

ACT

of 2 October 1991

on licensed trade (the Trade Licensing Act)

as amended by Act No 231/1992, Act No 591/1992, Act No 600/1992, Act No 273/1993, Act No 303/1993, Act No 38/1994, Act No 42/1994, Act No 136/1994, Act No 200/1994, Act No 237/1995, Act No 286/1995, Act No 94/1996, Act No 95/1996, Act No 147/1996, Act No 19/1997, Act No 49/1997, Act No 61/1997, Act No 79/1997, Act No 217/1997, Act No 280/1997, Act No 15/1998, Act No 83/1998, Act No 157/1998, Act No 167/1998, Act No 159/1999, Act No 356/1999, Act No 358/1999, Act No 360/1999, Act No 363/1999, Act No 27/2000, Act No 29/2000, Act No 121/2000, Act No 122/2000, Act No 123/2000, Act No 124/2000, Act No 149/2000, Act No 151/2000, Act No 158/2000, Act No 247/2000, Act No 249/2000, Act No 258/2000, Act No 309/2000, Act No 362/2000, Act No 409/2000, Act No 458/2000, Act No 61/2001, Act No 100/2001, Act No 120/2001, Act No 164/2001, Act No 256/2001, Act No 274/2001, Act No 477/2001, Act No 478/2001, Act No 501/2001, Act No 86/2002, Act No 119/2002, Act No 174/2002, Act No 281/2002, Act No 308/2002, Act No 320/2002, Finding of the Constitutional Court promulgated under No 476/2002, Act No 88/2003, Act No 130/2003, Act No 162/2003, Act No 224/2003, Act No 228/2003, Act No 274/2003, Act No 354/2003, Act No 438/2003, Act No 38/2004, Act No 119/2004, Act No 167/2004, Act No 257/2004, Act No 326/2004, Act No 499/2004, Act No 635/2004, Act No 695/2004, Act No 58/2005, Act No 95/2005, Act No 127/2005, Act No 215/2005, Act No 253/2005, Act No 358/2005, Act No 428/2005, Act No 444/2005, Act No 62/2006, Act No 76/2006, Act No 109/2006, Act No 115/2006, Act No 131/2006, Act No 161/2006, Act No 165/2006, Act No 179/2006, Act No 186/2006, Act No 191/2006, Act No 212/2006, Act No 214/2006, Act No 225/2006, Act No 310/2006, Act No 315/2006, Act No 160/2007, Act No 269/2007, Act No 270/2007, Act No 296/2007, Act No 130/2008, Act No 189/2008, Act No 230/2008, Act No 254/2008, Act No 274/2008, Act No 227/2009, Act No 285/2009, Act No 292/2009, Act No 160/2010, Act No 155/2010, Act No 145/2010, Act No 427/2010, Act No 424/2010, Act No 73/2011, Act No 152/2011, Act No 350/2011, Act No 351/2011, Act No 355/2011, Act No 420/2011, Act No 375/2011, Act No 53/2012, Act No 119/2012, Act No 169/2012, Act No 167/2012, Act No 199/2012, Act No 201/2012, Act No 202/2012, Act No 428/2011, Act No 221/2012, Act No 407/2012, Act No 241/2013, Act No 234/2013, Act No 309/2013, Act No 308/2013, Act No 279/2013, Act No 303/2013, Act No 140/2014, Act No 206/2015, Act No 267/2015, Act No 91/2016, Act No 88/2016, Act No 126/2016, Act No 304/2016, Act No 258/2016, Act No 188/2016, Act No 65/2017, Act No. 64/2017 Act No 183/2017, Act No 229/2016, Act No 193/2017, Act No 289/2017, Act No 261/2017, Act No 204/2017 and Act No 111/2018 Coll.

The Federal Assembly of the Czech and Slovak Federative Republic has passed the following Act:

GENERAL PROVISIONS

TITLE I

SUBJECT OF REGULATION

Section 1

This Act lays down conditions for carrying on a licensed trade (hereinafter referred to as 'trade') and inspections of compliance with those conditions.

Trades

Section 2

A trade shall mean a systematic activity carried out independently under the conditions laid down in this Act, under a person's own name and liability, with a view to making a profit.

Section 3

(1) The following shall not constitute a trade:

- a) the performance of an activity statutorily reserved for the State or for a designated legal person,
- b) the use of the results of intellectual creativity protected by specific laws, their originators or authors²⁾,
- c) the collective administration of copyright and rights related to copyright in accordance with specific legislation^{2a)},
- d) the restoration of cultural monuments or parts thereof which are works of fine art or applied art^{2b)},

²⁾ Act No 527/1990 Coll., on inventions, designs and improvement suggestions, as amended by Act No 519/1991 Coll. Act No 121/2000 Coll., on copyright and related rights and amending certain laws (the Copyright Act). Act No 529/1991 Coll., on the protection of topographies of semiconductor elements, as amended by Act No 116/2000 Coll. Act No 478/1992 Coll., on utility models, as amended by Act No 116/2000 Coll.

^{2a)} Act No 121/2000 Coll.

^{2b)} Act No 20/1987 Coll., on the care of monuments by the State, as amended.

e) the performance of archaeological research^{2c)}.

(2) Further, in the context of specific laws, trades shall not comprise the activities of the following natural persons:

- a) doctors, dental practitioners and pharmacists^{2d)}, paramedical workers^{2e)} in the provision of health services, and natural healers,
- b) veterinary surgeons, other veterinary workers, including rendering workers and persons performing professional activities related to selection work and the breeding of livestock³⁾,
- c) lawyers⁴⁾, notaries^{5a)} and patent attorneys⁶⁾ and bailiffs^{6a)},
- d) experts and interpreters⁷⁾,
- e) auditors⁸⁾ and tax consultants^{8a)},
- f) stock jobbers^{8b)},
- g) mediators and arbitrators in collective bargaining disputes⁹⁾ and arbitrators in property disputes^{9a)},

^{2c)} Section 21(2) of Act No 20/1987 Coll., on the care of monuments by the State.

^{2d)} Act No 95/2004 Coll., on conditions for the acquisition and recognition of professional competence and specialist competence to practice as a doctor, dental practitioner or pharmacist, as amended.

^{2e)} Act No 96/2004 Coll., on conditions for the acquisition and recognition of competence to engage in paramedical professions and to carry out activities connected with the provision of health care and amending certain related laws (the Paramedical Act), as amended.

³⁾ Act No 166/1999 Coll., on veterinary care and amending certain related laws (the Veterinary Act), as amended.

⁴⁾ Act No 85/1996 Coll., on the legal profession, as amended.

^{5a)} Act of the Czech National Council No 358/1992 Coll., on notaries and their activities.

⁶⁾ Act No 237/1991 Coll., on patent attorneys, as amended by Act of the Czech National Council No 14/1993 Coll.

^{6a)} Act No 120/2001 Coll., on bailiffs and enforcement (Rules of Enforcement) and amending other laws.

⁷⁾ Act No 36/1967 Coll., on experts and interpreters.

⁸⁾ Act of the Czech National Council No 524/1992 Coll., on auditors and the Chamber of Auditors of the Czech Republic.

^{8a)} Act of the Czech National Council No 523/1992 Coll., on tax consulting and the Chamber of Tax Consultants of the Czech Republic.

^{8b)} Act No 229/1992 Coll., on commodity markets, as amended.

- h) officially licenced surveyors¹⁰⁾,
- i) authorised architects and authorised engineers active in construction who engage in activities as freelance architects and freelance engineers^{10a)},
- j) authorised inspectors who engage in their activities as a liberal profession^{10b)},
- k) road safety auditors⁵²⁾,
- l) mediators registered under the Act on Mediation.

(3) Further, the following shall not constitute a trade:

- a) banking activities¹¹⁾, providers of payment services^{11a)}, issuing electronic money^{11a)}, operating payment systems with irrevocable settlement^{11a)}, currency exchange activities^{11d)}, insurance activities¹²⁾, security funds, insurance brokers and independent insurance loss adjusters for claims, pension funds^{12a)}, pension companies⁵⁵⁾, savings and loans societies^{12b)}, commodities

⁹⁾ Section 11 and Section 13(1) of Act No 2/1991 Coll., on collective bargaining, as amended by Act No 519/1991 Coll., Act No 118/1995 Coll., and Act No 155/1995 Coll.

^{9a)} Act No 216/1994 Coll., on arbitration and the enforcement of arbitral awards.

¹⁰⁾ Act No 200/1994 Coll., on surveying and amending certain laws related to the implementation thereof.

^{10a)} Section 14(1)(a) of Act No 360/1992 Coll., on the profession of authorised architects and the profession of authorised engineers and technicians active in construction, as amended.

^{10b)} Section 144(4) of Act No 183/2006 Coll., on land-use planning and building rules (the Building Act).

⁵²⁾ Act No. 13/1997 Coll., on roads, as amended by Act No. 152/2011 Coll.

¹¹⁾ Act No 6/1993 Coll., on the Czech National Bank, as amended. Act No 21/1992 Coll., on banks, as amended.

^{11a)} Act No 284/2009 Coll., on payment systems.

^{11d)} Act No 219/1995 Coll., the Foreign Exchange Act, as amended.

¹²⁾ Act No 363/1999 Coll., on insurance and on amendments to some related laws (the Insurance Contract Act). Act No 38/2004 Coll., on insurance intermediaries and on independent loss adjusters and on amendments to the Trade Licensing Act (the Act on Insurance Intermediaries and Independent Loss Adjusters).

^{12a)} Act No 42/1994 Coll., on state-contributory supplementary pension insurance and amending certain acts related to its introduction, as amended.

⁵⁵⁾ Act No. 427/2011 Coll., on supplementary pension saving.

^{12b)} Act No 87/1995 Coll., on savings and loan associations and credit unions and on certain related measures and on an amendment to the Czech National Council Act No 586/1992 Coll., on income taxes, as subsequently amended.

markets^{8b)}, organisers of regulated markets^{13b)}, securities traders^{13b)} and their bound representatives^{13b)} and the activities of persons involved in the management or administration of an investment fund or foreign investment fund and the activities of persons providing settlement of securities^{13a)}, the activities of persons accepting and giving instructions or investment advisory activities relating to investment tools under the conditions set form in a special Act and their bound representatives^{13b)}, and the activities of credit rating agencies^{13c)}, the activities of providers of reporting services, the activities of accredited persons according to the Act on Capital Market Undertaking, provision and intermediation of consumer credit and the activity of accredited persons under the Act on consumer credit,

- b) operating games of chance,
- c) mining and other activities using mining techniques¹⁵⁾,
- d) the generation of electricity, the production of gas, the transmission of electricity, the transmission of gas, the distribution of electricity, the distribution of gas, the storage of gas, trade in electricity, trade in gas, the production of heat and the distribution of heat, which are subject to a licence under specific legislation¹⁶⁾,
- e) agriculture, including sales of unprocessed agricultural products for the processing or resale thereof, with the exception of professional phytosanitary care,
- f) sales of unprocessed plant and animal products from natural persons' internal small-scale cultivation and breeding,
- g) maritime shipping and sea fishing¹⁷⁾,
- h) the operation of railways and rail transport¹⁸⁾,
- i) the performance of communication activities in accordance with specific legislation¹⁹⁾,

^{13a)} § 82 and 83 Act No 256/2004 Coll., on business activities on the capital market.

^{13b)} Act No 256/2004 Coll.

^{13c)} Art. 3 (1)(b) of Regulation (EC) No. 1060/2009 of the European Parliament and of the Council, of 16 September 2009, on credit rating agencies.

¹⁵⁾ Sections 2 and 3 of Act of the Czech National Council No 61/1988 Coll., on mining, explosives and the State Mining Authority, as amended.

¹⁶⁾ Act No 458/2000 Coll., on conditions of business and on State administration in the energy sectors and amending certain laws (the Energy Act), as amended.

¹⁷⁾ Act No 61/2000 Coll., on maritime shipping.

¹⁸⁾ Section 60(3) of Act No 266/1994 Coll., on railways.

¹⁹⁾ Act No 127/2005 Coll., on electronic communications and amending certain related laws (the Electronic Communications Act).

- j) research, production and distribution of medicinal products²⁰⁾,
- k) the handling of addictive substances, products containing them, and certain substances used in the production or processing of addictive substances under a specific law²¹⁾,
- l) the activity of authorised or accredited persons²²⁾ and notified subjects^{22c)} in the field of state testing,
- m) foreign trade in military material^{22a)},
- n) the performance of labour inspections^{22b)},
- o) radio and television broadcasting²³⁾,
- p) the offer or provision of services for the direct gratification of sexual needs,
- r) the intermediation of employment^{23a)},
- s) the operation of technical inspection centres^{23c)},
- t) education and training in schools, preschool and educational establishments included in the register of schools and educational establishments, education in bachelor, master and doctoral studies, and lifelong learning programmes in accordance with specific legislation^{23d)},
- u) the handling of highly dangerous substances^{23e)},

²⁰⁾ Act No 79/1997 Coll., on medicinal products and amending certain related laws.

²¹⁾ Act No 167/1998 Coll., on addictive substances and amending certain other laws.

²²⁾ Act no. 22/1997 Coll., on technical requirements for products amending and supplementing certain acts, as amended.

^{22c)} Act no. 90/2016 Coll., on conformity assessment of designated products in their placing on the market.

^{22a)} Act No 38/1994 Coll., on foreign trade in military material and amending Act No 455/1991 Coll., the Trade Licensing Act, as amended, and Act No 140/1961 Coll., the Criminal Code, as amended.

^{22b)} Act No 251/2005 Coll., on labour inspections.

²³⁾ Act No 231/2001 Coll., on radio and television broadcasting and amending other laws, as amended.

^{23a)} Act No 1/1991 Coll., on employment, as amended. Act of the Czech National Council No 9/1991 Coll., on employment and the competence of authorities of the Czech Republic in the field of employment, as amended.

^{23c)} Act No 38/1995 Coll., on the technical specifications for the operation of road vehicles on highways.

^{23d)} Act No 564/1990 Coll., on State administration and autonomy in education, as amended. Act No 29/1984 Coll., on the system of primary schools, secondary schools and post-secondary vocational colleges (the Schools Act), as amended. Act No 76/1978 Coll., on educational establishments, as amended.

- v) the operation of airports, the operation of commercial air transport and aeronautical work, the provision of air services, activity of executive pilots and the provision of professional training in the field of protection of civil aviation against illegal acts^{23f)},
- x) the activities of organisations set up under specific legislation^{23h)} conducted in accordance with the purpose for which they were established,
- y) child protection by legal and natural persons, if authorised to provide child protection under specific legislation²³ⁱ⁾,
- z) the prospecting, exploration and production of mineral resources from and beneath the sea bed and the ocean bed beyond State territorial limits^{23j)},
- aa) the operation of cemeteries^{23k)},
- ab) the activities of authorised packaging companies in accordance with specific legislation^{23l)},
- ac) the handling of high-risk and risky biological agents and toxins^{23m)},
- ad) the operation of zoological gardens pursuant to a licence issued by the Ministry of the Environment²³ⁿ⁾,
- ae) archiving^{23o)},
- af) the provision of social services in accordance with specific legislation^{23p)},

^{23e)} Act No 19/1997 Coll., on certain measures connected with the prohibition of chemical weapons and amending Act No 50/1976 Coll., on land-use planning and Building Rules (the Building Act), as amended, Act No 455/1991 Coll., the Trade Licensing Act, as amended, and Act No 140/1961 Coll., the Criminal Code, as amended.

^{23f)} Act No 49/1997 Coll., on civil aviation and amending Act No 455/1991 Coll., the Trade Licensing Act, as amended.

^{23h)} Section 27 of Act No 250/2000 Coll., on budgetary rules of territorial budgets.

²³ⁱ⁾ Section 4(2)(b) and Sections 48 to 50 of Act No 359/1999 Coll., on child protection.

^{23j)} Act No 158/2000 Coll., on the prospecting, exploration and production of mineral resources from the sea bed beyond State territorial limits and amending certain laws.

^{23k)} Act No 256/2001 Coll., on funeral services and amending certain laws.

^{23l)} Act No 477/2001 Coll., on packaging and amending certain related laws (the Packaging Act).

^{23m)} Act No 281/2002 Coll., on certain measures connected with the prohibition of bacteriological (biological) and toxin weapons and amending the Trade Licensing Act.

²³ⁿ⁾ Act No 162/2003 Coll., on conditions for the operation of zoological gardens and amending certain laws (the Zoological Gardens Act).

^{23o)} Act No 499/2004 Coll., on archiving and the registry service and amending certain laws.

- ag) the activities of authorised persons entitled to verify professional competence required to obtain a certificate of a professional qualification under a specific law^{23q)},
- ah) the letting of property, residential and non-residential premises,
- ai) providing of health services^{55a)},
- aj) the performance of professional plant health care activities in accordance with specific legislation⁵⁶⁾,
- ak) operation of postal services and foreign postal services pursuant to a special legal regulation⁵⁷⁾.

Section 4

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TITLE II

CARRYING ON A TRADE

Section 5

Entities eligible to carry on a trade

(1) A natural or legal person may operate a trade if that person complies with the conditions laid down in this Act (hereinafter referred to as 'entrepreneur'); State authorisation to carry on a trade (hereinafter referred to as 'concession') shall be required only in the instances defined by this Act.

(2) A natural person who does not have his residence in the Czech Republic, or a legal person whose registered seat is not in the Czech Republic (hereinafter referred to as a 'foreign person'), may carry on a trade in the Czech Republic under the same conditions and to the same extent as a Czech person, unless this or a special act provides otherwise. For the purposes of this Act, a Czech person shall be regarded as a natural person having his residence or a legal person having its registered

^{23p)} Act No 108/2006 Coll., on social services.

^{23q)} Act No 179/2006 Coll.

^{55a)} Act No. 372/2011 Coll., on health services and conditions of their provision (the Health Services Act).

⁵⁶⁾ Section 81 of Act No. 326/2004 Coll., on plant health and amending certain related acts, as amended by Act No. 199/2012 Coll.

⁵⁷⁾ Act No. 29/2000 Coll., on postal services and amending certain acts (Postal Services Act), as amended.

office in the Czech Republic. For the purposes of this Act, residence in the Czech Republic shall mean the place of permanent residence in the Czech Republic^{24), 38e)}.

(3) Where a person is required by law to submit documents confirming certain facts, this shall mean the submission of the relevant document together with a translation into Czech by an interpreter registered in the register of experts and interpreters^{24a)}, unless the document concerned has been issued in Czech. The authenticity of the signature and the stamp on the originals of submitted documents issued abroad shall be certified.

(4) The requirement of translation into Czech by an interpreter registered in the register of experts and interpreters and the requirement of certifying the authenticity of a signature and the impression of a stamp pursuant to paragraph (3) shall not apply to documents submitted by a citizen of a Member State of the European Union or by a legal person having its registered office, headquarters or principal place of business in a Member State of the European Union, unless there are doubts as to the correctness of the translation or the authenticity of the signature or impression of the stamp.

(5) A foreign natural person who intends to carry on a trade in the Czech Republic and who, under a specific law,^{24b)} is required to have permission to reside in the Czech Republic shall submit a document proving the granting of a visa for residence of more than 90 days or a long-term residence permit together with the notification of the trade and the application for a concession. The obligation to submit a document in accordance with the first sentence shall not apply to a foreign natural person who intends to carry on a trade in the Czech Republic by means of a branch plant^{24c)}.

(6) A natural person who has been granted international protection and his family members may carry on a trade under the same conditions as a citizen of the Czech Republic.

(7) (deleted)

Section 6

General conditions for carrying on a trade

(1) Unless otherwise provided in this Act, the general conditions to be met by natural persons in order to carry on a trade shall be:

^{38e)} Act No. 133/2000 Coll. on the population register and birth registration numbers and on amendments to certain acts (Act on the Population Register), as amended.

^{24a)} Act No 36/1967 Coll., on experts and interpreters.

^{24b)} Act No 326/1999 Coll., on the residence of foreign nationals in the Czech Republic, and the amendment of certain acts, as amended.

^{24c)} Section 503 of the Civil Procedure Code.

- a) full legal capacity, which may be replaced by judicial approval of the consent of the minor's legal guardian to the independent operation of business activities⁵⁸⁾, and
- b) good character.

(2) For the purpose of this Act, a person shall not be regarded as being of good character if he has been conclusively sentenced for an intentional criminal offence, if that offence was committed in connection with the business or line of business for which he is applying or reporting, unless that person is regarded as if he had not been sentenced^{25a)}.

(3) Good character shall be demonstrated in the case of citizens of the Czech Republic by an extract from the Crime Register and, in the case of persons that are citizens of another Member State of the European Union, by means of the documents specified under Section 46 paragraph 1 (a). In the case of persons that are neither citizens of the Czech Republic nor citizens of another Member State of the European Union, good character shall be demonstrated by means of the documents specified in Section 46 paragraph 1 (b) and an extract from the Crime Register, unless such persons have been granted permanent residence in the territory of the Czech Republic; these demonstrate good character in the same way as citizens of the Czech Republic. The trade licensing office shall be entitled to demand an extract from the Crime Register pursuant to specific legislation^{25b)}. A application for the issue of an extract from the Crime Register and the extract from the Crime Register shall be transmitted electronically in a manner facilitating remote access.

(4) For the purpose of assessing good character, the trade licensing office shall be entitled to request from the court a copy of a final decision. If the decision does not contain facts that are decisive for the assessment of good character, the trade licensing office may consult those parts of a criminal file that contain those facts. If the decision has been issued by a court of another country, the trade licensing office shall be entitled to request a copy of the court's final decision from the person who is notifying a trade or applying for a concession. Unless this person submits the copy to the trade licensing office within the set deadline, the person has not remedied the defects of the notification or of the application for a concession. In that event, the trade licensing office shall proceed under Section 47(5) or Section 53(2).

⁵⁸⁾ Section 33 of the Civil Procedure Code.

^{25a)} E.g. Sections 60, 60a and 70 of the Criminal Code.

^{25b)} Act No 269/1994 Coll., on the Crime Register, as amended.

Section 6a

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Section 7

Special conditions for carrying on a trade

(1) Professional or other competence, where required by this Act or specific legislation, shall be regarded as special conditions for carrying on a trade.

(2) Where requirements regarding professional competence are amended after a trade authorisation has been issued, proof of professional experience shall not be required by an entrepreneur already holding a trade authorisation to carry on the trade concerned or by a person holding the office of responsible representative for the trade concerned provided that he held this office prior to the change.

(3) Where professional or other competence cannot be proven from a document issued to a natural person, professional competence may be proven from a document issued to an entrepreneur by a competent professional authority pursuant to specific legislation^{22b)}.

(4) If, in the context of the professional competence, professional experience is required in the field, for the purposes of this Act this shall mean the performance of professional activities pertaining to the field or related field of a trade by a self-employed person in the field or related field based on the relevant business authorisation, a person authorised by the management of a business plant (hereinafter referred to as the "plant") or of a branch plant, by a responsible representative, a person directly responsible for the management of activities which are the subject of the trade, or a person performing independent professional work corresponding to the field of the trade as an employee, civil servant, member of an organisation or similar status (hereinafter referred to as "employment relationship"). The length of experience shall be understood to mean the period during which the professional activities are performed in an employment relationship for the set weekly working period or a commensurate period during which these activities were performed in an employment relationship for a shorter working period or in another employment relationship or a commensurate period of performance of the professional activities by a self-employed person, a person authorised by plant management or branch plant management or by an authorised representative. Related fields shall mean fields that use the same or similar work procedures and expertise.

(5) A citizen of the Czech Republic or another Member State of the European Union may also prove professional competence by means of evidence of professional qualifications certifying that he has carried out the activity concerned in another Member State of the European Union

^{22b)} Act No 251/2005 Coll., on labour inspections.

- a) for a period of six consecutive years as a self-employed person or in a managerial position; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession,
- b) for a period of three consecutive years as a self-employed person or in a managerial position, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least three years' vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,
- c) for a period of four consecutive years as a self-employed person or in a managerial position, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least two years' vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,
- d) for a period of three consecutive years as a self-employed person, if he proves that he performed the activity concerned for at least five years in an employment relationship; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession,
- e) for a period of five consecutive years in a managerial position, of which at least three years in a professional office with responsibility for at least one department of a plant, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least three years' vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,
- f) for a period of five consecutive years as a self-employed person or in a managerial position; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession,
- g) for a period of three consecutive years as a self-employed person or in a managerial position, if he proves that he performed the activity concerned for at least five years in an employment relationship; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession,
- h) for a period of five consecutive years in an employment relationship, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least three years' vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,
- i) for a period of six consecutive years in an employment relationship, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least two years' vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,

- j) for a period of three consecutive years as a self-employed person or in a managerial position; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession,
- k) for a period of two consecutive years as a self-employed person or in a managerial position, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,
- l) for a period of two consecutive years as a self-employed person or in a managerial position, if he proves that he performed the activity concerned for at least three years in an employment relationship; the performance of the activity must not have been terminated more than 10 years before the notification of the trade or the submission of an application for a concession, or
- m) for a period of three consecutive years in an employment relationship, if he holds a document certifying formal qualifications that has been issued or recognized by the competent authority or institution of a Member State and that confirms at least vocational education and training in preparation for the performance of the activity concerned in the Member State of origin,

where so provided in Section 21(2) for vocational trades referred to in Annex No 1 to this Act or in respect of individual professional or permitted trades under Annexes 2 or 3 to this Act; the Act on the Recognition of Professional Qualifications shall apply to assessments of professional competence^{25c)}.

(6) An entrepreneur shall ensure that the activities constituting the trades referred to in Annex No 5 to this Act are performed solely by natural persons fulfilling the requirements of professional competence as provided for in that Annex. This provision shall not affect specific legislation laying down the professional competence of natural persons for the performance of a particular trade. An entrepreneur shall keep records of persons fulfilling the conditions of professional competence and shall store copies of documents demonstrating such competence for at least three years as of the date on which such persons cease to perform the corresponding activities; in doing so, the entrepreneur shall also comply with the obligations laid down in the law governing the protection of personal data^{25d)}.

^{25c)} Act No 18/2004 Coll., on the recognition of professional qualifications and other competence of nationals of European Union Member States and amending certain laws (the Act on the Recognition of Professional Qualifications), as amended.

^{25d)} Act No 101/2000 Coll., on protection of personal data and amending certain acts, as amended.

Section 7a

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Section 8

Impediments to carrying on a trade

(1) A natural or legal person whose estate is the subject of a bankruptcy order may not carry on a trade as of the date

- a) of sale of the plant by means of a single contract in the context of the liquidation of assets,
- b) on which a decision enters into force under which a court terminates the plant operation, or as of the date designated in that decision as the date on which the plant operation is to be terminated.

(2) A natural or legal person may not carry on a trade for a period of three years as of the date on which a decision enters into force that dismisses an insolvency petition on the grounds that the debtor's estate is insufficient to defray the costs of insolvency proceedings, or from the legal virtue of a decision on termination of insolvency proceedings on the ground that the debtor's assets are totally inadequate for the satisfaction of creditors. Further, a natural or legal person may not carry on a trade for a period of three years as of the date on which a decision enters into force that cancels bankruptcy procedure on the grounds that the debtor's estate is entirely insufficient to satisfy creditors. If bankruptcy procedure is cancelled for another reason, the impediment to carrying on a trade referred to in paragraph (1) shall end when the decision to cancel bankruptcy procedure enters into force. The trade licensing office may waive an impediment under the first or second sentence if the debtor proves that he complies with the requirements for the due fulfilment of business obligations and for the due fulfilment of financial liabilities.

(3) If, in insolvency procedure, a court orders an interim measure under which the handling of the assets of the natural or legal person whose bankruptcy or impending bankruptcy is being handled in that procedure is restricted, that person may execute actions related to the establishment, amendment or cancellation of a trade authorisation, notify the interruption of a trade or the resumption of a trade before the expiry of the period for which the trade is interrupted only with the written permission of the interim receiver.

(4) During insolvency procedure, a natural or legal person whose estate is subject to a bankruptcy order may execute actions related to the establishment, amendment or cancellation of a trade authorisation, notify the interruption of a trade or the resumption of a trade before the expiry of the period for which the trade is interrupted only with the written permission of the receiver.

(5) A natural or legal person whose activities are prohibited may not carry on the trade the scope of which covers those activities over the duration of the prohibition. Where this is an unqualified trade, the person concerned may not perform activities within the scope of the

unqualified trade to which the punishment or sanction of the prohibition of activity applies, such being over the duration of that prohibition; the performance of other activities within the scope of the unqualified trade is not affected. The absence of any obstruction to the carrying-on of a trade by a legal person shall be demonstrated by an extract from the Crime Register, and in the case of a foreign legal person additionally by means of the documents specified under Section 46(2)(a) or (b) from the state where it has its registered office. The trade licensing office is authorised to request an extract from the Crime Register under specific legislation^{25b)}. Requests for the submission of an extract from the Crime Register and extracts from the Crime Register are delivered in electronic form and in a manner allowing remote access.

(6) Unless specific legislation provides otherwise, for 3 years from the date on which the decision to cancel the trade authorisation becomes legally effective, the same trade may not be carried on by

- a) a natural or legal person that has had its trade authorisation revoked under Section 58 para. 2 or 3,
- b) a natural or legal person that has been a member of a statutory body of a legal entity at the time when events occurred or continued that led to the revocation of the trade authorisation for this legal entity pursuant to Section 58 para. 2 or 3; this shall not apply in a case where the natural or legal person who was a member of a statutory body proves that it made every effort that could be required to prevent a breach of those legal obligations that led to the revocation of the trade authorisation,
- c) a legal entity, the member of whose statutory body is a natural or legal person whose trade authorisation has been revoked pursuant to Section 58 para. 2 or 3,
- d) a legal entity, the member of whose statutory body is a natural or legal person that was a member of the statutory body of the legal entity at the time when events occurred or continued that led to the revocation of the trade authorisation for this legal entity, pursuant to Section 58 para. 2 or 3; this shall not apply in a case where the legal entity proves that this member made every effort that could be required to prevent a breach of those legal obligations that led to the revocation of the trade authorisation.

(7) (deleted)

Section 9

Classification of trades

Trades are classified as:

- a) notifiable trades, which may be carried on once they have been notified, provided that the stated conditions are met,
- b) permitted trades, which may be carried on pursuant to a concession.

Section 10

Trade authorisation

(1) The authorisation to carry on a trade (hereinafter referred to as 'trade authorisation') shall become effective, with the exception referred to in paragraph (5), for legal persons already entered in the commercial or similar register, for legal persons not required to be entered in the commercial register, and for natural persons:

- a) in the case of notifiable trades, as of the date of notification; this shall not apply to the cases referred to in the second sentence of Section 47(5) and in Section 47(6) to (8).
- b) in the case of permitted trades, as of the date on which the decision granting the concession enters into force; this shall not apply in the case set out in Section 54(3).

(2) Legal persons established in accordance with specific legislation^{28a)}, who are entered in the commercial register only after their establishment are issued with a trade authorisation in accordance with paragraph (1)(a) and (b).

(3) An entrepreneur shall prove his trade authorisation

- a) by means of an extract from the trade licensing register, containing the information under Section 60(5)(a), (b) or (c) (hereinafter referred to as 'extract'),
- b) pending the issue of an extract, by means of a copy of the notification, with proof of delivery to the trade licensing office via a public administration contact point^{28c)}, or by means of an enforceable decision on the granting of a concession.

(4) The trade licensing office shall confirm the fulfilment of the conditions for carrying on a trade by issuing an extract to foreign natural persons who intend to carry on a trade in the Czech Republic through their branch plant, to the founders, or to the bodies or persons authorised to submit an application for the registration of a Czech legal person in the commercial or similar register, if the legal person is shown to have been formed, or to foreign legal persons.

(5) The persons referred to in paragraph (4) shall hold a trade authorisation as of their registration in the commercial or a similar register, provided they are registered in such a register on the basis of another Act. If they fail to submit an application for registration within 90 days from the date on which the extract is delivered or if the application is not upheld, the trade licensing office shall decide that the notifier has not met the conditions for the inception of a trade authorisation; as regards concession, this fact shall be reported in the file and entered in the trade licensing register.

^{28a)} Act No 250/2000 Coll., on budgetary rules of territorial budgets, as amended.

^{28c)} Section 8a of Act No 365/2000 Coll., on public administration information systems and amending certain other laws.

(6) Should a natural person, who has not yet been assigned a personal identification number, receive a trade authorisation, the trade licensing office shall assigne him a personal identification number provided by the administrator of the basic register of persons^{28d)}.

(7) A trade authorisation can't be transferred to another person. Another person is eligible to perform only if it's prescribed by this Act.

(8) (deleted)

Carrying on a trade through a responsible representative

Section 11

(1) An entrepreneur may carry on a trade through a responsible representative. The responsible representative is a natural person who is appointed by the entrepreneur to whom the person is responsible for the proper carrying-on of the trade and compliance with trade licensing legislation and who is in a contractual relationship with him. No person may be appointed the responsible representative for more than four entrepreneurs.

(2) The responsible representative shall fulfil general and specific conditions for carrying on a trade in accordance with Sections 6 and 7.

(3) A person whose activities are prohibited may not be a responsible representative for the trade the scope of which covers those activities over the duration of the prohibition. Not even a person whose trade authorisation has been cancelled under Section 58(2) or (3) may be a responsible representative in the same trade for a period of one year from the date the decision to cancel the trade authorisation enters into force. A member of the supervisory body of a legal person may not be a responsible representative of that legal person.

(4) The duty to appoint a responsible representative shall apply to

- a) an entrepreneur comprising a natural person and failing to comply with the conditions for carrying on a trade (Section 7),
- b) an entrepreneur comprising a legal person, for trades requiring compliance with specific conditions for carrying on a trade (Section 7). The responsible representative appointed by a Czech legal person shall be a person who is a member of the statutory body of that legal person and who fulfils the conditions to hold the office of responsible representative under this Act. The responsible representative appointed by a foreign legal person shall be the head of the branch plant located in the Czech Republic who fulfils the conditions to hold the office of responsible representative under this Act. Where a responsible representative cannot be appointed from the persons referred to above, the entrepreneur shall appoint a responsible representative from other persons.

^{28d)} Act No. 111/2009 Coll., on basic registers.

(5) The appointment of a responsible representative for a notifiable trade and the termination of his appointment shall be notified by the entrepreneur to the trade licensing office within 15 days of the event referred to above. Should the responsible representative himself notify the termination of his office, he shall also prove that he has informed the entrepreneur of the termination of his office in writing in advance. Where the date of termination of the responsible representative's office cannot be determined according to the entrepreneur's notification, the termination of the responsible representative's office shall be effective on delivery of the responsible representative's notification to the trade licensing office. If the responsible representative, in his notification, specifies a later date for the termination of his office, termination of his office shall be effective as of that later date.

(6) A responsible representative for a notifiable trade may hold his office as of the date of appointment, provided that he meets the conditions required by this Act.

(7) The entrepreneur shall submit the appointment of a responsible representative for a permitted trade to the trade licensing office for approval. The appointment shall become effective on the day the decision granting approval enters into force. The entrepreneur shall notify the termination of the responsible representative's office to the trade licensing office within 15 days of the termination of the office. Should the responsible representative himself notify the termination of his office, he shall also prove that he has informed the entrepreneur of the termination of his office in writing in advance. Where the date of termination of the responsible representative's office cannot be determined according to the entrepreneur's notification, the termination of the responsible representative's office shall be effective on delivery of the responsible representative's notification to the trade licensing office. If the responsible representative, in his notification, specifies a later date for the termination of his office, termination of his office shall be effective as of that later date.

(8) If a responsible representative ceases to perform his duties or comply with the conditions, the entrepreneur shall appoint a new responsible representative within fifteen days. This shall not apply if the trade is suspended or if the entrepreneur notifies the trade licensing office that the carrying-on of the trade has been temporarily discontinued (Section 31(12)).

(9) An entrepreneur may also appoint a responsible representative in cases not required by this Act. Section 11, with the exception of paragraph (8), shall apply mutatis mutandis to such an appointment.

(10) If a responsible representative appointed by an entrepreneur ceases to perform his duties or no longer complies with the statutory requirements, the entrepreneur may only carry on the trade without a responsible representative where provided so by another legal regulation and under the conditions prescribed therein. The trade licensing office shall register the termination of duties of the responsible representative in the trade licensing register and indicate that the trade is temporarily carried on without a responsible representative.

(11) The provisions of paragraphs 1 to 9 above shall not apply, where different conditions for the carrying-on of a trade through a responsible representative are provided for by a special legal regulation.

Section 12

(deleted)

Section 13

Continuation in carrying on a trade on the death of an entrepreneur

(1) Should an entrepreneur die, any of the following may carry on the trade under the conditions set out in paragraphs 2 to 5 until the conclusion of the probate proceedings

- a) the administrator of the decedent's estate, or the executor of the will, if he also administers the estate²⁹⁾,
- b) heirs under the law, in the absence of testamentary heirs,
- c) testamentary heirs and the surviving spouse or partner^{28a)}, even if he/she is not an heir, provided that he/she is co-owner of assets used to carry on the trade,
- d) the insolvency administrator appointed by a court in accordance with a special legal regulation²⁶⁾, but for a period not extending beyond the end of insolvency proceedings, and the liquidation administrator⁵⁹⁾,
- e) the surviving spouse or partner^{28a)} complying with the condition referred to in subparagraph (c) above, provided that the heirs do not continue the trade, or
- f) the trust administrator⁶⁰⁾, if the plant was placed in a trust fund as disposition of property upon death.

(2) If the administrator of the estate called on by the deceased entrepreneur, or the executor of the will, if he also administers the estate, or a person stipulated in paragraph 1 (b), (c) or intends to continue a trade on the basis of an authorisation held by the deceased entrepreneur, or the executor of the will, he shall inform the trade licensing office of this fact within three months from the date of death of the entrepreneur, unless otherwise required by this Act. Upon expiry of this period without

²⁹⁾ Sections 1553 to 1560 of the Civil Procedure Code.

Sections 157 to 159 of Act No. 292/2013 Coll., on special judicial proceedings.

^{28a)} Act No. 115/2006 Coll., on registered partnerships and on amendments to certain related acts, as amended.

²⁶⁾ Act No. 182/2006 Coll., on bankruptcy and settlement (the Insolvency Act), as amended.

⁵⁹⁾ Sections 197, 203 to 205 of Act No. 292/2013 Coll., on special judicial proceedings.

⁶⁰⁾ Sections 1448 to 1456 of the Civil Procedure Code.

action, the trade authorisation of the deceased entrepreneur shall be deemed expired as of the date of the entrepreneur's death, unless the trade is further carried out by the administrator of the decedent's estate appointed by a court, or the trust, insolvency or liquidation administrator. If the person referred to in the first sentence above does not meet the conditions laid down in Section 6 and 7 or if impediments under Section 8 apply to that person, or if the person does not reside in the Czech Republic, he shall appoint a responsible representative without undue delay where required of him under this Act.

(3) If the person referred to in the first sentence of paragraph 2, who has notified, under paragraph 2, the continuation of a trade, has decided not to continue in carrying on a trade pursuant to a trade authorisation of a deceased entrepreneur, such a person shall report this fact to the trade licensing office. The permission to continue in carrying on the trade shall cease to exist as of the date on which the notification is delivered to the trade licensing office and, if the trade is not further carried on by another authorised person under paragraph 1, the trade authorisation of the deceased entrepreneur shall also cease to exist as of this date.

(4) The administrator of the decedent's estate appointed by a court, or the trust, insolvency or liquidation administrator shall report the continuation of the trade within one month from the date of the entrepreneur's death and, if appointed to this position at a later date, within one month of the day he assumed office. If the administrator of the decedent's estate appointed by a court, or the trust or insolvency administrator fails to meet the conditions laid down in Section 7, they shall appoint a responsible representative without undue delay.

(5) If the trade authorisation of a deceased entrepreneur has not ceased to exist under paragraph 2 or 3, the trade may, after the termination of the inheritance proceedings, be further carried by a person referred to in paragraph 1 (b), (c) or (e), who has proven to have acquired the ownership rights relating to the operation of the trade, even though such a person has not notified that the trade will further be carried on under paragraph 2, or by a trust administrator if the ownership rights relating to the operation of the trade were placed in a trust fund as disposition of property upon death. Such a person shall notify the trade licensing office that the person will continue to carry on the trade, within 3 months following the completion of the inheritance proceedings, and shall also report the trade or apply for a concession according to this Act, otherwise the right to continue to carry on the trade will expire upon the expiry of this period without action. The right of the person that has notified the continued operation of the trade according to the second sentence to continue to carry on the trade will cease to exist no later than on the date of the issue of a trade authorisation or, as regards notifiable trades, on the date on which the trade licensing office issues a decision under Section 47 paragraph 5 or 6 and, as regards permitted trades, on the date of the discontinuance of proceedings or the decision rejecting the application for a concession. The trade authorisation of a deceased entrepreneur will cease to exist upon the expiry of a three-month period specified in the second sentence, or upon the termination of the right of the last of the continuing persons to continue to carry on the trade. For the requirements under paragraphs 2 to 5, Sections 45, 46 and 50 shall apply *mutatis mutandis*.

(7) For the purpose of the registration in the trade licensing register, the court shall upon request of the trade licensing office provide data regarding the lawful completion of the inheritance proceedings regarding the estate of the deceased entrepreneur.

Section 14

In the case of a merger or break-up of a company or cooperative, or in the case of a transfer of assets to a member under specific legislation^{29a)} the successor company or cooperative that does not yet hold the relevant trade authorisation, or the recipient member that is a natural person and that does not yet hold the relevant trade authorisation, can carry on in the trade on the basis of the trade authorisation of the company or cooperative that ceased to exist or was broken up, provided that it notifies the trade licensing office of the carrying on in the business within 15 days of the entry into force of the merger, break up, or transfer of assets to a member, and at the same time notifies a notifiable trade or applies for a concession pursuant to this Act. The right to continue carrying on a trade in accordance with the first sentence shall become extinct on the date of issue of a trade authorisation to the legal successor or as regards notifiable trades - on the date on which the trade licensing office issues a decision under Section 47 (5) or (6) and - as regards permitted trades - on the date of the discontinuance of proceedings or the decision rejecting the application for a concession

Section 15

(deleted)

Section 16

(deleted)

Establishments

Section 17

(1) For the purposes of this Act, an establishment shall mean the space where a trade is carried on. A vending machine or similar device used to sell goods or provide services (hereinafter referred to as 'vending machine') and mobile establishment shall also be regarded as an establishment.

(2) A mobile establishment is an establishment which may be relocated and is not situated in one place for more than three months.

(3) A trade may be carried on in multiple establishments, provided that the entrepreneur has legal title for the use of such establishments. At the trade licensing office's request, the entrepreneur shall prove his legal title to use an establishment; this shall not apply to mobile establishments and vending machines. In respect of mobile establishments, at the trade licensing office's request the entrepreneur shall prove the legitimacy of the establishment's location. Where an establishment is

^{29a)} Act No. 125/2008 Coll. on the transformations of companies and cooperatives, as amended.

located in a dwelling and the entrepreneur is not the owner of that dwelling, he may carry on a trade there only with the owner's permission. The entrepreneur shall notify the commencement and termination of a trade in an establishment to the trade licensing office in advance; this shall not apply to the commencement of a trade in an establishment which is specified in the notification of a trade pursuant to Section 45(2)(g) and Section 45(3)(f), or in the application for a concession under Section 50, or to vending machines and mobile establishments. In the notification, the entrepreneur shall set out the information required under paragraph (5).

(4) The entrepreneur shall ensure that the establishment is suitable for carrying on a trade in accordance with specific legislation^{29b)}. For each establishment, a person shall be appointed to be responsible for the operation of the establishment; this shall not apply to vending machines.

(5) In the notification under paragraph (3), the entrepreneur shall specify

- a) the company name, business name, or given name and surname,
- b) the personal identification number,
- c) the address of the establishment or its place, as appropriate, and the objects of business at the establishment; in the case of an unqualified trade the field of activity,
- d) the date on which a trade is commenced (terminated) at the establishment.

(6) The trade licensing office which receives a notification under paragraph (3) shall assign an establishment identification number provided by the administrator of the basic register of persons^{28d)}, unless one has already been assigned, it shall register the establishment in the trade licensing register, and shall inform the entrepreneur of the registration.

(7) An establishment shall be permanently and visibly marked on the exterior with the company name, business name or given name and surname of the entrepreneur and his personal identification number. A mobile establishment and vending machine shall be marked with information about the registered office or address where the branch plant of a foreign person is situated.

(8) An establishment intended for the sale of goods or provision of services to consumers^{29c)} shall also be permanently and visibly marked on the exterior with the following information

- a) the given name and surname of the person responsible for the operation of the establishment, with the exception of vending machines,
- b) the opening or operating hours for contact with consumers, except in cases of mobile establishments and vending machines,

^{29b)} E.g. Act No 183/2006 Coll., on land-use planning and building rules (the Building Act).

^{28d)} Act No. 111/2009 Coll., on basic registers.

^{29c)} Act No 634/1992 Coll., on consumer protection, as amended.

c) the category and class of an accommodation facility providing temporary accommodation.

(9) When an establishment under paragraph (8) is closed, the entrepreneur, unless prevented by compelling reasons, shall label the commencement and termination of the closure in advance by means of a notice in a suitable, visible place on the exterior; this shall not apply to mobile establishments and vending machines.

(10) The entrepreneur may sell goods or provide services via consumer-operated vending machines if the sale of goods or provision of services does not require a concession. The sale of goods or provision of services by means of vending machines shall not facilitate the acquisition of certain types of goods by persons protected under specific legislation^{29e)}.

Section 18

(1) A municipality may issue market rules in the form of a municipal ordinance^{29f)}. In the market rules, it shall define the places with regard to offering and selling goods (hereinafter referred to as “sale of goods”) and offering and providing services (hereinafter referred to as “provision of services”) outside an establishment intended for that purpose by a decision, measure or another action required by the Building Act^{29g)}. These places shall include markets and marketplaces (hereinafter referred to as “marketplaces”):

(2) By the market rules, the municipality may define

- a) capacity and requirements for the facilities of marketplaces,
- b) business hours for the sale of goods and the provision of services at marketplaces,
- c) rules of keeping the marketplace clean and safe,
- d) rules to be observed by the marketplace operator to ensure that the marketplace is duly operated, or
- e) rules to be observed by the marketplace operator to ensure that the marketplace can be duly used by persons with reduced mobility or orientation.

(3) By the market rules, the municipality may also

- a) divide the marketplace by goods sold or service provided, or
- b) define that the market rules shall not apply to specific types of the sale of goods and the provision of services outside establishments.

^{29e)} E.g. Act No 379/2005 Coll., on measures to provide protection against damage caused by tobacco products, alcohol and other addictive substances and amending certain related laws.

^{29f)} Section 11(1) of Act No 128/2000 Coll., on municipalities (the Municipal Order), as amended.

^{29g)} Act No 183/2006 Coll., on land-use planning and Building Rules (the Building Act), as amended.

(4) A municipality may stipulate by a municipal ordinance^{29f)} that certain types of the sale of goods and the provision of services outside establishments are prohibited in all or part of the municipality.

PART TWO

CLASSIFICATION OF TRADES

TITLE I

NOTIFIABLE TRADES

Section 19

The following trades are notifiable trades

- a) vocational trades, where a condition for carrying on the trade is the professional competence referred to in Sections 21 and 22,
- b) professional trades, where a condition for carrying on the trade is the professional competence referred to in Annex No 2 to this Act, unless otherwise provided below,
- c) unqualified trades, where no professional competence is set as a condition for carrying on the trade.

Division 1

Vocational trades

Section 20

The trades listed in Annex No 1 to this Act are vocational trades.

Professional competence

Section 21

(1) Professional competence for vocational trades shall be documented by proof of

- a) due completion of secondary education with a certificate of apprenticeship³⁰⁾ in a relevant field of education,
- b) due completion of secondary education with a school-leaving examination³¹⁾ in a relevant field of education, or with vocational training subjects in a relevant field,
- c) due completion of higher vocational education³¹⁾ in a relevant field of education,
- d) due completion of higher education^{31a)} in a relevant field of study programmes and study fields,
- e) recognition of professional qualifications issued by the recognition authority in accordance with the Act on the Recognition of Professional Qualifications^{25c)}, or
- f) acquirement of complete professional qualifications which are set for appropriate full professional qualifications in the National system of qualifications ^{23q)}.

(2) Citizens of the Czech Republic or another Member State of the European Union may also prove professional competence

- a) in respect of the trades listed in Part A, Annex No 1 to this Act by means of the documents laid down in Section 7(5)(b), (c) or (e),
- b) in respect of the trades listed in Part B, Annex No 1 to this Act by means of the documents laid down in Section 7(5)(b), (c), (f) or (h), or
- c) in respect of the trades referred to in Part C, Annex No 1 to this Act by means of the documents laid down in Section 7(5)(j), (k), (l) or (m).

Section 22

Documents proving professional competence in accordance with Section 21 may be replaced by evidence of

- a) due completion of secondary education with a certificate of apprenticeship³⁰⁾ in a related field of education and evidence of one year's experience in the field,

³⁰⁾ E.g. Act No 29/1984 Coll., on the system of primary schools, secondary schools and post-secondary vocational colleges (the Schools Act), as amended, Decree of the Ministry of Education of the Czech Socialist Republic No 31/1987 Coll., on the completion of studies at secondary schools and on the completion of training at special vocational centres, Decree of the Ministry of Education, Youth and Sports of the Czech Republic No 354/1991 Coll., on secondary schools, as amended, Act No 561/2004 Coll., on preschool, primary, secondary, further vocational, and other education (the Schools Act), as amended.

³¹⁾ E.g. Act No 29/1984 Coll., as amended, Act No 561/2004 Coll., as amended.

^{31a)} Sections 45, 46 and 98(1) of Act No 111/1998 Coll., on universities and amending other laws (the Universities Act), as amended.

- b) due completion of secondary education with a school-leaving examination³¹⁾ in a related field of education and evidence of one year's experience in the field,
- c) due completion of higher vocational education³¹⁾ in a related field of education and evidence of one year's experience in the field,
- d) due completion of higher education^{31a)} in a relevant related field of study programmes and study fields,
- e) due completion of retraining^{30a)} for relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and evidence of one year's experience in the field, or
- f) six years' experience in the field.

Division 2

Professional trades

Section 23

The trades listed in Annex No 2 to this Act are professional trades.

Section 24

Professional competence

(1) Professional competence for professional trades is laid down in Annex No 2 to this Act or is regulated by specific legislation listed in that annex.

(2) A citizen of the Czech Republic or another Member State of the European Union may prove professional competence by means of a document on the recognition of professional qualifications issued by the recognition authority in accordance with the Act on the Recognition of Professional Qualifications.

^{30a)} Decree No 21/1991 Coll., on more detailed conditions for the retraining of job-seekers and employees, as amended by Decree No 324/1992 Coll. Decree No 524/2004 Coll., on the accreditation of facilities to provide retraining for job-seekers and persons interested in employment. Decree No. 176/2009 Coll., setting out the requisite details of an application for the accreditation of an educational programme, the organisation of education in a retraining facility, and the manner of its termination.

Division 3

Unqualified trades

Section 25

(1) Unqualified trades are trades for the carrying-on of which this Act requires no proof of professional or other competence. In order to acquire a trade authorisation for an unqualified trade, general conditions must be fulfilled (Section 6(1)).

(2) Unqualified trades and the areas of activity pertaining to unqualified trades are listed in Annex No 4 to this Act.

TITLE II

PERMITTED TRADES

Section 26

The trades listed in Annex No 3 to this Act are permitted trades.

Section 27

Professional competence and conditions for carrying on a trade

(1) Professional competence for permitted trades is laid down in Annex No 3 to this Act or is regulated by specific legislation listed in that annex.

(2) A citizen of the Czech Republic or another Member State of the European Union may prove professional competence by means of a document on the recognition of professional qualifications issued by the recognition authority in accordance with the Act on the Recognition of Professional Qualifications.

(3) The trade licensing office shall lay down or amend an entrepreneur's conditions for carrying-on a trade pursuant to this Act or by virtue of specific legislation.

PART THREE

Scope of trade authorisation

Section 28

(1) The scope of a trade authorisation (hereinafter referred to as 'scope of authorisation') shall be assessed according to the objects of business referred to in the extract, with consideration for the provisions of this Part. A trade authorisation to carry on an unqualified trade shall entitle the holder to engage in the activities listed in Annex No 4 to this Act.

(2) If carrying on a trade in accordance with Annexes 2 and 3 is tied to a document issued by a special authority in accordance with specific legislation, the scope of the trade authorisation shall be defined in that document.

(3) In cases of doubt, the trade licensing office shall take a decision on the scope of authorisation at the entrepreneur's request.

Section 29

(deleted)

Section 30

(deleted)

Section 31

Obligations of an entrepreneur

(1) An entrepreneur carrying on a trade through a responsible representative (Section 11) shall ensure that the responsible representative participates in the carrying-on of the trade to the extent required.

(2) An entrepreneur shall visibly mark his place of business, or the business name, or given name and surname and the personal identification number, if one has been assigned, the building in which he has a registered office, if different from his place of abode (Section 5 paragraph 2), and a foreign person shall visibly mark the branch plant, if set up. At the request of the trade licensing office, an entrepreneur shall prove his legal title to use the space in which he has a registered office on the territory of the Czech Republic, and in which a foreign person has the branch plant. Entrepreneurs need not prove legal title to space in which they have their place of business in the Czech Republic, if the place of business is identical with the place of residence (Section 5 paragraph

2), except where the place of residence is identical with the address of the recording office⁵³⁾, a special register⁵³⁾ or the address of the seat of the administrative body⁵⁴⁾, which has officially cancelled the indication of the place of reported residence in the Czech Republic.

(3) An entrepreneur shall demonstrate to a control body, at its request and within the time limit set by it, the method applied in the acquisition of the goods for sale or the materials used in the provision of services.

(4) In cases relating to the purchase of second-hand goods or goods without proof of acquisition, cultural monuments or items of cultural value, the receipt of such goods as pawned items or the mediation of the purchase or pawning of such goods, prior to the conclusion of the contract an entrepreneur shall identify the parties to the contract in accordance with the Act on Certain Measures to Combat Money Laundering and the Financing of Terrorism and the subject of the contractual relationship and keep records of such information, including the date on which the contractual relationship is established. These records shall be available at the establishment where identification takes place and where the goods are located.

(5) For the purposes of this Act, identification of the subject of the contractual relationship shall mean ascertainment of the product name, brand and serial number, of stated on the product, otherwise a brief description of the product facilitating reasonable identification thereof.

(6) The entrepreneur shall keep records of the identification information under paragraphs (4) and (5) and store such information for a period of five years following the date of conclusion of the contract.

(7) If a party to the contractual relationship refuses to undergo identification, or if the subject of the contractual relationship cannot be identified, the entrepreneur shall not purchase goods, take receipt of goods as pawned goods or mediate the purchase thereof.

(8) An entrepreneur shall ensure that a person fulfilling the condition of knowledge of the Czech or Slovak language is present in his establishment intended for the sale of goods or the provision of services to consumers during opening or business hours intended for contact with consumers. Should the trade licensing office have doubts, it may examine the fulfilment of this condition by means of an interview, during which it judges whether that person is capable of responding fluently and linguistically correctly to questions concerning ordinary situations in everyday life and business and whether that person knows how to communicate the content of an article in the daily press orally.

(9) An entrepreneur shall be held liable for his employees' proof of fulfilment of the condition of good character where the good character of employees is required as a condition under this Act or specific legislation.

⁵³⁾ Section 10 paragraph 5 and Section 10a of Act No. 133/2000 Coll., as amended.

⁵⁴⁾ Section 98a paragraph 3 of Act No. 326/1999 Coll., as amended by Act No. 274/2008 Coll.

(10) An entrepreneur and natural persons carrying on an activity which is the subject of a trade, persons acting on their behalf, and the responsible representative shall prove their identity to employees of the trade licensing office.

(11) Should an entrepreneur notify the trade licensing office of the interruption of a trade, the trade shall be interrupted as of the day of the delivery of the notification of the interruption to the trade licensing office or as of a later date specified in the notification and end on the date specified in the notification; if the validity of the trade authorisation is limited in time, the operation of the trade can be interrupted for a maximum period of the duration of the authorisation. During the interruption of trade, the entrepreneur is subject to the obligations set out in this Act, except for the obligations set out in paragraph 2 relating to the designation of the building where the entrepreneur has his registered office or the branch plant, obligations set out in paragraphs 9, and 17 and in Section 17 (4) and (8) and the obligation to comply with the conditions of professional and other competence, if this Act or special legislation require them for the carrying on of the trade.

(12) An entrepreneur shall notify the trade licensing office in writing in advance of the resumption of a trade before the expiry of the period for which the trade is interrupted under paragraph (11). A trade may be resumed no earlier than the date of delivery of notification of the resumption of the trade to the trade licensing office or as of a later date specified in the notification.

(13) Acting on notification pursuant to paragraphs (12) and (13), the trade licensing office shall enter this information in the trade licensing register and inform the entrepreneur of this entry.

(14) The entrepreneur shall issue proof of the sale of goods and of the provision of a service at the customer's request. This document shall contain a specification of the entrepreneur, i.e. his company name, business name or given name and surname, and personal identification number, if one has been assigned, the date of the sale of goods or the provision of the service, the type of goods or service, and the price, unless otherwise provided in specific legislation.

(15) An entrepreneur shall, at the trade licensing office's request, state whether the entrepreneur carries on a particular trade and submit documents as evidence.

(16) An entrepreneur shall inform the trade licensing office, no later than by the day on which it terminates its activities in an establishment, of the address at which any possible liabilities can be settled. The entrepreneur shall be obliged to report any change of the address referred to in the first sentence for 4 years after the termination of activities in an establishment. The address for settlement of debt must not be identical with the address of the entrepreneur's residence, if this is the address of the recording office⁵³⁾, a special register⁵³⁾ or the address of the seat of the recording office⁵⁴⁾; this shall not apply where the entrepreneur has proven his title or right to use the place at these addresses.

⁵³⁾ Section 10 paragraph 5 and Section 10a of Act No. 133/2000 Coll., as amended.

⁵⁴⁾ Section 98a paragraph 3 of Act No. 326/1999 Coll., as amended by Act No. 274/2008 Coll.

(17) An entrepreneur shall be held liable for the fact that his employees have professional competence as laid down in specific legislation, knowledge of safety procedures and knowledge of regulations concerning the protection of public health. Where required by the nature of the work or other activities, the entrepreneur shall also be held liable for the repeated medical examinations of his employees in accordance with specific legislation³³⁾.

(18) An entrepreneur who vocationally trains young people shall be governed by specific legislation^{23d)}.

(19) In carrying on a trade, an entrepreneur shall comply with obligations arising from this Act and specific legislation.

Section 31a

(deleted)

Section 32

(deleted)

Section 33

(deleted)

Scope of authorisation

Section 34

(1) An entrepreneur carrying on a trade consisting of business activities shall also be entitled, provided that the nature of the trade is preserved

- a) to lease goods,
- b) to act as an intermediary in the purchase and sale of goods in individual cases,
- c) to make minor alterations to goods in order to adapt them to the purchaser's requirements, should the purchaser so request,
- d) to assemble goods delivered to customers if assembly entails simple operations not requiring special expertise,

³³⁾ E.g. Act No 258/2000 Coll., on the protection of public health and amending certain related laws.

e) to replace defective parts of delivered goods if replacement is simple and does not require special expertise.

(2) An entrepreneur shall also be entitled to service goods supplied by the entrepreneur provided that the servicing is carried out by competent persons.

(3) Where the activities referred to in paragraphs (1) and (2) require a concession, the entrepreneur may carry out such activities only if he holds the relevant concession.

(4) An entrepreneur shall be entitled to accept orders for the manufacture, processing or modification of goods which he is authorised to sell, and to commission such work from an authorised manufacturer.

Section 35

(deleted)

Section 36

(deleted)

Section 37

(deleted)

Section 38

(deleted)

Section 39

(deleted)

Section 40

(deleted)

Section 41

(deleted)

Section 42

(1) An entrepreneur carrying on a trade consisting of manufacturing activity shall be entitled, within the scope of his trade authorisation, to manufacture, sell and repair products provided that the nature of the trade is preserved.

(2) An entrepreneur shall also be entitled:

- a) to purchase and resell the products of other manufacturers, together with accessories, provided that these are the same type as products manufactured by the entrepreneur or, in individual cases, to act as an intermediary in the sale of products and accessories developed externally,
- b) to manufacture and print packaging, labels and other auxiliary items facilitating the sale of products manufactured by the entrepreneur,
- c) to lease products developed internally and products of the same type made by other manufacturers, together with accessories,
- d) to assemble, modify and service such products.

(3) The purchase, sale, intermediation of sales and the lease of externally developed products under paragraph (2)(a) and (c) shall be possible only insofar as the nature of the manufacturing trade is preserved.

Section 43

Section 42(2) and (3) shall apply mutatis mutandis to an entrepreneur who carries on a trade where he repairs or services items, transports persons or items, or provides accommodation, hospitality services, pawning services and other work and activities to satisfy other needs, provided that the nature of the trade is preserved.

Section 44

An entrepreneur authorised to transport persons and goods may engage in activities connected with ensuring the safety and comfort of passengers, the transfer, storage and packaging of consignments, the operation of safekeeping services and the provision of hospitality services aboard vehicles.

PART FOUR

INCEPTION, AMENDMENT AND TERMINATION OF A TRADE AUTHORISATION, TRADE LICENSING REGISTER

TITLE I

NOTIFYING A TRADE

Section 45

(1) A natural or legal person who intends to carry on a notifiable trade shall notify the trade licensing office of this fact.

(2) In the notification, a natural person shall specify

- a) his given name and surname, where appropriate the company name, his citizenship, residential address, birth registration number, if assigned, his date of birth, place of birth (municipality, district, country) and surname at birth,
- b) in the case of a responsible representative, the information listed under a) for the responsible representative, if the natural person concerned carries on the trade via this responsible representative,
- c) in the case of a foreign natural person, his given name and surname, where appropriate the company name, birth registration number, if assigned, date of birth, residential address outside the Czech Republic, address of the abode in the Czech Republic (if permitted), the designation and address of the branch plant in the Czech Republic; where the responsible representative is a person resident outside the Czech Republic, the address of his abode in the Czech Republic, if the abode has been permitted, shall also be specified,
- d) registered office address,
- e) the objects of business, applying the definition under paragraph (4), and any other supplementary information relating to the scope of the trade authorisation,
- f) the personal identification number, if assigned,
- g) the establishment or establishments in which the carrying-on of the trade shall be commenced on inception of the trade authorisation, with the exception of mobile establishments and vending machines,
- h) the duration of permitted residence, in the case of a person subject to the obligation to have his residence permitted pursuant to Sec. 5 (5).
- i) academic title or scientific degree of the persons referred to under a) - c) entered in the ID card, under the Act on Identity Cards (hereinafter referred to as the “academic title or scientific degree”), if these will be used in the operation of the trade,

- j) a request for an automatic change in the address of the registered office to reflect the address of the place of residence.
- k) where appropriate the address for mail delivery from all trade licensing offices.

(3) In the notification, a legal person shall specify

- a) the company name or business name, address of its registered office, in the case of a natural person(s) who is/are member(s) of its statutory body or a person authorised to represent the legal person who is a member of the statutory body: given name, surname, birth registration number if assigned, date of birth, residential address or address of the abode in the Czech Republic, if permitted, the date of entry into office and, in the case of a legal person who is a member of its statutory body, the company name or business name, address of its registered office and the personal identification number if assigned, as well as the date of entry into office; data on members of the statutory body need not be specified by a legal person established by entry into a public register maintained by a registry court⁶⁸ (hereinafter referred to as “public register”),
- b) in the case of a responsible representative, the information listed under paragraph (2)(a) for the responsible representative, if the legal person concerned carries on the trade via this responsible representative,
- c) the designation and address of the branch plant in the Czech Republic if it is a foreign legal person; where the responsible representative is a person residing outside the Czech Republic, the address of his abode in the Czech Republic, if the abode has been permitted, shall also be specified,
- d) the personal identification number, if assigned,
- e) the objects of business, applying the definition under paragraph (4), and any other supplementary information relating to the scope of the trade authorisation,
- f) the establishment or establishments in which the carrying-on of the trade shall be commenced on inception of the trade authorisation, with the exception of mobile establishments and vending machines,
- g) academic title or scientific degree of the persons referred to under a) - c), if these will be used in the operation of the trade,
- h) where appropriate the address for mail delivery from all trade licensing offices.

(4) The notifier shall define the objects of business referred to in the notification with reasonable certainty and clarity. Where an unqualified trade is notified, the notifier shall specify the fields of activity in which the notifier is to engage in business. The objects of business of an

⁶⁸) Act No 304/2013 Coll., on public registers of legal and natural persons and on the registration of trust funds, as amended.

unqualified trade shall be notified in accordance with the name of the field of activity listed in Annex No 4 to this Act. The objects of business of a vocational and professional trade shall be notified in accordance with Annexes 1 and 2 to this Act in full or in part.

(5) The notifier shall not be required to supply the information specified in the applications or notifications under paragraphs 1 and 2 and contained in the form under paragraph 3.

Section 45a

(1) A natural person may, together with the notification of a trade or an application for a concession at a trade licensing office, also

- a) notify the commencement of self-employment according to the Act on the organisation and provision of social security,
- b) submit a pension insurance registration form,
- c) submit a sickness insurance registration form,
- d) notify a vacancy or the filling of a vacancy,
- e) submit a notification in accordance with the Public Health Insurance Act.

(2) A legal person may, together with the notification of a trade or an application for a concession at a trade licensing office, also notify a vacancy or the filling of a vacancy.

(3) Notification of a trade or an application for a concession shall be submitted on a form issued by the Ministry of Industry and Trade.

(4) The trade licensing office shall deliver information obtained under paragraph (1)(a) to (c) to the competent social security authority, information obtained under paragraph (1)(d) and under paragraph (2) to the Employment Office of the Czech Republic – to the competent regional branch office and in the area of the capital city to the branch office for Prague, and information obtained under paragraph (1)(e) to the competent health insurance company.

(5) An entrepreneur may also notify the trade licensing office, within the time limit laid down in specific legislation, of a change in the information under paragraphs (1) and (2), provided that he does so in connection with the fulfilment of the reporting obligation under this Act.

(6) Information under the preceding paragraphs, including notification of changes thereto, shall be forwarded by the trade licensing office to the competent authorities within five working days; this time limit shall commence on inception of the trade authorisation or as of the date that defects in a notification are remedied or that changes are notified. This information may be forwarded electronically and in a manner facilitating remote access.

Section 45b

(1) Together with notifying a trade or applying for a concession, a person may also submit data required in the application for the registration for personal income tax or road tax to the trade licensing office.

(2) An entrepreneur may also submit data required in the notification of a change to the registration data pertaining to the registration for income tax or road tax to the trade licensing office.

(3) A submission containing the data required in the application for the registration or in the notification of a change to the registration data under paragraphs 1 and 2 shall only be possible

- a) electronically in the format and structure published by the Ministry of Industry and Trade, or
- b) orally on the record.

(4) The trade licensing office shall transmit the data under paragraphs 1 and 2 to the relevant tax authority electronically in the format and structure published by the tax authority for the application for registration and for the notification of a change to the registration data.

(5) The data must be transmitted to the tax authority within 3 working days from the day when the person under paragraph 1 or 2 submitted the data to the trade licensing office.

(6) The transmission of the data by the trade licensing office to the tax authority shall be regarded as the submission of an application for registration or of a notification of a change to the registration data made by the person under paragraph 1 or 2.

Section 46

(1) Unless otherwise provided in this Act, a natural person shall enclose with his notification

- a) If he is a citizen of another Member State of the European Union, an extract from the crime register or an equivalent document issued by the competent judicial or administrative authority of that State or the Member State of most recent residence, or an extract from the Criminal Records Register with an appendix^{25b)} containing the information entered in the crime register of the Member State of which he is a citizen, or the Member State of most recent residence; if the Member State of most recent residence is the Czech Republic, the procedure laid down in the third sentence of Section 6 paragraph 3 shall be followed. If that State does not issue extracts from the crime register or an equivalent document, the natural person shall submit an affidavit of good character, made in the presence of a notary or an authority of the Member State of which he is a citizen, or in the presence of a notary or an authority of the State of most recent residence. These documents shall not be more than three months old; a document under this provision may be replaced by a document on the recognition of professional qualifications, provided that it also proves compliance with the condition of good character,

^{25b)} Act No. 269/1994 Coll., on the criminal records register, as amended.

- b) if he is a citizen of a State other than a State referred to under a) above, and does not have a permit for permanent residence in the Czech Republic, an extract from the crime register or an equivalent document issued by the State of which the natural person is a citizen. If that State does not issue extracts from the crime register or an equivalent document, the natural person shall submit a solemn declaration of good character, made in the presence of a notary or another competent authority of the State of which he is a citizen, or in the presence of a notary or another competent authority of the State of most recent residence. These documents shall not be more than three months old,
- c) if the responsible representative is a citizen of a Member State of the European Union, he shall submit the documents listed in (a) above, if the responsible representative is a citizen of a State other than a Member State of the European Union and has not been issued a permit for permanent residence in the Czech Republic, he shall submit the documents listed in (b) above; these documents shall not be more than three months old,
- d) a document proving his professional competence, or the responsible representative's professional competence, if required by the Act,
- e) if he is a foreign natural person, residence documents, where this obligation is required under Section 5(5); a foreign natural person setting up a branch plant in the Czech Republic, a document proving that the person has a plant outside the Czech Republic and documents proving the operation of it; a citizen of a Member State of the European Union shall not submit a document on the plant operation,
- f) a document proving a legal right to use premises in which the registered office is located, if this is different from his place of residence (Section 5 paragraph 2), or if he has his residence at the address of the recording office⁵³⁾, a special register⁵³⁾ or the address of the registered office of the administrative body⁵⁴⁾, or where the person has placed a branch plant of a foreign person in the Czech Republic; a written declaration from the owner of the property, residential unit or non-residential unit in which the premises are located that he agrees to the use of the premises shall suffice as evidence of a legal title to use the premises,
- g) a declaration from the responsible representative that he agrees to his appointment; the signature on the declaration shall be officially certified unless the responsible representative makes the declaration in person before the trade licensing office, or unless the responsible representative sends a declaration to this office signed in the manner with which specific legislation associates the effects of a personal signature⁶⁹⁾,

⁵³⁾ Section 10 paragraph 5 and Section 10a of Act No. 133/2000 Coll., as amended.

⁵⁴⁾ Section 98a paragraph 3 of Act No. 326/1999 Coll., as amended by Act No. 274/2008 Coll.

⁶⁹⁾ Section 18(2) of Act No 300/2008 Coll., on electronic procedures and authorised conversion of documents, as amended.

Section 6(1) of Act No 297/2016 Coll., on trust services for electronic transactions.

h) proof of payment of the administrative fee in accordance with specific legislation³⁶ⁱ⁾.

(2) A legal person shall enclose with its notification

- a) in the case of a legal person with its registered office on the territory of a country other than the Czech Republic, an extract from the Crime Register or an equivalent document issued by a competent court or administrative authority of such state evidencing that no obstruction exists to its carrying on a trade within the meaning of Section 8(5); these documents shall not be more than three months old,
- b) if the state referred to in sub-paragraph (a) above does not issue extracts from the Crime Register or equivalent documents, the legal person shall submit an affidavit made before a notary or another competent authority of such state regarding the fact that no obstruction exists to its carrying on a trade within the meaning of Section 8(5); these documents shall not be more than three months old,
- c) if the responsible representative is a citizen of a Member State of the European Union, the documents listed under sub-paragraph 1 (a) above, if the responsible representative is a citizen of a State other than a Member State of the European Union who does not have a permit for permanent residence in the Czech Republic, the documents listed in sub-paragraph 1 (b); these documents shall not be more than three months old,
- d) a document proving the responsible representative's professional competence,
- e) a document proving that the legal person has been established or founded, if registration in the commercial or similar register has not yet been made, or a document proving that the legal person has been registered in the relevant register other than the trade or another public register, if the registration has already been made; in the case of a foreign legal person, an extract from the commercial or similar register kept in the State where the legal person has its registered office, and a document proving the operation of the plant abroad; the document proving the operation of the plant abroad need not be submitted by a legal person with its registered office, headquarters, or principal place of business in a Member State of the European Union; the extract from the register shall not be more than three months old,
- f) a document proving the legal reason for the use of the premises in which the legal person has its registered office in the Czech Republic, unless the notified address of the registered office has already been registered in the commercial register or other register, if this document is required under specific legislation as a condition of registration in that register; a written declaration from the owner of the property, residential unit or non-residential unit where the premises are located that he agrees with the use of the premises shall suffice as evidence of the legal reason for the use of the premises,
- g) a document proving the legal reason for the use of the premises in which the foreign person's branch plant is located in the Czech Republic, unless the notified address has already been

³⁶ⁱ⁾ Act No 634/2004 Coll., on administrative fees, as amended.

registered in the commercial register or other register, if this document is required under specific legislation as a condition of registration in that register; a written declaration from the owner of the property, residential unit or non-residential unit where the premises are located that he agrees with the use of the premises shall suffice as evidence of the legal reason for the use of the premises,

- h) a declaration from the responsible representative that he agrees to his appointment; the signature on the declaration shall be officially certified unless the responsible representative makes the declaration in person before the trade licensing office, or unless the responsible representative sends a declaration to this office signed in the manner with which another legislation associates the effects of a personal signature⁶⁹⁾,
- i) proof of payment of the administrative fee in accordance with specific legislation³⁶ⁱ⁾.

(3) If the notification is submitted by a minor, who has been granted legal capacity by a court, or for whom the court has obtained the consent of the legal representative for the independent operation of a business activity, the court decision to grant legal capacity or the consent of the legal representative obtained by the court shall also be submitted.

(4) Documents confirming education which have been issued abroad shall be accompanied by a recognition clause in accordance with specific legislation^{31d)}, documents confirming university education shall be accompanied by a certificate of recognition in accordance with specific legislation^{31e)}.

(5) The obligation to submit documents accompanied by a recognition clause or a certificate of recognition under paragraph (4) shall not apply to documents confirming education which are issued in a Member State of the European Union or which are submitted by a person from such a State.

(6) The notifier is not required to attach the documents listed in paragraphs 1 and 2 to the notification, if the facts evidenced can be found in the basic registers or if the trade licensing office can verify these facts free of charge by remote access from land register's data. The notifier is also not required to attach the documents referred to in paragraph 1 (a), (b), (d) and (f) and paragraph 2 (a), (b), (d), (f) and (g) relating to the person entered in the trade licensing register if these documents were already attached to any of the notifications, to any application for a licence or notification of a change, provided the facts evidenced by these documents remain unchanged; the documents referred to in paragraph 1 (a) and (b) and in paragraph 2 (a) and (b) shall not be more than 3 months old.

^{31d)} Section 108 of Act no. 561/2004 Coll., Decree No. 12/2005 Coll., on the conditions of the recognition of equality and nostrification of certificates issued by foreign schools.

^{31e)} Sections 89 and 90 of Act No 111/1998 Coll., as amended by Act No 165/2006 Coll., and Act No 189/2008 Coll.

(7) Where the documents referred to in paragraph 1 (a), (b), (d) and (f) and paragraph 2 (a), (b), (d), (f) and (g) are submitted in paper form, the trade licensing office shall create electronic copies, which it shall store in the trade licensing register in accordance with Section 60 (1).

Section 47

(1) If a notifier complies with all the conditions laid down in the Act, the trade licensing office shall make an entry in the trade licensing register within five working days of delivery of the notification and shall issue the entrepreneur with an extract.

(2) An extract issued to a natural person shall specify

- a) his given name and surname, academic title or scientific degree, birth registration number, if assigned, the entrepreneur's date of birth and his residential address; in the case of a foreign person his residential address outside the Czech Republic, address of the abode in the Czech Republic, if permitted, the designation and address of the branch plant in the Czech Republic, if set up,
- b) the company name, if the natural person is registered in the commercial register, and the personal identification number, if assigned,
- c) the objects of business in full or in part in accordance with Section 45(4), and any other supplementary information relating to the scope of the trade authorisation, if specified by the entrepreneur in the notification,
- d) registered office address,
- e) the term of validity of the trade authorisation; in the case of a person referred to in Section 5(5), that period shall be understood as the period of residence permitted,
- f) the date of inception of the trade authorisation,
- g) the date and place of issue of the extract.

(3) An extract issued to a legal person shall specify

- a) the company name or business name, registered office address, personal identification number, if assigned; in the case of a foreign person the designation and address of the branch plant in the Czech Republic,
- b) the objects of business in full or in part in accordance with Section 45(4), and any other supplementary information relating to the scope of the trade authorisation, if specified by the entrepreneur in the notification,
- c) the term of validity of the trade authorisation,
- d) the date of inception of the trade authorisation,
- e) the date and place of issue of the extract.

(4) If a notification does not contain the particulars according to Sections 45 and 46, the trade licensing office shall call upon the notifier to rectify the defects within the time limit laid down in paragraph (1). In its request, the trade licensing office shall set a reasonable time limit for rectification of the defects which shall be at least 15 days. The trade licensing office may extend the time limit repeatedly at the entrepreneur's request where there are compelling reasons for such an extension. Over the time limit specified in the trade licensing office's request, the time limit for registration in the trade licensing register and issue of an extract shall be suspended.

(5) Should the notifier rectify defects in the stated time limit or in an extended time limit, the notification shall be regarded as devoid of defects from the beginning. Should the notifier fail to rectify defects in the stated or extended time limit, the trade licensing office shall commence procedure and shall rule that no trade authorisation arose on notification of the trade; in the case of a notification made by persons referred to in Section 10(4), the trade licensing office shall rule that the notifier has not complied with the conditions required for the inception of a trade authorisation. If the notifier, prior to the issue of a decision, rectifies the defects and the trade licensing office finds that the conditions for the inception of a trade authorisation have been met, the trade licensing office shall conclude the procedure by making an entry into the trade licensing register and issuing an extract.

(6) If the notifier fails to comply with the conditions laid down in this Act, the trade licensing office shall commence procedure and rule that no trade authorisation arose on notification of the trade. In the case of a notification by a person under Section 10(4), the trade licensing office shall rule that the notifier has not complied with the conditions required for the inception of a trade authorisation.

(7) If a notification is made by a foreign natural person who is also required to submit a document confirming his residence permit in accordance with Section 5(5) and who has proven the fulfilment of all conditions, with the exception of the condition of the residence permit, for the purposes of residence permit procedure the trade licensing office shall issue that foreign natural person with an extract containing the information under Section 47(2), with the exception of the information under subparagraph (e). The right to carry on a trade shall arise for that person on the date of production of a document proving the granting of a long-term visa or a long-term residence permit to the trade licensing office where the trade has been notified. If a foreign natural person fails to comply with the general and specific conditions for carrying on a trade, the trade licensing office shall decide that the notifier has not qualified for the inception of a trade authorisation.

(8) If the person referred to in paragraph (7) submits a document confirming his residence permit in accordance with specific legislation^{24b)} within three working days of the date of notification of the foreign national's place of residence in the Czech Republic³⁷⁾, the trade licensing office shall within five working days issue an extract in accordance with Section 47(2). Should this person fail to submit a document confirming his residence permission in the stated time limit, the trade licensing office shall decide that the notifier has not qualified for the inception of a trade authorisation. The

³⁷⁾ Section 93 of Act No 326/1999 Coll., on the residence of foreign nationals in the Czech Republic, and the amendment of certain acts, as amended

trade licensing office shall make the same decision if the said person fails to produce a document confirming his residence permission within six months of the date of service of the extract under paragraph (7). The trade licensing office shall enter in the trade licensing register that the notifier has not complied with the conditions required for the inception of a trade authorisation.

(9) If, for compelling reasons, the trade licensing office is unable to make an entry in the trade licensing register and issue an extract in the time limit under paragraph (1), and this does not constitute procedure under paragraph (4), the trade licensing office shall request a superior authority to extend the time limit for issue of the extract. The trade licensing office shall inform the notifier of the extension to the time limit and the reasons for this.

(10) If the trade licensing office finds that an entry in the trade licensing register has been made by reference to a notification in contravention of the law, it shall commence proceedings for annulment of the relevant trade authorisation. The trade licensing office shall conclude the procedure with a new entry and issue a new extract, or shall issue a decision annulling the trade authorisation.

(11) The trade licensing office shall correct errors in the text and other obvious misprints in an entry in the trade licensing register at any time by making a corrective entry and issuing the entrepreneur with a new extract.

Section 48

(1) The trade licensing office shall send an extract, or shall communicate information about a trade and entrepreneur by other means (Section 60(7)), to the tax authority with territorial jurisdiction responsible for the administration of income tax, to the Czech Statistical Office, to the social security administration with territorial jurisdiction based on the entrepreneur's residential address or registered office, in the case of a foreign person based on his place of permitted residence, registered office or location of the foreign person's branch plant, to the competent health insurance company, if known to the trade licensing office, to the authority or organisation which, under specific legislation, keeps a register of all general health insurance policyholders, and the registry court in the case of persons registered in public registers. This obligation of the trade licensing office shall also apply to changes in the trade licensing register, including changes to a trade authorisation if a trade is carried on after the death of the entrepreneur, to the interruption or suspension of a trade, to decisions annulling a trade authorisation, to decisions that a trade authorisation did not arise on notification of a trade, and to measures issued in accordance with Section 47(10) and (11).

(2) The trade licensing office shall forthwith inform the Ministry of the Interior of the issue of an extract to a foreign natural person in accordance with Section 47(7), the inception of a trade authorisation, the suspension and cancellation of a trade authorisation, and decisions on the non-inception of a trade authorisation, the interruption of a trade, the fact that the notifier or concession applicant has not complied with the conditions for the inception of a trade authorisation, decisions on the discontinuance of proceedings for concessions and decisions rejecting applications for a concession.

(3) The trade licensing office shall comply with the obligations referred to in paragraph (1) within 30 days from the date on which the entry is made in the trade licensing register, unless otherwise provided in this Act.

Section 49

(1) An entrepreneur shall inform the trade licensing office of all changes and amendments relating to information and documents required for the notification of a trade, and shall submit the related documents within 15 days from the date on which they occur; this shall not apply where changes and amendments have already been entered in basic registers^{28d)}, the commercial or another public register or the citizen register information system^{38e)}, if the entrepreneur is a citizen of the Czech Republic, or in the foreigner information system^{31g)}, if the entrepreneur is a foreigner. Changes and provision of supplementary data obtained from these registers, systems or public registers shall be entered by the trade licensing office in the trade licensing register without undue delay. If an entrepreneur submits the documents referred to in Section 46 paragraph 1 (a), (b), (d) and (f) and in paragraph 2 (a), (b), (d), (f) and (g), the trade licensing office shall proceed accordingly, pursuant to Section 46 paragraph 7.

(2) For the submission of documents for the notification of amendments and additions referred to in the first sentence of paragraph 1 above, Section 46(6) shall apply appropriately.

(3) Acting on notification pursuant to paragraph (1), the trade licensing office shall make an entry in the trade licensing register and, depending on the circumstances, shall issue an extract (Section 47(2) or (3)), or shall inform the entrepreneur of this entry. If a reported change or amendment is not evidenced by means of documents in accordance with paragraph (1), the trade licensing office shall call upon the entrepreneur to submit documents and shall set a time limit for fulfilment of this obligation, which shall be at least 15 days, and shall not make an entry in the trade licensing register until the documents are submitted. If a change relates to the scope of the objects of business and is not evidenced by documents in accordance with this Act, the trade licensing office shall rule, in separate procedure, that the trade authorisation did not arise in the context of the reported change. If an entrepreneur fails to comply with the notification duty under paragraph 1 and the trade licensing office becomes aware of such a change based on the necessary evidence, the change will be entered in the trade licensing register without undue delay.

(4) Where there is a change of responsible representative, an entrepreneur shall complement this notification with documents under Section 46, and the trade licensing office, if the responsible representative appointed by the entrepreneur complies with the conditions for carrying on a trade, shall make an entry in the trade licensing register and shall inform the entrepreneur of that entry. If the responsible representative appointed by the entrepreneur does not comply with the conditions

^{38e)} Act No. 133/2000 Coll., on the registry of citizens and personal ID numbers and on amending certain acts (the Citizen Register Act), as amended.

^{31g)} Sec. 158 of Act No. 326/1999 Coll., on the residence of foreigners in the Czech Republic and on amending certain acts, as amended by Act No. 227/2009 Coll.

for carrying on a trade or if the entrepreneur has not appointed a responsible representative even though he is required to do so by law, the trade licensing office shall commence procedure to suspend the trade further to Section 58(3).

(5) If an entrepreneur moves to a new home address and has previously notified the trade licensing office that in the event of a change in the place of residence the entrepreneur wishes to have their registered office moved to the same address as their place of residence, they will not need to notify the trade licensing office about the change in the registered office when moving to a new home address.

(6) If the trade licensing office finds that the entry of a change or supplementation in the trade licensing register has been made in contravention of the law, the provisions of Section 47(10) shall apply mutatis mutandis.

(7) When trade licensing office corrects errors in the text and other obvious misprints in an entry of a change or supplementation in the trade licensing register, the provisions of Section 47(11) shall apply mutatis mutandis.

TITLE II

PROCEDURE ON CONCESSIONS

Section 50

Particulars of an application for a concession

(1) A person intending to carry on a permitted trade shall submit an application for a concession to the trade licensing office.

(2) For the particulars of an application for a concession, Section 45(2), (3) to (5) and Section 46 shall apply mutatis mutandis. The objects of business shall be specified in the application for a concession in full or partial scope according to Annex No 3.

(3) If conditions of professional or other competence are laid down for carrying on a trade, the following shall be attached to an application for a concession:

- a) in the case of a natural person, a document proving his professional and other competence, or a document proving the professional and other competence of the responsible representative,
- b) in the case of a legal person, a document proving the responsible representative's professional and other competence.

(4) In an application for a concession, the applicant shall also specify information in accordance with specific legislation and evidence that information by means of documents required for the competent State administration authority to assume an opinion in accordance with Section 52(1) of this Act.

Section 51

(deleted)

Section 52

Considering an application

(1) Where, under specific legislation or Annex No 3 to this Act, a State administration authority's authorisation, approval, permission or opinion is required for the carrying-on of a trade, the trade licensing office shall submit to that authority the application for a concession or, where required so by a special legal regulation, an application to approve the appointment of a responsible representative, together with all documents supplied by the applicant for a concession which are required in order to assume an opinion; this authority shall express an opinion within 30 days of delivery of the application, unless otherwise provided in Annex No 3. Its opinion shall be binding upon the trade licensing office. The trade licensing office shall not require this opinion if the authority stipulated in Annex No 3 to this Act has issued a decision approving the conditions in accordance with specific legislation.

(2) If a foreign natural person who is also required to submit a document confirming his residence permit under Section 5(5) submits an application for a concession, the trade licensing office shall proceed in accordance with Section 47(7) and (8) *mutatis mutandis*.

Section 53

Decision-making on concessions

(1) Prior to taking a decision on a concession, the trade licensing office shall determine whether all the general and specific conditions for carrying on a trade have been fulfilled and whether there are any impediments to carrying on the trade.

(2) If any of the conditions under paragraph (1) are not met or if the competent state administration authority under Annex No 3 to this Act opposes the granting of a concession, the trade licensing office shall reject the application.

(3) If the appointment of a responsible representative is submitted to the trade licensing office for approval together with the application for a concession and the proposed person meets the statutory conditions, the trade licensing office shall approve the appointment of the responsible representative in its decision to grant a concession.

(4) The trade licensing office shall grant a concession to the person referred to in Section 5(5) covering the duration of his residence permit.

(5) For the particulars of a decision granting a concession, Section 47(2)(a) to (e) and Section 47(3)(a) to (c) shall apply mutatis mutandis. In the decision granting a concession, the trade licensing office shall set out the conditions for carrying on a trade in accordance with Section 27(3).

Section 54

(1) The trade licensing office shall make an entry in the trade licensing register and issue an extract to the entrepreneur within five working days from the date on which the decision granting a concession enters into force.

(2) For the issue of an extract, Section 47(2), (3) and (11) shall apply mutatis mutandis.

(3) If a foreign natural person who is required to submit, under Section 5(5), a document confirming his residence permit under Section 47(8), fails to submit such a document, this shall be deemed as failure to comply with the conditions required for the inception of a trade authorisation. The trade licensing office will report this fact in the file and enter it in the trade licensing register.

(4) If the trade licensing office finds that an entry in the trade licensing register has not been made in accordance with the decision on the granting of a concession, or that the data entered in the trade licensing register and not contained in the decision on the granting of a concession do not correspond to the reality, the trade licensing office will correct the entry in the trade licensing register and - depending on the circumstances - will issue an extra or inform the entrepreneur about the correction of the entry.

Section 55

(1) The information duties of the trade licensing office under Section 48 shall apply accordingly.

(2) The trade licensing office will send a copy of the lawful decision to grant concession, its change or revocation, data regarding the interruption or suspension of a trade, extract, or otherwise provide data regarding the permitted trade and the entrepreneur, in another agreed manner, also to the authority competent to issue a comment under Section 52 (1).

Section 56

Changes to the information given in an application for a concession

(1) An entrepreneur shall inform the trade licensing office of all changes and amendments relating to information and documents laid down as particulars of an application for a concession, and shall submit the related documents within 15 days from the date on which they occur; this shall not apply where changes and amendments have already been entered in basic registers^{28d)}, the

commercial or another public register or the citizen register information system^{38e)}, if the entrepreneur is a citizen of the Czech Republic, or in the foreigner information system^{31g)}, if the entrepreneur is a foreigner. Changes and provision of supplementary data obtained from these registers, systems or public registers shall be entered by the trade licensing office in the trade licensing register without undue delay. If an entrepreneur submits the documents referred to in Section 46 paragraph 1 (a), (b), (d) and (f) and in paragraph 2 (a), (b), (d), (f) and (g), the trade licensing office shall proceed accordingly, pursuant to Section 46 paragraph 7.

(2) For the submission of documents for the notification of amendments and additions referred to in the first sentence of paragraph 1 above, Section 46(6) shall apply appropriately.

(3) Acting on notification pursuant to paragraph (1), the trade licensing office, depending on the circumstances, shall change the decision granting a concession, register changes in the trade licensing register, issue an extract (Section 47(2) or (3)), inform the entrepreneur of this entry or shall decide to suspend the trade or revoke the trade authorisation. If an entrepreneur fails to comply with the notification duty under paragraph 1 and the trade licensing office becomes aware of such a change based on the necessary evidence, the change will be entered in the trade licensing register without undue delay.

(4) Changes relating to the scope of the objects of business and the conditions for carrying on a trade shall be made by the trade licensing office by amending the decision granting a concession on its own or another party's initiative. It shall subsequently make an entry in the trade licensing register and issue an extract with the changed information within the time limit under Section 54(1).

(5) Sections 52 and 53 shall apply mutatis mutandis to procedure for the amendment of a decision granting a concession. Procedure to change conditions laid down in a decision granting a concession under Section 27(3) shall be commenced by the trade licensing office on its own or another party's initiative.

(6) If an entrepreneur moves to a new home address and has previously notified the trade licensing office that in the event of a change in the place of residence the entrepreneur wishes to have their registered office moved to the same address as their place of residence, they will not need to notify the trade licensing office about the change in the registered office when moving to a new home address.

(7) In the correction of an entry of a change or supplementation of data in the trade licensing register, the trade licensing office shall adequately follow the provisions of Section 54(4) or Section 47(11).

^{38e)} Act No. 133/2000 Coll., on the registry of citizens and personal ID numbers and on amending certain acts (the Citizen Register Act), as amended.

^{31g)} Sec. 158 of Act No. 326/1999 Coll., on the residence of foreigners in the Czech Republic and on amending certain acts, as amended by Act No. 227/2009 Coll.

TITLE III

TERMINATION OF A TRADE AUTHORISATION

Section 57

(1) A trade authorisation shall be terminated:

- a) on the death of an entrepreneur, except in the cases under Section 13,
- b) upon the dissolution of a legal person, except in the cases under Section 14,
- c) at the end of a specific period, if a trade authorisation is limited to a fixed period,
- d) on the deletion of a foreign person mandatorily entered in the commercial register or its objects of business from the commercial register,
- e) where so provided by specific legislation,
- f) by a decision of the trade licensing office to revoke the trade authorisation.

(2) A trade authorisation shall not terminate on expiry of the period under paragraph (1)(c) if, prior to the expiry of the period for which the trade authorisation has been limited, the entrepreneur announces that it is planning on carrying on in the trade or requests an amendment to the decision granting a concession issued for a fixed period. A foreign natural person whose authorisation to carry on a trade in the Czech Republic is tied to permission to reside in the Czech Republic shall submit a new residence permit with the notification. If this permit is not submitted, the trade licensing office shall call upon that person to do so and set a reasonable time period for doing so, at least for the duration of the residence permitted. If the permit is not submitted within the period set, the trade authorisation shall be terminated on the last day of that period, provided that the period for which the trade authorisation was limited has expired.

(3) If a trade authorisation is terminated, the trade licensing office shall notify this fact to the authorities referred to in Section 48 and Section 55(2).

Section 58

(1) The trade licensing office shall revoke a trade authorisation if

- a) an entrepreneur no longer complies with the conditions under Section 6 paragraph 1 (a) or (b),
- b) impediments under Section 8 arise, apart from an impediment under Section 8(5) in the case of an unqualified trade,
- c) an entrepreneur so requests, or
- d) the entrepreneur does not prove the legal reason for the use of the premises under Section 31(2)

(2) The trade licensing office shall revoke a trade authorisation or suspend a trade at the proposal of a state administration authority issuing an opinion in accordance with Section 52(1) on the grounds that the entrepreneur has seriously breached the conditions laid down in the decision granting a concession, this Act or specific legislation.

(3) The trade licensing office may revoke a trade authorisation or suspend a trade to the necessary degree if the entrepreneur has seriously breached the conditions laid down in the decision granting a concession, this Act or specific legislation. The trade licensing office may also revoke a trade authorisation on a proposal from the competent social security administration if an entrepreneur has failed to honour liabilities towards the State.

(4) The trade licensing office shall revoke a trade authorisation if a foreign natural person whose authorisation to carry on a trade in the Czech Republic is tied to permission to reside in the Czech Republic (Section 5(5)) fails to comply with this condition.

(5) The trade licensing office may revoke an entrepreneur's trade authorisation if the entrepreneur fails to carry on a trade for a period of longer than four years; this shall not apply if the entrepreneur has notified the interruption of a trade under Section 31(11).

(6) The trade licensing office shall suspend a trade in an establishment, if the operation of the trade in the establishment leads to a significant breach of the duties set out in this Act or specific legislation.

(7) The trade licensing office shall revoke a trade authorisation upon the entrepreneur's request as of the date notified by the entrepreneur, but no earlier than as of the date on which the application is delivered. If the entrepreneur does not specify the cancellation date, the trade authorisation shall be cancelled as of the date on which the decision of the trade licensing office becomes legally effective. If a trade authorisation revocation procedure under paragraph 2 or 3 has been launched, the decision to revoke the same trade authorisation upon the entrepreneur's request cannot be made before the decision to revoke the trade authorisation under paragraph 2 or 3 is made.

(8) In the decision to suspend a trade under paragraphs 2 and 3 or to suspend a trade in an establishment under paragraph 6, the trade licensing office shall set the period over which the trade cannot be carried on; this period must not be longer than one year. Unless the reasons that had led to the suspension are eliminated within the set deadline, the trade licensing office shall again decide to suspend the operation of the trade in the establishment or to revoke the entrepreneur's trade authorisation, depending on the circumstances of the case.

Section 59

The trade licensing office shall be entitled to impose a prohibition of unlawful conduct^{40a)} on an entrepreneur carrying on the trade of travel agency or tour operator in the carrying-on of that trade where such conduct infringes or could infringe the common interest of consumers^{40b)} and where such conduct is perpetrated in the European Union or in another State forming the European Economic Area. Breach of this Act shall constitute grounds for the revocation or suspension of a trade authorisation.

TITLE IV

TRADE LICENSING REGISTER

Section 60

(1) The trade licensing register is a public administration information system^{38d)} maintained in electronic form, which includes the information set out in paragraph 2 below and data of a statistical and reference nature associated with the carrying out of a trade. Information and data are transferred from other information systems and registers for this purpose. The administrator of the trade licensing register is the Trade Licensing Office of the Czech Republic and its operators are the regional trade licensing offices within the scope set out in paragraphs 3 to 5 below and municipal trade licensing offices within the scope set out in paragraphs 2 to 5 below. Municipal trade licensing offices enter in this information system documents evidencing compliance with the conditions stipulated in this Act, referred to in Section 46 paragraph 7.

(2) The following particulars, including changes thereto, shall be entered in the trade licensing register:

a) identification data, specifically

1. in the case of a natural person, the given name and surname, academic title or scientific degree, citizenship, residential address, birth registration number, if assigned, date of birth, identification number of the person if the person has a company name, company name and registered office address,
2. in the case of a foreign natural person, the data specified in point 1 plus the address of the abode in the Czech Republic, if permitted, the designation and address of his branch

^{40a)} Article 3(b) of Regulation (EC) No 2006/2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation).

^{40b)} Article 3(k) of Regulation (EC) No 2006/2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation).

plant in the Czech Republic, and the data specified in point 7 regarding the head of that branch plant,

3. in the case of a legal person, the company name or business name, registered office address, identification number of the person, and the data specified in points 5 and 6 regarding members of its statutory body,
 4. in the case of a foreign legal person, the data specified in point 3 plus the designation and address of the branch plant situated in the Czech Republic, and the data specified in point 7 regarding the head of that branch plant,
 5. in the case of a natural person who is a member of a legal person's statutory body or a person authorised to represent a legal person which is a member of the statutory body, the given name, surname, academic title or scientific degree, residential address or address of the abode in the Czech Republic, birth registration number, if assigned, date of birth, dates of entry into and cessation of the office,
 6. in the case of a legal person who is a member of a statutory body, the company name or business name, registered office address, identification number of the person, dates of entry into and cessation of the office,
 7. in the case of the head of a foreign person's branch plant, the given name, surname, academic title or scientific degree, citizenship, residential address or address of the abode in the Czech Republic, and residential address outside the Czech Republic, birth registration number, if assigned, date of birth, dates of entry into and cessation of the office,
 8. in the case of a responsible representative, the given name, surname, academic title or scientific degree, citizenship, residential address or address of the abode in the Czech Republic, and residential address outside the Czech Republic, birth registration number, if assigned, date of birth, dates of entry into and cessation of his office,
- b) the objects of business,
 - c) the type of trade,
 - d) the establishment or establishments in which the trade is carried out, with the exception of vending machines and mobile establishments, including information required by Section 17(5)(c) and (d); including the identification number of the establishment, or including data according to Section 58(6),
 - e) the validity period of the trade authorisation,
 - f) the date of inception of the trade authorisation,
 - g) period of the suspension or interruption of a trade,
 - h) the date of termination of the trade authorisation,
 - i) the date of delivery of an extract in accordance with Section 10(4),

- j) a decision on bankruptcy, a decision that the debtor is not in bankruptcy, a decision on handling the bankruptcy, and a decision on the cancellation of a bankruptcy procedure, a decision on compliance with a reorganisation plan or with essential parts thereof, a decision on compliance with a discharge of debt, and a decision on the cessation of an insolvency procedure because the debtor's assets are completely insufficient to satisfy the creditors,
- k) the entry of a legal person into liquidation procedure,
- l) impediments to a trade under Section 8,
- m) the fines imposed by trade licensing offices and penalties imposed by other administrative authorities in connection with the business, with the exception of fines imposed on the spot,
- n) other additional information relating to the scope of the trade authorisation (Section 45(2)(e), Section 45(3)(e) and Section 45(4)), and to the conditions for carrying on a trade (Section 27),
- o) the address of the place where any liabilities may be settled following the termination of activities in an establishment.
- p) person continuing to carry on the trade of a deceased entrepreneur; the data regarding such a person shall be entered adequately according to a),
- q) failure to comply with the conditions for continuing in the trade pursuant to Section 10(5), Section 47(8) and Section 52(2).
- r) delivery address under Section 45(2)(k) and under Section 45(3)(h).

(3) The trade licensing register is a public list as regards the sections that include the data set out in paragraph 2 above, unless stated otherwise. The trade licensing register is not a public list as regards the sections that include

- a) the information referred to in paragraph 2(m) and (r), information on the domicile and place of residence in the Czech Republic, the domicile outside the Czech Republic and birth registration numbers,
- b) the other information referred to in paragraph 2 at the end of 4 years after the expiry of the last trade licence for an entrepreneur, when this data will be transferred from the public section of the trade licensing register to the non-public section; this information will again be included in the public section of the trade licensing register in the event the entrepreneur again obtains a trade licence,
- c) the other information referred to in paragraph 2 in the event the conditions for carrying on a trade, pursuant to Section 10 paragraph 5, Section 47 paragraph 8 and Section 52 paragraph 2 are not complied with,
- d) the documents stored in accordance with paragraph 1.

(4) The trade licensing office shall provide

- a) the information referred to in paragraph 3 (a) to the entrepreneur to whom it relates, to the administrative authorities, if they require such information to perform their activities, and in cases set out in other legal regulations,
- b) the information referred to in paragraph 3 (b) and (c) to a person who can demonstrate a legal interest in it, within the scope set out in paragraph 5 (b) to (d).

(5) Upon request, the trade licensing office shall issue the following, in paper or electronic form and under the conditions set out in paragraph 4, about one person identified in the application from the trade licensing register

- a) an extract pursuant to Section 47 paragraph 2 or 3; this extract shall be issued to the entrepreneur to whom it relates,
- b) a full extract about one person, containing all the information referred to in paragraph 2,
- c) a partial extract about one person, containing the information requested,
- d) a confirmation of a specific registration or a confirmation that the trade licensing office does not hold a specific registration.

(6) Upon request, the trade licensing office shall issue a dataset from the public section of the trade licensing register, in paper or electronic form, which may only include basic identification data on the entrepreneur, i.e. given name, surname, or company name or business name, as appropriate, registered office address and personal identification number, as well as, if requested by the applicant, the objects of business and the location of the establishment. The dataset shall include data valid as at the date when the dataset was prepared. The applicant must not publish this dataset or provide it to a third party.

(7) The application for providing the dataset under paragraph 6 may be submitted to the office competent under Section 71(5) of this Act; in addition to the requirements for submission laid down by the Rules of Administrative Procedure, the application must include the scope of the dataset requested.

(8) The dataset under paragraph 6 shall be provided to the applicant within 30 days from submitting the application. Where a particularly large dataset is requested, the deadline for providing it shall be extended by 30 days. If the trade licensing office fails to grant the whole or part of the application, it shall issue a decision on rejection of the application or of part of the application within the deadline pursuant to the first sentence or second sentence, as appropriate.

(9) Data other than those specified in paragraphs 4, 5 and 6 shall not be provided, unless this Act provides otherwise.

(10) The Trade Licensing Office of the Czech Republic³⁹⁾ shall make the information held in the public section of the trade licensing register available in electronic form, in a manner that allows remote access to this information. The information from the public section of the trade licensing register pursuant to paragraph 5 (b) shall also be issued as verified outputs from the public administration information system in accordance with the Act regulating public administration information systems^{38d)}. The Trade Licensing Office of the Czech Republic shall provide information from the trade licensing register to those authorities referred to in Section 48, to authorities pursuant to another legal regulation and to administrative authorities that require this information to carry out their activities, in electronic form in a manner that allows remote access, or by any other means agreed. The transmission of information pursuant to Section 45a and Section 45b shall proceed accordingly.

(11) The Ministry of the Interior or the Police of the Czech Republic shall provide the Trade Licensing Office of the Czech Republic, regional and municipal trade licensing offices³⁹⁾, for the needs

³⁹⁾ Act No. 570/1991 Coll., on trade licensing offices, as amended.

^{38d)} Act No. 365/2000 Coll., on public administration information systems and on amendments to certain other acts, as amended.

of proceedings at those offices under this Act, for the needs of maintaining the trade licensing register, and for them to exercise their supervisory responsibilities under other legislation⁷⁰⁾, with

- a) reference data from the basic register of persons,
- b) data from the population records information system,
- c) data from the foreigners information system.

(12)The data provided pursuant to paragraph 11 (a) are

- a) surname,
- b) name (s),
- c) date, place and district of birth; in the case of data for a person who was born abroad, the date, place and state in which they were born,
- d) permanent address,
- e) identification document type and number,
- f) date, place and district of birth; in the case of data for a person who died outside the Czech Republic, the date of death and the place and state in which the death occurred; if a court ruling declaring the death was issued, the date that is taken as the date of death in the ruling, or the day that the subject of the data, who had been declared dead, did not survive, and the date on which this ruling came into effect,
- g) citizenship, or citizenship of several countries, if relevant.

(13)Data provided pursuant to paragraph 11 (b) are

- a) given name(s), surname, former surname,
- b) date and place of birth,
- c) birth number,
- d) citizenship,
- e) permanent address,
- f) date, place and district of birth; in the case of data for a person who died outside the Czech Republic, the date of death and the place and state in which the death occurred,
- g) the date that is taken as the date of death in a court ruling, or the day that the subject of the data, who had been declared dead, did not survive,

⁷⁰⁾ For instance, Act No 40/1995 Coll., on regulation of advertising and amending and supplementing Act No 468/1991 Coll., on operation of television and radio broadcasting, as amended, Act No 634/1992 Coll., on protection of consumers, as amended.

h) restriction of legal capacity.

(14)Data provided pursuant to paragraph 11 (c) are

- a) given name(s), surname, any changes to these, maiden name,
- b) date of birth,
- c) sex,
- d) place and country of birth,
- e) birth registration number, if one has been assigned,
- f) citizenship,
- g) type of residence and address,
- h) number and validity of the residency permit,
- i) start of residency, if applicable the date on which the residency ends,
- j) restriction of legal capacity,
- k) administrative or judicial expulsion and the period for which the subject is not allowed to enter the territory of the Czech Republic,
- l) date, place and district of death; in the case of a death that occurred outside the Czech Republic, the State in which the death occurred and the date of death,
- m) the day that is taken as the date of death in a court ruling, or the day that the subject of the data did not survive.

(15)Data that are kept as reference data in the basic register of persons shall only be used from the population records information system or from the foreigners information system if they are in the form that predates the present situation.

(16)Of the data provided, only those data that are essential to perform a given task may always be used and kept in a specific case.

PART FIVE

TRADE INSPECTION

TITLE I

TRADE INSPECTION

Section 60a

(1) Trade licensing offices shall carry out trade inspections within the scope of their competence with the aim of monitoring whether and how the obligations laid down in the Trade Licensing Act and specific legislation relating to licensed trades are fulfilled, the provision of services under Section 69a, and the conditions for carrying-on a trade as laid down in the decision granting a concession.

(2) The trade licence authorities monitor the compliance with obligations in spirits labelling and dealing with spirits under the law governing compulsory spirits labelling, if they find breaching of these obligations in the execution of their other duty, and compliance with tobacco labelling obligations under the excise duty law. If they find that there has been a breach of such obligations, they shall immediately inform the Excise Duty administrator accordingly.

Section 60b

If the municipality or region issues a license to the person carrying out inspections, employees of trade licensing offices shall show this license during inspections. If the municipality or region does not issue a license under the first sentence, employees of trade licensing offices carrying out inspections shall show a written authorisation for each individual inspection. The provision of information concerning the outcome of an inspection of an entrepreneur or concerning the results of an administrative proceeding conducted on the entrepreneur to another administrative authority in response to its request and for the purposes of an inspection or administrative proceeding, shall not be considered to be a breach of confidentiality by an employee in accordance with a special legal regulation³⁹⁾.

³⁹⁾ Act No. 570/1991 Coll., on trade licensing offices, as amended.

Section 60c

An entrepreneur shall be entitled to invite a third party of his choice during inspections. The absence of a third party shall not constitute grounds to interrupt an inspection.

Section 60d

(1) A trade licensing office may decide to demand that an entrepreneur correct irregularities discovered in the way he carries on a trade.

(2) An appeal against the decision under paragraph 1 will not have any suspensory effect.

Section 60e

(deleted)

TITLE II

OFFENCES

Section 61

Offences of natural persons

(1) A natural person shall commit an offence

- a) as the administrator of the business assets of the deceased entrepreneur, or the executor of the will, if he also administers the estate, or a person referred to in Section 13 paragraph 1 (b), (c) or (e) by failing to appoint a responsible representative in contravention of Section 13 paragraph 2, or
- b) as an administrator of the estate appointed by a court, or as a trust, liquidation or insolvency administrator by failing to notify the intention to continue to carry on the business in contravention of Section 13(4), or by failing to appoint an authorised representative.

(2) A natural person shall commit an offence by submitting a false solemn declaration concerning good character in accordance with

- a) Sec. 46 (1) (a), if he is a citizen of another European Union Member State, or
- b) Sec. 46 (1) (b), if he is a citizen of a country other than a European Union Member State.

(3) Further, a natural person shall commit an offence by carrying on a trade which is

- a) an unqualified trade without holding a trade authorisation for that trade,
- b) the subject of a vocational or professional trade without holding a trade authorisation for that trade, or
- c) the subject of a permitted trade without holding a trade authorisation for that trade.

(4) The following fines may be imposed for offences

- a) up to CZK 10,000 for an offence under paragraph (1),
- b) up to CZK 100,000 for an offence under paragraph (2),
- c) up to CZK 500,000 for an offence under paragraph (3)(a),
- d) up to CZK 750,000 for an offence under paragraph (3)(b),
- e) up to CZK 1,000,000 for an offence under paragraph (3)(c).

(5) Offences referred to in paragraphs (2) and (3) cannot be dealt with in an on-the-spot procedure.

Offences of legal persons and natural persons engaged in business

Section 62

(1) A legal person, as an entrepreneur, or a natural person engaged in business shall commit an offence

- a) in contravention of Section 7(6), by failing to arrange for the performance of activities that are the content of trades referred to in Annex No 5, solely by natural persons fulfilling the conditions of professional competence, or fails to maintain and keep for a period prescribed by law a record of those persons, or fails to maintain for the period prescribed by law copies of documents of their professional competence,
- b) by failing to report the appointment of a responsible representative or failing to notify the trade licensing office of the termination of his appointment for a notifiable trade in accordance with Section 11(5),
- c) by failing to report to the trade licensing office, for approval, the appointment of a responsible representative or failing to notify the termination of his appointment for a permitted trade in accordance with Section 11(7),
- d) by failing to appoint a new responsible representative in accordance with Section 11(8),
- e) in contravention of Section 17(3)
 - 1. by failing to prove the legal title to use an establishment or the legitimacy of the placement of a mobile establishment at the request of the trade licensing office, or

2. by failing to report in advance the commencement or termination of a trade at an establishment,
- f) by failing to appoint a person responsible for the establishment's activities in accordance with Section 17(4),
 - g) by failing to mark the establishment in accordance with Section 17(7), (8) or (9),
 - h) in contravention of Section 17(10), by permitting, by the sale of goods or provision of services via vending machines operated by the consumer, particular types of goods to be obtained by persons protected under a specific law,
 - i) by breaching a condition set or amended by the trade licensing office for carrying on a permitted trade in accordance with Section 27(3),
 - j) by failing to mark a registered office or branch plant in contravention of Section 31(2),
 - k) by failing to prove to a control body the manner in which the goods for sale or material were obtained in accordance with Sec. 31 (3),
 - l) in contravention of Section 31(4), by failing to identify a party to a contractual relationship or the subject matter of a contractual relationship, or by failing to keep records of parties to a contractual relationship or of the subject matter of a contractual relationship, or by failing to have those records available in the establishment where the identification is taking place and where the goods are located,
 - m) by failing to keep a record of, or store, identification information in accordance with Section 31(6),
 - n) in contravention of Section 31(7), by purchasing goods or accepting goods as pawned items, or by mediating the purchase of such goods,
 - o) by failing to ensure that a person fulfilling the condition of knowledge of the Czech or Slovak language in line with Section 31(8) is present in his establishment intended for the sale of goods or the provision of services to consumers during opening or business hours intended for contact with consumers,
 - p) by failing to ensure that its employees prove compliance with the condition of good character in accordance with Section 31(9),
 - q) by failing to report to the trade licensing office the resumption of a trade in accordance with Section 31(12),
 - r) by failing to issue proof of the sale of goods or the provision of a service at the customer's request or failing to state in the proof of sale the information stipulated by law in accordance with Section 31(14),
 - s) in contravention of Section 31(15), by failing to communicate at the request of the trade licensing office whether he carries on a trade or by failing to produce documents documenting the carrying on of a trade,

- t) in contravention of Section 31(16), by failing to report to the trade licensing office, in the case of the termination of activities in an establishment, the address of the place where any potential liabilities may be settled,
- u) in contravention of Section 31(17), by employing employees who do not possess the competence to engage in an occupation as laid down in specific legislation, or the knowledge of safety procedures or regulations concerning the protection of public health,
- v) in contravention of Section 49(1), by failing to report to the trade licensing office, within the time period set, changes and amendments relating to information and documents required for the notification of a trade, or by failing to submit documents concerning such changes and amendments, with the exception of failing to report a change in the field of activity under an unqualified trade, or
- w) in contravention of Section 56(1), by failing to report to the trade licensing office, within the time period set, changes and amendments relating to information and documents required as particulars of an application for a concession or by failing to submit documents concerning such changes and amendments.

(2) A natural person engaged in business listed in Sec. 69a (1) shall commit an offence in the temporary provision of services

- a) by failing to prove in contravention of Sec. 69a (4) (a) the legitimacy of the provision of services during an inspection,
- b) by failing to ensure, in contravention of Sec. 69a (4) (b) and Sec. 7 (6), the performance of activities that constitute the contents of trades listed in Annex No. 5, solely by natural persons who meet the requirements of professional competence, or
- c) by failing, in contravention of Sec. 69a (5), to report to the recognition authority the provision of services in an activity that constitutes a trade and the operation of which requires compliance with special professional competence provisions in accordance with Sec. 7.

(3) A legal person listed in Sec. 69a (2) shall commit an offence in the temporary provision of services

- a) by failing to prove in contravention of Sec. 69a (4) (a) the legitimacy of the provision of services during an inspection,
- b) by failing to ensure, in contravention of Sec. 69a (4) (b) and Sec. 7 (6), the performance of activities that constitute the contents of trades listed in Annex No. 5, solely by natural persons who meet the requirements of professional competence, or
- c) by failing, in contravention of Sec. 69a (5), to report to the recognition authority the provision of services in an activity that constitutes a trade and the operation of which requires compliance with special professional competence provisions in accordance with Sec. 7.

(4) The following fines may be imposed for offences

- a) up to CZK 1,000,000 for an offence under paragraph (1) (h), (k), (l), (m), (n), (r) (t), or (u),
- b) up to CZK 100,000 for an offence under paragraph (1) (a), (c), (d), (e), (f), (g), (i), (j), (k), (o), (p), (q), or (s), or under paragraph (2) or under paragraph (3),
- c) up to CZK 50,000 for an offence under paragraph (1) (b),
- d) up to CZK 20,000 for an offence under paragraph (1)(v) or (w),
- e) up to CZK 10,000 for an offence under paragraph (1)(q).

Section 63

(1) Further, a legal person shall commit an offence by carrying on activity which is

- a) an unqualified trade,
- b) the subject of a vocational or professional trade, or
- c) the subject of a permitted trade,

without holding a trade authorisation for that trade.

(2) The following fines may be imposed for offences

- a) up to CZK 500,000 for an offence under paragraph (1)(a),
- b) up to CZK 750,000 for an offence under paragraph (1)(b),
- c) up to CZK 1,000,000 for an offence under paragraph (1)(c).

(3) Offences referred to in the paragraph 1 cannot be dealt with in an on the spot procedure.

Section 63a

(deleted)

Section 64

Common provisions

(1) Offences under this Act shall be handled in the first instance by municipal trade licensing offices.

(2) Fines shall be recovered and enforced by the authority which levied them.

TITLES III and IV

Section 65 to 66a

(deleted)

PART SIX

COMMON, TRANSITIONAL AND FINAL PROVISIONS

TITLE I

Common provisions

Section 67

(1) For the purposes of this Act, the address in the Czech Republic shall mean a combination of data on the address location registered in the basic register of geographical identification, of addresses and real estate⁷¹⁾. Addresses shall be entered into the trade licensing register to include the following data:

- a) name of a municipality or military training area; the municipality name in the Capital of Prague shall be followed by a municipal district number,
- b) name of a municipal quarter; name of a cadastral section in the Capital of Prague,
- c) postcode assigned to the address location,
- d) street name, if entered in the register of geographical identification, of addresses and real estate,
- e) land registry reference number or registration number,
- f) street number, if assigned, including its appendix.

(2) The address outside the Czech Republic shall be entered into the trade licensing register to include the names of a municipality and region, street name and house number, postcode and country name.

⁷¹⁾ Decree No 359/2011 Coll., on basic register of geographical identification, of addresses and real estate.

Section 68

Cooperation of State administration authorities

(1) Authorities carrying out inspections under specific regulations shall cooperate with one another and shall send copies of decisions ruling on any serious infringement of specific regulations by an entrepreneur to the trade licensing office within 30 days of the date on which such a decision enters into force. Within the same time limit, they shall also notify the competent trade licensing office of any cases of unauthorised business ascertained in the course of their activities. This shall not prejudice the obligation of confidentiality laid down in a specific law⁴²⁾.

(2) Within 30 days of ascertaining such conduct, trade licensing offices shall inform individual specialized authorities, in particular authorities supervising the observance of hygiene, safety and fire regulations, and bodies of the Czech Trade Inspectorate, of the infringement of the relevant specific regulations by persons carrying out activities which are the subject of a trade.

Section 69

(deleted)

Section 69a

(1) A citizen of a Member State of the European Union who is entitled to engage in business activities in a Member State of the European Union may temporarily provide services in the Czech Republic within the scope of his business authorisation in accordance with Article 56 et seq. of the Treaty on the Functioning of the European Union.

(2) A legal person whose internal relations are governed by the law of a Member State of the European Union and who has its registered office, headquarters or principal place of business activities in a Member State of the European Union and is entitled to engage in business activities in a Member State of the European Union may temporarily provide services in the Czech Republic within the scope of its business authorisation in accordance with Articles 56 et seq. of the Treaty on the Functioning of the European Union.

(3) Citizens of other States parties to the European Economic Area Agreement, citizens of the Swiss Confederation and legal persons having their registered office in such States shall be regarded as persons referred to in paragraphs (1) or (2) for the purposes of this provision.

(4) Further provisions of this Act shall not apply to the provision of services in accordance with this section, with the exception of

⁴²⁾ E.g. Act of the Czech National Council No 337/1992 Coll., on the administration of taxes and charges, as amended.

- a) the obligation to prove, in an inspection under Section 60a, the authorisation to provide services by means of an identity card, a document verifying nationality, a document confirming that the person providing services is established in the Member State of origin and engages in the activity in question in accordance with the legislation of the Member State of origin, and
- b) the obligation of a person providing services to ensure the performance of activities which are the content of trades listed in Annex No 5 to this Act solely by natural persons complying with the requirements of professional competence laid down in that annex; for the purposes of that annex, the condition of professional competence shall be regarded as fulfilled if the person providing services produces proof, on behalf of persons in a salaried position performing the activity, of their education in the Member State of origin training them to carry out the regulated activity concerned or, if the activity concerned is not regulated in the Member State of origin, proof that they have carried on the activity in one or more of the Member States for a period of at least one year in the preceding ten years.

(5) The natural persons referred to in paragraph (1) providing services in an activity which is a trade and for the carrying-on of which compliance with the specific condition of professional competence is required under Section 7 (hereinafter referred to as 'regulated activity') shall provide written notification of the provision of services in the Czech Republic to the recognition authority, including the submission of documents in accordance with specific legislation⁴³⁾. Section 36a of the Act on the Recognition of Professional Qualifications shall apply to legal persons referred to in paragraph (2) *mutatis mutandis*. In relation to a legal person, evidence of professional qualifications or experience shall be produced by an appointed person responsible for the due provision of services.

(6) In the case of persons providing services in regulated activities which are trades, the trade licensing office shall be entitled, during an inspection in accordance with Section 60a, to check on the fulfilment of the obligation to notify the recognition authority in writing of the provision of the service⁴⁴⁾. The trade licensing office may also check on the fulfilment of the obligation of the person providing the services to ensure that the activities constituting the trades referred to in Annex No 5 to this Act are performed solely by natural persons fulfilling the requirements of professional competence.

Section 70

(1) For the purposes of this Act, the following shall also be considered to be citizens of a Member State of the European Union

⁴³⁾ Section 36a of Act No 18/2004 Coll., on the recognition of professional qualifications and other competence of nationals of European Union Member States and nationals of other States and amending certain laws (Act on the Recognition of Professional Qualifications), as amended.

⁴⁴⁾ Section 36a(4) of Act No 18/2004 Coll., as amended by Act No 189/2008 Coll.

- a) a citizen of another country that is Party to the Agreement on the European Economic Area and a citizen of the Swiss Confederation,
- b) a family member of a citizen of the European Union or a person referred to in sub-paragraph (a)⁶¹⁾,
- c) a person who has been granted permanent residence in the Czech Republic and his/her family members,
- d) a third-country national who has been granted the legal status of a long-term resident of the Czech Republic or another European Union Member State⁶²⁾,
- e) a third-country national who has been granted residence in the Czech Republic or another European Union Member State for the purpose of scientific research⁶³⁾,
- f) a family member of a person referred to in sub-paragraph (d) or (e), who has been granted long-term residence in the Czech Republic⁶⁴⁾,
- g) a third-country national who has been granted residence in the Czech Republic or another European Union Member State for the purpose of studies, pupil exchange, unremunerated training or voluntary services⁶⁵⁾,
- h) a third-country national who is a victim of trafficking in human beings or who has been the subject of an action to facilitate illegal immigration, who is cooperating with the competent authorities, if he/she has been granted residence in the Czech Republic or another European Union Member State for this purpose⁶⁶⁾,

⁶¹⁾ Article 23 and Article 24 paragraph 1 of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, amending Regulation (EEEC) No. 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC.

⁶²⁾ Article 11 paragraph 1 (a) and Article 21 paragraph 1 of Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents.

⁶³⁾ Article 12 of Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research.

⁶⁴⁾ Article 14 paragraph 1 (b) of Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification.

⁶⁵⁾ Article 17 paragraph 1 of Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchanges, unremunerated training or voluntary services.

⁶⁶⁾ Article 11 paragraph 1 of Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.

i) the holder of a European Union Blue Card ⁶⁷⁾.

(2) The authorisation referred to in Section 69a shall not apply to those persons referred to in paragraph 1 (c) to (i).

(3) For the purposes of this Act, a legal entity with a registered office on the territory of a European Union Member State shall be considered to be a legal entity, whose internal relations are governed by the laws of a Member State of the European Union or another country which is Party to the Agreement on the European Economic Area and which has its registered office, central administration or principal place of business on the territory of a Member State of the European Union or another country which is Party to the Agreement on the European Economic Area. A legal entity whose internal relations are governed by the laws of the Swiss Confederation and which has its registered office, central administration or principal place of business on the territory of the Swiss Confederation shall also be considered to be a legal entity pursuant to the previous sentence, subject to the conditions and within the scope set out in an international treaty on the free movement of persons.

(4) Where this Act requires the submission of documents issued by a competent authority of a European Union Member State or the carrying out of business activities on the territory of a European Union Member State, these shall also be understood to refer to documents issued by a competent authority of a country which is Party to the Agreement on the European Economic Area and documents issued by a competent authority of the Swiss Confederation and the carrying out of activities on the territory of these countries.

Section 71

Geographical jurisdiction

(1) Submissions under this Act may be made to any municipal trade licensing office. The municipal trade licensing office to which a submission is delivered first shall be competent to proceed in accordance with this Act.

(2) In proceedings on the cancellation of a trade authorisation or on the suspension of a trade, the geographical jurisdiction of the trade licensing office shall be determined in accordance with the Rules of Administrative Procedure; this shall not apply in the event of the cancellation of a trade authorisation at the request of the entrepreneur.

⁶⁷⁾ Article 14 paragraphs 1 and 4 of Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment.

(3) The obligation of courts and other authorities to disclose information, deriving from specific legislation, shall be fulfilled by the trade licensing office with geographical jurisdiction under paragraph (2). This office shall make the corresponding entry in the trade licensing register.

(4) A trade licensing office which executes an action resulting in the need to make an entry in the trade licensing register shall be competent to make that entry.

(5) A dataset under Section 60(6) shall be issued, according to its geographical jurisdiction, by a municipal trade licensing office, regional trade licensing office or the Trade Licensing Office of the Czech Republic. A dataset determined by a registered office address shall be issued by the trade licensing office within the geographical area of which the entrepreneur has his registered office. A dataset determined by an establishment location shall be issued by the trade licensing office within the geographical area of which the establishment is located. A dataset determined by the objects of business shall be issued by the trade licensing office within the geographical area of which the entrepreneur with the requested objects of business has his registered office or establishment.

(6) If a delivery address under Section 45(2)(k) or under Section 45(3)(h) is specified by a trade notifier in his notification or by an applicant for a concession in his application, all trade licensing offices shall be obliged to deliver mailings to the specified address; this shall not apply if the person has set up a date exchange box.

Section 72

(1) Submissions under this Act to a municipal trade licensing office may be made via a public administration contact point^{28c)}; this shall not apply to applications for datasets under Section 60(6).

(2) A public administration contact point shall deliver a received submission to the municipal trade licensing office chosen by the submitter without undue delay. Should the submitter fail to choose a municipal trade licensing office, the submission shall be delivered to the municipal trade licensing office with jurisdiction based on the place of submission. If a submission is made at a mission and the submitter fails to choose a municipal trade licensing office, the jurisdiction of the municipal trade licensing office shall be determined in accordance with the Rules of Administrative Procedure.

(3) If a time limit is set for a submission, it is considered met if, on the final day of the time limit, the submission is made to a public administration contact point. The time limit for handling a submission shall commence on delivery thereof, including annexes, to the municipal trade licensing office.

(4) A submission shall be delivered electronically in a manner facilitating remote access with the use of the communication infrastructure of the trade licensing register, provided that the nature of the submission so allows. The public administration contact point shall send the competent

^{28c)} Section 8a of Act No 365/2000 Coll., on public administration information systems and amending certain other acts.

municipal trade licensing office under paragraph (2) the documentary form of the submission without undue delay.

Section 73

International treaties

The provisions of this Act shall not apply if an international treaty binding upon the Czech Republic and published in the Collection of Laws provides otherwise.

Section 73a

The Government shall determine the content of individual trades and fields of activity under unqualified trades.

TITLE II

TRANSITIONAL AND FINAL PROVISIONS

Section 74

Preservation of current authorisations

(1) Natural and legal persons may continue business activities constituting trades under this Act for a period of one year after this Act enters into effect on the basis of an authorisation for business activity or a business authorisation granted prior to the entry into effect of this Act. Such authorisations shall be revoked on expiry of the said time limit.

(2) Natural persons whose authorisation for business activity under an unqualified trade or vocational trade is revoked on expiry of the time limit under paragraph (1) shall, at the same time, acquire a trade authorisation for those trades. The trade licensing office shall issue a trade certificate within the time limit laid down in paragraph (1).

(3) Natural persons who hold authorisation for a business activity under an unqualified or permitted trade as at the date this Act enters into effect shall submit documents proving that they have met the conditions laid down by the Act or that they have appointed a responsible representative who meets the conditions to the trade licensing office within nine months of the entry into effect of this Act. If this condition is satisfied, the trade licensing office shall issue a trade certificate or trade permit certificate within 60 days of the submission of the documents.

(4) Legal persons who hold business authorisation for activities constituting trades as at the date this Act enters into effect shall submit documents proving that they have appointed a responsible representative who meets the conditions under the Act to the trade licensing office

within nine months of the entry into effect of this Act. If this condition is satisfied, the trade licensing office shall issue a trade certificate or trade permit certificate within 60 days of the submission of the documents.

(5) If the persons referred to in paragraphs (3) and (4) fail to submit the documents to the trade licensing office or fail to prove in the submitted documents that they meet the conditions for carrying on a trade, they shall not be granted a trade authorisation. In cases of doubt, the trade licensing office shall decide whether the conditions for carrying on a trade have been met.

Section 75

(1) Applications from natural persons for the registration of a business activity constituting a trade which are submitted in accordance with existing regulations and which have not been fully processed before this Act enters into effect shall be regarded as notifications or as applications for a concession.

(2) Applications for an authorisation, permit or certificate of competence for an activity which have not been fully processed before this Act enters into effect shall be regarded, depending on their content, as applications for a concession or as notifications of a professional trade. The competent State administration authority shall forward them to the trade licensing office, and shall attach an opinion to the application for a concession as the basis for a decision.

(3) Natural persons who have received an authorisation, permit or certificate of competence and have not applied for registration before this Act enters into effect shall attach that document to the application for a concession or to the notification of a professional trade. In decision-making on concessions, these documents shall replace the opinion of the competent State administration authority.

Section 76

Natural persons shall also be able, to the same extent and under the same conditions, to carry on trades which, under specific legislation, may be carried on by organisations.

Section 77

Authorisations for business activities and business authorisations for activities not constituting trades shall not be affected, unless provided otherwise by a specific regulation.

Section 78

By 30 June 2012, the competent trade licensing office, acting in accordance with the part of the first sentence before the semi-colon of Section 71(2) *mutatis mutandis*, shall assign a registered

number to an establishment set up before 1 July 2010 as provided by the administrator of the basic register of persons^{28d)}.

Section 79

Liquidation of assets due to insolvency

(1) The liquidation of assets due to insolvency shall be regarded as an impediment to the carrying-on of a trade arising prior to the entry into effect of Act No 328/1991 on bankruptcy and composition⁴⁷⁾.

(2) Liquidation of assets due to insolvency which has occurred prior to 1 January 1990 shall not be taken into consideration.

Section 80

Repealing provisions

As at the date this Act enters into effect the following shall be repealed:

1. Act No 105/1990 on private enterprise by citizens, as amended by Act No 219/1991, apart from Sections 12a to 12e,
2. Section 2 of Presidential Decree No 100/1945 on the nationalization of mines and certain industrial enterprises, as amended by Act No 114/1948 on the nationalization of certain other industrial and other undertakings and factories and regulating certain conditions of nationalized and national undertakings,
3. Section 4 of Act No 114/1948 on the nationalization of certain other industrial and other undertakings and factories and regulating certain conditions of nationalized and national undertakings,
4. Section 3 of Act No 115/1948 on the nationalization of other industrial and other production undertakings and factories in the food-processing sector and regulating certain conditions of nationalized and national undertakings in this sector, as amended by Act No 108/1950, amending regulations on the nationalization of certain undertakings in the food-processing industry,
5. Section 3 of Act No 120/1948 on the nationalization of commercial undertakings employing fifty or more persons,
6. Section 1(2) of Act No 121/1948 on the nationalization of construction industries, as amended by Act No 58/1951 amending the Act on the Nationalization of Construction Industries,

^{28d)} Act No. 111/2009 Coll., on basic registers.

⁴⁷⁾ Sections 352 to 354 of the Rules of Civil Procedure, No 99/1963 Coll.

7. Section 3 of Act No 123/1948 on the nationalization of printing undertakings,
8. Section 8 of Act No 124/1948 on the nationalization of certain public catering undertakings, tap-houses and accommodation facilities.

Section 81

This Act shall enter into effect on 1 January 1992.

VOCATIONAL TRADES

(further to Section 20)

Part A

Butchery and meat processing
Dairy farming
Milling
Bakery and pastry products
Brewing and malting
Processing of hides and skins
Application, manufacture and repair of orthopaedic footwear
Glass cutting and etching
Processing of rubber compounds
Stone working
Casting of metals, modelling
Forging, horseshoeing
Machining
Locksmithery, tool-making
Galvanization, enamelling
Manufacture, installation, and repair of electrical machinery and appliances, electronic and telecommunication equipment
Watchmaking
Goldsmithery and jewellery
Joinery, flooring
Manufacture and repair of musical instruments
Repair of other transport equipment and work machinery
Bricklaying
Installation, repair, inspection and testing of electrical equipment
Installation, repair and reconstruction of cooling equipment and heat pumps
Plumbing, heating
Installation, repair, inspection and testing of gas equipment and the filling of vessels with gas
Installation, repair, inspection and testing of pressure equipment and gas vessels
Installation, repair, inspection and testing of lifting equipment
Insulation
Painting, varnishing, coating
Roofing, carpentry
Tinsmithery and repair of vehicle bodies
Stove-fitting
Repair of road vehicles
Hairdressing

Part B

Dyeing and chemical treatment of textiles
Cleaning and washing of textiles and clothing
Chimney sweeping

Part C

Catering services.
Cosmetic services
Pedicure, manicure

PROFESSIONAL TRADES
(further to Sections 23 and 24)

Object of business	Professional competence required	Remarks
1	2	3
Geological work*)	certificate of professional competence issued by the Ministry of the Environment**)	<p>*) with the exception of geological work constituting mining and other activities using mining techniques in accordance with Sections 2 and 3 of Act No 61/1988 on mining, explosives and the State Mining Authority, as amended by Act No 128/1999 and Act No 206/2002</p> <p>**) Section 3(3) of Act No 62/1988 on geological work, as amended by Act No 3/2005</p>
Tobacco processing and the manufacture of tobacco products	<ul style="list-style-type: none"> a) university education in a study programme and study field focusing on food chemicals or agriculture and one year's professional experience, or b) higher education in a field of study focusing on food chemicals or agriculture and three years' professional experience, or c) secondary education with a school-leaving examination in a field of study focusing on food chemicals or agriculture and three years' professional experience, or d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an 	Act No 353/2003 on excise duty, as amended

	<p>establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	
<p>Manufacture of dangerous chemicals and dangerous chemical mixtures and sale of chemicals and chemical mixtures classified as very toxic*) and toxic*)</p>	<p>a) university education in a study programme and study field focusing on chemistry, mining, metallurgy, mechanical engineering, civil engineering, electrical engineering, fire protection, food processing, medicine, veterinary medicine, pharmacy, natural sciences, agriculture or forestry and one year's professional experience, or</p> <p>b) higher education in a field of study focusing on chemistry, mining, metallurgy, mechanical engineering, civil engineering, fire protection, electrical engineering, health care, pharmacy, veterinary sciences, agriculture or forestry and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on chemistry, mining, metallurgy, mechanical engineering, civil engineering, fire protection, electrical engineering, health care, pharmacy, veterinary sciences, agriculture or forestry and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in</p>	<p>*) Section 5(1)(f) and (g) of Act No 350/2011 on chemical substances and chemical mixtures and amending certain laws (the Chemicals Act); for the manufacture of a chemical substance and a chemical mixture, a trade authorization is not required for this trade if the manufacture of the chemical substance and chemical mixture is also the subject of another trade referred to in this annex or in Annex No 3 to Act No 455/1991, as amended by Act No 130/2008, Act No 145/2010 and Act No 155/2010.</p> <p>**) Act No. 179/2006 Coll., on verifying and recognising the results of continuing education and on amendments to certain Acts (Act on Recognising the Results of Further Education), as amended</p>

	<p>which the trade is operated falls, and four years' professional experience, or</p> <p>e) documents under Section 7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act, or</p> <p>f) a professional qualification to pursue the vocation of chemist to operate devices pursuant to a special legal regulation**) and 4 years' professional experience;</p> <p>for the sale of chemical substances and chemical mixtures classified as very toxic or toxic, professional competence can also be demonstrated by means of:</p> <p>a) evidence of at least five years' uninterrupted professional experience as an entrepreneur or manager, or</p> <p>b) evidence of at least two years' uninterrupted professional experience as an entrepreneur or manager, and evidence of the completion of education in the field, or</p> <p>c) evidence of at least three years' uninterrupted professional experience as an entrepreneur or manager, and evidence of retraining or other evidence of a qualification issued by the competent State authority, or</p> <p>d) evidence of at least three years' uninterrupted professional experience as an employee, and evidence of the completion of education in the field, or</p> <p>e) evidence of four years' uninterrupted professional experience as an employee, and evidence of retraining or other evidence of a qualification issued by the competent State authority</p>	
<p>Manufacture and repair of series produced</p> <ul style="list-style-type: none"> - prostheses, - body orthoses, - limb orthoses, 	<p>a) professional competence to pursue the profession of orthotics/prosthetics fitter in accordance with specific legislation^{*)}, or</p>	<p>*) Act No 96/2004 on conditions for the acquisition and recognition of competence to engage in</p>

<p>- soft bandages</p>	<p>b) professional competence to pursue the profession of orthotics/prosthetics technician in accordance with specific legislation *) and three years' professional experience, or c) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and three years' professional experience, or d) documents under Section 7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act</p>	<p>paramedical professions and to carry out activities connected with the provision of health care and amending certain related laws (the Paramedical Act), as amended</p>
<p>Optician</p>	<p>a) competence to pursue the healthcare profession of optometrist in accordance with specific legislation*), or b) higher education in a field of education to become a certified optician or certified eye technician, or c) secondary education with a school-leaving examination in a field of education to become an optician or eye technician, or d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	<p>*) Act No 96/2004 on conditions for the acquisition and recognition of competence to engage in paramedical professions and to carry out activities connected with the provision of health care and amending certain related laws (the Paramedical Act), as amended by Act No 125/2005</p>
<p>Disposal of hazardous waste</p>	<p>a) university education and one</p>	<p>Section 4 of Act</p>

	<p>year's professional experience, or</p> <p>b) higher education in a technical or scientific field of study and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a technical or scientific field of study and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	<p>No 185/2001 on waste and amending certain other laws</p>
<p>Construction design</p>	<p>a) authorization or entry in the register of registered persons in accordance with Act No 360/1992 on the profession of authorized architects and the profession of authorized engineers and technicians active in construction, as amended, or</p> <p>b) university education in a master study programme and study field focusing on civil engineering or architecture and three years' experience of structural design, or</p> <p>c) university education in a bachelor study programme and study field focusing on civil engineering or architecture and five years' experience of structural design, or</p> <p>d) higher education in a field of study focusing on civil engineering and five years' experience of structural design, or</p> <p>e) secondary education with a</p>	<p>Sections 158 and 159 of Act No 183/2006 on land-use planning and building rules (the Building Act)</p>

	school-leaving examination in a field of study focusing on civil engineering and five years' experience of structural design, or	
Construction of structures, changes thereto, and demolition thereof	<ul style="list-style-type: none"> a) authorization or entry in the register of registered persons in accordance with Act No 360/1992, as amended, or b) university education in a master study programme and study field focusing on civil engineering or architecture and three years' experience of construction, or c) university education in a bachelor study programme and study field focusing on civil engineering or architecture and five years' experience of construction, or d) higher education in a field of study focusing on civil engineering and five years' experience of construction, or e) secondary education with a school-leaving examination in a field of study focusing on civil engineering and five years' experience of construction, or f) documents under Section 7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act 	Section 160 of Act No 183/2006
Purchase, sale, destruction and disposal of category P2, T2 and F4 pyrotechnic articles and work with fireworks	<p>for the purchase, sale, destruction and disposal of category P2 pyrotechnic articles P2, a certificate of professional competence pursuant to Section 36 (1)(a) of Act No. 206/2015 Coll.;</p> <p>for the purchase, sale, destruction and disposal of category T2 and F4 pyrotechnic articles and work with fireworks, a certificate of professional competence pursuant to Section 36 (1)(b) or a document pursuant to Section 66 (8) of Act No. 206/2015 Coll.</p>	Act No. 206/2015 Coll.
Purchase and sale of cultural monuments*) or items of cultural value**)	a) university education in a study programme and study field focusing on fine art, restoration or the history of art, or	*) Act No 20/1987 on the care of monuments by the State, as amended

	<ul style="list-style-type: none"> b) higher education in a field of study focusing on fine art, restoration, conservation or works of fine and applied art and one year's professional experience, or c) secondary education with a school-leaving examination in a field of study focusing on fine art, restoration, conservation, works of fine and applied art or trading in antiques and one year's professional experience, or d) secondary education with a certificate of apprenticeship in a relevant field of study focusing on fine art, restoration, conservation or works of fine and applied art and three years' professional experience, or e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience 	<p>**) Act No 71/1994 on the sale and export of items of cultural value, as amended</p>
<p>Trade in animals used for livestock breeding</p>	<ul style="list-style-type: none"> a) university education in a study programme and study field focusing on livestock breeding, zootechnics or veterinary medicine and one year's professional experience, or b) higher education in a field of study focusing on livestock breeding, zootechnics or veterinary medicine and two years' professional experience, or c) secondary education with a school-leaving examination in a field of study focusing on livestock breeding, zootechnics 	

	<p>or veterinary medicine and two years' professional experience, or</p> <p>d) secondary education with a certificate of apprenticeship in a field of study focusing on livestock breeding or zootechnics and three years' professional experience, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience, or</p> <p>f) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act</p>	
Accounting consulting, bookkeeping, tax accounting	<p>a) university education and three years' professional experience, or</p> <p>b) higher education and five years' professional experience, or</p> <p>c) secondary education with a school-leaving examination and five years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and five years' professional experience</p>	

<p>Performance of voluntary auctions of movables under the Public Auctions Act</p>	<p>a) university education, or b) higher education and two years' business experience, or c) secondary education with a school-leaving examination and three years' business experience, or d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience, or e) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act</p>	<p>Act No 26/2000 on public auctions, as amended</p>
<p>Valuation of property*) - movable assets, - immovable assets, - intangible assets, - financial assets, - business operations</p>	<p>for the valuation of movable and immovable assets: a) university education in a study programme and study field focusing on property valuation, or b) university education and lifelong learning in accordance with specific legislation**) consisting of at least four semesters focusing on the valuation of a particular category of property, or c) at least secondary education with matriculation in the discipline in which the valuation is to be carried out, and life-long learning under special legislation**) of 2 semesters focused on property valuation, or d) at least secondary education with matriculation in the discipline in which the valuation is to be carried out and post-matriculation qualification studies of at least 2 school years</p>	<p>*) the notifier shall define the objects of business pursuant to the first sentence of Section 45(4) of Act No 455/1991, as amended by Act No 130/2008, in accordance with submitted evidence of professional competence **) Section 60 of Act No 111/1998 on universities and amending other laws (the Universities Act), as amended by Act No 147/2001</p>

	<p>focused on property valuation, or</p> <p>e) at least secondary education with matriculation in the discipline in which the valuation is to be carried out and 2 years of professional experience in property valuation, or</p> <p>f) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and five years' professional experience in property valuation;</p> <p>for valuations of intangible assets, financial assets and business operations:</p> <p>a) university education in a study programme and study field focusing on property valuation, or</p> <p>b) university education and lifelong learning in accordance with specific legislation**) consisting of at least four semesters focusing on the valuation of a particular category of property, or</p> <p>c) university education and lifelong learning in accordance with specific legislation**) consisting of at least two semesters focusing on the valuation of a particular category of property, and two years' professional experience.</p>	
<p>Geodesic activities*)</p>	<p>a) university education in a study programme and study field focusing on surveying and one year's professional experience, or</p> <p>b) higher education in a field of</p>	<p>*) Act No 200/1994 on surveying and amending certain laws related to the implementation thereof, as amended</p>

	<p>study focusing on surveying and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on surveying and three years' professional experience, or</p> <p>d) authorization issued by the Czech Office for Surveying, Mapping and Cadastre**) or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience.</p>	<p>**) Section 14 of Act No 200/1994, as amended by Act No 186/2001</p>
<p>Inspection, checking and testing of specified technical equipment in operations</p>	<p>Certificate issued by a track administrative authority</p>	<p>Sections 47 and 48 of Act No 266/1994 on railways, as amended by Act No 23/2000 and Act No 191/2006</p>
<p>Restoration of works of art that are not cultural monuments or parts thereof but are held in the collections of museums and galleries*), or of objects of cultural value**)</p>	<p>a) university education in a study programme and study field focusing on restoration or fine art, or</p> <p>b) higher education in a field of education focusing on restoration or fine art, or</p> <p>c) secondary education with a school-leaving examination in a relevant field of study focusing on restoration, fine art or applied art and three years' experience of restoration, or</p> <p>d) secondary education with a certificate of apprenticeship in a relevant field of study focusing on fine art or applied art and five years' experience of restoration, or</p> <p>e) a retraining certificate or other</p>	<p>*) Act No 122/2000 on the protection of collections of a museum nature and amending certain other laws, as amended</p> <p>**) Act No 71/1994 on the sale and export of items of cultural value, as amended</p>

	<p>evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and six years' professional experience.</p>	
<p>Special protective disinfection, disinsectization and disinfection</p> <ul style="list-style-type: none"> - without using dangerous chemicals and dangerous chemical mixtures classified as toxic or highly toxic *), excluding special protective disinfection, disinsectization and disinfection in food-processing and agricultural operations, - in food-processing or agricultural operations, - using dangerous chemicals and dangerous chemical mixtures classified as toxic or highly toxic *) excluding special protective disinfection and disinfection in food-processing or agricultural operations 	<p>for special protective disinfection, disinsectization and disinfection without using dangerous chemicals and dangerous chemical mixtures classified as toxic or highly toxic *), excluding special protective disinfection, disinsectization and disinfection in food-processing and agricultural operations:</p> <ul style="list-style-type: none"> a) professional competence in accordance with Section 58(1) of Act No. 258/2000 Coll., on the protection of public health and amending certain related Acts, as amended by Act No. 392/2005 Coll., and Act No. 267/2015 Coll., or b) a professional qualification to work as a sanitation worker without fumigants in accordance with a special legal regulation*), or c) documents under Section 7(5)(j), (k),(l) or (m) of the Trade Licensing Act; <p>for special protective disinfection, disinsectization and disinfection in food-processing or agricultural operations:</p> <ul style="list-style-type: none"> a) professional competence in accordance with Section 58(2) of Act No. 258/2000 Coll., as amended by Act No. 392/2005 Coll., , and Act No. 267/2015 Coll., or b) a professional qualification to work as a sanitation worker 	<p>*) § 44a (3) and (4) of Act No. 258/2000 Coll., as amended by Act No. 267/2015 Coll. **) Act No. 179/2006 Coll., as amended.</p>

	<p>without fumigants in accordance with a special legal regulation**), or</p> <p>c) documents under Section 7(5)(j),(k),(l) or (m) of the Trade Licensing Act;</p> <p>for special protective disinfection, disinsectization and disinfestation using dangerous chemicals and dangerous chemical mixtures classified as toxic or highly toxic *) excluding special protective disinfection and disinfestation in food-processing or agricultural operations:</p> <p>a) professional competence in accordance with Section 58(2) of Act No. 258/2000 Coll., as amended by Act No. 392/2005 Coll., and Act No. 267/2015 Coll., or</p> <p>b) a professional qualification to work as a sanitation worker without fumigants in accordance with a special legal regulation**), or</p> <p>c) documents under Section 7(5)(j),(k),(l) or (m) of the Trade Licensing Act;</p>	
<p>Tourist assistance activities in mountain areas</p>	<p>a) secondary education with a school-leaving examination and professional qualification for mountain tourist assistance activities in accordance with specific legislation*), or</p> <p>b) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p>	<p>*) Act No 179/2006 on the certification and recognition of the results of further education and amending certain laws (the Act on the Recognition of Further Education Results)</p>
<p>Water rescue service</p>	<p>a) a retraining certificate or other evidence of professional qualifications for the relevant</p>	<p>*) Act No. 179/2006 Coll., as amended</p>

	<p>work activities issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>b) a professional qualification for the activity of an open water rescuer, or for the activity of a senior life guard in accordance with specific legislation</p>	
<p>Fire protection technical and organizational activity</p>	<p>a) university education in a study programme and study field focusing on fire protection, or</p> <p>b) higher education in a field of education focusing on fire protection, or</p> <p>c) secondary education with a school-leaving examination in a field of education focusing on fire protection, or</p> <p>d) certificate of professional competence issued by the Ministry of the Interior, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and two years' professional experience</p>	<p>Section 11 of Act No 133/1985 on fire protection, as amended by Act No 237/2000</p>
<p>Provision of services related to occupational health and safety</p>	<p>a) university education in occupational health and safety and one year's experience of occupational health and safety, or</p> <p>b) higher education and two years' experience of occupational health and safety, or</p>	<p>*) Section 10 paragraph 1 (c) and Section 10 paragraph 2 (c) of Act No. 309/2006 Coll., stipulating further requirements for occupational health and</p>

	<p>c) secondary education with a school-leaving examination and three years' experience of occupational health and safety, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and three years' experience of occupational health and safety, or</p> <p>e) a document of a successfully completed examination of competence under special legislation*)</p>	<p>safety in labour relations and ensuring safety and health protection during work activities or providing services outside labour relations (Act on securing other conditions for health and safety at work), as amended, and Section 8 paragraph 1 and 2 of Government Resolution No. 592/2006 Coll., on conditions for accreditation and performing proficiency tests</p>
<p>Provision of physical education and sports services in the field of*)</p>	<p>a) university education in a study programme and study field focusing on physical culture, physical education and sport, or</p> <p>b) higher education in a field of education focusing on physical culture, physical education and sport, or c) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>d) a professional qualification for the relevant area of physical education activities **)</p>	<p>*)the notifier shall define the objects of business pursuant to the first sentence of Section 45(4) of Act No 455/1991, as amended by Act No 130/2008, in accordance with submitted evidence of professional competence</p> <p>**) Act No. 179/2006 Coll., as amended</p>
<p>Driving instruction</p>	<p>professional certificate issued by the competent regional authority*) and one year's professional experience</p>	<p>*) Section 21(1) of Act No 247/2000 on the acquisition and</p>

		recognition of professional competence to drive motor vehicles and amending certain laws, as amended by Act No 478/2001
Organization of courses to acquire qualifications in special protective disinfection, disinsectization and disinfestation	professional competence in accordance with Section 58(1) of Act No 258/2000 on the protection of public health and amending certain related laws, as amended by Act No 392/2005	
Day care of children up to the age of three	<p>a) professional competence to pursue the profession of a general nurse or health assistant, carer, midwife, or paramedic under specific legislation*), or</p> <p>b) professional competence to pursue the profession of social worker or social services worker under specific legislation**), or</p> <p>c) professional qualifications to pursue the profession of nursery school teacher in accordance with specific legislation***) or</p> <p>d) professional qualifications for the activities of nannies taking care of pre-school children in accordance with specific legislation****);</p>	<p>*) Act No 96/2004 on conditions for the acquisition and recognition of competence to engage in paramedical professions and to carry out activities connected with the provision of health care and amending certain related laws (the Paramedical Act), as amended</p> <p>***) Act No 108/2006 on social services, as amended</p> <p>****) Act No 563/2004 on pedagogical staff and amending certain other laws, as amended</p> <p>*****) Act No 179/2006, as amended</p>
Psychological consulting and diagnostics	university education in the field of psychology and, in the case of single-field study, one year's professional experience or, in the case of multi-field study, three years' professional experience	
Animal training	a) university education in a study programme and study field focusing on livestock breeding,	

	<p>zootechnics or veterinary medicine and one year's professional experience, or</p> <p>b) higher education in a field of study focusing on livestock breeding, zootechnics or veterinary medicine and two years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on livestock breeding, zootechnics or veterinary medicine and two years' professional experience, or</p> <p>d) secondary education with a certificate of apprenticeship in a field of study focusing on livestock breeding or zootechnics and three years' professional experience, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience, or</p> <p>f) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act</p>	
<p>Activities disturbing the integrity of human skin</p>	<p>a) professional competence to pursue the profession of physician or dental practitioner in accordance with specific legislation*), or</p> <p>b) professional competence to pursue the profession of a general nurse, midwife, paramedic or health assistant under specific legislation**), or</p>	<p>*) Act No 95/2004 on conditions for the acquisition and recognition of professional competence and specialist competence to practice as a physician, dental practitioner or pharmacist, as amended by Act No 125/2005</p>

	<p>c) secondary education with a school-leaving examination in the study field of cosmetics and a retraining certificate or other evidence of professional competence for activities where the integrity of the human skin disturbed, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>d) secondary education with a certificate of apprenticeship in the study field of cosmetics and a retraining certificate or other evidence of professional competence for activities where the integrity of the human skin is disturbed, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) a retraining certificate or other evidence of professional competence for a cosmetician and for activities where the integrity of the human skin is disturbed, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four</p>	<p>**) Act No 96/2004, as amended by Act No 125/2005 ***) Act No. 179/2006 Coll., as amended</p>
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	<p>years of professional experience in cosmetic services or in activities where the integrity of the human skin disturbed.</p> <p>or</p> <p>f) a professional qualification for beauticians and for certain activities during which the integrity of the human skin is disturbed (expert in permanent make-up, piercer or tattoo artist) in accordance with specific legislation ***) and 1 year of experience in the field of cosmetic services or in activities during which the integrity of the human skin is disturbed.</p>	
<p>Massage, reconditioning, and regeneration services</p>	<p>a) professional competence to pursue the profession of physician and specialized competence in the field of rehabilitation and physical medicine or sports medicine in accordance with specific legislation,*) or</p> <p>b) professional competence to pursue the profession of physiotherapist or masseur or blind and weak-sighted masseur in accordance with specific legislation,**) or</p> <p>c) university education in a study programme and study field focusing on rehabilitation or physical education, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p>	<p>*) Act No 95/2004, as amended by Act No 125/2005</p> <p>***) Act No 96/2004, as amended by Act No 125/2005</p> <p>****) Act No 179/2006, as amended</p>

	<p>e) professional qualification for traditional or sport massage under specific legislation***)</p>	
<p>Operation of solariums</p>	<p>a) professional competence to pursue the profession of physician or dental practitioner in accordance with specific legislation*) and a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>b) professional competence to pursue the profession of general nurse, midwife, occupational therapist, radiology assistant, assistant for the protection of public health, paramedic, biomedicine technician, biotechnological assistant, radiology technician, physiotherapist, radiological physicist, biomedicine engineer, expert in the protection of public health, or health assistance in accordance with specific legislation**) and a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in</p>	<p>*) Act No 95/2004, as amended by Act No 125/2005</p> <p>**) Act No 96/2004, as amended by Act No 125/2005</p> <p>***) Act No 179/2006, as amended</p>

	<p>which the trade is operated falls, or</p> <p>c) university education in a study programme and study field focusing on physical culture, physical education and sport, and a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>d) a retraining certificate for non-medical workers or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and one year's professional experience, or</p> <p>e) a professional qualification for the activity a solarium operator under specific legislation***) and 1 year of experience in the field</p>	
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PERMITTED TRADES
(further to Sections 26 and 27)

Object of business	Professional or other competence required under Section 27(1) and (2)	Conditions requiring fulfilment under Section 27(3)	State administration authority expressing an opinion on an application for a concession	Remarks
1	2	3	4	5
<p>Production and processing of fermented spirits, consumer spirits and other alcoholic beverages (except for beer, fruit wines, other wines and mead, and growers' own fruit distillates) and the sale of fermented alcohol, drinking alcohol and spirits.</p>	<p>for the production and processing of fermented alcohol, drinking alcohol, spirits and other alcoholic beverages (except for beer, fruit wines, other wines and mead, and growers' own fruit distillates)</p> <ul style="list-style-type: none"> a) university education in a study programme and study field focusing on food-processing technology, chemistry, agriculture, pharmacy, medicine or veterinary medicine, or b) higher education in a field of study focusing on food- 		<p>for the production and processing of fermented alcohol, drinking alcohol, spirits and other alcoholic beverages (except for beer, fruit wines, other wines and mead, and growers' own fruit distillates) the Ministry of Agriculture</p>	<p>Act No 61/1997 on spirits and amending Act No 455/1991, the Trade Licensing Act, as amended, and Act No 587/1992 on excise duty, as amended (the Spirits Act), as amended</p>

	<p>processing technology, chemistry, agriculture, pharmacy, or veterinary medicine and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on food-processing technology, chemistry, agriculture, or in the field of pharmaceutical manufacturing laboratory technician, and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and three years' professional experience, or</p> <p>e) documents under Section</p>			
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	7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act			
Production and processing of sulphite or synthetic alcohol	<p>a) university education in a study programme and study field focusing on chemistry, or</p> <p>b) higher education in a field of study focusing on chemistry and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on chemistry and three years' professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and three years' professional</p>		Ministry of Industry and Trade	Act No 61/1997, as amended

	<p>experience, or</p> <p>e) documents under Section 7(5)(a), (b), (c), (d) or (e) of the Trade Licensing Act</p>			
<p>Research, development, manufacture, destruction, purchase, sale and storage of explosives and military munitions, processing and degradation of explosives, degradation and delaboration of military munitions and carrying out blasting work</p>	<p>for the research, development, manufacture and processing of explosives and research, development and manufacture of military munitions: university education in a study programme and study field focusing on technical science or technology;</p> <p>for the destruction and degradation of explosives: authorization or certificate of pyrotechnic expert*);</p> <p>for the purchase, sale and storage of explosives:</p> <p>a) authorization or certificate of a pyrotechnic expert or shot-firer*), or</p> <p>b) authorization or certificate of a firework detonator);</p> <p>c)</p> <p>for the degradation, destruction and delaboration of military munitions:</p> <p>a) at least secondary education</p>	<p>reliability of the entrepreneur or the governing body or members of the governing body ***);</p> <p>research, development, manufacture, degradation, destruction, delaboration, purchase, sale and storage of military munitions may only be operated at the premises specified in the ammunition license ****)</p>	<p>for the research, development, manufacture, processing, destruction, purchase, sale and storage of explosives, the Czech Mining Authority*****)</p>	<p>*) § 35 and 36 of Act No 61/1988 on mining, explosives and the State Mining Authority as amended</p> <p>***) § 70f of Act No. 119/2002 Coll., on firearms and ammunition (the Weapons Act) as amended by Act No. 229/2016 Coll.</p> <p>****) § 1 paragraph 5 of Act No. 451/1991 Coll., which lays down some other prerequisites for the performance of certain functions in state bodies and organizations of the Czech and the Slovak Federal Republic, the Czech Republic and the Slovak Republic</p> <p>*****) § 70i of Act No. 119/2002 Coll. as amended by Act No. 229/2016 Coll.</p>

	<p>with a school-leaving examination in a field of study with a technical focus and authorization of pyrotechnic expert*),</p> <p>b) a certificate of professional competence of the applicant to issue a certificate to carry out a pyrotechnic survey **) and 3 years of professional experience; or</p> <p>c) a certificate of professional competence of the applicant for the issue of a higher ammunition certificate**) and 5 years of experience in the field;</p> <p>for the purchase, sale and storage of military munitions:</p> <p>a) at least secondary education with a school-leaving examination in a field of study with a technical, economic, military or police focus,</p> <p>b) a certificate of professional competence of the applicant to issue a certificate to carry out a pyrotechnic survey **) and 3 years of professional experience; or</p>			<p>*****) § 23 of Act No. 61/1988 Coll. as amended</p>
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	<p>c) a certificate of professional competence of the applicant for the issue of a higher ammunition certificate**) and 5 years of experience in the field;</p> <p>for the carrying out of the blasting work:</p> <p>a) authorization or certificate of a pyrotechnic expert or shot-firer*), or</p> <p>b) authorization or certificate of a firework detonator*)</p>			
<p>Development, manufacture, repair, modification, transportation, purchase, sale, rental, storage, disabling and destruction of arms and ammunition</p>	<p>for the development, manufacture, repair, modification, disabling and destruction of arms:</p> <p>a) university education in a study programme and study field focusing on technical science or technology and three years' professional experience, or</p> <p>b) higher education in a field of study focusing on technical sciences or technology and three years' professional experience, or</p> <p>c) secondary education with a school-leaving examination</p>	<p>reliability of the entrepreneur or the governing body or members of the governing body*), for the acquisition of explosives**) and the performance of activities involving explosives, the entrepreneur or the entrepreneur's responsible representative shall comply with the professional competence stipulated for the research, development, destruction, disposal, processing, purchase and sale of explosives consistent with</p>	<p>for the development, manufacture, destruction, disabling of ammunition, Czech Authority for the Testing of Weapons and Ammunition ***)</p>	<p>*) Section 1(5) of Act No 451/1991</p> <p>**) Section 21(1) and (2) of Act No 61/1988, as amended by Act No 542/1991</p> <p>***) for the development, manufacture, destruction and disabling of ammunition, Section 17 (3) (i) of Act No. 156/2000 Coll., on the verification of firearms, ammunition and pyrotechnical objects, as amended by Act No.</p>

	<p>in a field of study with a technical focus and three years' professional experience, or</p> <p>d) secondary education with a certificate of apprenticeship in a field of study for a gunsmith or tool maker and three years' professional experience, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience</p> <p>for the purchase, sale, transportation, rental and storage of arms and ammunition:</p> <p>a) university education in a</p>	<p>the scope of the trade authorization</p>		<p>13/1998 Coll., and Act No. 368/1992 Coll., on administrative fees, as amended, as amended by Act No. 155/2010 Coll. and as amended by Act No. 206/2015 Coll., on pyrotechnical products and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics)</p>
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	<p>study programme and study field focusing on economics, the military, the police, technical sciences or technology and one year's professional experience, or</p> <p>b) higher education in a field of study focusing on economics, the military, the police, technical sciences or technology and two years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study with a technical, economic, military or police focus and two years' professional experience, or</p> <p>d) secondary education with a certificate of apprenticeship in a field of study to be a shop assistant specializing in arms and ammunition or in a related field and three years' experience of business activity involving arms and ammunition, or</p> <p>e) secondary education with a certificate of apprenticeship in a field of study to be a gunsmith or tool maker and</p>			
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	<p>three years' professional experience or one year's experience of business activity involving arms and ammunition, or</p> <p>f) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience;</p> <p>for the manufacture, repair, modification, disabling and destruction of ammunition: professional competence stipulated for the development, manufacture, repair, modification, disabling and destruction of arms, a pyrotechnic authorization or certificate, and age of at least</p>			
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	<p>21 years;</p> <p>for the development of ammunition: university education in a study programme and study field focusing on technical sciences or technology, the study field of explosive theory and technology, and three years' professional experience</p>			
<p>Purchase and sale, rental, development, manufacture, repair, modification, storage, transportation, disabling and destruction of security material</p>	<p>a) university education in a study programme and study field focusing on technical sciences, economics, the military, or the police, aged at least 21 years, or</p> <p>b) higher education in a field of study focusing on technical sciences, economics, the military or the police, aged at least 21 years, or</p> <p>c) secondary education with a school-leaving examination or a certificate of apprenticeship in a field of study with a technical, economic, military or police focus, aged at least 21 years, or</p>	<p>good character of all employees (Section 6(2) of Act No 455/1991, as amended by Act No 155/2010)</p>	<p>approval of the regional directorate of the Police Force of the Czech Republic</p>	<p>Section 3(2) of Act No 310/2006 on the handling of certain items usable for defence and security purposes in the Czech Republic and amending certain other laws (the Act on the Handling of Security Material)</p>

	<p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and one year's professional experience, and aged at least 21 years</p>			
<p>Manufacture and processing of fuels and lubricants and fuel distribution</p>	<p>for the manufacture and processing of fuels and lubricants:</p> <p>a) university education in a study programme and study field focussing on chemistry and one year of professional experience, or</p> <p>b) higher education in a field of study focussing on chemistry and three years of professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study focussing</p>		<p>for fuel distribution, the customs authority</p>	<p>Act No. 311/2006 Coll., on fuels and service stations and on amendments to certain related Acts (Act on Fuels), as amended</p> <p>*) Act No. 179/2006 Coll., as amended</p>

	<p>on chemistry and three years of professional experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the trade is operated falls, and four years of professional experience, or</p> <p>e) a professional qualification to pursue the vocation of chemist to operate devices in accordance with a special legal regulation*) and four years of professional experience, or</p> <p>f) documents in accordance with Section 7 para. 5(a),(b), (c), (d) or (e) of the Trade Licensing Act;</p> <p>for fuel distribution:</p> <p>a) university education and</p>			
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	<p>one year of professional experience, or</p> <p>b) higher education and two years of professional experience, or</p> <p>c) secondary education with school-leaving examination and three years of professional experience, or</p> <p>d) secondary education and four years of professional experience, or</p> <p>e) a professional qualification to pursue the vocation of chemist to operate devices in accordance with a special legal regulation*) and four years of professional experience</p>			
<p>Generation and distribution of heat not subject to a licence*) from heat sources with an installed capacity per source of more than 50 kW</p>	<p>a) university education in a study programme and study field focusing on technical sciences and three years' professional experience, or</p> <p>b) higher education in a field of study with a technical focus and six years' professional experience, or</p> <p>c) secondary education with a school-leaving examination in a field of study with a</p>	<p>a natural or legal person who applies for a concession and does not hold a licence to produce heat and a licence to distribute heat*) must prove that he/it has the technical attributes required to ensure the performance of the permitted activities**) and that this activity will not endanger the lives and activities of persons, property or interests in</p>	<p>State Energy Inspectorate</p>	<p>*) Act No 458/2000 on conditions of business and on State administration in the energy sectors and amending certain laws (the Energy Act), as amended</p> <p>**) Section 9 of Decree No 426/2005 on the details of granting licences for business in</p>

	<p>technical focus and six years' professional experience;</p> <p>for heat sources with an installed capacity of up to 1MW inclusive and a separate heat distribution facility with an installed capacity of up to 1 MW inclusive, the following shall suffice:</p> <ul style="list-style-type: none">a) secondary education with a certificate of apprenticeship in a field of study with a technical focus and three years' professional experience, orb) a retraining certificate or other evidence of professional qualifications for the operation of small energy sources, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls	<p>environmental protection. A natural or legal person who applies for a concession must have liability insurance.</p>		<p>energy sectors</p>
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<p>Road transport</p> <ul style="list-style-type: none">- haulage operated by means of motor vehicles or combinations of vehicles with a maximum permissible weight above 3.5 tonnes, where intended for animal and goods transport;- passenger transport operated by means of vehicles designed for carrying more than 9 persons including the driver,- haulage operated by means of motor vehicles or combinations of vehicles with a maximum permissible weight not exceeding 3.5 tonnes, where intended for animal and goods transport,- passenger transport operated by means of vehicles designed for carrying not more than 9 persons including	<p>professional competence in accordance with Section 8a of Act No 111/1994 for road haulage operated by means of motor vehicles or combinations of vehicles with a maximum permissible weight above 3.5 tonnes, where intended for animal and goods transport, as well as for passenger transport operated by means of vehicles designed for carrying more than 9 persons including the driver.</p>		<p>transport authority</p>	<p>Act No 111/1994 on road transport, as amended</p> <p>Regulation (EC) No. 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC.</p>
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the driver.				
Inland water transport	Section 33a of Act No 114/1995 on inland waterways, as amended by Act No 358/1999		Ministry of Transport	Act No 114/1995 on inland waterways, as amended
Check testing of professional equipment for the application of preparations	<p>a) at least secondary education with a school-leaving examination in a field of plant health, plant protection, cultivation, gardening, hop growing, viticulture, forestry, agricultural or forestry equipment, or general agriculture and three years' professional experience in the operation and adjustment of product application equipment, or</p> <p>b) at least secondary education with a school-leaving examination and four years' experience in the operation and adjustment of product application equipment.</p>	approval of establishment	Central Institute for Supervising and Testing in Agriculture	Section 65 of Act No 326/2004 on plant health and amending certain related laws, as amended by Act No 199/2012
Pyrotechnical research	a) pyrotechnic authorization*) issued by the district mining	reliability of the entrepreneur or the governing body or members of the governing		*) § 35 and 36 of Act No. 61/1988 Coll. as amended

	<p>authority or</p> <p>b) a certificate of professional competence of the applicant to issue a certificate to carry out a pyrotechnic survey **)</p>	body***)		<p>**) § 70f of Act No. 119/2002 Coll. as amended by Act No. 229/2016 Coll.</p> <p>***) § 1 paragraph 5 of Act No. 451/1991 Coll.</p>
<p>Public auctions</p> <ul style="list-style-type: none"> - voluntary - compulsory 	<p>for voluntary public auctions:</p> <ul style="list-style-type: none"> a) university education and one year's experience of auctions or real estate activity, or b) higher education and three years' experience of auctions or real estate activity, or c) secondary education and five year's experience of auctions or real estate activity, or d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a 		Ministry of Regional Development	Section 6 of Act No 26/2000 on public auctions, as amended by Act No 315/2006

	<p>ministry in whose purview the sector in which the trade is operated falls, and nine years' experience of auctions or real estate activities, or</p> <p>e) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act;</p> <p>for compulsory public auctions:</p> <p>a) university education and three year's experience of auctions or real estate activity, or</p> <p>b) higher education and four years' experience of auctions or real estate activity, or</p> <p>c) secondary education and six year's experience of auctions or real estate activity, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by</p>			
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	<p>the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and ten years' experience of auctions or real estate activities, or</p> <p>e) documents under Section 7(5)(j), (k), (l) or (m) of the Trade Licensing Act</p>			
<p>Tour operators</p> <ul style="list-style-type: none"> - organisation of packages, - – facilitation of linked travel arrangement 	<ul style="list-style-type: none"> a) university education in a study programme and study field focusing on tourism, or b) higher education in a field of education focusing on tourism, or c) secondary education with a school-leaving examination in a field of education focusing on tourism, or d) university education and one year's professional experience, or e) higher education and three years' professional experience, or f) secondary education with a school-leaving examination and six years' professional 		<p>Ministry of Regional Development**)</p>	<p>*) Act No 179/2006 on the certification and recognition of the results of further education and amending certain laws (the Act on the Recognition of Further Education Results)</p> <p>***) Act No 159/1999 on certain conditions for engaging in business in tourism as amended</p>

	<p>experience, or</p> <p>g) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and six years' professional experience, or</p> <p>h) evidence of professional qualifications to act as a tour operator in accordance with specific legislation*) and two years' professional experience</p> <p>i) documents under Section 7(5)(b), (c), (f), (g), (h) or (i) of the Trade Licensing Act</p>			
<p>Security of property and persons</p>	<p>a) university education, or</p> <p>b) higher education in law, security or other similar specialisations, or</p>	<p>“reliability of the entrepreneur or the governing body or members of the governing body**) and good character of</p>		<p>*) Act No 179/2006, as amended,</p> <p>**) Section 1(5) of Act</p>

	<p>c) secondary education with a school-leaving examination in security or law and 3 years of professional experience, or</p> <p>d) secondary education with a school-leaving examination, 3 years of professional experience in the field and a certificate of retraining or another document of professional qualification for the relevant work activity issued by an establishment accredited in accordance with specific legislation of the Ministry of Education, Youth and Sports or by the ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) secondary education with a school-leaving examination, 3 years of professional experience in the field and professional qualification for the activities of a guard under specific legislation*)</p>	<p>all of the persons carrying out the activity concerned for the entrepreneur (Section 6 (2) of Act No 455/1991, as amended by Act No 155/2010)</p>		<p>No 451/1991.</p>
<p>Private detective services</p>	<p>a) university education and one year's professional</p>	<p>“reliability of the entrepreneur or the governing body or</p>		<p>*) Act No 179/2006, as amended,</p>

	<p>experience, or</p> <p>b) higher education in law, security or other similar specialisations and one year of professional experience in the field, or</p> <p>c) secondary education with a school-leaving examination in security or law and 3 years of professional experience, or</p> <p>d) secondary education with a school-leaving examination, 3 years of professional experience in the field and a certificate of retraining or another document of professional qualification for the relevant work activity issued by an establishment accredited in accordance with specific legislation of the Ministry of Education, Youth and Sports or by the ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) secondary education with a school-leaving examination, 3 years of professional experience in</p>	<p>members of the governing body**) and good character of all of the persons carrying out the activity concerned for the entrepreneur (Section 6 (2) of Act No 455/1991, as amended by Act No 155/2010)</p>		<p>**) Section 1(5) of Act No 451/1991.</p>
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	the field and professional qualification for the activities of a detective in training under specific legislation*)			
Provision of technical services for the protection of property and persons	<ul style="list-style-type: none"> a) university education in a study programme and study field focusing on mechanical engineering, electrical engineering, telecommunications or information technology and one year's professional experience, or b) higher education in a field of study focusing on mechanical engineering, electrical engineering, telecommunications or information technology and two years' professional experience, or c) secondary education with a school-leaving examination in a field of study focusing on mechanical engineering, electrical engineering, telecommunications or information technology and two years' professional experience, or d) secondary education with a 	the good character of all persons who carry out the relevant activity for the entrepreneur (Section 6 (2) of Act No 455/1991, as amended by Act No 155/2010 Sb.)		

	<p>certificate of apprenticeship in a field of study focusing on mechanical engineering, electrical engineering, telecommunications or information technology and three years' professional experience, or</p> <p>e) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' professional experience;</p>			
Registry management	<p>a) university education and one year's administrative experience, or</p> <p>b) higher education and two years' administrative experience, or</p> <p>c) secondary education with a school-leaving examination</p>	approval of an establishment and the good character of all employees (Section 6(2) of Act No 455/1991, as amended by Act No 155/2010)	State Area Archives in the location of the establishment	Section 68(4) of Act No 499/2004 on archiving and the registry service and amending certain laws

	<p>and three years' administrative experience, or</p> <p>d) a retraining certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, and four years' administrative experience</p>			
<p>Operation of shooting ranges and shooting courses</p>	<p>a) university education in a study programme and study field focusing on the military, the police, or physical culture, physical education and sport and two years' experience of managing shooting or operating shooting ranges, or</p> <p>b) higher education in a study field focusing on the military, the police, or</p>	<p>reliability of the entrepreneur or the governing body or members of the governing body*)</p>		<p>*) Section 1(5) of Act No 451/1991</p>

	<p>physical culture, physical education and sport and two years' experience of managing shooting or operating shooting ranges, or</p> <p>c) secondary education with a school-leaving examination in a field of study focusing on the military or the police and two years' experience of managing shooting or operating shooting ranges, or</p> <p>d) a shooting judge or trainer certificate and three years' experience of managing shooting or operating shooting ranges</p>			
Operation of funeral establishments	Section 6(2) of Act No 256/2001 on funeral services and amending certain laws, as amended		regional hygiene stations	Section 6(3) of Act No 256/2001 on funeral services and amending certain laws, as amended
Embalming and conserving	Section 10(2) of Act No 256/2001 on funeral services and amending certain laws, as amended		regional hygiene stations	Section 10(4) of Act No 256/2001 on funeral services and amending certain laws, as amended
Operation of crematoriums	Section 13(2) of Act No 256/2001 on funeral services and amending certain laws, as amended		regional hygiene stations	Section 13(3) of Act No 256/2001 on funeral services and amending certain laws, as amended

UNQUALIFIED TRADE

(further to Section 25(2))

Objects of business: Manufacture, trade and services not specified in Annexes 1 to 3 to the Trade Licensing Act

Fields of activity classified as unqualified trades:

1. Provision of services for agriculture, horticulture, fishing, forestry and hunting
2. Professional forest management and the production of forest management plans and outlines
3. Diagnosis, testing and consulting related to the protection of plants and the treatment of plants, plant products, structures and soil against harmful organisms by means of plant protection products and biocidal products
4. Handling of the reproductive material of forestry plants
5. Animal breeding and training (with the exception of animal production)
6. Treatment of minerals, extraction of peat and mud
7. Manufacture of food and starch products
8. Fruit distillation
9. Manufacture of feed, compound feed, additives and premixtures
10. Manufacture of textiles, textile products, clothing and clothing accessories
11. Manufacture and repair of footwear, saddlery and harness products
12. Wood processing, manufacture of wooden, cork, straw and plaiting products
13. Manufacture of pulp, paper and paperboard and of goods made of those materials
14. Publishing, printing, binding and copying
15. Manufacture, reproduction, distribution, sale, rental of audio and audiovisual recordings, and manufacture of blank data and recording carriers
16. Manufacture of coke, raw pitch and other solid fuels
17. Manufacture of chemicals and chemical mixtures or articles and cosmetic products
18. Manufacture of fertilizers
19. Manufacture of plastic and rubber products
20. Glass manufacture and processing
21. Manufacture of building materials, porcelain, ceramic and plaster products
22. Manufacture of abrasive products and other non-metallic mineral products
23. Technical and jewellery stone cutting
24. Production of iron, precious metals, non-ferrous metals and their alloys
25. Manufacture of metal structures and fabricated metal products
26. Artistic and craft working of metals
27. Surface treatment and welding of metals and other materials
28. Manufacture of measuring, testing, navigation, optical and photographic instruments and equipment
29. Manufacture of electronic components, electrical equipment, and the manufacture and repair of electrical machinery, appliances and electronic equipment powered by low voltage
30. Manufacture of non-electric domestic appliances
31. Manufacture of industrial machinery
32. Manufacture of motor vehicles and their trailers and bodies
33. Design and manufacture of vessels
34. Manufacture, development, design, testing, installation, maintenance, repair, modification and structural changes to aircraft, aircraft engines, blades, aircraft parts and equipment and aviation ground facilities
35. Manufacture of rail traction units and rail vehicles on tramways trolley-bus tracks and cableways, and railway fleets

36. Manufacture of bicycles, wheelchairs and other non-motor vehicles
37. Manufacture and repair of upholstered products
38. Manufacture, repair and maintenance of sport products, games, toys and prams and pushchairs
39. Manufacture of medical devices
40. Manufacture and repair of sources of ionizing radiation
41. Manufacture of school and office equipment, except paper products, the manufacture of costume jewellery, brooms and brushes, made-up articles, umbrellas, souvenirs
42. Manufacture of other manufacturing articles
43. Operation of water supply and wastewater services, and water treatment and distribution
44. Waste management (except dangerous waste)
45. Preparatory and finishing work, specialized construction activities
46. Glazing, framing and mounting
47. Intermediation in trade and services
48. Wholesale and retail trade
49. Pawnbroking and retailing in second-hand goods
50. Maintenance of motor vehicles and accessories
51. Transport via pipelines and land transport (except rail and road motor transport)
52. Storage, packaging of goods, cargo handling and technical activities in transport
53. Forwarding and representation in customs procedure
55. Accommodation services
56. Provision of software, information technology consulting, data processing, hosting and related activities and web portals
57. Activities of information and news agencies
58. Real estate services, facility management and maintenance
59. Leasing and loaning of movables
60. Guidance and consulting activities, production of expert studies and opinions
61. Land consolidation design
62. Preparation and production of technical designs, graphic and drawing work
63. Design of electrical equipment
64. Research and development in the field of natural and technical sciences or social sciences
65. Testing, measurement, analysis and inspections
66. Advertising, marketing, media representation
67. Design and arrangement activities and modelling
68. Photographic services
69. Translation and interpreting
70. Administrative services and services of an organizational and economic nature
71. Operation of a travel agency and guide services in the field of tourism
72. Extra-curricular education, organization of courses, training, including instructor services
73. Operation of cultural, educational and entertainment facilities, organization of cultural productions, events, exhibitions, fairs, festivals, sales and similar events
74. Operation of physical education and sports facilities and organization of sports activities
75. Domestic washing, ironing, repair and maintenance of clothing, household linen and personal goods
76. Provision of technical services
77. Repair and maintenance of household goods, items of a cultural nature, precision equipment, optical equipment and measuring devices
78. Provision of personal and personal hygiene services
79. Provision of services for the family and households
80. Manufacture, trade and services not elsewhere specified

List of trades where the entrepreneur is required to ensure that such trades are carried on solely by natural persons complying with professional competence, and professional competence required for such activities

(further to Section 7(6))

Trade	Professional competence required	Remarks
1	2	3
Optician	<ul style="list-style-type: none"> a) competence to perform the profession of optometrist under a special legal regulation ^{*)}, or b) higher education in a field of education of a qualified optician or a qualified ophthalmic technician, or c) secondary education with a school-leaving examination in a field of education of an optician or ophthalmic technician, or d) a retraining^{*)} certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or e) a professional qualification to work as an optician for spectacle lens technology in accordance with a special legal regulation ^{**)}, or f) evidence of three years' professional experience in an independent position (Section 420 of the Civil Procedure Code) or in an employment relationship 	<p>^{*)} Act No. 96/2004 Coll., on conditions for obtaining and recognising professional qualifications to perform non-medical health care professions and to perform activities relating to health care provision and on amendments to certain Acts (Act on non-medical health care professions), as amended by Act No. 125/2005 Coll.</p> <p>^{**)} Act No. 179/2006 Coll., as amended</p>
Trade in animals used for livestock breeding	<ul style="list-style-type: none"> a) university education in a study programme and study field focusing on veterinary medicine and hygiene, livestock breeding, or zootechnics, or b) higher education in a field of study focusing on livestock breeding, zootechnics or veterinary medicine, or 	<p>^{*)} Decree No 176/2009 setting out the requisite details of an application for the accreditation of an educational programme, organisation of education</p>

	<ul style="list-style-type: none"> c) secondary education with a school-leaving examination in a field of study focusing on livestock breeding, zootechnics or veterinary medicine, or d) secondary education with a certificate of apprenticeship in a field of education focusing on livestock breeding or zootechnics, or e) a retraining*) certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or f) evidence of three years' professional experience in an independent position (Section 420 of the Civil Procedure Code) or in an employment relationship, or g) evidence of the recognition of professional qualifications under specific legislation,**) or h) documents under Section 7(5)(k) of the Trade Licensing Act 	<p>in a retraining facility, and the manner of its completion</p> <p>**) Act No 18/2004 on the recognition of professional qualifications and other competence of nationals of European Union Member States and amending certain laws (the Act on the Recognition of Professional Qualifications), as amended</p>
<p>Tourist assistance activities in mountain areas</p>	<ul style="list-style-type: none"> a) secondary education with a school-leaving examination and professional qualification for mountain tourist assistance activities in accordance with specific legislation*) b) a retraining**) certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or c) evidence of three years' professional experience in an independent position (Section 420 of the Civil Procedure Code) or in an employment relationship, or 	<p>*) Act No 179/2006 on the certification and recognition of the results of further education and amending certain laws (the Act on the Recognition of Further Education Results)</p> <p>**) Decree No 176/2009</p> <p>***) Act No 18/2004, as amended</p>

	d) evidence of the recognition of professional qualifications under specific legislation***)	
Water rescue service	<p>a) a retraining*) certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>b) a document confirming specialization as a mining rescuer**) – diver, or</p> <p>c) a professional qualification for the activity of an open water rescuer or for the activity of a senior life guard in accordance with specific legislation****)</p> <p>d) evidence of three years' professional experience in an independent position (Section 420 of the Civil Procedure Code) or in an employment relationship, or</p> <p>e) evidence of the recognition of professional qualifications under specific legislation***)</p>	<p>*) Decree No 176/2009</p> <p>**) Decree No 447/2001 on the mining rescue service, as amended by Decree No 87/2006</p> <p>***) Act No 18/2004, as amended</p> <p>****) Act No 179/2006 Coll., as amended</p>
Provision of physical education and sports services in the field of ...	<p>a) higher education in a field of education focusing on physical culture, physical education and sport, or</p> <p>b) university education in a study programme and study field focusing on physical culture, physical education and sport, or</p> <p>c) a retraining*) certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>d) proof of professional competence, issued by an educational institution specializing in physical education (e.g.</p>	<p>*) Decree No 176/2009</p> <p>**) Act No 18/2004, as amended</p> <p>***) Act No 179/2006 Coll., as amended</p>

	<p>the educational institutions of physical education associations),</p> <p>e) a professional qualification for the relevant area of fitness activities under specific legislation***) or</p> <p>f) evidence of three years' professional experience in an independent position (Section 420 of the Civil Procedure Code) or in an employment relationship, or</p> <p>g) evidence of the recognition of professional qualifications under specific legislation**)</p>	
Day care of children up to the age of three	<p>a) professional competence to pursue the profession of a general nurse or health assistant, carer, midwife, or paramedic, or general ambulance attendant, under specific legislation*), or</p> <p>b) professional competence to pursue the profession of social worker or social services worker under specific legislation**), or</p> <p>c) professional qualifications to pursue the profession of nursery school teacher in accordance with specific legislation***) or</p> <p>d) professional qualifications for the activities of nannies taking care of pre-school children in accordance with specific legislation****), or</p> <p>e) evidence of three years' professional experience in an independent position (Section 420 of the Civil Procedure Code) or in an employment relationship, or</p> <p>f) evidence of the recognition of professional qualifications under specific legislation*****)</p>	<p>*) Act No 96/2004 on conditions for the acquisition and recognition of competence to engage in paramedical professions and to carry out activities connected with the provision of health care and amending certain related laws (the Paramedical Act), as amended</p> <p>**) Act No 108/2006 on social services, as amended</p> <p>***) Act No 563/2004 on pedagogical staff and amending certain other laws, as amended</p> <p>****) Act No 179/2006, as amended</p> <p>*****) Act No 18/2004, as amended</p>
Activities disturbing the integrity of human skin	<p>a) professional competence to pursue the profession of physician or dental practitioner in accordance with specific legislation*), or</p> <p>b) professional competence to pursue the profession of a general nurse, midwife,</p>	<p>*) Act No 95/2004 on conditions for the acquisition and recognition of professional competence and specialist</p>

	<p>paramedic or health assistant under specific legislation**), or</p> <p>c) secondary education with a school-leaving examination in the study field of cosmetics and a retraining***) certificate or other evidence of professional competence for activities where the integrity of the human skin disturbed, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>d) secondary education with a certificate of apprenticeship in the study field of cosmetics and a retraining***) certificate or other evidence of professional competence for activities where the integrity of the human skin is disturbed, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) a retraining***) certificate or other evidence of professional competence for a cosmetician and for activities where the integrity of the human skin is disturbed, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>f) a professional qualification for the activity of a beautician and for certain activities during which the integrity of the human skin is disturbed (expert in permanent make-up, piercer or tattoo artist) under specific legislation *****), or</p> <p>g) evidence of the recognition of professional qualifications under specific legislation*****)</p>	<p>competence to practice as a physician, dental practitioner or pharmacist, as amended by Act No 125/2005</p> <p>***) Act No 96/2004, as amended by Act No 125/2005</p> <p>*****) Act No 176/2009,</p> <p>*****) Act No 18/2004, as amended</p> <p>*****) Act No 179/2006 Coll., as amended</p>
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<p>Massage, reconditioning, and regeneration services</p>	<p>a) professional competence to pursue the profession of physician and specialized competence in the field of rehabilitation and physical medicine or sports medicine in accordance with specific legislation,*) or</p> <p>b) professional competence to pursue the profession of physiotherapist or masseur or blind and weak-sighted masseur in accordance with specific legislation,**) or</p> <p>c) university education in a study programme and study field focusing on rehabilitation or physical education, or</p> <p>d) a retraining***) certificate or other evidence of professional competence for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) professional qualification for traditional or sport massage under specific legislation****), or</p> <p>f) evidence of the recognition of professional qualifications under specific legislation****)</p>	<p>*) Act No 95/2004, as amended by Act No 125/2005</p> <p>***) Act No 96/2004, as amended by Act No 125/2005</p> <p>****) Act No 176/2009,</p> <p>*****) Act No 18/2004, as amended</p> <p>*****) Act No 179/2006, as amended</p>
<p>Operation of solariums</p>	<p>a) a retraining*) certificate or other evidence of professional competence for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>b) a professional qualification for the activity of a solarium operator under specific legislation***), or</p> <p>c) evidence of three years' professional experience in an independent position (Section 420 of the Civil Procedure Code) or in an employment relationship, or</p> <p>d) evidence of the recognition of</p>	<p>*) Decree No 176/2009</p> <p>***) Act No 18/2004, as amended</p> <p>****) Act No 179/2006 Coll., as amended</p>

	professional qualifications under specific legislation**)	
Cosmetic services	<ul style="list-style-type: none"> a) secondary education with a certificate of apprenticeship in the study field of cosmetics, or b) secondary education with a school-leaving examination in the study field of cosmetics, or with vocational training subjects in a relevant field, or c) higher education in the study field of cosmetics, or d) university education in a relevant study programme and study field focusing on the area of the trade, or e) a retraining*) certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or f) a professional qualification for the activity of a beautician under specific legislation***), or g) evidence of three years' professional experience in an independent position (Section 420 of the Civil Procedure Code) or in an employment relationship, or h) evidence of the recognition of professional qualifications under specific legislation,**) or i) documents under Section 7(5)(k) of the Trade Licensing Act 	<p>*) Decree No 176/2009</p> <p>**) Act No 18/2004, as amended</p> <p>***) Act No 179/2006 Coll., as amended</p>
Pedicure, manicure	<ul style="list-style-type: none"> a) secondary education with a certificate of apprenticeship in the study field of cosmetics, or b) secondary education with a school-leaving examination in the study field of cosmetics, or with vocational training subjects in a relevant field, or c) higher education in the study field of cosmetics, or d) university education in a relevant study programme and study field focusing on 	<p>*) Decree No 176/2009</p> <p>**) Act No 18/2004, as amended</p> <p>***) Act No 179/2006 Coll., as amended</p>

	<p>the area of the trade, or</p> <p>e) a retraining*) certificate or other evidence of professional qualifications for the relevant work activities, issued by an establishment accredited in accordance with specific legislation, or by an establishment accredited by the Ministry of Education, Youth and Sports, or by a ministry in whose purview the sector in which the trade is operated falls, or</p> <p>f) a professional qualification for the activity of a pedicurist and nail designer or a manicurist and nail designer under specific legislation***), or</p> <p>g) evidence of three years' professional experience in an independent position (Section 420 of the Civil Procedure Code) or in an employment relationship, or</p> <p>h) evidence of the recognition of professional qualifications under specific legislation**) or</p> <p>i) documents under Section 7(5)(k) of the Trade Licensing Act.</p>	
<p>Security of property and persons</p>	<p>a) university education, or</p> <p>b) higher education in law, security or other similar specialisations, or</p> <p>c) secondary education with a school-leaving examination in security or law, or</p> <p>d) secondary education with a school-leaving examination and a certificate of retraining or another document of professional qualification for the relevant work activity issued by an establishment accredited in accordance with specific legislation, an establishment accredited by the Ministry of Education, Youth and Sports or by the ministry in whose purview the sector in which the trade is operated falls, or</p> <p>e) professional qualification for the activities of a guard under specific legislation*), or</p> <p>f) evidence of the recognition of professional qualifications under specific legislation**)</p>	<p>*) Act No 179/2006, as amended</p> <p>**) Act No 18/2004, as amended</p>

Private detective services	<ul style="list-style-type: none"> a) university education, or b) higher education in law, security or other similar specialisations, or c) secondary education with a school-leaving examination in security or law, or d) secondary education with a school-leaving examination and a certificate of retraining or another document of professional qualification for the relevant work activity issued by an establishment accredited in accordance with specific legislation, an establishment accredited by the Ministry of Education, Youth and Sports or by the ministry in whose purview the sector in which the trade is operated falls, or e) professional qualification for the activities of a detective in training under specific legislation*), or f) evidence of the recognition of professional qualifications under specific legislation**) 	<p>*) Act No 179/2006, as amended</p> <p>***) Act No 18/2004, as amended</p>

ACT NO 286/1995

Article III

Transitional provisions

The carrying-on of a trade pursuant to a trade authorization, in respect of the inception of which an enforceable decision is taken before this Act enters into effect, and the termination thereof shall be governed by this Act.

An entrepreneur carrying on a trade pursuant to a trade certificate or trade permit certificate issued before this Act enters into effect shall, where this Act requires the fulfilment of conditions for a trade authorization and for carrying on a trade that differ from the conditions laid down in existing legislation, with the exception of the obligations set out in point 7, evidence fulfilment of such conditions at the request of the trade licensing office with due jurisdiction based on the registered office or place of business within nine months of delivery of that request. This shall not apply in cases where the fulfilment of different conditions is evident from documents submitted by the entrepreneur in procedure under existing legislation or in cases of a vocational trade within the meaning of point 6. The trade licensing office shall request the entrepreneurs to evidence the fulfilment of the conditions for carrying on a trade within six months of the date that this Act enters into effect.

Should the trade licensing office find that the conditions for carrying on a trade have been fulfilled, it shall decide on a change to the trade certificate or trade permit certificate. Where a notifiable trade becomes a permitted trade under the law, it shall issue a trade permit certificate instead of a decision on a change. Where a permitted trade becomes a notifiable trade under the law, it shall issue a trade certificate instead of a decision on a change. Should an entrepreneur, at the trade licensing office's request, fail to evidence the fulfilment of the conditions for carrying on a trade, this shall be regarded as a grave infringement of this Act. Where the fulfilment of the conditions may be derived from documents submitted by the entrepreneur to the trade licensing office in preceding proceedings, the trade licensing office shall issue a decision on a change, a trade certificate or a trade permit certificate within nine months of the date that this Act enters into effect.

A trade authorization for an activity which is not a trade under this Act shall be terminated one year after this Act enters into effect, unless otherwise provided by a specific law; a trade authorization certificate shall become invalid in the same time limit. Natural and legal persons may continue business activities constituting trades under this Act for a period of one year after this Act enters into effect on the basis of an authorization for business activity granted prior to the entry into effect of this Act. On expiry of this time limit authorizations shall be terminated and after this time limit a trade may be carried on solely pursuant to a trade authorization.

Notification of a trade and applications for a concession submitted before this Act enters into effect, in respect of which an enforceable decision has not been taken by the time this Act enters into effect, shall be discussed in accordance with the new legislation. Procedure on the imposition of a fine, on the cancellation of a trade authorization, on the suspension of the carrying-on of a trade and on penalization for unauthorized business activity, in respect of which an enforceable decision has not been taken by the time this Act enters

into effect, shall be completed in accordance with existing legislation, unless the provisions under this Act are more favourable for a party to the proceedings.

The fulfilment of specific conditions for carrying on a trade under this Act shall not be required for six years for carrying on a vocational trade which has been an unqualified trade under existing legislation and which has been carried on pursuant to a trade certificate, in respect of which a decision has been issued before this Act enters into effect.

A natural person who is a long-term resident in the Czech Republic and carries on a trade as a foreign person as of the date this Act enters into effect may continue business activities constituting a trade for one year as of the entry into effect of this Act pursuant to authorization obtained before this Act enters into effect. If such a person fails to submit documents to the trade licensing office in this time limit which prove fulfilment of the conditions laid down in this Act, the authorization to carry on a trade shall be terminated on expiry of that time limit.

The responsible representative shall comply with the requirement of knowledge of Czech pursuant to Section 11(2) within one year of the date that this Act enters into effect.

Actions executed under the preceding provisions of this Act shall be exempt from administrative fees.

ACT NO 159/1999

PART FOUR TRANSITIONAL AND FINAL PROVISIONS

Section 14

Transitional provisions

(2) A trade authorization, pursuant to which trades are carried on that, under this Act, are changed into notifiable professional trades (the operation of a travel agency) or into a permitted trade (the operation of a tour operator), shall become void six months after the date that this Act enters into effect.

(3) Natural and legal persons who intend, on expiry of the time limit under paragraph (1), to continue carrying on activities which are the subject of the notifiable professional trade of the operation of a travel agency as of the date that this Act enters into effect shall submit to the trade licensing office, within the time limit under paragraph (1), documents proving that they fulfil the conditions of professional competence laid down in this Act. If the trade licensing office finds that the submitted documents are incomplete or do not sufficiently prove professional competence, it shall call upon the legal or natural person to provide additional material or to rectify irregularities, with the condition that if the person fails to heed the request within the time limit set in paragraph (1), its authorization to carry on activities which, as of the date this Act enters into effect, are the subject of the notifiable professional trade of the operation of a travel agency shall be terminated on expiry of that time limit.

(4) Natural and legal persons who intend, on expiry of the time limit under paragraph (1), to continue carrying on activities which are the subject of the permitted trade of the operation

of a tour operator as of the date that this Act enters into effect shall submit to the trade licensing office, within the time limit under paragraph (1), documents proving that they fulfil the conditions of professional competence and documents laid down in Section 5(1) of this Act. Provided they meet this requirement, they shall be entitled to carry on activities pursuant to the original trade authorization until a decision on a concession enters into force.

(5) Unless otherwise provided, legal relations formed before this Act enters into effect shall be governed by the provisions of this Act; however, the inception of such legal relations, and the entitlements arising thereunder before this Act enters into effect, shall be assessed in accordance with existing legislation.

ACT NO 356/1999

PART SIX TRANSITIONAL AND FINAL PROVISIONS

Article VI

1. A trade authorization which is issued before this Act enters into effect shall be preserved unless otherwise provided below. A surviving spouse's right to continue carrying on a trade under preceding legislation, granted before this Act enters into effect, shall be preserved.
2. The carrying-on of a trade pursuant to a trade authorization under point 1 and the termination thereof shall be governed by this Act. The good character of an entrepreneur granted a trade authorization before this Act enters into effect shall be assessed in accordance with existing legislation; this shall not apply if the entrepreneur is convicted of a crime after this Act enters into effect.
3. If, under the law, a notifiable unqualified trade changes into a notifiable professional trade or permitted trade, natural and legal persons authorized to engage in business pursuant to a trade authorization obtained before this Act enters into effect may continue carrying on that trade. Within one year of the date that this Act enters into effect, they shall submit to the competent trade licensing office documents proving the fulfilment of specific conditions for carrying on a trade as laid down by this Act, unless the trade licensing office has these documents at its disposal from previous proceedings.
4. Should persons referred to in point 3 submit documents to the trade licensing office concerning the fulfilment of specific conditions for carrying on a trade, the trade licensing office shall issue a trade certificate or trade permit certificate, in which the changed information is reflected. The procedure under Sections 52 and 53 shall be followed *mutatis mutandis* when a decision is to be taken on a concession. If the authority referred to in Section 52(1) opposes the granting of a concession, the trade licensing office shall revoke the trade authorization. The trade licensing office shall revoke the trade authorization of persons who, within the time limit set in paragraph (3), fail to submit documents on the fulfilment of specific conditions for carrying on a trade.
5. If, under the law, a notifiable unqualified trade changes into a notifiable vocational trade, natural and legal persons authorized to engage in business pursuant to a trade authorization obtained before this Act enters into effect may continue carrying on that trade. Within one year of the entry into effect of this Act, they shall notify the trade

licensing office of the information required for the issuance of a trade authorization certificate for a vocational trade under the new legislation. If an entrepreneur complies with this obligation in the set time limit, he shall not be required to prove fulfilment of the conditions of professional competence to the trade licensing office and the trade licensing office shall issue him with a trade certificate. Should an entrepreneur fail to comply with the obligation under the second sentence, the trade licensing office shall revoke the entrepreneur's trade authorization without undue delay.

6. If, under this Act, there is a change only to the name of a trade, within one year of the date this Act enters into effect the trade licensing office shall issue the entrepreneur with a trade certificate or trade permit certificate with the new name of the trade.
7. If, under this Act, trades are merged, within one year of the date this Act enters into effect the trade licensing office shall issue the entrepreneur with a trade authorization certificate in which that change is reflected.
8. If, under this Act, a trade is divided into two or more individual trades, natural and legal persons authorized to engage in business pursuant to a trade authorization obtained before this Act enters into effect may continue carrying on that trade. Within one year of the date that this Act enters into effect, they shall submit to the trade licensing office documents proving the fulfilment of specific conditions for carrying on a trade as laid down by this Act or specific legislation, unless the trade licensing office has these documents at its disposal from previous proceedings.
9. Should persons referred to in point 8 submit documents to the trade licensing office concerning the fulfilment of specific conditions for carrying on a trade, the trade licensing office shall change the trade certificate by issuing trade certificates with the altered information or shall decide to grant a concession and subsequently issue a trade permit certificate. The procedure under Sections 52 and 53 shall be followed *mutatis mutandis* when a decision is to be taken on concessions. If the authority referred to in Section 52(1) opposes the granting of a concession, the trade licensing office shall revoke the trade authorization.
10. If the persons referred to in point 8 fail to comply with the obligation to submit documents on the fulfilment of specific conditions for carrying on a trade in accordance with this Act within the set time limit set, the trade licensing office shall revoke their trade authorization without undue delay.
11. Entrepreneurs who acquire a trade authorization before this Act enters into effect for a trade where there has been a change to the specific conditions for carrying on the trade without a simultaneous change pursuant to point 3 shall prove to the trade licensing office that they comply with the professional competence solely in respect of the responsible representative, if appointed after the date that this Act enters into effect.
12. A trade authorization to carry on an activity which is no longer a trade under this Act shall be terminated one year after this Act enters into effect, unless otherwise provided by specific legislation; a trade authorization certificate shall become invalid in the same time limit. The trade licensing office shall draw the entrepreneur's attention in writing to the fact that this is no longer a trade within six months of the date that this Act enters into effect.
13. An entrepreneur who carries on a trade industrially pursuant to a trade authorization acquired before this Act enters into effect shall, within one year of the effect of this Act, submit a list of activities to the trade licensing office which are carried out to manufacture

the final product or to provide a service and are only partial elements of the technological process.

14. The trade licensing office shall issue, as an annex to the trade certificate, a list of trades pursuant to Section 7a(8) of this Act to an entrepreneur carrying on a trade industrially pursuant to a trade authorization acquired before this Act enters into effect on fulfilment of the entrepreneur's obligation under point 13.
15. An entrepreneur who has obtained a trade authorization before this Act enters into effect shall, at the trade licensing office's request, notify the trade licensing office of information about his place of business, registered office or organizational unit of a foreign person located in the Czech Republic in accordance with Section 45(2)(a) and (c) and (3)(a) and (c), unless the trade licensing office already has such information at its disposal from previous proceedings. The obligation of notification within the meaning of this provision shall also apply to entrepreneurs who have been issued with a trade authorization certificate before this Act enters into effect but do not have the right to carry on a trade until registration in the commercial register after this Act enters into effect. The trade licensing office shall change the trade authorization certificate within six months of the date on which the relevant information is reported.
16. An entrepreneur who has acquired a trade authorization before the date this Act enters into effect shall submit documents to the trade licensing office, within one year of the date this Act enters into effect, concerning the ownership title or other rights attached to structures or rooms in which his registered office, place of business (if the place of business differs from the residential address) or organizational unit of a foreign person located in the Czech Republic is situated. This obligation shall also apply to entrepreneurs who have been issued with a trade authorization certificate before this Act enters into effect but do not have the right to carry on a trade until registration subsequent in the commercial register after this Act enters into effect.
17. The trade licensing office shall issue, at the request of an entrepreneur issued with a trade authorization certificate for a permitted trade before the date this Act enters into effect, a trade permit certificate in accordance with Section 54 within 30 days of the request.
18. Where a permitted trade becomes a notifiable trade under the law, the trade licensing office shall issue a trade certificate to the entrepreneur within one year of the date this Act enters into effect.
19. An application for a concession to carry on a trade which, as a result of the provisions of this Act, has become a notifiable trade in respect of which an enforceable decision has been taken before this Act enters into effect shall be regarded as notification of a trade.
20. Notification of a trade delivered to a trade licensing office before the date this Act enters into effect which concerns a trade that is a permitted trade under this Act shall be regarded as an application for a concession, unless the procedure is completed in accordance with Section 47 before the date this Act enters into effect.
21. Applications for a concession submitted before this Act enters into effect, in respect of which an enforceable decision has not been taken by the time this Act enters into effect, shall be discussed in accordance with the new legislation.
22. Notifications of a trade delivered to the trade licensing office before this Act enters into effect, unless completed in accordance with Section 47 by the time this Act enters into effect, with the exception of notifications under point 19, shall be discussed in accordance with the new legislation.

23. Procedure on the imposition of a fine, on the cancellation of a trade authorization, and on the suspension of the carrying-on of a trade, in respect of which an enforceable decision has not been taken by the time this Act enters into effect, shall be completed in accordance with the new legislation, unless existing legislation is more favourable for a party to the proceedings.
24. A foreign natural person who carries on a trade pursuant to a trade authorization obtained before this Act enters into effect and who is not an entrepreneur abroad and has established an undertaking in the Czech Republic shall submit evidence of the fulfilment of the conditions of residence for business purposes (Section 5(4)) to the trade licensing office within one year of the date on which this Act enters into effect, if subject to this obligation under Section 5(4). Non-compliance with this obligation shall be regarded as a grave infringement of the Act (Section 58(2)).
25. (deleted)
26. Actions executed in accordance with points 4, 5, 6, 7, 9, 10, 14, 15, 17, 18 and 25 shall be exempt from an administrative fee.

ACT NO 358/1999

Article III

Transitional provisions

1. Operators of vessels who operate water transport for other parties' requirements pursuant to a concession shall, within two years of the date on which this Act enters into effect, submit a certificate of professional competence, issued by a shipping authority, to the trade licensing office; if they fail to submit a certificate within this time limit, their trade authorization shall be revoked and these persons shall return their trade permit certificate to the trade licensing office without undue delay.
2. The natural and legal persons referred to in Section 23(4) shall commence radio operations within two years of the date this Act enters into effect.

ACT NO 124/2000

Article IV

1. The validity of authorizations issued by bodies and organizations of state supervision and bodies of the State mining authority to organizations and natural persons engaged in business prior to 1 January 1993 shall expire three years after this Act enters into effect; authorizations issued after 31 December 1992 shall remain in force.
2. The validity of certificates issued by bodies and organizations of State supervision and bodies of the State mining authority to natural persons before this Act enters into effect shall expire five years after this Act enters into effect.

3. Trade authorizations acquired before this Act enters into effect for carrying on professional trades under group 202 of Annex No 2 to the Trade Licensing Act shall constitute authorization to carry on trades in the context of authorization issued by a body or organization of State supervision or a body of the State mining authority.
4. Trade authorizations acquired before this Act enters into effect for carrying on the professional trade under group 205 of Annex No 2 to the Trade Licensing Act, ‘Installation, repair, maintenance and inspection of dedicated electrical equipment and manufacture of low-voltage distribution boards’, shall be regarded as trade authorizations for carrying on the professional trade ‘Installation, repair, inspection and testing of dedicated electrical equipment’ as of the date this Act enters into effect. They shall constitute authorization to carry on a trade within the scope of authorization issued by a body or organization of State supervision or a body of the State mining authority.
5. Trade authorizations acquired before this Act enters into effect for carrying on the professional trade under group 205 of Annex No 2 to the Trade Licensing Act, ‘Design of electrical equipment’, and trade authorizations issued for the manufacture of distribution boards shall be regarded as trade authorizations for carrying on a notifiable unqualified trade with that object of business as of the date this Act enters into effect.
6. Trade authorizations acquired before this Act enters into effect for carrying on professional trades under group 205 of Annex No 2 to the Trade Licensing Act, ‘Manufacture, installation and repair of electrical machinery and appliances’ and ‘Manufacture, installation and repair of electronic equipment’, shall be regarded as trade authorizations for carrying on the vocational trade under group 105 of Annex No 1 to the Trade Licensing Act: Electrical machinery and appliances, ‘Installation and repair of electrical machinery and appliances’ and ‘Installation and repair of electronic equipment’ as of the date this Act enters into effect.
7. The trade licensing office shall issue entrepreneurs carrying on a trade pursuant to trade authorizations acquired before the date this Act enters into effect and referred to in points 3 to 6 with trade certificates with objects of business under the legal provisions of this Act within 18 months of the date that this Act enters into effect.

ACT NO 149/2000

Article IV

1. Sellers of dedicated medicinal products who acquire a trade authorization to sell dedicated medicinal products before this Act enters into effect shall notify this fact to the State Institute for Drug Control within six months of the date that this Act enters into effect. Sellers of dedicated medicinal products who fail to comply with this obligation may be fined in accordance with the Trade Licensing Act.
2. The list of dedicated medicinal products drawn up under Decree of the Ministry of Health and the Ministry of Agriculture No 21/1998 laying down dedicated medicinal products and good practice for sellers of dedicated medicinal products shall expire twelve months after this Act enters into effect. If a holder of a decision on the registration of a dedicated medicinal product referred to in Decree of the Ministry of Health and the Ministry of Agriculture No 21/1998 laying down dedicated medicinal products and good practice for sellers of dedicated medicinal products applies for a change to registration in respect of

which a medicinal product is classified among dedicated medicinal products (Section 2(19) of Act No 79/1997 on medicinal products and amending certain related laws, as amended by this Act) within six months of the date this Act enters into effect, he shall be exempt from an administrative fee.

5. Persons who carried on a registered activities in the field of ‘Dental laboratory technician’ as a private healthcare facility in accordance with specific legislation¹ as at 1 March 2000 and, after that date, carried on that activity by way of the permitted trade ‘Manufacture and repair of dental prostheses’, and who notify the authority competent for registration under specific legislation within one month of the date this Act enters into effect that they intend to continue their activity as a private healthcare facility and no changes have been made compared to the facts referred to in the original registration, shall not be required to apply for new registration. In other cases the procedure under specific legislation shall be followed.¹⁾

ACT NO 309/2000

PART THREE TRANSITIONAL PROVISIONS

1. Entrepreneurs who have acquired a trade authorization for trades referred to in this Act, in respect of which there has been a change in professional competence, shall submit documents to the trade licensing office proving the fulfilment of professional competence under this Act within two years of the date this Act enters into effect and shall not be subject to the obligation laid down in Article VI (transitional provisions) of Act No 356/1999 amending Act No 455/1991, the Trade Licensing Act, as amended, and certain other laws.
2. Where, under this Act, one trade is divided into two, trade authorizations shall be preserved and the trade licensing office shall issue trade authorization certificates in accordance with this Act within one year of the date this Act enters into effect.

ACT NO 409/2000

Article IV

Should a person who has acquired a trade authorization for the trade ‘Treatment of plants, plant products, structures and soil against harmful organisms with plant protection products’ before the date this Act enters into effect fail to submit evidence of professional competence within six months of the date this Act enters into effect, the trade licensing office shall revoke that person’s trade authorization without undue delay.

ACT NO 274/2001

TITLE X

COMMON, TRANSITIONAL AND FINAL PROVISIONS

Section 39

(6) Owners of sewerage networks for whose sewerage networks no sewage rules have been approved shall draw up such rules and submit them to the water authority for approval within one year of the date this Act enters into effect.

(7) Owners of sewerage networks for whose sewerage networks sewage rules have been approved in accordance with existing legislation shall draw up new sewage rules and submit them to the water authority for approval by 31 March 2004.

(8) Natural and legal persons authorized to engage in business pursuant to a trade authorization for the permitted trade of 'Operation of water supply and wastewater services' who acquired such authorization before this Act enters into effect may continue carrying on this trade until no later than 31 March 2004, unless the regional authority issues them, at their request, with a permit in accordance with Section 6 prior to that date. Without prejudice to the preceding sentence, the competent trade licensing office shall issue a new trade certificate to those persons, without their prior request, within one year of the date this Act enters into effect.

(9) Water supply and wastewater services which, under existing legislation, have been public water supply and wastewater services and comply with the conditions laid down in Section 1, shall be water supply and wastewater services under this Act. In cases of doubt, the Ministry shall decide.

(10) The plan for the development of water supply and wastewater services shall be drawn up and approved by 31 December 2004.

(11) The obligation to provide selected information from the registry and operating records to the water authority in accordance with Section 5(3) shall first be met by 31 January 2004.

(12) The obligation of the owner of water supply or wastewater services to enter into a contract with a purchaser in accordance with Section 8(5) and Section 36(1) shall be met by 31 January 2003.

ACT NO 478/2001

1. Holders of certificates for motor vehicle driving instructors whose certificate has been issued prior to 1 January 2001 may request the Ministry to replace their current certificate with a professional certificate; the Ministry shall replace the existing certificate for instructors with a professional certificate.
 2. Professional certificates for training instructors issued after 1 January 2001 under Act No 247/2000 on the acquisition and improvement of professional competence to
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drive motor vehicles and amending certain laws are professional certificates for training instructors under this Act.

3. Instructors issued with a certificate under legislation in force prior to 1 January 2001 shall be regarded as instructors under this Act.
4. Any procedure for the revocation of a certificate for training instructors commenced in accordance with Section 60(3) of Act No 247/2000 on the acquisition and improvement of professional competence to drive motor vehicles and amending certain laws shall be stopped as of the date this Act enters into effect.
5. Teaching and instruction commenced prior to 1 January 2001 shall be completed by 31 July 2002.
6. The fulfilment of the condition of three years' professional experience for the issue of a trade authorization for the trade of 'Driving instruction' shall not be required for entrepreneurs or responsible representatives who have held the relevant trade authorization or been the responsible representative for this trade.

ACT NO 119/2002

Section 86

Transitional provisions

(1) Natural or legal persons carrying on permitted trades in accordance with Group 302 under Annex No 3 to the Trade Licensing Act where the objects of business are 'Development, manufacture, repair, modification, purchase, sale, rental, storage, transportation and disabling of ammunition for weapons subject to registration under the law' or 'Development, manufacture, repair, modification, transportation, purchase, sale, rental, storage and disabling of military ammunition' pursuant to a trade authorization acquired before this Act enters into effect, to an extent encompassing the development, manufacture, repair or modification or disabling of ammunition, shall submit documents to the competent trade licensing office proving their professional competence under this Act within 12 months of the date this Act enters into effect. If documents are not submitted in that time limit, the competent trade licensing office shall revoke the trade authorization.

(2) If the persons under paragraph (1) submit documents to the trade licensing office proving their professional competence in accordance with this Act, the trade licensing office shall proceed in its decision-making on a concession in accordance with Sections 53 and 54. The opinion under Section 52 shall not be required.

(3) Trade authorizations in respect of permitted trades in accordance with Group 302 under Annex No 3 to the Trade Licensing Act where the objects of business are 'Development, manufacture, repair, modification, transportation, purchase, sale, rental, storage, and disabling of weapons subject to registration under the law', 'Development, manufacture, repair, modification, purchase, sale, rental, storage, transportation and disabling of military weapons' and 'Development, manufacture, repair, modification, purchase, sale, rental, storage, transportation and disabling of ammunition for weapons subject to registration under the law', to an extent encompassing the purchase, sale, rental, storage or transportation of military ammunition, acquired before this Act enters into effect, shall be regarded as trade authorizations with objects of business according to new legislation. The trade licensing

office shall issue the corresponding trade permit certificate within 12 months of the date on which this Act enters into effect.

(4) In decision-making on an application for a concession, in respect of which no enforceable decision has been issued before this Act enters into effect, the procedure under new legislation shall be followed, including the obligation to seek opinions in accordance with Sections 52 and 53.

(5) Actions executed under paragraphs (2) and (3) shall be exempt from administrative fees.

ACT NO 174/2002

Article II

Transitional provisions

1. The current trade authorizations where the subject of the trade is the ‘Purchase, sale and storage of liquefied hydrocarbon gases in pressure vessels, including transportation’ which are in force when this Act enters into effect shall remain in force.
2. Where there is a change in the name of a trade pursuant to this Act, the trade licensing office shall issue a trade authorization certificate under the new legislation to the entrepreneur at the entrepreneur’s request or no later than pursuant to notification of a change in accordance with Section 49 of the Trade Licensing Act. Actions under the preceding sentence shall not be subject to an administrative fee.
3. Notifications of a notifiable professional trade where the subject is defined as the ‘Purchase, sale and storage of liquefied hydrocarbon gases in pressure vessels, including transportation’ which are delivered to the trade licensing office before this Act enters into effect and in respect of which the procedure has not been completed shall be discussed in accordance with the new legislation.

ACT NO 174/2002

Article IV

Transitional provisions

1. Trade authorization certificates for notifiable unqualified trades which have been issued before the governmental order promulgated under Section 73a enters into effect shall remain in force. An entrepreneur who has acquired a trade authorization before Act No 356/1999 amending Act No 455/1991, the Trade Licensing Act, as amended, and certain other laws, as amended by Act No 61/2001 enters into effect, where the name of the objects of business on the trade authorization certificate does not correspond to the list of notifiable unqualified trades set by governmental order, shall be entitled to make a written request to the trade licensing office for the replacement of the certificate with a certificate or certificates in accordance with the governmental order to the extent of the

original trade authorization. In the request, the entrepreneur shall also specify the name or names of the trades under the said list, if he has set up establishments, these names shall be reflected in the information about establishments in the trade licensing register, and if he carries on a trade via a responsible representative, he shall notify that responsible representative's appointment for these trades. If the request does not contain all the said particulars, the trade licensing office shall call upon the entrepreneur to rectify the irregularities. In its request, the trade licensing office shall set a reasonable time limit of at least 15 days. Should the entrepreneur fail to rectify the irregularities in the set time limit, the trade licensing office shall reject the request and shall not replace the certificates. If a request contains all the required particulars or if the entrepreneur rectifies the irregularities in the request in the set time limit, the trade licensing office shall issue a trade authorization certificate or certificates for the trades within 30 days of delivery of the request, or within 30 days of the date on which the entrepreneur rectifies the irregularities. Trade authorizations which, by scope, correspond to the original trade authorization and which the entrepreneur does not expressly state in his request shall be terminated on the date of issue of the new trade authorization certificates. Actions under this point shall not be subject to an administrative fee.

2. Trade authorization certificates for notifiable unqualified trades which have been issued under Article VI(25) of Act No 356/1999 in force until this Act enters into effect shall remain in force.

ACT NO 308/2002

Article IX Transitional provisions

A trade authorization, pursuant to which a trade has been carried on that is changed by this Act into a permitted trade, shall expire one year after this Act enters into effect. This shall not apply if, within one year of the date this Act enters into effect, a holder of the trade authorization under the first sentence submits documents referred to in Section 50 to the trade licensing office.

ACT NO 130/2003

Article IV Transitional provisions

Trade authorizations issued in accordance with Group 315, 'Medical devices', under Annex No 3 to Act No 455/1991, the Trade Licensing Act, as amended, shall remain in force even after this Act enters into effect; decisions to grant a concession and trade permit certificates shall be regarded as trade authorization certificates for the new professional trade referred to in Group 214, 'Miscellaneous', under Annex No 2.

ACT NO 354/2003

Article IV

Transitional provisions

1. Trade authorizations for notifiable unqualified trades, pursuant to which activities have been carried out which, under this Act, are changed to the permitted trade ‘Manufacture and processing of fermented spirits, consumer spirits and other alcoholic beverages²⁾ (except for beer, fruit wines, other wines and mead, and growers’ own fruit distillates)’, shall expire one year after this Act enters into effect, unless provided otherwise below.
2. Legal and natural persons holding valid trade authorizations pursuant to paragraph (1) when this Act enters into effect and intending, after the time limit laid down in paragraph (1), to continue activities constituting, as of the date this Act enters into effect, the subject of the permitted trade ‘Manufacture and processing of fermented spirits, consumer spirits and other alcoholic beverages (except for beer, fruit wines, other wines and mead, and growers’ own fruit distillates)’, shall apply for a concession, submit documents to the trade licensing office proving that they comply with the professional competence, disclose the address of the establishment, and supply the documents under Section 3a(3) of the Spirits Act before the time limit under paragraph (1) expires. Provided they meet this requirement, they shall be entitled to carry on activities pursuant to the original trade authorization until a decision on a concession enters into force.
3. Notifications of a trade delivered to the trade licensing office before this Act enters into effect and relating, under this Act, to the permitted trade of ‘Manufacture and processing of fermented spirits, consumer spirits and other alcoholic beverages (except for beer, fruit wines, other wines and mead, and growers’ own fruit distillates)’, shall be regarded as an application for a concession if the procedure is not concluded in accordance with Section 47 of the Trade Licensing Act before this Act enters into effect. Procedures in progress regarding the issue of a trade authorization shall be completed in accordance with this Act.
4. Actions executed under points 1 and 2 shall be exempt from administrative fees.

ACT NO 438/2003

Article XIII

Transitional provisions

1. Trade authorizations issued before 1 January 2004 for the carrying-on of the notifiable professional trade under Group 214 of Annex No 2 to the Trade Licensing Act, ‘Accounting consulting, bookkeeping’, shall be regarded, as of that date, as trade authorizations for carrying on the professional trade under Group 214 of Annex No 2 to the Trade Licensing Act, ‘Accounting consulting, bookkeeping, tax accounting’.

2. A trade authorization certificate issued under existing legislation for the notifiable professional trade under Group 214 of Annex No 2 to the Trade Licensing Act, ‘Accounting consulting, bookkeeping’, shall be replaced with a trade authorization certificate under Annex No 2 to the Trade Licensing Act, as amended by Article XII of this Act, by the trade licensing office by 1 January 2006 after discussion with the entrepreneur. This action shall not be subject to an administrative fee.
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ACT NO 167/2004

Transitional provisions

Article II

1. Trade authorizations in force before this Act enters into effect shall remain in force unless otherwise provided below.
 2. Natural and legal persons who, before this Act enters into effect, have acquired authorization to engage in business in an activity which has become a notifiable trade as of the date this Act enters into effect may continue engaging in that business. However, within one year of the date that this Act enters into effect they shall notify the carrying-on of this trade to the competent trade licensing office in accordance with Section 45 and shall supply the documents laid down in Section 46 of the Trade Licensing Act. If they fail to meet this obligation, the authorization to engage in business shall be terminated on expiry of that time limit.
 3. Trade authorization certificates issued before this Act enters into effect for a trade reclassified under this Act from permitted trades to notifiable trades shall remain in force and, as of the date this Act enters into effect, shall be regarded as trade authorization certificates for a notifiable trade, unless otherwise provided. The trade licensing office shall issue the entrepreneur with a trade certificate in case of a change notified under Section 49 of the Trade Licensing Act.
 4. Where a notifiable professional trade and permitted trade are merged by this Act into a notifiable professional trade, the trade licensing office shall issue a trade certificate for that trade under the new legislation at the entrepreneur’s request or no later than pursuant to notification of a change in accordance with Section 49 of the Trade Licensing Act. The scope of the objects of business specified on a newly issued trade certificate shall be governed by the scope of the trade authorization acquired before the date this Act enters into effect.
 5. Where there is a change in the name of a trade pursuant to this Act, the trade licensing office shall issue a trade authorization certificate under the new legislation to the entrepreneur at the entrepreneur’s request or no later than pursuant to notification of a change in accordance with Section 49 or in accordance with Section 56 of the Trade Licensing Act.
 6. Where a notifiable professional trade is changed into a notifiable unqualified trade by this Act, the trade licensing office shall issue a trade authorization certificate for that trade under the new legislation to the entrepreneur in accordance with a governmental order issued in accordance with Section 73a(1) of the Trade Licensing Act at the entrepreneur’s
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request or no later than pursuant to notification of a change in accordance with Section 49 of the Trade Licensing Act.

7. An entrepreneur who has acquired, before this Act enters into effect, a trade authorization for the trade 'Manufacture, installation, repair, reconstruction, inspection and testing of dedicated pressure equipment and periodic testing of gas vessels' shall be issued, by the trade licensing office, with a trade certificate for the manufacture of such equipment in accordance with a governmental order issued in accordance with Section 73a(1) of the Trade Licensing Act, such being within six months of the date on which this Act enters into effect, unless the entrepreneur already holds authorization for that activity. For the trade 'Manufacture, installation, repair, reconstruction, inspection and testing of dedicated pressure equipment and periodic testing of gas vessels', the trade licensing office shall issue a trade certificate at the entrepreneur's request or no later than pursuant to notification of a change in accordance with Section 49 of the Trade Licensing Act.
8. An entrepreneur who, as at the date this Act enters into effect, holds a valid trade authorization for activity which is the subject of the trade 'Installation, repair and reconstruction of cooling equipment and heat pumps' under this Act and intends to continue carrying on that trade shall, within twelve months of the date this Act enters into effect, notify the trade licensing office that he intends to carry on that trade, or that he does not intend to carry out further activity beyond the scope of that trade under the trade authorization encompassing that trade issued before this Act enters into effect. Pursuant to such notification, the trade licensing office shall issue a trade certificate for the trade 'Installation, repair and reconstruction of cooling equipment and heat pumps' with the objects of business in the full or partial scope without requiring the entrepreneur to prove compliance with general and specific conditions for carrying on a trade, or the trade licensing office shall change or revoke the trade authorization issued under previous legislation. If an entrepreneur fails to provide notification to the trade licensing office that he intends to carry on the trade 'Installation, repair and reconstruction of cooling equipment and heat pumps', his trade authorization to carry on the said activity shall be terminated on expiry of the time limit specified in the first sentence. This provision shall apply mutatis mutandis to the trade 'stove-fitting'.
9. The issue of a change to the trade authorization certificate under the preceding provisions of this Act shall not be subject to an administrative fee if the change to the objects of business is a result of changes made by this Act.
10. Proceedings in progress regarding the issue of trade authorization certificates shall be completed in accordance with the new legislation.

ACT NO 499/2004

Section 90

Transitional provisions

(1) Trade authorizations for notifiable unqualified trades, pursuant to which an activity has been carried out that is changed by this Act into the permitted trade 'registry management', shall expire one year after this Act enters into effect, unless provided otherwise below.

(2) Legal and natural persons holding valid trade authorizations pursuant to paragraph (1) when this Act enters into effect and intending, after the time limit laid down in paragraph (1), to continue activities constituting, as of the date this Act enters into effect, the subject of the permitted trade ‘registry management’, shall apply for a concession and submit evidence proving compliance with specific conditions for carrying on the trade within the time limit laid down in paragraph (1). Provided they meet this requirement, they shall be entitled to carry on activities pursuant to the original trade authorization until a decision on a concession enters into force.

(3) Notification of a trade delivered to a trade licensing office before the date this Act enters into effect which concerns the permitted trade ‘registry management’ under this Act shall be regarded as an application for a concession, unless the procedure is completed before the date this Act enters into effect. Proceedings in progress regarding the issue of a trade authorization shall be completed in accordance with the new legislation.

(4) Actions executed under paragraphs (1) and (2) shall be exempt from administrative fees.

ACT NO 58/2005

Article III

Transitional provisions

1. Existing trade authorizations for the trade ‘Purchase, storage and sale of medical devices,*) which may be sold by sellers of medical devices’ that are valid when this Act enters into effect shall remain in force, unless otherwise provided below.
2. The trade licensing office shall issue an entrepreneur holding a valid trade authorization for the professional trade ‘Purchase, storage and sale of medical devices,*) which may be sold by sellers of medical devices’ as at the date this Act enters into effect with a trade authorization certificate in accordance with the new legislation in a complete or partial scope at the entrepreneur’s request or pursuant to notification of a change notified in accordance with Section 49 of the Trade Licensing Act. The issue of a certificate concerning a change to the name of a trade shall not be subject to an administrative fee.

ACT NO 95/2005

Article IX

Transitional provisions

Existing trade authorizations where the subject of the trade is ‘Operation of postal services’ which are valid when this Act enters into effect shall remain in force and shall be regarded as authorization to carry on the unqualified trade ‘Operation of postal and international postal services’. The trade licensing office shall make the change to the name of

the trade on a trade authorization certificate at the entrepreneur's request or when the first change is notified in accordance with Section 49 of the Trade Licensing Act. Notifications of the notifiable professional trade 'Operation of postal services' delivered to the trade licensing office before the date this Act enters into effect and in respect of which proceedings have not yet been completed shall be discussed in accordance with the new legislation.

ACT NO 127/2005

Transitional provisions

Section 136

- (16) Trade authorizations issued for the permitted trade 'Provision of telecommunication services' shall be terminated on the date that the person engaged in business pursuant to such an authorization notifies the performance of communication activities in accordance with Section 13 of this Act, but no later than one year as of the date this Act enters into effect.
 - (17) Procedure on the issue of a trade authorization for the permitted trade 'Provision of telecommunication services' commenced before this Act enters into effect and not completed as at that date shall be halted.
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ACT NO 131/2006

Article III

Transitional provisions

(1) Trade authorizations in force before this Act enters into effect shall remain in force unless otherwise provided below.

(2) The trade licensing office shall issue a natural or legal person holding, when this Act enters into effect, a valid trade authorization for the trade 'Treatment of plants, plant products, structures and soil against harmful organisms with plant protection products', for the trade 'Special protective disinfection, disinsectization and disinfestation with toxic or very toxic chemical substances or chemical products, with the exception of special protective disinsectization and disinfestation in food or agricultural operations and professional activities in the field of plant health', or for the trade 'Special protective disinfection, disinsectization and disinfestation without the use of toxic or very toxic chemical substances or chemical products, with the exception of special protective disinfection, disinsectization and disinfestation in food or agricultural operations and professional activities in the field of plant health', with a trade certificate in accordance with the Trade Licensing Act, in the version effective when this Act enters into effect, such being at that person's request, or no later than pursuant to a change notified by a natural or legal person in accordance with Section 49 of the Trade Licensing Act.

(3) The trade licensing office shall issue a natural or legal person holding, when this Act enters into effect, a valid trade authorization for the trade ‘Special protective disinfection, disinsectization and disinfestation in food or agricultural operations, including plant protection against harmful organisms’, at his request, with a trade authorization certificate specifying the objects of business ‘Treatment of plants, plant products, structures and soil against harmful organisms with plant protection products or biocidal products’ and ‘Special protective disinfection, disinsectization and disinfestation in food or agricultural operations’ on request, such being no later than six months as of the date this Act enters into effect.

(4) The issue of a trade certificate or a change to a trade certificate pursuant to points 1 to 3 shall not be subject to an administrative fee.

(5) Proceedings in progress regarding the issue of a trade authorization certificate shall be completed in accordance with the Trade Licensing Act, in the version effective as at the date this Act enters into effect.

ACT NO 191/2006

Transitional provisions

Article III

1. Ski lift facilities shall be regarded as operable provided that, within sixteen months of the date this Act enters into effect, the ski lift operator applies to the Rail Authority for a certificate of competence for the designated technical equipment (Section 47 of Act No 266/1994 on railways, as amended). If the operator fails to apply for a certificate of competence within that time limit, on expiry of the time limit the facility shall no longer be regarded as operable.
2. Natural and legal persons may continue operating a ski lift for a period of one year after this Act enters into effect on the basis of an authorization for business activity or a business authorization granted prior to the entry into effect of this Act. Such authorizations shall be revoked on expiry of the said time limit. Natural or legal persons operating a ski lift shall submit documents to the trade licensing office proving that they have met the conditions laid down by the Trade Licensing Act or that they have appointed a responsible representative who meets those conditions within nine months of the entry into effect of this Act. If this condition is satisfied, the trade licensing office shall issue a trade certificate to operate a ski lift within 60 days of the submission of the documents.

ACT NO 212/2006

Article IV

Transitional provisions

1. Natural and legal persons who, as at the date this Act enters into effect, are holders of valid trade authorizations to carry on a professional trade in the field of ‘Measurements of pollutants and odorous agents, processing of dispersion studies’ and in the field of ‘Verification of the quantity of greenhouse gas emissions’ shall, as at the date this Act enters into effect, become holders of a valid trade authorization to carry on a professional trade in the field of ‘Measurements of pollutants and odorous agents, verification of the quantity of greenhouse gas emissions and processing of dispersion studies’; the trade licensing office shall issue these legal and natural persons with a trade certificate with the objects of business stated as ‘Measurements of pollutants and odorous agents, verification of the quantity of greenhouse gas emissions and processing of dispersion studies’ on request or when the first change is notified in accordance with Section 49(1) of Act No 455/1991, the Trade Licensing Act, as amended, and this Act.
2. The issue of a trade certificate under point 1 shall be exempt from an administrative fee.

ACT NO 214/2006

Transitional provisions

Article XIII

1. Proceedings commenced before this Act enters into effect shall be completed in accordance with existing legislation.
2. Proceedings in progress regarding the issue of a trade authorization certificate for a notifiable unqualified trade for a legal person shall be completed in accordance with the Trade Licensing Act, in the version effective as at the date this Act enters into effect.
3. Decisions to suspend the carrying-on of a notifiable unqualified trade for a legal person on the grounds that a responsible representative has not been appointed shall lose their legal effect on the day this Act enters into effect.
4. Where, pursuant to this Act, a trade is changed from a notifiable unqualified trade into a notifiable vocational trade, natural and legal persons fulfilling the conditions for carrying on such a trade shall acquire a trade authorization for that vocational trade on the day Act No 214/2006 enters into effect.

ACT NO 225/2006

Article VI

Transitional provisions

1. Trade authorizations issued before this Act enters into effect for carrying on the notifiable professional trade under group 203 of Annex No 2 to the Trade Licensing Act, 'Development, design, manufacture, testing, maintenance, repair, modification and structural changes to aircraft, components thereof, and aviation technological products', shall be regarded as trade authorizations for carrying on the professional trade under group 203 of Annex No 2 to the Trade Licensing Act, 'Development, design, manufacture, testing, installation, maintenance, repair, modification and structural changes to aircraft, engines, blades, aircraft parts and equipment and aviation ground facilities' as of the date that this Act enters into effect.
2. A trade authorization certificate issued in accordance with existing legislation for the notifiable professional trade under group 203 of Annex No 2 to the Trade Licensing Act, 'Development, design, manufacture, testing, maintenance, repair, modification and structural changes to aircraft, components thereof, and aviation technological products', shall be replaced by the trade licensing office on request, or when the first change is notified by the entrepreneur in accordance with Section 49(1) of Act No 455/1991, in the version effective up to the date this Act enters into effect, with a trade authorization certification pursuant to Section 49(1) of Act No 455/1991, in the version effective as of the date this Act enters into effect.

ACT NO 310/2006

TITLE VII

Transitional provisions

Section 21

(1) Persons who handle security material as part of their business activities shall, within three months of the date that this Act enters into effect, apply for a concession for activities under the trade 'Purchase and sale, rental, development, manufacture, repair, modification, storage, transportation, disabling and destruction of security material'. If they do so in the set time limit, they may continue the activities which, as of the date this Act enters into effect, are the content of that permitted trade in the scope laid down in the trade authorization under existing legislation until a decision on a concession enters into force. If, in the set time limit, they fail to submit an application for a concession, existing authorizations to carry on activities which are the content of the permitted trade referred to in the first sentence shall be revoked on expiry of the time limit.

(2) Persons who handle security material under groups 1, 5, 6 or 10 referred to in an annex to this Act within the scope of the business activities shall

- a) within three months of the date this Act enters into effect, apply for the issue of a document confirming the security clearance of a natural person, if a natural person; this shall also apply to a responsible representative, if appointed,

- b) ensure that, within three months of the date this Act enters into effect, the governing body or members of the governing body, members of the supervisory board, confidential clerks and the responsible representative, if appointed, and the head of the organizational unit, apply for the issue of a document confirming the security clearance of a natural person, if a legal person.

(3) If the persons referred to in paragraph (2) fail to apply for a document confirming the security clearance of a natural person, they shall not be permitted to handle security material on expiry of the time limit referred to in paragraph (2). If persons referred to in paragraph (2) are not issued with a document confirming the security clearance of a natural person, they shall not be permitted to handle security material as of the date on which the application for the issue of a document confirming the security clearance of a natural person is rejected.

(4) Persons who handle security material other than for business purposes shall apply to the competent police department for registration within three months of the date that this Act enters into effect.

ACT NO 315/2006

Article VI

Transitional provisions

1. Existing trade authorizations where the object of business is 'Public auctions' which are valid when this Act enters into effect shall be regarded as authorization to carry on the trade 'Performance of a) voluntary, b) compulsory public auctions', unless otherwise provided.
2. The trade licensing office, at the request of an entrepreneur carrying on, as at the date this Act enters into effect, a trade with the object of business 'Public auctions' and intending to operate, in the future, only voluntary public auctions, shall issue a new trade permit certificate with the object of business 'Performance of a) voluntary public auctions'. The issue of a new trade permit certificate shall not be subject to an administrative fee.
3. Persons who, under existing legislation, are authorized to engage in the activity constituting the permitted trade 'Public auctions' and who intend to continue operating compulsory public auctions shall, within one year of the date that this Act enters into effect, submit documents to the trade licensing office proving compliance with professional competence, unless the trade licensing office has such documents at its disposal from previous proceedings, and shall prove fulfilment of the conditions under Section 6(1) of Act No 26/2000, in the version effective as of the date this Act enters into effect. If these persons supply the documents and fulfil the conditions laid down in the first sentence of this paragraph, the trade licensing office shall issue a decision amending the decision to grant a concession and shall issue a trade permit certificate with amended information. If these persons fail to act in this manner, the trade licensing office shall issue a decision amending the decision to grant a concession and shall issue a trade permit certificate covering voluntary public auctions. These actions shall not be subject to an administrative fee.

4. Proceedings regarding the granting of a concession for 'Public auctions' commenced before this Act enters into effect shall be completed in accordance with Act No 26/2000, in the version effective as of the date this Act enters into effect.

ACT NO 296/2007

Article XIV

Transitional provisions

In case of procedure under Act No 328/1991 on bankruptcy and composition, as amended, which has not been completed by the date this Act enters into effect, Section 13, in the version effective as of the date this Act enters into effect, shall also apply to the bankruptcy trustee; if the bankruptcy trustee continues the trade on the death of an entrepreneur, Section 57, in the version effective as of the date on which this Act enters into effect shall apply.

ACT NO 130/2008

Article II

Transitional provisions

1. The right to carry on trades which are partial activities in the context of a trade carried on industrially until the date this Act enters into effect shall remain in force. The trade licensing office with territorial jurisdiction based on the residential address of a natural person or the registered office of a legal person (or, in the case of a foreign natural person, based on the location of the undertaking's organizational unit, or the permitted place of residence, and if jurisdiction cannot be determined by the permitted place of residence, then based on the place of business; in the case of a foreign legal person, based on the location of the undertaking's organizational unit) shall call upon the entrepreneur to deliver evidence of professional competence, if required under the new legislation, within six months of the date this Act enters into effect. In its request, the trade licensing office shall set a reasonable time limit for the delivery of documents. If an entrepreneur fails to deliver documents to the trade licensing office or if such documents fail to prove fulfilment of the conditions for carrying on a trade, the trade licensing office shall revoke the authorization for that trade.
2. Existing trade authorizations shall remain in force. The right to carry on a trade shall be evidenced by means of an existing trade authorization certificate until such time as the first extract is issued to the entrepreneur. The trade licensing office shall issue an extract on request or pursuant to notification of a change in accordance with Sections 49 or 56 of Act No 455/1991, in the version effective as of the date this Act enters into effect.
3. Proceedings regarding the granting of and amendment of a concession commenced before this Act enters into effect shall be completed in accordance with Act No 455/1991, in the version effective as of the date this Act enters into effect.

4. Proceedings on administrative offences which are not concluded by the time this Act enters into effect shall be completed in accordance with Act No 455/1991, in the version effective until this Act enters into effect, unless the provisions of Act No 455/1991 in the version effective as of the date this Act enters into effect are more favourable for the party to the proceedings.
5. If a professional trade is changed into a vocational trade under this Act, documents used to prove professional competence for the professional trade shall be regarded as documents under Act No 455/1991, in the version effective as of the date this Act enters into effect.
6. If notifiable trades are merged under this Act, the entrepreneur shall be entitled, as of the date this Act enters into effect, to carry on a trade within the scope laid down in Act No 455/1991, in the version effective as of the date this Act enters into effect. This shall not apply to the merger of notifiable professional trades where persons carrying on trades referred to in the first sentence or appointed responsible representatives for such trades have professional competence required under the new legislation only for carrying on a trade to a partial extent. In this case, the entrepreneur shall be entitled to carry on a professional trade as of the date this Act enters into effect within the scope of the authorization under Act No 455/1991, in the version effective until the date this Act enters into effect.
7. If permitted trades are merged under this Act, the entrepreneur shall be entitled, as of the date this Act enters into effect, to carry on a trade within the scope of the authorization laid down in Act No 455/1991, in the version effective until the date this Act enters into effect.
8. An entrepreneur who, as at the date this Act enters into effect, is authorized to carry on a trade which, under this Act, is a notifiable unqualified trade, shall be authorized, as of the date this Act enters into effect, to carry on the notifiable unqualified in full.
9. Evidence of professional competence referred to in Section 21 of Act No 455/1991, in the version effective as of the date this Act enters into effect, may, even after this Act enters into effect, be replaced by evidence of the passing of a qualification examination under Decree No 154/1996 to implement qualification examinations replacing professional competence for carrying on vocational trades, as amended by Decree No 235/2000, passed before this Act enters into effect.
10. The objects of business of notifiable unqualified trades under Act No 455/1991, in the version effective until this Act enters into effect, shall become, as at the date this Act enters into effect, fields of activity under an unqualified trade in accordance with Annex No 4 to Act No 455/1991, in the version effective as of the date this Act enters into effect. The trade licensing office with territorial jurisdiction based on the residential address of a natural person or the registered office of a legal person (or, in the case of a foreign natural person, based on the location of the undertaking's organizational unit, or the permitted place of residence, and if jurisdiction cannot be determined by the permitted place of residence, then based on the place of business; in the case of a foreign legal person, based on the location of the undertaking's organizational unit) shall make an entry in the trade licensing register and shall issue the entrepreneur with an extract with the fields of activity under Annex No 4 to Act No 455/1991, in the version effective as of the date this Act enters into effect, when the first change is notified or at the entrepreneur's request.

11. Authorizations to design land consolidation in accordance with existing legislation shall remain in force. An entrepreneur who, as at the date this Act enters into effect, carries on the said activity and intends to continue this activity shall notify this fact within one year of the date on which this Act enters into effect to the trade licensing office in writing. The trade licensing office shall forthwith make an entry in the trade licensing register and issue the entrepreneur with an extract. The right to carry on this trade shall be extinguished if the entrepreneur fails to make the above notification within the one-year time limit.
12. If proceedings are commenced regarding an impediment to the carrying-on of a trade on account of the cancellation of bankruptcy procedure due to compliance with the resolution to distribute the estate and these proceedings are not concluded by the time this Act enters into effect, the proceedings shall be discontinued.

ACT NO 189/2008

Article XVII Transitional provisions

1. An entrepreneur who, as at the date this Act enters into effect, also performs activities within the scope of the trade ‘Application, manufacture and repair of a) prostheses, b) body orthoses, c) limb orthoses, d) soft bandages’ which do not constitute a trade as of the date this Act enters into effect may continue such activities until 31 December 2010. After this date, the authorization to perform such activities shall be terminated.
2. Professional competence evidenced before the date this Act enters into effect for the trade of ‘Application, manufacture and repair of a) prostheses, b) body orthoses, c) limb orthoses, d) soft bandages’ shall be regarded as professional competence for the trade ‘Manufacture and repair of series produced prostheses, body orthoses, limb orthoses, soft bandages’ as of the date this Act enters into effect.

ACT NO 254/2008

Article XXVII Transitional provisions

Incomplete proceedings for the granting of the concession ‘Foreign exchange activities’ shall be halted on the date that this Act enters into effect. Within 15 working days, the trade licensing office shall return the application for a concession and documents attached to the application to the applicant and shall advise the applicant of the new legislation concerning registration for foreign exchange activities in accordance with the Foreign Exchange Act. The trade licensing office shall also refund the administrative fee, if paid.

Article XIX
Transitional provisions

1. Natural or legal persons conducting permitted trades under Annex no. 3 to the Trade Licensing Act with the sphere of business as security of property and persons and private detective and investigation services are required to submit the documents demonstrating their professional qualification under this Act to the appropriate trade licensing office at the latest 36 months from the date on which this Act enters into force. Failure to provide these documents shall result in the termination of the relevant trade authorization by the trade licensing office.
2. Natural or legal persons conducting permitted trades under Annex no. 3 to the Trade Licensing Act with the sphere of business security of property and persons and private detective services are required to ensure at the latest 36 months from the entry into force of this Act and upon request by the relevant trade licensing office to document that the activities related to protecting the lives and property of persons and private detective services will be carried out by employees meeting all professional qualification requirements in accordance with Annex no. 5 to this Act and health requirements in accordance with Section 31a of this Act.

ACT NO 227/2009

Article XXII
Transitional provisions

1. The trade licensing office determined as appropriate under Section 71 paragraph 2 shall allocate an establishment identification number provided by the administrator of the basic register of persons pursuant to Act no. 111/2009 to an establishment set up prior to the date of entry into force of this Act at the latest within one year of the date on which this Act enters into force, and shall inform the enterprise of such allocation within the same deadline.
2. The enterprise specified in paragraph 1 above is obliged to use the establishment identification number allocated in accordance with paragraph 1 above within a maximum of 1 month after the expiry of the deadline specified in paragraph 1 above.

ACT NO 155/2010

Article VIII
Transitional provisions

1. Trade authorizations issued pursuant to Act No 455/1991, in the version effective as at the effective date of this Act, shall stand.
2. An entrepreneur who held, as at the effective date of this Act, a trade authorization for the trades “Security of property and persons” and “Private detective services” shall, no later

than within 2 years of the effective date of this Act, comply with the professional competence requirements pursuant to Act No 455/1991, in the version effective from the effective date of this Act, and submit evidence of that to the trade licensing office or appoint a responsible representative; this shall not apply if the entrepreneur has already documented compliance with professional qualification requirements to the trade licensing office. If an entrepreneur fails to document compliance with the professional competence requirements within the time-period referred to above, the trade licensing office shall commence proceedings leading to the cancellation of the trade authorization.

3. An entrepreneur who held, as at the effective date of this Act, a trade authorization for the trades “Security of property and persons” and “Private detective services” shall, no later than within 2 years of the effective date of this Act, ensure, and at the request of the trade licensing office document, that the activities that constitute the contents of the said trades are ensured solely through natural persons who comply with the professional competence requirements listed in Annex No. 5 to Act No 455/1991, in the version effective from the effective date of this Act.

ACT NO 145/2010

PART TWO

Section 26

Transitional provisions

An entrepreneur who, as at the date on which this Act enters into force, has provided or intermediated consumer credit within the scope of the notifiable unqualified trade ‘Manufacture, trade and services not specified in Annexes 1 to 3 to the Trade Licensing Act’ may continue this activity for a period of one year as of the date on which this Act enters into force. If, before this period expires, the entrepreneur serves notice that he intends to continue operating this activity and submits documents to the trade licensing office proving professional competence for the professional trade ‘Provision or intermediation of consumer credit’, the trade licensing office shall make an entry in the trade licensing register and shall issue the entrepreneur with an extract; this act shall not be subject to an administrative fee. Upon expiry of this period without action, the authorization to provide or intermediate consumer credit shall lapse.

ACT NO 119/2012

Section V

Transitional provisions

1. Entrepreneurs who, as at the date of entry into effect of this Act, were authorized to carry out a permitted trade with the line of business “Road transport – national haulage operated by vehicles with a maximum permissible weight of 3.5 tonnes inclusive, – national haulage operated by vehicles with a maximum permissible weight above 3.5 tonnes, – international haulage operated by vehicles with a maximum permissible weight of 3.5 tonnes inclusive, – international haulage operated by vehicles with a maximum

permissible weight above 3.5 tonnes, – national occasional passenger transport, – international occasional passenger transport, – national public regular service, – national special regular service, – international regular service, – international shuttle service, – taxi service” pursuant to Act No 455/1991, in the version effective before the date of entry into effect of this Act, shall be authorized to carry on the trade in the scope of the concession granted under the existing legal regulations, unless stipulated otherwise below.

2. Entrepreneurs who, as at the date of entry into effect of this Act, were authorized to carry out a permitted trade referred to in point 1 in the scope of the line of business “Road transport – national haulage operated by vehicles with a maximum permissible weight of 3.5 tonnes inclusive” or “Road transport – international haulage operated by vehicles with a maximum permissible weight of 3.5 tonnes inclusive”, shall – as from the date of entry into force of this Act – be authorized to carry on the permitted trade in the scope of the line of business “Road transport – haulage operated by means of motor vehicles or combinations of vehicles with a maximum permissible weight not exceeding 3.5 tonnes, where intended for animal and goods transport”. The trade licensing office shall register the change in the scope of the line of business pursuant to Act No 455/1991, in the version effective as of the date of entry into effect of this Act, in the trade licensing register within a period of 1 month after the date of entry into effect of this Act. The decision granting the concession shall be amended by the trade licensing office at the first next change in the data notified by the entrepreneur pursuant to Section 56 of Act No 455/1991, in the version effective as of the date of entry into effect of this Act.
3. Entrepreneurs who, as at the date of entry into effect of this Act, were authorized to carry out a permitted trade referred to in point 1 in the scope of the line of business “Road transport – taxi service”, shall – as from the date of entry into force of this Act – be authorized to carry on the permitted trade in the scope of the line of business “Road transport – passenger transport operated by means of vehicles designed for carrying not more than 9 persons including the driver”. The trade licensing office shall register the change in the scope of the line of business pursuant to Act No 455/1991, in the version effective as of the date of entry into effect of this Act, in the trade licensing register within a period of 1 month after the date of entry into effect of this Act. The decision granting the concession shall be amended by the trade licensing office at the first next change in the data notified by the entrepreneur pursuant to Section 56 of Act No 455/1991, in the version effective as of the date of entry into effect of this Act.
4. Entrepreneurs who, as at the date of entry into effect of this Act, were authorized to carry out a permitted trade referred to in point 1 in the scope of the line of business “Road transport – national occasional passenger transport”, “Road transport – international occasional passenger transport”, “Road transport – national public regular service”, “Road transport – national special regular service”, “Road transport – international regular service”, or “Road transport – international shuttle service” and who, after the date of entry into effect of this Act, intend to carry on a permitted trade in the scope of the line of business “Road transport – passenger transport operated by means of vehicles designed for carrying more than 9 persons including the driver”, shall be obliged to apply, within a period of 1 year after the date of entry into effect of this Act, for an amendment to the scope of the line of business and submit the relevant documents pursuant to Act No 455/1991, in the version effective as of the date of entry into effect of this Act, and Act No 111/1994, in the version effective as of the date of entry into effect of this Act. Based on the entrepreneur’s application and the relevant documents submitted, the decision granting the concession shall be amended by the trade licensing office, indicating the scope of the line of business in consistence with the version of the

line of business pursuant to Act No 455/1991, in the version effective as of the date of entry into effect of this Act, by amending the scope of the line of business to “Road transport – passenger transport operated by means of vehicles designed for carrying not more than 9 persons including the driver” or “Road transport – passenger transport operated by means of vehicles designed for carrying more than 9 persons including the driver”. If the application is not filed within a period of 1 year after the date of entry into effect of this Act, the decision granting the concession, which was issued before the entry into effect of this Act, shall be amended by the trade licensing office in the scope of the line of business in consistence with the first sentence, amending the scope of the line of business to “Road transport – passenger transport operated by means of vehicles designed for carrying not more than 9 persons including the driver”.

5. Entrepreneurs who, as at the date of entry into effect of this Act, were authorized to carry out a permitted trade referred to in point 1 in the scope of the line of business “Road transport – national haulage operated by vehicles with a maximum permissible weight above 3.5 tonnes” or „ Road transport – international haulage operated by vehicles with a maximum permissible weight above 3.5 tonnes” and who, after the date of entry into effect of this Act, intend to carry on a trade in road transport in the scope of the line of business “Road transport – haulage operated by means of motor vehicles or combinations of vehicles with a maximum permissible weight above 3.5 tonnes, where intended for animal and goods transport”, shall be obliged to apply, within a period of 1 year after the date of entry into effect of this Act, for an amendment to the scope of the line of business and submit the relevant documents pursuant to Act No 455/1991, in the version effective as of the date of entry into effect of this Act, and Act No 111/1994, in the version effective as of the date of entry into effect of this Act. Based on the entrepreneur’s application and the relevant documents submitted, the decision granting the concession shall be amended by the trade licensing office, indicating the scope of the line of business in consistence with the version of the line of business pursuant to Act No 455/1991, in the version effective as of the date of entry into effect of this Act, and amending the scope of the line of business to “Road transport – haulage operated by means of motor vehicles or combinations of vehicles with a maximum permissible weight above 3.5 tonnes, where intended for animal and goods transport” or “Road transport – haulage operated by means of motor vehicles or combinations of vehicles with a maximum permissible weight not exceeding 3.5 tonnes, where intended for animal and goods transport”. If the application is not filed within a period of 1 year after the date of entry into effect of this Act, the decision granting the concession, which was issued before the entry into effect of this Act, shall be amended by the trade licensing office in the scope of the line of business in consistence with the first sentence, limiting the scope of the line of business to “Road transport – haulage operated by means of motor vehicles or combinations of vehicles with a maximum permissible weight not exceeding 3.5 tonnes, where intended for animal and goods transport”.
6. Proceedings regarding the granting of a concession for “Road transport – national haulage operated by vehicles with a maximum permissible weight of 3.5 tonnes inclusive – national haulage operated by vehicles with a maximum permissible weight above 3.5 tonnes, – international haulage operated by vehicles with a maximum permissible weight of 3.5 tonnes inclusive, – international haulage operated by vehicles with a maximum permissible weight above 3.5 tonnes, – national occasional passenger transport, – international occasional passenger transport, – national public regular service, – national special regular service, – international regular service, – international shuttle service, – taxi service”, which were commenced before the date of entry into effect of this Act and are still pending by that date, shall be completed and the related rights and duties shall be

assessed pursuant to Act No 455/1991, in the version effective as of the date of entry into effect of this Act, and Act No 111/1994, in the version effective as of the date of entry into effect of this Act. Where the line of business is not apparent from the application pursuant to Act No 455/1991, in the version effective as of the date of entry into effect of this Act, for which the granting of the concession is being applied for, the trade licensing office shall request the entrepreneur to clarify the line of business in consistence with Act No 455/1991, in the version effective as of the date of entry into effect of this Act. If the proceedings concern the granting of a concession for the line of business of “Road transport – haulage operated by means of motor vehicles or combinations of vehicles with a maximum permissible weight above 3.5 tonnes, where intended for animal and goods transport” or “Road transport – passenger transport operated by means of vehicles designed for carrying more than 9 persons including the driver”, the trade licensing office shall request the entrepreneur to complete the documents proving the compliance with the concession requirements pursuant to Act No 455/1991, in the version effective as of the date of entry into effect of this Act, and Act No 111/1994, in the version effective as of the date of entry into effect of this Act.

7. The filing of an application to amend the line of business provided for in points 4 and 5 above shall be exempt from an administrative fee.

ACT NO 169/2012

Article II Transitional provisions

1. If an entrepreneur has died prior to the effective date of this Act, the persons specified in Section 13 (1) (b), (c) or (e) of Act No 455/1991, in force prior to the effective date of this Act, shall be entitled to continue to carry on the trade, until the completion of the inheritance proceedings, based on the trade licence of the deceased entrepreneur. They shall notify the trade licensing office about this fact within 3 months following the effective date of this Act, unless they have done so prior to the effective date of this Act. Upon the expiry of this period without action, the trade authorization of the deceased entrepreneur shall be deemed expired as of the date of the entrepreneur’s death, unless the trade is further carried out by the administrator of the decedent’s estate or insolvency administrator.
2. If prior to the effective date of this Act, the persons specified in Section 13 (1) (b), (c) or (e) of Act No 455/1991, in force prior to the effective date of this Act, have notified they would continue to carry on the trade, and have acquired the ownership title relating to the operation of the trade, they may continue in the trade based on the trade licence of the deceased entrepreneur, under the terms and conditions of Section 13 (4) of Act No 455/1991, in force prior to the effective date of this Act.
3. Proceedings commenced before this Act enters into effect shall be completed in accordance with the legal regulation which is more beneficial for the entrepreneur.

ACT NO 199/2012

PART TWO
Article IV
Transitional provisions

1. Trade authorizations issued for professional trades where the object of business is “Diagnosis, testing and consulting related to the protection of plants and the treatment of plants, plant products, structures and soil against harmful organisms by means of plant protection products and biocidal products” and for permitted trades where the object of business is “Check testing of machinery used in plant protection”, issued under Act 455/1991, in force prior to the effective date of this Act, shall remain in force.
2. The entrepreneur holding, prior to the effective date of this Act, trade authorization to carry on a professional trade where the object of business is “Diagnosis, testing and consulting related to the protection of plants and the treatment of plants, plant products, structures and soil against harmful organisms by means of plant protection products and biocidal products”, shall as of the effective date of this Act be authorized to carry on unqualified trade where the object of business is “Production, trade and services not listed in Annexes 1 to 3 the Trade Licensing Act”.
3. Within one month following the effective date of this Act, the trade licensing office shall register the change in the object of business under point 2 in the trade licensing register, and shall enter in this register the field of activity classified as unqualified trade of “Diagnosis, testing and consulting related to the protection of plants and the treatment of plants, plant products, structures and soil against harmful organisms by means of plant protection products and biocidal products”.
4. The trade authorization under points 2 and 3 shall until the issue of a new extract from the trade licensing register be proven with the current extract from the trade licensing register.

ACT NO 221/2012

PART THREE
Article VII
Transitional provisions

Proceedings in the matter of the field of activity falling within the unqualified trade “Operation of postal and foreign postal services” initiated pursuant to Act No. 455/1991 Coll., in the wording effective until the effective day of this Act and not completed as of this day, shall be terminated as at the effective day of this Act.

ACT NO. 234/2013

PART TWO
Article IV
Transitional provisions

1. An entrepreneur who is, on the day this Act enters into force, authorised to produce and to process fuels and lubricants or to sell fuels, may continue the activities referred to hereabove for a period of one month after the entry into force of this Act. If the entrepreneur applies to the Trade Licensing Office for a concession for the “Manufacture and processing of fuels and lubricants and fuel distribution” within the full or partial scope of this area of business within this period, and submits the documentation required under the new legislation, provided the Trade Licensing Office does not have them available from previous proceedings, such entrepreneur may continue to produce and process fuels and lubricants and to sell fuels elsewhere than at service stations on the basis of the authorisation pursuant to the first sentence hereabove, until such time as a valid decision has been made to award a concession, or to reject the application for a concession or to suspend the proceedings. If the deadline for submitting an application for a concession to produce and process fuels and lubricants and to sell fuels elsewhere than at service stations is not met, these rights shall expire for the entrepreneur.
2. The receipt of an application for a concession pursuant to paragraph 1 above shall not be subject to the payment of an administrative fee.

ACT NO. 309/2013 COLL.

Article II
Transitional provisions

1. An entrepreneur who is, on the day this Act enters into force, authorised to sell fermented alcohol, drinking alcohol or spirits, may continue the activities referred to hereabove for a period of one month after the entry into force of this Act. If the entrepreneur applies to the Trade Licensing Office for a concession for the sale of fermented alcohol, drinking alcohol or spirits within this period, it may continue in the sale of fermented alcohol, drinking alcohol or spirits on the basis of the authorisation pursuant to the first sentence hereabove, until such time as a valid decision has been made to award a concession, or to reject the application for a concession or to suspend the proceedings. If the deadline for submitting an application for a concession to sell fermented alcohol, drinking alcohol or spirits is not met, the rights for the entrepreneur to sell fermented alcohol, drinking alcohol or spirits shall expire.
2. The receipt of an application for a concession pursuant to paragraph 1 above shall not be subject to the payment of an administrative fee.

ACT NO. 303/2013 COLL.

Article. VII
Transitional provisions

1. Proceedings initiated prior to the date on which this Act entered into force shall be completed in accordance with Act No. 455/1991 Coll., in the wording in effect from the date of entry into force of this Act.
2. The trades licensing office will record changes in data invoked by the entry into force of this Act in the trades licensing register within at the latest one month of the date this Act enters into force.

ACT NO. 140/2014 COLL.

Article II
Transitional Provisions

1. The provisions of Section 46 (6) second sentence of Act No. 455/1991 Coll., in the wording in effect from the entry into force of this Act, shall not apply to those entrepreneurs who have submitted documents to the municipal trade licensing office prior to the effective date of this Act.
2. Proceedings initiated in accordance with Act No. 455/1991 Coll., in the wording in effect prior to the effective date of this Act shall be completed in accordance with Act No. 455/1991 Coll., in the wording in effect from the entry into force of this Act.
3. Trade licences obtained under Act No. 455/1991 Coll., in the wording in effect prior to the effective date of this Act, shall remain unchanged.
4. Documentary evidence of professional competence, which, in accordance with the legislation in effect prior to the entry into force of this Act, demonstrated professional competence to obtain a concession for the trade “Blasting and Fireworks” shall be considered to be documents of professional competence pursuant to Act No. 455/1991 Coll., in the wording in effect from the entry into force of this Act in cases where the concession was legally granted prior to the effective date of this Act.

ACT NO. 206/2015 COLL.

PART FIVE
§ 73
Transitional provisions

- (1) Existing trade licences shall remain in effect, unless stated otherwise.
- (2) Entrepreneurs who, on the date of entry into force of Act No. 206/2015 Coll., on pyrotechnic articles and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics), are authorised to carry out the trade of “Blasting and fireworks” in its entirety or in part as a subject of the trade of “carrying out blasting work”, after the entry

into force of Act No. 206/2015 Coll., on pyrotechnic articles and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics), are authorised to carry out the trade of “Research, development, manufacture, destruction, disposal, processing, purchase and sale of explosives and carrying out blasting work” within the scope of the trade “carrying out blasting work”. The Trade Licensing Office shall register these changes in the Trade Register within 5 days of the date of entry into force of Act No. 206/2015 Coll., on pyrotechnic articles and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics).

- (3) Entrepreneurs who, on the date of entry into force of Act No. 206/2015 Coll., on pyrotechnic articles and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics), are authorised to carry out the trade of “Blasting and fireworks” in its entirety or in part as the subject of the trade of “work with fireworks”, after the entry into force of Act No. 206/2015 Coll., on pyrotechnic articles and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics) to carry out the professional trade of “Purchase, sale, destruction and disposal of category P2, T2 and F4 pyrotechnic articles and work with fireworks” within the scope of the trade “work with fireworks”. The Trade Licensing Office shall register these changes in the Trade Register within 5 days of the date of entry into force of Act No. 206/2015 Coll., on pyrotechnic articles and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics).
- (4) Entrepreneurs who, on the date of entry into force of Act No. 206/2015 Coll., on pyrotechnic articles and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics), are authorised to carry out an unqualified trade, are authorised to carry out activities consisting of the purchase, sale, destruction and disposal of category P2, T2 and F4 pyrotechnic articles for a period of one year after the entry into force of Act No. 206/2015 Coll., on pyrotechnic articles and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics). Should they decide, after the expiry of the term referred to in the first sentence above, to continue to carry out the aforementioned activities, they shall register the professional trade of “Purchase, sale, destruction and disposal of category P2, T2 and F4 pyrotechnic articles and work with fireworks” at the Trade Licensing Office, as the full or partial subject of their business activities and shall provide evidence of professional competence as required for the performance of the aforementioned trade prior to the expiry of the term referred to above.
- (5) Proceedings initiated pursuant to Act No. 455/1991 Coll., in the wording in effect prior to the date of entry into force of Act No. 206/2015 Coll., on pyrotechnic articles and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics), shall be completed in accordance with Act No. 455/1991 Coll., in the wording in effect after the date of entry into force of Act No. 206/2015 Coll., on pyrotechnic articles and the handling thereof and on amendments to certain Acts (Act on Pyrotechnics).
- (6) The tasks performed in accordance with paragraphs 2 to 4 above shall be exempt from administrative fees.

Article V
Transitional provisions

1. Trade licenses for “Special protective disinfection, disinsectization and disinfestation - without using dangerous chemicals and dangerous chemical mixtures hazardous chemical substances or chemical mixtures that are classified as toxic or highly toxic, excluding special protective disinfection, disinsectization and disinfestation in food-processing and agricultural operations, - in food-processing and agricultural operations, - dangerous chemicals and dangerous mixtures classified as toxic or highly toxichazardous chemical substances or chemical mixtures that are classified as toxic or highly toxic, excluding special protective disinfection, and disinfestation in food-processing and agricultural operations,” which were in existence as of the date of this Act becoming legally effective remain valid.
2. The trades licensing office will record changes in data according to this Act with respect to subjects of the trade defined in point 1 in the trades licensing register no later than within 30 days of this Act entering into force.

ACT NO 126/2016 COLL.

Article IV
Transitional Provisions

Proceedings commenced prior to the effective date of this Act shall be completed pursuant to Act No 455/1991 Coll., in the wording in effect prior to the effective date of this Act.

ACT NO 65/2017 COLL.

PART FOUR
§ 48
Transitional provisions

Inspection of the observance of the ban on the sale of spirits and tobacco products pursuant to Act No. 455/1991 Coll., which was commenced before the effective date of this Act, valid in the wording before the effective date of this Act, shall be completed in accordance with the Act No. 455/1991 Coll. in the wording effective before the date of this Act.

ACT NO. 229/2016 COLL.

PART THREE

Article IV

Transitional provisions

1. An entrepreneur, which is entitled as of the effective date of this Act to carry out the research, development, manufacture, degradation, destruction, delaboration, purchase, sale, and storage of ammunition, may continue the activity in question for the duration of 6 months from the date of entry into force of this Act. If it intends to continue to carry on the above mentioned activities after the expiry of the period mentioned in the first sentence, it is obliged to apply for a concession or request for amendment of the decision on granting the concession and to substantiate the documents required by Act No. 455/1991 Coll. as in force from the effective date of this Act, unless these documents are available to the Trade Licensing Office from previous proceedings. If the application is submitted within 6 months from the effective date of this Act, it may continue to operate the trade until the date, on which the decision to grant the concession or to amend the decision on granting the concession or on the refusal to grant it takes effect. If it fails to do so within the stipulated deadline, the trade license to operate the said activity shall expire upon expiry of the last day of that period.
2. The proceedings initiated pursuant to Act No. 455/1991 Coll. as in force before the effective date of this Act shall be completed in accordance with Act No. 455/1991 Coll. as in force from the effective date of this Act.
3. The acceptance of the concession application or of the request to amend the decision on granting the concession referred to in the point 1 shall not be subject to the administrative fee.

ACT NO. 193/2017 COLL.

Art. II

Transitional provision

1. Trade licenses for operation of funeral establishments, crematorium operations and embalming and conserving issued before the effective date of this Act shall continue to be valid.
2. Documents proving professional competence for the operation of concession trades "Operation of Funeral Establishments", "Embalming and Conservation" and "Operation of Crematoriums" pursuant to Act No. 256/2001 Coll. as in force before the effective date of this Act shall be considered to be documents required to prove professional competence under Act No. 256/2001 Coll. in force from the effective date of this Act, provided that the decision to grant a concession to operate the said trades or the decision on approval of the responsible representative established for the

operation of the said trades gained the power of *res iudicata* before the effective date of this Act.

3. Professional qualification documents for the qualification Burials Intermediator and for the qualification Worker for the Treatment and Transport of Human Remains can be replaced from the effective date of this Act by evidence on completion of specialized training focused on the professional operational, economic and legal aspects of funeral service issued as per Art. 4 of Decree No. 379/2001 Coll. which stipulates the content and scope of specialized training for funeral service, embalming and conserving and the operation of crematoriums, provided the training started before the effective date of this Act.
4. Professional qualification documents for the qualification Worker for the Treatment and Transport of Human Remains and for the qualification Worker for Higher Hygienic Provision of Bodies of Deceased Persons can be replaced from the effective date of this Act by means of evidence on completion of specialized training focused on professional aspects of embalming and conserving issued pursuant to Art. 4 of Decree No. 379/2001 Coll., provided the training started before the effective date of this Act.
5. Professional qualification documents for the qualification Crematory Service Operator and for the qualification Administrator of a Crematorium can be replaced from the effective date of this Act by a document on the completion of specialized training focused on the professional issues of the operation of crematoriums issued pursuant to Art. 4 of Decree No. 379/2001 Coll., provided the training started before the effective date of this Act.
6. The procedure for awarding a concession and approving the provisions of a responsible representative initiated before the effective date of this Act shall be completed in accordance with Act No. 256/2001 Coll. as in force before the effective date of this Act.
7. The persons who have been granted by a decision having the power of *res iudicata* a concession for embalming and preserving or for carrying out funeral services (Operation of Funeral Establishments) before the effective date of this Act and commenced the operation of such trades before the effective date of this Act are obliged to issue rules for embalming and conserving or for the operation of their funeral establishment and send the said documents for approval to the Regional Hygiene Station competent according to the seat of the operator within 1 year from the effective date of this Act.
8. Crematorium operators are obliged to bring the crematorial order up to the standard in compliance with Act No. 256/2001 Coll. in force from the effective date of this Act and send it for approval to a Regional Hygiene Station competent according to the seat of the operator within 1 year from the effective date of this Act.

ACT NO. 289/2017 COLL.

Art. II
Transitional provision

1. An entrepreneur who, as at the date this Act enters into effect, is entitled to carry on the professional trade “Processing of cataloguing data” under Act No 455/1991 Coll., as in effect before the date this Act entered into effect, shall be, from the date this Act enters into effect, entitled to carry on the unqualified notifiable trade “Manufacturing, trading and services not specified in Annexes 1 to 3 of the Trade Licensing Act” to the full extent. Within 5 days from the date this Act enters into effect, the trade licensing office shall register the trade change in the trade licensing register, where it shall specify the field of activity “60. Advisory and consulting activities, elaboration of special studies and reports” for the trade “Manufacturing, trading and services not specified in Annexes 1 to 3 of the Trade Licensing Act”, and shall issue an extract to the entrepreneur under Section 47(1) of Act No 455/1991 Coll., as in effect from the date this Act enters into effect.
2. The issue of the extract pursuant to point 1 shall be exempt from the administrative fee.

ACT NO. 111/2018 COLL.

Art. IV
Transitional provision

1. Trade concessions for a licensed Trade “Tour operators” and free trade “Production, trade and services not listed in appendices 1 to 3 of the Trade Act” issued in accordance with the Act No. 455/1991 Coll., as in force before the effective date of this Act, shall remain valid even after the effective date of this Act, unless otherwise laid down.
2. An entrepreneur who has been authorized to operate a licensed trade “Tour operators” pursuant to the Act No. 455/1991 Coll., as in force before the effective date of this Act, shall be entitled to operate a licensed trade “Tour operators – organisation of packages, - facilitation of linked travel arrangements” only in the scope of the subject of business “Tour operators – organisation of packages”. A change in the subject of business shall be entered by the Trade Licensing Office into the Trade Register no later than 2 months after the effective date of this Act.
3. An entrepreneur who has been authorized to operate a licensed trade “Tour operators” and free trade “Production, trade and services not listed in appendices 1 to 3 of the Trade Act” and applies for the concession for “Tour operators – organisation of

packages, – facilitation of linked travel arrangements” within one month from the effective date of the Act or for a change in the concession within the scope of the subject of business “Tour operators – organisation of packages, – facilitation of linked travel arrangements” shall be entitled to facilitate linked travel arrangements on the basis of its previous authorization until the decision on this application enters legal force or until receipt of the notice of the decision on the cessation of proceedings. Operations carried out under this article shall be exempt from administrative charges.

4. Applications for a licence to carry out the trade “Tour operators,” which have not been legally decided before the effective date of this Act, shall be dealt with in accordance with the Act no. 455/1991 Coll., as in force from the effective date of this Act.”