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Time limits on procedures

Slovakia

#### 1 What are the types of deadlines relevant for civil procedures?

- Statutory – their duration is determined by law;
- Judicial – the court can extend a deadline at the request of the entity concerned.

#### 2 List of the various days envisaged as non-working days pursuant to the Regulation (EEC, Euratom) n° 1182/71 of 3 June 1971.

Non-working days are those days designated for the rejuvenation of workers during the week, and statutory holidays,

- Non-working days in the Slovak Republic: 6 January, Good Friday, Easter Sunday, Easter Monday, 1 May, 8 May, 15 September, 1 November, 24 December, 25 December, 26 December
- Statutory holidays in the Slovak Republic: 1 January, 5 July, 29 August, 1 September, 17 November.

#### 3 What are the applicable general rules on time limits for the various civil procedures?

- According to Act No 160/2015, the Code of Civil Adversarial Procedure (*zákona č. 160/2015 Civilný sporový poriadok*) (hereinafter referred to as "CCAP"), and in the absence of provisions to the contrary, a time limit for the execution of an act is determined by a court. The day on which the event determining the start of the period occurred is not included in the calculation of a period determined in days.
- A time-limit does not run with respect to a person who has lost his capacity to be a party to a proceedings or capacity to act before a court (Section 119 CCAP).
- If a new party, legal representative, or guardian of a party joins the proceedings, new time-limits run with respect to them, from the time on which they joined the proceedings (Section 120 CCAP).
- A time-limit has been adhered to if the act concerned is executed at the court or a submission handed over to an authority obliged to deliver it, on the last day of the period (Section 121 (5) CCAP).

#### 4 When an act or a formality has to be carried out within a given period, what is the starting time?

A period starts to run on the day following that on which the event determining the start of the period occurred.

#### 5 Can the starting time be affected or modified by the method of transmission or service of documents (personal service by a huissier or postal service)?

No.

#### 6 If the occurrence of an event sets the time running, is the day when the event occurred taken into account in the calculation of the time period?

No.

#### 7 When a time limit is expressed in days, does the indicated number of days include calendar days or working days?

Calendar days are used in calculating time limits.

#### 8 When such a period is expressed in weeks, in months or in years?

Periods determined by weeks, months, and years are also calculated according to calendar days.

#### 9 When does the deadline expire if expressed in weeks, in months or in years?

Deadlines of periods determined in weeks, months, or years fall at the end of the day whose designation is the same as that of the day of the event determining the start of the period, and if there is no such day in a month, then on the last day of the month. If a deadline falls on a Saturday, Sunday, or holiday, the last day of the period is the working day immediately thereafter (Section 121 CCAP).

#### 10 If the deadline expires on a Saturday, Sunday or a public holiday or non-working day, is it extended until the first following working day?

Yes.

#### 11 Are there certain circumstances under which deadlines are extended? What are the conditions for benefiting from such extensions?

If the law does not state a deadline for the execution of an act, it shall be determined by a court, if required. A court may also extend a deadline it has set (Section 118 (2) CCAP).

#### 12 What are the time limits for appeals?

An appeal is filed within 15 days of the service of a decision at the court to which it is addressed (Section 362 CCAP).

#### 13 Can courts modify time limits, in particular the appearance time limits or fix a special date for appearance?

Yes, but only a time limit pertaining to informative questioning.

#### 14 When an act intended for a party resident in a place where he/she would benefit from an extension of a time limit is notified in a place where those who reside there do not benefit from such an extension, does this person lose the benefit of such a time limit?

#### 15 What are the consequences of non-observance of the deadlines?

The consequence of non-observance of a deadline is the missing of the deadline.

#### 16 If the deadline expires, what remedies are available to those who have missed the deadlines, i.e. the defaulting parties?

A court may forgive the missing of a deadline if the missing thereof was due to a party or its representative having an excusable reason that rendered it unable to effect an act which it was entitled to exercise. An application must be filed within 15 days of the cessation of the obstacle, and the missed act must be effected at that time (Section 122 CCAP). It is fully at the discretion of the court to evaluate whether the reason due to which the party or its representative missed a statutory deadline is excusable.

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