

Competences of Public Administration of the Slovak Republic in the Area of Defense

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Abstract. *In one of the many definitions of public administration it was stated that it is the fulfillment of individual and collective needs of citizens, resulting from the co-existence of people in society, realized by the state and its dependent organs. One of the needs of an individual is the need for safety. Ensuring the safety of citizens is realized by the public administration, due to its service to the society as an executive apparatus possessing a democratic mandate of political power, in service of the law created by said organs. A particular role in the area of defense belongs to authoritative administration, which performs tasks including reversing risks and removing dangers, including the realization of tasks and undertakings aimed at military preparation in case of war. The aim of the following article is to present the tasks and competences in the area of protecting the President, the government, government administration officials on duty and local self-administration of the Slovak Republic. Various methods have been used to reach the pre-determined goal, primarily the method of document investigation, which made it possible to gather, sort, describe and scientifically interpret the legal acts of the Slovak Republic regarding defensive matters.*

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Introduction

In April 1992, a sovereign Slovak Republic was created. The same year, The Constitution of the Slovak Republic was approved, which came into force on January 1, 1993. In Article 7, Point 3 of the Constitution it was stated that in order to keep peace, safety and democratic order, the Slovak Republic can accede to a mutual safety organization, based on terms specified in an international agreement, and the defense of the Slovak Republic is a duty and point of honor of its citizens¹. State defense (obrana štátu) is a summary of all actions undertaken by the Slovak Republic in times of peace, to ensure safety, sovereignty, territorial integrity and border inviolability, as well as fulfilling obligations which are a result of international tracts concerning joint defense, as well as other international agreements of military character.² It also encompasses the ensuring of safety in cyberspace by undertaking certain means, aimed at preventing serious cybernetic incidents, according to rules of defense against cyber-attacks on objects of particular meaning, as well as crisis

¹ Constitutional Act No. 460/1992, Constitution of the Slovak Republic, Article 25, Point 1.

² Act No. 319/2002 Act on the Defense of the Slovak Republic, § 2.

infrastructure elements³. Defense also includes the forces and means (intelligence, courts, prosecutor's offices, armed forces) whose aim is to fight terrorism⁴. To reassume: state defense (defense of the Slovak Republic) is the whole of undertakings and state organs' actions, ministries, central state organs, courts, prosecutors, regional organs of state and self-government administration, entrepreneurs and physical entities aiming to ensure sufficient state defense circumstances, as well as to fulfill obligations which are a result of international agreements on joint defense against aggression.⁵

Preparation to defend the country is a collection of undertakings, with the help of which ministries, other central government organs, courts, prosecutors' offices, self-government and commune authorities, legal entities, entrepreneurs and natural persons ensure the safety of the state⁶. Preparation to defending the state includes:

- designating and localizing building included in the special importance category or objects that are vital to the defence of the state, their defense and protection, as well as carrying out tasks connected to mobilizing the economy and mobilization exercises;
- preparing the armed forces, army formations, population protection, fire-fighters and paramedics. State administration organs and self-government authorities, in their field of competence, ensure the fulfillment of tasks connected to keeping the safety and defense of the country, as well as check the level of completion of defensive tasks, in particular by performing controls and mobilization exercises;
- preparing the citizens to defend the country is the basic action in the process of upbringing and education in primary and secondary schools, leaning primarily towards military education and training, medical and physical preparation. Citizens' associations, charities, churches, religious communes and entrepreneurs⁷.

Competences of public administration on a central level

The Slovak Republic is a sovereign and democratic legal state. It acknowledges and respects the common rules of international law, international agreements that it is bound by, as well as other international obligations. State authority comes from

³ Act No. 69/2018 from January 30, 2018 Act on cyber-safety and changing other acts, § 3 i § 27. *Also:* Act No. 45/2011 on crisis infrastructure, § 2. *Also:* Act No. 198/1994, Act of the National Council of the Slovak Republic on military intelligence, § 4a.

⁴ *E.g.* Act No. 321/2002 Act on the Military Forces of the Slovak Republic, § 9. Act No. 46/1993, Act of the National Council of the Slovak Republic on the Slovak Intelligence Service. Act No. 198/1994 Act of the National Council of the Slovak Republic on military intelligence. Act No. 757/2004 Act on courts and amending other acts. Act No. 153/2001 Act on Prosecutors' Offices.

⁵ Act No. 319/2002 Act on the Defense of the Slovak Republic, § 2 point 6.

⁶ Wiśniewski B, System bezpieczeństwa państwa. Konteksty teoretyczne i praktyczne. Szczytno, 2013.

⁷ Act No. 319/2002 Act on the Defense of the Slovak Republic, § 3.

the people, who perform it via their selected representatives. State organs can only act on the basis and within the limits of the Constitution of the Slovak Republic and as specified by a respective act.⁸ The Slovak Republic has a parliamentary-chamber type of government. The head of state is the President, elected in common elections for a five-year term.

In Chapter VI of the Constitution, titled 'Executive Authority', the competences of the President of the Slovak Republic are presented. The President represents the Slovak Republic externally and internally, with his decisions he guarantees the correct functioning of constitutional organs. The President is the commander-in-chief of the armed forces, he declares war based on the decisions of the National Council of the Slovak Republic⁹, if the Slovak Republic is attacked or when it is a result of international obligations concerning joint defense, and declares peace. At the request of the Government of the Slovak Republic, the President declares the mobilization of the armed forces, declares a state of war, state of emergency and the termination thereof. The presumptions to a declaration of war, a state of war, a state of emergency and the way of executing public authority in times of a state of war and a state of emergency are determined by the Constitutional Act.¹⁰ The President of the Slovak Republic can propose certain defensive means to the state authorities and other legal entities, which perform tasks connected to the security and defense of the state, he can demand information on state safety from the state organs and other legal entities performing tasks in the area of security and state defense.¹¹

The President shares his executive authority with the Government of the Slovak Republic, which is the primary organ of executive authority. The Government takes collective decisions on: designing a declaration of a state of war, designing a mobilization of the armed forces, declaring and revoking a state of emergency. It also decides on sending the armed forces outside the territory of the Slovak Republic in order to provide humanitarian help, military exercise or peace observatory

⁸ Constitutional Act No. 460/1992 Constitution of the Slovak Republic.

⁹ The National Council of the Slovak Republic is the only government-forming and law-giving organ of the Slovak Republic. According to Article 86 of the Constitution of the Slovak Republic, declaring war belongs to the competences of the Slovak National Council if the Republic is attacked or when the declaration is a result of international agreements on joint defense and reaching an agreement after the end of a war, as well as agreeing to send military forces outside of the Republic. To declare a war, a 3/5 majority vote among all deputies has to be reached.

¹⁰ Constitutional Act No. 460/1992 Constitution of the Slovak Republic, Articles 101&102. The President can disband the National Council of the Slovak Republic in certain conditions, as stated in a proper act. He cannot use this privilege during the last six months of his term, as well as during a time of war and state of emergency.

¹¹ Act No. 319/2002 Act on the Defense of the Slovak Republic, § 5. It is worth mentioning that, by means of a special procedure, the President can be appealed from his position by the citizens. Article 106, Point 1 of the Constitution states that the President can be removed from office before his term is over in a people's vote. A people's vote on recalling the President is ordained by the Head of the National Council of the Slovak Republic, based on the Act of the National Council of the Slovak Republic, approved by at least three-fifths of deputies of the National Council, not more than 30 days after the act has been accepted, so that the vote takes place not more than 60 days after it has been ordained.

missions, it decides and allows other countries' military to move through the land of the Slovak Republic.¹²

The Government of the Slovak Republic: is responsible in the area of state defense for the activity of ministries, other central government organs and state administration organs, regional state administration and territorial self-government in preparation to defending the state. It manages the process of defensive planning and approves the guidelines for defensive planning,¹³ approves state safety and defense system concepts, presents to the National Council the state defense and protection concept projects, as well as projects of basic strategic documents regarding state safety and defense. It makes decisions on means of state defense preparation and on buildings and objects that are of particular importance to the state defense, defending and protecting said buildings. The government also takes action aimed at preventing threats influencing state defense, as well as undertakes action aimed at decreasing or eliminating the aftermath of those threats.¹⁴

Ministries and other central state administration organs, possessing national competences in state defense, prepare and implement means to ensure state defense and monitor defensive preparations, they take part in developing the state's defense system and in ensuring the preparation of basic defensive means necessary to create a defensive plan. They ensure the defense of buildings and objects, the defense of which has been bestowed upon them by the government, they also provide production capabilities and means of storage in order to defend the country.¹⁵

The Ministry of Defense of the Slovak Republic is the central administrative organ in the area of defense. The Ministry has been established based on the act of the National Council of the Slovak Republic (Act No. 347/1990 on organizing the ministries and other central organs of state administration of the Slovak Republic), and began its work on January 1st, 1993¹⁶. The tasks of the Ministry include ensuring the safety of the Republic, coordinating and controlling the armed forces. The Ministry is obliged to coordinate efforts aimed at preparing the defense of the country, according to the defensive system concept stated by the National Council of Defense. The Ministry is also responsible for coordinating the actions of central

¹² Constitutional Act No. 460/1992 Constitution of the Slovak Republic, Articles 108&109, Article 119.

¹³ Defensive planning is a process, by which the state realizes the managing, coordinating and keeping the essential defensive capabilities to ensure state safety. The aim is to prepare and ensure the required capabilities of the armed forces and supporting state defense. Defensive planning involves a multitude of actions, by which state authorities create short-term (1–2 years), medium-term (3–6 years) and long-term (10–15 years) plans to ensure the fulfillment of defensive tasks of the state and determine the responsibilities for the executors of said tasks. The whole of defensive preparation tasks is coordinated by The Ministry of Defense. Act No. 319/2002 Act of the Defense of the Slovak Republic, § 11 & 25.

¹⁴ Constitutional Act No. 227/2002 Constitutional Act on state safety In a time of war and emergency, Articles 2&3, also: Act No. 319/2002 Act on the Defense of the Slovak Republic, § 6.

¹⁵ Act No. 372/2012 Act on state reserves and changing Act No. 25/2007 on electronic charging for using certain parts of roads, as well as changing and updating certain acts, with later changes.

¹⁶ Act No. 347/1990 from Aug 28, 1990 on the organization of Ministries and other central administration organs of the Slovak Republic, § 19.

state administration organs, self-government authority organs and legal entities engaged in the state's defensive preparations. It oversees the state's defensive preparations, led by particular ministries and other central government organs, local state administration organs and self-government administration¹⁷. The Ministry prepares a regulation project for the government on mobilizing the armed forces, governs, coordinates and controls the preparation and execution of the mobilization of the armed forces. It ensures accommodation for members of the armed forces, firefighters and rescue units, as well as for people responsible for performing tasks in the area of economy mobilization.¹⁸

The Ministry takes part in preparing important strategic documents on state safety and presents those documents to the government. In cooperation with the Ministry of Foreign Affairs, it takes part in evaluating the military and political situation, designs propositions on defensive planning and qualifying objects and buildings of particular importance, it also proposes ways of protecting and defending them and presents all those propositions to the government. It gives out opinions on documents regarding spatial planning connected with giving out building permits. It represents the country in matters of reparations due to limitations of proprietorship or usage rights, delivering financial means and performing provision-related duties.¹⁹ The Ministry ensures the immovability of Slovak air space by coordinating military and civilian air traffic, it governs objects and terrain (forests) being at the disposal of the Army.²⁰ On January 1st, 2000 the Ministry of Defense of the Slovak Republic and the General Staff of the Slovak Armed Forces have been joined together, forming an integrated Ministry of Defense with its headquarter in Bratislava.

In 2004, the National Council of the Slovak Republic has accepted a act on the functioning of the Safety Council of the Slovak Republic as an advisory organ in times of peace. The Safety Council (*Bezpečnostná rada*) in times of peace is responsible for creating and introducing plans and preparations, as well as introducing actions in the area of defense of the Slovak Republic. It reviews propositions regarding planning, preparing and realizing tasks concerning the safety of the Republic, presented by the Ministers, other central state administration organs and local authorities, and presents an opinion on the matter to the government. Every year, it presents a report to the government, concerning the state of security along with some propositions regarding the ensuring of safety of the Slovak Republic. It takes part in creating documents of inter-service character, aimed at ensuring security, which are then transferred to the government. It evaluates rules and projects of international agreements regarding the safety and defensive matters of the

¹⁷ Act No. 281/1997 Act on military districts and changing the Act of the National Council of the Slovak Republic No. 222/1996 Act on organizing the local self-government and changing and supplementing some rules with later changes.

¹⁸ Act of the Slovak Republic changing Act No. 90/2001, § 10 and Act No. 569/2005 Act on replacement service in times of war.

¹⁹ Act No. 281/1997 Act on military districts and the Act changing Act of the National Council of the Slovak Republic No. 222/1996 Act on organizing local self-government and changing or supplementing some rules with later changes.

²⁰ Act No. 347/1990 from Aug 28, 1990. Act on organizing Ministries and Rother central state administration organs of the Slovak Republic, Article 19.

state and presents its standing to the government. It examines and presents to the government certain proposals regarding the realization of international obligations by the Slovak Republic in the area of defense, particularly the use of Slovak armed forces outside of its territory for humanitarian aid, military exercise, observation missions, peace missions and military operations connected to fulfilling international obligations on joint defense. It evaluates the condition of safety systems in the Slovak Republic, as well as internationally. It submits certain propositions to the government, regarding solutions aimed at decreasing or completely eliminating threats to the safety of the Republic. It prepares certain propositions for the government, aimed at keeping the safety of the Slovak Republic, preventing crisis situations as well as proposed solutions of crisis situations. In this regard, it closely cooperates with the Central Emergency Team, together they prepare the means of emergency response. It evaluates propositions regarding means of emergency response, proposed to the government by the Central Emergency Team. It cooperates with regional safety councils in the area of safety of the Slovak Republic. It evaluates the means serving to keep the safety of the region and means used to prevent emergencies, provided by the Regional Safety Council and presented to the government. Within the framework of the Safety Council of the Slovak Republic, there are committees like: the Foreign Politics Committee, the Defense Planning Committee, the Civil Planning Committee, the Intelligence Services Coordination Committee, the Energetic Safety Committee and the Cybernetic Safety Committee²¹.

Competences of the public administration in the field of defense at regional and municipal level

Slovak Republic is divided into administrative (administrative structure of Slovakia) and territorial units (territorial structure of Slovakia). This division was introduced in the act on territorial and administrative division of the Slovak Republic²².

This Act is provided for the formation of the following units in order to perform administrative tasks: central state administration, eight self-governing regions (Samosprávny kraje) and local level (mesta, obci).

As defined in paragraph 2 of the Act on territorial and administrative division of the Slovak Republic, municipalities and higher territorial units (vyššie územné celky) are the self-governing territorial units²³. In addition to this, there is a structure

²¹ Act No. 110/2004 Journal on The Slovak Republic Security Council operations in times of peace.

²² Act No. 345/2012 Journal on certain means in self-government administration and amendments of some acts. This act abolished a great number of local state authorities. Compare: Act No. 221/1996 Journal on territory and administration division of the Slovak Republic as amended and Authorities and local finance in Poland and neighboring countries, edited by Ruśkowski E, Dolnicki B, *Władze i finanse lokalne w Polsce i krajach ościennych*. Bydgoszcz, Białystok, Katowice, 2007, pp. 291–292.

²³ According to the Act, a higher territorial unit is a self-governing voivodship, which means independent, territorial, self-governing and administrative unit of the Slovak Republic.

of decentralized administrative territorial units of the state administration, whose number and institutional profile have been evolving in recent years. Territorial state administration has been reformed several times. At present, the Slovak Republic is divided into 8 regions (with regional offices), 79 districts (with district, borough offices).

Regional and borough offices carry out the following tasks of the state administration: protection of the population, crisis situation management, state defense, environmental protection, agriculture, forestry, hunting etc.²⁴. The heads of the regional and district offices of the state administration are appointed and dismissed by the Council of Ministers on a proposal of the Minister of the Interior. They are the political representatives of the government in the area and they are responsible for their actions before the Government. The regional and district offices of the territorial state administration are an example of joint functioning of different types of the state administration rather than the example of homogenous authorities of the general state administration. This is due to the transfer of administrative powers and decisions of a chairman of the regional and district offices of the territorial state administration to the heads of departments of these offices and their subordination to the ministers of the relevant departments.²⁵

In the regional offices, the majority of tasks in the field of the territorial government administration are carried out and enclosed in 32 areas. The most significant domains within the competence of the territorial government administration are: state defense, general administration, agriculture and hunting, spatial development, civil protection, culture, education, fire protection, health care, international cooperation, regional development, veterinary protection, transport and road management.

The regional office keeps the register of citizens for the needs of the Armed Forces, provides information and extracts from the registers necessary for

Eight such entities have been appointed since the 1st of January 2002. The self-governing voivodship is a legal persons. It manages its own assets and revenue independently, secures and protects the rights and interests of its citizens. The higher territorial unit is an autonomous region. The self-governing region is a separate territorial and administrative self-governing unit of the Slovak Republic. The territorial area of the self-governing region is identical to the territorial area of the region. The bodies of the self-governing region are: council of the self-governing region (SK zastupiteľstvo samosprávneho kraja) and Head of the Self-governing Region (SK predseda samosprávneho kraja). The higher territorial unit, in the area of defense of the state, in cooperation with the district office participates in the preparation and control of the security of the state defense within its competence. This higher territorial unit is financed in the form of state subsidies as part of the implementation of state defense tasks. The Act 302/2001 O.J. Act on self-government of the higher territorial units (Act on self-governing regions) and the Act 319/2002 O.J. Act on defense of the Slovak Republic, § 12, as well as Local authorities and finances in Poland and neighboring countries, Ruśkowski E, Dolnicki B, pp. 291–293.

²⁴ Torres Pereira A, Verbeek L, *Demokracja lokalna i regionalna w Republice Słowackiej*. Strasburg, 2016, section 20.

²⁵ Chrabąszcz R, Hausner J, Mazur S, *Administracja publiczna w wybranych krajach Europy Środkowo-Wschodniej*. Kraków, 2003, p. 114 and *Local authorities in the Central and Eastern Europe and in the Commonwealth of Independent States*. Collection of studies Institute for Local Government and Public Service. Budapest, 1994, p. 114.

preparation, organization and mobilization of the Armed Forces. It is also in charge of discharging citizens from the military service, keeping documentation of citizens intended for the substitute service and providing decisions to execute it. The regional office also carries out medical qualification of citizens designated for the military service and keeps the register and documentation of citizens who completed professional military service in the Armed Forces. In cooperation with the district administration, it overviews properties and material resources necessary to ensure the defense of the state and keeps the register of legal and natural persons, as well as entrepreneurs who own them.

On the basis of the information from the municipality, it keeps the register of legal and natural persons as well as entrepreneurs, who are obliged in war time to provide accommodation to soldiers, fire department officers and people carrying out tasks related to the mobilization of economy. The regional office participates in activities in the field of defense education of the population and supports actions of military association. It introduces defensive tasks provided for the district authorities in the territorial area of the region and controls the implementation of these tasks. It coordinates, in cooperation with a higher territorial unit, the preparation and ensures the implementation of tasks necessary to defend the state by the district authorities in the territorial borough of the region. The regional office cooperates with self-government bodies (municipalities, higher territorial units), regional authorities, legal persons, entrepreneurs and other people, in carrying out defensive tasks²⁶.

In addition to the state administration tasks, the competences of the regional offices are: examination of the appeals from decisions made by the district offices (appeals instance), control of the implementation of the state administration tasks (performed by the district offices), coordination of activities of the district offices operating in a given region, representation of the state in a process of approving development plans (of Bratislava and Kosice), coordination of activities of the district offices and other state administration units, aimed at implementation of the unified state administration tasks in the region, execution and supervision of mobilization actions tasks, rescue system and residents protection in the event of emergency situations.

Within the framework of competences of the district offices there are i.e.: representation of the state in a process of approving local development plans, elaboration of programs for social and economic development of the districts and coordination of actions for their implementation, acting as an appeal body against the decisions of territorial self-government authorities, supporting territorial self-government in the area of the tasks commissioned by the state administration, sharing statistical data with the municipalities, monitoring the legality and regularity of activities of the local authorities, implementation of the state security system tasks (mobilization, rescue system).

The district office at the district level coordinates actions of the municipalities in the scope of executing tasks necessary to defend the state and duties of legal persons and entrepreneurs and also controls their implementation²⁷. It keeps the

²⁶ Act 319/2002 O.J. Act on the defense of the Slovak Republic, chapter 8.

²⁷ Act 319/2002 O.J. Act on the defense of the Slovak Republic, § 10.

registers of citizens assigned to military service, substitute service and professional military service. The borough office calls for the obligation to defend the state as well as it dismisses from the obligation to perform this service. It provides health care and examinations related to the call-up to the military service. The office submits to the Ministry of Defence the documents concerning the course of the military service of citizens who have completed it. The borough bureau cooperates with district office of the region in keeping the register of legal persons, entrepreneurs and other people who are obliged to provide accommodation to soldiers, fire brigade and rescue service officers during time of war or military operations and individuals who carry out mobilization tasks²⁸. The office imposes (at the request of the district council, district office with the headquarters in the region) the obligation of their accommodation.

The borough office at district level in cooperation with the administration bodies of the region suggests and keeps the record of real properties and material resources necessary to ensure the state defence, keeps the register of legal persons, entrepreneurs and natural persons, who own these resources and properties. It makes a request to the district office to impose provisions such as: delivering material resources necessary in war time and performing activities indispensable for the state defence by legal persons, entrepreneurs and natural persons. The borough office participates in carrying out activities in military education of the population and supports actions of military associations. It also cooperates with self-government administration authorities, legal persons, entrepreneurs and natural persons in implementing defence tasks. In addition, it works together with the regional authorities in the scope of control of the defence tasks performed in a district and in a municipality. In cooperation with the higher territorial units, the borough office coordinates preparations and implementation of tasks necessary for the defence of the state, tasks which are carried out by district offices as part of territorial jurisdiction of the district and municipality²⁹.

The borough office at district level collaborates with the regional bureau in keeping the register, determining and verifying technical capabilities of real estates and material resources indispensable during the war. It keeps in its territorial borough, a list of natural persons who can be employed during the war and it also imposes on them the obligation to work. On a proposal of district council in the headquarters of the region, it imposes the obligation to deliver material resources, necessary food items and medical supplies to ensure the medical and sanitary security³⁰.

In crisis situations, the district (or regional) administration offices coordinate the actions of other state administration units and territorial self-government in the district (region). It happens in a situation when combating the effects of a crisis is beyond capabilities of the respective public administration units. Then the head of the district (regional) office is authorised to entrust tasks and to give orders to the heads of the state and self-government administration units operating in the area of a given district (region).

²⁸ Constitutional Act 227/2002 O.J. Act on the security of state in war time, state of emergency, art. 2 and 3.

²⁹ Act 345/2012 O.J. Act on certain measures in local state administration and on amendments of certain acts, art. XIII.

³⁰ Act 39/2007 O.J. Act on veterinary care.

The local self-government authority of the Slovak Republic consists of 2933 municipalities³¹. The municipality is independent, territorial self-government and administrative unit of the Slovak Republic. The municipalities are also the territorial units if they perform the tasks of the state administration on the grounds of separate regulations³². The Constitution lists the bodies of the municipality that are: municipality representation and *voit* (of the municipality). The municipality representation includes the councillors, elected by citizens of the municipality for the period of four years. The *voit* of the municipality, elected by citizens, is an executive authority of the municipality who exercises the municipal administration and represents the commune on the outside. He is elected by citizens of the municipality for the period of four years³³. In the field of state defence, the municipality keeps the register of legal persons, entrepreneurs and other individuals, on whom during war time an obligation may be imposed to provide services concerning accommodation for soldiers, fire service officers and those, who carry out tasks related to the mobilization of the economy. The *voit* presents the proposals to the district office related to real estates and facilities necessary to the defence of the state. He ensures the appointment of individuals and reserve soldiers to the military and substitute service according to the decisions of the district office, keeps the record and presents to the district office the registers of natural persons, who may be obliged to work in war time. The *voit* also performs additional tasks in accordance with the instructions of the district *starosta*³⁴.

Conclusions

This article presents competences of the public administration of the Slovak Republic in terms of defense. The reason for the tight approach to the discussed issues is that the subject of the public administration exceeds the volume of this publication, as well as the fact of complexity of the tasks implemented by the

³¹ *Electronic source:* http://www.sodbtn.sk/obce/index_kraje.php, accessed: 30.10.2018; *Compare:* Torres Pereira A, Verbeek L, 2016.

³² Likewise, the act mentions the military districts (*vojenské obvody*) as territorial units if, on the grounds of separate regulations, they carry out tasks of the state administration. The military district is a territorial and administrative unit serving the state defence. There are three military districts in Slovakia. The list of municipalities and military districts is defined in the Regulation of the government No. 258/1996 O.J., The regulation of the government of the Slovak Republic, determining list of municipalities and military districts forming respective districts and Act 281/1997 O.J. Act on military districts and Act amending the Act of National Council of the Slovak Republic no 222/1996 O.J. on the organization of local self-government and on amendment and addition of some regulations with later amendments.

³³ Constitutional Act 460/1992 O.J. Constitution of the Slovak Republic, art. 64 i art. 69 sec. 1. There are three types of municipalities in Slovakia: municipality with municipal council (council of representatives) and *voit*; urban municipality with urban council and mayor, two municipalities – cities: Bratislava and Kosice – which are urban municipalities (with urban councils and mayors) and their sub-regions, as well as municipalities (with councils and mayors). Wg. Nemeč J, Bercik P, Kuklis P, Local government in Slovakia, [in:] Horváth T.M (Ed.), Decentralization: Experiments and Reforms. Budapest, 2000, p. 310.

³⁴ Act 319/2002 O.J. Act on the defence of the Slovak Republic, § 11.

administration of the Slovak Republic in this field, resulting from, i.e. large number of legal acts regulating this subject matter. Also, what draws an attention, is a small number of studies and publications discussing this topic. The study was aimed at introducing the reader to the problems of public administration tasks of the Slovak Republic and the author believes that the goal has been achieved.

To sum up, it should be noted that the Constitution of the Slovak Republic forms the basis of the state security and defines the constitutional bodies responsible in this matter, as well as the manner of exercising the public authority during martial law, in the state of emergency and natural disaster. The details of these tasks are set out in the Constitutional Act on the state security in war time and in the state of emergency. The competences in terms of defence are specified in the Act on defence of the Slovak Republic. The act determines the state defence and the preparation to the state defence, and also defines such terms as: defence planning, national defence support, objects of particular importance and other buildings significant for the national defence. The act specifies tasks for the National Council of the Slovak Republic, president, government, ministry of defence, other ministries, other central authorities of the state administration, regional and district offices, municipalities and higher territorial units in the area of the national defence. It also regulates rights and obligations of legal persons, entrepreneurs and natural persons in the field of defence and also anticipates the liability of these persons for breaching the obligations imposed on them by the act.

The Government of the Slovak Republic have special competences in matters of defence. It manages the defence planning process, approves the concept of the state security system and state defensive system and decides about fundamental measures of preparations to defend the state. The act on the Armed Forces of the Slovak Republic deals with the tasks of government, ministry of defence and general staff. In addition to this, this act determines the ministry of defence as a military and political organ and the general staff as a military and expert body.

Regional and borough offices implement competences of the respective tasks concerning the government administration 'under one roof' rather than the homogenous body of the government administration in the area (e.g. in Poland voivode and voivode office³⁵). It is due to the transfer of administration tasks from the level of ministry (head of the office of the state administration) to the heads of the respective departments in the regional and borough offices³⁶.

On the grounds of the analysis of the regulations it can be stated that the majority of defense tasks and competences are concentrated at the regional (regional offices) and district (borough offices) office level. At the regional level the tasks that are carried out are i.e.: registering citizens for the needs of the armed forces, medical examination of citizens assigned to the military service; coordinating together with the higher territorial unit the preparations and ensuring implementation of tasks

³⁵ See: Jałoszyński K, Wiśniewski B, Wojtuszek T, *Współczesne postrzeganie bezpieczeństwa*. Bielsko-Biała 2007 and B.Wiśniewski, *Obronność państwa a obszar odpowiedzialności resortu spraw wewnętrznych i administracji*. Warsaw, 2005.

³⁶ See: B.Wiśniewski, *Organizacja przygotowań obronnych administracji publicznej'* Warsaw, 2009.

necessary to defend the country by the district authorities in territorial borough of the region.³⁷

In the scope of competences of the district offices there are i.e.: keeping the registers of citizens assigned to the military, substitute and professional military service. In cooperation with the regional administration bodies, the offices make proposals and keep records of real estates and material resources necessary to ensure the defense of the state, keep register of legal persons, entrepreneurs and natural persons, who own these means and properties. They make requests to the district office to impose provisions in this regard. In crisis situations, district (or regional) administration offices coordinate the actions of other units of the state administration and self-government in the district (region).

The municipality, in regard to the state defense, carries out tasks in two fundamental areas, personal and material. In the personal field, it appoints people and reserve soldiers to the military and substitute service in accordance with the district office's decisions, keeps records and presents to the district office the natural persons, on whom the work obligation in war time may be imposed. In material terms, it submits to the district office the proposals concerning real estates and objects necessary for the state defense.

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³⁷ See: B.Wiśniewski, Doświadczenia z zakresu przygotowań obronnych wybranych państw, [in] *Kultura bezpieczeństwa. Nauka-Praktyka-Refleksje*. Kraków 2013, p. 11–27.

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Streszczenie. W jednej z wielu definicji administracji publicznej stwierdzono, że stanowi ona zaspokojenie indywidualnych i zbiorowych potrzeb obywateli, wynikających ze współistnienia ludzi w społeczeństwie. Wspomniane zaspokojenie indywidualnych i zbiorowych potrzeb jest realizowane przez państwo i jego organy zależne. Jedną z potrzeb każdego człowieka jest potrzeba bezpieczeństwa. Zapewnienie bezpieczeństwa obywateli realizowane jest przez administrację publiczną, pełniącą rolę aparatu wykonawczego w służbie społeczeństwu i posiadającą demokratyczny mandat władzy politycznej, w służbie prawa tworzonego przez powołane organy. Szczególna rola w obszarze obronności spoczywa na administracji autorytarnej, która wykonuje zadania obejmujące ograniczanie ryzyka i usuwanie zagrożeń, do których zalicza się realizację zadań i przedsięwzięć mających na celu przygotowanie militarne na wypadek wojny. Celem niniejszego artykułu jest przedstawienie zadań i kompetencji w zakresie ochrony prezydenta, rządu, urzędników administracji rządowej i samorządu terytorialnego Republiki Słowackiej w trakcie wykonywania przez nich obowiązków służbowych. Do osiągnięcia z góry ustalonego celu wykorzystano różne metody, w tym metodę badania dokumentów, która umożliwiła zebranie, uporządkowanie, opisanie i naukową interpretację aktów prawnych Republiki Słowackiej w kwestiach dotyczących spraw obronnych.

Резюме. В одном из многих подходов к государственному управлению определяется, что оно является способом удовлетворения индивидуальных и коллективных потребностей граждан, возникающих в результате существования человека в обществе. Данное удовлетворение индивидуальных и коллективных потребностей реализуется государством и зависимыми от него органами. Одной из потребностей каждого человека является потребность в безопасности. Безопасность граждан обеспечивается государственным управлением, которое действует как исполнительный аппарат на службе обществу и имеет демократический мандат политической власти согласно закону, установленному соответствующими органами. Особая роль в области обороны принадлежит авторитарной администрации, которая выполняет задачи, в том числе по снижению рисков и устранению угроз, что включает в себя реализацию задач и мероприятий, направленных на организацию военной подготовки в случае войны. Целью этой статьи является представление задач и компетенций в области защиты президента, правительства, должностных лиц, сотрудников государственной администрации и органов местного самоуправления Словацкой Республики при исполнении ими своих служебных обязанностей. Для достижения поставленной цели использовались различные методы, в том числе метод изучения документов, который позволил собрать, систематизировать, описать и научно объяснить правовые акты Словацкой Республики по вопросам обороны.