

National Country Event Slovakia

13 May 2008



Please note that this report expresses no views or opinions by the European Commission or the Consortium (Capgemini, Deloitte and Ramboll Management). The report strictly reflects the reduction ideas proposed by the participants at the event itself. These have not yet been analysed any further.

Agenda

08.30–09.00	Registration	
09.00–09.10	Opening session and introduction	Vladimír Masár President, Deloitte Slovakia
09.10–09.20	Increasing the competitiveness of enterprises	Ing. Peter Žiga State Secretary, Ministry of Economy of the SR
09.20–09.50	Action Programme for reduction of administrative burdens in the European Union	Mr. Charles – Henri Montin European Commission
09.50–10.10	Action Programme for reduction of administrative burdens in Slovakia	Peter Ondrejka Director of the Business Environment Department, Ministry of Economy of the SR
10.10–10.40	Break	
Second session	Reduction of administrative burdens in the scope of the European legislation	
10.40–11.00	Measurement and reduction of administrative burdens in the EU – actual state of play, planned activities	Edwin Kok Engagement partner Capgemini-Deloitte-Ramboll Consortium
11.00–11.20	National project for reducing administrative burdens in the Czech Republic	Daniel Trnka Director of the Department for Reform of Regulation and Quality of the Public Administration, Ministry of Internal Affairs of the Czech Republic
11.20–11.40	EC Project – Measurement and reduction of administrative burdens in Slovakia – actual state of play	Iveta Šimuneková Country Lead for Slovakia, Deloitte
Third session	Specific proposals for reduction of administrative burdens at the level of the EU legislation with roundtable discussion	
11.40–12.00	E-government	Ján Oravec Member of the General Board, Združenie podnikateľov Slovenska
12.00–12.20	Public procurement	Róbert Kičina Executive Director, Podnikateľská aliancia Slovenska
12.20–12.40	Environment	Jiří Mikulénka General Director of SEWA

12.40–13.40	Lunch
13.40–15.30	Discussion on administrative burdens simplification ideas
	1. Environment
	2. Public Procurement
	3. E-government
15.30–16.00	Closing remarks

Attendees

Name	Organisation
JUDr. Pitoňák Andrej	Ministry of Labour, Social affairs and Family SR
Krasňanská Barbora	Ministry of Agrigultury SR
Jurečková Katarína	Ministry of Economy SR
Peter Ondrejka	Ministry of Economy SR
Žabková Bronislava	Ministry of Economy SR
Michal Kotlárík	Ministry of Justice SR
Čulenová Beáta	Ministry of Justice SR
Kureková Mariana	Ministry of Justice SR
Nikšová Nadežda	Ministry of Finance SR
Budišová Marta	Public Procurement Office
Juriková Drahomíra	Public Procurement Office
Dutko Ján	Ministry of Interior SR
Trnka Daniel	Ministry of Interior ČR
Denisa Slaninková	Ministry of Environment
Podobová Zuzana	Ministry of Health SR
PhARN. Dr.Kološťová Viera	Ministry of Health SR
Ing. Falťanová Daniela	Office of the Government SR
Pospíšil Peter	National Agency for Small and Medium Enterprises (NARMSP)
Teťáková Alica	NARMSP
Lisičan Ľubomír	NARMSP
Jakubec Vladimír	NARMSP
Elscheková-Matisová Andrea	Representation of EC in SR
Majerníková Eva	American Chamber of Commerce in SR
Sirotko Vladimír	Slovak Association Of Small Entrepreneurs
Mihočková Eva	EurActiv.sk
Mindošová Mária	Statistical Office
Paľa Juraj	Slovak chamber of Commerce (SOPK)
Ján Vičko	SOPK
Šusteková Petra	Union of Electronic and Electro technical Industry SR
Sabaka Juraj	IT Association of Slovakia
Sasinek Stanislav	Union of Transport, Post and Telecommunication
Ing. Helena Nitschneiderová	SIŽP
Kičina Róbert	PAS
Kromerová Viola	SZZ
Masár Peter	SZZ
Oravec Ján	ZPS
Mikulenka Jiří	SEWA
Nováková Mária	ZAPSR
Závodská Zuzana	STV
Rundesová Táňa	Hospodárske noviny
Farenzena Ľubomír	AUTO – AZ, s.r.o.
Kuklovský Tibor	AUTO-AZ s.r.o.
Mičíková Alica	SLOVNAFT VÚPR, a.s.
Bliská Vladimíra	SLOVNAFT VÚPR, a.s.

Name	Organisation
Sitár Alan	Capital Partners Consulting, a.s.
Galbavý Vladimír	ENVISPOL s.r.o.
Jančiak Daniel	PeTeREC s.r.o.
Hrčka Vladimír	Siemens IT Solution and Services
Lászlo Peter	HP Slovensko , s.r.o.
Valkovič Jaroslav	MATADOR Automotive Vráble, a.s.
Balužák Pavel	VOLKSWAGEN SLOVAKIA, a.s.
Bučková Mária	Duslo, a.s.
Marci Anton	Duslo, a.s.
Gábrišová Pavla	EKOCONSULT, a.s.
Ilgo Peter	IBAT, s.r.o.
Halinárova Mária	Elektrovod Holding
Guman Ondrej	Novogal a.s.
Serina Peter	KPS Poradenské centrum
Ing. Ján Kandráč	Risk Consult, s.r.o.
Ján Hargaš	Capgemini
Riendl Karl	Capgemini
Fedák Peter	Capgemini
Mikát Jozef	Capgemini
Adámek Michal	Capgemini
Iveta Šimuneková	Deloitte
Ivan Lužica	Deloitte
Viktória Štipáková	Deloitte
Matej Kačaljak	Deloitte
Ján Ondrovič	Deloitte

Results of the consultation with businesses

Most important PAs

The following areas were selected for the workshops sessions:

- Environment (two groups)
- Public Procurement
- E-government

The first two areas are also subject of the measuring phase in Slovakia. E-government was selected for discussions due to the fact that during the measuring phase, many proposed ideas were focused on E-government.

Suggestions for Administrative Burden Reduction

The results per priority area can be found on the following pages.

The workshop discussions to gather reduction ideas were structured according to the “5 routes of simplification” as illustrated in the following figure. The numbers indicated in the last column of the tables with the reduction ideas refer to these.

5 ways to reduce administrative burdens		
	Way to simplify	Direction to think & actions to take
1	Reduce, merge or improve regulations	<ul style="list-style-type: none"> ▪ Remove information obligation ▪ Reduce the frequency of reporting requirements to the minimum levels necessary to meet the underlying objectives of the legislation ▪ Use alternatives to regulation, e.g. voluntary code of practice ▪ Exempt groups or sectors of stakeholders from the obligation, e.g. small businesses ▪ Consolidate/ merge secondary legislation and requirements ▪ Simplify the terminology of the regulation and reduce its complexity ▪ Consider substituting information requirements on all businesses in a sector by a risk based approach ▪ Reduce or eliminate information requirements where these relate to legislative requirements that have been dropped or modified since the information requirement was adopted
2	Simplify the process to comply with regulations	<ul style="list-style-type: none"> ▪ Remove unnecessary forms, inspections or data requests ▪ Reduce time taken to fill out forms, e.g. by improving their design, clarity etc. ▪ Prioritise resources, e.g. less inspection of stakeholders with a good record (risk based inspection). ▪ Harmonise requests for information with other information obligations
3	Data sharing and joint up solutions	<ul style="list-style-type: none"> ▪ Collect data from other government bodies rather than from stakeholders ▪ Collect the data directly from stakeholders ICT systems ▪ Set up one-stop shop system for stakeholders ▪ Develop standard definitions in legislation
4	Develop ICT-solutions and services	<ul style="list-style-type: none"> ▪ Make forms and other data requests available on internet (use electronic reporting rather than paper based reporting where possible) ▪ Pre-populate forms ▪ Make forms interactive/intelligent so that they do not request irrelevant data ▪ Make electronic one-stop shop systems so that stakeholders can make use of joint Government web-portals
5	Provide better guidance and information	<ul style="list-style-type: none"> ▪ Develop better and more accessible guidance ▪ Rewrite guidance in simpler language ▪ Separate compulsory from voluntary requirements ▪ Make regulations available online, potentially through a joint public sector portal.

Based on: SCM network
www.administrative-burdens.com

Priority Area – Environment				
Regulation	IO Title	Description	Reduction suggestion	Way to simplify
Directive 96/82/EC	Notification of changes of presence of dangerous substances in the installation	Companies are not able to reconsider every change of presence in dangerous substances with regards to the risk growth	Clear definition (%) of what exactly should be considered as significant change in presence so that companies can easily track their deliveries	2
Directive 96/82/EC	Emergency plans and their real life application	Companies find the emergency plans to be very theoretical and high level. Therefore these are not applicable in real accidents and are perceived to be just admin burden.	It is proposed to include "one pager" into emergency plans that would stipulate few basic steps in case of emergency and could be easily revised in case of changes. Such annex to emergency plan would be more applicable and useful.	1
Directive 96/82/EC	Overlap in Safety report (SR) and Emergency plan (EP)	EP and SR contain very similar theoretical information in some points (such as company description, measures in case of emergency, devices of emergency solutions and prevention etc.) and so this information has to be filled in twice.	It might be reasonable to include Emergency plan into Safety report. Short operational "one pager" mentioned in previous point could be used as annex to this report and could be easily updated without need for update of whole Safety report.	1, 3
Directive 96/82/EC	Trainings of emergency plans	Trainings of emergency plans are burdensome in terms of difficult coordination of concerned employees.	Alternative forms of Emergency plan trainings within the company and within the community affected. For example web page, leaflets, etc. That would reach the same effect.	2
Directive 96/82/EC	Inspection frequency	Inspections are burdensome for companies as they have to spend time with the inspectors in installation. Companies declaring their environmental policy by having ISO certificates however usually apply strict measures but are not advantaged.	Establish lower frequency of Inspection in installation having ISO certificates of environmental management. Coordinated inspection of ISO and public authorities would be ideal.	1

Priority Area – Environment				
Regulation	IO Title	Description	Reduction suggestion	Way to simplify
Act on prevention of major industrial accidents No. 261/2002	Preliminary risk assessment	Preliminary risk assessment is Slovak Delta AC. Companies have to calculate their amounts and distances of storage areas according methodology stipulated in legislation. Such assessment has no real application in reality and is very high level.	Abolish Delta AC	1
Act on prevention of major industrial accidents No. 261/2002	Emergency plans overlaps	There are several emergency plans in Slovakia stemming from legislation (such as civil protection, Fire emergency plans, Chemical emergency plans, etc.). These usually deal with the same issues and provide similar solution to emergency situations. Companies therefore have to prepare and update 3-4 Emergency plans instead of one common.	Better incorporation of different Emergency plans stemming from legislation in Slovakia into SEVESO emergency plan.	1, 3
Act on prevention of major industrial accidents No. 261/2003	Regional differences in legislation implementation	There are some regional differences in Slovakia in terms of requirements of local authorities from companies concerning application of legislation. Approach is not unified and varies from weak to very strict interpretation of legislation which causes many discussions and time spent on authorities clarifying the legislation.	Companies proposed common trainings for local authorities as well as for companies, so that they can align their perception of legislation and its application.	5, 3
Act on prevention of major industrial accidents No. 261/2004	Inspection coordination	Usually inspecting bodies visit SEVESO company once for general meeting. After that separate inspections are carried out and each section is only interested in their agenda (fire men in Fire emergency plans, etc.). Moreover these sections come in uncoordinated times, so whole process of inspection can sometimes take 2 months of random checks from time to time.	Improved coordination of inspecting bodies. . Ideal would be, if inspection sections came for coordinated visit and would spend 2-3 days in the installation, so that responsible personnel can prepare whole documentation at once and be present for entire time.	3

Priority Area – Environment				
Regulation	IO Title	Description	Reduction suggestion	Way to simplify
Act on prevention of major industrial accidents No. 261/2005	Safety report submission (paper format)	Safety report has to be submitted in 9 copies. This is very burdensome especially for large installations with huge Safety reports.	It is proposed to include possibility of electronic submission where applicable – for example submission of one official Safety report in paper format and submission of all other copies on CD or DVD. There should be one format agreed, for example .pdf so that Safety report is easy to read in all concerned institutions.	4
Act on prevention of major industrial accidents No. 261/2006	Safety report submission (as annex to IPPC application for permit)	Submission of Safety report in case of IPPC permit application is duplicate, as concerned authorities either have this report already or it is stored on other department – usually in the same building.	Electronic submission of Safety report would be very useful in such case where it can be sent basically anywhere within few minutes and does not have to be printed out.	3, 4
Directive 1996/61/EC Integrated Pollution Prevention and Control	Detailed application for IPPC permits.	Data in Slovak application are too detailed in some cases.	There was a proposal for detailed comparison of applications in other MS for particular company that has the same attributes – if all data required by Slovak authorities are also required by another MS and if the level of detailed description is the same in other countries as well. This could provide some knowledge where it is useful to abolish some detailed requirements	
Directive 1996/61/EC Integrated Pollution Prevention and Control	Changes in installation and application for permit for such changes	Some changes in installation do not affect environment significantly however still have to be executed via IPPC permitting process which takes 3-6 months. Waiting time is too long and investment is postponed just due to administrative process.	Exact definition of significant and insignificant change should be done. Introduction of “short permitting process” for minor changes with minor effect on environment would be appreciated.	1, 2

Priority Area – Environment				
Regulation	IO Title	Description	Reduction suggestion	Way to simplify
Directive 1996/61/EC Integrated Pollution Prevention and Control	IPPC reporting	PRTR and IPPC reports are duplicates sometimes for IPPC installations in Slovakia.	Streamlining of data required by authorities should be done.	3
Act on IPPC No. 245/2003	Energetic balance of production vs. description of all energy consuming devices	One of annexes describes energetic balance of the production process. However all devices consuming energy should be described in a detailed way in the application for permit. This is duplicate and very burdensome.	Companies together with representative of Slovak Environmental Inspection (SEI) agreed on that this annex should be enough for energetic efficiency assessment in the installation and so detailed description of all energy consuming devices should no longer be in the application.	1, 3
Act on IPPC No. 245/2003	Submission of IPPC application	Too many copies (10) have to be submitted. Considering the size of such application - this is very burdensome for companies.	Proposal is to introduce possibility of electronic submission (1 official copy in paper form + CD) in generally acceptable format (pdf)	4
Act on IPPC No. 245/2003	IPPC vs. building permit	Special regime of building permitting is applied in Slovakia. Together with IPPC permit also building permit is issued by SEI. However, human resources are not sufficient for this system and therefore waiting times for IPPC permit vary from 3 to 6 months. Waiting time is too long and investment is postponed just due to administrative process.	It is proposed to exclude this process from IPPC permitting or to introduce effective coordination: for example SEI could still issue building permit together with IPPC one but would only be associated party in simultaneously running building permitting process at given authority.	1, 2
Act on IPPC No. 245/2003	IPPC web portal	IPPC topic and information on this topic for installation operators is spread over 3-4 portals today, some data are duplicate and some are exclusively on one portal which causes data loss and longer time spent on looking for the right documentation.	Single web-page on IPPC topic with all data and all relevant documents.	5
Act on waste Art. 23	Proof of non existence of sufficient capacities	The businesses planning to ship waste to other country have to present written proof, that the capacities in Slovakia are not sufficient for processing the waste that is to be shipped.	Abolish the requirement - the requirement is violating the principle of the market of common goods	1

Priority Area – Environment				
Regulation	IO Title	Description	Reduction suggestion	Way to simplify
Regulation 1013/2006 on shipments of waste Art. 4	Obligation to notify and apply for approval every year	The businesses planning to ship waste have to notify competent authorities (ministry) every year even if there were no significant changes in the conditions of waste shipping.	The costs may be reduced by setting a longer period or setting a different system of notification. (e.g. the notifications would have to be submitted again only in case of significant change of conditions.	1
Regulation 1013/2006 on shipments of waste Art. 16	Completion and dispatching the movement document to the consignee and competent authorities	The businesses have to send same document (or its validated copy) several times to ministry when just a detail (however important) has been added. (i.e. shipment date, receipt date, confirmation of treatment).	Some costs may be reduced by implementing a EU based E-government system where the data would only be added by authorised users (businesses with authorisation to ship waste).	4
Regulation 1013/2006 on shipments of waste Art. 37	Non existence of option to change the procedure type	If the third country did not reply to EC request a procedure same as the procedure regarding waste on "yellow list" is applied.	If it is left up to MS to decide whether a simplified procedure shall be applied if the business planning to ship waste presents a confirmation from the authority of receiving state, costs cause by a notification procedure may be reduced.	1
Act on waste, By law no. 283/2001	Obligation to present a summary report of treatment of all the waste	The problem is that in the report the WEEE has to be listed under different categories than in the report according to Directive 2002/96. This causes more burdens for the businesses because they have to sort the WEEE simultaneously according to two different sets of categories.	Unify the categorization of WEEE and "ordinary" waste. OR Exclude the WEEE from the summary report.	1, 3
Act on waste / Directive 2002/96	Obligation to sort the WEEE according to brand and type of EEE	This obligation is unattainable since it is physically almost impossible to distinguish different brands of scrap equipment.	Abolish the requirement. The businesses do not comply with the requirement anyway.	1

Priority Area – Environment				
Regulation	IO Title	Description	Reduction suggestion	Way to simplify
Act on waste Art. 54i Par. 5	Obligation to submit quarterly reports.	It is an obligation that is identical to IO "Keeping information on the compliance with the equipment requirements of electrical and electronic equipment put on the markets" except the frequency is higher and it was in Slovak legislation before the transposition of Directive 2002/96. Moreover the structure of the report is not clear and causes confusion between the businesses.	Abolish the requirement or at least unify the structure with the report according to the Directive 2002/96.	1
Act on waste / Directive 2002/96	Keeping information on the compliance with the equipment requirements of electrical and electronic equipment put on the markets	Not only producers and treatment facilities are obliged to send reports, but also all the persons acting on their behalf - too many persons obliged to fulfil the IO	To narrow the target group only on producers and treatment facilities.	3, 4

Priority Area – Public Procurement				
Regulation	IO Title	Description	Reduction suggestion	Way to simplify
Directives 2004/17, 2004/18	Data-sharing point	Companies are reporting the same data to many offices	Interconnection of databases and official registers	3
Directives 2004/17, 2004/18	Unclearly of terms of tender	Lack of clarity of defined terms of tender and in many cases (often made as copy of previous tender conditions)	Higher emphasis on preparation of tender documents – should be prepared by expert	5
Directive 2004/18	Exclusion of candidates due to formal errors	Exclusion of candidates from tender due to formal errors or incomplete formal fulfilment of conditions	Exclude candidates from tender only due to serious professional defects	

Priority Area – Public Procurement				
Regulation	IO Title	Description	Reduction suggestion	Way to simplify
Directive 2004/18	Different formats for CV and references required in different tenders confirmed by the client	Different structure/ template of curriculum vitae and also references required in different tenders	Unified template for CV and references confirmed by signature of statutory not by the client should be sufficient	2
Directive 2004/18	Declaration of expert participation	This formality due to long-term commitment required does not reflect reality	Abolish IO	1
Directives 2004/17, 2004/18	Too many copies of proposal required	Many copies of proposal that consists of more than 100 pages required	Submission of printed offer only in one original Slovak version and one electronic version, English version should be acceptable as well	2
	Comfort of website	Searching on the website of Public Procurement Office is problematic – using key words, only PDF form	Increase users' comfort and reconstruct the website of PP Office	4
	Delay in publishing tender in SK PP Journal	Later publishing of tender in Slovak PP Journal than European PP Journal	Shorten time - limit to minimum between publishing tender in European and Slovak Journal for PP	4
	Frequency of validity	Insistence on validity of document for less than 3 months	Extension of allowed validity of documents for minimum 6 months	1
Directive 2004/18	Limit the number of documents when proving financial and professional standings	Each of document from bid have to be verified or certified	Presentation of proposals documents verified by honest statutory declaration. Submission of all remaining documents should be sufficient only when signing contract	1

General remarks / reduction suggestions – E-government		
Topic	Suggestion	Feasibility
Electronic Signature	Getting the electronic signature lasts too long (approximately 3 months). If the process was shorter electronic signature would be more used among companies and so more administrative actions could be processed this way	Easy
Harmonization of E-Government services	Each European country has different standards of E-Government. Problem persists also due to different levels of informatisation. Cross MS approach is required. Government should agree on common standards of E-Government tools	Easy/difficult due to involvement of many parties
Guidelines to E-Government services	Submitting the proposal for company registration into Commercial Register (any guideline process /description of steps for this activity is missing on the webpage)	Easy
Data sharing point	Introduction of “single contact point” approach where as much administration as possible could be done by general form that would be forwarded to appropriate authority	Difficult to implement – long time periods and coordination needed
Reporting Language	Implementation of extended business reporting language/XBRL (standardized language) that enables easier reporting possibilities for companies. This standard should be implemented (e.g. for annual closures) after Euro currency conversion in SR.	Difficult
eCollection	eCollection of data established by statistical office (currently with just 4% of usage). There are approx. 120 statistical templates but only 10% are “electronic user friendly”	Easy
Optimization of statistical monitoring	Requirement for data collection of few monitoring reports should be cancelled and the relevant (already collected) data will be accessed & reused from the other administration sources. There is strong need for deep assessment on which data have already been submitted to authorities, so that companies have to submit only data that is not known to government in general.	Difficult to implement such network and central database
Submissions of documents	Process of submission of documents to governmental bodies (e.g. annual closures, legal papers – claims, etc) is missing, even if the legal framework exists. CD is not an option – this is almost the same as the paper – requires physical visit. Solution could be done through central upload server for companies towards authorities.	Easy to implement

General remarks / reduction suggestions – E-government		
Topic	Suggestion	Feasibility
eKnowledge	eKnowledge of public authorities is very low and therefore it is very difficult to implement any E-Government tools. There should be unified E-Government terminology as a first step towards better knowledge on ICT in relationships between Government and companies and between offices of Government	Easy to do, difficult – long time needed to implement
Submissions and feedbacks	Formal errors are checked and due to mistakes in documents these are sent back by regular mail /post (7 days). Implementation of e-mail notification in such cases would enhance the communication with authorities. There are possibilities on how to check e-mail delivery to recipient	Easy
ePayment	ePayment via Payment portal - banks should have contract with Central Payment Portal (only few banks have this currently). Improvement in this area would result in faster processing of application where payments to government are required.	Difficult
Database of public authorities	Introduction of database with all data that public authorities have in possession already and could be useful for companies – e.g. data about environment in particular area (studies, values measured by public authorities, etc.). Many permits in environmental area require such data and companies have to look for them on internet, professional literature and similar sources that increases their costs.	Difficult
Quality of state administration	Some services are on the lower level of informatisation = Get Information (information is available online) or One way transaction (forms downloadable online). Each public authority should do assessment on what could be uploaded online and is not at the moment (quick win approach) – guidelines, forms, lists, etc.	Easy