

**384/1997 Coll. of Laws
ACT
of 5 December 1997
on Theatrical Activities**

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

**Article 1
Scope of Act**

- (1) This Act governs the establishment, liquidation, status and activities of state professional theatres and non-state theatres (hereinafter referred to as "theatres"), the scope of competency of state administration authorities, and determines the relationships of theatrical artists and other employees with the theatre.
- (2) The provisions of this Act shall also cover theatres performing works in languages other than state language and other specialised theatres.

**Article 2
Definition of terms**

- (1) Theatre shall mean any cultural and artistic establishment whose main subject of activity is the creation of conditions for production and public performance of dramatic work.
- (2) Dramatic art shall mean an independent type of art differentiated from other types of art by the presence of a theatrical artist or any representing object during the performance on stage, the co-participation of the audience with possible interaction aimed at providing the audience with an aesthetic experience. Dramatic art associates otherwise independent artistic types and their work into the form of a dramatic production.
- (3) Theatrical activities shall mean artistic, artistic-technical and organisational-economic activities aimed at creating and performing dramatic production. Certain types of public events of a theatrical nature governed by special regulations can be considered theatrical activities. 1)

- 1) Act of the Slovak National Council No. 96/1991 on public cultural events.

The scope of action of state administration authorities in the field of theatrical activities

**Article 3
State administration authorities in the field of theatrical activities**

(1) State administration authorities in the field of theatrical activities are:

- a. Ministry of Culture of the Slovak Republic (hereinafter referred to as "the Ministry"),
- b. regional offices.

(2) The Ministry shall:

- a. establish and liquidate state professional theatres (Art. 4);
- b. elaborate the concept for theatrical activities;
- c. support selected types of theatrical activities in the form of special-purpose contributions;

- d. verify the proper use and effectiveness of funds provided to theatres established by the Ministry.

(3) Regional offices 3) shall:

- a. establish and liquidate, after consultation with the Ministry, professional theatres as legal entities (Art. 5);
- b. establish and liquidate, with the prior approval from the Ministry, professional theatres as parts of regional cultural centres 4);
- c. elaborate the concept for theatrical activities;
- d. verify the proper use and effectiveness of funds provided to theatres established by regional offices.

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2. Act of the Slovak National Council No. 347/1990 Coll. on the organisation of ministries and other state administration authorities of the Slovak Republic as amended by subsequent regulations.
 3. Act of the National Council of the Slovak Republic No. 222/1996 Coll. of Laws on the organisation of local state administration and on amendments to certain other acts.
 4. Act No. 52/1959 Coll. on adult education and cultural activities (Adult Education and Cultural Act) as amended by subsequent regulations.

Article 4

State professional theatres under the competency of the Ministry

- (1) The Ministry establishes state professional theatres as a contributory organisation. 5)
- (2) State professional theatres (paragraph 1) shall ensure the fluent and well-balanced development of main theatrical genres, in particular opera, ballet, operetta and drama.
- (3) Members of the statutory body of state professional theatres shall be appointed and recalled by the Minister of Culture of the Slovak Republic; they shall be appointed on the basis of a selection procedure.
- (4) The Slovak National Theatre is a state professional theatre established in accordance with a special regulation. 6)

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5. Act of the National Council of the Slovak Republic No. 303/1995 Coll. of Laws on budgetary rules as amended by Act of the National Council of the Slovak Republic No. 386/1996 Coll. of Laws.
 6. Act No. 385/1997 Coll. of Laws on the Slovak National Theatre.

Article 5

State professional theatres under the competency of regional offices

- (1) State professional theatres according to Art. 3 par. 3 point a) shall be established, after consultation with the Ministry, by a regional office as a contributory organisation 5).

(2) Members of the statutory body of state professional theatres shall be appointed and recalled by its founder; they shall be appointed on the basis of a selection procedure after consultation with the Ministry.

(3) State professional theatres may methodically and organisationally assist non-professional theatres.

5. Act of the National Council of the Slovak Republic No. 303/1995 Coll. of Laws on budgetary rules as amended by Act of the National Council of the Slovak Republic No. 386/1996 Coll. of Laws.

Article 6 **Non-state professional theatres**

(1) Non-state professional theatres may be established by a legal entity or natural person. 7)

(2) The founder shall inform the Ministry of the establishment of a non-state professional theatre within 15 days.

(3) A non-state professional theatre may be liquidated by its founder or a court by adjudication of bankruptcy. 8) The founder shall be obliged to inform the Ministry of the liquidation of the theatre within 15 days.

7. Art. 7 to 33b of the Civil Code.
8. Act No. 328/1991 Coll. on bankruptcy and settlement as amended by subsequent regulations. Art. 68 par. 3 point f) of the Commercial Code.

Article 7 **Non-professional theatres**

A non-professional (amateur) theatre shall be a natural person or group of natural persons that perform in their own free time and do not require remuneration for the performance of theatrical activities.

Article 8

The founder of a theatre shall provide the Ministry or an organisation appointed by the Ministry with basic professional information and documentation materials.

Theatrical artists and other employees of theatres

Article 9

(1) The activities of any theatre shall be ensured by:

- a. independent theatrical artists;
- b. theatrical artists – members of a chorus, orchestra or another artistic formation;
- c. other artistic employees;
- d. other staff.

(2) An independent theatrical artist is an actor, singer, musician, dancer or natural person of any other artistic profession. For the purpose of this Act, the term "natural person of any other artistic

profession” shall mean in particular a director, conductor, mime artist, chorister, choreographer, ballet master, vocal tutor, literary adviser, scenic or costume designer, or lighting designer.

(3) A theatrical artist in a chorus, orchestra or other artistic formation is in particular a chorister, orchestral musician or group dancer who plays, sings, acts, recites or otherwise performs an artistic work only as a member of the special artistic group forming the orchestra, other musical group, chorus or recitation group, ballet or other dancing group.

(4) Other artistic employees are natural persons within the artistic profession involved in design or processing, in particular a stage-manager, artistic carpenter, wig-maker, tailor, make-up artist, stage prompter or other artistic craftsmen.

(5) The professional qualification for persons referred to in paragraph 1 shall be demonstrated in particular by a certificate proving an accomplished education or artistic and professional experience.

Article 10

(1) An independent theatrical artist may perform theatrical activities

- a. on the basis of a contract concluded in accordance with a special regulation 9); or
- b. under an employment relationship.

(2) Persons referred to in Art. 9 par. 1 points b), c) and d) may perform theatrical activities under an employment relationship which is subject to a special regulation. 10)

(3) An independent theatrical artist performing theatrical activities on the basis of a contract according to a special regulation 9) may not perform these activities under an employment relationship with the legal entity or natural person with whom he or she concluded the said contract.

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7. Act No. 383/1997 Coll. of Laws – the Author’s Act and Act amending the Customs Act as amended by subsequent regulations.
 8. The Labour Code as amended by subsequent regulations.

Article 11

Remuneration for independent theatrical artists performing theatrical activities on the basis of a special regulation 9) shall be covered by that special regulation 9); remuneration for independent theatrical artists performing activities under employment relationships and persons referred to in Art. 9 par. 1 points b), c) and d) shall be covered by a special regulation 11).

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9. Act No. 383/1997 Coll. of Laws – the Author’s Act and Act amending the Customs Act as amended by subsequent regulations.
 11. Act No. 1/1992 Coll. on wages, remuneration for working readiness and on average salaries as amended by subsequent regulations.

Act No. 143/1992 Coll. on wages and remuneration for working readiness in budgetary and some other organisations and bodies as amended by subsequent regulations.

Article 12
Transitional provisions

(1) A theatre established pursuant to former legislation shall be considered established pursuant to this Act.

(2) Rights and duties arising from labour relationships and copyrights entered into or granted pursuant to former legislation shall come into compliance with this Act within six months from the entry into force of this Act.

Article 13
Repealing provisions

The following legislation is hereby repealed:

1. Act of the Slovak National Council No. 36/1978 Coll. on theatrical activities (Theatres Act) as amended by Act of the Slovak National Council No. 115/1989 Coll., Act of the Slovak National Council No. 130/1990 Coll., Act of the Slovak National Council No. 96/1991 Coll., Art. XXVII of Act of the National Council of the Slovak Republic No. 222/1996 Coll. of Laws and Art. III of Act of the National Council of the Slovak Republic No. 296/1996 Coll. of Laws;
2. Items under sequence number 203 of the annex to Act of the National Council of the Slovak Republic No. 222/1996 Coll. of Laws.

Article 14
Entry into force

This Act shall enter into force on 1 January 1998.

Michal Kováč signed in his own hand
Ivan Gašparovič signed in his own hand
Vladimír Mečiar signed in his own hand

Date of last completion of information: on September 19th, 2001