Slovakia

The Artist's Place in Society

In the Slovak Republic a lot of artists need to resort to other forms of gainful employment. But it depends on many factors – from personal to objective ones. It also depends on in what area the artist works, what the artist's demands are, etc. However, it is a fact that a large number of artists do have more than one employment. The reason may be that, except for last two years, the artists have had few opportunities to assert themselves.

In the area of visual arts, the majority of artists need to resort to other forms of gainful employment. However, there are no precise statistics or surveys.

Jobs often taken up by artists are teaching at secondary schools of arts or universities; organizing art performances; working in the field of arts but not in the field of studies – assistants, translators, dialogue makers; as well as jobs requiring no special qualification; or manual work.

INSTITUTIONAL AND LEGAL FRAMEWORK

International instruments (conventions, agreements and recommendations) in the field of culture ratified by Slovakia

- Intergovernmental cultural agreements

- Agreement on Cooperation between the Government of the Slovak Republic and the Government of the French Community of Belgium and the Walloon Government. Bratislava, 30 March 2001

- Agreement on Cooperation in the Field of Education, Science and Culture between the Government of the Slovak Republic and the Government of the Republic of Bulgaria. Bratislava, 21 July 1994

- Agreement on Cultural Cooperation between the Government of the Slovak Republic and the Government of the People's Republic of China. Bratislava 7 October 2000

- Agreement on Intellectual and Artistic Contacts between Czechoslovakia and the Kingdom of Denmark. Copenhagen 12 May 1937. (The Slovak Republic succeeded to this contractual relation).

- Agreement between the Government of the Slovak Republic and the Government of the Arab Republic of Egypt on Cooperation in the field of Science, Education, Culture, and Sport. Cairo 12 December 1995

- Agreement on Cultural Cooperation between the Czechoslovak Socialist Republic and the Republic of the Philippines.

New York 8 October 1974

- Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Republic of Finland on Cooperation in Cultural, Scientific and Related Fields.

Helsinki 12 October 1973. (the SR succeeded to this contractual relation)

- Agreement between the Government of the Slovak Republic and the Government of the French Republic on Cultural, Technological, Educational, and Scientific

cooperation.

Paris 21 March 1995

- Agreement on Cultural Cooperation between the Government of the Czechoslovak Socialist Republic and the Government of the Hellenic Republic. Prague 10 February 1976

- Cultural Agreement between the Czechoslovak Socialist Republic and the Dutch Kingdom. The Hague 3 August 1972

- Agreement between the Government of the Slovak Republic and the Government of the Republic of Croatia in the fields of Culture, Education, Science, and Sport. Bratislava 16 May 1995

- Agreement between the Government of the Slovak Republic and the Government of the Republic of India on Cooperation in the fields of Culture, Art, Education, Science, Tourism, Sport, and Mass Media.

New Delhi 11 March 1996

- Cultural Agreement between the Government of the Czechoslovak Socialist Republic and the Imperial Government of Iran.

Prague 26 May 1967

- Agreement between the Government of the Czech and Slovak Federative Republic and the Government of the State of Israel on Cooperation in the fields of Culture, Education and Science. Prague 29 April 1991

- Agreement Concluded through an Exchange of Notes on Cultural Cooperation between the Government of the CSSR and the Government of Japan in Tokyo, 20 January 1976.

- Agreement between the Government of the Slovak Republic and the Government of the Republic of South Africa on Cooperation in the Fields of Art and Culture. Cape Town 28 May 1998

- Agreement between the Government of the CSFR and the Government of Canada on Cooperation in the Fields of Cultural, Academic, and Sports Relations. Prague 15 November 1990

- Agreement between the Government of the Slovak Republic and the Government of Canada on Audiovisual Co-production. Ottawa 5 June 2002

- Agreement on Cultural Cooperation between the Government of the Czechoslovak Republic and the Government of the Democratic People's Republic of Korea. Prague 23 June 1956

- Cultural Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Grand Duchy of Luxembourg, signed on 17 June 1976 in Luxembourg

- Agreement between the Government of the Slovak Republic and the Republic of Hungary on Cooperation in the Fields of Culture, Education, Science, Sport and Youth. Budapest 16 January 2003

- Agreement on Cultural Cooperation between the Government of the Czechoslovak Socialist Republic and the Government of Malta. Prague 10 September 1979

- Agreement between the Government of the Slovak Republic and the Government of the Federal Republic of Germany on Cultural Cooperation, 1997.

- Agreement on Cultural Relations between Czechoslovakia and Norway, signed in Oslo on 11 March 1937.

- Agreement between the Government of the Slovak Republic and the Government of the Republic of Poland on Cultural, Educational and Scientific Cooperation. Bratislava 23 March 2000 Cultural Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Portuguese Republic, signed on 12 June 1976 in Lisbon.
Agreement between the Government of the Slovak Republic and the Government of

the Republic of Austria. Vienna 13 September 1999
Agreement between the Government of the Slovak Republic and the Government of Romania in the Fields of Science, Education, Culture and Sport. Bratislava 3 April 1994
Agreement between the Government of the Slovak Republic and the Government of the Russian Federation on Cooperation in the Fields of Culture, Education, and Science. Bratislava 13 February 1995

- Agreement between the Government of the Slovak Republic and the Government of the Republic of Slovenia on Cooperation in the Fields of Science, Education, and Culture. Bratislava 14 December 1999

- Agreement between the Slovak Republic and the Kingdom of Spain on Cooperation in the Fields of Culture and Education. Bratislava 11 April 2000

- Cultural Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Italian Republic, signed in Prague on 18 May 1971.

- Agreement between the Government of the Slovak Republic and the Government of the Republic of Turkey on Mutual Cooperation in the Fields of Science, Education, Culture and Sport. Bratislava 27 April 1995

- Agreement between the Government of the CSSR and the Government of the United States of America on Cooperation in Culture, Education, Science, Technology, and other Fields. Prague 15 April 1986

- Interdepartmental cultural agreements

- Memorandum on Understanding in the Field of Cultural Cooperation between the Ministry of Culture of the Slovak Republic and the Department of Arts, Heritage, the Gaeltacht and the Islands. Dublin 18 October 2001

- Agreement between the Ministry of Culture of the Slovak Republic and the Ministry of Culture and Arts of Ukraine on Cooperation in the Field of Culture. ŠtrbSlovak Republicé Pleso 23 January 1996

- Agreement between the Ministry of Culture of the Slovak Republic and the Ministry of Culture of the Republic of Uzbekistan in the Fields of Culture and Arts

- Protocols of implementation and Programmes of cooperation

- Programme of Cooperation between the Slovak Republic and the French Community of Belgium and Walloon Region for the period of 2002 – 2003

Programme of Cooperation between the Ministry of Culture of the Slovak Republic and the Ministry of Culture of the Czech Republic for the period of 2001 - 2003

- Programme of Exchange between the Government of the Slovak Republic and the Government of the State of Israel in the Fields of Culture, Education and Science for the period of 2001 - 2004

- Programme of Cooperation between the Government of the Slovak Republic and the Government of the Federal Republic of Yugoslavia on Cooperation in the Fields of Culture, Education, Youth, and Sport for the period of 2002 – 2005

- Programme of Cooperation between the Ministry of Culture of the Slovak Republic, Ministry of Education of the Slovak Republic and the Ministry of Culture of the Grand Duchy of Luxembourg

- Programme of Cooperation between the Slovak RepublicS and the Free State of Bavaria for the period of 2002 – 2003 based on a session of the Slovak – Bavarian Commission - Programme of Cultural, Educational and Scientific Cooperation between the governments of the SR and of the Kingdom of Norway

- Programme of Cooperation between the Ministry of Culture of the Slovak Republic and the Ministry of Culture of Romania for the period of 2002 – 2005

- Programme of Cooperation in the Fields of Education, Science and Culture between the Government of the Slovak Republic and the Government of the Republic of Slovenia for the period of 1999 – 2002 (validity extended until a new document is signed)

- Programme of implementation for the Cultural Agreement between the Government of the Slovak Republic and the Government of the Italian Republic for the period of 2001 -2005

- Programme of Educational, Scientific and Cultural Cooperation between the Government of the Slovak Republic and the Republic of Finland

- Programme of Cooperation in the Fields of Education and Culture between the Slovak Republic and the Kingdom of Spain for the period of 1999 – 2001

- Programme of Cooperation in the Fields of Education and Culture between the Slovak Republic and the Hellenic Republic for the period of 1999 – 2002

- Programme of Cultural, Educational, Scientific, Linguistic, Expert and Institutional Cooperation between the Government of the Slovak Republic and the Government of the French Republic

- Programme of Cooperation between the Ministry of Culture of the Slovak Republic and the Ministry of Culture of the Republic of Croatia

- Plan of Cooperation between the Ministry of Culture of the Slovak Republic and the Ministry of Culture and Arts of Ukraine for the period of 2003 – 2007

- Agreement between the Ministry of Culture of the Slovak Republic and the British Council in Slovakia for the period of 2003 – 2006

The Slovak Republic is part of the following UNESCO and Council of Europe conventions:

· European Cultural Convention

• The European Convention on Cinematographic Co-production

• The European Convention on the Protection of the Archaeological Heritage (Revised) Ratification of the Convention on the Protection of the Archaeological Heritage

• The Convention on the Protection of the Architectural Heritage of Europe

• The Framework Convention on the Protection of National Minorities and the Explanatory Report

· European Convention on Transfrontier Television

· Convention Concerning the Protection of the World Cultural and Natural Heritage

· Convention for Safeguarding the Intangible Cultural Heritage, 2001

 \cdot Convention on the Protection and the Promotion of the Diversity of Cultural Expressions, 2005

As far as international norms are concerned, Article 7 section 5 of the Constitution of the Slovak Republic is of great importance : it says that international treaties on human rights and basic freedoms, international treaties whose execution does not require passing of a law, and international treaties which directly secure rights and obligations of natural persons or legal persons, and which were ratified and declared in a way prescribed by law take precedence over laws.

A general framework for the status of artists is provided by stipulations of international norms of labour and social security ratified by the Slovak Republic. Even if these international norms, however, do not deal exclusively with artists, they significantly influence their social position. They can be found especially in the following documents:

- · Universal Declaration of Human Rights (UN)
- · Convention for the Protection of Human Rights and Fundamental Freedoms (UN)
- · International Pact on Civil and Political Rights (UN)
- · International Pact for Economic, Social and Cultural Rights (UN)
- European Convention on Human Rights and Fundamental Freedoms (CE)
- European Social Charter (CE)

· Additional Protocol to the European Social Charter (CE)

· Complementary Protocol to the European Social Charter (CE)

Conventions of the International Labour Organization n° 17/1925, 18/1925, 19/1925, 26/1928, 29/1930, 34/1933, 37/1933, 39/1933, 42/1934, 43/1934, 52/1936, 78/1946, 80/1946, 87/1948, 88/1948, 95/1949, 98/1949, 100/1951, 102/1952, 111/1958, 122/1964, 128/1967, 130/1969, 139/1974, 140/1974, 142/1975, 148/1977, 155/1981, 159/1983, 160/1985, 161/1985, 144/1976, 105/1957, 173/1992, 182/1999, 183/2000, 171/1990, 156/1981.

All international norms binding on the Slovak Republic are implemented in its legal regulations.

Governmental bodies responsible for:

a) Cultural affairs

Ministry of Culture of the Slovak Republic

b) Cultural policy-making

Ministry of Culture of the Slovak Republic; Government of the Slovak Republic.

c) Working conditions of artists including disabled artists

Ministry of Labour, Social Affairs and Family of the Slovak Republic, Government of Slovak Republic.

d) Continuing training of artists and cultural workers

Ministry of Culture of the Slovak Republic; Ministry of Education of the Slovak Republic.

e) Cultural research

Ministry of Culture of the Slovak Republic and:

The Theatre Institute

The Theatre Institute is a research, documentary, information, promotion, study, consultancy, and analytical centre of theatrical culture for the whole territory of Slovakia, with some of its activities directed abroad as well.

The mission of the Theatre Institute is to purposefully gather, protect, scientifically evaluate, use, and make available material documents related to theatrical production. Based on its mission and activities, the Institute's taSlovak Republics are as follows:

 \cdot to gather and evaluate information on theatres and theatrical production

• to systematically secure the documenting of production in the field of professional theatrical art in Slovakia, pursuant to Article 8 of the Act of National Council of the Slovak Republic n° 384/1997 Coll. on Theatrical Activities

 \cdot to protect, professionally and scientifically evaluate, restore, conserve and make available collection funds owned by the state and managed by the Theatre Institute to accordinate the development of a control detabase on theatrical production in the

 \cdot to coordinate the development of a central database on the atrical production in the Slovak Republic

 \cdot to ensure a continual theatrological research into the staging practice and its historical relationships

 \cdot to do its own research as well as participate in research activities of other institutions in the theatrical field

 \cdot to publish plays and other the atrological literature as well as periodical and non-periodical literature related to the atre

• to cooperate (providing analytical, professional, information, and consultancy services) with the Ministry of Culture of the Slovak Republic, with other public administration and local government bodies operating in the field of theatrical culture, with theatres, theatrical ensembles and other cultural and social institutions

 \cdot to provide information and professional consultancy services, as resulting from its mission and objectives

• to cooperate with national and foreign partner institutions of a similar nature, to participate in the work of international organizations of which it is a member

 \cdot to support activities of Slovak centres of international non-governmental organizations working in the field of theatrical art

 \cdot to promote information about Slovak theatrical art, its producers and results in Slovakia and abroad

• The Music Centre

As an organization falling under the Ministry of Culture, the Music Centre has been a professional conceptual centre for music culture since 1997. In addition to its own concert activities (as an organizer, among other things, of the largest international music festival in Slovakia the Bratislava Music Festival), it operates in the field of documentation and creation of databases, carries out its own publishing periodical and non-periodical activities, and serves as a promotional-service centre with a music study room open to the public.

• The Centre for Information on Literature

The Centre for Information on Literature is a conceptual documentation centre for literature written in Slovakia. It monitors and documents the existence and promotion of Slovak literature abroad and is in charge of keeping an information database for this field. To disseminate Slovak literature abroad, it offers scholarships to foreign translators for their study stays in Slovakia. It cooperates with foreign publishers, supporting them in publishing the works of Slovak authors. It provides for an active participation of the Slovak Republic at international book fairs by creating a national stand and by other accompanying activities. It publishes periodical and non-periodical publications and prepares literary and cultural activities to support the literary process as well as to popularize and promote values of Slovak literary output at home and abroad.

• The Slovak Design Centre

The Slovak Design Centre has been a non-profit organization under the Ministry of Culture of the SR since 1991. Its mission is to acquire, preserve and promote information on design, providing permanent information support for the development of design in the Slovak Republic.

It is involved in the promotion of design, publishing, educational and exhibition activities, organizing of design competitions, expert consultancy and creation of specialized directories.

It cooperates with many design centres abroad and with international organizations of

industrial and graphic designers (ICSID, ICOGRADA, IFI).

The Centre has long-term work contacts with many specialised institutions in the SR, including higher education institutions training future designers.

The SDC provides information on active designers in the SR in the field of industrial and graphic design. It keeps a database of manufacturing companies in the SR focused on the development of their own products as well as new production Programmes.

f) Tax policy and taxation in the field of culture:

Ministry of Finance of the Slovak Republic; Ministry of Culture of the Slovak Republic.

Cultural policy

Percentage (average) of the national budget allocated to culture

In the last five year the percentage has ranged from 0.5 to 0.9 % of GDP.

Policies aimed at promoting the arts

The Section of Arts of the Ministry of Culture of the Slovak Republic does not have a separate conception established for the area of arts aimed at arts promoting. Nevertheless, promotion of particular types of arts is a part of activities of all the organizations working in the field falling within the scope of the Section of Arts. This task is preferably fulfilled particularly by information and documentation centres (Literary Information Centre, Musical Centre, Theatrical Institute, Slovak Centre of Design). Promotion of particular types of arts is made in a number of forms – by joining international information networks, issuing various promotion materials – publications, CDs, DVDs etc. provided to partner institutes abroad, by awarding prizes in individual areas of arts, organizing competitions, festivals – both, national and international ones, by presenting Slovak creative arts at fairs etc. The project of sending some selected concerts of the Slovak Philharmonic Orchestra within the international network is a good example of promoting and spreading Slovak performing arts without geographical limitation.

Artists themselves consider the promotion of arts to be unsatisfactory, especially in the field of visual arts.

The Section of Cultural Heritage provides for accessing of collection funds by presentations and exhibitions, by which it contributes to promotion in the Slovak Republic as well as abroad. Within the grant scheme of the Ministry of Culture of the Slovak Republic, it is involved in preparing a grant programme to support projects in the field of memory and collection-making institutions aimed at cultural activities of museums, galleries, libraries.

Existing structures enabling artists to be involved in cultural policy-making at local and national levels

At the level of the state administration of culture, there are several structures established for artists and experts enabling them to be actively involved in national cultural policymaking. They particularly include stable advisory bodies of the Minister of Culture, expert commissions (http://www.culture.gov.sk/ministerstvo/poradn-orgny-mk-sr), commission with the grant system, consisting of exclusively independent experts from relevant artistic areas being active almost exclusively in external environments, or advisory groups established ad-hoc to deal with special problems. Similarly, the artists are actively involved in creating new legislative regulations and amending the existing ones.

As for the regional, local cultural policy, it is the responsibility of each higher territorial unit, town and community independently within its own regional cultural policy. It is, however, known, that these activities are performed depending on financial resources. Some of these activities are financially supported also through the grant scheme of the Ministry of Culture of the Slovak Republic (not only the programme Arts, but also some other programmes).

Allocation of public funds to cultural activities

Public finances are allocated to artistic activities through a system of grants, which finances art institutions supporting artists' foreign stays and paying membership subscription in international organizations; it also supports the organization of art events on the local, regional or transnational level, e.g. the Bratislava Music Festival (organized by the Music Centre, through an authorization by the Ministry of Culture of the Slovak Republic), and finances art supporting funds.

The Ministry of Culture of the Slovak Republic allocates funds to organizations falling within its scope for their yearly activities, including art work in the Slovak Republic as well as abroad. This process takes place based on an in-advance prepared proposal from each organization, mutual consultation and subsequent adoption of agreed conditions by the Ministry of Culture of the Slovak Republic. By their activities throughout the year, the top art organizations as well as special institutions provide for a large variety of artistic activities, art presentations abroad, fulfilment of tasks resulting from cultural agreements etc.

The Ministry of Culture seeks to not only support original creation, but also provide for mobility of artists and art works, presentations of results of artistic creation on foreign stages through its institutions and also through specific programmes within the grant scheme. It refers also to the support of issuing works by Slovak authors in foreign languages, particularly by foreign publishing houses; presentation of Slovak culture by official national exhibitions; cooperation with Slovak institutions abroad, university departments of Slavonic or Slovak studies, and with Slovaks living abroad.

Through the grant scheme of the Ministry of Culture of the Slovak Republic, in particular the programme ARTS, non-commercial activities of non-state entities and entities within the scope of self-government regions and communities are supported in the field of professional theatre and musical arts, visual and applied arts, art design, photography, architecture and literature. Also publication of books of Slovak authors, selected translations of foreign authors, and art and culture journals.

Measures to improve cultural infrastructures (museums, concert or theatre halls, libraries, etc.)

By law, Slovak art and culture (that is Slovak artists) are supported by arts funds – see Act n° 13/1993 Coll.

Measures intended to support integration of disabled artists

As for art institutions within the scope of the Section of Arts, their art employees must comply with relevant qualification preconditions inevitable for performing given artistic profession. These criteria are decisive, and in engaging an art employee no handicap is taken into account in making decisions. In Slovakia, *Divadlo z Pasáže* (Theatre from the Passageway) is very active. It is part of the state organization of the Dramatic Institute. It is a unique theatre involved in art activities with the handicapped. In addition to created dramatic productions, it runs also some projects aimed at integration of people mentally handicapped in the mainstream society, and integration of the society for a normal, humane, and eased reflection of itself (the festival ARTETERAPIA, educational and consulting activities, seminars, creative workshops etc.). At the same time, the Dramatic Institute through its special department - Centre for Community Dramatic Activities – provides for and coordinates building of a central database of information on community arts in Slovakia with an emphasis put on dramatic arts. It is made by systematic gathering, processing, archiving and accessing documentation and audiovisual materials on community arts within Slovakia, and particularly on *Divadlo z Pasáže* (Theatre from the Passageway).

LEGAL FRAMEWORK

Laws and rules regulating activities of artists with regard to:

a) Employment and working conditions

Legal regulation of working conditions

No specific law regulates labour relations and conditions of artists – general regulation applies here. However, both the Labour Code as well as the Act on Civil Service contain specific provisions specifically fixing some conditions of work of the theatre and music artists, including their remuneration. - Act n° 311/2001 Coll. Labour Code as amended by later regulation – valid for private sector

- Act n° 313/2001 Coll. on Public Service as amended by later regulation – valid for employees of public sectors. In addition to the Act on Civil Service, these employees also, subsidiarily, fall under the effect of the Labour Code.

- Act n° 383/1997 Coll. – Copyright Act

- Act n° 90/1996 Coll. on the Minimum Wage (decree of the Government of the SR n° 514/2002 Coll. defining the minimum wage as SKK 5,570 per month or SKK 32 for one hour of work)

- Act n° 96/1991 Coll. on Public Cultural Events

- Act n° 283/1997 Coll. on Collective Administration of Rights,
- Act n° 13/1993 Coll. on Art Funds,
- Act n° 1/1996 Coll., amended by Act 116/1998 on Audiovision,

- Act n° 52/1959 – the Adult Education and Cultural Act amended by Act n° 186/1997 Coll.

- Act n° 81/1996 Coll. on Periodicals,
- Act n° 384/1997 on Theatrical Activities,
- Act n° 385/1997 Coll. on the Slovak National Theatre,
- Act n° 169/1994 Coll. on the State Cultural Fund Pro Slovakia,
- Act n° 270/1995 on the Official Language of the Slovak Republic,
- Act n° 296/1996 Coll. the Library Act,
- Act n° 114/2000 Coll. on the Slovak Philharmonic Orchestra.

From this point of view, artists can be divided into two main groups:

1. Those performing artistic employment based on a contract of work, and being subject of the Labour Code. In this case, the employer pays social and health insurance contribution for them, and they are entitled to paid holidays, and the regulations on minimum wages and the Act on Collective Bargaining are applicable to them. 2. Those performing artistic work as freelancers. According to Slovak legislation, they are qualified as self-employed persons. They are excluded from any collective bargaining and are obliged to pay health and social insurance contributions by themselves. They sign contracts on creating art work or copyright contracts in accordance with the Copyright Act; they cannot negotiate on minimum wages; they are not entitled to paid holidays, and they are not entitled to other advantages of employees.

b) Social security (health insurance, labour injuries, health disability, unemployment and retirement pensions)

The social security of artists is not regulated by specific laws – they fall under the following general social security regulation.

- The Social Insurance Act n° 413/2002

- The National Council of the Slovak republic, Act n° 123/1996 Coll. on Supplementary Pension Insurance Scheme for Employees, as amended by Act n° 409/2000 Coll. It is a voluntary supplementary insurance of employees (the so-called 3rd pillar of social insurance).

- The National Council of the SR Act n° 273/1994 on Health Insurance, Financing of Health Insurance, the Establishment of the General Health Insurance Company and the Establishment of Sectoral, Occupational, Corporate and Civil Health Insurance Companies, amended by later regulation

- Act. n° 272/1994 Coll. on Human Health Protection,

- Act. n° 277/1994 Coll. on Health Care amended by later regulation,

- Act n° 140/1998 Coll. on Medicinal Products and Medical Devices,

- Act n° 274/1994 Coll. on Social Insurance Company,

- Decree n° 149/1988 by which the Act on Social Security is executed,

- new Act n° 413/2002 Coll. on Social Insurance

- Act n° 330/1996 Coll. on Safety and Health Protection at Work, amended by later regulation,

- Act n° 320/1993 Coll. on the Regulation of Compensation for the Loss of Earnings after the End of Work Inability Caused by Work Injury or Occupational Illness,

- Act n° 314/2001 Coll. on the Protection against Fire

- Act n° 387/1996 Coll. on the Employment, amended by later regulation

- Act n° 125/1998 on the Subsistence Minimum and Specification of Sums for the Purposes of State Social Benefits as amended by later regulation

- Decree of the Government of the SR n° 522/2002 Coll. – Collective Agreement in Public Service for 2003

- Act n° 152/1994 Coll. on Social Fund, amended by later regulation

- Pregnancy and maternal leave

- Act n° 311/2001 Coll. Labour Code § 151 177
- (maternal leave and parental leave § 166 169 Labour Code),
- Act n° 280/2002 Coll. on Parental Allowances,

Act n° 281/2002 on Child Allowance and Supplementary Child Allowance
 Health impairment

- Act n° 320/1993 on the Regulation of Compensation for the Loss of Earnings after the End of Work Inability Caused by Work Injury or Occupational Illness,
- Decree n° 340/2002 Coll. measure of the Ministry of Labour, Social Affairs and Family of the Slovak Republic of 25 June 2002 defining the percentage and the period of the compensation for the loss of earning after the end of work inability caused by work injury or occupational illness,

- Act n° 54/1956 Coll. on Sickness Insurance of Employees (it will be substituted by a new Act n° 413/2002 Coll. on Social Insurance),
- Act n° 100/1988 Coll. on Social Security, amended by later regulation,

Decree n° 149/1988 Coll. by which Act on Social Security is executed,
 Pension

- Act n° 100/1988 Coll. on Social Security, amended by later regulation,
- Decree n° 149/1988 by which the Act on Social Security is executed,

c) Training

General laws apply:

- Act n° 29/1984 Coll. on the System of Primary and Secondary schools (Schools Act) as amended,

- Act n° 131/2002 on Higher Education,

- Act n° 386/1997 Coll. on Further Education

WORKING CONDITIONS

Work permit or "professional" status

There is not a professional status for artists.

The Slovak Coalition for Cultural Diversity (SCCD) believes that it is a major problem that the UNESCO Recommendation concerning the Status of the Artist (1980) has not been reflected in Slovak legislation. SCCD clearly supports establishing a status of the artist in which numerous art disciplines would be represented – musicians, film makers, writers, actors, visual artists.

Health care system

There is no specific regulation on the protection of health of artists. It is a universal regulation with reference to all persons, including all categories of artists.

Private healthcare systems

There is no regulation providing a specific system of health care for artists – general regulation applies to them as well.

The access to health care provided by private doctors is available to everyone, including artists. The prices in private health facilities are, however, higher than in general public health facilities.

Administrative inspections

In the case of artists to whom the Labour Code is applicable (i.e. they are employed), working conditions are subject to administrative inspections.

In the case of artists working as freelancers (self-employed), there are no administrative inspections.

Inspections cover all the conditions in line with Act of the National Council of the Slovak Republic n° 330/1996 Coll. on occupational health and safety, as amended by Act n° 95/2000 Coll.

Governmental bodies in charge of labour inspections

Labour inspections are carried out by the Ministry of Labour, Social Affairs and Family, National Labour Inspectorate of occupational safety.

Labour inspection includes control of all generally binding regulation as well as other regulation, and an employer's internal rules related to the safety and protection of health at work.

Penalties

Sanctions provided for by the Act on Occupational Health and Safety. However, it only refers to the artists working under a contract of employment.

SOCIAL WELFARE

Insurance schemes

The social security system guarantees all insured persons compensation for earnings during the period of:

- illness
- caring for a household member during his/her incapacity to work
- maternity/parental leave
- pregnancy, if, as a result of this, an employer cannot perform her work
- old age (old age pension)
- invalidity (partial invalidity pension, invalidity pension)
- effects of an injury (injury pension, on-the-spot compensation),
- unemployment

Social insurance is obligatory for employed persons (contributions are paid by employees and employers). Non-obligatory social insurance is intended for independently working persons (e.g. entrepreneurs), including independent artists who perform their artistic activities as free profession (not being in the position of employed artists, working under a work contract).

According to the legislation of the Slovak Republic, artists are obliged to pay health insurance only. Any other types of insurance (social, old-age pension, sickness insurance) are voluntary.

Complementary insurance schemes

Artists are not obliged to conclude additional insurance contracts, the so-called voluntary supplementary insurance. However, an employer, if he/she employs employees performing highly risky works, must by law provide such employees supplementary pension insurance, also in the case if such an employee does not pay himself/herself contributions to supplementary pension insurance. The category of highly risky works includes activities defined by a state health body as belonging to categories 3 or 4, to which some artistic professions (e.g. ballet artists, music artists, actors, artistes). Such employer's obligation is, however, withdrawn from a draft proposal of a new law on supplementary pension savings.

Governing body in charge of the administration of contributions

Social insurance contributions (basic) are administered by the Social Insurance Company, i.e. the State.

The Company is an institution of public service controlled and administered on a tripartite principle (one third of its board of directors and advisory board consists of representatives of the state, one third of trade organizations, and one third of employers'

organizations). The Social Insurance Company is financially separated from the state budget. This principle applies also to health insurance companies.

Supplementary retirement insurance companies are governed and administered by representatives of employees and employers and are separated from the state budget as well. However, law requires the state to guarantee the solvency of the Social Insurance Company, supplementary retirement insurance companies as well as health insurance companies.

The social security and health reforms introduced an essential change to the institutional framework of social insurance. The continuous pillar (1st pillar) of social insurance will be still administered by the Social Insurance Company, though there is a proposal to cancel its tripartite system of management. The capitalization pillar (2nd pillar) will be administered by private managerial companies, which shall allocate the finances of the insured persons in finance and capital markets. This way of management is proposed also for the new system of voluntary supplementary retirement savings and for compulsory health insurance.

REMUNERATION

The minimum level of payment

The National Council of the SR Act n° 90/1996 Coll. on the Minimum Wage, as amended by later regulation sets the minimum monthly wage (SKK 6,800) and the minimum wage per hour. At the same time, it lays down minimum wage rates determined for individual categories of work. The Act directly prohibits setting monthly and hourly wage lower than the minimum wage.

Depending on whether the artist is self-employed or employed. The minimum wages specified by the State is only applicable to artists working under a contract of employment. No wages regulations are applicable to free-lance artists. Wage is directly perceived by artists. Law ensures that it is in all cases given directly to the artist. As for the support of artistic activity, granting contributions to artists for artistic activities is regulated by the National Council of the SR Act n° 13/1993 Coll. on Art Funds.

UNEMPLOYMENT

Unemployment insurance scheme

There is no specific system of unemployment insurance for artists.

The National Council of the SR Act n° 387/1996 Coll. on the Employment, as amended, lays down universal system of insurance in the case of unemployment which imposes on all employees, employers as well as persons performing independent work, including artists, an obligation to contribute to the system. The extent and duration of the unemployment benefits payment is subject to permanent legislative changes, leading to making the conditions for receiving support stricter, as well as to the reduction of the amount of payments. From 1 January 2004, the employment fund has been moved under the Social Insurance Company.

ILLEGAL WORK

Scale of illegal work

In the field of visual arts, there is not a sufficient motivation for legal sales of pieces of arts, as the purchase of a piece of art is not acknowledged as tax deductible expenses. However, no precise statistics or surveys exist.

TAX STATUS AND TAX ADVANTAGES

Tax status

Artists do not enjoy a particular tax status. Perhaps only deductible items and a possibility to pay a lump-sum tax.

Artists are the only group of citizens that pay additional 2 % contribution from the gross income, which may increase the 19% flat tax rate by as much as 50 %; when, for example, a sculptor uses 80 % of the fee payment for a statue to cast it in bronze, the tax (19 % of the tax base) + 2 % (of the total fee payment without deducting costs) account for, in this case, up to 29 % of the tax base in total.

Royalties and tax system

Concerning royalties, the Act n° 366/1999 Coll. on Income Tax apply, like for all other incomes.

Provisions on inheritance tax

There are no rovisions on inheritance tax according the Act n° 318/1992 Collec. On Real Estate Inheritance, Devise and Transfer tax - amended by later regulation.

INTERNATIONAL MOBILITY OF ARTISTS

Fellowships and financial aids to promote:

a) the mobility of artists

Several scholarships are available to promote the mobility of artists, such as governmental, ministerial, grants, projects ERASMUS, SOCRATES, LEONARDO, etc. **b) the mobility of works**

Several scholarships are available to promote the mobility of works – governmental, ministerial, grants, etc.

Recognition of foreign diplomas

Decisions on recognition of diplomas shall be made by:

a) A higher education institution in the Slovak Republic carrying out the study Programmes in the fields of study identical or related to those indicated in the submitted documents of education. If the contents of the studies are only partly identical, the higher education institution may invite the applicant to take additional examinations or to complete and defend his Bachelor thesis, diploma thesis, examina rigorosa or dissertation thesis

b) The Ministry, in case that there is no higher education institution in the Slovak Republic to carry out the study Programmes identical or related to those stated in the submitted certificate.

c) The diplomas issued by a foreign higher education institution or other authorised bodies of the State that has concluded an agreement with the Slovak Republic on mutual recognition of diplomas are equivalent with those issued by a higher education institution in the Slovak Republic, provided that these credentials are covered by the above agreement. Decisions on equivalence of diplomas shall be issued by the Ministry. d) A credential on award of academic degree based on the defence of a dissertation thesis pursuant to Section 54 Clause 21 issued by a foreign higher education institution is equivalent to the credential on award of academic degree of PhD issued by a higher education institution in the Slovak Republic.

e) Details on the procedure in recognition of diplomas are specified in general regulation issued by the Ministry

Provisions in national laws in regard to foreign artists

Employing foreigners is governed by Act n° 387/1996 Coll. on Employment as amended by later regulation. A foreign national can work through a work contract only after it has been approved by a District Labour Office, within 90 days of the issuance of an approval to employ a particular foreigner.

The employment of citizens of the Czech Republic is done through a Contract between the Slovak Republic and the Czech Republic of 29 October 1992 (Declaration of the Ministry of Foreign Affairs of the Slovak Republic n° 317/1994 Coll.) and an Administration Convention by which the Contract is executed of 30 January 2001 (Declaration of the Ministry of Foreign Affairs of the Slovak Republic n° 109/2001 Coll.).

A citizen of the Czech Republic may be employed through a work contract and all necessary documents in the same way as a citizen of the Slovak Republic. The origin and termination of a contractual work relation must be reported to a district labour office through a registration card (Act n° 109/2001 Coll.).

COLLECTIVE REPRESENTATION

Trade union freedom

The trade union freedom is protected by the Constitution of the Slovak Republic (Art. 36 and 37), respective conventions of the International Labour Organization, European Social Charter; International Covenant on Economic, Social and Cultural Rights; Convention on the Protection of Human Rights and Fundamental Freedoms; Labour Code (Act n° 312 Coll. as amended by later regulation); Act n° 2/1991 Coll. on Collective Bargaining as amended by later regulation; Act n° 83/1990 on Association of Citizens, as amended by later regulation; Act n° 313/2001 Coll. on Public Service as amended by later regulation; Act n° 312/2001 Coll. on the State Service and on changes and supplements to some laws as amended by later regulation; Act n° 106/1999 Coll. on Economic and Social Partnership (Tripartite Act).

Prerogatives of trade unions recognized by law

- collective bargaining and concluding collective contracts on wage, working and social conditions
- right to go on strike
- obligation of an employer to negotiate in advance with a respective trade union body for questions concerning :
 - conditions for the employment of employees as well as specific working

conditions of women, youth, and employees with changed work abilities, - essential questions of corporate social policy, measures to improve hygiene of work and work environment

- measures related to a larger number of employees

- measures related to economic, social, health and cultural interests of employees

- organizational changes (restriction or termination of an employer's activities,

fusion, merger, division and change of the employer's legal form)

- a notice given to an employee (under a sanction of its invalidity)

- measures related to the employer's recreational and social facilities

- measures to prevent injuries and occupational illnesses and to protect employees' health

- questions related to the observance of safety and health protection at work,

- right to information on fundamental questions of the development of the employer's activities and on economic results

- control activities focused on the observance of rules, including wage rules and commitments resulting form a collective agreement

Collective agreements

Act n° 106/1999 Coll. on Economic and Social Partnership (the Tripartite Act) requires ministries and other central state administration bodies to negotiate in advance, through the Council of Economic and Social Contract of the Slovak Republic (a tripartite council on a national level), with trade union organizations as well as with employers' organizations, the proposals of generally binding legal rules and conceptual documents related to economic and social interests of employees and employers.

Collective bargaining in the private sector is carried out on two levels: through collective contracts of a higher level (a branch level) and corporate collective contracts. Corporate collective contracts are concluded by a concrete employer and cover all employees of that employer without any regard to the fact whether individual employees are trade union members. Collective contracts of a higher level are concluded between a union of employers and particular trade union association.

A higher level collective contract is binding on all employees of the employers for which the employers' union concluded such a contract, irrespective of whether employees are trade union members. If suggested by a social partner, the Ministry of Labour, Social Affairs and Family of the Slovak Republic may extend the applicability of a higher level collective contract to other employers in a particular branch, provided that criteria of similarity of economic and social conditions as well as similarity of the object of activity are fulfilled. In the private sector, the subject content of the collective bargaining is liberalised, however, collective contracts must heed a minimum range of employees 'rights guaranteed by law.

Promotion of social dialogue

The Council for Economic and Social Contract is a common initiation and consultancy body of the Government, trade unions and employers to support social dialogue.

The support of social dialogue within the Government falls under the responsibility of the Ministry of Labour, Social Affairs and Family of the Slovak Republic (preparation of proposals of legal rules; keeping records of intermediaries and arbitrators; extension of higher level collective agreements); the Deputy Prime Minister; the Minister of Economy (presiding over the Council for Economic and Social Contract); and, in certain general policy issues, the Government. Within trade unions, the social dialogue falls under the responsibility of respective union headquarters, and, in the case of private sector employers, respective employers associations. An institutionalised tripartite social dialogue on the level of the Government, the Confederation of Trade Union Associations of the Slovak Republic, and the Federation of Employers' Associations of the Slovak Republic has been under way since 1990 – in the form of a Council for Economic and Social Contract of the Slovak Republic. In regions, regional councils for economic and social contract have voluntarily been founded.

Mediation

In the dispute about the conclusion of a collective contract a mediator serves as an independent intermediary. An intermediary may be decided on mutually by the parties to the dispute (an employer or a trade union organization), or it is determined, if proposed so by some of the contracting parties, by the Ministry of Labour, Social Affairs and Family.

- If the proceeding before an intermediary was not successful, a contracting party may ask an arbitrator to decide in their dispute. The decision of an arbitrator is binding on both parties. Upon delivering the arbitrator's decision, the collective contract is concluded, making individual claims to be enforceable by court.

Upon the request of one of the contracting parties, a judge may revoke the arbitrator's decision only if it is in violation with generally valid legal regulation.

- In the public sector, the dispute on the conclusion of a collective contract involves a conciliator, and, in the next stage, a board of conciliation.

- Commissions of conciliation, operating in the disputes on the conclusion of a collective agreement in public service, are mutual parity bodies of the Government and trade unions. (Both the Government and trade unions appoint half of the members of a commission of conciliation).

CONTINUING TRAINING AND FINANCIAL AID

Legal framework

- Act n° 29/1984 Coll. on the System of Elementary and Secondary Schools (Schools Act), amended by later regulation,

- Act n° 131/2002 Coll. on Higher Education,
- Act n° 386/1997 Coll. on Further education

Vocational training for artists

There is no scheme of systematic vocational training.

Schools and institutions providing continuing training in the different artistic disciplines:

• Visual arts

Academy of Fine Arts
Rector: Assoc. Prof. Ján Hoffstädter, MFA
Hviezdoslavovo nám. 18,
83101 Bratislava
Tel.: +421 2 54 43 24 31

E-mail: rektor@vsvu.Slovak Republic www.afad.Slovak Republic

Faculty of Utility Arts of the Technical University in Košice Letná 9, 040 01 Košice Tel.: +421/55/602 2031, fax:+421/55/602 2177 E-mail: dekan.fuu.@tuke.Slovak Republic
www.fu.tuke.Slovak Republic

Academy of Arts
J. Kollára 22, 949 01 BanSlovak Republicá Bystrica Tel.: +421/48/4145 127, 4320 111
E-mail: sekrek@aku.Slovak Republic
www.aku.Slovak Republic

Private Secondary Art School Moyzesova 22, 955 01 Topol'čany tel.:+421 38 532 0024, fax: +421 38 532 50 34 School of Utility Fine Arts of J. Vydra DúbravSlovak Republicá cesta 9, Bratislava Tel.: +421/25479 1361 E-mail: suv@host.Slovak Republic

Music and dance

Academy of Music and Dramatic Arts
VentúrSlovak Republica 3, 813 01 Bratislava
Tel.: +421 2 54 43 25 79, 54 43 23 06, fax: +421 2 54 43 25 79
E-mail: slezacek@vsmu.Slovak Republic
www.vsmu.Slovak Republic

Faculty of Music and Dance
Dean: prof. Ján Vladimír Michalko, ArtD
Zochova 1
813 01 Bratislava
Tel.: 421/2/5930 3511
fax: +421/2/5441 2056
E-mail: htf.dekanat@vsmu.Slovak Republic

- Conservatory in Bratislava Tolstého 11, 811 06 Bratislava 1 Tel.: +421 2 54 43 53 41, fax: +421 2 54 43 03 04 E-mail: consbrat@netax.Slovak Republic

- Dance Conservatory of Eva Jaczová Gorazdova 20, 811 04 Bratislava 1 Tel.: +421 2 54 77 11 09, fax: +421 2 54 78 83 39 E-mail: gorazdova@svsba.Slovak Republic http://www.gorazdova.svsba.Slovak Republic Associated Secondary School
Slovak Republiclenárová 7, 824 89 Bratislava 26
Tel.: +421 2 53 41 46 13, fax: +421 2 53 41 48 57
E-mail: zsssvba@host.Slovak Republic
http://www.zsssvba.Slovak Republic

Conservatory of J. M. Hurban
J. M. Hurbana 12, 011 80 Žilina
Tel.: +421 41 562 00 90, fax: +421 41 562 26 80
E-mail: konzervatorium@stonline.Slovak Republic

-Conservatory of J. L. Bella Slovak Republicuteckého 27, 974 01 BanSlovak Republicá Bystrica Tel.: +421 48 412 32 14, fax: +421 48 412 46 56 E-mail: konzerva@konzjlbbb.Slovak Republic http://www.consjlb.szm.Slovak Republic

- Conservatory Timonova 2, 042 03 Košice Tel.: +421 55 622 19 67, 625 74 95, fax: +421 55 622 20 92 E-mail: kon-ke@stonline.Slovak Republic http://www.cassovia.Slovak Republic/konzervatorium

Secondary Art School
Exnárová 8, 040 22 Košice
Tel.: +fax: +421 55 671 78 43
E-mail: adam@sus.adam.Slovak Republic

- Church Conservatory Beňadická 16, 851 06 Bratislava 5 Tel.: +421 2 63 81 40 30 Fax: +421 2 63 83 08 95

• Film and audiovisual media

- Academy of Music and Dramatic Arts Rector: prof. Martin Čorba VentúrSlovak Republica 3, 813 01 Bratislava Tel.: +421/2/5443 2172, fax: +421/2/54430125 E-mail: rektorat@vsmu.Slovak Republic www.vsmu.Slovak Republic

Faculty of Film and Television
Dean: prof. Stanislav Párnický, ArtD
VentúrSlovak Republica 3, 813 01 Bratislava
Tel.: +421/2/5930 1430
E-mail: ftf.dekanat@vsmu.Slovak Republic

- Faculty of Drama and Puppetry Dean: doc. Mgr. art Juraj Slezáček VentúrSlovak Republica 3 813 01 Bratislava Tel/fax: +421/2/5443 2579 E-mail: cabf.dekanat@vsmu.Slovak Republic

Literature

Comenius University
Department of Slovak Literature and Literary Theory
Specializing in: theory and history of Slovak literature, critical reflection of contemporary literature, methodological issues of literary theory, translatology
Gondova 2, 818 01 Bratislava
Tel.: 421 2 5933 9212
E-mail: ksllv@fphil.uniba.Slovak Republic
www.phil.uniba.Slovak Republic

Faculty of Education, Comenius University Department of Slovak language RačianSlovak Republica 59, 813 34 Bratislava Tel.: +421 2 4342 1124, 4329 1059 Fax: +421 2 4425 4956 E-mail: ksj@fedu.uniba.Slovak Republic

- Faculty of Education, Comenius University Department of Slovak language and literature RačianSlovak Republica 59, 813 34 Bratislava Tel.: +421 2 4342 1124, 4329 1059 Fax: +421 2 4425 4956 E-mail: ksllv@fedu.uniba.Slovak Republic

- Faculty of Education Prešov University Department of Slovak language and literature Ul. 17. novembra 1, 081 16 Prešov Tel.: +421 51 772 5846 Fax: +421 51 773 27 75

Faculty of Education, Trnava University Department of Slovak language and literature Hornopotočná 23, 917 00 Trnava Tel.: +421 33 551 4618
Fax: +421 33 551 6047
Faculty of Education, Matej Bel University Ružová 13, 974 11 BanSlovak Republicá Bystrica, Tel.: +421 48 436 4111
Fax: +421 48 436 4444

Training for artists in administration

There are not specific institutions providing training for artists in administration, administrative management and career management. There could be some general courses, workshops, retraining courses conducted either by trainer agencies or labour offices.

Research aid schemes

• The State Vocational Education Institute (ŠIOV)

Creating and testing new, and innovating current, educational Programmes, teaching documents – in cooperation with its expert commissions. Preparing analyses and conceptions, participating in prognosticating the development of secondary vocational schools.

As a methodological, pedagogical, consultancy, research, development, coordination, and educational institution of the Ministry of Education of the Slovak Republic, the State Vocational Education Institute addresses questions of vocational education at secondary vocational schools and secondary technical schools. The European Trading Foundation in Turin, in cooperation with the Ministry of Education and the Ministry of Labour, Social Affairs and Family, established at the ŠIOV the Slovak national Observatory. It belongs to the net of national observatories participating in the Phare and TACIS Programmes. It collects, analyses and disseminates information on current problems of vocational education and training in Slovakia.

• National Institute for Education (ŠPÚ)

National Institute for Education (ŠPÚ) falls under the Ministry of Education of the Slovak Republic. It was founded on 1 January 1994 by an integration of the Research Pedagogical Institute and the Central Methodological Centre in Bratislava. Its main activities are focused on research, methodological and educational areas. The mission of the ŠPÚ is to carry out research taSlovak Republics in the field of education and to provide pedagogical guidance to primary and secondary schools (especially grammar schools).

ŠPÚ is concerned with the concept of the educational content, prepares portfolios for school policy and guidelines for primary and secondary schools and educational facilities. It co-ordinates and provides professional input into the work of other government sections in the field of education. It contributes to the improvement of the educational process and the development of pedagogical theory and practice.

The Institute's activities are focused on:

- the development of educational conceptions at elementary and secondary schools · elaboration of basic strategic principles for development within the framework of the main aims of school systems in the EU countries

 \cdot research and clarification of the educational processes which help pupils form tolerance and mutual understanding

· addressing issues of democracy within a school system as well as outside of it

· addressing issues related to the education of disabled children

 \cdot helping in the development of a conception of alternative schools, regular monitoring and evaluation of their educational objectives

• monitoring the integration of disabled children and youth into the population

- the area of development and testing of basic pedagogical documents

 \cdot development and experimental testing of basic pedagogical documents for pre-school education, basic, special needs and grammar schools, and general education subjects in secondary vocational schools

· development and testing educational standards and didactic tests

 \cdot consultancy and advisory activities in the field of subject content adaptation for individual schools and in the development of local educational systems the area of the evaluation of educational results

 \cdot analysis of methodological questions of measurement and evaluation of educational results within the framework of national monitoring as well as international studies

- the area of editorial and publishing activities

- · publishing a methodological journal Pedagogical Spektrum
- · Pedagogical Revue
- publishing book items

The National Institute for Education cooperates with Slovak and foreign partners in the field of pedagogical research and In-service training of teachers and administrators.

Promotion of copyright and neighbouring rights

There is practically no support aimed at increasing the level of information of artists on the copyright law and related subjects.

There is not a ystematically, publicly accessibly and sufficiently promotion. Authors' organization LITA provides some information in this area on its website at: www.lita.sk.

Source: Ministry of Culture of the Slovak Republic (www.culture.gov.sk) and the Slovak Coalition for Cultural Diversity (SCCD), 2008.