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Slovakia

Najvyšší súd Slovenskej republiky

Date of establishment 01.01.1993.

Address and e-mail of the court:

Street: Ľupné námestie 13

Postcode: 814 90

City: Bratislava

State: Slovenská republika

predseda@nsud.sk [1]; tlacove@nsud.sk [2]; odazv@nsud.sk [3]; podatelna@nsud.sk [4]

Website

<http://www.nsud.sk/en/> [5]

Link to the national database of their case law

Link to the case law database of the Supreme court of the Slovak Republic:

<http://www.nsud.sk/rozhodnutia/> [6]

Link to the national case law database:

<http://www.justice.gov.sk/Stranky/Sudne-rozhodnutia/Sudne-rozhodnutia.aspx> [7]

The Supreme Court of the Slovak Republic is the highest judicial authority of the Slovak Republic.

What does the court decide about

- a) on ordinary appeals from decisions of regional courts and the Special Criminal Court if the regulations on legal proceedings stipulate so;
 - b) on extraordinary appeals from decisions of district courts, regional courts, the Special Criminal Court, the Supreme Court if the regulations on legal proceedings stipulate so;
 - c) disputes of subject-matter jurisdiction between courts and public authorities;
 - d) on the withdrawal and ordering of a case to a court other than competent court if the regulation on legal proceedings stipulates so;
- in other cases if the Act or an international treaty stipulates so.

The Supreme Court executes the review of the decision-making activity of courts in lawfully closed cases.

The Supreme Court sees to the uniform interpretation and the consistent application of the Acts and other generally binding legal regulations by its own decision-making activity and by adopting opinions on the unification of the interpretation of the Acts and other generally binding legal regulations and by publishing valid court decisions of primary importance in the Collection of opinions of the Supreme Court and of decisions of the courts of the Slovak Republic.

The principals of procedure

The procedure before the court is verbal and public, unless a special Act stipulates otherwise. A judge, prosecutor and barrister wear an official clothing in the procedure before the court.

The number of justices and panels:

Criminal Division: 19 Judges; 8 panels

Civil Division: 29 Judges; 8 panels

Commercial Division: 14 Judges; 7 panels

Administrative Division: 28 Judges; 12 panels

According to Article 145 of the Constitution of the Slovak Republic:

How are the justices appointed

Judges are appointed and recalled by the president of the Slovak Republic at the proposal of the Judicial Council of the Slovak Republic for an unlimited period of time.

Any citizen of the Slovak Republic who can be elected to the National Council of the Slovak Republic, has reached the age of 30 and completed a legal education may be appointed a judge. Other prerequisites for appointment to the post of judge and his promotion, as well as the scope of immunity of judges will be determined by law.

Provisions of the Section 5 of the Act No. 385/2000 Coll. on Judges and Lay Judges and amendment of certain Acts:

As a judge may be elected a citizen who

- a) on the day of election has reached a minimum of 30 years,
- b) has obtained legal education by graduating from a master's programme at the law faculty of a university in the Slovak Republic, or has a recognized or accredited document on obtaining legal education by graduating from a programme on an equal level at a foreign university,
- c) has full legal capacity and is capable for the performance of the post of judge as regards health,
- d) has full integrity and his/her moral characteristics give a guarantee that he/she shall perform the post of judge correctly,
- e) has permanent residence in the Slovak Republic
- f) has passed a specialized judicial examination
- g) has successfully passed a selection procedure
- h) agrees with his appointment as a judge and assignment to the predetermined court, consent must be in writing.

As a specialized juridical examination according to this law is also considered a bar examination, a prosecutor's examination, a notary's examination or a commercial lawyer's specialist examination. With the approval of the Council of Judges of the Slovak Republic, the Minister of Justice of the Slovak Republic (hereinafter "Minister") may waive the sitting of a specialist judicial examination for one who is provably a specialist or other significant personality in the legal branch and has been active in the law profession for a minimum of 20 years.

The preconditions for the election of a judge stated in paragraph 1, letters c) to e), and the condition of a citizen of the Slovak Republic must be valid throughout the entire period of performing the post of a judge.

A citizen with full integrity for the purposes of this law is a citizen who has not been legally convicted of a deliberate criminal offence. Blamelessness is proved by an extract from the Criminal Register not older than three months.

The chairman and deputy chairman of the Supreme Court of the Slovak Republic are appointed by the president of the Slovak Republic from the ranks of judges of the Supreme Court of the Slovak Republic for a period of five years upon a proposal of the Judicial Council of the Slovak Republic. The same person may be appointed the chairman of the Supreme Court of the Slovak Republic and the deputy chairman of the Supreme Court of the Slovak Republic for a maximum of two consecutive terms.

A judge is sworn in by the president of the Slovak Republic as follows: "I promise on my honor and conscience that I will abide by the Constitution, constitutional laws and international treaties that the Slovak Republic ratified and were promulgated as required by law, and laws, I will interpret laws and decide independently and impartially, according to my best conscience."

A judge shall take up the office upon taking the oath.

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- [6] <http://www.nsud.sk/rozhodnutia/>
- [7] <http://www.justice.gov.sk/Stranky/Sudne-rozhodnutia/Sudne-rozhodnutia.aspx>