g. Act of the National Council of the Slovak Republic No. 120/1993 Coll. on salary conditions of some constitutional official of the Slovak Republic as amended, Act No. 385/2000 Coll. on judges and associate judges and on the amendment to certain acts as amended, Act No. 154/2001 Coll. on prosecutors and legal candidates of prosecution as amended by Act No. 669/2002 Coll., Act No. 564/2001 Coll. on Ombudsman as amended by Act No. 411/2002 Coll.

10) E.g. Act of the National Council of the Slovak Republic No. 182/1993 Coll. on the ownership of flats and non-residential premises as amended, Act of the National Council of the

Slovak Republic No. 181/1995 Coll. on land associations.

11) Article 16 of Act of the National Council of the Slovak Republic No. 156/1993 Coll. on detention execution as amended by Act No. 451/2002 Coll.

12) Article 19 (2) (e), Article 29 (1) and Article 29a of Act No. 59/1965 Coll. on serving a prison sentence as amended.

13) Act of the National Council of the Slovak Republic No. 152/1994 Coll. on social fund and on the amendment to Act No. 286/1992 Coll. on income taxes as amended, as amended.

14) E.g. Article 39 of Act of the Slovak National Council No. 194/1990 Coll. on lotteries and other similar games as amended.

15) E.g. Act No. 283/2002 Coll. on reimbursement of travel expenses.

15a) Article 53 of the Labour Code.

16) Articles 18 to 33a of Act No. 283/2002 Coll. as amended.

17) E.g. Act of the National Council of the Slovak Republic No. 330/1996 Coll. on occupational health and safety as amended.

17a) Article 152 of the Labour Code.

17b) Article 152a of the Labour Code.

17c) Article 152b of the Labour Code.

18) Article 145 of the Labour Code.

18a) E.g. Articles 153 to 155 of the Labour Code as amended, Articles 23 to 26 and Articles 36 to 38 of Act No. 281/2015 Coll. on civil service of professional soldiers and on the amendment to certain acts, Articles 161 to 165 of Act No. 55/2017 Coll. on civil service and on the amendment to certain acts as amended by Act No. 318/2018 Coll., Article 214 to 218 of Act No. 35/2019 Coll. on financial administration and on the amendment to certain acts.

20) E.g. Act No. 580/2004 Coll. on health insurance and on the amendment to Act No. 95/2002 Coll. on insurance and on the amendment to certain acts as amended.

21) Act No. 461/2003 Coll. on social insurance.

21a) Act No. 461/2003 Coll. on social insurance.
Act No. 564/1991 Coll. on municipal police as amended and on the amendment to certain acts.

22) Act No. 328/2002 Coll. on social security for policemen and soldiers and on the amendment to certain acts as amended.

22a) Articles 35 and 49a of Act No. 440/2015 Coll. on sport and on the amendment to certain acts as amended by Act No. 335/2017 Coll.

23) Act No. 462/2003 Coll. on income compensation for temporary sickness leave and on the amendment to certain acts.

23a) E.g. Article 30e of Act No. 355/2007 Coll. on public health protection, support and development and on the amendment to certain acts as amended, Act No. 577/2004 Coll. as amended.

23aa) Article 72 of Decree of the Ministry of Justice of the Slovak Republic No. 543/2005 Coll.

on the Administration and Office Rules for district courts, regional courts, Special Court and military courts as amended.

23ab) Article 134 (9) of the Labour Code as amended by Act No. 348/2007 Coll.

24) E.g. Article 12a of Act No. 105/1990 Coll. on private business of citizens as amended by Act No. 219/1991 Coll.

24a) E.g. Article 15 (24) of Act No. 150/2013 Coll. on the State Housing Development Fund.

24b) Article 12a of Act No. 576/2004 Coll. on healthcare, services related to healthcare provision and on the amendment to certain acts as amended by Act No. 185/2014 Coll.

24d) Article 118 (4) (a) of the Labour Code as amended by Act No. 63/2018 Coll.
Article 20 (1) (f) of Act No. 553/2003 Coll. on remuneration of certain employees in performing work in public interest and on the amendment to certain acts as amended by Act No. 63/2018 Coll.
Article 142 (1) (g) of Act No. 55/2017 Coll. on civil service and on the amendment to certain acts as amended by Act No. 63/2018 Coll.

24e) Article 130 (2) of the Labour Code as amended.
Article 20 (2) of Act No. 553/2003 Coll. as amended by Act No. 63/2018 Coll.
Article 142 (5) of Act No. 55/2017 Coll. as amended by Act No. 63/2018 Coll.

24f) Article 134 of the Labour Code as amended.
Article 29 (2) of Act No. 553/2003 Coll. as amended.
Article 160 (2) of Act No. 55/2017 Coll.

24g) Article 118 (4) (b) of the Labour Code as amended by Act No. 63/2018 Coll.
Article 20 (1) (g) of Act No. 553/2003 Coll. as amended by Act No. 63/2018 Coll.
Article 142 (1) (h) of Act No. 55/2017 Coll. as amended by Act No. 63/2018 Coll.

24h) Article 42 of the Labour Code as amended.

25) Act No. 455/1991 Coll. as amended.

26) E.g. Act No. 95/2002 Coll. on insurance and on the amendment to certain acts as amended by Act No. 430/2003 Coll., Act of the Slovak National Council No. 10/1992 Coll. on private veterinary physicians and on the Chamber of Veterinary Physicians of the Slovak Republic as amended by Act No. 337/1998 Coll., Act No. 466/2002 Coll. on auditors and on the Slovak Chamber of Auditors, Act of the Slovak National Council No. 78/1992 Coll. on tax advisors and on the Slovak Chamber of Tax Advisors as amended, Act of the Slovak National Council No. 323/1992 Coll. on notaries and notarial activities (Notarial Code) as amended.

27) E.g. Act No. 185/2015 Coll. Copyright Act as amended by Act No. 125/2016 Coll.

28) E.g. Act No. 7/2005 Coll. on bankruptcy and restructuring and on the amendment to certain acts as amended, Article 20 of Act No. 447/2008 Coll. on cash allowances for the compensation of severe disability and on the amendment to certain acts.

29) Act No. 382/2004 Coll. on experts, interpreters and translators and on the amendment to certain acts.

29a) E.g. Act No. 650/2004 Coll. as amended by Act No. 747/2004 Coll., Act No. 5/2004 Coll. as amended, Act of the Slovak National Council No. 310/1992 Coll. as amended, Act No. 566/2001 Coll. as amended, Act No. 340/2005 Coll. on insurance and reinsurance intermediation and on the amendment to certain acts.

29aa) Article 4 (3) (c), (4) (a), (b) and (d), Article 6 (1) (a) to (d), and Article 45 of Act No. 440/2015 Coll.

29ab) Articles 50 and 51 of Act No. 440/2015 Coll.

30) Articles 476 to 488 of the Commercial Code.

31) Article 82 of the Commercial Code.

32) Article 100 of the Commercial Code.

33) Article 10 (1) (a) to (d) of Act No. 431/2002 Coll. as amended by Act No. 198/2007 Coll.

34) Article 69 of Act No. 563/2009 Coll. on tax administration (Tax Procedure Code) and on the amendment to certain acts as amended by Act No. 331/2011 Coll.

35) Act No. 650/2004 Coll. on complementary pension savings and on the amendment to certain acts.

36) Articles 45 to 52 of Act No. 383/1997 Coll. as amended by Act No. 234/2000 Coll.

37) Article 842 of the Civil Code.

37a) Article 59 (3) of the Commercial Code as amended.

37aa) Act No. 578/2004 Coll. as amended.

37ab) Act No. 362/2011 Coll. on medicines and medical devices and on the amendment to certain acts.

37aba) Article 20 (1) (i) of Act No. 362/2011 Coll.

37ac) Act No. 577/2004 Coll. on the scope of healthcare covered by public health insurance and on settlement of services related to the provision of healthcare as amended.

37ad) Article 22 (5) of Act No. 250/2012 Coll. on regulation in network industries.

37ae) Article 13 (2) of the Civil Code as amended.

37af) Act No. 79/2015 Coll. on wastes and on the amendment to certain acts as amended.

37afa) Article 4 (3) (a) and (b) of Act No. 440/2015 Coll.

37afb) Article 6 (2) (e) of Act No. 406/2011 Coll. on volunteering as amended by Act No. 440/2015 Coll.

37afc) Article 7 (11) of Act No. 566/2001 Coll. as amended by Act No. 253/2015 Coll.

37ag) Articles 73i to 73l and Article 75 (9) of Act No. 566/2001 Coll. as amended.

37ah) Article 50 (3) (d) of Act No. 440/2015 Coll.

37b) Article 5 (ah) and Article 122ya (1) of Act No. 483/2001 Coll. as amended by Act No. 279/2017 Coll.

37c) Article 2 (1) (b) of Act of the Slovak National Council No. 310/1992 Coll. as amended by Act No. 658/2007 Coll.

38) Act No. 7/2005 Coll. as amended.

38a) Articles 153, 155 and 155a of Act No. 7/2005 Coll. as amended.

38b) Article 167v (1) of Act No. 7/2005 Coll. as amended by Act No. 377/2016 Coll.

39) E.g. Act No. 36/2005 Coll. on family and on the amendment to certain acts as amended,

Act No. 201/2008 Coll. on substitute maintenance payment and on the amendment to Act No. 36/2005 Coll. on family and on the amendment to certain acts as amended by Ruling of the Constitutional Court of the Slovak Republic No. 615/2006 Coll. as amended by Act No. 554/2008 Coll.

39a) Article 2 (a) of Act No. 601/2003 Coll. on minimum subsistence amount and on the amendment to certain acts.

39b) Article 3 of Act No. 429/2002 Coll. as amended.

40) Article 5 and Article 20 (1) (a) of Act No. 328/2002 Coll.

40a) Act No. 43/2004 Coll. as amended.

40c) Article 64a (13) and Article 123ae (b) of Act No. 43/2004 Coll. as amended by Act No. 252/2012 Coll.

41) Act No. 599/2003 Coll. on assistance in material need and on the amendment to certain acts.

42) Act No. 447/2008 Coll.
Act No. 448/2008 Coll. on social services and on the amendment to Act No. 455/1991 Coll. on trade licensing (Trade Licensing Act) as amended, as amended.

43) E.g. Act No. 235/1998 Coll. on childbirth allowance, and on allowances for parents who have 3 or more children born at the same time or twins more than once in two years and amending further acts as amended, Act No. 238/1998 Coll. on funeral allowance as amended, Act No. 600/2003 Coll. on child allowance and on the amendment to Act No. 461/2003 Coll. on social insurance as amended, Act No. 627/2005 Coll. on allowance for the support of replacement childcare as amended, Act No. 571/2009 Coll. on parental allowance and on the amendment to certain acts.

44) E.g. Act No. 98/1987 Coll. on special allowance to miners as amended, Act No. 305/2005 Coll. on social and legal protection of children and social guardianship and on the amendment to certain acts as amended.

45) E.g. Act No. 385/2000 Coll. as amended, Act No. 154/2001 Coll. as amended by Act No. 669/2002 Coll., Act No. 312/2001 Coll. on civil service and on the amendment to certain acts as amended, Act No. 315/2001 Coll. on Fire and Rescue Corps as amended.

46) Act No. 5/2004 Coll. on employment services and on the amendment to certain acts as amended by Act No. 191/2004 Coll.

47) Article 19b of Act No. 570/2005 Coll. on conscription and on the amendment to certain acts as amended by Act No. 518/2007 Coll.

47a) Article 14c (1) (a), (c) and (d) of Act No. 570/2005 Coll. as amended by Act No. 378/2015 Coll.

47b) Article 14h of Act No. 570/2005 Coll. as amended by Act No. 378/2015 Coll.

49) E.g. Act No. 328/2002 Coll. as amended.

50) Article 50 of Act No. 314/2001 Coll. on fire protection.
Article 30 of Act of the National Council of the Slovak Republic No. 42/1994 Coll. on civil protection of the population.

50a) Article 3 (2) of Act of the National Council of the Slovak Republic No. 42/1994 Coll. as

amended.

51) E.g. Decree of the Ministry of Education, Youth and Physical Training of the Slovak Republic No. 326/1990 Coll. on provision of scholarships to university students as amended.

51a) Article 27 (3) and (6) of Act No. 61/2015 Coll. on vocational education and training and on the amendment to certain acts.

51b) Article 97a of Act No. 131/2002 Coll. as amended by Act No. 155/2019 Coll.

52) Act No. 83/1990 Coll. on the association of citizens as amended.
Act No. 34/2002 Coll. on foundations and on the amendment to the Civil Code as amended.

53) Article 2 (2) of Act No. 147/1997 Coll. on non-investment funds and on the amendment to Act of the National Council of the Slovak Republic No. 207/1996 Coll.
Article 2 (2) of Act No. 213/1997 Coll. on non-profit organisations providing services of general economic interest as amended by Act No. 35/2002 Coll.

54) E.g. Article 10 of Act of the Slovak National Council No. 310/1992 Coll. on building savings as amended.

55) Article 79 (3) of Act No. 563/2009 Coll. as amended by Act No. 331/2011 Coll.

56) Act of the Slovak National Council No. 194/1990 Coll. as amended.

57) Article 115 of the Civil Code.

57a) Article 1 (6) and (7) of Act No. 90/2016 Coll. on housing loans and on the amendment to certain acts as amended by Act No. 279/2017 Coll.

58) Act of the National Council of the Slovak Republic No. 118/1996 Coll. on deposit protection and on the amendment to certain acts as amended.

59) Act No. 566/2001 Coll. on securities and investment services and on the amendment to certain acts (Securities Act) as amended.

59a) Article 18 (4) of Act No. 530/1990 Coll. on bonds as amended.

59b) E.g. Article 141 of Act No. 50/1976 Coll. as amended.

59c) Article 26 of Act No. 61/2015 Coll.

59ca) Article 2 (2) of Act No. 375/2015 Coll. on the cancellation of the National Property Fund of the Slovak Republic and on the amendment to certain acts.

59d) Article 6 of Act No. 375/2015 Coll. on the cancellation of the National Property Fund of the Slovak Republic and on the amendment to certain acts.

59e) Articles 38a, 39, 39c, and 41 of Act of the National Council of the Slovak Republic No. 171/1993 Coll.
on the Police Force as amended.

59f) Article 2 (g) of Act No. 572/2004 Coll. on emission allowance trading and on the amendment to certain acts.

59g) Annex No. 1 Table A of Act No. 572/2004 Coll.

59h) Article 9 (8) of Act No. 572/2004 Coll. as amended by Act No. 117/2007 Coll.

59i) Article 6 (2) (d) of Act No. 406/2011 Coll. on volunteering and on the amendment to certain acts.

59ia) Article 42 of Act No. 578/2004 Coll. as amended.

59j) Notification of the Federal Ministry of Fuel and Energy No. 59/1990 Coll. on issuing the edict on free coal and wood.

59ja) Article 9 of Act No. 54/2019 Coll. on the protection of notifiers of asocial activity and on the amendment to certain acts.

59jb) Article 32 of Act No. 378/2015 Coll. on voluntary military training and on the amendment to certain acts.

59jc) Article 33 of Act No. 378/2015 Coll.

59jd) Articles 34 to 38 of Act No. 378/2015 Coll.

59je) E.g. Act No. 522/2008 Coll. on state orders of the Slovak Republic as amended by Act No. 115/2011 Coll., Act No. 261/2017 Coll. on Jozef Miloslav Hurban State Prize and Alexander Dubček State Prize.

59jf) Article 56 (1) (b) and Article 57 of Act No. 440/2015 Coll.

59jg) Article 3 (h) Point 1 of Act No. 440/2015 Coll.

59jh) Article 1 of Act No. 228/2019 Coll. on the allowance for deserts in sports and on the amendment to certain acts.

59ji) Article 9 of Act No. 228/2019 Coll.

59k) Article 4 (9) and Article 5 (6) of Act No. 406/2011 Coll.

59l) Act No. 406/2011 Coll.

60) Articles 149 to 151 of the Civil Code.

61) Articles 137 to 142 of the Civil Code.

62) Articles 829 to 841 of the Civil Code.

63a) Article 3 (2) of Act No. 571/2009 Coll.

63b) Article 40 of Act No. 447/2008 Coll. as amended by Act No. 180/2011 Coll.

63c) Article 33 of Act No. 5/2004 Coll. as amended.

63d) Article 9 of Act No. 5/2004 Coll. as amended.

63e) Article 2 (3) of Act No. 447/2008 Coll.

64) E.g. Act No. 235/1998 Coll. as amended, Act No. 238/1998 Coll. as amended, Act No. 280/2002 Coll. as amended, Act No. 600/2003 Coll. as amended by Act No. 485/2004 Coll.

65) Article 19 of Act No. 650/2004 Coll. as amended.

65a) Article 33 of Act No. 538/2005 Coll. on natural healing waters, natural medical spas, spa resorts and natural mineral waters and on the amendment to certain acts.

66) Act No. 594/2003 Coll. on collective investment and on the amendment to certain acts.

66a) Article 4 (2) (b) and Article 26d and 26e of Act No. 203/2011 Coll. as amended.
Article 220b of the Commercial Code as amended by Act No. 361/2015 Coll.

67) Article 2 (1) of the Commercial Code.

68) Act No. 302/2001 Coll. on local government of higher territorial units (Act on Self-Governing Regions) as amended by Act No. 445/2001 Coll.

Act No. 446/2001 Coll. on the property of higher territorial units.

69) E.g. Act of the National Council of the Slovak Republic No. 254/1994 Coll. on the State Fund of Liquidation of Nuclear Energy Facilities and Spent Fuel and Radioactive Waste Management as amended, Act No. 607/2003 Coll. on the State Housing Development Fund.

70) Act No. 131/2002 Coll. on universities and on the amendment to certain acts.

71) Article 3 (7) and (8) of Constitutional Act No. 493/2011 Coll. on budgetary responsibility.

72) Act of the National Council of the Slovak Republic No. 566/1992 Coll. on the National Bank of Slovakia as amended.

73) Articles 3 to 20a of Act No. 371/2014 Coll. as amended by Act No. 437/2015 Coll.

73a) Article 39 to 46 of Act No. 371/2014 Coll. on solving crisis situations on the financial market and on the amendment to certain acts.

74) Act No. 523/2004 Coll. on budgetary rules of general government and on the amendment to certain acts as amended.

74a) Article 17 of Act No. 291/2002 Coll. on State Treasury and on the amendment to certain acts.

74aa) Article 15 (2) (b) of Act No. 581/2004 Coll. as amended.

74ab) Act No. 577/2004 Coll. as amended.

74b) Act No. 203/2011 Coll. on collective investment.

74ba) E.g. patent Cooperation Treaty (Notification of the Federal Ministry of Foreign Affairs No. 296/1991 Coll.) as amended, Act No. 435/2001 Coll. on patents, supplementary protection certificates and on the amendment to certain acts (Patent Act) as amended.

74bb) Act No. 517/2007 Coll. on utility models and on the amendment to certain acts as amended.

74bc) Act No. 185/2015 Coll. as amended by Act No. 125/2016 Coll.

74bd) Articles 46 to 48 of Act No. 435/2001 Coll.

74be) Article 47 of Act No. 517/2007 Coll.

74bea) Articles 161a and 161b of the Commercial Code as amended.

74beb) Article 60, Article 93, Articles 113 and 177 of the Commercial Code as amended.

74bf) Article 22 of Act No. 566/2001 Coll. as amended.

74bg) Article 21 of Act No. 566/2001 Coll. as amended.

74bh) Article 115 of the Commercial Code.

74bi) Articles 69a and 256 of the Commercial Code as amended.

74bj) Article 26 (2) of the Commercial Code.

75) Article 68, Article 68b, Article 75k of the Commercial Code.
Article 309d to 309h of the Civil Proceedings Code for Non-Adversarial Proceedings.

75a) Act of the National Council of the Slovak Republic No. 120/1993 Coll. as amended.

76) Article 7 (25) of Act No. 566/2001 Coll. as amended by Act No. 237/2018 Coll.

77) Article 18 (1) of Act No. 431/2002 Coll. as amended by Act No. 561/2004 Coll.

77a) Article 17a of Act No. 431/2002 Coll. as amended by Act No. 561/2004 Coll.

77b) Articles 35 and 36 of Act No. 431/2002 Coll. as amended.

77ba) Article 25 (1) (h) Point 1 and Article 27 (13) of Act No. 431/2002 Coll. as amended by Act No. 213/2018 Coll.

77c) Article 4 (3) of Act No. 431/2002 Coll. as amended.

77d) Article 369c of the Commercial Code as amended by Act No. 9/2013 Coll.

78) Articles 54 to 54b of Act No. 222/2004 Coll. as amended.

79) E.g. Article 369 of the Commercial Code.

79a) Articles 642 to 672a of the Commercial Code as amended.

79b) Article 355 of the Commercial Code.

79c) Article 4 (4) (a) (c) and (d) of Act No. 440/2015 Coll.

79d) Article 29 (2) of Act No. 440/2015 Coll.

79e) Act No. 213/2018 Coll. on insurance tax and on the amendment to certain acts.

79f) Act No. 385/2018 Coll. on special levy of marketing chains and on the amendment to Act No. 595/2003 Coll. on income tax as amended.

80) E.g. Article 51, Articles 151n to 151r, Articles 659 to 662 and Articles 664 to 669 of the Civil Code as amended, Article 6 of Act No. 116/1990 Coll. on lease and sublease of non-residential premises.

80a) Act No. 213/1997 Coll. as amended.
Act No. 523/2004 Coll. as amended.

80aa) Article 37 (20) of Act No. 171/2005 Coll. on gambling games and on the amendment to certain acts as amended by Act No. 374/2010 Coll.

80aaa) Article 23 of Act No. 7/2005 Coll.

80aaaa) Articles 570 to 574 of the Civil Code as amended by Act No. 509/1991 Coll.

80ab) Article 87a of Act No. 311/2001 Coll. Labour Code as amended.

80ac) Article 19 of Act No. 61/2015 Coll.

80aca) Item 65 (d) of the Scale of Administrative Fees of Act of the National Council of the Slovak Republic No. 145/1995 Coll. on administrative fees as amended by Act No. 342/2016 Coll.

80acb) Point 6 of notes to Item 65 of the Scale of Administrative Fees of Act of the National Council of the Slovak Republic No. 145/1995 Coll. as amended by Act No. 342/2016 Coll.

80acc) Article 27 (13) of Act No. 431/2002 Coll. as amended by Act No. 213/2018 Coll.

80ad) Article 25 (1) (d) Point 1 of Act No. 431/2002 Coll.

80b) Article 16 (4) of Act No. 431/2002 Coll. as amended.

80c) Articles 59 and 60 of the Commercial Code as amended.

80ca) Article 27 (2) and (3) of Act No. 431/2002 Coll. as amended.

80cb) Article 81 of Act No. 563/2009 Coll. as amended.

80cc) Article 57 (5) of Act No. 563/2009 Coll. as amended.

80cd) Article 156 of Act No. 563/2009 Coll. as amended.

80d) Article 154 (1) (i) of Act No. 563/2009 Coll.

82) Articles 44 to 47 of Act No. 563/2009 Coll. as amended by Act No. 331/2011 Coll.

82a) Act of the National Council of the Slovak Republic No. 270/1995 Coll. on the official language of the Slovak Republic as amended.

82b) Article 3 (6) second sentence of Act No. 563/2009 Coll. as amended by Act No. 435/2013 Coll.

82c) Article 155 (1) (f) of Act No. 563/2009 Coll. as amended.

82d) Article 155 (1) (g) of Act No. 563/2009 Coll. as amended.

83) E.g. Article 5 (1) of Act of the National Council of the Slovak Republic No. 152/1994 Coll. as amended by Act of the National Council of the Slovak Republic No. 375/1996 Coll.

84) E.g. Act No. 44/1988 Coll. on the protection and utilisation of mineral resources (Mining Act) as amended, Act No. 314/2001 Coll. as amended by Act No. 438/2002 Coll., Act No. 414/2002 Coll. on economic mobilisation and on the amendment to Act of the National Council of the Slovak Republic No. 274/1993 Coll. on the specification of competence of authorities in the matters of consumer protection as amended.

85) E.g. Act No. 223/2001 Coll. on wastes and on the amendment to certain acts as amended, Act No. 309/1991 Coll. on air protection from pollutants (Act on the Air) as amended.

86) Act of the National Council of the Slovak Republic No. 277/1994 Coll. on healthcare as amended.
Act of the National Council of the Slovak Republic No. 272/1994 Coll. on human health protection as amended.

86a) E.g. Article 152, Articles 152a and 152b of the Labour Code.

86aa) Article 27 (1) of Act No. 61/2015 Coll. as amended by Act No. 209/2018 Coll.

86ab) Article 27 (6) of Act No. 61/2015 Coll.

86ac) Article 4, Articles 6 and 6a of Act No. 597/2003 Coll. on the financing of elementary schools, secondary schools and educational facilities as amended.

87) Act No. 283/2002 Coll.

87a) Article 14 of Act No. 283/2002 Coll.

88) Act No. 566/2001 Coll. as amended.
Act No. 385/1999 Coll. as amended.

88a) Article 23 of Act No. 142/2000 Coll. on metrology and on the amendment to certain acts as amended by Act No. 431/2004 Coll.

88aa) Article 4 (6) of Act No. 171/2005 Coll.

88aaa) Article 61n (1) (a), (c) and (d) of Act No. 233/1995 Coll. as amended by Act No. 2/2017 Coll.
Article 2 (1) (a) and (b) of Act No. 233/2019 Coll. on the termination of certain execution proceedings and on the amendment to certain acts.

88b) Article 8 (2) and Article 16 of Act No. 61/2015 Coll.

88c) Article 24a of Act No. 61/2015 Coll. as amended by Act No. 209/2018 Coll.

89) Labour Code.

90) Act No. 70/1998 Coll. on energy and on the amendment to Act No. 455/1991 Coll. on trade licensing (Trade Licensing Act) as amended, as amended.
Act No. 442/2002 Coll. on public water supply systems and public sewerage systems and on the amendment to Act No. 276/2001 Coll. on regulation in network industries.
Act No. 135/1961 Coll. on roads (Road Act) as amended.

90a) Article 2 of Act No. 582/2004 Coll. on local taxes and local fee for municipal waste and small building waste.

90aa) Act No. 361/2014 Coll. on motor vehicle tax and on the amendment to certain acts as amended by Act No. 253/2015 Coll.

90b) Article 55f of Act No. 222/2004 Coll. as amended by Act No. 471/2009 Coll.

91) Articles 642 to 651 of the Commercial Code.

93a) Article 2 of Act No. 581/2004 Coll. on health insurance companies, healthcare supervision and on the amendment to certain acts.

94) Act No. 483/2001 Coll. on banks and on the amendment to certain acts as amended.

95) Act No. 80/1997 Coll. on the Export-Import Bank of the Slovak Republic as amended.

96) Article 801 of the Civil Code.

96a) Article 1 (3) of Act No. 371/2014 Coll.

97) Articles 30a and 30b of Act No. 80/1997 Coll. as amended.
Article 20 (8) of Act No. 381/2001 Coll. on mandatory contractual insurance of liability for damage caused by motor vehicle operation and on the amendment to certain acts as amended.

97a) Articles 171 to 177 of Act No. 39/2015 Coll. on insurance and on the amendment to certain acts.

97b) Article 167 of Act No. 39/2015 Coll.

98) Act No. 326/2005 Coll. on forests.

99) Article 21 of Act No. 326/2005 Coll.

99a) Article 47 of Act No. 326/2005 Coll.

100) Act No. 44/1988 Coll. as amended.

101) Act No. 223/2001 Coll. as amended.

101a) Article 14 of Act No. 514/2008 Coll. on management of waste from mining industry and on the amendment to certain acts.

102) Act No. 129/2010 Coll. on consumer credits and other credits and loans for consumers and on the amendment to certain acts.

102a) Article 6 (9) of Act No. 581/2004 Coll. as amended.

102aa) Article 168d of Act No. 7/2005 Coll. as amended by Act No. 377/2016 Coll.

103) E.g. Act No. 147/2001 Coll. on advertising and on the amendment to certain acts as amended by Act No. 23/2002 Coll.

103a) Article 4 (3) of Act No. 530/2011 Coll. on excise duty on alcoholic beverages.

103b) Article 40a of Act No. 747/2004 Coll. on financial market supervision and on the amendment to certain acts as amended by Act No. 373/2014 Coll.

104) Act No. 223/2001 Coll. as amended.
Act of the National Council of the Slovak Republic No. 327/1996 Coll. on fees for waste deposition as amended.

105) Government Order of the Czechoslovak Socialist Republic No. 35/1979 Coll. on considerations in water management as amended.

105a) Article 2 (h) and (3) of Act No. 250/2007 Coll. on consumer protection and on the amendment to Act of the Slovak National Council No. 372/1990 Coll. on offences as amended.

105aa) Article 5 (2) of Act No. 112/2018 Coll. on social economy and social enterprises and on the amendment to certain acts.

105b) Article 47 of Act No. 43/2004 Coll. as amended.
Article 22 of Act No. 650/2004 Coll. as amended.
Article 4 (b) and Articles 6 to 12 of Act No. 186/2009 Coll.
Article 4, Article 27, Article 128 of Act No. 203/2011 Coll. as amended by Act No. 206/2013 Coll.

105c) Article 1 (c) of Measure of the National Bank of Slovakia of 2 September 2014 No. 19/2014 on submitting statements by factoring companies, instalment financing companies or leasing companies for statistical purposes (Notification No. 248/2014 Coll.).

106) Article 43a of Act No. 50/1976 Coll. on land-use planning and building rules (Building Act) as amended.
Measure of the Statistical Office of the Slovak Republic No. 128/2000 Coll. promulgating the Classification of Buildings.

107) Act No. 50/1976 Coll. as amended.

108) Act of the National Council of the Slovak Republic No. 162/1995 Coll. on real estate register and the registration of ownership and other rights to real estate (Cadastral Act) as amended.
Decree of the Geodesy, Cartography and Cadastre Authority of Slovak Republic No. 79/1996 Coll. implementing the Act of the National Council of the Slovak Republic on real estate register and the registration of ownership and other rights to real estate (Cadastral Act) as amended.

109) Act No. 44/1988 Coll. as amended.
Act No. 223/2001 Coll. as amended.

110) Articles 659 to 662 of the Civil Code as amended by Act No. 509/1991 Coll.

111) Act No. 383/1997 Coll. as amended by Act No. 234/2000 Coll.

111a) Article 83 of Act No. 50/1976 Coll. as amended by Act No. 229/1997 Coll.

111b) Article 84 of Act No. 50/1976 Coll. as amended.

113) Article 2 of Act No. 49/2002 Coll. on monuments fund protection.

114) Act No. 115/1998 Coll. on museums and galleries and on protection of objects with museum and gallery value as amended.

115) Article 553 of the Civil Code.

116) Article 659 of the Civil Code.

116a) Act of the National Council of the Slovak Republic No. 258/1993 Coll. on the Railways of the Slovak Republic as amended.

117) Article 833 of the Civil Code.

118) Article 25 (6) of Act No. 431/2002 Coll. as amended by Act No. 504/2009 Coll.

118a) Article 175o of the Civil Procedure Code as amended.

119) Decree of the Ministry of Finance of the Slovak Republic No. 465/1991 Coll. on prices of buildings, lands, permanent growths, payments for establishment of the right of personal land use and compensations for temporary use of lands as amended.

119a) Article 25 (1) (e) and (f) and (8) of Act No. 431/2002 Coll. as amended.

119b) Article 25 (1) (h) Point 4 and Article 27 (13) of Act No. 431/2002 Coll. as amended by Act No. 213/2018 Coll.

119c) Article 25 (1) (h) Point 3 and Article 27 (13) of Act No. 431/2002 Coll. as amended by Act No. 213/2018 Coll.

120) Regulation (EC) No. 451/2008 of the European Parliament and of the Council of 23 April 2008 establishing a new statistical classification of products by activity (CPA) and repealing Council Regulation (EEC) No. 3696/93 (OJ L 145, 4.6.2008).
Measure of the Statistical Office of the Slovak Republic No. 128/2000 Coll.

120a) Act No. 57/2018 Coll. on regional investment aid and on the amendment to certain acts.

120aa) Article 18 of Act No. 321/2014 Coll. on energy efficiency and on the amendment to certain acts as amended by Act No. 4/2019 Coll.

120b) Article 6 of Act No. 57/2018 Coll.

120c) Article 9 (1) and (2), Article 10 (9) of Act No. 561/2007 Coll. as amended.

120d) Act No. 185/2009 Coll. on research and development incentives and on the amendment to Act No. 595/2003 Coll. on income tax as amended.

120e) Article 31 to 33 of Commission Regulation (EC) No. 800/2008 of 6 August 2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation) (OJ L 214, 9.8.2008).

120f) Article 7 (7), (8) and (10) of Act No. 185/2009 Coll.

120g) Act No. 133/2002 Coll. on the Slovak Academy of Sciences as amended by Act No. 40/2011 Coll.

120h) Act No. 575/2001 Coll. on the organisation of activities of the Government and organisation of the central government as amended.

120i) Article 7 (d) and (e) of Act No. 172/2005 Coll.

120j) Article 26a of Act No. 172/2005 Coll. as amended by Act No. 233/2008 Coll.

120k) Article 68 (1) of Act No. 563/2009 Coll. as amended.
Article 4 (3) (v) of Act No. 333/2011 Coll. as amended.

120l) Article 52 (10) of Act No. 563/2009 Coll. as amended by Act No. 333/2014 Coll.

120m) Article 11 (1) (a) of Act No. 112/2018 Coll. on social economy and social enterprises and on the amendment to certain acts.

120n) Article 5 (2) of Act No. 358/2015 Coll. on the regulation of certain relations in the area of State aid and minimum aid and on the amendment to certain acts (State Aid Act).

120o) Article 6 (1) (c) Point 5 of Act No. 112/2018 Coll.

120p) Article 5 (1) (b) of Act No. 112/2018 Coll.

120q) Article 8 (4) of Act No. 112/2018 Coll.

120r) Article 8 (1) (b) of Act No. 112/2018 Coll.

120s) Article 8 (2) of Act No. 112/2018 Coll.

121) Article 24 of Act No. 431/2002 Coll. as amended.

122a) E.g. Vienna Convention on Diplomatic Relations (Decree of the Minister of Foreign Affairs No. 157/1964 Coll.), Vienna Convention on Consular Relations (Decree of the Minister of Foreign Affairs No. 32/1969 Coll.).

122aa) Article 35 of the Labour Code.

122ab) Article 26a of Act No. 90/2016 Coll. as amended by Act No. 279/2017 Coll.

122b) Article 50a of Act No. 5/2004 Coll. on employment services and on the amendment to certain acts as amended by Act No. 139/2008 Coll.

122c) Article 223 of the Labour Code as amended.

123) Act No. 663/2007 Coll. on minimum wage as amended.

125) Act No. 600/2003 Coll.

125a) Article 2 (1) (d) Point 3 of Act No. 600/2003 Coll.

126) Article 79 of Act No. 563/2009 Coll. as amended by Act No. 331/2011 Coll.

127) Article 155 of Act No. 563/2009 Coll. as amended by Act No. 331/2011 Coll.

128) Act No. 563/2009 Coll. as amended by Act No. 331/2011 Coll.

130) Article 37 of Act No. 380/1997 Coll. as amended by Act No. 563/2001 Coll.

131) E.g. Article 70 of Act No. 380/1997 Coll. as amended, Government Order of the Slovak Republic No. 336/2002 Coll. laying down details for the provision of foreign allowance.

131a) Article 122ya (12) of Act No. 483/2001 Coll. as amended by Act No. 279/2017 Coll.

131aa) Article 1 (2) of Act No. 552/2003 Coll. on work performance in public interest as amended.
Act No. 55/2017 Coll. as amended.

132) Article 267 of Act No. 73/1998 Coll. on civil service of members of the Police Force, the Slovak Information Service, the Court Guards and Prison Wardens Corps and the Railway Police.

132a) Articles 155 and 156 of Act No. 563/2009 Coll. as amended by Act No. 331/2011 Coll.

132b) Article 1 (7) of Act No. 90/2016 Coll. as amended by Act No. 279/2017 Coll.

132c) Article 13 of Act No. 281/2015 Coll. on civil service of professional soldiers and on the amendment to certain acts.

133) Article 75j (1) and Article 768s of the Commercial Code.

133a) Article 16 (4) and Article 17 (6) of Act No. 431/2002 Coll.

133b) Article 20 of Act No. 7/2005 Coll. as amended.
Article 68 (4) (c) of the Commercial Code

134) Article 3 (6) and (7) of Act No. 431/2002 Coll.

134a) Article 47 (1) of Act No. 43/2004 Coll. on old-age pension savings and on the amendment to certain acts as amended by Act No. 747/2004 Coll.

134aa) Articles 68 and 68b of the Commercial Code.
Article 309d to 309h of the Civil Proceedings Code for Non-Adversarial Proceedings.

134ab) Article 75k of the Commercial Code.

135) Act of the National Council of the Slovak Republic No. 182/1993 Coll. as amended.

135a) Article 2 (1) and Article 8 of Act No. 212/1997 Coll. on compulsory printed copies of periodical publications, non-periodical publications, and reproductions of audiovisual works as amended.

136) Article 45 of Act No. 383/1997 Coll.

136a) Article 4 (9) and (12) of Act No. 203/2011 Coll. as amended.

136aa) Article 19 of Act No. 580/2004 Coll. as amended.

136aaa) Article 13a of Act No. 580/2004 Coll. as amended by Act No. 364/2014 Coll.

136ab) Article 7 of Act No. 563/2009 Coll. as amended by Act No. 331/2011 Coll.

136ac) Article 154 (1) (d) and Article 155 (1) (e) of Act No. 563/2009 Coll. as amended by Act No. 331/2011 Coll.

136ad) Article 1 of Act of the National Council of the Slovak Republic No. 13/1993 Coll. on artistic funds.

136ae) Article 7 of the Commercial Code as amended by Act No. 500/2001 Coll.

136af) Article 34 (1) of Act No. 429/2002 Coll. on Stock Exchange as amended.

136ag) Act No. 272/2015 Coll. on the register of legal persons, entrepreneurs and public authorities and on the amendment to certain acts as amended by Act No. 52/2018 Coll.

136ah) Article 11a of Act No. 83/1990 Coll. as amended by Act No. 346/2018 Coll.

136bf) Article 68 (6) of the Commercial Code as amended.

136bg) Article 58 (10) of the Labour Code as amended.

136f) Article 3 (1) of Act No. 406/2011 Coll.

137) Act No. 83/1990 Coll. as amended.

138) Act No. 34/2002 Coll.

139) Act No. 147/1997 Coll.

140) Act No. 213/1997 Coll. as amended by Act No. 35/2002 Coll.

141) Article 6 (1) (h) and (k) of Act No. 308/1991 Coll. on freedom of religious beliefs and position of the church and religious societies.

142) Act No. 116/1985 Coll. on conditions of activity of organisations with an international element in the Czechoslovak Socialist Republic as amended by Act No. 157/1989 Coll.

142a) Article 7 (a) and (c) of Act No. 172/2005 Coll. on the organisation of State support to

research and development and on the amendment to Act No. 575/2001 Coll. on the organisation of government activity and on the organisation of central government as amended, as amended.

143) Act of the Slovak National Council No. 323/1992 Coll. as amended.

143a) Article 170 (21) of Act No. 461/2003 Coll. as amended by Act No. 221/2019 Coll.
Article 25 (5) of Act No. 580/2004 Coll. as amended by Act No. 221/2019 Coll.

143b) Act No. 346/2018 Coll. on the register of non-governmental non-profit organisations and on the amendment to certain acts.

144) Article 10 of Act of the Slovak National Council No. 323/1992 Coll. as amended.

145) Act No. 211/2000 Coll. on free access to information and on the amendment to certain acts (Act on Information Freedom)

146) Article 31 of Act No. 523/2004 Coll. as amended.

146a) Articles 35 and 35b of Act of the Slovak National Council No. 511/1992 Coll. as amended.

146aa) Act No. 147/2001 Coll. as amended.

146aaa) Article 3 (2) of Act No. 34/2002 Coll. as amended by Act No. 445/2008 Coll.

146ab) Articles 37 and 38 of Act No. 563/2009 Coll. as amended by Act No. 331/2011 Coll.

146ac) Act No. 357/2015 Coll. on financial control and audit and on the amendment to certain acts as amended,

146ad) E.g. Articles 107 and 108 of the Treaty on the Functioning of the European Union as amended (OJ C 326, 26.10.2012), Act No. 358/2015 Coll.

147) Act No. 231/1999 Coll. on State aid as amended.

148) Act No. 385/2000 Coll. as amended.
Act No. 154/2001 Coll. as amended by Act No. 669/2002 Coll.

149) Act No. 572/2004 Coll. on emission allowance trading and on the amendment to certain acts as amended by Act No. 733/2004 Coll.

150) Article 74 (2) of Act No. 581/2004 Coll.

151) Article 10 of Act No. 530/1990 Coll. as amended.

152) Article 123ac of Act No. 43/2004 Coll. as amended by Act No. 252/2012 Coll.

153) Articles 14 to 17 of Act No. 530/1990 Coll. as amended.

153a) Article 123aq (2) of Act No. 43/2004 Coll. as amended by Act No. 25/2015 Coll.

153b) Article 123aq (5) (b) and (6) (b) and (c) of Act No. 43/2004 Coll. as amended by Act No. 25/2015 Coll.

153c) Article 33a (4) of Act No. 43/2004 Coll. as amended by Act No. 183/2014 Coll.

153d) Article 768s (2) (b) and (c) and (9) of the Commercial Code.

154) Act No. 580/2004 Coll. as amended.
Act No. 461/2003 Coll. as amended.
Act No. 328/2002 Coll. as amended.