

*The Akon No. 100/1988 Coll.*

Chamber of Deputies chairman

announces

full wording of Act No. 100/1988 Coll. on social security, as indicated by the changes and amendments made by Act No. 110/1990 Coll., Act No. 180/1990 Coll. Act No. 1 / 1991 Coll. Act No. 46/1991 Coll. Act No. 306/1991 Coll. by the Czech National Council No. 482/1991 Coll., Act No. 578/1991 Coll., Act of the Czech National Council No. 582/1991 Coll., Act No. 235/1992 Coll. By the Czech National Council No. 589/1992 Coll., By the Czech National Council No. 37/1993 Coll., Act No. 84/1993 Coll. Act No. 160/1993 Coll., Act No. 266/1993 Coll. Act No. 307/1993 Coll.

subsequent changes made by

Act No. 182/1994 Coll.  
Act No. 241/1994 Coll. Act No. 118/1995 Coll.  
Act No. 155/1995 Coll., Act No. 160/1995 Coll.,  
Act No. 133/1997 Coll., Act No. 91/1998 Coll.  
Act No. 155 / 1998 Coll., Act No 350/1999 Coll.  
Act No. 360/1999 Coll., Act No. 29/2000 Coll.  
Act No. 258/2000 Coll., Act No. 213/2002 Coll.  
Act No. 320/2002 Coll., Act No 426/2002 Coll.  
Act No. 281/2004 Coll., Act No. 436/2004 Coll.,  
Act No. 168/2005 Coll., Act No 218/2005 no.,  
Act No 47/2006 Coll., Act No. 109/2006 Coll.,  
Act No. 165/2006 Coll., Act No. 135/2006 Coll.  
Act No. 29/2007 Coll., Act No. . 189/2006 Coll.  
and Act No. 427/2010 Coll.

ACT

on Social Security

The Federal Assembly of the Czechoslovak Socialist Republic passed the following Act:

**PART ONE**

**OJWATER PROVISION**

§ 1

ofASIC principles

§ 1 (1) The right to social security contributions under this Act shall be guaranteed to all citizens. Social security benefits provided by the state. Social security benefits are not subject to tax.

§ 1 (2) The right to social security benefits does not terminate the end of time.

§ 2

### **Rozsah Social Security**

§ 2 (1) Social Security under this Act includes: a) social care

b) sickness insurance of self-employed,

§ 3

### **OJParticipants of legal relations of social security**

The participants of legal relations arising under this Act and under other social security legislation, citizens, organizations and social security bodies.

§ 4

### **Abčané**

§ 4 (1) Eligibility of citizens have the legal relations of social security rights and obligations created upon his death and birth, or declaration of death.

§ 4 (2) Eligibility of citizens to acquire their own legal acts in the legal relations of social security rights and take on responsibilities AGE sixteenth year of age. Citizen under the age of sixteen years must be represented by a legal representative, who is the legal representative of the citizen under the age of sixteen years, the law provides for the family.

§ 4 (3) of the restriction and deprivation of legal capacity, the legal representatives of the citizen, whose legal capacity was restricted or that he was deprived of eligibility, and the declaration of the citizen as dead, the provisions of the Civil Code.

§ 5

### **AORGANISATION**

Organizations for the purposes of social security law means the legal entities and citizens who employ other people.

### **PART TWO**

**canceled**

### **PART THREE**

## **TheOCIAL CARE**

### **CHAPTER ONE**

#### **ROZSAH SOCIAL CARE**

§73

§ 73 (1) Social care provides state assistance to citizens whose needs are not sufficiently covered by income from work, a pension or health security, or other income, and citizens who need it due to their state of health or age, or who without Support can not overcome a difficult life situation or adverse living conditions.

§ 73 (2) In the area of welfare state provides consultancy and educational activities, especially education for responsible parenthood, to strengthen family relationships and mutual assistance among citizens, especially citizens to help severely disabled and senior citizens, and provides additional benefits and services.

§ 73 (3) In carrying out the tasks of social welfare authorities cooperate closely with civil society and other organizations.

§ 73 (4) canceled.

§ 73 (5) Social services shall include the care of severely disabled people.

§ 73 (6) In the context of social care is provided in particular the following benefits:

a) cash benefits,

b) benefits in kind, c) special advantages for some groups of citizens with severe disabilities.

§73a and 73b §

**canceled**

### **CHAPTER TWO**

**canceled**

§ 74a

**canceled**

§ 74b

**canceled**

### **CHAPTER THREE**

**(§ 76 to 79)**

**canceled**

#### **CHAPTER FOUR**

**canceled**

#### **CHAPTER FIVE**

#### ***PThe ECE severely disabled CITIZENS***

§86

§ 86 (1) Citizens severely handicapped, especially the blind and people with severe mobility or carrier system to provide benefits in kind, in cash and interest-free loan to overcome the difficulties arising from their disability.

§ 86 (2) citizens with severe physical, sensory or mental impairment that substantially limits their physical orientation or ability to provide the type and degree of disability extraordinary advantages, particularly in transport and the need for a guide, those citizens with severe disabilities are accorded extraordinary benefits of the first degree, particularly people with severe disabilities are accorded special advantages II. degree and people with particularly severe disabilities and need a guide are accorded special advantages III. degree. The degree certificate attests the enormous benefits of exceptional advantages, Level I license TP II. stage III and ZTP. degree of ZTP / P Detection of extra benefits is a public document. [\[67\]](#)

§ 86 (3) The card contains special benefits accorded an indication of the degree of emergency benefits, name, surname, maiden name, social security number, photograph citizen, his signature, date of issue, the authority issuing the license and the license validity period. Signature of the citizen is not required if the action associated with a difficult obstacle to overcome. The period of validity of the enormous benefits from the date of issue may be a citizen at the age

- a) within 20 years more than 5 years
- b) 20 to 50 years more than 10 years,
- c) over 50 years without any restrictions.

§ 86 (4) The extraordinary benefits card expires within the time stated therein, the announcement of the loss or theft, withdrawal of special benefits, death of a citizen or declaration of death or decision of the competent authority. The competent authority shall decide on the certificate invalidity benefits in case of emergency, the card includes unauthorized changes or inaccurate information or has been a substantial change in the form of a citizen or card is damaged so that the records contained therein is illegible or its integrity is damaged.

§ 86 (5) Examples of exceptional card benefits and the technical construction photographs citizen of the implementing regulation.

§ 86 (6) The state is obliged to provide assistance to those persons working in the classification and application, as well as creating conditions for their integration into social and public lives.

§§ 86a to 89a

**canceled**

## **CHAPTER SIX**

**canceled**

## **CHAPTER SEVEN**

### ***OJCover the costs SOCIAL CARE***

§92

Cash and kind and special benefits are provided without reimbursement.

§93 and § 93a

**canceled**

## **PART FOUR**

### **TheOINT PROVISIONS**

## **CHAPTER ONE**

### ***AboutENERAL PROVISIONS OF CLAIMS PROCEDURES AND BENEFITS payouts***

§ 94

#### **Inznik entitlement to benefit and its payment**

§ 94 (1) Entitlement to social welfare benefits (hereinafter referred to as "batch") occurs on the conditions stipulated by this Act or implementing regulations.

§ 94 (2) Entitlement to payment of a benefit arises to conditions laid down for entitlement and its payment and filing of returns or payment, unless it is determined that such application is not required. If the applicant is for the benefit of a Member State of the European Union, which is reported in the Czech Republic to stay under a special legal regulation [\[71\]](#) , or a family member [\[72\]](#) , which is reported in the Czech Republic to stay under a special legal regulation [\[71\]](#) , is a condition of entitlement to benefits with the written consent of the competent authority found out information relevant to assessing whether there is an unjustified burden on the social welfare system under this Act (hereinafter referred to as "an unjustifiable burden on the system"), this does not apply if the applicant in the Czech Republic reported for permanent residence.

§ 94 (3) The dose to which a claim decision of the competent authority may be granted and paid first from the beginning of the month in which the proceedings have been initiated to provide this benefit.

§94a

**canceled**

**DDDITIONAL returns, changes above  
and denial of a benefit and its payment**

**§95**

§ 95 (1) If it is later that the charge was granted or paid a lower amount than what belongs, or that she was wrongfully denied, or that were granted at a later date, than from what belongs to, increase the dose or confesses.

§ 95 (2) The dose is increased or awarded pursuant to paragraph 1 from the date on which the benefit or the increase belongs to a maximum of three years from the date of detection of the back or claim to a benefit or its increase.

§ 95 (3) The benefit specified in § 94 paragraph 3 may be withdrawn from the earliest date on which the changed facts decisive for its return.

**§96**

§ 96 (1) ceases to be entitled to a benefit or if it finds that the charge was wrongly granted, the dose is withdrawn.

§ 96 (2) If it is found that the charge was granted in an amount higher than it belongs, the dose is reduced.

§ 96 (3) Whenever the facts decisive for entitlement to benefits, the payment is stopped or the dose is paid at a lower or higher amount.

§ 96 (4) The dose should be withdrawn or reduced or its payment is stopped from the day following the date on which the period has expired for which has already been paid. Dose conditional long-term adverse health condition, however, belongs to the current level until the day preceding the day of her closest payment following the date of receipt of the decision on withdrawal or dose reduction or cessation of its payment. If the payment of benefits suspended under § 106, paragraph 3 and if it finds that the citizen ceased to be disabled or partially disabled before stopping the payment of benefits, not entitled to the date of stopping the payout if it finds that ceased to be a citizen disabled or partially disabled after a stop payment of benefits, not entitled to the date on which ceased to be disabled or partially disabled.

§ 96 (5) ceases to be entitled to a benefit or to its payment, or a part payment for the granting of other benefits, shall be settled in the amount of other benefits due date of its return with the amounts present dávky paid at the same time.

**§97**

§ 97 (1) Entitlement to benefits does not terminate the end of time.

§ 97 (2) Entitlement to payment of a benefit or part thereof shall expire, unless otherwise specified, the expiration of three years from the date on which the benefit or part of it belongs. This period shall be suspended for the management of batch and the period during which the citizen who must have a guardian, a guardian was appointed.

**About definition is reducing wages and benefits**

§98

**canceled.**

§99

**canceled**

§100

**canceled.**

§ 101

**§ 101 for the payment of benefits and rounding the amount of benefits**

§ 101 (1) Social care benefits are paid in advance at regular monthly intervals for social care payer, unless otherwise provided in the implementing regulation.

§ 101 (2) Benefits may be paid in advance, advances are recognized for a period not exceeding 12 months, unless the settlement of income from abroad. Below the dose of 100 CZK per month may be paid in more than monthly intervals. Details of the implementing regulation.

§ 101 (3) The amount of benefits shall be rounded up to whole crowns.

§ 102

**inýplata benefits and other authorized recipients**

§ 102 (1) Benefits shall be paid in cash or to an account designated beneficiary. Beneficiary is entitled, or his legal representative or special recipient.

§ 102 (2) canceled

§ 102 (3) The public body shall appoint a special recipient with his consent in cases where the payment of benefits to the existing beneficiaries apparently did not achieve the purpose which the dose should be used, or if it was damaged the interests of persons who are required to maintain authorized or can not If authorized, or his legal representative, to receive payment. Consent Authority, or his legal representative, with the provision of special recipient is required only if the beneficiary or his legal representative, can not receive payment.

§ 102 (4) The legal representative and special beneficiaries are required dose used only for

authorized persons and that are authorized must nourish. Special appointed authorized recipient, who can not pay to receive a benefit under the guidance uses authorized.

§ 103

#### **Nárok to benefits and their provision in relation to overseas**

§ 103 (1) The benefits are not eligible citizens who have permanent residence in the Czech Republic. Citizens of European Union member state and their family members [\[72\]](#) are entitled to benefits and services, are reported in the Czech Republic to stay under a special legal regulation [\[71\]](#) for a period longer than 3 months, unless they qualify for social benefits from a directly applicable regulation of the European Communities [\[73\]](#) . To benefits provided under the Act on Social Need [\[73a\]](#) are also entitled to beneficiaries under a special legal regulation [\[73b\]](#), additional protection in the Czech Republic.

§ 103 (2) Benefits are paid in abroad and do not belong to the time you are entitled to reside abroad permanently. The fact that a social care while abroad paid abroad, the decision will be issued.

§ 103 (3) The provisions of paragraphs 1 and 2 apply only unless specified otherwise by an international treaty.

§ 103a

#### **Posuzování unjustifiable burden on the social welfare system**

§ 103a (1) If so requested by the provision of social welfare benefits of a Member State of the European Union, which is reported in the Czech Republic to stay under a special legal regulation [\[71\]](#) for a period longer than 3 months, or a family member [\[72\]](#) , which is reported in the Czech Republic to stay under a special legal regulation [\[71\]](#) for a period longer than 3 months, the competent authority also assesses whether that person become an unjustified burden on the welfare system, this does not apply if the person in the Czech Republic reported for permanent residence.

§ 103a (2) A person referred to in paragraph 1 shall not be deemed unjustifiable burden on the system, if

- a) participate in the sickness insurance scheme [\[74\]](#) ,
- b) is a self-employed person participates pension [\[63\]](#) ,
- c) is a person who is entitled to social benefits resulting from the directly applicable regulation of the European Communities [\[73\]](#) ,
- d) before the commencement of proceedings on the dose was in the Czech Republic and gainfully employed 10-year period preceding the initiation of the dose was at least 5 years from the commencement of the proceedings immediately before the dose at least 1 year participate in the sickness insurance scheme [\[74\]](#) , or as a self-employed pension [\[63\]](#) and has the date of opening arrears on premiums and penalties for social security and state employment policy



e) a person who, after termination of employment or contracts for work, if these labor relationships based participation in sickness insurance, or self-employment, if such activities based participation in the pension insurance is temporarily incapable of work due to illness or injury,

f) a person who is registered in the register of job seekers and was immediately upstream of the register of job seekers employed more than 1 year, while the condition is that it is not a person who is not entitled to unemployment benefits pursuant to § 39 paragraph 2 point. a) or b) the Employment Act [\[79\]](#) ,

g) a person who is listed in the register of job seekers, when she immediately upstream of the register of job seekers ended employment-term contracts concluded for a period of 1 year or employment relationship founded by the Agreement concluded at work for less than 1 year , if the established industrial relations participation in sickness insurance; condition is that she is not a person who is not entitled to unemployment benefits pursuant to § 39 paragraph 2 point. a) or b) the Employment Act [\[79\]](#) , such person shall not be deemed an unjustified burden on the system only for 6 months after taking the register,

h) a person who is listed in the register of job seekers, and who became unemployed during the first 12 calendar months of employment; condition here is that it is not a person who is not entitled to unemployment benefits pursuant to § 39 paragraph 2, point. a) or b) the Employment Act [\[79\]](#) , such person shall not be deemed an unjustified burden on the system only for 6 months after taking the register, or

i) a person who, after termination of employment or contracts for work, if these labor relationships based participation in sickness insurance, or self-employment, if such activities based participation in pension insurance, started training, training for the purposes of this Act, a systematic preparation for future employment under the Act on state social support [\[80\]](#) and re-training under the Employment Act [\[81\]](#) .

§ 103a (3) In considering an unjustifiable burden the system with a person who meets the conditions referred to in paragraph 2, point system evaluates the following:

a) length of stay under a special legal regulation [\[71\]](#) in the Czech Republic,

b) the time period of employment or self-employment in the Czech Republic,

c) the systematic preparation for future occupation [\[75\]](#) in the Czech Republic,

d) job opportunities in the Czech Republic according to qualification, the need for increased care in the mediation of employment and unemployment rates.

§ 103a (4) The competent authority of the scoring procedure so that

a) set off in case of a person who has been reported in the Czech Republic to stay under a special legal regulation [\[71\]](#) for

First 1 to 3 years, 2 points

Second 3 to 6 years, 4 points

Third 6 to 8 years, 6 points

4th 8 or more years, 8 points;

b) set off in case of a person who was the taxpayer social security premiums and state employment policy, or that the Czech Republic, constantly preparing for a future profession [\[75\]](#) , for

First 12 to 24 months, 4 points

Second 25 to 36 months, 8 points

Third 37 to 48 months, 12 points

4th 49 to 60 months, 16 points;

c) set off in case of a person

First no rating, 0 points

Second a secondary education, 2 points

Third has higher vocational education, 4 points

4th has a university education, 6 points;

d) credited to the person that would not work in the mediation of special care under a special legal regulation [\[76\]](#) , 4 points;

e) credited to the person who is reported to stay under a special legal regulation [\[71\]](#) in the district in which the unemployment rate in the calendar month preceding the date of the application according to data released by the Ministry of Labour and Social Affairs in a manner allowing remote access

First exceeded by more than 10% average rate of unemployment in the Czech Republic, 0 points

Second exceeded by less than 10% average rate of unemployment in the Czech Republic, 2 points

Third was higher than 50% of the average unemployment rate in the Czech Republic and the value does not exceed the average rate of unemployment in the Czech Republic, 4 points

4th was 50% lower than average unemployment in the Czech Republic, 6 points.

§ 103a (5) For an unjustified burden on the system is a person whose score is 10 points or less. For unaccountable system load is not a person whose score is 20 or more points.

§ 103a (6) If the score People make more than 10 points and less than 20 points, the competent authority shall consider according to personal circumstances under consideration, whether the person is an unjustified burden on the system. In assessing whether a person is unjustifiable burden the system are taken into account its links to people close to [\[77\]](#) , residing in the Czech Republic, whether it is a temporary difficulty, and the potential burden on the welfare system by providing benefits to the person concerned.

§ 103a (7) The competent authority may consider whether a person is unjustifiable burden on the system, also again after experiencing the assessed person to change their social conditions.

§ 103a (8) Administrative Authorities, Social Security, Police of the Czech Republic, municipalities and employers of the persons referred to in paragraph 1 are obliged to challenge the body to provide the information needed to assess whether a person is an unjustified burden on the system. If the competent authority shall notify the Police of the Czech Republic that the person is an unjustified burden on the system [\[78\]](#) , the Police of the Czech Republic to the competent authority shall communicate the termination of the temporary residence of the person under a special legal regulation [\[71\]](#) . Police of the Czech Republic shall communicate the request to the competent authority, whether the person applying for a benefit, welfare, or that this benefit is provided, was completed under a special legal regulation [\[71\]](#) residence in the Czech Republic.

§ 104

#### **Přechod legitimate claim for death**

§ 104 (1) Entitlement to benefits shall expire on the death of the authorized person.

§ 104 (2) He died after a justified claim to a benefit, enter into further proceedings on the dose and take the claim to amounts payable to the date of death gradually lawful wife (husband), children and parents, if they lived with an eligible at the time of his death in common household. The condition of the household may not be true in children who are entitled to an orphan's pension of the deceased.

§ 104 (3) If the death benefit awarded the claimant pays the amount due is not paid until the date of death eligible, members of his family in turn and under the conditions specified in paragraph 2

§ 104 (4) Claims passing the persons referred to in paragraphs 2 and 3 are not subject to inheritance, succession happen, unless these survivors.

§ 105

#### **Postoupení and precipitation**

§ 105 (1) Claims for benefits can not be transmitted.

§ 105 (2) Benefits shall not be subject to a collision.

§ 105 (3) For the enforcement deductions from income subject to the provisions on enforcement deductions from wages. Other benefits are not subject to enforcement.

### **CHAPTER TWO**

#### **POVINNOSTI AND RESPONSIBILITIES OF CITIZENS AND The SOCIAL SECURITY ORGANISATIONS**

##### **Povinnosti and responsibilities of citizens**

§106

§ 106 (1) Authorized or other beneficiary is obliged to declare in writing to the competent social security institution in eight days, changes in the facts decisive for the duration of entitlement to benefits, the amount and payment of or provision.

§ 106 (2) If the recipient or another authorized body called Social Security to certify the facts decisive for entitlement to benefits, the amount or payment is required to meet the challenge, and within a period of eight days of receiving the call, failing- If the social security institution a longer period, fails to do so within the specified period, payment of benefits may be stopped, if authorized, or other recipient was a call to the attention of consequence.

§ 106 (3) Payment of benefits is linked to adverse health condition may be stopped if the citizen whose health condition is required to determine impose physical examination or other professional examinations and a citizen, or his legal representative or a specific recipient, has been advised of the possibility of stopping of benefits or the provision of social care services.

#### §106a

§ 106a (1) A citizen who was granted special benefits for the purposes of license extraordinary benefits (§ 86 paragraph 2) must submit one photograph that reflects its current form. A citizen who has been issued an extraordinary advantage, is obliged to ensure that the information specified in the certificate correspond to reality, to protect the card from damage, destruction, loss or misuse and to notify the authority which issued the license, that some of these facts occurred. Authority which issued the license, then the citizen is obliged to present a challenge to control the card and return an invalid license.

§ 106a (2) Any person who finds extraordinary benefits certificate or license held by the extraordinary benefits of a deceased citizen or a citizen declared dead, it must immediately surrender any municipal authority with extended powers. The same obligation as a citizen who reported a loss of license extraordinary benefits if it finds license or otherwise recover. Municipal authority with extended powers, which certificate is given under the preceding provisions shall be obliged to hand him the authority which issued it.

#### §107

§ 107 (1) beneficiary who fails to fulfill any obligation imposed on him, received a benefit or part thereof, although he knew or had assumed from the circumstances that have been paid unjustly or in an area of more than belonged to, consciously or otherwise caused the dose or its part has been paid unjustly or in an area greater than depended, is obliged to return the amount or part thereof from the date on which it belonged at all or in the provision of, this is especially true if you did not meet reporting requirements, elicited dose or withheld any fact decide.

§ 107 (2) The obligation to return the dose in matters of social care provided unjustly or in an incorrect amount decided by the authority which is competent to decide on granting, dose reduction or withdrawal in matters of social care, or part thereof. Amounts wrongfully received can be

deducted also from usually paid or declared after the wages or benefits authorized; are valid analogy, the provisions on enforcement by deduction from wages.

§ 107 (3) Claims for repayment of benefits provided unjustly or in an incorrect amount shall expire three years from the date on which the social security institution discovered this fact, but no later than ten years of the date for which benefits were paid. These periods do not follow procedures for appeal, an action, execution or are made to cover the overpayment deductions from benefits.

§ 107 (4) The decision issued under paragraph 2 may be exercised within ten years after the date set for compliance with the stored obligation.

§108

**canceled**

§109

**canceled**

§110

**canceled**

§111 to 113

**canceled**

§112

§ 112 (1) The breach of obligations in the field of social care under this Act, laws Authorities in Social Security, and rules implementing that law, the competent national authority may impose a fine organization to the amount of CZK 100 000 and at re breach of duty, for whose failure has been the fine, fine up to the amount of CZK 500 000.

§ 112 (2) A fine may be imposed within one year from the date on which the competent national authority learned of the breach, but no later than five years from the date the organization violated. Fine may be imposed if the organization was for the same breach of duty imposed no fine or other property sanction other authority under other laws, or if the authority (department) conducting social security soldiers.

§ 113

**Povinnosti medical facilities**

Medical facilities are required for social security authorities to investigate the health of citizens in the management of benefits or social care services, publishing extracts from medical records and make medical findings, opinions, reports on the progress of the disease and the required reports and documents as are necessary to decide on the dose service or social care. For reporting and publishing extracts from medical records, the deadlines specified in § 108 paragraph 2 Medical

facilities are required to promptly notify competent authorities of the Social Security interruption or termination of provision of social care in a medical facility pursuant to § 73b and the changing health care facility in which that care is provided.

### **CHAPTER THREE**

#### **About ORGANISATION AND MANAGEMENT**

##### **Part one**

##### **About rgány social security and their scope**

§114 to 118

**canceled**

##### **Part of the second**

##### **Øcontrol**

§119 to 121

**canceled**

§122

**canceled**

§123

**canceled**

§ 124

##### **Doručování documents**

Into their own hands, delivered

a) a decision which is a social care does not give, removes, reduces or stops the payment of social welfare benefits, and decisions, which are obliged to return the amount overpaid,

b) summons those receiving social welfare benefits conditional on the adverse health examination for health or other professional examinations.

§ 125

##### **Náhrada costs**

§ 125 (1) Social security institutions are not eligible for reimbursement of expenses incurred in the management of social welfare benefits.

§ 125 (2) The public body shall be replaced to the extent specified in an implementing regulation costs incurred by citizens or their guides, who are invited to attend the hearing authority in matters of social care.

§ 125 (3) Claims for reimbursement of citizens in proceedings before a court of special regulations. [\[16\]](#)

§ 126

#### **AENERAL regulations on the management**

If this Act or the laws of the national councils Authorities republics in social security matters does not care deviations from the general regulations on administrative proceedings, the following regulations.

### **CHAPTER FOUR**

#### **PLEGAL ACTS AND COUNTING TIME**

§ 127

#### **PLEGAL acts**

§ 127 (1) Legal action (request for a social care, etc.) is a manifestation of the will directed to the creation, modification or termination of those rights or obligations that legislation with such a manifestation join.

§ 127 (2) The legal act, which was not made in the form specified in the provisions of social security referred to in § 112, paragraph 1, is invalid.

§ 127 (3) Otherwise, the legal acts, their annulment and the consequences of invalidity of the provisions of the Civil Code.

§ 128

#### **Počítání time**

§ 128 (1) The period specified in days begins on the day following the event, which is crucial for its origin.

§ 128 (2) Last day period determined by weeks, months or years falls on a day that the same name or number as the day, when the event defining the beginning of time; unless such day of the month, it seems the last day the last day of the month.

§ 128 (3) falls to the last day is a Saturday, Sunday or holiday, the due date is the next working day. This period is maintained, if the last day of period transaction made with the competent authority of social security or where an item contains postal administration, the period for actions taken against the Court of Civil Procedure applies.

### **PART FIVE**

**TheOCIAL SECURITY soldiers,  
PŘÍSLUŠNÍKŮ POLICE OF THE CZECH REPUBLIC  
AND Prison service CZECH REPUBLIC**

§129 to 141

**be abolished.**

§ 142

**AORGANISATION and management**

§ 142 (1) canceled

§ 142 (2) canceled

§ 142 (3) canceled

§ 142 (4) abolished

§ 142 (5) abolished

§ 142 (6) The authorities of the Ministry of Defence, which are competent to decide on pensions from pension insurance professional soldiers, provide poživatelům pensions and their family members who are not insured pension, also cash social welfare benefits, and

a) people severely affected the health and senior citizens,

b) citizens who need special assistance,

c) contribution to the recreation of children retired.

§ 143

**FRequest for dose**

§ 143 (1) canceled

§ 143 (2) canceled

§ 143 (3) canceled

§ 143 (4) An application for welfare cash benefit administered by an authorized payer's income.

§144

**canceled**

§ 145

**Advolací management**



§ 145 (1) The decision on a dose of social care can make a written appeal within 15 days by the authority which issued it, the appeal is allowed against the decision to remove hardship.

§ 145 (2) The authority which issued the contested decision, the appeal itself to fully comply, failing that, shall within 30 days after the appeal is submitted to the authority competent to decide on the appeal.

§ 145 (3) The appellate authority is the body closest to the senior official of official authority which issued the decision.

§ 145 (4) The appeal authority shall decide the appeal without undue delay and no later than 60 days of filing an appeal, if not at this time to decide on the appeal must be authorized in writing the reasons and the time within which an appeal decision .

§ 145 (5) The decision on appeal can not be appealed.

§ 145 (6) The management of social security in the armed forces do not apply the provisions of § 126

## **PART SIX**

### **NEMOCENSKÉ PERSONAL INSURANCE WITHAMOSTATNĚ-EMPLOYED**

§ 145a

#### **SOINT provisions**

§ 145a (1) A self-employed person who is self-employed in the Czech Republic and also meets the specified conditions, participate in the sickness insurance.

§ 145a (2) Who is considered self-employed person, what is meant by self-employment and cooperation in self-employment, the Act on pension insurance. [\[51\]](#) where also talks about self-employment, it shall mean also cooperation in the implementation of this activity.

§ 145a (3) A person is self-employed under this Act shall participate in the sickness insurance only once, even when performing several self-employed activities, or in carrying out several of these activities or at the same time self-employed and works in the exercise of self-employment.

§ 145a (4) health insurance for self-employed persons, the provisions of law on sickness insurance of employees, unless stipulated otherwise.

§ 145b

#### **OJParticipation in health insurance**

§ 145b (1) Health insurance for self-employed is voluntary. Self-employed can not be participate in the sickness insurance in those calendar months for which he is obliged to pay advance premium for pension insurance contributions and state employment policy [\[52\]](#) (hereinafter referred to as "advance premiums for pension insurance") or not required for the reasons given in § 14 paragraph

7 of the Czech National Council No. 589/1992 Coll. on social security and state employment policy, as amended by Act No. 160/1995 Coll., pay advances pension insurance.

§ 145b (2) Participation of persons employed in health insurance is the date on which the self-employed person signed up for sickness insurance, but no earlier than the date in which they signed up for this insurance. Health insurance, however, arises on the date from which the self-employed person subscribed to health insurance if they signed up for this insurance within eight days from the date on which initiated or re-started self-employment, if that deadline also signed up to participate in pension insurance, filing an application for participation in pension insurance is not required if self-employed person is obliged to pay advance premium for pension insurance according to § 13 paragraph 1 point. b) the Czech National Council Act No. 589/1992 Coll. on social security and state employment policy, as amended by Act No. 160/1995 Coll. Health insurance can not arise before the date on which self-employed or re-initiated self-initiated activity, or before the date on which it is authorized to perform this activity.

§ 145b (3) Participation in the self-employed in the health insurance expires

a) the date on which they checked out of health insurance, but not earlier than the date in which the sickness insurance checked out,

b) the last day of the calendar month for which immediately followed three calendar months consecutive for which they were paid premiums for health insurance (hereinafter referred to as "insurance"), or

c) the date on which occurred the facts stated in § 10 paragraph 6, second sentence, the Pension Insurance Act.

§ 145cm

#### **PVERVIEW doses**

The sickness insurance for self-employed to provide these benefits:

a) sickness,

b) the maternity benefit.

#### **Nemocenské**

§145d

§ 145d (1) Sickness belong to self-employed person who is under a special regulation [\[53\]](#) recognized temporarily unable to perform their current self-employment (hereinafter referred to as "sick leave"). Sickness also belongs, if it was self-employed person quarantined under a special legal regulation [\[53a\]](#) (hereinafter referred to as "quarantine").

§ 145d (2) Sickness under paragraph 1 shall comprise, if

a) self-employed person does not perform for a period of incapacity or quarantine self-employment

b) the premium paid for the period of participation in sickness insurance, from which it is entitled to sick leave applied, including the calendar month immediately preceding the calendar month in which the incapacity for work (quarantine has been imposed), the occurrence of the inability (of quarantine) in calendar month in which created health insurance self employed, but must always be paid the premium for that calendar month. The condition of payment of premium is met if self-employed person pays insurance within three months from the date of incapacity for work (of quarantine)

c) participation in the sickness insurance of self-employed lasted for at least three months immediately preceding the date of incapacity (quarantine regulation) is not true, was the participation in the sickness insurance of self-employed persons pursuant to § 145b, paragraph 2, second sentence .

#### §145e

§ 145E (1) Sickness of the daily assessment base, which is determined by the assessment base determined from the relevant period divided by the number of calendar days of the vesting period. This does not include days, calendar days per calendar month for which, under a special law does not advance on pension insurance.

§ 145E (2) The assessment base pursuant to paragraph 1, the total monthly bases for determining advances on pension insurance. [\[54\]](#)

§ 145E (3) The decisive period is the calendar year preceding the year in which the incapacity for work, unless stated otherwise.

§ 145E (4) If the relevant period under paragraph 3 is not a calendar month to which the advance paid premiums for pension insurance, the decisive period of time from 1 January of the calendar year in which the incapacity for work, by the end of the calendar month immediately preceding the calendar month in which the incapacity for work. Unless decisive period in the preceding sentence, or one calendar month for which advance is paid premiums for pension insurance, the decisive period of the calendar month in which the incapacity for work.

§ 145E (5) The provisions of the preceding paragraphs shall apply mutatis mutandis to the determination of sickness in quarantine.

#### § 145f

##### **Peněžitá maternity**

§ 145f (1) Financial assistance in maternity belong to a person self-employed person does not perform as self-employed, meets the condition specified in § 145d paragraph 2 point. b) and its participation in the sickness insurance of self-employed at least lasted for 180 days in a period of one year before childbirth, or taking a child into a permanent care parent substitute care. Entitlement to maternity benefits under the preceding sentence, however, arises only if it is simultaneously the condition of participation in sickness insurance referred to in § 6 of Act No.

88/1968 Coll. The extension of maternity leave, maternity benefits and child allowances from sickness insurance, as amended.

§ 145f (2) Financial assistance for maternity is provided from the beginning of the sixth week before the expected date of birth but not earlier than the beginning of the eighth week before that date.

## **PART SEVEN**

**canceled**

## **PART EIGHT**

**The VÝŠENÍ pensions paid**

### **CHAPTER ONE**

***The VÝŠENÍ PENSIONS granted before 1 October 1988***

§146 to 173

**canceled**

§173a

Competence under the municipal authority with extended powers under this Act are delegated powers.

§174 to 175

**canceled**

### **CHAPTER THREE**

***The INAL PROVISIONS***

§176 and 177

**canceled**

§177A

§ 177A (1) Ministry of Labour and Social Affairs issued a decree according to § 86, § 101 paragraph 1

§ 177A (2) Ministry of Labour and Social Affairs Decree lays down what is considered a systematic preparation for future occupation of the child, the child is considered disabled and what means the child's stay in the facility, education and child care replacing parental care, clearing the way of benefits for their concurrence or reverse the payment.

§ 178

**ofrušovací provisions**

Repealed

First Article IV of the Act No. 161/1968 Coll. a special addition to the benefits of changes in the retirement security of participants and the resistance of some other changes in Social Security;

Second Articles 3 and 4 of Act No. 71/1970 Coll. the regulation of certain low-income and other changes in Social Security;

Third Article I of Act No. 106/1971 Coll. starodůchodců increase in pensions and some low income in social security;

4th Act No. 121/1975 Coll. on social security, as legal action Presidium of the Federal Assembly No. 76/1979 Coll., Act No. 150/1979 Coll. legal action Presidium of the Federal Assembly No. 7 / 1982 Coll. Act No. 73/1982 Coll., Act No. 116/1983 Coll., Act No. 56/1984 Coll., Act No. 108/1984 Coll. and Act No. 53/1987 Coll. with the exception of § 84 paragraph 2, § 85-87, § 90, 92, § 97 paragraph 3 and § 101;

5th legal actions of the Federal Assembly Presidium No. 76/1979 Coll., increase of pensions;

6th legal action Presidium of the Federal Assembly No. 7 / 1982 Coll., increase pensions and certain changes to the Social Security Act;

7th Act No. 108/1984 Coll. an increase of some low-income and other changes to the Social Security Act.

§ 179

### **OJactivity**

This Act shall take effect on 1 October 1988, with the exception of § 176 point. c), which takes effect on 1 July 1988.

\* \* \*

Act No. 110/1990 Coll. Amending and supplementing Act No. 100/1988 Coll. On Social Security, and Law No. 54/1956 Coll. Sickness Insurance of Employees, came into effect on 1 May 1990, Act No. 180/1990 Coll. changes in regulations on health and social security contributions and mother and some other regulations, came into effect on 1 July 1990, Law No. 1 / 1991 Coll. employment, came into effect on 1 February 1991, Act No. 46/1991 Coll. to increase pensions came into effect on 1 March 1991, Act No. 306/1991 Coll., changes in social security, came into effect on 1 August 1991, the Czech National Council Act No. 482/1991 Coll. on social need, came into effect on 29 November 1991, Act No. 578/1991 Coll. Federation of State Budget for 1992 and amending the tax and some other Acts, came into effect on 1 January 1992, Czech National Council Act No. 582/1991 Coll. on the organization and implementation of social security, came into effect on 1 January 1992, Act No. 235/1992 Coll. abolition of work categories and certain other changes in Social Security, came into effect on 1 June 1992, Czech National Council Act No. 589/1992 Coll. on social security and state employment policy came into effect on 1 January 1993, Czech National Council Act No. 37/1993 Coll.

about changes in health and social security and certain labor laws, came into effect on 1 January 1993, with the exception of the provisions of Article IV, paragraphs 27 to 29, 32, 35 and 36, Article V and Article XI, Sections 2 and 9, which became effective on 1 March 1993, Act No. 84/1993 Coll. which amends and supplements Czech National Council No. 482/1991 Coll. on social need, and some related laws came into effect on 1 March 1993, Act No. 160/1993 Coll. which amends and supplements Czech National Council No. 589/1992 Coll. on social security and state employment policy, as amended by Czech National Council No. 10 / 1993 Coll. and some other Acts, came into effect on 1 July 1993, Act No. 266/1993 Coll. amending and supplementing Act No. 88/1968 Coll. the extension of maternity leave, maternity benefits and child allowances from sickness insurance, as amended, and Act No. 100/1988 Coll. on Social Security, as amended, became effective on 1 November 1993 and Act No. 307/1993 Coll. which amends and supplements Czech National Council No. 589/1992 Coll. on social security and state employment policy, as amended, Act No. 100 / 1988 Coll. on Social Security, as amended, and certain other Acts, came into effect on 1 January 1994, with the exception of Article I, section 38, which came into effect on 23 December 1993.

\* \* \*

Act No. 46/1991 Coll. To increase pensions came into effect on 1 March 1991.

Act No. 246/1991 Coll. On the second increase in pensions in 1991, came into effect on 1 July 1991.

Act No. 116/1992 Coll., Increase of pensions in 1992, came into effect on 31 March 1992, with the exception of § 2, 4 and 5, which became effective on 1 June 1992.

Czech National Council Act No. 547/1992 Coll. Increase in pensions in 1993, came into effect on 1 January 1993.

Act No. 255/1993 Coll. On the second increase in pensions in 1993 and increase of pensions granted in 1994, became effective on 1 November 1993.

Act No. 41/1994 Coll. To increase pensions, which are the only source of income, and social pensions came into effect on 1 April 1994.

\* \* \*

Act No. 39/1994 Coll. Early retirement and amending laws on the employment sector, came into effect on 21 March 1994.

\* \* \*

**No. ARTICLE IV of the Act No. 110/1990 Coll. reads as follows:**

#### **Art. IV**

Personal pension awarded under § 53 of Act No. 100/1988 Coll. On social security or other regulations previously in force, shall be amended from 1 May 1990 for that pension, which under the

regulations in force before 1 May 1990 replacing, in the amount to what is paid out to this day, it is not until 31 December 1990 without prejudice to the reduction of income, which was before the effective date of this Act granted as personal income, according to existing regulations on personal pensions.

\* \* \*

**No. Articles VIII and XI of the Act No. 180/1990 Coll. added:**

**Art. VIII**

The selection and children's recreation organized by trade unions to provide contributions from the state budget. The method and its provision of the Federal Ministry of Finance on a proposal from the relevant central trade union bodies.

**Art. XI**

Shall be repealed:

First provisions of § 244 paragraph 2 of the Civil Procedure Code No. 99/1963 Coll., as amended (the full text No. 78/1983 Coll.), and the designation of paragraph 1,

Second Article III of the Act No. 110/1990 Coll. amending and supplementing Act No. 100/1988 Coll. on Social Security, and Law No. 54/1956 Coll. Sickness Insurance of Employees,

Third Decree No. 88/1967 Coll. Sickness insurance of members of producer cooperatives.

\* \* \*

**§32, clause 4 of Act No. 1 / 1991 Coll. reads as follows:**

§32

Shall be repealed:

4th § 80 to 85 of Act No. 100/1988 Coll. On Social Security, as amended by Act No. 110/1990 Coll.

\* \* \*

**§12 of Act No. 46/1991 Coll. reads as follows:**

§12

Repealed § 160 of Act No. 100/1988 Coll. On social security, as amended by Act No. 110/1990 Coll.

\* \* \*

**No. ARTICLE VII of the Act No. 306/1991 Coll. reads as follows:**

## **Art. VII**

### **Transitional provisions**

(1) The entitlement to a widower's allowance expires on 31 July 1991.

(2) The entitlement to a widower's allowance that arose prior to 1 August 1991 and which was not to this day a final decision, the period prior to 1 August 1991 decision under the regulations in force before that date.

(3) contribution to Provident increases the amount of CZK 500 per month or 750 CZK a month without a request from 1 August 1991.

(4) 31 December 1991, on claims for social security of professional soldiers of the Czechoslovak army to decide the regional military administration according to the place of residence of the authorized person.

**§9 section 2 of Act No. 482/1991 Coll. reads as follows:**

§9

Repealed

Second with jurisdiction for the Czech Republic, § 92, paragraph 5 of Act No. 100/1988 Coll. on social security.

\* \* \*

**No.Part of Act No. 578/1991 eleventh Coll. reads as follows:**

### **PART ELEVEN**

#### **TRANSITIONAL PROVISIONS**

§17

§ 17 (1) If there was employment before the effective date of this Act agreed fixed term longer than one year, it is the condition of arranging employment for a maximum period of one year to 31 December 1992 to be satisfied.

§ 17 (2) An organization with which the following 31 December 1992 employed pensioners in employment agreed for a period longer than one year is required to notify this fact to the competent social security institution to 10 January 1993.

§ 17 (3) The provisions of § 7 is the first time in payroll taxes charged for the month of January the 1992nd



§ 17 (4) Claims for material security caused by job-seekers before the effective date of this Act shall be assessed according to existing regulations, the amount of material security and the time of its provision, however, the effective date of this Act, the provisions of this Act.

§ 17 (5) job seekers who are entitled to material security before the effective date of this Act, charging only other time than the period of employment which are not counted under this Act as well as employment, the effective date of its material provisions of the similarly fictitious earnings according to § 17 paragraph 6 of the Employment Act.

\* \* \*

**§133 section 9 of Act No. 582/1991 Coll. reads as follows:**

§133

**Repeals**

Repealed with jurisdiction for the Czech Republic:

9th § 102, paragraph 1 and 2, § 102, paragraph 2, 5 and 6, § 103, paragraph 2, second sentence, § 107, paragraph 2, first sentence, § 108, paragraph 3, § 109, paragraph 2, first sentence, § 111 , 112, 113, 118, 119, 120, 121, § 122, paragraph 2, point. a) the second sentence and paragraph 6, § 124, § 125, paragraph 1 and 2, § 126, 137, § 142, paragraph 2, 3, 4 point. b) c), paragraph 5, § 143, paragraph 2 and 3, § 144, paragraph 1 and 3, § 145, § 145b, paragraph 3 of Act No. 100/1988 Coll. on social security, as amended by Act No. . 110/1990 Coll., Act No. 180/1990 Coll., Act No. 306/1991 Coll., Act No. 46/1991 Coll., Act No. 246/1991 Coll. and Act No. 306/1991 Coll. when adjusting the organizational structure of the pension security, health security of self-employed management in matters of pensions (sickness security of self-employed) undertaken by the social security of the Czech Republic, as well as the procedure of these bodies and organizations in implementing pension (sickness security of self-employed).

\* \* \*

**No.ARTICLE VII, paragraph 2 of Act No. 235/1992 Coll. reads as follows:**

**Art. VII**

**Transitional provisions**

(2) If a citizen suffered a work injury or occupational disease before 1 June 1992, is entitled to disability pension increased by 10% of his average monthly earnings, according to regulations in force before that date.

\* \* \*

**§32, clause 3 of Act No. 589/1992 Coll. reads as follows:**

§32

Repealed with jurisdiction for the Czech Republic:

Third § 11 point. b) the sentence following the semicolon and § 145b, paragraph 2 of Act No. 100/1988 Coll. on social security, as amended by Act No. 110/1990 Coll., Act No. 578/1991 Coll. and the Czech National Council Act No. . 582/1991 Coll.

\* \* \*

**No.ARTICLE IX of the Czech National Council No. 37/1993 Coll. reads as follows:**

**Art. IX**

(1) Claims for sickness security of self-employed before 1 January 1993 are assessed under the regulations in force before that date, unless before that date the premium paid on time and therefore entitled to benefits arose, this claim does not arise even doplacením unearned premiums after 31 December 1992.

(2) incurred in the self-employed person is entitled to sickness or maternity benefits after 31 December 1992, the relevant period for determining the dose beyond that date.

(3) Self-employed persons who engage in self-employment at 31 December 1992, not according to regulations in force before 1 January 1993 are obliged to submit an application for Social Security and, under the regulations in force from 1 January 1993 participate in the sickness insurance are obliged to submit an application for health insurance and pay social security premiums and contributions to the state employment policy by 30 June 1993. The amount of the premiums and contributions to establish the income achieved in 1992, but if self-employment started after 30 September 1992 to proceed as if it began on 1 January 1993. The application for health insurance is self-employed person shall attach a statement from the tax return for 1992.

(4) the shareholders of limited liability companies and limited partnerships limited partners, who were on 31 December 1992 participate in the sickness and pension schemes for self-employed only on the basis of work for this company, for which they were rewarded by the company are obliged to make withdrawals from this security by 31 January 1993.

(5) The citizens in institutions of social care in psychiatric hospitals and long-term care, which as of 28 February 1993 because of the location not pay or pay a pension at a reduced rate, payment due in full retirement from the pension payments due in March 1993, it applies mutatis mutandis to the payment of increased pension for helplessness with the fact that this increase will be paid at the request of the authorized person.

\* \* \*

**No.Articles V, VII and VIII of the Act No. 84/1993 Coll. added:**

**Art. The  
increase in pensions,  
which are the only source of income**

(1) The boundaries of pensions, which are the only source of income is according to § 54 paragraph 1 and § 68 paragraph 1 of Act No. 100/1988 Coll. On social security, as amended by Act No. 306/1991 Coll. changes in Social Security, 1840 CZK per month and according to § 54 paragraph 2 and § 68 paragraph 2 of Law 3060 CZK per month.

(2) Pensions payable on 28 February 1993, which have been treated as the sole source of income will increase without a request from the retirement payments due after that date.

(3) old-age, invalidity, widow's, widower's and orphans' win-orphaned children who have not yet been adapted as the sole source of income and below the level specified in paragraph 1 shall be adjusted to a request from the first installment payable retired after 28 February 1993.

(4) The adjustment of pensions pursuant to the preceding paragraphs are based on the amount of pension increases under the Czech National Council Act No. 547/1992 Coll. Increase in pensions in 1993.

#### **Art. VII**

##### **Transitional provisions**

The exemptions provided under § 103, paragraph 4 of Act No. 100/1988 Coll. On social security, and on the basis of a decision issued on the provision of social care disposing force on 1 May 1993.

#### **Art. VIII**

##### **Repeals**

Repealed § 103, paragraph 4 of Act No. 100/1988 Coll. On social security, if the benefits and social care services.

\* \* \*

**No. ARTICLE IV of the Act No. 160/1993 Coll. reads as follows:**

#### **Art. IV**

##### **Transitional Provisions**

(1) Advance payments for social security premiums and contributions to the state employment policy (hereinafter the "Insurance") pursuant to Article I of this Act shall be paid the first time in August 1993, unless stipulated otherwise.

(2) A self-employed person who was insured against sickness first January 1993, the advance premium for the first time on the day following the maturity date of filing the tax return for 1992, but not earlier than the month of August 1993. Monthly assessment base for the determination of installments is less than 35% of the amount equal to the average, income from self-employment for 1992 after deducting the expenses of his achievement, securing and maintaining accounts for one calendar month in 1992, taking into account only those calendar months in which sickness lasted for

at least part of the month or in which self-employment was performed at least for part of the month.

(3) Insurance, including unearned premiums that a self-employed paid according to legislation effective from 1 January 1993 to 30 June 1993, paragraph 6, for each calendar month of the year 1993, is considered a backup for insurance. The provisions of the preceding sentence shall not apply to self-employed, which started in self-employment during the period 1 January 1993 to 30 June 1993, or for self-employed, for which, pursuant to Article IX, paragraph 3 second sentence of the Czech National Council No. 37/1993 Coll. about changes in health and social security and certain labor laws, as it this action commenced on 1 January 1993, provided an overview in accordance with § 15 paragraph 1, Czech National Council Act No. 589/1992 Coll. on social security and state employment policy, as amended by Article I, section 13 of this Act, according to income in 1993 requested that the assessment base for 1993 stated that part of income from self-employment for 1993 after deducting the expenses of his achievement, ensuring and maintaining, which corresponds to the period for which advances were paid for insurance.

(4) Basis in accordance with legislation effective from 1 January 1993 to 30 June 1993, from which the premium was paid, shall be considered monthly assessment base.

(5) A self-employed before 1 January 1993 to pay premiums in accordance with the regulations in force before 1 January 1993 and the period after 31 December 1992, is obliged to pay in August 1993 and following months of any outstanding advances for insurance under this Act no later than 20 day of the calendar month following the month for which premiums have been paid as follows.

(6) Insurance, which self-employed have to pay before the effective date of this Act and which should be determined by the regulations in force from 1 January 1993 to the effective date of this Act shall be determined in accordance with these regulations. Basis of assessment for payment of premiums by dlužného § 26, paragraph 4, third sentence of Czech National Council No. 589/1992 Coll. On social security insurance and state employment policy, however, determined pursuant to Article I of this Act; pro supplement of unearned premiums paid while the period specified in that provision.

(7) Self-employed, which was prior to 1 July 1993 be excluded from health insurance under § 145d of Act No. 100/1988 Coll. on Social Security, as amended by Czech National Council No. 37/1993 Coll. can sign up for health insurance to 31 July 1993, otherwise her health insurance expires on 31 July 1993. Until the day when the logs for sickness insurance, up to 31 July 1993 is exempt from health insurance. The withdrawal period does not follow here. If such a self-employed person did not begin until 31 December 1993 re-perform self-employment is not subject to paragraph 3, first sentence.

(8) Self-employed person who is no longer participate in the sickness insurance for other reasons or is a beneficiary of a retirement or disability pension and who started self-employment in 1992 after 30 September can be up to 31 July 1993 opt out of health insurance, if its income from self-employment after deduction of expenses incurred to achieve it, securing and maintaining in 1992 reached an average of one calendar month after months of self-employment (including this month) the amount of 2200 CZK . The premium paid for the period before the termination of health insurance in the first sentence is not considered an advance on the premium; assessment base from which to determine the daily assessment base for determining health insurance benefits to which

entitlement after 30 June 1993, the total bases for determining premiums under the rules in force before 1 July 1993.

(9) A self-employed person who is no longer participate in the sickness insurance for other reasons or is a beneficiary of retirement or disability pension and who started self-employment in 1993 before 1 July, can be up to 31 December 1993 opt out of health insurance.

(10) Self-employed, which was still at least 31 December 1992 the sickness insured already for other reasons or was a beneficiary of retirement or disability pension, which under arrangements in force before 1 July 1993 was the sickness insured as a self-employed, can be up to 31 July 1993 to subscribe to health insurance, if the period until 30 June 1993 terminated her health insurance for other reasons or disappeared entitled to an invalidity pension or retirement payment. Sickness insurance is the day following the date of termination of health insurance for other reasons or a claim or payment of such income. Prepayments of insurance premiums for the period since the establishment of health insurance in the amount paid under this Act (Article I), and within one month from the date of this Act.

(11) The income of self-employed in 1992 considered income from self-employment taxable income of the population or income tax from the literary and artistic activities [\[1\]](#), after deducting the expenses incurred to generate, assure and maintain income.

(12) The income made by a self-employed in 1992, the business does not reward [\[2\]](#) of the company with limited liability and limited partners limited partnership.

(13) The provisions of § 26 paragraph 4, 5 and 7, Czech National Council Act No. 589/1992 Coll. On social security and state employment policy, as amended by Czech National Council No. 10/1993 Coll. shall not apply to insurance payable after 30 June 1993, when this article provides otherwise.

(14) The provisions of the preceding paragraphs shall apply mutatis mutandis to the collaborators.

(15) The penalties imposed for the period prior to 1 July 1993 are governed by regulations in force before 1 July 1993. If the facts decisive for the imposition of fines occurred prior to 1 July 1993, the procedure under the regulations in force before 1 July 1993.

(16) The assessment base from which to determine the daily assessment base for determining health insurance benefits to which entitlement arises before the date on which the self-employed person shall submit to the District Social Security Administration review pursuant to § 15 paragraph 1 of the Czech National Council No. 589/1992 Coll., on social security and state employment policy, as amended by Article I, section 13 of this Act, the income for the year 1993 the total monthly bases for advance premiums.

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[1] Act No. 389/1990 Coll. on income taxes of the population, as amended by Act No. 578/1991 Coll.

Act No. 36/1965 Coll. Tax on income from literary and artistic activities, as amended by Act No. 160/1968 Coll. and Act No. 578/1991 Coll.

[2] § 7, paragraph 2 of Act No. 389/1990 Coll.

**No.ARTICLE III and Article IV, paragraph 2 of Act No. 266/1993 Coll. added:**

**Art. III**

(1) Allowance for children and education, belonging to 31 October 1993 are provided after that date in the current level if it is legitimate for the better. Under the preceding sentence shall proceed even if there is a change in the authorized person.

(2) Allowance for children and education to more children of the same legitimate, paid to various beneficiaries, belonging to 31 October 1993 in the amount according to § 28 paragraph 1 of Act No. 88/1968 Coll. the extension of maternity leave, maternity benefits and child allowances from sickness insurance, and according to § 71 paragraph 8 of the Act No. 100/1988 Coll. on social security, are provided after that date in the current level, there is a change in the recipient and, if more convenient.

**Art. IV**

(2) Educational amounting to pensions under this Act belong to the first installment of the education to pensions payable in the month of December 1993. The kids, which belonged in the month of November 1993 installment of the education to pensions due in the month of December 1993 still amount equal to twice the difference between the total amounts to educational pensions, which would be due under this Act, and the educational level of pensions to all those children belonged in November 1993 under the rules in force before this Act, including any supplement to výchovnému to pensions. [\[2\]](#) If the educational pensions paid to various beneficiaries are entitled to every child the proportion of the difference determined under the preceding sentence. The difference in this paragraph does not belong to children, which belongs to the difference referred to in paragraph 1

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[2] § 32, paragraph 3 and 4 of the Decree of the Federal Ministry of Labour and Social Affairs No. 149/1988 Coll., implementing the Social Security Act.

\* \* \*

**No.ARTICLE IX of the Act No. 307/1993 Coll. reads as follows:**

**Art. IX**

**Transitional provisions**

(1) Self-employed persons who participate in the health insurance of 31 December 1993 pursuant to the provisions in force before 1 January 1994 and self-employment performed after that date and up to 31 January 1994 participate in the sickness insurance if their health insurance does not expire earlier pursuant to § 145f paragraph 3 point. b) of Act No. 100/1988 Coll. on social security, as amended by Article II of this Act and after 31 January 1994 take their health insurance, if it does not terminate under § 145f paragraph 3 of the Act on Social Security. The persons referred to in the preceding sentence may opt out of health insurance before 1 February 1994, taking to 28 February 1994 may opt out of health insurance retroactively, not earlier than 1 February 1994.

(2) A period of three calendar months referred to in § 145f paragraph 3 point. c) of Act No. 100/1988 Coll. on social security, as amended by Article II of this Act, shall begin to accrue no earlier than 1 February 1994.

(3) The benefits of health insurance for self-employed, are entitled to after 31 December 1993, down from the relevant period determined in accordance with regulations in force after 31 December 1993, for the period prior to 1 January 1994, when the relevant period before 1 January 1994 is considered the basis of total monthly assessment bases for advance premiums for social security contributions and state employment policy.

(4) If in 1993, terminated health insurance self employed after 30 June [\[1\]](#) or were self-employed before 1 July exempt from this insurance, [\[2\]](#), therefore, that in 1992 reached its income set out above is taken into account in determining the assessment base for social security contributions and state employment policy for 1993 only to that part of income from self-employment after deducting expenses for its achievement, maintain and ensure that corresponds to the period for which advances were paid to the social security premiums and contributions to the state employment policy.

(5) If the self-employed person who started self-employment during the period 1 January 1993 to 30 June 1993, checked out from the sickness insurance pursuant to Article IV, paragraph 9 of Act No. 160/1993 Coll. which amends and supplements Czech National Council No. 589/1992 Coll. on social security and state policy Employment, as amended by Czech National Council No. 10/1993 Coll. and some other laws, be taken into account in determining the assessment base for social security contributions and state employment policy for 1993 only to that part of income from self-employment after deducting expenses for its achievement, maintain and ensure that corresponds to the period for which advances were paid to the social security premiums and contributions to the state employment policy. The condition is that this person is it the year 1993 again health insurance according to § 145b, paragraph 2, point. b) of Act No. 100/1988 Coll. on social security, as amended by Act No. 160/1993 Coll.

(6) If self-employed person completed the performance of self-employment before 1 January 1994 and opted out of health insurance, terminates its participation in sickness insurance, the ending of self-employment, unless that person is paid after the self-employment social security premiums and contributions to the state employment policy, terminates its participation in sickness insurance last day of the calendar month for which it was last paid social security premiums and contributions to the state employment policy, but not later than 31 December 1993.

(7) She will give birth to a woman claiming maternity benefits from the sickness insurance of self-employed, in the period from 1 January 1994 to 30 June 1994 period of 180 days of participation in the insurance provided for in § 145j paragraph 2 of Act No. 100/1988 Coll. on social security, as amended by Article II of this Act shall be reduced by such number of calendar days that fall on the date of birth to 30 June 1994. This applies to taking a child into a permanent substitute parental care.

(8) Advance payment for social security premiums and contributions to the state employment policy paid by the self-employed in January 1994 under the laws in force before 1 January 1994 is considered an advance paid under regulations in force after 31 December 1993, while considered in

that part which corresponds to the percentage of premiums for health insurance, health insurance premiums and other parts of an advance on the premium for pension contributions and state employment policy.

(9) Self-employed pay on income generated in 1993, social security premiums and contributions to the state employment policy in accordance with regulations in force after 31 December 1993, with the above percentages shall be determined under the regulations in force before 1 January 1994 [3] advances on pension contributions and state employment policy while mean advances in social security contributions and state employment policy and the premium paid under the regulations in force before 1 January 1993 to January 1993.

(10) The provisions of the preceding paragraphs shall apply mutatis mutandis to the collaborators.

(11) For social security premiums and contributions to the state employment policy of paid employees and organizations (small organizations) for the year 1993 and revenues charged to and including December 1993 to apply existing regulations.

(12) Social security contributions and state employment policy paid citizen working abroad for a period of such employment prior to 1 January 1994 to pay the amount specified in existing regulations.

(13) Provident assistance under Article II, section 43 is increased without an application.

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[1] § 145cm 2 of Act No. 100/1988 Coll. on social security, as amended by Act No. 160/1993 Coll.

[2] § 145cm 2 of Act No. 100/1988 Coll., As amended Act No. 37/1993 Coll.

[3] National Council Act No. 589/1992 Coll. On social security and state employment policy, as amended by Act No. 10/1993 Coll. and Act No. 160/1993 Coll.

\* \* \*

**No. ARTICLE VII of the Act No. 182/1994 Coll. reads as follows:**

**Art. VII**

**Common and transitional**

(1) Provident contribution and the payment for the use of the apartment belongs under this Act for the first time in October 1994, both the dose is increased without an application.

(2) Funeral in the amount due under this Act authorized person who went funeral of a deceased person after 30 September 1994.

(3) State compensation belongs to a person who meets the condition nezaopatřenosti for entitlement to child benefit or educational, in the amount under this Act for the first time in October.

(4) beneficiaries of parental allowance, which covers the September 1994 parental allowance, in case that he belonged to the September 1994 government compensation benefit paid in October



1994, state compensation in the amount of CZK 140, the state pays compensation payer who is competent parental contribution to be paid in October 1994, without request.

\* \* \*

**No.ARTICLE II, point 10 Act No. 241/1994 Coll. reads as follows:**

**Art. II**

10th In all provisions of the Act, the words "personnel employed" replaced by "employees employed."

\* \* \*

**No.ARTICLE XXVII of Act No. 118/1995 Coll. reads as follows:**

**Art. XXVII**

**Transitional Provisions**

(1) Claims for income self-employed persons, which arose before 1 January 1996 are assessed under the regulations in force before that date and income compensation paid bodies were to be paid in accordance with the regulations in force before 1 January 1996.

(2) Claims for social welfare benefits provided by social need conditional on 1 January 1996 under the Act on Social Need [\[1\]](#) are assessed from 1 January 1996 with regard to Article XI of this Act.

\* \* \*

**No.ARTICLE II of the Act No. 133/1997 Coll. reads as follows:**

**Art. II**

**Transitional provisions**

Increase in pension for helplessness, which, according to pension rules in force prior to the effective date of this Act was granted in amounts lower than those conferred by Article I, or not granted, because income (total income) along with him exceeded the maximum acreage specified by regulations, or has been granted for this reason in a lower amount, at the request of the awarded or increase the amounts payable under Article I of the earliest retirement payments due in the calendar month following the month in which this Act came into effect.

\* \* \*

**No.ARTICLE II of the Act No. 213/2002 Coll. reads as follows:**

**Art. II**

**TRANSITIONAL PROVISIONS**

First Posts so far paid in lower amounts than those provided by this Act, shall adjust billing allowance without asking for a set amount of payment due for the calendar month following the entry into force of this Act.

Second Claims arising before the entry into force of this Act to care referred to in § 80 paragraph 1 point. c) of Act No. 100/1988 Coll. on social security, as amended by Act No. 133/1997 Coll. are retained even after the entry into force of this Act.

Third Accounting for earnings of persons engaged in gainful activity defined in Article I, section 4 (§ 83 paragraph 2 and 3) to whom the contribution was paid in advance shall be conducted for the first time in 2002.

**No.I. II of Act No 218/2005 Coll. reads as follows:**

**Art. II**

**Transitional Provisions**

First Post in the care of kin or other person who belongs to the effective date of this Act, a citizen mentioned in § 80 and 81 of Act No. 100/1988 Coll. On social security, which are effective from the date of entry into force of this Act shall be increased without an application under § 84 of Act No. 100/1988 Coll. on social security, which are effective from the date of entry into force of this Act.

Second Entitlement to this allowance and its amount in the procedure, which was not finally completed until the effective date of this Act, shall be assessed for the period before the entry into force of this Act pursuant to Act No. 100/1988 Coll. On Social Security, effective on the effective date of this the law.

**No.I. II of Act No 47/2006 Coll. reads as follows:**

**Art. II**

**Transitional Provisions**

First Proceedings of the dose in the applicants listed in § 103a of Act No. 100/1988 Coll., As amended effective on the date this Act becomes effective, and legally initiated pending before the effective date of this Act shall be completed under the previous legislation, if the the applicant's advantage.

Second By the time rated by § 103 and 103a of Act No. 100/1988 Coll., Which are effective from the date of entry into force of this Act, shall be counted as time acquired before the effective date of this Act, the earliest from 1 May 2004.

Third The competent authority may consider whether the person to whom the benefits have been granted before the commencement of this Act, an unjustified burden on the system pursuant to § 103a paragraph 7 of Act No. 100/1988 Coll., Which are effective from the date of entry into force of this Act, similarly .

**No.I. II of Act No. 109/2006 Coll. reads as follows:**

## **Art. II**

### **PRANSITIONAL provisions**

First Proceedings of the increase in pension for helplessness and finally still open commenced before 1 January 2007, completed under the current legislation.

Second Proceedings of the care allowance for a family member or other person lawfully commenced and still open before 1 January 2007, completed under the current legislation.

Third The proceedings on an application for increase in pension for helplessness or to modify the existing amount of increase in pension for incapacity for the period prior to 1 January 2007 at the request of applied after 31 December 2006, subject to existing laws.

4th Increase in pension for helplessness due to last installment due retirement in December 2006.

5th Entitlement to allowance for the care of a family member or other person ceases in the calendar month in which he was awarded care allowance under the Act on Social Services to the person of the beneficiary for the care of a family member or other person care, but not later than 31 December 2008.

6th Czech Social Security Administration passes through the district social security administrations of 1 January 2007 the relevant municipal authorities of municipalities with extended the list of persons who at 31 December 2006 was for the increase in pension for helplessness; lists of such persons shall, on 1 January 2007 the relevant municipal authorities of municipalities with extended also by the Ministry of Interior, Ministry of Justice and the Ministry of Defence in its fields of competence.

7th Municipalities with extended powers shall notify the competent authorities responsible for local opening of an allowance for care when caring for a person asking for a contribution to the care allowance is provided for the care of a family member or another person.

### **POTE:**

[1] These include the following provisions:

Law No. 20/1966 Coll. Health Care,

Act No. 54/1956 Coll. on Employee Sickness Insurance, as amended,

Law No. 88/1968 Coll. the extension of maternity leave, maternity benefits and child allowances from sickness insurance, as amended,

Act No. 103/1964 Coll. peasant cooperative security in sickness and security of the mother and child, as amended,

Act No. 32/1957 Coll. on health care in the armed forces, as amended,

Act No. 107/1971 Coll. maternal contribution, as amended,

Act No. 50/1973 Coll. foster care, as amended,

Act No. 98/1987 Coll. on the special contribution of the miners.

**[2]** Decree No. 53/1945 Coll. redress the Czechoslovak public employees.

Act No. 47/1946 Coll. To eliminate injustices and certain protective measures in the field of public social insurance.

Act No. 255/1946 Coll. Czechoslovak soldiers abroad and some other participants in the national struggle for liberation, as amended by Act No. 88/1950 Coll. and Act No. 101/1964 Coll.

**[3]**, § 3 of the National Social Security No. 1 / 1957 OJ. I. (OJ), which sets out details of the transitional provisions of the Act on Social Security.

**[16]** § 142 et seq. Civil Procedure.

**[51]**, § 9, paragraph 2 and 3 of Act No. 155/1995 Coll.

**[52]** Act No. 589/1992 Coll., on social security and state employment policy, as amended by Act No. 10/1993 Coll., Act No. 160/1993 Coll., Act No. 307 / 1993 Coll., Act No. 42/1994 Coll., Act No. 241/1994 Coll., Act No. 59/1995 Coll., Act No. 118/1995 Coll., Act No. 149/1995 Coll. and Act No. 160/1995 Coll.

**[53]** § 2 of the Decree of the Ministry of Labour and Social Affairs No. 31/1993 Coll. on the assessment of temporary incapacity for social security purposes.

**[53a]** Act No. 258/2000 Coll. on the protection of public health and amending some related laws.

**[54]**, § 14, paragraph 2, 4 and 5 of Act No. 589/1992 Coll. as amended by Act No. 160/1995 Coll.

**[63]** Act No. 155/1995 Coll., on Pension Insurance, as amended.

**[67]** § 134 of Civil Procedure.

**[71]** Act No. 326/1999 Coll. residence of foreigners in the Czech Republic and amending certain Acts, as amended.

**[72]** § 15a of Act No. 326/1999 Coll. as amended by Act No. 217/2002 Coll.

**[73]** Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community.

**[73a]** Act No. 482/1991 Coll. on social need, as amended.

**[73b]** § 14a of Act No. 325/1999 Coll. on asylum and amending Act No. 283/1991 Coll. Police of the Czech Republic, as amended (Asylum Act), as amended by Act No. 165 / 2006 Coll.

**[74]** Act No. 187/2006 Coll. Sickness Insurance, as amended.

**[75]**, § 12 of Act No. 117/1995 Coll., as amended.

**[76]** § 33 paragraph 1 of Act No. 435/2004 Coll. employment.

**[77]** § 116 of the Civil Code.

**[78]** § 106, paragraph 3 of Act No. 326/1999 Coll. as amended by Act No. 428/2005 Coll.

**[79]** Act No. 435/2004 Coll. on employment, as amended.

**[80]**, § 12 to 16 of Act No. 117/1995 Coll. on state social support, as amended.

**[81]** § 108 of Act No. 435/2004 Coll., as amended.