

Legal Alert

7/2016

The automatic activation of electronic mail boxes of commercial companies is postponed until 1 January 2017

In the middle of the summer season, starting 1 August 2016, the electronic mail boxes of all legal entities (as well as commercial companies) and incorporated organizational units should be automatically activated. This change results from the intertemporal provisions of Act No. 305/2013 Coll., on the Electronic Form of Governance Conducted by Public Authorities and on Amendments and Supplements to certain acts (the Act on e-Government) (hereinafter the "Act") and will significantly impact the further communication of commercial companies and organizational units with administrative offices and courts. The Government Office of the Slovak Republic intends to postpone the date of automatic activation of electronic mail boxes until 1 January 2017.

What does activation of the electronic mail box mean?

Starting 1 August 2016, electronic mail boxes will be automatically established for all commercial companies without the need of any cooperation on the part of the company. The electronic mail box is established free of charge and immediately after the establishment of a company. After its activation the electronic mail box will be used to deliver electronic official documents and for the purpose of communication between the company and public authorities in electronic form. Basically, the activated electronic mail box, unless otherwise specified, will be used as a place of delivery of electronic official documents from the public authorities and official documents will no longer be delivered to the company's address in paper form.

When is an electronic document considered delivered to the electronic mail box?

With respect to personal delivery, an electronic document is considered "delivered" on the day of confirmation of its acceptance via proof of delivery or 15 days after it is deposited in the electronic mail box. As regards other electronic documents (delivered in another way than by personal delivery) these are considered "delivered" on the day following the day they are deposited in the electronic mail box.

Who will have access to the electronic mail box?

The person authorized to access the electronic mail box is the commercial company itself, its statutory body or a member of the statutory body, the head of the incorporated organizational unit or any person entrusted or empowered by such authorized person.

What are the requirements for accession to the electronic mail box?

The necessary requirements for accession to the electronic mail box are the following: valid ID card with electronic chip (so called eID card) and with the Online eID function activated (with respect to foreign persons they need a residence permit with an electronic chip plus a personal security code), card reader with relevant card reader drivers downloaded and installed eID client software for accession. Foreign members of the statutory body may empower another person who already has an ID card with an electronic chip and with the Online eID function activated.

Contacts:

In case you need help with setting up access to the electronic mail box, please do not hesitate to contact your contact person in our office, or approach Mgr. Ján Macej, PhD. (jan.macej@bapol.sk) or Mgr. Marek Orosz (marek.orosz@bapol.sk).

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