

# PROVISION OF LEGAL AID

(general information)



**CENTRUM**  
PRÁVNEJ POMOCI

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## 1. What is the Centre for Legal Aid?

The Centre for Legal Aid is a state budgetary organization established by the Ministry of Justice of the Slovak Republic pursuant to Act no. 327/2005 Coll. on Granting of Legal Aid to Persons in Material Hardship. The Centre for Legal Aid was established on 1 January 2006.

The purpose of the Centre's work is to provide comprehensive legal assistance in defined areas to people who cannot use legal services due to lack of money and property. The Centre thus seeks to provide people in hardship with effective legal protection and access to exercise their rights.

### Competence of the Centre for Legal Aid

- in civil law matters (e.g. disputes concerning the rental of an apartment, settlement of community property of spouses, non-payment of a loan, consumer protection, damages),
- in family law matters (e.g. payment of alimony, custody of a child, divorce),
- in labour law matters (e.g. in disputes concerning the invalidity of a dismissal, working conditions, discrimination in the workplace),
- in commercial law matters (e.g. in a dispute over a loan agreement with a bank, a dispute over a deposit account agreement),
- in proceedings before a court in an administrative judiciary (e.g. in proceedings for review of a decision of an administrative body, in case of inactivity of an administrative body),
- in the above cases also in the proceedings before the Constitutional Court of the Slovak Republic,
- in proceedings for debt relief for natural persons,
- in cross-border disputes, only to natural persons residing or having their habitual residence in the territory of a Member State of the European Union,
- in asylum matters, in proceedings on administrative expulsion, in proceedings on the detention of a third-country national, in proceedings on the detention of an asylum seeker.

**The Centre for Legal Aid has no competence in criminal proceedings!!!**

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## 2. Who can submit an application.

- in national disputes, any natural person,
- in cross-border disputes, only a natural person domiciled or habitually resident in the territory of a Member State of the European Union,
- in asylum matters, a natural person who has acquired the right to legal aid in an asylum case,
- in proceedings on administrative expulsion, in proceedings for the detention of a third-country national or in proceedings for the detention of an asylum seeker, legal aid is provided to a natural person who has acquired the right to legal aid in these matters.

### What are the conditions for provision of legal aid and what is being examined?

(These conditions must be met by the natural person in national disputes, they do not apply to proceedings for debt relief for natural persons.)

A natural person is entitled to legal aid if he or she meets the following **three conditions concurrently**:

- a) is in a state of material hardship, i.e. is a recipient of a benefit and contributions to a benefit in material hardship, or their income does not exceed 1.4 times the amount of the subsistence minimum and cannot secure the use of legal services with their property,**
- b) the dispute is not obviously unsuccessful,**
- c) the value of the dispute exceeds the value of the minimum wage established by a special act.**

**If a natural person exceeds 1.4 times the amount of the subsistence minimum, but at the same time does not exceed 1.6 times the amount of the subsistence minimum, they cannot secure the use of legal services with their property and meets all other conditions, they have the right to legal aid with financial participation in the amount of 20% of the costs of legal representation.**

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### 3. Examination of the material hardship condition.

When examining material hardship, the Centre for Legal Aid examines the amount of income for the calendar month in which the application for legal aid is submitted, while also taking into account the income for the last six calendar months prior to its submission (i.e. if the application is submitted in January, it is necessary to submit confirmation of the amount of income paid in January and confirmation of the income paid in the months of July to December).

The following are not considered as income:

- benefit and contributions to the material hardship benefit (e.g. health care allowance, activation allowance, housing allowance, and other) and one-off material hardship benefit,
- financial contributions to citizens with severe disabilities to compensate for the social consequences of their severe disability,
- maternity and state social support benefits (e.g. parental allowance, childbirth allowance, child allowance),
- increase in the incapacity pension,
- scholarships (excluding doctoral scholarships).

Documentation of the above benefits or contributions is necessary despite the fact that they are not included in the income.

When assessing income, the Centre for Legal Aid also assesses **jointly assessed persons**. Such persons are, for example, a spouse, a dependent child, or another natural person who has a dependent child in common with a natural person who has applied for legal aid.

This does not apply if the jointly assessed persons are parties to a litigation (e.g. divorce proceedings).

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The following are considered assets:

- real estate (e.g. house, flat, garden, land). In order to prove ownership of real estate, it is not necessary to attach a certificate of ownership to the application for legal aid, but it is necessary to state the ownership of the real estate in the application for legal aid,
- movable property (motor vehicles, paintings),
- if their nature allows, rights or other assets (e.g. securities, the right of a partner of a limited liability company to a payment of a share of profits).

#### **4. Examination of the condition of obvious unsuccessfulness of the dispute.**

In assessing the obvious unsuccessfulness of a dispute, the Centre for Legal Aid takes into account, in particular, whether the right has not expired, whether the right has been barred by a statute of limitations and whether the natural person is able to identify evidence to substantiate their allegations that are relevant to determine the facts.

#### **5. Examination of the value of the dispute.**

The value of the dispute is determined in money. The value of the dispute must be higher than the amount of the currently determined minimum monthly wage.

Fulfilment of the condition of the determined value of the dispute is not required in disputes the value of which cannot be quantified (e.g. proceedings for limitation of legal capacity).

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## 6. How to apply for legal aid.

An application for legal aid must be submitted on [a prescribed form](#). Such submission may be made in writing, electronically with a guaranteed electronic signature or through the Central Government Portal.

If the application is incomplete, the Centre for Legal Aid will suspend the proceedings and call on the natural person who requested the legal aid to rectify the deficiencies in their application.

After fulfilling all the above conditions, the Centre for Legal Aid will decide on the right to legal aid within 30 days.

## 7. The Centre for Legal Aid shall also provide assistance in the form of preliminary consultation.

Preliminary consultation can be used by any natural person.

The subject of the preliminary consultation is:

- a) an explanation of the conditions for the provision of legal aid,
- b) basic legal advice,
- c) to caution of the danger of missing a deadline in a specific case,
- d) guidance in completing an application for provision of legal aid.

Preliminary consultation is provided in one legal case, only once and for a maximum of one hour. According to the law, a fee of EUR 4.50 is paid for the provision of one preliminary consultation.

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## 8. What if you risk missing the deadline?

In the event that there is a **risk of missing the deadline** (e.g. for filing an appeal against a court decision, filing an opposition to a payment order, etc.), it is possible to request preliminary legal aid by applying for legal aid. The Centre for Legal Aid shall decide on the provision of preliminary legal aid without undue delay. The Centre shall decide on granting or non-granting of preliminary legal aid without delay before rendering a proper decision on entitlement to legal aid.

If, after assessing the conditions for entitlement to legal aid, it is found that a natural person does not meet the conditions for entitlement to legal aid, he may be additionally charged the costs of legal representation in the amount specified by a special regulation.

## 9. Cross-border disputes.

A cross-border dispute is involved if the competent court for the proceedings is a court of a Member State of the European Union other than the Slovak Republic.

The Centre's assistance in these cases will consist in receiving [an application](#) for legal aid from a domestic entitled person (i.e. a person who has a permanent or temporary residence in the territory of the Slovak Republic) and in forwarding this application to the competent authority of the Member State.

## Centre for Legal Aid offices:

<b>Centre for Legal Aid – Office Bratislava</b> Račianska 71 810 05 Bratislava 15 Email: info.ba@centrumpravnejpomoci.sk	<b>Centre for Legal Aid – Office Rimavská Sobota</b> Čerenčianska 20 979 01 Rimavská Sobota Email: info.rs@centrumpravnejpomoci.sk
<b>Centre for Legal Aid – Office Banská Bystrica</b> Skuteckého 30 974 01 Banská Bystrica Email: info.bb@centrumpravnejpomoci.sk	<b>Centre for Legal Aid – Office Svidník</b> Sov. Hrdinov 102 089 01 Svidník Email: info.sk@centrumpravnejpomoci.sk
<b>Centre for Legal Aid – Office Humenné</b> Lipová 1 066 01 Humenné Email: info.he@centrumpravnejpomoci.sk	<b>Centre for Legal Aid – Office Trenčín</b> Hviezdoslavova 3 911 01 Trenčín Email: info.tn@centrumpravnejpomoci.sk
<b>Centre for Legal Aid – Office Košice</b> Murgašova 3 040 41 Košice Email: info.ke@centrumpravnejpomoci.sk	<b>Centre for Legal Aid – Office Trnava</b> Pekárska 11 917 01 Trnava Email: info.tt@centrumpravnejpomoci.sk
<b>Centre for Legal Aid – Office Liptovský Mikuláš</b> Kollárova 2 031 01 Liptovský Mikuláš Email: info.lm@centrumpravnejpomoci.sk	<b>Centre for Legal Aid – Office Tvrdošín</b> Medvedzie 132 027 44 Tvrdošín Email: info.ts@centrumpravnejpomoci.sk
<b>Centre for Legal Aid – Office Nitra</b> Štúrova 22, P.O.BOX 7 949 03 Nitra 3 Email: info.nr@centrumpravnejpomoci.sk	<b>Centre for Legal Aid – Office Žilina</b> P.O.Hviezdoslava 690/6 011 00 Žilina Email: info.za@centrumpravnejpomoci.sk
<b>Centre for Legal Aid – Office Prešov</b> Masarykova 10 080 01 Prešov Email: info.po@centrumpravnejpomoci.sk	<b>Centre for Legal Aid – Office Žiar n/Hronom</b> SNP 613/124 965 01 Žiar nad Hronom Email: info.zh@centrumpravnejpomoci.sk
<b>Centre for Legal Aid – Office Komárno</b> Župná ul. 14 945 01 Komárno Email: info.kn@centrumpravnejpomoci.sk	

**CALL CENTRE**  
**0650 105 100**



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## Consultation days:

**Monday: 8:00 – 15:00 h**

**Wednesday: 8:00 – 16:00 h**

## Information office – business hours:

**Monday: 8:00 – 15:00 h**

**Tuesday: 8:00 – 15:00 h**

**Wednesday: 8:00 – 16:00 h**

**Thursday: 8:00 – 15:00 h**

**Friday: 8:00 – 12:00 h**



[www.centrumpravnejpomoci.sk](http://www.centrumpravnejpomoci.sk)

[info@centrumpravnejpomoci.sk](mailto:info@centrumpravnejpomoci.sk)

Facebook: Centre for Legal Aid