



Ministry of Foreign Affairs  
of the Czech Republic

# **Diplomatic Protocol Handbook I.**

## **Privileges and Immunities**

### **English Version**

**Diplomatic Protocol  
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## Foreword

This publication produced by the Diplomatic Protocol of the Ministry of Foreign Affairs is intended to provide diplomatic missions, consular posts and international organizations with guidance on diplomatic immunities and privileges.

The publication covers the whole range of typical problems and situations routinely encountered by missions and their staff. The reader will find clear and concise advice, practical examples as well as useful application forms.

On behalf of all my colleagues, I would like to express our hope that this Diplomatic Handbook will assist you in communicating with the Ministry of Foreign Affairs of the Czech Republic and its Diplomatic Protocol. I also look forward to presenting to you our next handbook covering protocol rules and the organization of official and working visits.

I wish you every success and a pleasant stay in the Czech Republic!

Markéta Šarbochová  
Director  
Diplomatic Protocol  
Ministry of Foreign Affairs of the Czech Republic





## **Special Thanks**

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- Ms. Pavla Kmochová for translating the entire text of the Handbook to English
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# 1 | Registration of persons

## 1.1. Before arrival to the Czech Republic

### 1.1.1. Applying for a visa

Before leaving for the Czech Republic, a new staff member posted to the country on a long-term assignment to a diplomatic mission, consular post or international governmental organization must make sure whether he/she, his/her family members and private servants will need to apply for a **visa authorizing a stay longer than 90 days for the purpose of lodging an application for the long-stay visa issued by the Ministry of Foreign Affairs of the Czech Republic** on the basis of Section 30, paragraph 2 of Act No. 326/1999 concerning the residence of foreigners in the territory of the Czech Republic and amending certain acts.

It is important to distinguish between short stays for which some holders of diplomatic and service passports do not need a visa (e.g. under a bilateral visa waiver agreement), and long stays for the purpose of service at a diplomatic mission in the Czech Republic. In the latter case, the above visa may be necessary.

Newly arriving staff members should make sure that they and their family members hold the required visa when entering the Czech Republic (unless they are visa exempt). Otherwise, they will not qualify for registration with the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic.

The following persons **must apply for a visa**:

- a member of the staff of a diplomatic mission or consular post of a country whose nationals are subject to the visa requirement (i.e. they are not allowed to enter and stay in the Czech Republic without valid visas) and his/her family members if they are themselves nationals of that country;
- a member of the staff of an international governmental organization, if he/she is a national of a country whose nationals are subject to the visa requirement;
- a family member of a national of a country whose nationals are visa exempt, if the family member is a national of a country whose nationals are subject to the visa requirement;
- a family member of an EU citizen who is not himself/herself an EU citizen and has not been issued in another EU Member State the residence card of a family member of a Union citizen provided for in Article 10 of Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely in the territory of the Member States.

The following persons **do not need to apply for a visa**:

- an EU citizen;
- a family member of an EU citizen who is not himself/herself an EU citizen but has been issued in another EU Member State the residence card of a family member of a Union citizen

provided for in Article 10 of Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely in the territory of the Member States;

- a member of the staff of a diplomatic mission or consular post of a country that has a bilateral visa waiver agreement with the Czech Republic (the agreement must state that persons posted to the Czech Republic on a long-term assignment to a mission will not be required to have an entry visa) and his/her family members who are themselves nationals of that country and fall within the scope of the bilateral agreement.

### **1.1.2. Applying for a visa – general requirements**

Before the new staff member leaves to take up his/her functions in the Czech Republic, the Ministry of Foreign Affairs of the sending State or the appropriate international governmental organization must present to the Czech embassy or consulate in the given country a verbal note with a visa application.

The application must be presented two months before the staff member's planned departure for the Czech Republic.

The verbal note must be accompanied by the following documents:

- a completed “Žádost o udělení dlouhodobého víza” (“Application for long-stay visa”);
- a diplomatic passport (diplomatic agents, consular officers and their family members) or a service passport (administrative and technical staff, consular employees, service staff and their family members) or an ordinary passport (heads and officers of international governmental organizations and their family members, private servants);
  - in case the sending State does not issue diplomatic or service passports to family members, the status of the family member can be confirmed, in exceptional cases, by a diplomatic note from the Ministry of Foreign Affairs of the sending State explaining the practice regarding the issuance of passports to family members and confirming that the person is considered a family member in terms of the Vienna Convention on Diplomatic Relations;
- one passport-sized photograph;
- additional supporting documents required from the given category of applicants – see below.

### **1.1.3. Applying for a visa – special requirements, by category of applicants**

#### **Posted staff members**

The verbal note from the Ministry of Foreign Affairs of the sending State must state the appropriate staff category in terms of the Vienna Convention on Diplomatic Relations<sup>1</sup> or the Vienna Convention on Consular Relations<sup>2</sup> and the name of the person whom the applicant will replace at the diplomatic mission or consular post.

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1 Staff categories: diplomatic staff (incl. rank), administrative and technical staff, and service staff.

2 Staff categories: consular officer (incl. rank), consular employee, and service staff.



If the new staff member will not replace anybody, his/her arrival will result in an increase of the size of the mission or post. This fact must be explicitly confirmed in the note.

## Children

**If the child is aged under 18 and travels to the Czech Republic with only one of his/her parents**, his/her visa application must be accompanied by an official document providing a legal basis for the child's residence in the Czech Republic with reference to the family situation – e.g. an alternating custody order (namely if the parents are divorced), a notarized child custody agreement or another type of agreement between the parents that permits the child to live in the Czech Republic for a certain period of time (the period of time must be specified), or a notarized letter of consent from the other parent that permits the child to live in the Czech Republic for the duration of the custodial/caring parent's posting.

The original of such document, authenticated and legalized in accordance with the domestic laws and regulations of the applicant's country (for example, a document with a signature authenticated by a diplomatic mission of the Czech Republic, or a document with an affixed consular superlegalization or an Apostille) must be enclosed with the application.

**If the child is aged 18 – 26**, the application must also be accompanied by a certificate of enrolment in a standard full-time Bachelor or Master degree study programme (or the final year of a secondary school) at a school registered with the Ministry of Education, Youth and Sports of the Czech Republic.

If the child is not enrolled in the above type of study programme at the time of the application, he/she will need a residence permit. The application must be lodged at the Ministry of the Interior of the Czech Republic, and the applicant may request to be included in the fast-track residence permit procedure for family members of the staff of diplomatic missions.<sup>3</sup>

A child whose residence has been permitted by the Ministry of the Interior of the Czech Republic will qualify for registration with the Diplomatic Protocol as soon as he/she enrolls in the required type of study programme<sup>4</sup>.

**If the child is permanently dependent on his/her parents' care**, the application must be accompanied, in addition to the above documents, by a certificate from a licensed medical facility.

## Private servants

The private servant must apply for a Czech visa authorizing a stay longer than 90 days for the purpose of lodging an application for a long-term residence permit issued by the Ministry of Foreign Affairs. The application must be lodged at a Czech embassy or consulate in the private servant's country of nationality, or in the country that has issued the private servant's travel document, or in the private servant's country of long-term or permanent residence.<sup>5</sup>

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3 See note of the Ministry of Foreign Affairs of the Czech Republic, ref. 304148/2014-KKM dated 5 June 2014.

4 A standard full-time Bachelor or Master degree study programme at a school registered with the Ministry of Education, Youth and Sports of the Czech Republic (language courses and university preparatory courses are not accepted for the purpose of registration).

5 Countries whose nationals are entitled to lodge visa applications at other diplomatic missions and

The visa application must be accompanied by the standard supporting documentation and by a notarized copy of the employment contract<sup>6</sup> stamped by the Diplomatic Protocol.

The private servant will be invited for an interview. One of the purposes of the interview may be to make sure whether the private servant will be able to communicate with his/her future employer and whether he/she understands the terms and conditions of the employment contract and of his/her stay in the Czech Republic.

Before the affixing the visa in the private servant's travel document, the Czech embassy or consulate may require a proof of the private servant's health insurance coverage in the Czech Republic<sup>7</sup>. The insurance must be valid from the date of the private servant's arrival in the Czech Republic.

## **1.2. After arrival to the Czech Republic – registering with the Diplomatic Protocol**

### **1.2.1. Who qualifies for registration**

The following categories of the staff of diplomatic missions, consular posts and international governmental organizations qualify for registration with the Diplomatic Protocol.

#### **Posted staff members**

**Members of diplomatic missions** belonging to the following categories:

- diplomatic agents
- administrative and technical staff
- service staff

**Members of consular posts** belonging to the following categories:

- consular officers
- consular employees
- service staff
- honorary consular officers

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consular posts are listed in Regulation No. 429/2010 setting out exemptions from the duty of foreign nationals to lodge visa and residence permit applications at diplomatic missions and consular posts having territorial competence.

6 A model text of an employment contract based on Czech laws, regulations and other terms and conditions of the private servant's stay in the Czech Republic - see Annexes (the text is available also at [www.mzv.cz/protokol](http://www.mzv.cz/protokol) - Registrace osob/Registration of officials - Přílohy).

7 See Section 180(j) of Act No. 326/1999 concerning the residence of foreigners in the Czech Republic and amending some other acts

**Private servants** employed in the private service of members of diplomatic missions and consular posts

**Heads and officers of the offices of international governmental organizations** belonging to the following categories:

- heads and officers enjoying diplomatic privileges and immunities under the Vienna Convention on Diplomatic Relations to the same extent as diplomatic agents
- officers enjoying privileges and immunities under the Vienna Convention on Diplomatic Relations to the same extent as the administrative and technical staff of diplomatic missions
- heads and officers enjoying privileges and immunities to the extent defined in the appropriate international treaty

Registration with the Diplomatic Protocol is available only to persons who are employed, on a full-time basis, at the diplomatic mission, consular post (except for honorary consular officers) or international governmental organization.

### **Family members**

**Family members** forming part of the household of a posted staff member qualify for registration with the Diplomatic Protocol if they are not nationals of or permanently resident in the Czech Republic.

For the purposes of the Czech Republic's registration rules, the term "family members" refers to:

- spouses
- partners (if they hold a diplomatic or service passport of the sending State or if the union has been formalized in accordance with the laws and regulations of the sending State, and the Ministry of Foreign Affairs of the sending State confirms that the applicant is regarded as a family member in terms of the Vienna Convention on Diplomatic Relations );
- unmarried children aged under 18 (from the moment when the child gets his/her own passport);
- unmarried children aged 18-26, unless they engage in an independent gainful activity, i.e. children who are enrolled in a standard full-time Bachelor or Master degree study programme (or the final year of a secondary school) at a school registered with the Ministry of Education, Youth and Sports of the Czech Republic (language courses and university preparatory courses are not accepted for the purpose of registration);
- children permanently dependent on their parents' care, without age limitations.

Persons who do not qualify for registration as family members, and accordingly do not enjoy the privileges and immunities accorded to family members under international law, will need a residence permit. Applications for residence permits must be lodged at the Ministry of the Interior of the Czech Republic, and the applicant may request to be included in the fast-track residence permit procedure for family members of the staff of diplomatic missions.<sup>8</sup>

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8 See note of the Ministry of Foreign Affairs of the Czech Republic, ref. 304148/2014-KKM dated 5 June 2014.

### 1.2.2. Applying for registration

As soon as the new staff member and his/her family members arrive in the Czech Republic, the respective diplomatic mission, consular post or international governmental organization must present to the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic a verbal note with applications for their registration. This note must be presented while the applicants' visas are still valid.<sup>9</sup>

#### Applying for registration – general requirements

##### Registration form

- See the Annexes (the form is also available at [www.mzv.cz/protokol](http://www.mzv.cz/protokol) - Registrace osob/ registration of officials - Přílohy);
- Each applicant must present two copies of the registration form (one original with a photograph affixed + one photocopy) with all sections duly completed;
- The registration form must not be completed by hand;
- The applicant must state his/her private residence address in the Czech Republic (not the address of his/her mission or post); this is necessary in order to ensure the inviolability of the applicant's private residence;<sup>10</sup>

##### One photograph showing the applicant's current appearance

- passport size (3.5 x 4.5 cm) without the white border (to be affixed in the box on the first page of the form);

##### Passport

- a diplomatic passport (diplomatic agents, consular officers and their family members)
- a service passport (administrative and technical staff, consular employees, service staff and their family members)
  - in case the sending State does not issue diplomatic or service passports to family members, the status of the family member can be confirmed, in exceptional cases, by a diplomatic note from the Ministry of Foreign Affairs of the sending State explaining the practice regarding the issuance of passports to family members and confirming that the person is considered a family member in terms of the Vienna Convention on Diplomatic Relations;
- an ordinary passport (heads and officers of international governmental organizations and their family members, private servants);
- if the applicant is subject to the visa requirement, his/her passport must contain a visa authorizing a stay longer than 90 days for the purpose of lodging an application for a long-term residence permit issued by the Ministry of Foreign Affairs of the Czech Republic.

9 The validity period of the visa is the period stated in the "DURATION OF STAY .....DAYS" section of the visa sticker.

10 In case the applicant does not yet know his/her private residence address in the Czech Republic at the time of the application, the address must be notified to the Diplomatic Protocol as soon as it becomes known.

### **1.2.3. Applying for registration - special requirements, by category of applicants**

#### **Posted staff**

The verbal note applying for the registration of a new diplomatic agent must state the agent's place in the order of seniority at the mission (i.e. his/her place on the Diplomatic List).

#### **Partners**

**In case the partner does not hold a diplomatic or service passport of the sending State,** the verbal note must be accompanied by a document proving that the union has been formalized in accordance with the laws and regulations of the sending State, and a document of the Ministry of Foreign Affairs of the sending State proving that the applicant is regarded as a family member in terms of the Vienna Convention on Diplomatic Relations.

#### **Children**

**If the child is aged under 18 and travels to the Czech Republic with only one of his/her parents,** his/her application must be accompanied by an official document providing a legal basis for the child's residence in the Czech Republic with reference to the family situation (unless such document has already been enclosed with the child's visa application).

Documents accepted for this purpose include e.g. an alternating custody order (namely if the parents are divorced), a notarized child custody agreement or another type of agreement between the parents that permits the child to live in the Czech Republic for a certain period of time (the period of time must be specified), or a notarized letter of consent from the other parent that permits the child to live in the Czech Republic for the duration of the custodial/caring parent's posting.

The document must be an original, authenticated and legalized in accordance with the domestic laws and regulations of the applicant's country (for example, a document with a signature authenticated by a diplomatic mission of the Czech Republic, or a document with an affixed consular superlegalization or an Apostille).

**If the child is aged 18 – 26,** his/her application must be accompanied by a certificate of enrolment in a standard full-time Bachelor or Master degree study programme (or the final year of a secondary school) at a school registered with the Ministry of Education, Youth and Sports of the Czech Republic (language courses and university preparatory courses are not accepted for the purpose of registration).

The child will qualify for registration only if he/she resides in the Czech Republic legally.

Students will receive an ID card valid until September 30 of the next academic year. The validity of the card may be renewed for one additional year if the student presents a new certificate of enrolment.

**If the child is permanently dependent on his/her parents' care,** the application must be accompanied by a certificate from a licensed medical facility.

### **Private servants**

The application for registration must be accompanied by a proof of medical insurance valid in the Czech Republic and by a notarized copy of the employment contract<sup>11</sup> (unless the private servant is a national of a country whose nationals are subject to the visa requirement).

The private servant will be invited to collect the ID card in person.

### **Non-resident diplomatic agent**

A non-resident diplomatic agent is accredited to and resident in another country and has an additional accreditation to the Czech Republic.

His/her application for registration must be accompanied by a verbal note from the embassy confirming that the Ministry of Foreign Affairs of the other receiving State has been informed about the diplomatic agent's future additional accreditation to the Czech Republic and that the receiving State has not raised an express objection.<sup>12</sup> Active consent of the other receiving State is not required.

The application must also be accompanied by a copy of the ID card issued by the Ministry of Foreign Affairs of the receiving State where the diplomatic agent resides, and by a copy of the diplomatic passport.

### **Diplomatic agent resident in the Czech Republic and accredited to multiple countries accreditations**

The embassy's note must contain a list of the States of accreditation and confirm that the Ministries of Foreign Affairs of these States have been informed about the diplomatic agent's multiple accreditations and that none of the receiving States has raised an express objection.<sup>13</sup>

### **Honorary consular officer**

An honorary consular officer does not qualify for registration until his/her consular post is actually opened.

The verbal note requesting the registration must contain the following information:

- the date of opening of the post;
- the address and other contact details of the post, including opening hours (these data will be made available on the website of the Ministry of Foreign Affairs of the Czech Republic).

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11 A model text of an employment contract based on Czech laws, regulations and other terms and conditions of the private servant's stay in the Czech Republic - see Annexes (the text is available also at [www.mzv.cz/protokol](http://www.mzv.cz/protokol) - Registrace osob/Registration of officials - Přílohy).

12 See Article 5, paragraph 1 of the Vienna Convention on Diplomatic Relations which permits members of the diplomatic staff to be accredited to more than one State, unless there is express objection by any of the receiving States.

13 See Article 5, paragraph 1 of the Vienna Convention on Diplomatic Relations.

In addition to the standard supporting documentation, the note must be accompanied by a copy of the exequatur.

### **1.3. ID cards of persons enjoying privileges and immunities**

The ID card is as a rule issued within fifteen working days from the receipt of the registration application.

In case a diplomatic mission, consular post or international governmental organization does not duly notify the Diplomatic Protocol of the departure of its former staff members (i.e. does not announce the date of final departure and does not return the ID card), or in case any of the staff members remaining on the Diplomatic Protocol's register holds a card that is past the expiry date and has not been returned, the issuing of ID cards to any other members of the mission, post or organization will be suspended.

The ID card is valid for a maximum of four years. The actual validity period may be shorter depending on the validity period of the holder's passport or on other circumstances (e.g. cards issued to private servants and children aged over 18 as a rule have a shorter validity period).

The ID card is a public document valid only in the territory of the Czech Republic.<sup>14</sup>

The card serves to prove the holder's identity, his/her status as a member of the staff of a diplomatic mission, consular post or international governmental organization, and his/her entitlement to privileges and immunities as defined in the appropriate international treaty. This means that the holder must present the card whenever necessary or at the request of the competent Czech authorities; otherwise, the Czech Republic is not able to honour its obligations as a receiving State under international law.

The ID card is not a substitute for a driving licence or for a residence document, and it does not authorize the holder to enter any other country of the Schengen Area.

#### **1.3.1. Types of ID cards (by staff category), overview of privileges, immunities and related rules**

There are several different types of ID cards issued by the Ministry of Foreign Affairs of the Czech Republic, depending on the staff category to which the holder belongs (D, K, MO/D, ATP, SP, SSO, KZ, SP/K, SSO/K, HK, MO, MO/ATP). Each staff category enjoys a different range of privileges and immunities.

The Czech Republic has adopted the definitely functional approach to privileges and immunities expressed in the preambles to the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations as well as in Article 41 of the Vienna Convention on Diplomatic Relations and Article 55 of the Vienna Convention on Consular Relations, according to which all persons enjoying privileges and immunities must respect the laws and regulations of the receiving State, without prejudice to their privileges and immunities.

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14 See Section 180b of Act No. 326/1999 concerning the residence of foreigners in the territory of the Czech Republic and amending certain acts.





succession and actions relating to any professional or commercial activity exercised in the receiving State) (for details see Article 31, paragraph 1 (a), (b) and (c)).

The ID cards issued to diplomatic agents and their family members include the following note: “Držitel průkazu požívá diplomatických výsad a imunit dle Vídeňské úmluvy o diplomatických stycích (č. 157/1964 Sb.).” (“The holder of this ID card enjoys diplomatic privileges and immunities under the Vienna Convention on Diplomatic Relations (Journal of Laws No. 157/1964).”).

Subject to the consent of the receiving State, diplomatic agents may be appointed from among nationals of the receiving State, from among persons permanently resident in the receiving State, and from among third country nationals. In such cases, the diplomatic mission must seek the consent of the Ministry of Foreign Affairs of the Czech Republic as required in Article 8 of the Convention. If the consent is given, the Diplomatic Protocol will register such diplomatic agent.

The ID cards issued to diplomatic agents who are nationals of or permanently resident in the Czech Republic merely confirm that they are members of the staff of the mission. They include the following note based on Article 38, paragraph 1 of the Convention: “Držitel průkazu požívá pouze vynětí z jurisdikce a nedotknutelnost, pokud jde o oficiální činnost vykonávanou při plnění jeho funkcí diplomatického zástupce.” (“The holder of this ID card enjoys only immunity from jurisdiction and inviolability in respect of official acts performed in the exercise of his/her functions as a diplomatic agent.”). The family members of such diplomatic agents do not receive any ID cards and do not enjoy any privileges and immunities.



Subject to the consent of the receiving State, consular officers may be appointed from among nationals of the receiving State, from among persons permanently resident in the receiving State, and from among third country nationals. In such cases, the sending State must seek the consent of the Ministry of Foreign Affairs of the Czech Republic, as required in Article 22 of the Convention. If the consent is given, the Diplomatic Protocol will register such consular officer.

The ID cards issued to consular officers who are nationals of or permanently resident in the Czech Republic merely confirm that they are members of the staff of the consular post. They include the following note based on Article 71, paragraph 1 of the Convention: “Držitel průkazu požívá pouze vynětí z jurisdikce a osobní nedotknutelnosti v souvislosti s úředními úkony provedenými při výkonu jejich funkcí.“ (*“The holder of this ID card enjoys immunity from jurisdiction and personal inviolability only in respect of official acts performed in the exercise of his/her functions.”*). The family members of such consular officers do not receive any ID cards.







stycích (č. 157/1964 Sb.).” (*“The holder of this ID card enjoys privileges and immunities under the Vienna Convention on Diplomatic Relations (Journal of Laws No. 157/1964).”*).

























### **1.3.2. Applying for a replacement ID card**

When the ID card expires or has been lost, stolen or destroyed, or when the data printed on the card have changed, the diplomatic mission, consular post or international governmental organization must present to the Diplomatic Protocol a verbal note applying for a replacement card.

The verbal note must be accompanied by a completed “Formulář pro vystavení nového průkazu/Card Replacement Form” (see Annexes; also available at [www.mzv.cz/protokol](http://www.mzv.cz/protokol) - Registrace osob/Registration of officials - přílohy). The following documents must be enclosed:

#### **To replace an expired card:**

- the old card;
- a copy of the holder’s passport (including the page that shows the passport validity period);
- a recent passport-size photograph (the age of the photograph is especially important if the card holder is a child);
- for children aged over 18 – a certificate of school enrolment in the Czech Republic;
- for honorary consular officers – an official certificate from the Ministry of Foreign Affairs of the sending State confirming that the applicant continues to be entrusted with the functions of an honorary consular officer;
- for private servants - a proof of health insurance in the Czech Republic.

The replacement card is valid for a maximum of two years. The actual validity period may be shorter depending on the validity period of the applicant’s passport or on other circumstances.

#### **To change the data printed on the card:**

- the old card;
- a copy of the holder’s passport (including the page that shows the passport validity period);
- a recent passport-size photograph (the age of the photograph is especially important if the card holder is a child).

The replacement card will be valid for the same period as the old one.

#### **To replace a lost, stolen or destroyed card:**

- a police record confirming that the holder has reported the loss or theft of his/her old card;
- a copy of the holder’s passport (including the page that shows the passport validity period);
- a recent passport-size photograph (the age of the photograph is especially important if the card holder is a child).

The replacement card will be valid for the same period as the old one.



## 1.4. Rules concerning the employment of private servants

Private servants working for members of diplomatic missions are private employees of members of the mission. They are not in an employment relationship with the sending State and are not nationals of or permanently resident in the Czech Republic.

Private servants can be employed only by members of the diplomatic staff. The acceptable numbers of private servants per one employer (by category) are as follows:

- Ambassador – maximum of three private servants;
- Diplomatic agent – maximum of two private servants.

The validity period of a private servant's ID card is one year; it may be shorter depending on the validity period of the employer's ID card and on the validity period of the private servant's health insurance policy.

The residence permit issued by the Ministry of Foreign Affairs of the Czech Republic is valid only for the duration of the employment, and no residence permits of this type are issued to the private servant's family members. Family members of private servants are not registered with the Diplomatic Protocol.

The private servant must not be a blood relation of his /her employer or a blood relation of the employer's spouse.

### 1.4.1. Obligations of the employer

The employer must ensure that the private servant's working conditions, personal conditions and the conditions of his/her residence in the Czech Republic comply with the Czech Republic's legislation.

### 1.4.2. Working conditions

The private servant must be employed in accordance with the Czech Republic's laws and regulations (see in particular Act No. 262/2006, the Labour Code, as amended) and not in accordance with the laws and regulations of the sending State.

The standard working time is 40 hours per week. Overtime working hours must be remunerated in accordance with Czech laws and regulations.

### Working hours

The private servant's working hours must be organized in accordance with the following provisions of the Labour Code (Act No. 262/2006, as amended):

**Work breaks (Section 88, paragraph 1)** - the maximum period of continuous work is limited to six hours, after which the employer must allow the employee to take an at least 30-minute break for meal and rest.

**Uninterrupted rest period between two shifts (Section 90, paragraph 1)** – the employer must organize the working hours so as to give the employee an uninterrupted rest period of at least 11 hours between the end of one shift and the start of the next shift.

**Uninterrupted rest period per week (Section 92, paragraph 1)** - the employer must organize the working hours so as to give the employee one uninterrupted rest period of at least 35 hours per week.

**Non-working days (Section 91, paragraphs 1, 2 and 3)** - the days of the employee's weekly uninterrupted rest and public holidays. The employer may order the employee to work on non-working days only on an exceptional basis, in cases explicitly defined in Section 91, paragraph 3. The work performed by private servants is not deemed to be "necessary work that cannot be postponed until working days".

### **Extra pay**

The standard working time is 40 hours per week. This limit set by the laws and regulations of the Czech Republic. If the private servant works above the limit he/she must receive the following financial compensation required by the relevant provisions of the Labour Code (Act No. 262/2006, as amended):

**Overtime work (Section 114, paragraphs 1 and 3)** - the employee must receive a portion of his/her wages proportionate to the duration of overtime work plus an overtime premium amounting to at least 25% of his/her average earnings, unless the employer and the employee have agreed that an extra leave (corresponding to the duration of overtime work) would be granted instead of the overtime premium.

However, the overtime wage plus an overtime premium, or the extra leave, should not be given to an employee whose normal wages, as agreed in the employment contract, already include compensation for anticipated overtime work. It is important that this type of wages, with an overtime compensation already included, can be stipulated only in contracts that specify the anticipated duration of overtime work. The statutory limit for overtime work agreed on this basis is 150 hours per calendar year. Once the 150-hour limit is exceeded, the employee must be given the standard overtime wage with an overtime premium, or an extra leave.

An employer who wants to grant extra leaves rather than to pay overtime premiums must specifically agree on this with the employee.

**Night work (Section 78, paragraph 1 (j) and (k), Section 116)** - work performed between 22 hrs and 6 hrs if the employee works for at least three hours during this time.

The employee must receive a portion of his/her wages proportionate to the duration of such work plus a premium amounting to at least 10% of his/her average earnings.

The rules concerning regular work breaks, non-working days and weekly uninterrupted rest periods must also be observed.

**Work performed on Saturdays and Sundays (Section 118, paragraph 1)** - the employee must receive a portion of his/her wages proportionate to the duration of such work plus a premium amounting to at least 10% of his/her average earnings.

The rules concerning regular work breaks, non-working days and weekly uninterrupted rest periods must also be observed.

#### **1.4.3. Amount of wages and payment method**

The private servant is entitled to wages for the work performed; the amount of wages paid to the private servant must correspond to the amount agreed in the employment contract. The minimum wage in the Czech Republic is set by annually updated Government Regulation No. 567/2006.<sup>15</sup> It does not include overtime wages and extra pay for work on non-working days, night work and work on Saturdays and Sundays.

The employment contract must specify the payment schedule and payment method (wages should preferably be remitted to the private servant's bank account).

#### **1.4.4. Personal rights of the private servant**

The private servant is entitled to have his/her passport and ID card, once issued, at his/her disposal for the whole duration of the employment. Withholding a private servant's personal documents is regarded as a serious violation of his/her personal rights.

The employer must provide the private servant, at the employer's own expense, with accommodation, including a bed in a separate room, and with board consisting of at least three full daily meals respecting the private servant's health, religious and other dietary requirements.

When the employment comes to an end, the employer must provide the private servant, at the employer's own expense, with transport back to the place of the private servant's permanent or long-term residence.

The employer must cover all healthcare costs incurred by the private servant in the Czech Republic; to this end, the employer must either take out individual health insurance on the private servant's behalf, or enter into a medical services contract with an appropriate medical care facility. The employer must not deduct any healthcare costs from the private servant's wages.

#### **Restriction of personal freedom**

The Czech Republic's laws and regulations require employees to fulfil their duties during working hours, but also give them the right to time off during work breaks, non-working days and weekly uninterrupted rest periods. During the time off, the employee's freedom of movement must not be restricted.

The private servant has the right to leave the employer's home. The employer must not prevent the private servant from enjoying personal freedom.

Restriction of personal freedom is a crime in Czech law (see Section 171 of Act No. 40/2009, the Criminal Code, as amended).

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15 With effect from 1 January 2015, Government Regulation No. 204/2014 has set the basic minimum wage for the weekly working time of 40 hours to CZK 55 per hour or to CZK 9,200 per month.

### **1.4.5. Before the private servant arrives in the Czech Republic**

#### **Employment contract**

The diplomatic mission must send to the Diplomatic Protocol a note announcing the intention to employ a private servant. Enclosed with the note must be an employment contract concluded in accordance with the Czech Republic's labour legislation; the employment contract<sup>16</sup> must be in English with a certified translation into the private servant's mother language (or a language he/she understands).

Employment contracts meeting all the above requirements will be stamped by the Diplomatic Protocol to certify that the contract has been duly submitted to the Diplomatic Protocol. Stamped contracts will be returned to the diplomatic mission.

The private servant's future employer may be invited for a personal interview at the Diplomatic Protocol.

#### **Visa application**

The private servant must apply for a Czech visa authorizing a stay longer than 90 days for the purpose of lodging an application for a long-term residence permit issued by the Ministry of Foreign Affairs of the Czech Republic. The application must be lodged at a Czech embassy or consulate in the private servant's country of nationality, or in the country that has issued the private servant's travel document, or in the private servant's country of long-term or permanent residence.<sup>17</sup>

The visa application must be lodged two months before the private servant's planned arrival to the Czech Republic.

The visa application must be accompanied by the private servant's travel document, one photograph and the employment contract in English with a certified translation to the private servant's mother language (or the language he/she understands), stamped by the Diplomatic Protocol.

The private servant will be invited for an interview. One of the purposes of the interview may be to make sure whether the private servant will be able to communicate with his/her future employer and whether he/she understands the terms and conditions of the employment contract and of his/her stay in the Czech Republic.

Before the affixing the visa in the private servant's travel document, the Czech embassy or consulate may require a proof of the private servant's health insurance coverage in the Czech Republic<sup>18</sup>. The insurance must be valid from the date of the private servant's arrival in the Czech Republic.

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16 A model text of an employment contract based on Czech laws, regulations and other terms and conditions of the private servant's stay in the Czech Republic - see Annexes (the text is available also at [www.mzv.cz/protokol](http://www.mzv.cz/protokol) - Registrace osob/Registration of officials - Přílohy).

17 Countries whose nationals are entitled to lodge visa applications at other diplomatic missions and consular posts are listed in Regulation No. 429/2010 setting out exemptions from the duty of foreign nationals to lodge visa and residence permit applications at diplomatic missions and consular posts having territorial competence.

18 See Section 180(j) of Act No. 326/1999 concerning the residence of foreigners in the Czech Republic and amending some other acts.

#### **1.4.6. After the private servant arrives in the Czech Republic**

##### **Registration with the Diplomatic Protocol**

The application for the private servant's registration with the Diplomatic Protocol must be lodged immediately after his/her arrival in the Czech Republic.

In addition to the standard supporting documentation, the registration application must be accompanied by a proof of health insurance valid in the Czech Republic or by a copy of a medical services contract with an appropriate medical care facility.

The private servant will receive an ID card serving as an identity document.

The private servant will be invited to visit the Diplomatic Protocol to collect the ID card in person.

##### **Extending the registration with the Diplomatic Protocol**

The diplomatic mission must send to the Diplomatic Protocol an application for a new ID card, together with a proof of valid health insurance in the Czech Republic, at least one month before the expiry of the private servant's ID card.

The private servant will be invited to collect his/her ID card in person.

The total length of the private servant's residence in the Czech Republic must not exceed ten years.

#### **1.5. Final departure of a staff member and his/her family members; returning the ID cards**

According to Article 10 of the Vienna Convention on Diplomatic Relations and Article 24 of the Vienna Convention on Consular Relations, diplomatic missions, consular posts and international governmental organizations accredited to the Czech Republic must keep the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic informed (by verbal notes) about the dates of final departure of their staff members, family members and private servants, and must return the ID cards of these persons.

In case a diplomatic mission, consular post or international governmental organization does not notify the Diplomatic Protocol of the departure of former staff members (i.e. it does not announce the dates of final departure and does not return the ID cards), the issuing of ID cards to the remaining members of the mission, post or organization will be suspended.

## 1.6. Departure Order

Members of the staff of diplomatic missions, consular posts or international organizations accredited to the Czech Republic who have received a residence permit from the Consular Department of the Ministry of Foreign Affairs of the Czech Republic must apply for a Departure Order before their functions in the Czech Republic come to an end.<sup>19</sup>

## 1.7. Beginning and end of privileges and immunities

A member of a diplomatic mission and consular post enjoys privileges and immunities from the moment he/she enters the territory of the Czech Republic on proceeding to take up his/her post or, if already in its territory, from the moment when his/her appointment is notified to the Ministry of Foreign Affairs of the Czech Republic.<sup>20</sup>

An honorary consular officer enjoying privileges and immunities enjoys them from the date on his/her consular post is opened or from the date on which the Ministry of Foreign Affairs of the Czech Republic is notified that the honorary consular officer has taken up his/her post.<sup>21</sup>

Family members and private servants of a member of the staff of a mission or post are entitled to enjoy privileges and immunities from the date on which the respective staff member is accorded his/her own privileges and immunities, or from the date on which they enter the territory of the Czech Republic, or from the date on which they become the family members or private servants of the staff member, whichever of these dates comes first.

The above rules apply to persons who meet all criteria for registration with the Ministry of Foreign Affairs of the Czech Republic.

The date of issue of the ID card is not relevant to determining the date from which the holder enjoys privileges and immunities.

When the functions of a person enjoying privileges and immunities have come to an end, the privileges and immunities of such person, his/her family members and private servants normally cease at the moment when they leave the country, or on expiry of a reasonable period in which to do so.<sup>22</sup>

However, immunity continues to subsist with respect to acts performed by such a person in the exercise of his/her functions as a member of a diplomatic mission or as a consular officer or consular employee.<sup>23</sup>

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19 See Section 50 of Act No. 326/1999 concerning the residence of foreigners in the Czech Republic and amending certain other acts.

20 See Article 39, paragraph 1 of the Vienna Convention on Diplomatic Relations and Article 53, paragraph 1 of the Vienna Convention on Consular Relations.

21 See Article 53, paragraph 1 of the Vienna Convention on Consular Relations.

22 See Article 39, paragraph 2 of the Vienna Convention on Diplomatic Relations and Article 53, paragraph 3 of the Vienna Convention on Consular Relations.

23 See Article 39, paragraph 2 of the Vienna Convention on Diplomatic Relations and Article 53, paragraph

The residence permit issued by the Consular Department of the Ministry of Foreign Affairs of the Czech Republic is valid only for the duration of the holder's registration with the Diplomatic Protocol. When the functions of a person enjoying privileges and immunities come to an end, this residence permit does not enable his/her to change the purpose of stay and remain in the Czech Republic.

The maximum length of uninterrupted residence of a posted member of the staff of a diplomatic mission, consular post or international governmental organization (with the exception of the heads of these institutions), and therefore the maximum time for which the staff member can be registered with the Diplomatic Protocol, is ten years. Upon the expiry of this period, the staff member is regarded as permanently resident in the Czech Republic and his/her registration with the Diplomatic Protocol is terminated. If the staff member wishes to remain in the Czech Republic for a further period, he/she must apply to the Ministry of the Interior of the Czech Republic in order to legalize his/her residence status.

A diplomatic mission, consular post or international organization that wants to keep a permanently resident staff member in his/her current position can do so only if the permanent resident holds an Employee Card for the position, as required by Act No. 435/2004 concerning employment as amended and Act No. 326/1999 concerning the residence of foreigners in the Czech Republic as amended.

The Employee Card is issued, subject to compliance with statutory requirements, only for positions advertised in the Central Register of Vacancies as vacant positions open to Employee Card holders (the employer must report the vacancy to the local Labour Office and indicate that the vacancy is open to Employee Card holders; such vacancy can be filled with an Employee Card holder if no suitable candidate is found among Czech jobseekers within 30 days from the date of the vacancy notice, see Section 37a, paragraph 2 of Act No. 435/2004).

When a position formerly held by a permanent resident is filled with a staff member posted to the diplomatic mission, consular post or international governmental organization on a staff rotation basis, the new staff member will not need an Employee Card until he/she becomes a permanent resident. Staff members who are Czech nationals do not need an Employee Card.

The Asylum and Migration Policy Department of the Ministry of the Interior of the Czech Republic is ready to render all possible assistance to diplomatic missions, consular posts and international governmental organizations in connection with applications for Employee Cards. The applications should be submitted to the Foreigners Residence Department at Praha-Letná.

It is important to pay due attention to this issue and to present applications to the Foreigners Residence Department sufficiently in advance.

If the diplomatic mission, consular post or international organization does not want to keep the permanent resident on its staff or if the permanent resident wants to leave his/her current job but remain in the Czech Republic for a further period, the permanent resident will have to legalize his/her further residence in the Czech Republic. This means that he/she will have to change the purpose of stay (e.g. the new purpose may be employment if he/she finds a new job and gets an Employee Card for this new job; if he/she is a member of the family of a Czech national or of another person resident in the Czech Republic, he/she can obtain a long-term residence permit for the purpose of family reunification).



Residence permit applications can be submitted to any office of the Foreigners Residence Department. However, in any case the application must be submitted sufficiently in advance.

## 1.8. Locally engaged staff

Persons employed with a diplomatic mission, consular post or international governmental organization, who are nationals of or permanently resident in the Czech Republic, have not been posted to the mission, post or organization by the Ministry of Foreign Affairs of the sending State and have been engaged<sup>24</sup> in the Czech Republic, form a separate category referred to as “locally engaged staff”.

In the Czech Republic, such persons do not enjoy any privileges and immunities<sup>25</sup>, and not registered with the Diplomatic Protocol and do not receive any ID cards. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the diplomatic mission and not to hinder unduly the performance of the functions of the consular post.<sup>26</sup>

The diplomatic mission has the right to issue to its locally engaged staff cards identifying the holder as an employee of the mission, especially if the holder is authorized to deal with Czech authorities on behalf of the mission. However, the card must not contain any misleading information – for example, it must not state that the holder enjoys privileges and immunities. No state symbols of the Czech Republic may be used on the card.

Detailed rules concerning the employment of locally engaged staff, including the requirements of labour legislation, are set out in the “Employment in the Czech Republic” chapter.

## 1.9. Diplomatic List

The Diplomatic List contains an overview of diplomatic missions, consular posts and international governmental organizations accredited to the Czech Republic, a list of heads of mission (by date of presentation of credentials), a list of diplomatic agents serving at each diplomatic mission, and a calendar of National Days.

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24 See Article 10, paragraph 1 (d) of the Vienna Convention on Diplomatic Relations.

25 The Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations leave it at the discretion of the receiving State whether, and to what extent, it will accord privileges and immunities to locally engaged staff (see Article 38, paragraph 2 of the Vienna Convention on Diplomatic Relations and Article 71, paragraph 2 of the Vienna Convention on Consular Relations). The Czech Republic does not accord any privileges and immunities to these persons.

26 See Article 38, paragraph 2 of the Vienna Convention on Diplomatic Relations and Article 71, paragraph 2 of the Vienna Convention on Consular Relations.



The Diplomatic List is kept by the Ministry of Foreign Affairs of the Czech Republic. It exists only in electronic format and is available online at the Ministry's website **[www.mzv.cz/protokol](http://www.mzv.cz/protokol)**.

The Diplomatic List is updated automatically on the basis of applications for registration and notifications of final departure of diplomatic agents. Every verbal note applying for the registration of a new diplomatic agent must state the agent's place in the order of seniority at the mission.

In the event of any changes (telephone numbers, staff rotation, changes in the order of seniority), the diplomatic mission, consular post or international governmental organization must print out its entry from the Diplomatic List at the Ministry website, correct it and send it to the Diplomatic Protocol.

## **1.10. Annexes**

**1. Registration form**

**2. Card replacement form**

**3. Model employment contract for private servants**

## Annex 1, pg. 1/2

MINISTERSTVO ZAHRANIČNÍCH VĚCÍ ČESKÉ REPUBLIKY  
DIPLOMATICKÝ PROTOKOL

MINISTRY OF FOREIGN AFFAIRS OF THE CZECH REPUBLIC  
DIPLOMATIC PROTOCOL

Jen pro služební potřebu – nevyplňujte !  
For office use only  
Průkaz č.: .....  
Platnost: .....

**REGISTRAČNÍ FORMULÁŘ**  
**REGISTRATION FORM**

PODPIS / SIGNATURE

FOTOGRAFIE  
PHOTOGRAPH

Diplomatická mise, konzulární úřad, mezinárodní organizace:  
Diplomatic mission, consular post, international organization:



1.	Jméno Given name/s	Rozená Maiden name/s
	Příjmení Surname/s	Pohlaví <input type="checkbox"/> M <input type="checkbox"/> F Sex <input type="checkbox"/> M <input type="checkbox"/> F
Požadovaná podoba jména na ID kartě s ohledem na limitovaný počet znaků: Full name as it should be written on the ID card		Jméno (maximální počet znaků 20) Given name/s (maximum 20 letters)
		Příjmení (maximální počet znaků 20) Surname/s (maximum 20 letters)
2.	Kategorie personálu / Staff category	
	Pro vyslané pracovníky: To be completed by assigned staff:	Pro rodinné příslušníky: To be completed by dependants:
	Diplomatická, resp. konzulární nebo úřední hodnost: Diplomatic / consular / official rank:	Jméno vyslaného pracovníka: Name of staff member assigned:
Oblast působnosti, resp. druh vykonávané činnosti: Responsibilities, functions:		Funkce vyslaného pracovníka: Function of staff member assigned:
Oddělení zastupitelského úřadu: Section at the mission:		Příbuzenský vztah: Relationship to the staff member assigned:
3.	Jméno předchůdce: Name of the predecessor:	Funkce předchůdce: Function of the predecessor:
	Datum odjezdu předchůdce (příp. předpokládané datum odjezdu): Departure date of the predecessor (or anticipated departure date):	
4.	Rodinný stav <input type="checkbox"/> svobodný/á Marital status <input type="checkbox"/> single	<input type="checkbox"/> ženatý/vdaná <input type="checkbox"/> married
	<input type="checkbox"/> rozvedený/á <input type="checkbox"/> divorced	<input type="checkbox"/> vdovec/vdova <input type="checkbox"/> widowed
5.	Datum narození (den, měsíc, rok) Date of birth (day, month, year)	Místo narození (místo, stát) Place of birth (city, state)
	6. Státní příslušnost Citizenship	
7.	získána acquired by	
	<input type="checkbox"/> narozením <input type="checkbox"/> birth	<input type="checkbox"/> sňatkem <input type="checkbox"/> marriage
	<input type="checkbox"/> přesídlením <input type="checkbox"/> resettlement	<input type="checkbox"/> opcí <input type="checkbox"/> option
Pas Druh pasu: Passport Passport type:	Číslo pasu: Passport number:	Datum vydání: Date of issue:
<input type="checkbox"/> diplomatický diplomatic <input type="checkbox"/> služební service <input type="checkbox"/> cestovní ordinary <input type="checkbox"/> jiný: other:		Platnost pasu do: Expiry date:
Druh víza (pro státy s vízovou povinností) Visa type held on entry in the Czech Republic (if required)		Pas vydán: Issuing authority:
8. Adresa bydliště v České republice /pro nerezidentní členy personálu – adresa bydliště v místě sídla úřadu/ Address in the Czech Republic /non-residential staff should give their address in the seat of their mission/		Místo vydání pasu: Place of issue:
město city	čtvrť district	ulice street
		č. domu house number
		telefon telephone
9.	Datum příjezdu do České republiky: Date of arrival in the Czech Republic:	Předpokládané datum ukončení mise (rok) Anticipated date of final departure (year)

## Annex 1, pg. 2/2

10.	Děti Children	Jméno Name	Datum narození Date of birth	Zda přítomny v ČR Whether in the Czech Republic	
				<input type="checkbox"/> Ano - Yes	<input type="checkbox"/> Ne - No
				<input type="checkbox"/> Ano - Yes	<input type="checkbox"/> Ne - No
				<input type="checkbox"/> Ano - Yes	<input type="checkbox"/> Ne - No
11.	U osob, které v České republice pobývaly dlouhodobě bezprostředně před nástupem na diplomatickou misi, konzulární úřad, mezinárodní organizaci, resp. před žádostí o registraci na Ministerstvu zahraničních věcí: To be completed by staff who resided in the Czech Republic on a long-term basis immediately before assuming functions with the diplomatic mission, consular post, international organization or applying for registration: Důvod dosavadního pobytu v České republice: Purpose of your prior residence in the Czech Republic: _____ Druh povolení k pobytu (dlouhodobé vízum nebo povolení k trvalému pobytu): Type of residence permit (long-term visa or permanent residence permit): _____ Jste dosud držitelem průkazu o povolení k trvalému pobytu ? <input type="checkbox"/> Ano <input type="checkbox"/> Ne Do you still hold a permanent resident card ? <input type="checkbox"/> Yes <input type="checkbox"/> No				
12.	Poslední zaměstnavatel před nástupem na diplomatickou misi, konzulární úřad, mezinárodní organizaci: Last employer before assuming functions with the diplomatic mission, consular post, international organization: _____				
13.	Adresa bydliště v zemi trvalého pobytu (stát, město, ulice): Address in the country of permanent residence (state, city, street): _____				
14.	Dosavadní působení v zahraničí ve službách vlády (státu): Any previous functions in government service abroad:			15. Předchozí pobyt v ČR (ČSSR, ČSFR) delší než 1 měsíc: Periods of prior residence in the Czech Republic (Czechoslovak Socialist Republic, Czech and Slovak Federal Republic) exceeding one month:	
	stát state	rok year/s	funkce function	rok year/s	důvod (služebně, soukromě) reason (official, private visit)
V Praze dne Prague, _____			Vlastnoruční podpis Signature _____	Podpis vedoucího diplomatické mise, konzulárního úřadu, mezinárodní organizace Signature of head of diplomatic mission, consular post, international organization _____	
Razítko mise Mission seal					

**POUČENÍ****I. Obecné zásady:**

- Registrační dotazník je možné vytisknout z internetové stránky Ministerstva zahraničních věcí na adrese: [www.mzv.cz/formular/registrace](http://www.mzv.cz/formular/registrace)
- K registračnímu dotazníku je nutno přiložit 1 fotografii pasového formátu bez bílého okraje (vlepit do vyznačeného místa na 1. straně). Vzhledem k tištění fotografie na průkaz není možné použít fotografie jiných formátů.
- Podpis držitele průkazu nesmí přesáhnout okraje vyznačeného místa (na průkazu bude vytištěna pouze jeho vnitřní část). Podpis není nutný u dětí.
- Registrační formulář je nutno předložit dvojmo (originál s nalepenou fotografií + kopie).
- Je nutné vyplnit všechny rubriky v registračním dotazníku psacím strojem nebo na počítači.
- V případě nevhodných se rubrik uveďte slovy např. NE, NEMÁM, NEHODÍ SE.
- V případě neúplného vyplnění dotazníku nebude registrace provedena.

**II. K jednotlivým rubrikám:**

- Diplomatická, resp. konzulární nebo úřední hodnost:
  - diplomat (specifikovat hodnost – např. I. tajemník), člen administrativního a technického personálu, člen služebního personálu, soukromá služební osoba, konzulární úředník, konzulární zaměstnanec, honorární konzulární úředník, vedoucí kanceláře mezinárodní organizace, úředník mezinárodní organizace
- Oblast působnosti, resp. druh vykonávané činnosti:
  - u diplomatů např. ekonomické záležitosti, obchodní záležitosti
  - u ostatního personálu např. řidič, sekretářka, domovník, kuchař
- Rodinní příslušníci nevypĺňují bod 3.

**PLEASE READ INSTRUCTIONS CAREFULLY !****I. General rules:**

- This registration form is available on the website: [www.mzv.cz/formular/registrace](http://www.mzv.cz/formular/registrace)
- Please attach to this form one passport-sized photograph without white margin (box on page one). No other sizes of photographs shall be accepted in view of the special technology of their reprint onto to card.
- The signature of the bearer of the card must not exceed the borders of the box as reprinted onto the card will only be the inside of the box. Signatures by children are not required.
- Every applicant should file two copies of this Registration Form (one original with attached photograph + one photocopy).
- Every applicant must complete all the questions in this form. If any question is not applicable, state NO or NOT APPLICABLE.
- All answers must be typed on a typewriter or word processor.
- Applicants who file incomplete registration forms will not be registered.

**II. Instructions**

- Diplomatic, consular or official rank
  - diplomat (specify rank – e.g. First Secretary), member of administrative and technical staff, member of service staff, private servant, consular officer, consular employee, honorary consular officer, head of office of international organization, officer of international organization
- Responsibilities, functions:
  - diplomats: e.g. economic affairs, commercial affairs
  - other staff: e.g. driver, secretary, janitor, cook
- Family members should NOT complete part 3.

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**FORMULÁŘ PRO VYSTAVENÍ NOVÉHO PRŮKAZU****CARD REPLACEMENT FORM**

Diplomatická mise, konzulární úřad, mezinárodní organizace:

Diplomatic mission, consular post, international organization: \_\_\_\_\_

<b>Jméno</b> <b>Given name/s</b>	
<b>Příjmení</b> <b>Surname/s</b>	
Pro vyslané pracovníky: <b>Funkce</b> To be completed by assigned staff: <b>Function</b>	
Pro rodinné příslušníky: <b>Jméno vyslané osoby a příbuzenský vztah</b> To be completed by dependants: <b>Name of staff member you accompany</b> <b>Relationship to yourself</b>	
<b>Číslo původního průkazu</b> <b>Number of your previous card</b>	
<b>Platnost pasu (od-do)</b> <b>Passport valid (from-to)</b>	
<b>Důvod žádosti o výměnu průkazu:</b> <b>Reasons why you seek card replacement:</b>	
<input type="checkbox"/> vypršení doby platnosti průkazu	<input type="checkbox"/> expiry of your previous card
<input type="checkbox"/> změna údajů na průkazu	<input type="checkbox"/> change of personal data
<input type="checkbox"/> ztráta nebo krádež průkazu	<input type="checkbox"/> loss or theft of your previous card
<input type="checkbox"/> jiný:	<input type="checkbox"/> other (please specify):
Uveďte veškeré změny údajů obsažených ve formuláři "Registrační dotazník" (např. změna bydliště): Please state all data which differ from the data given in your Registration Form (e.g. change of address):	

V Praze dne

Prague, \_\_\_\_\_

Razítko mise  
Mission seal

Podpis vedoucího úřadu:

Signature of head of mission: \_\_\_\_\_

**POUČENÍ:**

- K žádosti o výměnu průkazu je nutno přiložit kopie stran pasu obsahující údaje o platnosti pasu.
- K žádosti o výměnu průkazu z důvodu ztráty nebo krádeže je nutno přiložit policejní protokol.

**INSTRUCTIONS:**

- Please attach a photocopy of the passport page showing the validity of your passport.
- Applications for the replacement of lost and stolen cards should be accompanied by a police report.





Annex 3, pg. 1/4

**Mr/Ms ...** (*name, date of birth, permanent residence address*) (hereinafter referred to as “the Employer”)

and

**Mr/Ms ...** (*name, date of birth, permanent residence address*) (hereinafter referred to as “the Employee”),

hereinafter collectively referred to as “the Contracting Parties”,

acting in accordance with Section 33 et seq. of Act No. 262/2006, the Labour Code, as amended, hereby enter into the following

## **EMPLOYMENT CONTRACT**

### **I.**

1. The Employee agrees to perform work for the Employer in accordance with the job description set out in Article II of this Contract, and the Employer agrees to pay the Employee wages for the work performed, in an amount and under the terms and conditions set out in Article III.
2. The place of work shall be at the Employer’s residence address in the Czech Republic:..... .
3. The employment shall commence on the ...working day following the day on which the Employee arrived in the Czech Republic for the purpose of taking up employment.

### **II.**

1. The Employee is deemed to be a private servant in terms of Article 1 (h) of the Vienna Convention on Diplomatic Relations. The Employee’s job shall be to work as ..... in the Employer’s household, which corresponds to the first or second job group according to the general definition of job groups set out in the Schedule to Government Directive No. 567/2006. The Employee’s job description under this Employment Contract shall be as follows: ..... .
2. The working time shall be 40 hours per week. The weekly working time shall be divided into working days....., starting at .....hours and ending at .....hours.
3. The Employee shall work conscientiously and properly to the best of his/her ability; he/she shall comply with the Employer’s instructions concerning the tasks specified in his/her job description; he/she shall devote his/her working time entirely to such tasks, and shall perform such tasks in a proper, economic and timely manner. The

## Annex 3, pg. 2/4

Employee shall not engage in any activities contrary to the Employer's justified interests.

4. The Employee is entitled to have his/her travel document as well as his/her ID card, once issued, at his/her own disposal and under his/her control throughout the period of employment.
5. By signing this Contract the Employee acknowledges that his/her residence permit, if granted to him/her by the Ministry of Foreign Affairs of the Czech Republic, is valid only for the duration of his/her employment under this Contract, and that no residence permits of this type will be granted to any members of his/her family.

### III.

1. The Employer shall pay the Employee wages for the work performed at the monthly rate of CZK ....., payable in arrears *directly to the Employee in cash / into the Employee's bank account* on the ..... day of each month. In the event of termination of the employment, any wages that are yet to fall due according to the foregoing sentence shall be paid not later than on the date of termination of the employment.
2. The extra-pay for overtime work will be in the amount of CZK ..... per hour, for night work in the amount of CZK ..... per hour and for the work on Saturdays and Sundays in the amount of CZK ..... per hour.

### IV.

1. The Employer agrees to grant the Employee a paid leave entitlement of 4 weeks (i.e. 20 working days) per calendar year.
2. The terms and conditions relating to such leave entitlement shall be governed by the provisions of Section 211 et seq. of the Labour Code. The Employer also agrees to respect the Employee's entitlements as regards mandatory work breaks (Section 88), uninterrupted rest periods between shifts (Section 90), non-working days (Section 91) and weekly uninterrupted rest periods (Section 92).

### V.

1. The Employer shall assign to the Employee solely the tasks specified in the job description; he/she shall create the conditions for successful performance of such tasks; and he/she shall comply with any other requirements relating to employment as set out in the Czech Republic's laws and regulations and in this Contract.
2. In addition to the wages payable under Article III, the Employer shall, at his/her own expense, provide the Employee with accommodation, including a bed in a separate room at the place of work, and with board consisting of at least three full daily meals suited to any health, religious or other dietary requirements of the Employee.
3. Upon termination of the employment, the Employer shall, at his/her own expense, provide the Employee with transport back to the Employee's place of permanent/long-term residence.
4. The Employer shall pay all medical care costs incurred by the Employee in the Czech Republic; to this end, the Employer shall either take out individual medical insurance on the Employee's behalf, or enter into a medical services contract with an appropriate medical care facility. The Employer agrees not to deduct from the

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Employee's wages any medical care costs the Employer may pay on the Employee's behalf.

5. The Employer agrees not to restrict the Employees free movement, including the Employee's right to leave the Employer's house during the Employee's time off. At the same time, the Employer acknowledges that, in the Czech Republic, restriction of personal freedom constitutes a crime (under Section 171 of Act No. 40/2009, the Criminal Code, as amended.)

**VI.**

1. The Contracting Parties declare that the Employee is not a blood relation of the employer nor a blood relation of the employer's spouse. The Employee and the Employer shall communicate on work-related matters in the .... language, and both Contracting Parties declare that they have sufficient knowledge of this language.
2. The Employee and the Employer acknowledge that the total length of stay of a private servant in the Czech Republic must not exceed 10 years.
3. The Employee declares that his/her health condition allows him/her to properly perform the tasks specified in his/her job description under this Contract.

**VII.**

1. This Contract is concluded for a definite period of ... years. It can be renewed by mutual agreement of the Contracting Parties in writing, up to the maximum of 10 years of continuous stay of the Employee in the Czech Republic.
2. Employment can be terminated by mutual agreement of the Contracting Parties in writing.
3. Alternatively, either Contracting Party may terminate the employment by a notice in writing. The period of notice is two months and runs from the first day of the calendar month following the month in which the notice was delivered to the other Party. The Employer can give such notice solely for the reasons explicitly stated in Section 52 of the Labour Code; the Employee can give notice without stating the reasons.

**VIII.**

1. The Contracting Parties have agreed that this Contract can be modified solely by amendments in writing signed by both Contracting Parties.
2. This Contract is done in three originals; each Contracting Party shall retain one original. The third original, together with a certified translation into the mother language of the private servant (or into the language that he/she understands), shall be sent to the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic for the purpose of the Employee's registration as a private servant.

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3. Both Contracting Parties declare that they have read and agree with the content of this Employment Contract into which they enter of their own free will. In witness thereof they attach their signatures.

Employer:

(place)....., (date).....

(signature) .....

Employee:

(place)....., (date).....

(signature) .....

## **2 | Protection and security of diplomatic missions, consular posts and offices of international organizations in the Czech Republic**

The Czech Republic ensures the security and protection of diplomatic missions in accordance with the Vienna Convention on Diplomatic Relations<sup>1</sup> and other relevant treaties (the Vienna Convention on Consular Relations<sup>2</sup> and host country agreements). The Vienna Convention on Diplomatic Relations requires the receiving State to protect the premises of the mission<sup>3</sup> against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.

### **2.1 Permanent security coverage**

The Senior Officials Protection Department of the Czech Republic Police's Protection Service ("Protection Service") provides security coverage to all diplomatic missions, consular posts and international organizations that are entitled to the protection of the receiving State. The security coverage is provided on a 24-hour basis. Normally, the mission and its immediate neighbourhood is checked by mobile patrols at irregular intervals. Police liaison officers are in telephone contact with the mission on a 24-hour basis.

The Protection Service consistently monitors and assesses the security situation in the Czech Republic and worldwide, and of its implications for each mission. Changes are analyzed and the security coverage upgraded if necessary to respond to security concerns (e.g. mobile patrols may check the area more often, or on-site police presence may be provided for as long as strictly necessary). If the mission has any indications that it might need increased security coverage, it may request a revision. The request must be presented to the Diplomatic Protocol in the form of a verbal note (to speed up the process, missions are recommended to send the note by fax to 224 182 073). The Protection Service will assess the risks and inform the mission, through the Diplomatic Protocol, about the resulting changes of security coverage.

In exceptional justified cases, the Protection Service may provide personal protection to individual members of the mission (as a rule to the head of mission). It may also provide 24-hour protection for the premises of the mission.

#### **2.1.1. Relocating a chancery or residence**

To enable the Czech Republic to take all appropriate steps to protect the premises of the mission as required by the Vienna Convention on Diplomatic Relations, a diplomatic mission, consular post or

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1 Article 22, Article 30, paragraph 1 and Article 31, paragraph 3 of the Vienna Convention on Diplomatic Relations (Journal of Laws No. 157/1964).

2 Vienna Convention on Consular Relations – Journal of Laws No. 32/1969.

3 The „premises of the mission“ are the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used for the purposes of the mission including the residence of the head of the mission (Article 1 (j) of the Vienna Convention on Diplomatic Relations).

international organization preparing to relocate its chancery or residence must announce the new address to the Diplomatic Protocol well in advance. The Diplomatic Protocol, in cooperation with the competent authorities, will consider whether the new property is suitable for the purpose namely in terms of security, transport accessibility and operational needs. The new property cannot be recognized as premises of the mission in terms of the Vienna Convention on Diplomatic Relations without the consent of the receiving State, conveyed to the mission through the Diplomatic Protocol.

It is important to note that on approving the relocation, the Diplomatic Protocol will not automatically change the mission's address in the Diplomatic List. The mission must first send to the Diplomatic Protocol a verbal note formally announcing the date on which the change of address takes effect.

## **2.2. Temporary security coverage**

### **2.2.1 Police assistance provided at the request of a diplomatic mission, consular post or international organization (National Day receptions, election days, opening of condolence books, etc.)**

Diplomatic missions, consular posts and international organizations may request the Protection Service to assist during events that are likely to involve a heightened security risk (typically when large numbers of people are expected to gather - National Day receptions, social events held during visits of top-level representatives, election days during which expatriates cast their vote at the mission).

The Protection Service considers each request in the light of the current security situation of the mission. Requests for assistance during National Day receptions are as a rule granted. Less important events get police coverage only when the security situation demands it.

The police assistance consists in controlling the outer perimeter and assisting during the arrival and departure of guests.

Requests for the reservation of a guest parking area must be directed to the traffic department of the District Office in the district where the venue is located. The mission must submit the request at least three (3) weeks before the event, because the parking area must be marked off not later than seven (7) days before the event.

The above rule applies also when the mission needs to reserve parts of a public road for purposes such as parking of removal vans, or gatherings organized to mark important anniversaries.

The Diplomatic Protocol and the Protection Service are not responsible for any formalities necessary for the reservation of temporary parking areas.

#### **How to request temporary police assistance**

- The mission must send to the Diplomatic Protocol a written request, in the form of a verbal note, at least five (5) working days before the planned event. The Diplomatic Protocol urges



the missions to observe this deadline – otherwise, the police assistance may be limited or the request may be refused.

- The request must include as many details as possible, above all the date, hour, venue and purpose of the event, the number of invited guests and the ranks/positions of the most senior guests.
- To shorten the processing time, it is recommended to send the request by fax to the Privileges and Immunities Unit of the Diplomatic Protocol, fax number 224 182 073.
- The Diplomatic Protocol forwards the request to the Protection Service. A copy of the forwarded request is sent to the mission for information (as a rule by fax). The Protection Service will contact the mission to agree on details of the assistance. If the Protection Service decides to refuse the request, it will inform the Diplomatic Protocol and the mission concerned.

### **2.2.2. Police assistance provided on the initiative of the receiving State (public assemblies and similar events)**

According to the Convention for the Protection of Human Rights and Fundamental Freedoms<sup>4</sup>, everyone has the right to freedom of peaceful assembly. No restrictions can be placed on the exercise of these rights other than such as are prescribed by law and are necessary in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. These provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms are reflected in the Charter of Fundamental Rights and Freedoms<sup>5</sup> which states that assemblies must not be made conditional on the consent of a public authority (the “principle of notification”).

When the Diplomatic Protocol learns from the competent authorities of the Czech Republic (as a rule from the Prague City Hall) that a public assembly (such as protest rally) is to be held in an area where one or more missions are located, it immediately requests the Protection Service to take adequate steps and protect the mission(s). A copy of the request is sent for information (as a rule by fax) to the mission(s) concerned.

## **2.3. Theft of or damage to the property of the mission**

The mission must take adequate measures to protect its own or leased property, e.g. engage a private security service or install a camera or intruder detection system (for details on camera systems see below).

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4 Article 11 of the Convention for the Protection of Human Rights and Fundamental Freedoms, Constitutional Act 162/1998.

5 Article 19 of the Charter of Fundamental Rights and Freedoms, Constitutional Act No. 162/1998.

Theft of or damage to the property of a diplomatic mission, consular post or international organization must, first of all, be reported to the local department of the Czech Republic Police which will initiate the investigation. Theft of or damage to leased property must also be reported to the lessor or landlord.

### **Contacts details – protection and security**

#### *During working hours:*

Protection Service – liaison officers (7:30 – 15:30 hrs.; Czech/English)  
tel: 233 335 708

Protection Service hotline (Czech)  
Operations Centre  
tel: 233 335 711

Security coverage (public assemblies, etc.; Czech)  
tel: 257 534 980

Czech Republic Police hotline (crime, theft; Czech)  
tel: 158

#### *Outside working hours and on Saturdays, Sundays and public holidays:*

Protection Service hotline (Czech)  
tel: 233 335 711, 257 534 980

Ministry of Foreign Affairs of the Czech Republic - Operations and Information Centre (24-hour service, Czech, English)  
tel: 224 182 425, 224 182 837

#### *Nonstop*

European emergency number (Czech/English/German)  
tel: 112

Czech Republic Police hotline (Czech)  
tel: 158

## **2.4. Camera systems**

Camera systems are commonly used to protect the security of diplomatic missions, consular posts and offices of international organizations. Their use in the Czech Republic is subject to the following rules.

According to the European<sup>6</sup> as well as the Czech<sup>7</sup> legislation, the use of a camera system with recording function to identify persons and to record their conduct constitutes the processing of personal data. Accordingly, it is necessary to bear in mind the following basic rules that apply to data processing operations:

Protection of the premises of diplomatic missions, consular posts and international organizations is regarded by the Czech Republic as a fully legitimate and lawful purpose of personal data processing. In cases where a camera system with recording function serves strictly this purpose, i.e. if covers public areas only insofar as necessary, the operation of the system and related personal data processing will not require the consent of persons concerned (data subjects)<sup>8</sup>.

The Vienna Convention on Diplomatic Relations, the Vienna Convention on Consular Relations and international treaties concerning the immunities of international organisations recognize the right of missions to ensure the security of their premises, subject to the laws and regulations of the receiving State. An appropriately designed camera system with recording function may be recognized as a means of processing the personal data necessary for the exercise of the rights of diplomatic missions, consular posts and international organizations and of other persons concerned. In the opinion of the Czech Republic's Office for Personal Data Protection, such processing of personal data is not subject to the notification obligation established in Section 16 of Act No. 101/2000 concerning the protection of personal data and amending some other acts<sup>9</sup>. However, basic information on such processing must be published in a way enabling remote access.

In order to be recognized as an appropriate and proportionate measure, a camera system with recording function used for the protection of the premises of diplomatic missions, consular posts and international organizations must be set up to cover only a limited and necessary part of the public areas in the neighbourhood, e.g. the cameras must not be pointed at the windows of neighbouring buildings.

Even in cases where personal data are collected for legitimate purposes such as the protection of persons and property, their processing must be as transparent as possible. Areas under surveillance, especially within the premises of diplomatic missions, consular posts or international organisations, should at least be marked with a pictogram of a camera, with instructions on how to obtain further information on the surveillance, as required by law (e.g. a contact person who will provide further information on request)<sup>10</sup>. Basic parameters of data processing must be published in a way enabling remote access, e.g. on the Internet. Published information should include the purpose for which the personal data are processed, categories of data processed, potential recipients and the retention period<sup>11</sup>.

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6 Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

7 Act No. 101/2000 concerning the protection of personal data and amending some other acts.

8 These cases fall under Section 5, paragraph 2(e), of Act No. 101/2000 concerning the protection of personal data and amending some other acts.

9 In this case, an exemption from the notification obligation applies in accordance with Section 18, paragraph 1(b) of Act No. 101/2000 concerning the protection of personal data and amending some other acts.

10 The categories of information to be provided are defined in Section 11, paragraphs 1 and 2, of Act No. 101/2000 concerning the protection of personal data and amending some other acts.

11 For details see Section 18, paragraph 2, of Act No. 101/2000 concerning the protection of personal data and amending some other acts.

A major factor in deciding whether the use of a camera system with recording function is appropriate, proportionate and lawful is the data retention period. The period must be proportionate to the purpose for which the camera system is used. If the recording does not capture a security or other incident and the diplomatic mission, consular post or international organisation has no other reason or interest to retain it, the appropriate retention period is up to five weeks, taking into account the specificity of the protected interests and personal and technical capacities of missions.

Attention must be paid to the securing of recordings and their transmission, in order to prevent deliberate or accidental access by unauthorized persons or misuse of personal data for purposes other than the protection of rights and lawful interests of the diplomatic mission, consular post or international organisation.

Additional details on the legislation applicable to the processing of personal data collected by means of camera systems with recording function is available at the website of the Office for Personal Data Protection (<http://www.uoou.cz>). Consultations or explanations regarding the above instructions will be provided by the Public Relations Department of the Office for Personal Data Protection; meetings with the department's director can be arranged using the contact details below.

**Contact details – camera systems**

Office for Personal Data Protection  
Public Relations Department  
Jiří Žurek, Director  
tel: 234 665 236  
e-mail: [jiri.zurek@uoou.cz](mailto:jiri.zurek@uoou.cz)

## 2.5. Cyber security

Diplomatic missions, consular posts and offices of international organizations are fully responsible for the secure operation of their websites and e-mail addresses. To protect themselves against cyber attacks, they should maintain up-to-date antivirus software and security settings designed to eliminate common viruses and malware and to thwart targeted attacks on websites and e-mail addresses.

Suspected cyber attacks targeting official websites or e-mail addresses of diplomatic missions, consular posts and offices of international organizations must be reported to the Czech Republic Police as soon as possible.

**Contact details - cyber security**

Czech Republic Police, Prague Regional Headquarters  
Criminal Police and Investigating Service  
Analyses Department  
Address: Kongresová 166/2, 140 21, Praha  
tel: 974 826 315, fax: 974 826 331  
e-mail: [krpa.skpv.oa.podatelna@pcr.cz](mailto:krpa.skpv.oa.podatelna@pcr.cz)

Missions located outside Prague may contact their regional Czech Republic Police Headquarters.

## 3 | Registration of motor vehicles of persons enjoying privileges and immunities

Anyone who operates a road transport vehicle in the Czech Republic for more than 185 days in the given calendar year must have the vehicle registered.<sup>1</sup>

A “road transport vehicle” is a self-propelled or towed vehicle designed for the road carriage of passengers, animals or goods. Road transport vehicles are divided into the following basic categories: motorcycles, passenger cars, buses, trucks, special-purpose vehicles, trailers and other road transport vehicles.<sup>2</sup>

### 3.1. General rules

To be recognized as a motor vehicle of a person enjoying privileges and immunities, the vehicle must display the registration mark prescribed by the laws and regulations concerning motor vehicle registration.<sup>3</sup>

#### 3.1.1. Categories of registration marks

The registration marks of motor vehicles of persons enjoying privileges and immunities include the following two-letter codes indicating the category to which the owner belongs:

- Diplomatic missions, consular posts, members of the diplomatic staff, consular officers, their family members, and offices of international organizations – the fourth and fifth characters in the line are the letters “CD”,
- Members of the administrative and technical staff of a diplomatic mission or consular post and their family members – the fourth and fifth characters in the line are the letters “XX”,
- Members of the service staff of a diplomatic mission or consular post and members of the staff of offices of international organizations – the fourth and fifth characters in the line are the letters “XS”,
- Persons performing the functions of an honorary consul in terms of the applicable international treaties – the fourth and fifth characters in the line are the letters “HC”.

Vehicles being deregistered and exported may display a temporary registration plate.

#### 3.1.2. Registration – basic rules

Motor vehicles being purchased through a hire-purchase agreement will not be registered because the owner of the vehicle is the hire-purchase company. Hire-purchase companies are not entitled to use the

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1 Act No. 56/2001 concerning road traffic as amended.

2 Act No. 56/2001 concerning road traffic as amended.

3 Directive No. 343/2014 concerning vehicle registration (Sections 23 and 29).

registration marks designed for persons enjoying privileges and immunities, and vehicles not owned by diplomatic agents and missions cannot be accorded diplomatic immunity.

The number of motor vehicles registered in the name of the mission must be in proportion to the number of registered members of the mission's diplomatic staff. In case the mission has no more than two diplomatic staff members, it is possible to register one extra motor vehicle in order to facilitate the performance of the functions of the mission.

A member of the diplomatic staff or administrative and technical staff may have no more than two motor vehicles registered in his/her name.

A spouse of a member of the diplomatic staff registered with the Diplomatic Protocol may have one motor vehicle registered in his/her name.

The terms and conditions that apply to owners who want to export their motor vehicles from the Czech Republic before the end of their posting are subject to reciprocity. The existence of reciprocal terms and conditions must be confirmed by a note from the Ministry of Foreign Affairs of the sending State.

In case a departing staff member does not deregister his/her motor vehicle and return the number plate before his/her final departure from the Czech Republic, the registration of vehicles owned by the diplomatic mission, consular post or international governmental organization and by its remaining staff members will be suspended until the vehicle in question is deregistered and the number plate returned. It is important to note that vehicles being deregistered and exported may display a temporary registration plate – see the section on “Terminating the registration of vehicles owned by persons enjoying privileges and immunities”.

Requests for the registration of motor vehicles owned by persons enjoying privileges and immunities are considered in the light of the owner's traffic offence record.

### **3.1.3. Inalienability period**

The “inalienability period” rule applies to motor vehicles purchased on a VAT-free or VAT-refund basis<sup>4</sup> in the Czech Republic or in another EU Member State and motor vehicles imported on a duty-free and VAT-free basis<sup>5</sup> from a third country. An owner who wants to lease, lend, pledge or transfer such vehicle or take it out of service before the end of the inalienability period must pay up the VAT (if the vehicle was purchased in the Czech Republic or in another EU Member State) or the VAT and import duty (if the vehicle was imported from a third country). The length of the inalienability period is determined on the basis of reciprocity.

The inalienability period will be entered in the registration certificate (“Osvědčení o registraci vozidla. Část II. /Technický průkaz/”) upon registration.

In case the motor vehicle was imported on a duty-free basis, the amount of the VAT and import duty to be paid by the owner will be calculated on the basis of the current value of the motor vehicle.

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4 Section 80, paragraph 13 of Act No. 235/2004 concerning the value-added tax as amended.

5 Section 237b of Act No. 13/1993, the Customs Act, as amended.



In case the motor vehicle was purchased in the Czech Republic or in another EU Member State, the amount of the VAT to be paid by the owner will be calculated pro rata according to the time remaining until the end of the inalienability period. In case the person to whom the vehicle is transferred enjoys privileges and immunities, no VAT back payment will be charged.

### **3.2. Applying for motor vehicle registration – role of the Diplomatic Protocol of the Ministry of Foreign Affairs**

A person enjoying privileges and immunities must first register his/her motor vehicle with the Diplomatic Protocol of the Ministry of Foreign Affairs. As the next step, he/she must submit the required documents to the Ministry of Transport<sup>6</sup>. The Ministry of Transport will enter the vehicle in its Road Transport Vehicles Register and will issue the two-part registration certificate) (“Osvědčení o registraci vozidla. Část I.” and “Osvědčení o registraci vozidla. Část II. /Technický průkaz/”) and the registration plate.

In case the owner of the motor vehicle cannot visit the Ministry of Transport in person, the person dealing with the Ministry of Transport on the owner’s behalf will need an a legalized letter of authority from the owner. However, in case the owner’s sending State is a Contracting Party to the European Convention on the Abolition of Legalisation of Documents Executed by Diplomatic Agents or Consular Officers, it is sufficient to present a letter of authority certified by the mission’s diplomatic agent or consular officer.

As of 1 January 2015, the above exemption from the legalization requirement applies to the missions of the following countries: Federal Republic of Germany, French Republic, Grand Duchy of Luxembourg, Hellenic Republic, Ireland, Kingdom of the Netherlands, Kingdom of Norway, Portuguese Republic, Republic of Austria, Republic of Estonia, Republic of Italy, Republic of Moldova, Republic of Poland, Republic of Turkey, Romania, Spain, Sweden, Swiss Confederation, and the United Kingdom of Great Britain and Northern Ireland.

(Note: The above list is subject to change depending on the ratification status of the European Convention.)

#### **3.2.1. A motor vehicle that was operated by its present owner in another EU Member State for more than 6 months before registration in the Czech Republic**

The verbal note must be accompanied by the following documents:

- completed application form “Žádost o zápis silničního vozidla do registru silničních vozidel”<sup>7</sup>
- photocopy of the national registration certificate

6 This chapter concerns documents required for registration with the Diplomatic Protocol. Documents required by the Ministry of Transport are listed in chapter 3.3.2.

7 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

### 3.2.2. A motor vehicle purchased by a mission or by a staff member in the Czech Republic or in another EU Member State

This category includes:

- new motor vehicles – the term “new motor vehicle” refers to a motor vehicle purchased in the Czech Republic or in another EU Member State in cases where the supply takes place within 6 months of the date of first entry into service or where the vehicle has travelled for no more than 6,000 kilometres,
- second-hand motor vehicles – the term “second-hand motor vehicle” refers to a vehicle purchased in the Czech Republic or in another EU Member State in cases where the supply takes place more than 6 months of the date of first entry into service or where the vehicle has travelled for more than 6,000 kilometres.

The verbal note must be accompanied by the following documents:

- completed application form “Žádost o zápis silničního vozidla do registru silničních vozidel”<sup>8</sup>
- photocopies of the invoice and purchase contract
- photocopy of the national registration certificate
- original of the endorsed VAT exemption certificate “Potvrzení o osvobození od daně z přidané hodnoty” (for new motor vehicles purchased in an EU Member State)<sup>9</sup>

### 3.2.3. A motor vehicle imported by a mission or by a staff member from a third country

This category includes motor vehicles purchased and/or operated in a non-EU country by a person enjoying privileges and immunities and then brought by the same person to the Czech Republic.

The verbal note must be accompanied by the following documents:

- completed application form “Žádost o zápis silničního vozidla do registru silničních vozidel”<sup>10</sup>
- customs declaration<sup>11</sup> endorsed by the Customs Office or, if appropriate, by another customs office in the Czech Republic
- photocopy of the invoice (for a newly purchased vehicle) or of the national registration certificate (for a vehicle that was already in service in a third country)

### 3.2.4. Replacing a lost, damaged or stolen registration plate

The verbal note must be accompanied by the following documents:

- completed notification form “Oznámení o ztrátě, zničení nebo odcizení tabulky s registrační značkou”<sup>12</sup>

8 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

9 Section 19, paragraph 6 of Act No. 235/2004 concerning the value-added tax as amended.

10 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

11 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

12 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

- photocopy of both parts of the Czech registration certificate

(Note: Damaged registration plates must be returned to the Ministry of Transport)

### **3.3. Terminating the registration of vehicles owned by persons enjoying privileges and immunities**

#### **3.3.1. Transferring a vehicle to another owner**

The verbal note must be accompanied by the following documents:

- completed application form “Žádost o zápis změny vlastníka nebo provozovatele silničního vozidla”<sup>13</sup>
- photocopy of both parts of the Czech registration certificate
- letter from a tax office or customs office certifying that the former owner has paid up the VAT and import duty (in cases where the vehicles is being transferred before the end of the inalienability period).

#### **3.3.2. Exporting a motor vehicle from the Czech Republic; registration plates and insurance**

Vehicles being exported should display a temporary registration plate. Temporary registration plates and documents issued for this purpose need not be returned to the Czech authorities upon expiry. They are valid for three months starting from the first day of the month following the month in which they were issued. The validity period is shown on the registration plate. The change of the registration mark is entered in the Czech registration certificate. Part II of the Czech registration certificate showing the history of the vehicle will remain with the owner.

The insurance of motor vehicles being exported from the Czech Republic is the owner’s responsibility.

The verbal note must be accompanied by the following documents: (in case the motor vehicle is being exported from the Czech Republic before the end of the inalienability period – a deadline after which the vehicle can be sold, lent, leased or pledged – the verbal note must state the date on which the owner’s posting to the Czech Republic will come to an end):

- completed application form “Žádost o přidělení registrační značky na vývoz”<sup>14</sup>
- photocopy of both parts of the Czech registration certificate

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13 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

14 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

The terms and conditions that apply to owners who want to export their motor vehicles from the Czech Republic before the end of their posting are subject to reciprocity. The existence of reciprocal terms and conditions must be confirmed by a note from the Ministry of Foreign Affairs of the sending State.

### 3.3.3. Laying up a vehicle (taking a vehicle temporarily off the road and/or out of use)

The verbal note must be accompanied by the following documents:

- completed application form “Žádost o zápis změny údajů v registru silničních vozidel”<sup>15</sup>
- photocopy of both parts of the Czech registration certificate

### 3.3.4. Scrapping an end-of-life vehicle

The verbal note must be accompanied by the following documents:

- completed application form “Žádost o vyřazení vozidla nebo zápis zániku vozidla”<sup>16</sup>
- photocopy of both parts of the Czech registration certificate
- document proving that the vehicle was brought to an authorized treatment facility (“Potvrzení o převzetí autovraku do zařízení ke sběru autovraků”, also known as “doklad o ekologické likvidaci vozidla”)
- letter from a tax office or customs office certifying that the owner has paid up the VAT and import duty (in case the vehicle is to be scrapped before the end of the inalienability period).

## 3.4. Motor vehicle registration fees

Persons enjoying privileges and immunities are granted exemptions from the registration fees on a reciprocal basis.<sup>17</sup>

In the absence of a reciprocal exemption, the following administrative fees are charged for the registration of motor vehicles and issuance of registration plates:

### Entering a vehicle in the Road Transport Vehicles Register, changing the owner or operator of a road transport vehicle

- motorcycles up to 50 cc: CZK 300
- motorcycles above 50 cc, including motorcycles with sidecars or trailers and three- or four-wheeler motorcycles: CZK 500
- motor vehicles with at least four wheels: CZK 800

<sup>15</sup> The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

<sup>16</sup> The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

<sup>17</sup> Section 8 of Act No. 634/2004 concerning administrative fees as amended.

- trailers weighing 750 kgs or less: CZK 500
- trailers weighing more than 750 kgs: CZK 700

**Replacing a lost, damaged or stolen registration plate; changing the registration mark**

- CZK 200 for one registration plate + CZK 50 for registering a change of the alphanumeric identifier

**Entering a change in the registration certificate and in the Road Transport Vehicles Register**

- CZK 50 per one change

**Replacing a damaged, destroyed, lost or stolen registration certificate; replacing a damaged, lost or stolen roadworthiness certificate<sup>18</sup>**

- CZK 100 (unless the applicant needs the new document because his/her posting to the Czech Republic has been prolonged – upon the issuance of a new ID card)

**Laying up a vehicle (taking a vehicle temporarily off the road and/or out of use)**

- CZK 200

When the vehicle is being sold to a person enjoying privileges and immunities, the seller must pay the recycling charge as required by the Waste Management Act. This does not apply to M1 and N1 category vehicles that meet at least the Euro 3 emission limits. The amount of the charge will be determined by the Ministry of Transport.

To pay the above administrative fees, the applicant must buy a duty stamp and attach it to the application form. Applications must be submitted to the Ministry of Transport (not to the Diplomatic Protocol). Duty stamps can be bought at any Czech Post office.

No fees are charged for the issuance of temporary registration plates for vehicles being deregistered and permanently exported, and for the issuance of special one-off (paper) registration plates with a limited validity period.

**Contact details**

Ministry of Foreign Affairs of the Czech Republic, Loretánské náměstí 5, Praha 1

Diplomatic Protocol

Fax: 224 182 073

Contact person: Jana Krbcová

tel: 224 182 828

e-mail: jana\_krbcova@mzv.cr

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18 The roadworthiness certificate is a document certifying the roadworthiness of vehicles that are not subject to registration. It is called “osvědčení o technické způsobilosti vozidla” or “technické osvědčení vozidla”.

Ministry of Transport of the Czech Republic, Nábřeží L. Svobody 12, Praha 1  
Fax: 225 131 670  
Contact person: Pavla Javorková  
tel: 225 131 402  
e-mail: pavla.javorkova@mdr.cz

### **3.5. After registering a vehicle with the Ministry of Foreign Affairs - documents to be submitted to the Ministry of Transport**

#### **3.5.1. A motor vehicle that was operated by its present owner in another EU Member State for more than 6 months before registration in the Czech Republic**

- completed application form “Žádost o zápis silničního vozidla do registru silničních vozidel” endorsed by the Ministry of Foreign Affairs,
- verbal note,
- ID card,
- national registration certificate from another EU Member State,
- national document equivalent to Part II of the Czech registration certificate (where appropriate),
- record confirming that the vehicle has passed the vehicle identity check (“protokol o evidenční kontrole”),
- record confirming that the vehicle has passed the Czech roadworthiness test (“doklad o technické prohlídce” issued by vehicle testing stations - “STK - stanice technické kontroly” and “SME –stanice měření emisí”),
- green card (third party insurance),
- letter of authority with an authenticated signature of the owner – in case the owner cannot visit the Ministry of Transport in person,
- request for exclusion from roadworthiness testing (according to Section 35a, paragraph 2 of the Road Traffic Act<sup>19</sup>, the Ministry of Transport may grant exemptions from the technical requirements listed in paragraph 1 (a)-(d) if
- the owner will export the vehicle upon his/her final departure from the Czech Republic, or
- if another member of the mission will apply for re-registration of the vehicle)



### **3.5.2. A motor vehicle purchased by a mission or by a staff member in the Czech Republic or in another EU Member State**

#### **New motor vehicles**

- completed application form “Žádost o zápis silničního vozidla do registru silničních vozidel” endorsed by the Ministry of Foreign Affairs,
- verbal note,
- national registration certificate from another EU Member State,
- national document equivalent to Part II of the Czech registration certificate (where appropriate),
- record confirming that the vehicle has passed the vehicle identity check (“protokol o evidenční kontrole”),
- record confirming that the vehicle has passed the Czech roadworthiness test (“doklad o technické prohlídce”) in case the national roadworthiness test is not recognized in the Czech Republic,
- green card (third party insurance),
- original of an endorsed VAT exemption certificate (for new motor vehicles purchased in an EU Member State),
- letter of authority with an authenticated signature of the owner – in case the owner cannot visit the Ministry of Transport in person.

#### **Second-hand motor vehicles**

- completed application form “Žádost o zápis silničního vozidla do registru silničních vozidel” endorsed by the Ministry of Foreign Affairs,
- verbal note,
- national registration certificate from another EU Member State,
- national document equivalent to Part II of the Czech registration certificate (where appropriate),
- record confirming that the vehicle has passed the vehicle identity check (“protokol o evidenční kontrole”),
- record confirming that the vehicle has passed the Czech roadworthiness test (“doklad o technické prohlídce”)
- green card (third party insurance),
- letter of authority with an authenticated signature of the owner – in case the owner cannot visit the Ministry of Transport in person.

#### **A motor vehicle purchased by a mission or by a staff member in a third country**

- completed application form “Žádost o zápis silničního vozidla do registru silničních vozidel” endorsed by the Ministry of Foreign Affairs,
- verbal note,

- ID card,
- national document equivalent to Part II of the Czech registration certificate (if issued), with a Czech translation,
- national registration certificate from a non-EU country (if issued), with a Czech translation ,
- document confirming that the vehicle has passed the Czech roadworthiness test upon import (“doklad o dovozové technické prohlídce”),
- request for exclusion from roadworthiness testing (according to Section 35a, paragraph 2 of the Road Traffic Act<sup>20</sup>; the Ministry of Transport may grant exemptions from the technical requirements listed in paragraph 1 (a)-(d) if
- the owner will export the vehicle upon his/her final departure from the Czech Republic, or
- if another member of the mission will apply for re-registration of the vehicle)
- green card (third party insurance),
- letter of authority with an authenticated signature of the owner – in case the owner cannot visit the Ministry of Transport in person.

#### **Replacing a lost, damaged and stolen registration plate**

- completed notification form “Oznámení o ztrátě, zničení nebo odcizení tabulky s registrační značkou” endorsed by the Ministry of Foreign Affairs,
- verbal note,
- ID card,
- Czech registration certificate (Part II),
- Czech registration certificate (Part I) ,
- registration plates,
- letter of authority with an authenticated signature of the owner – in case the owner cannot visit the Ministry of Transport in person.

#### **Transferring a vehicle to another owner (who does not enjoy privileges and immunities)**

- completed application form “Žádost o zápis změny vlastníka nebo provozovatele silničního vozidla” endorsed by the Ministry of Foreign Affairs,
- verbal note,
- ID card,
- original of the Czech registration certificate (Part II),
- original of the Czech registration certificate (Part I) ,
- record confirming that the vehicle has passed the vehicle identity check for the purpose of transfer to a new owner (“protokol o evidenční kontrole”), not older than 14 days,
- document confirming the legal basis for the change of title (certificate of probate, document confirming that the vehicle was purchased at auction, etc. ),

- letter of authority with an authenticated signature of the owner – in case the owner cannot visit the Ministry of Transport in person,
- letter from a tax office or customs office certifying that the owner has paid up the VAT and import duty (in case the vehicle is to be transferred before the end of the inalienability period).
- registration plates.

### **Exporting a motor vehicle from the Czech Republic**

- completed application form “Žádost o přidělení registrační značky na vývoz” endorsed by the Ministry of Foreign Affairs,
- verbal note,
- ID card
- old registration plates,
- Czech registration certificate (Part II),
- Czech registration certificate (Part I) ,
- letter of authority with an authenticated signature of the owner – in case the owner cannot visit the Ministry of Transport in person,
- in case the motor vehicle is being exported from the Czech Republic before the end of the inalienability period – a deadline after which the vehicle can be sold, lent, leased or pledged – the verbal note must state the date on which the owner’s posting to the Czech Republic will come to an end

### Laying up a vehicle (taking a vehicle off the road and/or out of use)

- completed application form “Žádost o zápis změny údajů v registru silničních vozidel” endorsed by the Ministry of Foreign Affairs,
- verbal note,
- ID card,
- green card (third party insurance),
- original of the Czech registration certificate (Part II),
- original of the Czech registration certificate (Part I) ,
- letter of authority with an authenticated signature of the owner – in case the owner cannot visit the Ministry of Transport in person.

### **Scrapping an end-of-life vehicle**

- completed application form “Žádost o vyřazení vozidla nebo zápis zániku vozidla” endorsed by the Ministry of Foreign Affairs
- verbal note
- Czech registration certificate
- document proving that the vehicle was brought to an authorized treatment facility (“Potvrzení o převzetí autovraku do zařízení ke sběru autovraků”, also known as “doklad o ekologické likvidaci vozidla”) – this document may be issued in another EU Member State

- a certificate of destruction (“doklad potvrzující zničení silničního vozidla”),
- all registration plates,
- letter from a tax office or customs office certifying that the owner has paid up the VAT and import duty (in case the vehicle is to be scrapped before the end of the inalienability period).
- Registering other changes
- completed application form “Žádost o zápis změny údajů”,
- verbal note,
- original of the Czech registration certificate (Part II),
- original of the Czech registration certificate (Part I) ,
- ID card,
- other documents proving the changes to registered data,
- letter of authority with an authenticated signature of the owner – in case the owner cannot visit the Ministry of Transport in person.

**Replacing a registration certificate**

- verbal note,
- completed application form “Žádost o vydání nového dokladu”,
- verbal note,
- damaged registration certificate,
- undamaged part of the registration certificate,
- letter of authority with an authenticated signature of the owner – in case the owner cannot visit the Ministry of Transport in person.



### 3.6. Annexes

1. **Žádost o zápis silničního vozidla do registru silničních vozidel** (*Request to enter a vehicle in the Road Transport Vehicles Register*)
2. **Oznámení o ztrátě, zničení nebo odcizení tabulky s registrační značkou** (*Notification of loss, damage or theft of a registration plate*)
3. **Žádost o zápis změny vlastníka nebo provozovatele silničního vozidla** (*Request to record a change of vehicle owner or operator*)
4. **Žádost o vydání tabulky s registrační značkou na vývoz** (*Request for a temporary registration plate for an exported vehicle*)
5. **Žádost o zápis změn údajů v registru silničních vozidel** (*Request to change data in the Road Transport Vehicles Register*)
6. **Žádost o vydání nového dokladu k vozidlu** (*Request for a new registration certificate*)
7. **Žádost o vyřazení silničního vozidla z provozu a zápis zániku silničního vozidla** (*Request to remove a vehicle from the Road Transport Vehicles Register and to record the vehicle as scrapped*)



## Annex 1, pg. 1/2

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registrační značka (vyplní úřad)

### Žádost o zápis silničního vozidla do registru silničních vozidel

**VYPLNÍ ŽADATEL!**

**A:** Podepsaný vlastník žádá, aby dále popsané silniční vozidlo bylo zapsáno do registru silničních vozidel  
jméno a příjmení (nebo název právnické osoby)

.....

rodné číslo<sup>\*)</sup>: 

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 identifikační číslo: 

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Adresa místa pobytu fyzické osoby (nebo sídlo právnické osoby / místo podnikání fyzické osoby)

.....

PSČ .....

**B:** Podepsaný provozovatel vozidla žádá, aby dále popsané silniční vozidlo bylo zapsáno do registru silničních vozidel (*Vyplnit jen, když je provozovatel odlišný od vlastníka*)  
jméno a příjmení (nebo název právnické osoby)

.....

rodné číslo<sup>\*)</sup>: 

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 identifikační číslo: 

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Adresa místa pobytu fyzické osoby (nebo sídlo právnické osoby / místo podnikání fyzické osoby)

.....

PSČ .....

<sup>\*)</sup> rodné číslo vyplnit, bylo-li přiděleno, jinak vyplnit datum narození ve tvaru DDMMRRRR

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registrační značka

**C:** K žádosti o zápis silničního vozidla do registru silničních vozidel se přikládá:

- doklad o technické způsobilosti vozidla,
- doklad o technické prohlídce, jedná-li se o vozidlo, které již bylo provozováno,
- protokol o evidenční kontrole vozidla, nejedná-li se o vozidlo nové,
- doklad o pojištění odpovědnosti z provozu vozidla (zelená karta vydaná podle zákona o pojištění odpovědnosti vozidla),
- doklad o povolení k pobytu, doklad o udělení azylu na území České republiky nebo doklad o délce přechodného pobytu, nemá-li provozovatel silničního vozidla trvalý pobyt na území České republiky,
- potvrzení o zaplacení DPH v případě pořízení nového dopravního prostředku z jiného členského státu Evropské unie,
- doklad totožnosti žadatele, je-li totožnost ověřována,
- zplnomocnění při zastupování; písemná plná moc s úředně ověřeným podpisem nebo uznaným elektronickým podpisem zapisovaného vlastníka a zapisovaného provozovatele nebo,
- dokumentaci obsahující údaje v rozsahu potřebném pro vydání technického průkazu vozidla, pokud nejsou obsaženy v dokladu o technické způsobilosti vozidla.

Odevzdávám tabulku(y) s registrační značkou: ..... v počtu .....ks

Odevzdávám osvědčení o registraci vozidla: ..... číslo: .....

**D:** Prohlašuji a svým podpisem potvrzuji, že všechny mnou uvedené údaje jsou pravdivé.

V ..... dne ..... Podpis žadatele(ů) .....





Annex 2, pg. 2/2

**Záznam registračního místa**

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo: .....

Tabulka(y) s registrační značkou: ..... bylo odebráno .....ks

Jiný doklad k silničnímu vozidlu:  
.....  
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Vyměřen správní poplatek ..... Kč podle položky č. .... zákona o správních poplatcích,  
který byl uhrazen v hotovosti. Doklad č. ....

Byla přidělena nová registrační značka 

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 Počet kusů: .....

.....  
podpis oprávněné úřední osoby

**Potvrzení o převzetí dokladů žadatelem (nabytí právní moci)**

Tabulka(y) s registrační značkou: .....

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo: .....

Jiné doklady: .....

V ..... dne ..... Podpis žadatele .....

.....  
podpis oprávněné úřední osoby a otisk úředního razítka



Annex 3, pg. 2/3

**Mezitímní vlastník** (*Vyplnit jen v případě, že tato osoba se připojuje k žádosti o zápis změny vlastníka silničního vozidla*)  
 Jméno a příjmení fyzické osoby (nebo název právnické osoby)

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identifikační číslo:

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Adresa místa podnikání fyzické osoby nebo sídlo právnické osoby

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PSČ .....

V ..... dne ..... Podpis žadatele .....

**Nový vlastník silničního vozidla:**  
 Jméno a příjmení fyzické osoby (nebo název právnické osoby)

.....

.....

rodné číslo<sup>\*)</sup>:

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identifikační číslo:

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Adresa místa pobytu fyzické osoby (nebo sídlo právnické osoby / místo podnikání fyzické osoby)

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PSČ .....

**Nový provozovatel silničního vozidla** (*Vyplnit jen, když je nový provozovatel odlišný od nového vlastníka*):  
 Jméno a příjmení fyzické osoby (nebo název právnické osoby)

.....

.....

rodné číslo<sup>\*)</sup>:

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identifikační číslo:

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Adresa místa pobytu fyzické osoby (nebo sídlo právnické osoby / místo podnikání fyzické osoby)

.....

.....

PSČ .....

*\*) rodné číslo vyplnit, bylo-li přiděleno, jinak vyplnit datum narození ve tvaru DDMMRRRR*

- K žádosti se přikládá:**
1. doklad totožnosti, je-li totožnost ověřována,
  2. plná moc s úředně ověřeným podpisem nebo uznatelným elektronickým podpisem,
  3. v případě převodu vlastnického práva:
    - a) technický příkaz,
    - b) osvědčení o registraci vozidla,
    - c) protokol o evidenční kontrole silničního vozidla,
    - d) zelená karta, v případě, že vozidlo není vyřazeno z provozu.
  4. v případě přechodu vlastnického práva:
    - a) doklad o nabytí vlastnického práva k silničnímu vozidlu,
    - b) další doklady k vozidlu, jsou-li k dispozici.

V ..... dne ..... Podpis žadatele(ů) .....

Annex 3, pg. 3/3

**Záznam registračního místa**

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo: .....

Jiný doklad k silničnímu vozidlu:

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.....

Vyměřen správní poplatek ..... Kč podle položky č. .... zákona o správních poplatcích,  
který byl uhrazen v hotovosti. Doklad č. ....

.....  
Podpis oprávněné úřední osoby

**Potvrzení o převzetí dokladů žadatelem (datum nabytí právní moci)**

Tabulka(y) s registrační značkou: .....

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo: .....

Jiné doklady: .....

V ..... dne ..... Podpis žadatele .....

.....  
podpis oprávněné úřední osoby a otisk úředního razítka







Annex 4, pg. 2/2

**Záznam registračního místa**

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo: .....

Tabulka(y) s registrační značkou: ..... bylo odebráno .....ks

Jiný doklad k silničnímu vozidlu:  
.....  
.....  
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Vyměřen správní poplatek ..... Kč podle položky č. .... zákona o správních poplatcích,  
který byl uhrazen v hotovosti. Doklad č. ....

Byla přidělena registrační značka na vývoz 

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 s platností do: .....

.....  
podpis oprávněné úřední osoby

**Potvrzení o převzetí dokladů žadatelem (nabytí právní moci)**

Tabulka(y) s registrační značkou: .....

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo: .....

Jiné doklady: .....

V ..... dne ..... Podpis žadatele .....

.....  
podpis oprávněné úřední osoby a otisk úředního razítka



## Annex 5, pg. 2/2

**Záznam registračního místa**

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo: .....

Jiný doklad k silničnímu vozidlu:

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Vyměřen správní poplatek ..... Kč podle položky č. .... zákona o správních poplatcích,  
který byl uhrazen v hotovosti. Doklad č. ....

.....  
podpis oprávněné úřední osoby

**Potvrzení o převzetí dokladů žadatelem (nabytí právní moci)**

Tabulka(y) s registrační značkou: .....

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo: .....

Jiné doklady: .....

V ..... dne ..... Podpis žadatele .....

.....  
podpis oprávněné úřední osoby a otisk úředního razítka



Annex 6, pg. 2/2

**Záznam registračního místa**

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo:.....

Jiný doklad k silničnímu vozidlu:

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Vyměřen správní poplatek ..... Kč podle položky č. .... zákona o správních poplatcích,  
který byl uhrazen v hotovosti. Doklad č. ....

**Byly vydány tyto doklady:**

Nový technický průkaz ..... číslo: .....

Nové osvědčení o registraci ..... číslo: .....

.....  
podpis oprávněné úřední osoby

**Potvrzení o převzetí dokladů žadatelem (nabytí právní moci)**

Tabulka(y) s registrační značkou: .....

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo:.....

Jiné doklady: .....

V ..... dne ..... Podpis žadatele .....

.....  
podpis oprávněné úřední osoby a otisk úředního razítka





Annex 7, pg. 2/2

**Záznam registračního místa**

Technický průkaz: ..... číslo: .....

Osvědčení o registraci vozidla: ..... číslo: .....

Tabulka(y) s registrační značkou: ..... bylo odebráno ..... ks

Jiný doklad k silničnímu vozidlu:  
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.....

Vyměřen správní poplatek ..... Kč podle položky č. .... zákona o správních poplatcích,  
který byl uhrazen v hotovosti. Doklad č. ....

.....  
podpis oprávněné úřední osoby

**Potvrzení o převzetí dokladů žadatelem (nabytí právní moci)**

Technický průkaz: ..... číslo: .....

Jiné doklady: .....

V ..... dne ..... Podpis žadatele .....

**Záznam o skartaci tabulek s registrační značkou**

*(Vyplnit jen, když byl zapsán zánik vozidla)*

Tabulka(y) s registrační značkou: ..... byly dne ..... úředně skartovány

.....  
podpis oprávněné úřední osoby a otisk úředního razítka

## 4 | Driving licences

### 4.1. Driving licences

The following documents are accepted as proof of the holder's entitlement to drive motor vehicles in the Czech Republic<sup>12</sup>:

- valid national driving licence issued in the Czech Republic
- valid national driving licence issued in another EU Member State
- valid driving permit issued in a foreign country in accordance with the Convention on Road Traffic (Vienna 1968) or the Convention on Road Traffic (Geneva 1949)
- international driving permit issued in a foreign country in accordance with the Convention on Road Traffic (Vienna 1968) – valid in the Czech Republic for three years from the date of issue
- international driving permit issued in accordance with the Convention on Road Traffic (Geneva 1949) – valid in the Czech Republic for one year from the date of issue
- valid national driving licence of a member of the diplomatic staff who enjoys privileges and immunities in the Czech Republic under national or international law. In case of a roadside check, members of missions of non-EU countries are recommended to produce the national driving licence together with a certified Czech translation.

Posted staff members may request the Ministry of Transport of the Czech Republic to exchange their national driving licences for Czech ones<sup>13</sup>. However, it is to be noted that the Ministry of Transport will exchange only driving licences issued in other EU Member States and driving licences issued in non-EU countries conforming to the models contained in the Convention on Road Traffic (Vienna 1968) or the Convention on Road Traffic (Geneva 1949). The national driving licence will remain in safekeeping at the Ministry of Transport until the holder returns the Czech one.

#### 4.1.1. Applying for a Czech driving licence

Members of the staff of diplomatic missions, consular posts and international organizations applying for Czech driving licences must present to the Ministry of Transport the following documents:

- original of the application form “Žádost o vydání řidičského průkazu” (available from the Ministry of Transport)
- passport-size photograph (3.5 cm x 4.5 cm)
- ID card
- valid national driving licence

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12 Section 104 of Act No. 361/2000 concerning road traffic as amended.

13 Section 116 of Act No. 361/2000 concerning road traffic as amended.

To submit the application, the applicant need not visit the Ministry of Transport in person. No letter of authority will be required from the person submitting the application on his/her behalf.

However, when issued, the driving licence must be collected by the applicant in person. If the applicant is unable to visit the Ministry of Transport, the person collecting the licence on his/her behalf must have a certified letter of authority.

No fees are charged for the issuance of Czech driving licences.

**Contact details**

Ministry of Transport of the Czech Republic

Road Transport Vehicles Department

Contact person: Karel Hron

Tel. : 225 131 404

## 5 | Road traffic regulations - duties of persons enjoying diplomatic privileges and immunities in the Czech Republic

### 5.1. Basic road traffic regulations

Act No. 361/2000 concerning road traffic and amending certain acts (Road Traffic Act) as amended<sup>1</sup> is a comprehensive set of rules applicable to all road users in the Czech Republic.

In accordance with its functional approach to diplomatic privileges and immunities, the Czech Republic urges the staff of diplomatic missions, consular posts and international organizations to respect road traffic regulations as required in Article 41 of the Vienna Convention on Diplomatic Relations and to constructively cooperate with the Czech Republic Police and municipal police.

The Diplomatic Protocol keeps a record of traffic offences committed by persons enjoying privileges and immunities.

The Diplomatic Protocol requests diplomatic missions, consular posts and international organizations to familiarize themselves thoroughly with Czech road traffic regulations. The current version in Czech is available e.g. at [www.ibesip.cz/cz/legislativa/silnicni-zakon-s-komentarem](http://www.ibesip.cz/cz/legislativa/silnicni-zakon-s-komentarem). The most important rules in English with illustrations are available at [www.ibesip.cz/en/road-safety/road-safety-rules-in-the-czech-republic](http://www.ibesip.cz/en/road-safety/road-safety-rules-in-the-czech-republic).

In the interest of the safety of all road users, each mission should, as far as possible, inform travellers about Czech road traffic regulations.

Missions are urged to pay special attention to the following rules:

- Road users must not use any devices (such as radar jammers) impeding or interfering with the operation of technical systems used by the police.
- Pedestrians who are crossing or about to cross the road at a pedestrian crossing must be enabled to do so safely and without problems. Drivers must approach pedestrian crossings at a speed that will enable them to stop in time. When the traffic in one lane stops to give way to pedestrians, the traffic in all other lanes must stop as well.
- A driver who has to stop on the roadside outside a built-up area because of a breakdown or accident must put on a high visibility vest before getting out of the vehicle.
- If the vehicle is not fitted with safety restraints, children aged under three and up to 1.50 metres in height must not travel in the front passenger seat. Children up to 36 kg in weight

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<sup>1</sup> Act No. 361/2000 concerning road traffic and amending certain acts (Road Traffic Act) as amended by Acts No. 60/2001, 478/2001, 62/2002, 311/2002, 320/2002, 436/2003, 53/2004, 229/2005, 76/2006, 411/2005, 226/2006, 342/2006, 264/2006, 215/2007, 170/2007, 374/2007, 124/2008, 374/2007, 274/2008, 480/2008, 227/2009, 281/2009, 424/2010, 133/2011, 297/2011, 329/2011, 341/2011, 375/2011, 119/2012, 197/2012, 193/2012, 390/2012, 18/2012, 396/2012, 101/2013, 233/2013, 300/2013, 239/2013, 64/2014.

and 150 cm in height must sit in a suitable child seat. A rear-facing child seat must not be fitted into a seat protected by an active frontal airbag.<sup>2</sup>

- Motorcycle and moped riders must wear a protective helmet and an eye protector. Children aged under 12 must not ride as pillion passengers. Cyclists aged under 18 must wear a cycle helmet. Children aged under ten may ride a bicycle in a public road only if supervised by a person aged over 15 (this does not apply to children cycling on pavements, cycle tracks and in pedestrian-only and residential zones). It is forbidden to smoke while riding a motorcycle, moped or bicycle.
- It is forbidden to use a hand-held cell phone or other communication or recording device while driving. Drivers may use only hands-free phones.
- A driver who is about to enter a roundabout must give priority to the traffic that is already on the roundabout.
- Drivers who become aware of a hazard or obstruction in the road must switch on their hazard warning lights to warn other road users, especially if the traffic will have to slow down or stop.
- Motor vehicles in motion must always have their sidelights and dipped-beam headlights (or daytime running lights, if fitted) switched on<sup>3</sup>. Non-self-propelled vehicles must have their lights switched on when visibility is reduced.
- Motorways can be used only by motor vehicles capable of travelling at the speed of at least 80 kilometres per hour. Public transport vehicles (including articulated vehicles) capable of travelling at the speed of at least 65 kilometres per hour can use motorway sections in built-up areas.<sup>4</sup>
- A driver who has to stop in a tunnel because of a breakdown or accident must turn off the engine and engine-off heating system (if fitted). The driver and passengers must not smoke and use open fire. They should move away to a safe area or leave the tunnel as quickly as possible.
- Traffic accidents must be reported to the Czech Republic Police if there any injuries or deaths or if the damage to any of the vehicles involved (including goods carried in the vehicle) exceeds CZK 100,000 or if the accident causes damage to third parties or if the accident causes damage to the road and related infrastructure. The parties involved in the accident must draw up a joint accident report and send it to the insurer immediately.<sup>5</sup>
- Drivers must not consume alcohol and other addictive substances while driving. It is forbidden to drive immediately after consuming alcohol or other addictive substances and during the “sobering-up” period when the driver may still be under the influence of alcohol or other addictive substances.<sup>6</sup> Violations of this ban are classified as a traffic offence or, under certain circumstances, as a crime of endangering public safety while under the influence of addictive substances.

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2 Section 6, paragraph 1 of Act No. 361/2000 concerning road traffic as amended.

3 Section 32 of Act No. 361/2000 concerning road traffic as amended.

4 Section 35, paragraph 1 of Act No. 361/2000 concerning road traffic as amended.

5 Section 47, paragraph 3 (g) of Act No. 361/2000 concerning road traffic as amended.

6 Section 5, paragraph 2 of Act No. 361/2000 concerning road traffic as amended.

- On-pavement parking is forbidden, unless there is an on-pavement parking space clearly marked by road signs. Other parking prohibitions and restrictions are set out in the Road Traffic Act.<sup>7</sup>

## 5.2. Traffic offences and accidents involving persons enjoying privileges and immunities

### 5.2.1. Investigation

Persons enjoying privileges and immunities who become involved in a traffic accident or commit a traffic offence are recommended to cooperate as much as possible with the Czech Republic Police or municipal police. Cooperative approach will help bring the case to a conclusion without unnecessary problems.

Persons enjoying privileges and immunities should always carry the ID card issued by the Ministry of Foreign Affairs of the Czech Republic. The card serves as evidence of the person's identity and of his/her entitlement to privileges and immunities.

If the holder refuses to present the ID card, the police have no way to ascertain his/her identity and entitlement to privileges and immunities. Czech legislation (Act No. 362/1999 concerning the residence of foreigners in the territory of the Czech Republic<sup>8</sup>) requires every foreigner to present an identity document (a travel document, a residence document or an ID card issued by the Ministry of Foreign Affairs to persons enjoying privileges and immunities under international law) whenever requested by a Czech Republic Police or municipal police officer.

Act No. 273/2008 concerning the Czech Republic Police<sup>9</sup> and Act No. 553/1991 concerning municipal police forces<sup>10</sup> give police officers the power to request evidence of identity from drivers suspected of committing an offence as well as from other persons who are required to provide an explanation to the police.

On being informed that a driver who has committed a traffic offence or been involved in a traffic accident enjoys diplomatic privileges and immunities in the Czech Republic, the police ask the Diplomatic Protocol to confirm the fact. On the basis of information received from the Diplomatic Protocol, the police either discontinue the case (if the driver enjoyed privileges and immunities at the time of the accident or offence), or proceed with it (if the driver did not enjoy immunity).

A copy of the police notice confirming that the case has been discontinued is sent to the mission through the Diplomatic Protocol.

<sup>7</sup> Section 27 of Act No. 361/2000 concerning road traffic as amended.

<sup>8</sup> Section 103 (c) of Act No. No. 362/1999 concerning the residence of foreigners in the territory of the Czech Republic as amended.

<sup>9</sup> Section 63 of Act No. 273/2008 concerning the Czech Republic Police as amended.

<sup>10</sup> Sections 11 and 12 of Act No. 553/1991 concerning municipal police forces as amended.



### 5.2.2. Breath test, driving disqualification

The Czech Republic fully respects the international conventions concerning privileges and immunities, including the rules that exempt some persons from the administrative or criminal jurisdiction of the receiving State. However, these conventions also require that persons enjoying privileges and immunities should respect the laws and regulations of the receiving State. According to the laws and regulations of the receiving State<sup>11</sup>, the Czech Republic Police, municipal police and other personnel authorized by law have the power to request any person, including persons enjoying privileges and immunities, to take the breath test. Taking the test is the only effective way to eliminate suspicions of impaired driving. Drivers who refuse to take alcohol or substance tests are deemed to have been driving under the influence of alcohol or addictive substances.<sup>12</sup>

In the interest of the safety of all road users, and for their own safety, the Diplomatic Protocol urges driver enjoying privileges and immunities to effectively cooperate when stopped by the Czech Republic Police or municipal police and to take the breath and substance tests.

In case a driver enjoying privileges and immunities is stopped by the police and ordered not to drive further, the police inform the diplomatic mission, consular post or international organization and the Ministry of Foreign Affairs of the Czech Republic (the Diplomatic Protocol during working hours, or the Operations and Information Centre outside working hours).

The Czech Republic Police have the power to seize driving licences in exceptional cases. The holder will be disqualified from driving motor vehicles until his/her licence is returned.<sup>13</sup>

### Contact details

#### During working hours:

Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic  
tel: 224 182 281

#### Outside working hours:

Operations and Information Centre of the Ministry of Foreign Affairs of the Czech Republic  
tel: 224 182 425, 224 182 837

### 5.2.3. Exceptional measures

In accordance with general international law, the case-law of international courts, the opinion of the United Nations International Law Commission and the prevailing practice of States, the principle of personal inviolability of diplomatic agents, consular officers and officers of international organizations

11 Section 5, paragraph 1 (f) and (g) of Act No. 361/2000 concerning road traffic as amended.

12 Section 16, paragraph 5 of Act No. 379/2005 concerning measures to prevent damage caused by tobacco products, alcohol and other addictive substances as amended.

13 Section 118a, paragraph 1 (c), (d), (e), (f) and Section 118b, paragraphs 1 and 2 of Act No. 361/2000 concerning road traffic as amended.

does not exclude measures of self-defence (e.g. when a police officer has to defend himself/herself against an assault by a person enjoying privileges and immunities who is obviously intoxicated ) and measures to prevent the person from committing crimes or offences or from exposing himself/herself to situations dangerous to his/her own life and health. These measures are admissible only as an immediate reaction to the person's conduct. In such cases, the Czech Republic Police or municipal police inform the mission and the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic as soon as possible.

In exceptional cases, a vehicle with a diplomatic registration plate may be towed away. This may happen especially if the vehicle is parked in a reserved parking area without proper authorization (unauthorized parking violates the public interest as well as the individual rights of the persons for whom the parking area is reserved). In such cases, the Czech Republic Police or municipal police first contact the owner of the vehicle in cooperation with the Diplomatic Protocol. Removal of the vehicle is a measure of last resort to be taken only if the owner does not comply. In case the vehicle poses a road safety risk or obstructs traffic (e.g. if the vehicle is parked in front of a hospital entrance or on a pedestrian crossing), the Czech Republic Police and municipal police may have the vehicle towed away immediately.<sup>14</sup> The owner is contacted afterwards through the Diplomatic Protocol or the Operations and Information Centre of the Ministry of Foreign Affairs. The towing away fee is paid by the owner.

#### **5.2.4. Entitlement to diplomatic privileges and immunities**

During traffic offence proceedings it may be necessary to establish whether a member of the administrative and technical staff of a diplomatic mission, consular post or a member of the staff of an international organization registered with the Diplomatic Protocol enjoyed privileges and immunities at the time of the offence. In such case, the mission is asked to confirm whether the staff member was performing any duties related to his/her official functions at the time of the offence and to specify the duties.

Staff members not registered with the Diplomatic Protocol (mainly locally engaged staff) do not enjoy diplomatic privileges and immunities in the Czech Republic. Any documents identifying them as members of the staff of the mission are accepted only as a proof of their employment relationship. Such documents do not entitle the holder to any privileges and immunities. The only valid evidence of entitlement to privileges and immunities is the ID card issued by the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic. These cards are not issued to staff members not registered with the Diplomatic Protocol.

Honorary consuls serving in the Czech Republic are nationals of or permanently resident in the Czech Republic and therefore do not enjoy immunity from the administrative jurisdiction of the Czech Republic<sup>15</sup>, including in the case of traffic offences. The driving of motor vehicles is not an "official act" performed in the exercise of consular functions in terms of consular conventions<sup>16</sup>.

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14 Section 45, paragraph 4 of Act No. 361/2000 concerning road traffic as amended.

15 Article 71 of the Vienna Convention on Consular Relations.

16 Articles 5 and 43 of the Vienna Convention on Consular Relations.

### **5.2.5. Diplomatic agents and their family members passing in transit through the Czech Republic<sup>17</sup>**

Foreign diplomatic agents accredited to countries other than the Czech Republic (and their family members) enjoy inviolability and immunity from the administrative jurisdiction of the Czech Republic if they pass in transit through the territory of the Czech Republic while proceeding to take up or return to their post or while returning to their own country after their diplomatic functions have come to an end. They do not enjoy these privileges and immunities if they travel on private business.

### **5.2.6. Paid parking zones**

Municipalities may set up paid parking zones as part of their parking control policies. The fees charged for on-street parking in the zones are subject to the applicable laws and regulations concerning prices.<sup>18</sup> The zone may be designated for short-stay parking (up to 24 hours) or residential parking. The driver must either buy a parking pass (in residential parking zones) or pay at a parking meter (in short-stay parking zones). The payment of a parking fee is a payment for a service (use of parking space in a paid parking zone), which means that persons enjoying privileges and immunities are not exempted from paying it.

## **5.3. Parking – reservation of free or paid parking spaces for diplomatic missions, consular posts and offices of international organizations**

Reservation of free parking spaces for the use of diplomatic missions, consular posts and international organizations in the Czech Republic is subject to reciprocity. If the existence of reciprocal terms and conditions cannot be confirmed for objective reasons, the approach is based on the Vienna Convention on Diplomatic Relations<sup>19</sup> or a similar instrument, taking into account the obligation to accord full facilities for the performance of the functions of the mission, and with due regard to the security situation and general circumstances of the diplomatic mission, consular post or international organization (type of the mission, its staff, level of bilateral relations).

The rules concerning the reservation of free parking spaces for the use of diplomatic missions, consular posts and international organizations accredited to the Czech Republic are set out in a general municipal by-law<sup>20</sup>. To reserve parking spaces, the diplomatic mission, consular post or international organization must conclude a written contract with the Prague Roads Administration Authority.

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17 Article 40 of the Vienna Convention on Diplomatic Relations.

18 Section 23 of Act No. 13/1997 concerning roads as amended.

19 Article 25 of the Vienna Convention on Diplomatic Relations.

20 Section 6, paragraph 1 of Capital City of Prague Regulation No. 5/2011 concerning local fees related to the occupation of public space.

### **5.3.1. Applying for a parking space contract**

Before applying for the contract, the diplomatic mission, consular post or international organization must ask the traffic department of the municipal district office for preliminary consent and confirmation that the proposed parking arrangement that will not obstruct or hinder traffic. At the same time, the mission must send to the Diplomatic Protocol a note asking for confirmation that the proposed parking arrangement complies with the principle of reciprocity. On receiving a reply from the Diplomatic Protocol, the mission must contact the Prague Roads Administration – Sales and Marketing Department. The application for a parking space contract (see the Annex for the application form) must be accompanied by the note from the Diplomatic Protocol, the letter of consent from the traffic department of the municipal district office, and a sketch showing the proposed location of the parking space in the street.

On the basis of this information and the Diplomatic Protocol's note, the Prague Roads Administration will conclude with the mission a parking space loan contract or a parking space lease contract.

After concluding the contract with the Prague Roads Administration, the mission must again contact the traffic department of the municipal district office and ask it to confirm that the parking spaces will be reserved for the mission pursuant to the contract. On the basis of the traffic department's reply, the mission may order the manufacture and installation of the necessary traffic signs and road surface markings from any traffic sign company. The costs are paid by the mission. The traffic signs and road surface markings are the mission's property and the mission must maintain or renovate them at its own expense. When the mission is relocated or closed down, the traffic signage must be restored to its original condition.

### **5.3.2. Renewing the parking space reservation**

The parking space reservation is valid for one year. The mission must annually request the traffic department of the municipal district office to confirm that the parking spaces will be reserved for another year. The request must be presented no later than one month before the end of the period indicated in the letter confirming the reservation for the past year.

The parking space contract with the Prague Roads Administration is normally concluded for an indefinite period. However the Prague Roads Administration requires missions to annually present the letter from the district traffic department confirming that the parking space reservation will be valid for another year. This requirement is mentioned in the contract.

### **5.3.3. Changing the parking space reservation**

In case the mission needs to change the parking space contract (before relocating, closing down, etc.), it must send a written request to the Prague Roads Administration and then follow the Roads Administration's instructions. If necessary, the mission may also contact the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic.

#### **Contact details**

Prague Roads Administration Authority  
Mrs. Ambrožová  
tel: 257 015 319

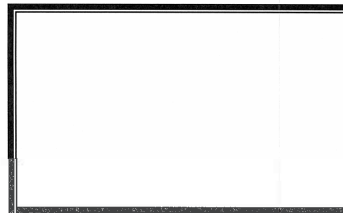
## **5.4. Annexes**

### **1. Application for a parking contract**

Annex 1, pg. 1/1



**Technická správa komunikací  
hlavního města Prahy**  
Řásnovka 770/8, 110 00 Praha 1



### ŽÁDOST O UZAVŘENÍ SMLOUVY PRO ZASTUPITELSKÉ ÚŘADY

**ŽADATEL:** Název: .....  
Adresa: .....  
IČO: .....  
Bankovní spojení – č. ú.: .....  
Příjmení a jméno velvyslance: .....  
Zastoupen: .....  
Odpovědný pracovník: .....  
Telefon: .....

**DRUH ZÁBORU:**  parkování bezplatné                      počet park. míst: .....  
 parkování placené                      počet park. míst: .....

**MÍSTO ZÁBORU:** (ulice, číslo domu) ..... Praha.....

**Způsob stání:**     podélné                       kolmé                       šikmé

**Celková plocha záboru:** : ..... m<sup>2</sup>

**TERMÍN ZÁBORU:**     - doba neurčitá od.....  
 - doba určitá    od ..... do .....

Datum žádosti: .....

Podpis žadatele: .....  
(razítko)

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#### **PŘÍLOHY K ŽÁDOSTI:**

- situační plánek
- předběžný souhlas dopravního odboru příslušného ÚMČ Prahy
- potvrzení Diplomatického protokolu MZV ČR (v případě bezplatného parkování)





## 6 | Duty-free imports

In accordance with Article 36, paragraph 1 (a) and (b) of the Vienna Convention on Diplomatic Relations and Act No. 13/1993, the Customs Act as amended, diplomatic missions, diplomatic agents and their family members may import duty-free articles for the official use of the mission and for the personal use of the diplomatic agent and his/her family members, including articles intended for their establishment (e.g. clothing, household appliances, motor vehicles), subject to compliance with the principle of reciprocity.<sup>14</sup>

In accordance with Article 37, paragraph 2 of the Vienna Convention on Diplomatic Relations and with Act No. 13/1993, the Customs Act as amended, a member the administrative and technical staff may import duty-free articles intended for his/her establishment on a one-off basis.

International organizations, members of their staff and their family members are exempted from paying import duties and taxes to an extent determined by the appropriate international treaty.

Duty-free imports of alcoholic beverages, tobacco products and motor vehicles are subject to quotas.

Diplomatic missions, consular posts and international organizations are kept informed about the currently applicable quotas.

### 6.1. Procedure

To import goods on a duty-free basis, the diplomatic mission, consular post or international organization must present to the Prague Customs Authority or to another customs authority in the Czech Republic the following documents:

- two copies of the customs declaration form “Celní prohlášení zboží dováženého pro potřebu osob požívajících výsad a imunit”<sup>15</sup> stamped and signed by the head of mission or his/her authorized representative; the signatures must match the specimen signatures provided to the Customs Authority (one copy of the form will be retained by the Customs Authority and the other copy by the recipient of the consignment),
- an invoice for the imported goods; if the consignment consists of personal effects, a list of the personal effects,
- a letter of authority (in case the diplomatic mission, consular post or international organization is represented by a declarant),
- a photocopy of the ID card (if the goods are imported for the personal use of a member of the staff of a diplomatic mission, consular post or international organization).

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14 Section 237 of Act No. 13/1993, the Customs Act as amended, Section 71 of Act No. 235/2004 concerning the value-added tax as amended, and Section 11 of Act No. 353/2003 concerning excise taxes as amended.

15 The form is available at [www.mzv.cz/protokol](http://www.mzv.cz/protokol) - link “Formuláře”

**Contact details**

Ministry of Foreign Affairs of the Czech Republic, Loretánské náměstí 5, Praha 1

Diplomatic Protocol

Fax: 224 182 073

Contact person: Jana Krbcová

tel: 224 182 828

email: jana\_krbcova@mzv.cr

General Directorate of Customs, Budějovická 7, Praha 4

Jana Moravcová (customs supervision - methodology support officer)

tel: 261 332 135

email: j.moravcova@cs.mfcr.cz

Prague Customs Authority, K Hrušovu 293/2, Praha 10

Lucie Kolaříková

tel: 281 004 285

email: l.kolarikova@cs.mfcr.cz

Michaela Ženíšková

tel: 281 004 414

email: m.zeniskova@cs.mfcr.cz



## **6.2. Annexes**

**1. Act No. 13/1993, the Customs Act**

**2. Customs declaration**

Annex 1, pg. 1/2

## **Act No. 13/1993, the Customs Act**

### **Section 237**

Goods enjoying protection under international law and goods imported by persons with registered office or permanent residence outside the territory of the Czech Republic who enjoy privileges and immunities under international treaties

### **Section 237a**

(1) Diplomatic and consular bags and other mail enjoying protection under international law shall be exempted from import duties.

(2) The diplomatic and consular bags of the Ministry of Foreign Affairs and of the diplomatic missions and consular posts of the Czech Republic shall be exempted from import duties.

### **Section 237b**

(1) Goods imported for the use of persons enjoying privileges and immunities under international treaties shall be exempted from import duties subject to the conditions set out in Sections 237c-237f.

(2) The term “persons enjoying privileges and immunities” refers to

(a) diplomatic missions and consular posts accredited to the Czech Republic as bodies of foreign States,

(b) special missions,

(c) international organizations enjoying privileges and immunities under international treaties,

(d) nationals of foreign States who are members of diplomatic missions, special missions or consular posts accredited to the Czech Republic, are not permanently resident in the Czech Republic and are registered with the Ministry of Foreign Affairs as heads of mission, members of the diplomatic staff or of the administrative and technical staff of a diplomatic mission, or as heads of a consular post, consular officers or consular employees.

(e) officers of international organizations who are not permanently resident in or nationals of the Czech Republic, provided that they are permanently posted to perform official duties in the Czech Republic,

(f) members of the families of the persons listed in (d) or (e) above, provided that they are not nationals of or permanently resident in the Czech Republic and are registered with the Ministry of Foreign Affairs.

### **Section 237c**

(1) Goods imported for the persons listed in Section 237b, paragraph 2 (a)-(c) shall be exempted from import duties provided that the goods are intended solely for the official use of these persons. The term

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“goods intended for official use” shall include also goods intended for the construction, alteration, maintenance and furnishing of immovable properties in which such persons reside.

(2) Goods imported for the persons listed in Section 237b, paragraph 2 (d)-(f) shall be exempted from import duties provided that the goods are intended solely for the personal use and consumption of these persons. The exemption from import duties shall apply to goods imported directly from abroad as well as to goods released into free circulation following a free-zone, free-warehousing, customs-warehousing or inward processing suspension procedure.

### **Section 237d**

Goods imported for persons enjoying privileges and immunities shall be exempted from import duties only in cases where the principle of reciprocity is observed. The Customs Authority shall grant an exemption from import duties only insofar as an exemption from import duties is granted, for the same reasons, to persons with registered office or permanent residence in the Czech Republic in connection with their official duties in the relevant foreign State.

### **Section 237e**

(1) Goods shall be exempted from import duties provided that they are intended for the use of persons enjoying privileges and immunities and that these persons have requested the release of such goods into free circulation in a customs declaration; a specimen of the customs declaration is published in a ministerial regulation. The customs declaration shall be endorsed by the official stamp and signature of the head of the diplomatic mission, consular post, special mission or international organization referred to in Section 237b, paragraph 2 (a)-(c) or by his/her authorized representative.

(2) Goods shall be exempted from import duties provided that they will not be lent or borrowed, pledged, rented or transferred for a fee or free of charge for a period of twelve months, or for a period of twenty-four months if the goods in question are motor vehicles, vessels or aircraft, from the date of receipt of the customs declaration requesting their release into free circulation.

## Annex 2, pg. 1/2

**CELNÍ PROHLÁŠENÍ zboží dováženého pro potřebu orgánů a osob požívajících výsad a imunit****CELNÍ PROHLÁŠENÍ**

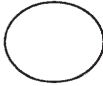
zboží dováženého pro potřebu osob požívajících výsad a imunit

Příjemce:		Celní úřad:		Číslo: Datum přijetí:	
Číslo ID karty vydané MZV: Kategorie (D, ATP, MO atd.) :			Odesílatel:		
Funkce a hodnost osoby:					
Značky a čísla zásilky	Počet a druh	Popis a název zboží, položka celního sazebníku <sup>1)</sup>	Množství v kusech, kilogramech, litrech	Celní hodnota zboží	Poznámka
Přílohy k celnímu prohlášení:					
Prohlašuji, že výše uvedené zboží bude sloužit výhradně pro mou vlastní potřebu a potřebu členů mé domácnosti - úřední potřebu <sup>2)</sup> a na základě platných předpisů žádám o propuštění do režimu volného oběhu s přiznáním osvobození od dovozního cla.					
V .....dne.....					
Podpis deklaranta					

1) Příloha č. 1 k nařízení Rady (EHS) č. 2658/87 ze dne 23. července 1987, o celní a statistické nomenklatuře a o společném celním sazebníku, ve znění pozdějších předpisů.

2) Nehodící se škrtněte.

## Annex 2, pg. 2/2

<p>Podpis vedoucího nebo zástupce vedoucího diplomatické mise, konzulárního úřadu, zvláštní mise nebo mezinárodní organizace:</p> <p style="text-align: center;"></p> <p style="text-align: center;">Otisk úředního razítka</p> <p>V ..... dne.....</p> <p>Podpis _____</p> <p style="text-align: center;">příjmení a jméno, popřípadě jména, vypište</p>
<p><b>Rozhodnutí celního úřadu:</b></p> <p>V celním prohlášení uvedené zboží se propouští do volného oběhu s úplným osvobozením od dovozního cla podle § 237a až 237h zákona č. 13/1993 Sb., celní zákon, ve znění pozdějších předpisů.</p> <p>Podle § 71 zákona č. 235/2004 Sb., o dani z přidané hodnoty, ve znění pozdějších předpisů a podle § 11 zákona č. 353/2003 Sb., o spotřebních daních, ve znění pozdějších předpisů, je toto zboží rovněž osvobozeno od daně z přidané hodnoty a od spotřebních daní.</p> <p>V ..... dne.....</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">podpis</p>
<p><b>Poznámky a záznamy celního úřadu:</b></p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>



## 7 | Recovery of indirect taxes

Czech indirect taxation system includes the value-added tax (VAT), excise duties and environmental taxes. It is based on EU regulations that harmonize the rules concerning indirect taxes across the Union.

### VAT

The following VAT rates apply as of 1 January 2015:

21% VAT - most goods and services,

15% VAT - e.g. foodstuffs, newspapers and magazines, heating, cooling, water supply and public transport,

10% VAT - medicines, books, infant formulae.

There are VAT exemptions for certain postal services, radio and TV broadcasting, financial and insurance services, healthcare services, social care, education and real estate leasing.

### Excise duties

Excise duties are levied on mineral oils, ethyl alcohol, wine, beer and tobacco products. The rates are flat, except for the excise duty on cigarettes which has a flat-rate component and an ad valorem component (percentage of the retail price).

### Environmental taxes

Environmental taxes are levied on natural gas and some other gases, solid fuels and electricity.

#### 7.1. VAT

The VAT recovery entitlements of persons enjoying privileges and immunities are subject to reciprocity in terms of entitled persons, eligible goods and services, and the minimum and maximum value of eligible purchases. This means that the VAT is refunded under the same conditions as those that apply to Czech nationals enjoying privileges and immunities in the sending State.

The VAT recovery entitlements of persons enjoying privileges and immunities in whose sending State the VAT is not included in the prices of goods and services are subject to the VAT Act<sup>1</sup> which sets out the categories of entitled persons, eligible goods and services, and the minimum and maximum value of eligible purchases.

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1 Section 80 of Act No. 235/2004 concerning the value-added tax as amended.

### **7.1.1. VAT refunds - diplomatic missions, consular posts and representations of international organizations**

The VAT is refunded only if the goods and services were purchased solely for official use and consumption. If there are reasons to believe that the goods and services were not purchased solely for official use and consumption, the refund claim is not accepted.

The VAT paid on motor vehicle fuel, spare parts and repairs is refunded only if the motor vehicle in question is registered with the Ministry of Foreign Affairs and the Ministry of Transport of the Czech Republic.

The entitlement to recover the VAT paid on the purchase of a motor vehicle in the Czech Republic and to get a VAT exemption when purchasing a motor vehicle from another EU Member State is subject to reciprocity. The number of eligible vehicles and the length of the inalienability period are also determined on a reciprocal basis. Where the principle of reciprocity cannot be applied, the scope of this entitlement is determined in proportion to the size of the mission. The VAT is refunded only if the vehicle has a diplomatic registration plate.

#### **Filing deadline**

Diplomatic missions, consular posts (consular posts headed by honorary consular officers are not entitled to recover the VAT) and international organizations can file their VAT refund claims once in a calendar month.

The entitlement is forfeited on 31 January of the calendar year following the calendar year in which the goods or services were supplied.

#### **How to file the claim**

The refund claim (“Příznání k uplatnění nároku na vrácení daně z přidané hodnoty”)<sup>2</sup> with an enclosed record-keeping document (“Daňová záznamní povinnost”)<sup>3</sup> must be presented to the Diplomatic Protocol together with a verbal note. Tax documents (invoices and receipts) should not be presented to the Diplomatic Protocol.

The refund claim must contain the entity number, name and address of the mission, the total amount of VAT refundable (page 2), the stamp and signature of the head of mission or his/her authorized representative (page 2, the signature must match the specimen signature provided to the Diplomatic Protocol), the address or account number to which the refund is to be sent (page 2), and the reference number of the verbal note confirming reciprocal treatment in the area of the VAT (page 3).

#### **Tax documents**

The refund claims filed with the Prague Tax Office - Prague 6 territorial branch (some consular posts file their claims with other tax offices) must be accompanied by tax documents. The tax document must contain the supplier’s business name and tax identification number, the customer’s name, description of the goods or services supplied (including quantity or number), the tax document registration number,

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2 The form can be downloaded from [mzv.cz/protokol-formulare](http://mzv.cz/protokol-formulare).

3 The form can be downloaded from [mzv.cz/protokol-formulare](http://mzv.cz/protokol-formulare).

the date of supply, the VAT rate and VAT base, the amount of the VAT and the total price including the VAT. The amount of the VAT must not be added in by hand.

When claiming a refund of the VAT paid on the purchase of a motor vehicle, the claimant must enclose the tax document and a copy of the vehicle registration certificate.

### **7.1.2. VAT refunds – members of the staff of diplomatic missions, consular posts and representations of international organizations and their family members**

The VAT is refunded only if the goods and services were purchased solely for personal use and consumption. Personal consumption is deemed reasonable if it is proportionate to the normal income of staff members (salary rates prevailing in their professional categories), assuming that the staff member has no independent financial resources (e.g. donations, inheritance) in the sending State. If there are reasons to believe that the goods and services were not purchased solely for personal use and consumption, the refund claim is not accepted.

The entitlement to recover the VAT paid on the purchase of a motor vehicle in the Czech Republic and to get a VAT exemption when purchasing a motor vehicle from another EU Member State is subject to reciprocity. The number of eligible vehicles and the length of the inalienability period are also determined on a reciprocal basis. Where the principle of reciprocity cannot be applied, the number of eligible motor vehicles is limited as follows:

- ambassador or other head of mission: two motor vehicles plus one motor vehicle in case he/she is accompanied by a family member registered with the Ministry of Foreign Affairs of the Czech Republic,
- member of the diplomatic staff or consular officer: one motor vehicle plus one motor vehicle in case he/she is accompanied by a family member registered with the Ministry of Foreign Affairs of the Czech Republic,
- member of the administrative and technical staff or consular employee: one motor vehicle.

The VAT is refunded only if the vehicle has a diplomatic registration plate.

Staff members who have recovered the VAT paid on the purchase a motor vehicle in the Czech Republic or got a VAT exemption on the purchase of a motor vehicle from another EU Member State are liable to pay up the full amount of the VAT if their posting to the Czech Republic ends less than six months from the date on which the vehicle was assigned a diplomatic registration mark. This payment is not charged if the owner transfers the vehicle to another person enjoying privileges and immunities in the Czech Republic.

The VAT paid on motor vehicle fuel, spare parts and repairs is refunded only if the motor vehicle in question is registered with the Ministry of Foreign Affairs and the Ministry of Transport of the Czech Republic.

### **Filing deadline**

Members of the staff of diplomatic missions, consular posts and international organizations and their family members (the service staff and private servants are not eligible to recover the VAT) can file their VAT refund claims once in a calendar quarter.

The entitlement is forfeited on 31 January of the calendar year following the calendar year in which the goods or services were supplied.

### **How to file the claim**

The refund claims (“Přiznání k uplatnění nároku na vrácení daně z přidané hodnoty”)<sup>4</sup> with enclosed record-keeping documents (“Daňová záznamní povinnost”)<sup>5</sup> must be presented to the Diplomatic Protocol collectively (in alphabetic order) together with a verbal note. Tax documents (invoices and receipts) should not be presented to the Diplomatic Protocol.

The refund claim must contain the entity number, the claimant’s first name and surname (as written on the diplomatic ID card), the claimant’s residence address (in the place where the mission is located), the total amount of VAT refundable (page 2), the stamp and signature of the head of mission or his/her authorized representative (page 2, the signature must match the specimen signature provided to the Diplomatic Protocol), the address or account number to which the refund is to be sent (page 2), and the reference number of the verbal note confirming reciprocal treatment in the area of the VAT (page 3). If the claimant does not have a valid diplomatic ID card, the Diplomatic Protocol will not endorse the claim.

### **Tax documents**

The refund claims filed with the Prague Tax Office - Prague 6 territorial branch (the staff of some consular posts file their claims with other tax offices) must be accompanied by tax documents. The tax document must contain the supplier’s business name and tax identification number, the customer’s name, description of the goods or services supplied (including quantity or number), the tax document registration number, the date of supply, the VAT rate and VAT base, the amount of the VAT and the total price including the VAT. The amount of the VAT must not be added in by hand.

When claiming a refund of the VAT paid on the purchase of a motor vehicle, the claimant must enclose the tax document and a copy of the vehicle registration certificate.

### **7.1.3. VAT exemptions on goods and services purchased from another EU Member State**

VAT exemptions may be granted to diplomatic missions, consular posts, representations of international organizations and their staff members purchasing goods and services from another EU Member State. The exemption is subject to reciprocity in terms of entitled persons, eligible goods and services, and the minimum and maximum value of eligible purchases.

The VAT exemption entitlements of persons enjoying privileges and immunities in whose sending State the VAT is not included in the prices of goods and services are subject to Section 80 of the VAT Act which sets out the categories of entitled persons, eligible goods and services, and the minimum and maximum value of eligible purchases.

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4 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

5 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

The amount of the VAT that the claimant would otherwise pay on these goods and services is counted towards the claimant's maximum refund entitlement.<sup>6</sup>

### **VAT exemptions - diplomatic missions, consular posts and representations of international organizations**

The exemption is granted only if the goods and services are purchased solely for official use and consumption. If there are reasons to believe that the goods and services are not purchased solely for official use and consumption, the exemption is not granted.

#### **How to claim the exemption**

The completed exemption certificate (Potvrzení o osvobození od daně z přidané hodnoty)<sup>7</sup> must be presented to the competent tax office before purchasing goods or services from another EU Member State. The competent tax office is the Prague Tax Office - Prague 6 territorial branch (purchases of motor vehicles) or the Prague Tax Directorate (purchases of other goods and services); some consular posts present their certificates to other tax offices.

On the basis of this certificate, the supplier will make a VAT-exempt supply.

### **VAT exemptions - members of the staff of diplomatic missions, consular posts and representations of international organizations**

The exemption is granted only if the goods and services are purchased solely for personal use and consumption. If there are reasons to believe that the goods and services are not purchased solely for personal use and consumption, the exemption is not granted.

#### **How to claim the exemption**

The completed exemption certificate (Potvrzení o osvobození od daně z přidané hodnoty)<sup>8</sup> must be presented to the competent tax office before purchasing goods or services from another EU Member State. The competent tax office is the Prague Tax Office - Prague 6 territorial branch (purchases of motor vehicles) or the Prague Tax Directorate (purchases of other goods and services); the staff of some consular posts present their certificates to other tax offices.

On the basis of this certificate, the supplier will make a VAT-exempt supply.

#### **Contact details**

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Diplomatic Protocol

Fax: 224 182 073

Jana Krbcová

tel: 224 182 828

e-mail: jana\_krbcova@mzv.cr

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6 Section 68, paragraphs 8 and 9 of Act No. 235/2004 concerning the value-added tax as amended.

7 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

8 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

General Directorate of Customs, Lazarská 7, Praha 1  
tel: 296 854 093  
e-mail: podatelna@fs.mfcr.cz

Financial Directorate for the Capital City of Prague, Štěpánská 619, Praha 1  
tel: 224 041 111  
e-mail: podatelna@pm.ds.mfcr.cz

Tax Office for the Capital City of Prague - Prague 6 territorial branch  
Nábřeží Kpt. Jaroše 1000, Praha 7  
Fax: 220 363 698  
Eva Fořtová, director, Natural Persons Department  
tel: 220 361 362  
e-mail: eva.fortova@fs.mfcr.cz  
Veronika Spudilová, head of unit  
tel: 220 363 616  
e-mail: veronika.spudilova@fs.mfcr.cz  
Eva Stískalová  
tel: 220 361 389  
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Eva Zezulová  
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## 7.2. Excise duties

The excise duty recovery entitlements of diplomatic missions, consular posts, representations of international organizations and their staff members are subject to reciprocity in terms of entitled persons, eligible goods and the minimum and maximum value of eligible purchases. This means that excise duties are refunded under the same conditions as those that apply to Czech nationals enjoying privileges and immunities in the sending State.

The excise duty recovery entitlements of persons enjoying privileges and immunities in whose sending State excise duties are not included in the prices of goods are subject to the Excise Duties Act<sup>9</sup> which sets out the categories of entitled persons, eligible goods and the minimum and maximum value of eligible purchases.

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9 Section 15 of Act No. 353/2003 concerning excise duties as amended.

### **7.2.1. Excise duty refunds - diplomatic missions, consular posts and representations of international organizations**

Excise duties are refunded only if the goods were purchased solely for official use and consumption. If there are reasons to believe that the goods were not purchased solely for official use and consumption, the refund claim is not accepted.

Excise duties paid on motor vehicle fuel, spare parts and repairs are refunded only if the motor vehicle in question is registered with the Ministry of Foreign Affairs and the Ministry of Transport of the Czech Republic.

#### **Filing deadline**

Diplomatic missions, consular posts (consular posts headed by honorary consular officers are not entitled to recover excise duties) and international organizations can file their excise duty refund claims once in a calendar month.

The entitlement is forfeited at the end of 31 January of the calendar year following the calendar year in which the goods were supplied.

#### **How to file the claim**

The refund claim (“Přiznání k uplatnění nároku na vrácení spotřební daně osobám požívajícím výsad a imunit”)<sup>10</sup> with an enclosed record-keeping document (“Daňová záznamní povinnost”)<sup>11</sup> must be presented to the Diplomatic Protocol together with a verbal note. Tax documents (invoices and receipts) should not be presented to the Diplomatic Protocol.

The refund claim must contain the entity number, name and address of the mission, the total amount of excise duty refundable (page 2), the stamp and signature of the head of mission or his/her authorized representative (page 2, the signature must match the specimen signature provided to the Diplomatic Protocol), the address or account number to which the refund is to be sent (page 2), and the reference number of the verbal note confirming reciprocal treatment in the area of excise duties (page 3).

#### **Tax documents**

The refund claims filed with the Prague Customs Office (some consular posts file their claims with other customs offices) must be accompanied by tax documents. The tax document must contain the supplier's business name and tax identification number, the customer's name, description of the goods supplied (including quantity or number), the tax document registration number, the date of supply, the excise duty rate and excise duty base, the amount of the excise duty and the total price including the excise duty. The amount of the excise duty must not be added in by hand.

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10 The form can be downloaded from [mzv.cz/protokol-formulare](http://mzv.cz/protokol-formulare).

11 The form can be downloaded from [mzv.cz/protokol-formulare](http://mzv.cz/protokol-formulare).

### **7.2.2. Excise duty refunds - members of the staff of diplomatic missions, consular posts and representations of international organizations and their family members**

Excise duties are refunded only if the goods were purchased solely for personal use and consumption. Personal consumption is deemed reasonable if it is proportionate to the normal income of staff members (salary rates prevailing in their professional categories), assuming that the staff member has no independent financial resources (e.g. donations, inheritance) in the sending State. If there are reasons to believe that the goods were not purchased solely for personal use and consumption, the refund claim is not accepted.

Excise duties paid on motor vehicle fuel, spare parts and repairs are refunded only if the motor vehicle in question is registered with the Ministry of Foreign Affairs and the Ministry of Transport of the Czech Republic.

#### **Filing deadline**

Members of the staff of diplomatic missions, consular posts and international organizations and their family members (the service staff and private servants are not eligible to recover excise duties) can file their excise duty refund claims once in a calendar quarter.

The entitlement is forfeited at the end of 31 January of the calendar year following the calendar year in which the goods were supplied.

#### **How to file the claim**

The refund claims (“Přiznání k uplatnění nároku na vrácení spotřební daně osobám požívajícím výsad a imunit”)<sup>12</sup> with enclosed record-keeping documents (“Daňová záznamní povinnost”)<sup>13</sup> must be presented to the Diplomatic Protocol collectively (in alphabetic order) together with a verbal note. Tax documents (invoices and receipts) should not be presented to the Diplomatic Protocol.

The refund claim must contain the entity number, the claimant’s first name and surname (as written on the diplomatic ID card), the claimant’s residence address (in the place where the mission is located), the total amount of excise duty refundable (page 2), the stamp and signature of the head of mission or his/her authorized representative (page 2, the signature must match the specimen signature provided to the Diplomatic Protocol), the address or account number to which the refund is to be sent (page 2), and the reference number of the verbal note confirming reciprocal treatment in the area of excise duties (page 3). If the claimant does not have a valid ID card, the Diplomatic Protocol will not endorse the claim.

#### **Tax documents**

The refund claims filed with the Prague Customs Office (the staff of some consular posts file their claims with other customs offices) must be accompanied by tax documents. The tax document must contain the supplier’s business name and tax identification number, the customer’s name, description of the goods supplied (including quantity or number), the tax document registration number, the date of supply, the excise duty rate and excise duty base, the amount of the excise duty and the total price including the excise duty. The amount of the excise duty must not be added in by hand.

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12 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

13 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms



### **7.2.3. Excise duty exemptions on goods purchased from another EU Member State**

Excise duty exemptions may be granted to diplomatic missions, consular posts, representations of international organizations, their staff and the family members of their staff purchasing goods from another EU Member State. The exemption is subject to reciprocity in terms of entitled persons, eligible goods, and the minimum and maximum value of eligible purchases.

The exemption entitlements of persons enjoying privileges and immunities in whose sending State excise duties are not included in the prices of goods are subject to Section 15 of the Excise Duties Act<sup>14</sup> which sets out the categories of entitled persons, eligible goods and the minimum and maximum value of eligible purchases.

The amount of excise duty that the claimant would otherwise pay on these goods is counted towards the claimant's maximum refund entitlement.<sup>15</sup>

#### **Excise duty exemptions on goods purchased from another EU Member State- diplomatic missions, consular posts and representations of international organizations**

The exemption is granted only if the goods are purchased solely for official use and consumption. If there are reasons to believe that the goods are not purchased solely for official use and consumption, the exemption is not granted.

##### **How to claim the exemption**

Before purchasing goods from another EU Member State, the entitled diplomatic mission, consular post or international organization must present to the Prague Customs Office (some consular posts present their documents to other customs offices) an electronic movement document ("průvodní doklad") and a completed exemption certificate ("Potvrzení o osvobození od spotřební daně")<sup>16</sup>.

On the basis of this certificate, the supplier will make a supply without charging the excise duty.

#### **Excise duty exemptions on goods purchased from another EU Member State- members of the staff of diplomatic missions, consular posts and representations of international organizations and their family members**

The exemption is granted only if the goods are purchased solely for personal use and consumption. If there are reasons to believe that the goods are not purchased solely for personal use and consumption, the exemption is not granted.

##### **How to claim the exemption**

Before purchasing goods from another EU Member State, the entitled person must present to the Prague Customs Office (the staff of some consular posts present their documents to other customs

14 Section 15 of Act No. 353/2003 concerning excise duties as amended.

15 Sections 11 and 15 of Act No. 353/2003 concerning excise duties as amended.

16 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

offices) an electronic movement document (“průvodní doklad”) and a completed exemption certificate (“Potvrzení o osvobození od spotřební daně”)<sup>17</sup>.

On the basis of this certificate, the supplier will make a supply without charging the excise duty.

### **Contact details**

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## **7.3. Environmental taxes**

The entitlement of persons enjoying privileges and immunities to recover environmental taxes is subject to reciprocity<sup>18</sup>. The existence of reciprocal conditions must be proved separately for each type of environmental tax.

Persons enjoying privileges and immunities in whose sending State environmental taxes are not included in the prices of goods are entitled to recover environmental taxes in the Czech Republic provided that Czech nationals enjoying privileges and immunities in the sending State are entitled to a refund of or exemption from taxes levied on electric energy, natural gas and solid fuels.

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17 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

18 Act No. 261/2007 concerning the stabilization of public budgets as amended.

### **7.3.1. Environmental tax refunds - diplomatic missions, consular posts and representations of international organizations**

#### **Filing deadline**

Diplomatic missions, consular posts (consular posts headed by honorary consular officers are not entitled to recover environmental taxes) and international organizations can file their environmental tax refund claims once in a calendar month.

The entitlement is forfeited upon the expiry of one year from the end of the tax period in which the entitlement accrued. The tax period is one calendar month.

#### **How to file the claim**

The refund claim (“Přiznání k uplatnění nároku na vrácení daně z/ze ....”)<sup>19</sup> must be presented to the Diplomatic Protocol together with a verbal note. Tax documents (invoices and receipts) should not be presented to the Diplomatic Protocol.

The refund claim must contain the entity number, name and address of the mission (pages 1 and 3), the total amount of environmental tax refundable (page 2), the stamp and signature of the head of mission or his/her authorized representative (page 2, the signature must match the specimen signature provided to the Diplomatic Protocol), and the address or account number to which the refund is to be sent (page 2).

#### **Tax documents**

The refund claims filed with the Prague Customs Office (some consular posts file their claims with other customs offices) must be accompanied by tax documents. The tax document must contain the following:

Electric energy: the identification details of the supplier and of the end user, the registration number of the distribution point, the amount of electricity supplied (in MWh, exclusive of tax-exempt electricity), the amount of tax-exempt electricity supplied (in MWh), the total amount of tax (in CZK), the date of supply, the date of issue of the tax document, and the tax document number.

Natural gas: the identification details of the supplier and of the end user, the type and serial number of the gas meter installed at the offtake point (if gas is supplied by a gas company), the amount of gas supplied (heating value in MWh, exclusive of tax-exempt gas), the amount of tax-exempt gas supplied (heating value in MWh), the purpose for which the gas is used, the total amount of tax (in CZK), the date of supply, the date of issue of the tax document, and the tax document number.

Solid fuels: the identification details of the supplier and of the end user, the amount and type of solid fuel supplied (heating value of an original sample in GJ, exclusive of tax-exempt solid fuels), the amount and type of tax-exempt solid fuel supplied (heating value of an original sample in GJ), the total amount of tax (in CZK), the date of supply, the date of issue of the tax document, and the tax document number.

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19 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

### **7.3.2. Environmental tax refunds – members of the staff of diplomatic missions, consular posts and representations of international organizations and their family members**

#### **Filing deadlines**

Members of the staff of diplomatic missions, consular posts and international organizations and their family members (the service staff and private servants are not eligible to recover environmental taxes) can file their environmental tax refund claims once in a calendar month.

The entitlement is forfeited upon the expiry of one year from the end of the tax period in which the entitlement accrued. The tax period is one calendar month.

#### **How to file the claim**

The refund claim (“Přiznání k uplatnění nároku na vrácení daně z/ze ....”)<sup>20</sup> must be presented to the Diplomatic Protocol together with a verbal note. Tax documents (invoices and receipts) should not be presented to the Diplomatic Protocol.

The refund claim must contain the entity number, the claimant’s first name and surname (as written on the diplomatic ID card), the claimant’s residence address in the place where the mission is located (pages 1 and 3), the total amount of environmental tax refundable (page 2), the stamp and signature of the head of mission or his/her authorized representative (page 2, the signature must match the specimen signature provided to the Diplomatic Protocol), and the address or account number to which the refund is to be sent (page 2). If the claimant does not have a valid ID card, the Diplomatic Protocol will not endorse the claim.

#### **Tax documents**

The refund claims filed with the Prague Customs Office (the staff of some consular posts file their claims with other customs offices) must be accompanied by tax documents. The tax document must contain the following:

Electric energy: the identification details of the supplier and of the end user, the registration number of the distribution point, the amount of electricity supplied (in MWh, exclusive of tax-exempt electricity), the amount of tax-exempt electricity supplied (in MWh), the total amount of tax (in CZK), the date of supply, the date of issue of the tax document, and the tax document number.

Natural gas: the identification details of the supplier and of the end user, the type and serial number of the gas meter installed at the offtake point (if gas is supplied by a gas company), the amount of gas supplied (heating value in MWh, exclusive of tax-exempt gas), the amount of tax-exempt gas supplied (heating value in MWh), the purpose for which the gas is used, the total amount of tax (in CZK), the date of supply, the date of issue of the tax document, and the tax document number.

Solid fuels: the identification details of the supplier and of the end user, the amount and type of solid fuel supplied (heating value of an original sample in GJ, exclusive of tax-exempt solid fuels), the amount

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20 The form can be downloaded from [www.mzv.cz/protokol](http://www.mzv.cz/protokol) under Formuláře/Forms

and type of tax-exempt solid fuel supplied (heating value of an original sample in GJ), the total amount of tax (in CZK), the date of supply, the date of issue of the tax document, and the tax document number.

**Contact details**

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Diplomatic Protocol

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## **7.4. Annexes**

**1. Act No. 235/2004 concerning the value-added tax**

**2. Act No. 353/2003 concerning excise duties**

**3. Act No. 261/2007 concerning the stabilization of public budgets**

**4. Přiznání k uplatnění nároku na vrácení daně z přidané hodnoty** (*VAT refund claim form*)

**5. Potvrzení o osvobození od daně z přidané hodnoty** (*VAT exemption certificate*)

**6. Přiznání k uplatnění nároku na vrácení spotřební daně osobám požívajícím výsad a imunit** (*Excise duty refund claim form for persons enjoying privileges and immunities*)

**7. Potvrzení o osvobození od spotřební daně** (*Excise duty exemption certificate*)

**8. Přiznání k uplatnění nároku na vrácení ekologických daní** (*Environmental taxes refund form*)

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## **Act No. 235/2004 concerning the value-added tax**

### **Section 80**

#### **Tax refund entitlements of persons enjoying privileges and immunities**

(1) For the purposes of this Act, persons enjoying privileges and immunities under the treaties that are part of Czech legislation (hereinafter referred to as “persons enjoying privileges and immunities”) include:

(a) diplomatic missions and consular posts, with the exception of consular posts headed by honorary consular officers (hereinafter referred to as “consular posts”), accredited to the Czech Republic as organs of foreign States,

(b) special missions,

(c) representations of international organizations,

(d) members of diplomatic missions and consular posts having their seat in the Czech Republic who are accredited to but not permanently resident in the Czech Republic, with the exception of members of the service staff and private servants,

(e) officers of representations of international organizations who are not permanently resident in or nationals of the Czech Republic and are posted to the Czech Republic for the purpose of their official duties, and foreign nationals who are members of special missions accredited to the Czech Republic and are not permanently resident in the Czech Republic,

(f) members of the family of any of the persons referred to in (d) and (e), provided that they form part of such person’s household in the territory of the Czech Republic, have reached the age of 15 years, are not nationals of the Czech Republic, and are registered with the Ministry of Foreign Affairs; for the purposes of this Act, the term “household” refers to a group of natural persons permanently living together and sharing the costs of living.

(g) entities of the European Union.

(2) Persons enjoying privileges and immunities, as listed in paragraph 1, shall be refunded the paid tax if the price of the taxable supply, paid to one seller in one calendar day and indicated on one tax document, is more than CZK 4,000 including tax, with the exception of payments for passenger car fuel, telecommunication services or services related to household waste removal and with the consumption of electricity, water, gas and heating oils. Tax paid on goods and services (hereinafter referred to as the “paid tax”) shall be refunded:

(a) to the persons referred to in paragraph 1 (a) having their seat in the Czech Republic, and to the persons referred to in paragraph 1 (d), as well as to the latter’s family members referred to in paragraph 1 (f), on the basis of the principle of reciprocity, to an extent not exceeding the extent of the tax refund entitlements of Czech persons enjoying privileges and immunities in the respective foreign State,

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(b) to the persons referred to paragraph 1 (a) having their seat in the Czech Republic, in whose sending States taxes are not included in the prices of goods and services, up to the amount of CZK 3,000,000 in a calendar year, with the exception of the tax included in the prices of passenger cars and in the prices of goods and services related to the purchase, construction, reconstruction or maintenance of real estate located in the Czech Republic, and to the members of diplomatic missions or consular posts referred to in paragraph 1 (d) up to the amount of CZK 100,000 in a calendar year, with the exception of the tax included in the prices of passenger cars, and to the latter's family members referred to in paragraph 1 (f) up to the amount of CZK 100,000 in a calendar year, with the exception of the tax included in the prices of passenger cars,

(c) to the persons referred to in paragraph 1 (a) that are accredited to the Czech Republic but have their seat outside the territory of the Czech Republic, up to the amount of CZK 250,000 in a calendar year,

(d) to the persons referred to in paragraph 1 (d) who are accredited to the Czech Republic but resident outside the territory of the Czech Republic, up to the amount of CZK 10,000 in a calendar year,

(e) to the persons referred to in paragraph 1 (b) and (c) up to the amount of CZK 500,000 in a calendar year, with the exception of the tax included in the prices of passenger cars and in the prices of goods and services related to the purchase, construction, reconstruction or maintenance of real estate located in the Czech Republic, unless provided otherwise in an international treaty,

(f) to the persons referred to in paragraph 1 (e) up to the amount of CZK 100,000 in a calendar year, with the exception of the tax included in the prices of passenger cars, unless provided otherwise in an international treaty, and to their family members referred to in paragraph 1 (f) up to the amount of CZK 100,000 in a calendar year, with the exception of the tax included in the prices of passenger cars, unless provided otherwise in an international treaty.

(3) The tax refund can be claimed by filing

(a) a tax return, to claim the tax refunds payable to the persons referred to in paragraph 1 (a)-(f); the tax return cannot be filed electronically; or

(b) a tax refund application, to claim the tax refunds payable to the persons referred to in paragraph 1 (g).

(4) In an annex to the completed tax return, the Ministry of Foreign Affairs shall confirm compliance with the principle of reciprocity in terms of entitled persons, eligible goods and services and the minimum and maximum value of eligible purchases; the annex shall form an integral part of the tax return.

(5) Persons enjoying privileges and immunities, as listed in paragraph 1, shall be entitled to claim refunds of the paid tax no sooner than in the tax period in which the taxable supply is made. The tax refund entitlements of such persons shall become null and void at the end of 31 January of the calendar year following the calendar year in which the taxable supply was made. The persons enjoying privileges and immunities referred to in paragraph 1 (a)-(c) and (g) shall be entitled to claim refunds of the tax paid on goods and services, provided that the purchased goods and services are intended solely for their official use. The persons enjoying privileges and immunities referred to in paragraph 1 (d)-(f) shall be entitled to claim refunds of the tax paid on goods and services, provided that the purchased goods and services are intended solely for their own use and consumption.



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(6) The tax refund entitlement shall be proved by presenting a copy of the car registration document (if the claimant seeks the refund of taxes paid on the purchase of a passenger car) and the document that must be issued, at the request of any of the persons listed in paragraph 1, by the taxable person who makes the taxable supply; the latter document shall contain the following:

(a) the company or business name, any additions to the company or business name, and the registered office of the taxable person making the taxable supply,

(b) the tax identification number of the taxable person making the taxable supply,

(c) the name of the person to whom the taxable supply is made,

(d) the amount and description of the goods and services constituting the taxable supply,

(e) the registration number of the document,

(f) the date of the taxable supply,

(g) the tax rate and tax base,

(h) the total amount of tax calculated according to Section 37 (1),

(i) the total price including tax.

(7) The tax that would be assessed if the supplies made to a person enjoying privileges and immunities had not been exempted from tax under Section 68 (9) shall be counted towards the maximum amount of the person's tax refund entitlement.

(8) For the purpose of tax refunds, persons enjoying privileges and immunities, as listed in paragraph 1, shall have the procedural status of taxable persons.

(9) The tax periods shall be a calendar month for the persons enjoying privileges and immunities referred to in paragraph 1 (a)-(c) and (g), and a calendar quarter for the persons enjoying privileges and immunities referred to in paragraph 1 (d)-(f). Tax returns or tax refund applications can be filed only once in each fiscal period, no sooner than on the first day of the next tax period and no later than on 31 January following the year for which the tax return or tax refund application is filed.

(10) For the purpose of tax refunds, persons enjoying privileges and immunities shall file their tax returns or tax refund applications as follows:

(a) diplomatic missions, special missions and consular posts shall file their tax returns with the tax administrator who has jurisdiction over their seat in the Czech Republic,

(b) members of resident diplomatic missions, special missions and consular posts having their seat in the Czech Republic, including their family members, shall file their tax returns with the tax administrator who has jurisdiction over the seat of the respective person referred to in (a),

(c) entities of the European Union having their seat in the Czech Republic shall file their tax refund applications with the tax administrator who has jurisdiction over their seat in the Czech Republic; in case

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such entity does not have a seat in the Czech Republic, it shall file its tax refund applications through the General Financial Directorate and the competent tax administrator shall be the Tax Office for the Capital City of Prague,

(d) the representations of international organizations referred to in paragraph 1 (c) shall file their tax returns with the tax administrator who has jurisdiction over their seat in the Czech Republic,

(e) the officers of representations of international organizations referred to in paragraph 1 (e), including their family members, shall file their tax returns with the tax administrator who has jurisdiction over their place of residence in the Czech Republic,

(f) the diplomatic missions or consular posts referred to in paragraph 2 (c), including their members referred to in paragraph 2 (d), shall file their tax returns with the Tax Office for the Capital City of Prague.

(11) Persons enjoying privileges and immunities, as listed in paragraph 1, shall be refunded the paid tax within 30 days from the date following its assessment. The amount of the refunded tax shall be rounded off to whole Czech crowns.

(12) Persons enjoying privileges and immunities, as listed in paragraph 1, who have claimed a tax refund on goods in accordance with this provision may not, upon exporting such goods, claim the tax refund available to foreign natural persons under Section 84.

(13) In the case of passenger cars purchased on a tax-refund basis in the Czech Republic and passenger cars purchased on a tax-exempt basis in another Member State, the range of available privileges, including the quotas on the number of such passenger cars and the time-limits within which such passenger cars may not be leased, lent, pledged, alienated or destroyed, shall be subject to the principle of reciprocity and shall not exceed the range of privileges available to Czech persons enjoying privileges and immunities in the foreign State concerned. The tax refund may be claimed only if the passenger car, purchased in the Czech Republic or in another Member State, has been assigned a diplomatic registration mark pursuant to the laws and regulations concerning vehicle registration.

(14) In case the principle of reciprocity cannot be applied, the quotas and time-limits that must be observed by persons enjoying privileges and immunities, as listed in paragraph 1, in order to qualify for refunds of the tax included in the prices of passenger cars purchased in the Czech Republic or for exemption from the tax included in the prices of passenger cars purchased in another Member State, shall be determined as follows:

(a) the persons referred to in paragraph 1 (a)-(c) can purchase passenger cars in the Czech Republic on a tax refund basis, or in another Member State on a tax-exempt basis, in a number proportionate to the size of the mission, post or representation concerned,

(b) the persons referred to in paragraph 1 (d) can purchase in the Czech Republic on a tax refund basis, or in another Member State on a tax-exempt basis, the following number of passenger cars:

1. ambassadors, nuncios or heads of mission having an equivalent rank: two passenger cars plus one passenger car if accompanied by a family member registered with the Ministry of Foreign Affairs,
2. members of the diplomatic staff and consular officers: one passenger car plus one passenger car if accompanied by a family member registered with the Ministry of Foreign Affairs,

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3. members of administrative and technical staff and consular employees: one passenger car,

(c) the persons referred to in paragraph 1 (e) can purchase in the Czech Republic on a tax refund basis, or in another Member State on a tax-exempt basis, passenger cars in the number indicated in (b), unless provided otherwise in an international treaty,

(d) tax refunds for passenger cars purchased in the Czech Republic and tax exemptions for passenger cars purchased in another Member State shall be granted if

1. the passenger car is assigned a diplomatic registration mark pursuant to the laws and regulations concerning vehicle registration, and

2. the passenger car is not leased, lent, pledged, alienated, destroyed or taken out of service pursuant to the laws and regulations concerning vehicle registration within 24 months from the date of registration,

(e) in the case of any breach of the conditions set out in (d) above, persons enjoying privileges and immunities

1. who have received an unwarranted tax refund, shall immediately return the refunded amount to the tax administrator, or

2. who have been granted a tax exemption, shall file a tax return within 25 days from the date on which the breach was committed; the tax return cannot be filed electronically,

(f) in case any of the persons referred to in paragraph 1 (d) or (e) takes the steps set out in (e) above, the amount of the unwarranted tax refund or unwarranted tax exemption shall be equal to the amount of tax payable for the remainder of the 24-month period,

(g) in case any of the persons referred to paragraph 1 (d) or (e) prematurely terminates his/her posting to the Czech Republic, he/she shall follow the procedure set out in (e) above; the amount of his/her tax liability shall be equal to the amount of tax payable for the remainder of the 24-month period,

(h) in case any of the persons referred to in paragraph 1 (d) or (e) terminates his/her posting to the Czech Republic within six months after such car was assigned a diplomatic registration mark, he/she shall follow the procedure set out in (e) above; the amount of the unwarranted tax refund or unwarranted tax exemption shall be equal to the total amount of tax payable,

(i) the persons referred to in paragraph 1 (d) or (e) shall not be required to comply with the rules set out in (e)-(g) above in case the car is transferred to another person enjoying privileges and immunities.

## **Section 19**

Supply and acquisition of new means of transport within the territory of the European Union

(1) A taxable person who supplies, for payment, a new means of transport to another Member State to a person registered as a taxable person in another Member State makes a tax-exempt supply with the right to deduct the tax.

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(2) In the case of new means of transport, vessels and aircraft, the date of first entry into service shall be the date on which the means of transport was supplied by its manufacturer to its first purchaser or owner, or the date on which the new means of transport was first made available to its purchaser or owner, whichever occurs earlier, or the date on which the means of transport was first taken into use for demonstration purposes by the manufacturer. For motorized land vehicles, the date of first entry into service shall be the date on which the vehicle was first registered for road use in the State of manufacture, or the date on which the vehicle was first liable to be registered for road use in the State of manufacture, whichever occurs earlier. In case the vehicle is not liable to be registered for road use in the State of manufacture, the date of first entry into service shall be the date on which the vehicle was removed by its purchaser or owner, or the date on which it was supplied to its purchaser or owner, or the date on which the vehicle was first made available to its purchaser or owner, whichever occurs first, or the date on which the motorized land vehicle was used for demonstration purposes. In case the date of first entry into service is not established on this basis, the date of first entry into service is deemed to be the date on which the invoice for the sale was issued.

(3) A taxable person payer who acquires, for payment, a new means of transport from a person registered as a taxable person in another Member State acquires goods from another Member State.

(4) A taxable person who supplies to another Member State, for payment, a new means of transport to a person not registered as a taxable person in another Member State, makes a tax-exempt supply with the right to deduct the tax, if the new means of transport is removed to another Member State and the taxable person together with the acquirer present to the local tax administrator, within the deadline for the filing of tax returns, a statement containing information about the supply of a new means of transport to another Member State with an enclosed copy of the tax document. The supply of a new means of transport to another Member State, to a person not registered as a taxable person in another Member State, shall not be included in the taxable person's recapitulative statement. A taxable person who acquires from another Member State, for payment, a new means of transport from a person not registered as a taxable person in another Member State, acquires from another Member State goods subject to tax in the Czech Republic and shall enclose with its tax return a statement containing information about the acquisition of a new means of transport and a copy of the tax document issued by the supplier.

(5) A person who is not a taxable person and occasionally supplies a new means of transport for removal to another Member State is deemed to be entitled to claim a deduction of the tax it paid as part of the agreed price on acquiring the new means of transport or on importing or acquiring the new means of transport from another Member State, up to the amount of the tax that would have been charged from the taxable person if the supply were subject to tax in the Czech Republic. The person shall be entitled to file with the local tax administrator a tax return claiming the tax deduction with an enclosed copy of the tax document and a statement containing information about the supply of the new means of transport, within 10 days of the date of supply of the new means of transport to another Member State; this deadline cannot be prolonged. In case the taxable person does not claim the deduction in this tax return and does not provide to the tax administrator, on request, the information necessary for correct determination of the deductible amount, the entitlement shall be forfeited.

(6) A person who is not a taxable person and, while in the Czech Republic, acquires from another Member State a new means of transport that is to be registered in the Czech Republic, shall file a tax return with an enclosed copy of the tax document and a statement containing information about the acquisition of the new means of transport within 10 days of the date of acquisition; this deadline cannot be prolonged. On the basis of the tax return, the tax administrator shall assess the tax to be paid by the acquirer to the local tax administrator within 25 days of the date of assessment. The tax administrator shall issue a tax

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exemption certificate to a person enjoying privileges and immunities who has acquired a new means of transport from another Member State, provided that the new means of transport falls within the quota set out in Section 80.

(7) A person who acquires from another Member State a new means of transport that is to be entered in the Road Transport Vehicles Register can, before filing a tax return, present a statement containing information about the acquisition of the new means of transport and make an advance payment on account of the tax levied on the acquisition of a new means of transport, to be subsequently set off against the total tax liability in the person's tax return. The statement containing information about the acquisition of the new means of transport shall be accompanied by a copy of the tax document issued by the supplier in another Member State. At the acquirer's request, the tax administrator shall confirm the receipt of the advance tax payment.

(8) When a new means of transport is supplied to another Member State, the tax document shall state that the means of transport is new, and shall contain data proving this fact.

## **Section 68**

Exemptions granted in special cases

(1) Tax exemptions with the right to deduct the tax shall be granted for the supply of goods for the fuelling and provisioning of vessels

(a) used for navigation on high seas and carrying passengers for reward or used for the purpose of commercial, industrial or fishing activities,

(b) used for rescue or assistance at sea, or for inshore fishing, with the exception, for the latter, of ship's provisions,

(c) of war leaving the country and bound for foreign ports or anchorages.

(2) Tax exemptions with the right to deduct the tax shall be granted for

(a) the supply, modification, repair, maintenance, chartering and hiring of the sea-going vessels, with a crew, referred to in paragraph 1 (a) and (b),

(b) the supply, hiring, repair and maintenance of equipment, including fishing equipment, incorporated or used in such vessels.

(3) Tax exemptions with the right to deduct the tax shall be granted for

(a) the supply, modification, repair, maintenance, chartering and hiring of aircraft, including the chartering and hiring of aircraft with a crew, used by airlines carrying namely passengers and goods between the individual Member States and between the individual Member States and third countries,

(b) the supply, hiring, repair or maintenance of equipment incorporated or used in such aircraft.

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(4) Tax exemptions with the right to deduct the tax shall be granted for the supply of goods for the fuelling and provisioning of the aircraft referred to in paragraph 3.

(5) Tax exemptions with the right to deduct the tax shall be granted for the supply of services, other than those referred to in paragraph 2, to meet the direct needs of the sea-going vessels referred to in paragraph 2 or of their cargoes.

(6) Tax exemptions with the right to deduct the tax shall be granted for the supply of services other than those referred to in paragraph 3, to meet the direct needs of aircraft referred to in paragraph 3 or of their cargoes. Services to meet the direct needs of aircraft do not include the accommodation of passengers on delayed flights, leasing of lounges and office space at airports, and clearance of passengers, cargo a mail.

(7) For the purpose of this Act, entities of the European Union shall include the entities referred to in the applicable European Union regulations:

(a) European Union,

(b) European Atomic Energy Community,

(c) European Central Bank,

(d) European Investment Bank,

(e) entities established by the European Union.

(8) Tax exemptions with the right to deduct the tax shall be granted for goods and services supplied to a diplomatic mission, consular post, special mission, representation of an international organization and their members and officers, within the limits and under the conditions laid down in international conventions establishing such missions, posts and organizations, in headquarters agreements or in other laws and regulations, provided that the mission, post or representation has its seat in another Member State. Goods and services supplied to entities of the European Union having their seat in another Member State shall be exempted from tax with the right to deduct the tax within the limits and under the conditions set out in the Protocol<sup>21</sup>, in its implementing agreements or in headquarters agreements, provided that such exemption does not distort competition. The tax exemption shall be granted only if the taxable person making the supply proves its entitlement to such exemption by presenting a tax exemption certificate endorsed by the competent authority of the Member State in whose territory the mission, post, organization or entity has its seat. The scope and the conditions under which the diplomatic mission, consular post, special mission, representation of an international organization, its members or officers and/or entities of the European Union are entitled to acquire tax-exempt goods and services from a taxable person are subject to the principle of reciprocity and, in case the principle of reciprocity cannot be applied, the scope and conditions shall be as set out in Section 80.

(9) Diplomatic missions, consular posts, special missions, representations of international organizations and/or entities of the European Union having a seat in the Czech Republic, their members and officers, provided that they are persons enjoying privileges and immunities in terms of Section 80, shall, at the request of a person registered as a taxable person in another Member State and supplying tax-exempt

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<sup>21</sup> Protocol (No.36) on the Privileges and Immunities of the European Communities, 08.04.1965.

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goods or services to the above persons, ask the tax administrator to endorse the tax exemption certificate, within the limits and under the conditions laid down in international conventions establishing such missions, posts or organizations, in headquarters agreements, in other laws and regulations or in the Protocol and its implementing agreements, provided that such exemption does not distort competition. Diplomatic missions, consular posts, special missions, representations of international organizations, their members and officers and/or entities of the European Union shall be entitled to acquire tax-exempt goods and services from a person registered as a taxable person in another Member State within the limits determined on the basis of the principle of reciprocity or, in case the principle of reciprocity cannot be applied, within the limits set in Section 80. The tax refunded according to Section 80 shall be counted towards the maximum amount of the tax refund entitlement payable to such person.

(10) Tax exemptions with the right to deduct the tax shall be granted for goods and services supplied

(a) within the Czech Republic and intended either for the armed forces of other member countries of the North Atlantic Treaty Organization, for the use of these forces or of the civilian staff accompanying them, or for supplying their messes or canteens when such forces take part in the common defence effort,

(b) to another Member State and intended for the armed forces of any Member State which is a member country of the North Atlantic Treaty Organization, other than the Member State of destination itself, for the use of these forces or of the civilian staff accompanying them, or for supplying their messes and canteens when such forces take part in the common defence effort.

(11) Tax exemptions with the right to deduct the tax shall be granted for the supply of gold to central banks other States.

(12) Tax exemptions with the right to deduct the tax shall be granted for the supply of goods to humanitarian and charitable organizations which dispatch them out of the territory of the European Union or remove them to a third country as part of their humanitarian, charitable or teaching activities.

(13) Tax exemptions with the right to deduct the tax shall be granted for the supply of services by a person acting in the name or on behalf of another person, if the person makes the tax-exempt supply referred to in Sections 66 – 69, with the exception of paragraph 14, or makes a supply in the third country.

(14) Tax exemptions with the right to deduct the tax shall be granted for the supply of intra-Community transport of goods to and from the islands making up the autonomous regions of the Azores and Madeira, as well as the supply of transport of goods between those islands.

(15) Tax exemptions with the right to deduct the tax shall be granted for the supply of goods placed in a free warehouse or a free zone, and the supply of services relating to goods placed in a free warehouse or a free zone.





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## **Act No. 353/2003 concerning excise taxes**

### **Section 15**

#### **Tax refund entitlements of persons enjoying privileges and immunities**

(1) For the purposes of this Act, persons enjoying privileges and immunities under the treaties that are part of Czech legislation (hereinafter referred to as “persons enjoying privileges and immunities”) include:

(a) diplomatic missions and consular posts, with the exception of consular posts headed by honorary consular officers (hereinafter referred to as “consular posts”), accredited to the Czech Republic as organs of foreign States,

(b) special missions,

(c) representations of international organizations,

(d) organs of the European Union,

(e) members of diplomatic missions and consular posts having their seat in the tax territory of the Czech Republic who are accredited to the Czech Republic but not permanently resident in its tax territory, with the exception of members of the service staff and private servants,

(f) officers of representations of international organizations who are not permanently resident in the tax territory of the Czech Republic and are not nationals of the Czech Republic and are posted to the tax territory of the Czech Republic for the purpose of their official duties, and foreign nationals who are members of special missions accredited to the Czech Republic and are not permanently resident in the tax territory of the Czech Republic,

(g) members of the family of any of the persons referred to in (e) and (f), provided that they form part of such person’s household in the tax territory of the Czech Republic, have reached the age of 15 years, are not nationals of the Czech Republic, and are registered with the Ministry of Foreign Affairs.

(2) The paid tax shall be refunded:

(a) to the persons having their seat in the tax territory of the Czech Republic, as listed in paragraph 1 (a) and to their members referred to in paragraph 1 (e) including the latter’s family members referred to in paragraph 1 (g), on the basis of the principle of reciprocity, to an extent not exceeding the extent of the tax refund entitlements of Czech persons enjoying privileges and immunities in the respective foreign State,

(b) to the persons having their seat in the tax territory of the Czech Republic, as listed in paragraph 1 (a), in whose sending State taxes are not included in the prices of goods and services, up to the amount of CZK 2,000,000 in a calendar year, to the members of the diplomatic missions and consular posts referred to in paragraph 1 (e) up to the amount of CZK 100,000 in a calendar year, and to their family members referred to in paragraph 1 (g) up to the amount of CZK 50,000 in a calendar year,

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(c) to the persons referred to in paragraph 1 (a) that are accredited to the Czech Republic but have their seat outside the tax territory of the Czech Republic, up to the amount of CZK 250,000 in a calendar year,

(d) to the persons referred to in paragraph 1 (e) who are accredited to the Czech Republic but permanently resident outside the tax territory of the Czech Republic, up to the amount of CZK 10,000 in a calendar year,

(e) to the persons referred to in paragraph 1 (b) and (c) up to the amount of CZK 500,000 in a calendar year, unless provided otherwise in an international treaty published in the International Treaties Bulletin (“Sbírka mezinárodních smluv”),

(f) to the persons referred to in paragraph 1 (d) without any limitations;

(g) to the persons referred to in paragraph 1 (f) , including their family members referred to in paragraph 1 (g), up to the amount of CZK 100,000 in a calendar year, unless provided otherwise in an international treaty published in the International Treaties Bulletin.

(3) The amount of the tax that would be levied on the selected products that are exempted from the tax according to Section 11, paragraph 1 (a) or (e) and moved from another Member State or imported for the use of persons enjoying privileges and immunities who claim a tax refund in the tax period to which the claim relates shall be counted towards the tax refund limit set in paragraph 2.

(4) In an annex to the completed tax returns of the persons referred to in paragraph 2 (a), the Ministry of Foreign Affairs shall confirm compliance with the principle of reciprocity in terms of eligible goods and the minimum and maximum value of eligible purchases; the annex shall form an integral part of the tax return.

(5) Persons enjoying privileges and immunities, as listed in paragraph 1, shall be entitled to claim refunds of the paid tax no sooner than in the tax period in which the selected products were purchased at prices that included excise taxes. The tax refund entitlements of such persons shall become null and void at the end of 31 January of the calendar year following the calendar year in which the selected products were purchased; this shall not apply to the persons enjoying privileges and immunities referred to in paragraph 1 (d). The persons enjoying privileges and immunities referred to in paragraph 1 (a)-(d) shall be entitled to claim refunds of the tax paid on selected products purchased solely for the purposes of the performance of the official functions of such persons. The persons enjoying privileges and immunities referred to in paragraph 1 (e)-(g) shall be entitled to claim refunds of the tax paid on selected products purchased solely for their own use and consumption.

(6) The persons enjoying privileges and immunities referred to in paragraph 2 (a) shall get refunds of the tax paid on selected products if the price of the selected products, paid to one seller on one calendar day and indicated on one sales note in terms of paragraph 8, is within the limit set on the basis of the principle of reciprocity. Other persons enjoying privileges and immunities, as listed in paragraph 1, shall be refunded the tax paid on selected products if the price of the selected products paid to one seller on one calendar day and indicated on one sales note in terms of paragraph 8 is more than CZK 4,000 including tax. This restriction shall not apply to purchases of mineral oils used as motor vehicle fuel or for heating.

(7) The tax refund entitlement shall be proved by presenting a tax document or a sales note in terms of Section 5, unless provided otherwise in this Act.

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(8) In case the amount of purchased products exceeds the amount set out in Section 4, paragraph 5, the sales note that must be issued by the seller, on request, not later than on the working day following the date of the request, shall contain the following:

(a) the seller's company or business name, registered office and tax ID,

(b) the purchaser's name,

(c) the description and amount of the selected products,

(d) the date of issue of the sales note,

(e) the date of the sale,

(f) the tax rate,

(g) the amount of tax,

(h) the total price including tax.

(9) Persons enjoying privileges and immunities shall claim tax refunds in a tax return using the tax return form prescribed by the Ministry of Finance. The tax return shall be filed once in a tax period, no sooner than on the first day following the end of the first tax period in a calendar year and no later than on 31 January of the next calendar year; this shall not apply to the persons enjoying privileges and immunities referred to in paragraph 1 (d). After this date, no tax returns, including supplementary tax returns, can be filed to claim tax refunds for the past period. The persons enjoying privileges and immunities referred to in paragraph 1 (d) shall file their tax returns no sooner than on the first day following the end of the calendar year in which the tax refund entitlement accrued. Persons enjoying privileges and immunities who do not claim any tax refunds in a tax period shall not file any tax returns for the tax period.

(10) For the purposes of tax refunds, persons enjoying privileges and immunities shall have the procedural status of taxable persons without the obligation to register.

(11) The tax period shall be a calendar month for the persons enjoying privileges and immunities referred to in paragraph 1 (a)-(c), a calendar year for the persons enjoying privileges and immunities referred to in paragraph 1 (d), and a calendar quarter for the persons enjoying privileges and immunities referred to in paragraph 1 (e)-(g).

(12) For the purpose of tax refunds, persons enjoying privileges and immunities shall file their tax returns as follows:

(a) the diplomatic missions or consular posts referred to in paragraph 1 (a) and the special missions referred to in paragraph 1 (b) having a seat in the tax territory of the Czech Republic shall file their tax returns with the tax administrator who has jurisdiction over the place where their seat is located in the tax territory of the Czech Republic,

(b) members of resident diplomatic missions, special missions and consular posts having a seat in the tax territory of the Czech Republic, including their family members, shall file their tax returns with the

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tax administrator who has jurisdiction over the place where the seat of the persons referred to in (a) is located in the tax territory of the Czech Republic,

(c) the representations of international organizations referred to in paragraph 1 (c) shall file their tax returns with the with the tax administrator who has jurisdiction over the place where their seat is located in the tax territory of the Czech Republic,

(d) organs of the European Union having a seat in the tax territory of the Czech Republic shall file their tax returns, through the Ministry of Finance, with the tax administrator who has jurisdiction over the place where their seat is located in the tax territory of the Czech Republic,

(e) the officers of representations of international organizations referred to in paragraph 1 (f), including their family members, shall file their tax returns with the tax administrator who has jurisdiction over their place of residence in the tax territory of the Czech Republic,

(f) the diplomatic missions or consular posts referred to in paragraph 1 (a) having a seat in another Member State, including their members referred to in paragraph 1 (e), shall file their tax returns with the tax administrator who has jurisdiction over the territory of the Capital City of Prague,

(g) organs of the European Union having a seat in another Member State shall file their tax returns, through the Ministry of Finance, with the tax administrator who has jurisdiction over the territory of the Capital City of Prague,

(h) the persons referred to in paragraph 1 (e) and (f) shall file tax returns on behalf of their family members.

(13) Persons enjoying privileges and immunities, with the exception of the persons referred to in paragraph 1 (d), shall receive refunds of the paid tax within 30 days from the date on which the refund was assessed. If the tax return is incomplete or if there are doubts about the correctness, veracity and evidentiary value of the tax return, the tax administrator shall request the person enjoying privileges and immunities to correct the mistakes or clear up the doubts within a deadline set by the tax administrator. The tax administrator shall not refund the tax unless the mistakes are corrected or doubts concerning the tax return cleared up.

(14) The persons enjoying privileges and immunities referred to in paragraph 1 (d) shall be refunded the paid tax within 6 months from the last day of the month in which the competent tax administrator received the tax refund application.

(15) The persons referred to in paragraph 1 who have claimed a tax refund under this provision cannot claim the tax refunds referred to in Sections 14, 15a, 54 and 56a for same selected products.

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## **Section 11**

### **Tax exemptions**

(1) Tax exemptions shall be granted for

(a) selected imported products, if covered by exemptions on goods occasionally imported in the personal luggage of travellers and aircrew members and on motor vehicle fuel imported by travellers in accordance with the act concerning the value-added tax, and by customs duty exemptions, with the exception of selected products reimported to the tax territory of the Czech Republic after temporary export and released into free circulation,

(b) purchased on a tax-free basis during the state of national emergency or the state of war, if ordered by the Government pursuant to Section 137,

(c) repealed

(d) imported or moved into the tax territory of the Czech Republic from the territory of another Member State and intended for the armed forces of the member countries of the North Atlantic Treaty Organization, with the exception of the armed forces of the Czech Republic, for the use of these forces or of the civilian staff accompanying them, or for supplying their messes and canteens; these products can be moved from another Member State or from the place of import in the tax territory of the Czech Republic only if they are accompanied by an excise duty exemption certificate drawn up in accordance with the model and format laid down in the applicable regulation of the European Union,

(e) moved from the territory of another Member State and intended for the persons referred to in Section 15, paragraph 1; these products can be moved from another Member State only if accompanied by the documents referred to in Sections 27 or 27c and by an excise duty exemption certificate drawn up in accordance with the model and format laid down in the applicable regulation of the European Union,

(f) imported from third countries, if the selected products are exempted from the value-added tax within the limits and under the conditions laid down by international treaties concluded with these countries,

(g) imported by international organizations or their members, if the selected products are exempted from the value-added tax within the limits and under the conditions laid down by international conventions establishing such organizations or by headquarters agreements.

(2) In case a legal or natural person purchases selected excise products and uses them for purposes covered by an excise duty exemption, the selected products shall be deemed, for the purposes of this Act, to have been acquired at pre-excise prices.

(3) The exempted selected products referred to in paragraph 1 can be received and used without an authorization to receive and use exempted products.



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## **Act No. 261/2007 concerning the stabilization of public budgets**

### **Tax refund entitlements of persons enjoying privileges and immunities**

#### **Article LXXIV**

##### **Section 22**

(1) For the purposes of this Part, persons enjoying privileges and immunities under the international treaties which are part of Czech legislation (hereinafter referred to as a “person enjoying privileges and immunities”) include

(a) diplomatic missions and consular posts, with the exception of consular posts headed by honorary consular officers, accredited to the Czech Republic organs of foreign States,

(b) special missions,

(c) representations of international organizations,

(d) organs of the European Communities,

(e) members of diplomatic missions and consular posts having their seat in the tax territory of the Czech Republic who are accredited to the Czech Republic but not permanently resident in its tax territory, with the exception of members of the service staff and private servants,

(f) officers of representations of international organizations who are not permanently resident in the tax territory of the Czech Republic and are not nationals of the Czech Republic and are posted to the tax territory of the Czech Republic for the purpose of their official duties, and civil servants of a foreign State who are members of special missions accredited to the Czech Republic and are not permanently resident in the tax territory of the Czech Republic,

(g) members of the family of any of the persons referred to in (e) and (f), provided that they form part of such person’s household in the tax territory of the Czech Republic, have reached the age of 15 years, are not nationals of the Czech Republic, and are registered with the Ministry of Foreign Affairs.

(2) For the purposes of this Part, “household” refers to a group of natural persons permanently living together and sharing the costs of living.

(3) Persons enjoying privileges and immunities are entitled to recover tax starting from the date of supply of electricity subject to tax.

(4) The paid tax shall be refunded subject to compliance with the principle of reciprocity certified by the Ministry of Foreign Affairs, or in accordance with the international treaties that are binding on the Czech Republic and regulate the status of international organizations and their officials.

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## **Article LXXIV**

### **Section 23**

- (1) The tax refund claim shall be supported by a tax document.
- (2) To claim a tax refund, a person enjoying privileges and immunities shall file a tax return. The tax return shall be filed before the end of the tax period following the tax period in which the entitlement accrued.
- (3) Organs of the European Union having a seat in the tax territory of the Czech Republic shall file their tax returns, through the Ministry of Finance, with the tax administrator having jurisdiction over their seat in the tax territory of the Czech Republic.
- (4) The paid tax shall be refunded to persons enjoying privileges and immunities within 30 days from the date on which the refund was assessed.
- (5) For the purposes of tax refunds, persons enjoying privileges and immunities shall have the procedural status of taxable persons without the obligation to register.

## **Article LXXIII**

### **Section 21**

- (1) For the purposes of this Part, persons enjoying privileges and immunities under the international treaties which are part of Czech legislation (hereinafter referred to as a “person enjoying privileges and immunities”) include
  - (a) diplomatic missions and consular posts, with the exception of consular posts headed by honorary consular officers, accredited to the Czech Republic organs of foreign States,
  - (b) special missions,
  - (c) representations of international organizations,
  - (d) organs of the European Communities,
  - (e) members of diplomatic missions and consular posts having their seat in the tax territory of the Czech Republic who are accredited to the Czech Republic but not permanently resident in its tax territory, with the exception of members of the service staff and private servants,
  - (f) officers of representations of international organizations who are not permanently resident in the tax territory of the Czech Republic and are not nationals of the Czech Republic and are posted to the tax territory of the Czech Republic for the purpose of their official duties, and civil servants of a foreign State who are members of special missions accredited to the Czech Republic and are not permanently resident in the tax territory of the Czech Republic,



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(g) members of the family of any of the persons referred to in (e) and (f), provided that they form part of such person's household in the tax territory of the Czech Republic, have reached the age of 15 years, are not nationals of the Czech Republic, and are registered with the Ministry of Foreign Affairs.

(2) For the purposes of this Part, "household" refers to a group of natural persons permanently living together and sharing the costs of living.

(3) Persons enjoying privileges and immunities are entitled to recover tax starting from the date of supply of solid fuels subject to tax.

(4) The paid tax shall be refunded subject to compliance with the principle of reciprocity certified by the Ministry of Foreign Affairs, or in accordance with the international treaties that are binding on the Czech Republic and regulate the status of international organizations and their officials.

## **Article LXXIII**

### **Section 22**

(1) The tax refund claim shall be supported by a tax document.

(2) To claim a tax refund, a person enjoying privileges and immunities shall file a tax return. The tax return shall be filed before the end of the tax period following the tax period in which the entitlement accrued.

(3) Organs of the European Union having a seat in the tax territory of the Czech Republic shall file their tax returns, through the Ministry of Finance, with the tax administrator having jurisdiction over their seat in the tax territory of the Czech Republic.

(4) The paid tax shall be refunded to persons enjoying privileges and immunities within 30 days from the date on which the refund was assessed.

(5) For the purposes of tax refunds, persons enjoying privileges and immunities shall have the procedural status of taxable persons without the obligation to register.

## **Article LXXII**

### **Section 22**

(1) For the purposes of this Part, persons enjoying privileges and immunities under the international treaties which are part of Czech legislation (hereinafter referred to as a "person enjoying privileges and immunities") include

(a) diplomatic missions and consular posts, with the exception of consular posts headed by honorary consular officers, accredited to the Czech Republic organs of foreign States,

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(b) special missions,

(c) representations of international organizations,

(d) organs of the European Communities,

(e) members of diplomatic missions and consular posts having their seat in the tax territory of the Czech Republic who are accredited to the Czech Republic but not permanently resident in its tax territory, with the exception of members of the service staff and private servants,

(f) officers of representations of international organizations who are not permanently resident in the tax territory of the Czech Republic and are not nationals of the Czech Republic and are posted to the tax territory of the Czech Republic for the purpose of their official duties, and civil servants of a foreign State who are members of special missions accredited to the Czech Republic and are not permanently resident in the tax territory of the Czech Republic,

(g) members of the family of any of the persons referred to in (e) and (f), provided that they form part of such person's household in the tax territory of the Czech Republic, have reached the age of 15 years, are not nationals of the Czech Republic, and are registered with the Ministry of Foreign Affairs.

(2) For the purposes of this Part, "household" refers to a group of natural persons permanently living together and sharing the costs of living.

(3) Persons enjoying privileges and immunities are entitled to recover tax starting from the date of supply of gas subject to tax.

(4) The paid tax shall be refunded subject to compliance with the principle of reciprocity certified by the Ministry of Foreign Affairs, or in accordance with the international treaties that are binding on the Czech Republic and regulate the status of international organizations and their officials.

## **Article LXXII**

### **Section 23**

(1) The tax refund claim shall be supported by a tax document.

(2) To claim a tax refund, a person enjoying privileges and immunities shall file a tax return. The tax return shall be filed before the end of the tax period following the tax period in which the entitlement accrued.

(3) Organs of the European Union having a seat in the tax territory of the Czech Republic shall file their tax returns, through the Ministry of Finance, with the tax administrator having jurisdiction over their seat in the tax territory of the Czech Republic.

(4) The paid tax shall be refunded to persons enjoying privileges and immunities within 30 days from the date on which the refund was assessed.

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(5) For the purposes of tax refunds, persons enjoying privileges and immunities shall have the procedural status of taxable persons without the obligation to register.



## Annex 4, pg. 1/3

Finančnímu úřadu v, ve, pro <input type="text"/>	Datum podání přiznání <input type="text"/>
Územní pracoviště v, ve, pro <input type="text"/>	<input type="text"/>
Číslo subjektu <input type="text"/>	
otisk podacího razítka finančního úřadu	

## PŘIZNÁNÍ

**k uplatnění nároku na vrácení daně z přidané hodnoty**  
podle § 80 zákona č. 235/2004 Sb., o dani z přidané hodnoty, ve znění pozdějších předpisů  
za zdaňovací období:

měsíc  čtvrtletí  rok

**Fyzická osoba:**

příjmení

jméno  titul

adresa pověřené osoby<sup>1)</sup>  PSČ

telefon  fax

vysílající stát  funkce pověřené osoby

název právnické osoby, ke které je fyzická osoba příslušná

**Právnická osoba:**

název právnické osoby<sup>2)</sup>

adresa pověřené osoby

jméno a příjmení vedoucího  vysílající stát

Povinnou přílohou daňového přiznání je „Potvrzení“ Ministerstva zahraničních věcí České republiky o akreditaci pověřené osoby na území České republiky a o zabezpečení principu vzájemnosti, osobního, věcného a hodnotového rozsahu a doklady pro uplatnění nároku na vrácení daně.

<sup>1)</sup> Vyplní pouze úředníci mezinárodních organizací.  
<sup>2)</sup> Uvede se název diplomatické mise nebo konzulárního úřadu nebo zvláštní mise nebo mezinárodní organizace s působností na území ČR.

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Vypočtená částka daně k vrácení v Kč	Vyplní	
	subjekt	finanční úřad
Daň z přidané hodnoty zaokrouhlená na celé koruny		

**PROHLAŠUJI, ŽE VŠECHNY MNOU UVEDENÉ ÚDAJE V TOMTO PŘÍZNÁNÍ JSOU PRAVDIVÉ A ÚPLNÉ  
A STVRZUJI JE SVÝM PODPÍSEM**

<b>Údaje o podepisující osobě:</b>	<b>Kód podepisující osoby:</b>
	<input type="text"/>
Jméno(-a) a příjmení / Název právnické osoby	
<input type="text"/>	
Datum narození / Evidenční číslo osvědčení daňového poradce / IČ právnické osoby	
<input type="text"/>	
<b>Fyzická osoba oprávněná k podpisu</b> (je-li daňový subjekt či zástupce právnickou osobou), <b>s uvedením vztahu k právnické osobě</b> (např. jednatel, pověřený pracovník apod.)	
Jméno(-a) a příjmení / Vztah k právnické osobě	
<input type="text"/>	

<b>Daňový subjekt / osoba oprávněná k podpisu</b>		<b>Vlastnoruční podpis</b> daňového subjektu / osoby oprávněné k podpisu
Datum	Otisk razítka	
<input type="text"/>	<input type="text"/>	<input type="text"/>

Prohlášení o pravdivosti a úplnosti uvedených údajů podepisuje daňový subjekt. Údaje o podepisující osobě budou vyplňovány pouze v případech, kdy je podání zpracováváno a podáváno osobou odlišnou od daňového subjektu, tzn. v případech, kdy daňový subjekt činí podání sám za sebe, tuto část nevyplňujte. Pokyn k vyplňování údajů o podepisující osobě je zveřejněn na webových stránkách Finanční správy v nabídce Daňové tiskopisy na adrese <http://www.financnisprava.cz>.

Částka daně je pověřené osobě vrácena na účet<sup>3)</sup>

číslo účtu / směrový kód peněžního ústavu

název a adresa peněžního ústavu

poštovní poukázkou<sup>3)</sup>

na adresu

<sup>3)</sup> Nehodící se škrtněte

## Annex 4, pg. 3/3

**POTVRZENÍ**

Ministerstva zahraničních věcí České republiky o akreditaci pověřené osoby na území České republiky, o zabezpečení principu vzájemnosti a o osobním, věcném a hodnotovém rozsahu, které je povinnou přílohou daňového přiznání k uplatnění nároku na vrácení daně z přidané hodnoty podle § 80 zákona č. 235/2004 Sb., o dani z přidané hodnoty, ve znění pozdějších předpisů.

Ministerstvo zahraničních věcí potvrzuje, že pověřená osoba

jméno nebo název

bydliště nebo sídlo

je akreditována na území České republiky

je zabezpečen princip vzájemnosti

věcný a hodnotový rozsah

a osobní rozsah



Jméno pracovníka diplomatického protokolu ministerstva, který potvrzení vydává

Datum

otisk  
úředního  
razítka

Podpis





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## EVROPSKÉ SPOLEČENSTVÍ

# POTVRZENÍ

## o osvobození od daně z přidané hodnoty

Směrnice 2006/112/ES – článek 151

Pořadové číslo (fakultativně)

## 1. ŽÁDAJÍCÍ ORGANIZACE/SOUKROMÁ OSOBA

Název, příp. jméno a příjmení \_\_\_\_\_

Ulice, číslo domu \_\_\_\_\_

PSČ, místo \_\_\_\_\_

(Hostitelský) členský stát \_\_\_\_\_

## 2. ÚŘAD PŘÍSLUŠNÝ K OPATŘENÍ (POTVRZENÍ) SLUŽEBNÍM RAZÍTKEM

(Název, adresa a telefonní číslo) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## 3. PROHLÁŠENÍ ŽADATELE (organizace/soukromá osoba)

Žadatel (organizace/soukromá osoba)<sup>1)</sup> tímto prohlašuje,

a) že zboží a/nebo služby uvedené v políčku 5 jsou určeny k<sup>2)</sup>

<input checked="" type="checkbox"/> k úřednímu použití	<input checked="" type="checkbox"/> k soukromému použití
<input type="checkbox"/> zahraničního diplomatického zastoupení	<input type="checkbox"/> člena zahraničního diplomatického zastoupení
<input type="checkbox"/> zahraničního konzulárního úřadu	<input type="checkbox"/> člena zahraničního konzulárního úřadu
<input type="checkbox"/> mezinárodní organizace	<input type="checkbox"/> zaměstnance mezinárodní organizace
<input type="checkbox"/> ozbrojených sil některého z členských států NATO	
<input type="checkbox"/> ozbrojených sil Spojeného království rozmístěných na ostrově Kypru	

.....  
(název organizace) (viz políčko 4)

b) že zboží a/nebo služby uvedené v políčku 5 jsou slučitelné s podmínkami a omezeními, které v hostitelském státě, uvedeném v políčku 1, platí pro osvobození, a

c) že výše uvedené údaje jsou poskytovány v dobré víře. Žadající organizace nebo soukromá osoba se tímto zavazuje, že členskému státu, ze kterého bylo zboží odesláno nebo ze kterého zboží a/nebo služby byly dodány, uhradí daň z přidané hodnoty, která je splatná, jestliže zboží a/nebo služby nevyhovují podmínkám pro osvobození, nebo jestliže se nepoužijí, jak se zamýšlelo.

.....  
místo, datum

.....  
jméno a statut podepsaného

.....  
podpis

## 4. ÚŘEDNÍ RAZÍTKO ORGANIZACE (při osvobození k osobnímu užití)

.....  
místo, datum

.....  
jméno a statut podepsaného

.....  
podpis

.....  
razítko

## Annex 5, pg. 2/3

**5. NÁZEV ZBOŽÍ A/NEBO SLUŽBY, PRO KTERÉ JE POŽADOVÁNO OSVOBOZENÍ OD DPH**

A. Údaje o dodavateli

- 1) Jméno a adresa
- 2) Členský stát
- 3) Identifikační číslo pro DPH

B. Údaje o zboží nebo službách

Číslo	Podrobné označení zboží nebo služeb <sup>3)</sup> (nebo odkaz na příloženou písemnou objednávku)	Množství nebo počet	Cena bez DPH		Měna
			Cena za jednotku	Celková cena	
Celková částka					

**6. POTVRZENÍ PŘÍSLUŠNÉHO ÚŘADU HOSTITELSKÉHO STÁTU**

Zaslání nebo dodání zboží/služby, uvedené v políčku 5, vyhovuje

- v plném rozsahu
- až do následujícího množství, příp. počtu .....(počet)<sup>4)</sup> podmínkám pro osvobození od DPH.

.....  
místo, datum

.....  
jméno a statut podepsaného

.....  
razítko

.....  
podpis

**7. SOUHLAS S PROMINUTÍM POTVRZENÍ ÚŘEDNÍM RAZÍTKEM (pouze při osvobození pro úřední použití)**

Dopisem č. .... ze dne .....  
(číslo jednací) (datum)

je ..... povoleno  
(název žádající organizace)

..... zproštění od povinnosti potvrzení úředním razítkem podle políčka 6  
(název příslušného úřadu hostitelského státu)

.....  
místo, datum

.....  
jméno a statut podepsaného

.....  
razítko

.....  
podpis

1) Nehodící se škrtněte.

2) Zaškrtněte hodící se políčko.

3) Nepoužitá políčka proškrtněte. Platí to, i když jsou přiloženy objednávací dopisy.

4) Zboží a/nebo služby, pro něž nemohlo být přiznáno osvobození, musí být škrtnuto v políčku 5.

## Annex 5, pg. 3/3

Explanatory notes	Vysvětlivky
1. For the supplier, this certificate serves as a supporting document for the tax exemption of the supplies of goods and services to eligible institutions/individuals referred to in Article 151 of Directive 2006/112/ES. Accordingly, one certificate shall be drawn up for each supplier. Moreover, the supplier is required to keep this certificate as part of his records in accordance with the legal provisions applicable in his Member State.	1. Dodavatelí slouží toto potvrzení jako doklad pro osvobození od daně při dodání zboží nebo poskytnutí služeb, které jsou zaslány organizacím, příp. jednotlivcům osvobozeným ve smyslu článku 151 směrnice 2006/112/ES. Proto se musí pro každého dodavatele vyhotovit potvrzení. Mimoto, dodavatel musí potvrzení zahrnout podle platných předpisů, které platí v členském státě, do svých záznamů.
2. (a) The general specification of the paper to be used is as laid down in the Official Journal of the European Communities No C 164 of 1. 7. 1989. The paper is to be white for all copies and should be 210 millimetres by 297 millimetres with a maximum tolerance of 5 millimetres less or 8 millimetres more with regard to their length. The exemption certificate shall be drawn up in duplicate: – one copy to be kept by the consignor, – one copy to accompany the administrative accompanying document.	2. (a) Všeobecné vlastnosti papíru, který se má použít, jsou zapsány v Úř. věst. č. C 164 ze dne 1. 7. 1989, s. 3. Všechny výtisky se mají vyhotovit na bílém papíře. Formát by měl být 210 x 297 mm; nejvyšší přípustná odchylka je 5 mm kratší, příp. 8 mm delší než je uvedeno. Potvrzení o osvobození se má vyhotovit ve dvou výtiscích: – výtisk, který zůstává u zasílatele, – a výtisk, který se připojuje k průvodnímu dokladu.
(b) Any unused space in box 5.B is to be crossed out so that nothing can be added.	(b) Nepoužitá políčka v poli 5 písm. B se proškrtnou, aby se nemohl umístit žádný dodatek.
(c) The document must be completed legibly and in a manner that makes entries indelible. No erasures or overwriting are permitted. It shall be completed in a language recognized by the host Member State.	(c) Doklad se musí vyplnit čitelně a zápisy musí být nezmazatelné. Vymazaná a přepsaná místa nejsou přípustná. Potvrzení se má vyplnit v některém z jazyků uznávaných hostitelským státem.
(d) If the description of the goods and/or services (box 5.B of the certificate) refers to a purchase order form drawn up in a language other than a language recognized by the host Member State, a translation must be attached by the eligible institution/individual.	(d) Pokud se při označení zboží a/nebo služeb (pole 5 písmeno B potvrzení) odvolává na písemnou objednávku, která není sepsána v některém z jazyků uznávaných členským státem, musí žadatel přiložit překlad.
(e) On the other hand, if the certificate is drawn up in a language other than a language recognized by the Member State of the supplier, a translation of the information concerning the goods in box 5.B must be attached by the eligible institution/individual.	(e) Pokud je potvrzení sepsáno v jazyce, který není uznán členským státem dodavatele, musí žadatel přiložit překlad údajů týkající se zboží a služeb uvedených v poli 5 písmeno B.
(f) A recognized language means one of the languages officially in use in the Member State or any other official language of the Community which the Member State declares can be used for this purpose.	(f) Pod pojmem uznávaný jazyk se rozumí některý z jazyků, které se v dotčeném státě úředně používají, nebo některý jiný úřední jazyk Společenství, který členský stát prohlásí za použitelný k tomuto účelu.
3. By its declaration in box 3 of the certificate, the eligible institution/individual provides the information necessary for the evaluation of the request for exemption in the host Member State.	3. Svým prohlášením v poli 3 potvrzení poskytuje žadatel údaje, které jsou pro rozhodnutí o žádosti o osvobození v hostitelském státě potřebné.
4. By its declaration in box 4 of the certificate, the institution confirms the details in boxes 1 and 3 (a) of the document and certifies that the eligible individual is a staff member of the institution.	4. Svým prohlášením v poli 4 potvrzení organizace potvrzuje údaje v polích 1 a 3 písm. a) dokumentu a potvrzuje, že žadatel je – pokud se jedná o jednotlivou osobu – zaměstnancem organizace.
5. (a) The reference to the purchase order form (box 5.B of the certificate) must contain at least the date and order number. The order form should contain all the elements that figure at box 5 of the certificate. If the certificate has to be stamped by the competent authority of the host Member State, the order form shall also be stamped.	5. (a) Pokud je (v poli 5 písm. B potvrzení) odkaz na písemnou objednávku, musí se uvést alespoň datum a číslo objednávky. Písemná objednávka musí poskytovat všechny údaje, které jsou uvedeny v poli 5 potvrzení. Pokud musí být potvrzení opatřeno razítkem příslušného úřadu hostitelského státu, má se orazítkovat také písemná objednávka.
(b) The indication of the excise No as defined in Article 15 (a), paragraph 2 (a), of Directive 92/12/EEC of the authorized warehousekeeper is optional.	(b) Udání registračního čísla autorizovaného majitele skladu uváděného v čl. 15 a odst. 2 písm. a) směrnice 92/12/EHS je fakultativní.
(c) The currencies should be indicated by means of a three-letter code in conformity with the international ISODIS 4127 standard established by the International Standards Organization (1).	(c) Měny se mají označovat kódem mezinárodní normy ISODIS – 4127, který se skládá ze tří písmen a který byl stanoven Mezinárodní organizací pro standardizaci (1).
6. The abovementioned declaration by the eligible institution/individual shall be authenticated at box 6 by the stamp of the competent authority of the host Member State. That authority can make its approval dependent on the agreement of another authority in its Member State. It is up to the competent tax authority to obtain such agreement.	6. Uvedené prohlášení žadající organizace/jednotlivce se má v poli 6 ověřit služebním razítkem příslušného úřadu hostitelského státu. Úřad může ověření podmínit souhlasem jiného úřadu členského státu. Přísluší příslušnému daňovému úřadu, aby takový souhlas získal.
7. To simplify the procedure, the competent authority can dispense with the obligation on the eligible institution to ask for the stamp in the case of exemption for official use. The eligible institution should mention this dispensation at box 7 of the certificate.	7. Za účelem zjednodušení řízení se může příslušný úřad vzdát toho, aby požadoval od organizace, která požaduje osvobození pro úřední účely, získání úředního razítka. Organizace předkládající žádost musí toto prohlášení o vzdání se uvést v poli 7 potvrzení.
(1) As an indication, some codes relating to currencies currently used: BEF (Belgian franc), DEM (German mark), DKK (Danish kroner), ESP (Spanish peseta), FRF (French franc), GBP (Pound sterling), GRD (Greek drachma), IEP (Irish pound), ITL (Italian lire), LUF (Luxembourg franc), NLG (Dutch guilder), PTE (Portuguese escudo), ATS (Austrian schilling), FIM (Finnish mark), SEK (Swedish kroner), USD (United States dollar).	(1) Kódy některých nejčastěji používaných měn jsou: BEF (belgický frank), DEM (německá marka), DKK (dánská koruna), ESP (španělská peseta), FRF (francouzský frank), GBP (libra šterlinků), GRD (řecká drachma), IEP (irská libra), ITL (italská lira), LUF (lucemburský frank), NLG (holandský gulden), PTE (portugalské escudo), ATS (rakouský šilink), FIM (finská marka), SEK (švédská koruna), USD (americký dolar).



## Annex 6, pg. 1/3

**Přiznání se podává za každou daň samostatně.**

Celnímu úřadu pro  Datum podání přiznání

Číslo subjektu

řádné  dodatečné  opravné

Důvody pro podání dodatečného daňového přiznání zjištěny dne

Počet listů / příloh  /

otisk podacího razítka celního úřadu

## PŘIZNÁNÍ

### k uplatnění nároku na vrácení spotřební daně osobám požívajícím výsad a imunit

podle § 15 zákona č. 353/2003 Sb., o spotřebních daních, ve znění pozdějších předpisů

měsíc  čtvrtletí  rok

**Fyzická osoba:**

příjmení

osobní jméno  titul

adresa pověřené osoby<sup>1)</sup>  PSČ

telefon  e-mail

vysílající stát  funkce pověřené osoby

název právnické osoby, ke které je fyzická osoba příslušná

**Právnická osoba:**

název právnické osoby<sup>2)</sup>

adresa pověřené osoby

osobní jméno a příjmení vedoucího  vysílající stát

Povinnou přílohou daňového přiznání je „Potvrzení“ Ministerstva zahraničních věcí o akreditaci pověřené osoby na území České republiky a o zabezpečení principu vzájemnosti, osobního, věcného a hodnotového rozsahu a doklady pro uplatnění nároku na vrácení daně.

<sup>1)</sup> Vyplní pouze úředníci mezinárodních organizací.  
<sup>2)</sup> Uvede se název diplomatické mise nebo konzulárního úřadu nebo zvláštní mise mezinárodní organizace s působností na území ČR.

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## Annex 6, pg. 2/3

Vypočtená částka daně k vrácení v Kč	Vyplní	
	subjekt	celní úřad
Spotřební daň zaokrouhlená na celé koruny		

**PROHLAŠUJI, ŽE VŠECHNY MNOU UVEDENÉ ÚDAJE V TOMTO PŘÍZNÁNÍ JSOU PRAVDIVÉ A ÚPLNÉ  
A STVRZUJI JE SVÝM PODPÍSEM**

**Údaje o zástupci:**

Osobní jméno(-a) a příjmení / Název právnické osoby

Datum narození / Evidenční číslo osvědčení daňového poradce / IČ právnické osoby

**Fyzická osoba oprávněná k podpisu** (je-li daňový subjekt či zástupce právnickou osobou),  
**s uvedením vztahu k právnické osobě** (např. jednatel, pověřený pracovník apod.)  
 Osobní jméno(-a) a příjmení / Vztah k právnické osobě

**Daňový subjekt / osoba oprávněná k podpisu**

Datum

Otisk  
razítka

Vlastnoruční podpis  
daňového subjektu / osoby oprávněné k podpisu

Prohlášení o pravdivosti a úplnosti uvedených údajů podepisuje daňový subjekt, v případě, že má zákonného, ustanoveného nebo zvoleného zástupce, podepisuje prohlášení tento zástupce. Pokyn k vyplňování údajů o zástupci je zveřejněn na webových stránkách Celní správy České republiky v nabídce Daně – Tiskopisy na adrese <http://celnisprava.cz>.

Příznání sestavil  Telefon

Částka daně je pověřené osobě vrácena na účet<sup>3)</sup>

číslo účtu / směrový kód peněžního ústavu

název a adresa peněžního ústavu

poštovní poukázkou<sup>3)</sup>

na adresu

<sup>3)</sup> Nehodící se škrtněte

## Annex 6, pg. 3/3

**POTVRZENÍ**

Ministerstva zahraničních věcí o akreditaci pověřené osoby na území České republiky, o zabezpečení principu vzájemnosti a o osobním, věcném a hodnotovém rozsahu, které je povinnou přílohou daňového přiznání k uplatnění nároku na vrácení spotřební daně podle § 15 zákona č. 353/2003 Sb., o spotřebních daních, ve znění pozdějších předpisů.

Ministerstvo zahraničních věcí potvrzuje, že pověřená osoba

jméno nebo název

bydliště nebo sídlo

je akreditována na území České republiky

je zabezpečen princip vzájemnosti

věcný a hodnotový rozsah

a osobní rozsah



Jméno pracovníka diplomatického protokolu ministerstva, který potvrzení vydává

Datum

otisk  
úředního  
razítka

Podpis





## Annex 7, pg. 1/3

## EVROPSKÉ SPOLEČENSTVÍ POTVRZENÍ O OSVOBOZENÍ OD SPOTŘEBNÍ DANĚ

Směrnice 92/12 (EHS), čl. 23 odst. 1a

Pořadové číslo (není povinné)

## 1. ŽÁDAJÍCÍ ORGANIZACE / JEDNOTLIVEC

Název / jméno.....  
 Ulice, číslo domu.....  
 PSČ, místo.....  
 (Hostitelský) členský stát.....

## 2. ORGÁN PŘÍSLUŠNÝ K OPATŘENÍ SLUŽEBNÍM RAZÍTKEM

(Název, adresa a telefonní číslo)

.....  
 .....

## 3. PROHLÁŠENÍ ŽADATELE (ORGANIZACE, příp. JEDNOTLIVCE)

Žadatel (organizace/jednotlivec)<sup>1</sup> tímto prohlašuje,a) že vybrané výrobky uvedené v kolonce 5 jsou určeny<sup>2</sup>

- |                                                                              |                                                                              |
|------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <input type="radio"/> k úřednímu použití                                     | <input type="radio"/> k soukromému použití                                   |
| <input type="radio"/> pro zahraniční diplomatické zastoupení                 | <input type="radio"/> pro příslušníka zahraničního diplomatického zastoupení |
| <input type="radio"/> pro zahraniční konzulární úřadu                        | <input type="radio"/> pro příslušníka zahraničního konzulárního úřadu        |
| <input type="radio"/> pro mezinárodní organizaci                             | <input type="radio"/> pro pracovníka mezinárodní organizace                  |
| <input type="radio"/> pro ozbrojené síly některého<br>z členských států NATO |                                                                              |

\_\_\_\_\_  
 (název organizace) (viz kolonku 4)

b) že vybrané výrobky uvedené v kolonce 5 splňují podmínky a omezení, které v hostitelském státě uvedeném v kolonce 1 platí pro osvobození a

c) že výše uvedené údaje jsou poskytovány v dobré víře. Žadatel se tímto zavazuje, že odesílajícímu členskému státu uhradí splatnou spotřební daň, jestliže dodané vybrané výrobky nesplňují podmínky pro osvobození nebo jestliže se nepoužijí zamýšleným způsobem.

.....  
 místo, datum

.....  
 jméno a postavení podepsaného

.....  
 podpis

## 4. ÚŘEDNÍ RAZÍTKO ORGANIZACE (při osvobození k soukromému použití)

.....  
 místo, datum

.....  
 jméno a postavení podepsaného

.....  
 podpis

## Annex 7, pg. 2/3

**5. NÁZEV ZASLANÝCH VYBRANÝCH VÝROBKŮ, PRO NĚŽ JE POŽADOVÁNO OSVOBOZENÍ OD SPOTŘEBNÍ DANĚ**

A. Údaje o oprávněném skladovateli

1. Jméno a adresa.....

2. Členský stát.....

3. Registrační číslo.....

(není povinné)

B. Údaje o vybraných výrobcích

Číslo	Podrobné označení vybraných výrobků <sup>3</sup> (nebo odkaz na příloženou písemnou objednávku)	Množství nebo počet	Cena bez spotřební daně		Měna
			Cena za jednotku	Celková cena	
Celková částka					

**6. POTVRZENÍ PŘÍSLUŠNÉHO ORGÁNU HOSTITELSKÉHO STÁTU**

Zaslání vybraných výrobků uvedených v kolonce 5 splňuje

v plném rozsahu

až do následujícího množství, příp. počtu.....(počet)<sup>4</sup>

podmínky pro osvobození od spotřební daně

.....  
místo, datum

.....  
jméno a postavení podepsaného

.....  
podpis

**7. ZPROŠTĚNÍ POVINNOSTI OPATŘOVAT ÚŘEDNÍM RAZÍTKEM (jen při osvobození pro úřední účely)**

Dopisem č..... ze dne.....  
(číslo jednací) (datum)

je.....  
(název žádající organizace)

..... zproštěn povinnosti obdržet razítko v kolonce 6  
(název příslušného orgánu hostitelského státu)

.....  
místo, datum

.....  
jméno a postavení podepsaného

.....  
podpis

- 1 Nehodící se škrtněte.
- 2 Hodící se označte křížkem.
- 3 Nepoužité místo kolonky proškrtněte. To platí i tehdy, když jsou přiloženy písemné objednávky.
- 4 Vybrané výrobky, pro něž nelze poskytnout osvobození, se v kolonce 5 vyškrtnou.

## Annex 7, pg. 3/3

Explanatory notes	Vysvětlivky
1. For the authorized warehousekeeper, this certificate serves as a supporting document for the tax exemption of the consignments of goods to eligible institutions/individuals referred to in Article 23 (1), of Directive 92/12/EEC. Accordingly, one certificate shall be drawn up for each warehousekeeper. Moreover, the warehousekeeper is required to keep this certificate as part of his records in accordance with the legal provisions applicable in his Member State.	1. Oprávněnému skladovateli slouží toto potvrzení jako doklad pro osvobození od daně vybraných výrobků, které jsou zasílány organizacím/jednotlivcům osvobozeným od daně ve smyslu čl. 23 odst. 1 směrnice 92/12/EHS. Podle toho se má pro každého skladovatele vyhotovit potvrzení. Skladovatel musí potvrzení zahrnout do svých záznamů podle předpisů platných v jeho členském státě.
2. (a) The general specification of the paper to be used is as laid down in the Official Journal of the European Communities No C 164 of 1. 7. 1989. The paper is to be white for all copies and should be 210 millimetres by 297 millimetres with a maximum tolerance of 5 millimetres less or 8 millimetres more with regard to their length. The exemption certificate shall be drawn up in duplicate: - one copy to be kept by the consignor, - one copy to accompany the administrative accompanying document.	2. (a) Všeobecné vlastnosti papíru, který se má použít, jsou stanoveny v <i>Úředním věstníku Evropských společenství</i> č. C 164 ze dne 1.7.1989, s. 3. Všechna vyhotovení jsou na bílém papíře. Formát by měl být 210 x 297 mm; nejvyšší přípustná odchylka je 5 mm méně, příp. 8 mm více na délku, než je uvedeno.  Potvrzení o osvobození se vydá ve dvou vyhotoveních: - vyhotovení, které si ponechá odesílatel, - vyhotovení, které se připojí k průvodnímu dokladu.
(b) Any unused space in box 5.B is to be crossed out so that nothing can be added.	(b) Nepoužitá místa v kolonce 5 písm. B se proškrtnou, aby se nemohlo nic dopisovat.
(c) The document must be completed legibly and in a manner that makes entries indelible. No erasures or overwriting are permitted. It shall be completed in a language recognized by the host Member State.	(c) Doklad se má vyplnit čitelně a nesmazatelně. Vymazání a přepisování nejsou přípustné. Potvrzení se vyplní v některém z jazyků uznávaných hostitelským státem.
(d) If the description of the goods (box 5.B of the certificate) refers to a purchase order form drawn up in a language other than a language recognized by the host Member State, a translation must be attached by the eligible institution/individual.	(d) Pokud se označení vybraných výrobků (kolonka 5 písmeno B potvrzení) odvolává na písemnou objednávku, která není sepsána v některém z jazyků uznávaných členským státem, musí žadatel přiložit překlad.
(e) On the other hand, if the certificate is drawn up in a language other than a language recognized by the Member State of the warehousekeeper, a translation of the information concerning the goods in box 5.B must be attached by the eligible institution/individual.	(e) Pokud je potvrzení sepsáno v jazyce, který není uznán členským státem skladovatele, musí žadatel přiložit překlad údajů o vybraných výrobcích uvedených v kolonce 5 písmeno B.
(f) A recognized language means one of the languages officially in use in the Member State or any other official language of the Community which the Member State declares can be used for this purpose.	(f) Pod pojmem uznávaný jazyk se rozumí některý z jazyků, které se v dotyčném státě úředně používají, nebo kterýkoliv jiný úřední jazyk Společenství, který členský stát prohlásí za použitelný k tomuto účelu.
3. By its declaration in box 3 of the certificate, the eligible institution/individual provides the information necessary for the evaluation of the request for exemption in the host Member State.	3. Prohlášením v kolonce 3 potvrzení poskytuje žadatel údaje, které jsou potřebné pro rozhodnutí o žádosti o osvobození v hostitelském státě.
4. By its declaration in box 4 of the certificate, the institution confirms the details in boxes 1 and 3 (a) of the document and certifies that the eligible individual is a staff member of the institution.	4. Prohlášením v kolonce 4 potvrzení potvrzuje organizace údaje v kolonkách 1 a 3 písm. a) dokumentu a potvrzuje, že žadatel je – pokud se jedná o jednotlivce – pracovníkem organizace.
5. (a) The reference to the purchase order form (box 5.B of the certificate) must contain at least the date and order number. The order form should contain all the elements that figure at box 5 of the certificate. If the certificate has to be stamped by the competent authority of the host Member State, the order form shall also be stamped.	5. (a) Odkaz na písemnou objednávku (kolonka 5 písm. B potvrzení) musí obsahovat alespoň den a číslo objednávky. Písemná objednávka musí obsahovat všechny údaje, které jsou uvedeny v kolonce 5 potvrzení. Pokud musí být potvrzení opatřeno razítkem příslušného orgánu hostitelského státu, má se orazítkovat také písemná objednávka.
(b) The indication of the excise No as defined in Article 15 (a), paragraph 2 (a), of Directive 92/12/EEC of the authorized warehousekeeper is optional.	(b) Udání registračního čísla oprávněného skladovatele uváděného v čl. 15a odst. 2 písm. a) směrnice 92/12/EHS není povinné.
(c) The currencies should be indicated by means of a three-letter code in conformity with the international ISO/DIS 4127 standard established by the International Standards Organization (1).	(c) Měny se označují kódem mezinárodní normy ISO/DIS – 4127, který se skládá ze tří písmen a který stanovila Mezinárodní organizace pro standardizaci. <sup>1</sup>
6. The abovementioned declaration by the eligible institution/individual shall be authenticated at box 6 by the stamp of the competent authority of the host Member State. That authority can make its approval dependent on the agreement of another authority in its Member State. It is up to the competent tax authority to obtain such agreement.	6. Uvedené prohlášení žádající(ho) organizace/jednotlivce se v kolonce 6 ověří služebním razítkem příslušného orgánu hostitelského státu. Orgán může ověření podmínit souhlasem jiného orgánu členského státu. Takový souhlas získává příslušný správce daně.
7. To simplify the procedure, the competent authority can dispense with the obligation on the eligible institution to ask for the stamp in the case of exemption for official use. The eligible institution should mention this dispensation at box 7 of the certificate.	7. Za účelem zjednodušení řízení může příslušný orgán zprostit organizaci, která požaduje osvobození pro úřední účely, od povinnosti obdržení úředního razítka. Organizace předkládající žádost musí toto prohlášení o zproštění uvést v kolonce 7 potvrzení.
(1) As an indication, some codes relating to currencies currently used: CYP (Cyprus pound), CZK (Czech koruna), DKK (Danish kroner), EEK (Estonian kroon), EUR (euro), GBP (Pound sterling), HUF (Hungarian forint), LTL (Lithuanian litas), LVL (Latvian lats), MTL (Maltese lira), PLN (Polish zloty), SEK (Swedish kroner), SIT (Slovenian tolar), SKK (Slovak koruna), USD (United States dollar).	viz poznámka pod čarou

<sup>1</sup> Kódy některých nejčastěji používaných měn jsou: CYP (kyperská libra), CZK (česká koruna), DKK (dánská koruna), EEK (estonská koruna), EUR (euro), GBP (libra šterlinků), HUF (maďarský forint), LTL (litevský litas), LVL (lotyšský lat), MTL (maltská lira), PLN (polský zlotý), SEK (švédská koruna), SIT (slovinský tolar), SKK (slovenská koruna), USD (americký dolar)



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**Příznání se podává za každou daň samostatně.**

Celnímu úřadu pro  Datum podání příznání

Číslo subjektu

řádné  dodatečné  opravné

Důvody pro podání dodatečného daňového příznání zjištěny dne

Počet listů / příloh  /

otisk podacího razítka celního úřadu

## PŘIZNÁNÍ

**k uplatnění nároku na vrácení daně z / ze**

podle zákona č. 261/2007 Sb., o stabilizaci veřejných rozpočtů, ve znění pozdějších předpisů, část čtyřicátá pátá až čtyřicátá sedmá

měsíc  rok

**Fyzická osoba:**

příjmení

osobní jméno  titul

adresa pověřené osoby<sup>1)</sup>  PSČ

telefon  e-mail

vysílající stát  funkce pověřené osoby

název právnické osoby, ke které je fyzická osoba příslušná

**Právnická osoba:**

název právnické osoby<sup>2)</sup>

adresa pověřené osoby

osobní jméno a příjmení vedoucího  vysílající stát

Povinnou přílohou daňového příznání je „Potvrzení“ Ministerstva zahraničních věcí České republiky o akreditaci pověřené osoby na území České republiky a o zabezpečení principu vzájemnosti, osobního, věcného a hodnotového rozsahu a doklady pro uplatnění nároku na vrácení daně.

<sup>1)</sup> Vyplní pouze úředníci mezinárodních organizací.  
<sup>2)</sup> Uvede se název diplomatické mise nebo konzulárního úřadu nebo zvláštní mise nebo mezinárodní organizace s působností na území ČR.

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Vypočtená částka daně k vrácení v Kč	Vyplní	
	subjekt	celní úřad
Daň zaokrouhlená na celé koruny		

**PROHLAŠUJI, ŽE VŠECHNY MNOU UVEDENÉ ÚDAJE V TOMTO PŘÍZNÁNÍ JSOU PRAVDIVÉ A ÚPLNÉ  
A STVRZUJI JE SVÝM PODPÍSEM**

**Údaje o zástupci:**

Osobní jméno(-a) a příjmení / Název právnické osoby

Datum narození / Evidenční číslo osvědčení daňového poradce / IČ právnické osoby

**Fyzická osoba oprávněná k podpisu** (je-li daňový subjekt či zástupce právnickou osobou),  
**s uvedením vztahu k právnické osobě** (např. jednatel, pověřený pracovník apod.)

Osobní jméno(-a) a příjmení / Vztah k právnické osobě

**Daňový subjekt / osoba oprávněná k podpisu**

Datum

Otisk  
razítkaVlastnoruční podpis  
daňového subjektu / osoby oprávněné k podpisu

Prohlášení o pravdivosti a úplnosti uvedených údajů podepisuje daňový subjekt, v případě, že má zákonného, ustanoveného nebo zvoleného zástupce, podepisuje prohlášení tento zástupce. Pokyn k vyplňování údajů o zástupci je zveřejněn na webových stránkách Celní správy České republiky správ v nabídce Daně – Tiskopisy na adrese <http://celnisprava.cz>.

Příznání sestavil

Telefon

Částka daně je pověřené osobě vrácena na účet<sup>3)</sup>

číslo účtu / směrový kód peněžního ústavu

název a adresa peněžního ústavu

poštovní poukázkou<sup>3)</sup>

na adresu

<sup>3)</sup> Nehodící se škrtněte

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**POTVRZENÍ**

Ministerstva zahraničních věcí o akreditaci pověřené osoby na území České republiky, o zabezpečení principu vzájemnosti, které je povinnou přílohou daňového přiznání k uplatnění nároku na vrácení daně dle § 22 zákona č. 261/2007 Sb., o stabilizaci veřejných rozpočtů, ve znění pozdějších předpisů, části čtyřicáté páté nebo dle § 21 zákona č. 261/2007 Sb., o stabilizaci veřejných rozpočtů, ve znění pozdějších předpisů, části čtyřicáté šesté nebo dle § 22 zákona č. 261/2007 Sb., o stabilizaci veřejných rozpočtů, ve znění pozdějších předpisů, části čtyřicáté sedmé.

I. Ministerstvo zahraničních věcí potvrzuje, že pověřená osoba

jméno nebo název

bydliště nebo sídlo

a je akreditována na území České republiky

je zabezpečen princip vzájemnosti

číslo jednací verbální nóty

II. uplatnění nároku na vrácení daně je v souladu s mezinárodními smlouvami, kterými je Česká republika vázána a které upravují postavení mezinárodních organizací a jejich úředníků

Jméno pracovníka diplomatického protokolu ministerstva, který potvrzení vydává

Datum

otisk  
úředního  
razítka



Podpis





## **8 | Communication between the mission and the authorities of the sending and receiving States**

### **8.1. Fixed radio station**

According to Article 27, paragraph 1 of the Vienna Convention on Diplomatic Relations and Article 35, paragraph 1 of the Vienna Convention on Consular Relations, missions of foreign States can install and use a radio station only with the consent of the receiving State. The request must be presented in the form of a diplomatic note addressed to the Diplomatic Protocol of the Ministry of Foreign Affairs.

#### **8.1.1. Allocation of radio frequencies**

According to Czech legislation, the use of radio frequencies by fixed and mobile radio stations must be authorized on a case-by-case basis. The authorization is granted by the Czech Telecommunication Office for a definite period of time (not more than five years), and the missions must apply for it through the Diplomatic Protocol. The mission must provide to the Czech Telecommunication Office the technical data necessary for the authorisation (according to the type of radio service) including, at a minimum, the site where the station will be located, requested frequencies and frequency band, antenna height above ground level, and radiated power. The use of radio frequencies is free of charge, provided that reciprocal treatment is guaranteed.

#### **Contact details**

Ministry of Foreign Affairs of the Czech republic, Diplomatic Protocol  
Loretánské nám. 5, 118 00 Praha 1  
tel: +420 224 182 228/281  
e-mail: dp\_flights.security@mzv.cz

### **8.2. Diplomatic mail**

The content and external marking of diplomatic and consular mail (diplomatic and consular bags, mail in the custody of the captain of an aircraft) must be consistent with Article 27, paragraphs 2 and 4 of the Vienna Convention on Diplomatic Relations or with Article 35, paragraph 4 of the Vienna Convention on Consular Relations.

According to Act No. 49/1997 concerning civil aviation as amended, Regulation (EC) No 300/2008 of the European Parliament and of the Council, current version of the L-17 national aviation regulation, and the Prague airport security programme, diplomatic and consular bags carried as hand luggage on scheduled flights are not exempted from X-ray screening. The purpose of the screening is to detect

articles prohibited from carriage for security reasons. If the screeners conclude that there are serious reasons to believe that the bag contains articles prohibited for security reasons, carriage may be denied.

### **8.2.1. Diplomatic mail entrusted to captains of civil aircraft**

According to Article 27, paragraph 7 of the Vienna Convention on Diplomatic Relations and Article 35, paragraph 7 of the Vienna Convention on Consular Relations, a member of the staff of a foreign mission has the right to entrust a diplomatic/consular bag to a captain of a civil aircraft and to take possession of the bag from the captain of such aircraft, subject to compliance with the security regulations in force at the given airport. For detailed instructions how to deliver and collect bags entrusted to captains of aircraft at Václav Havel Airport, see Chapter XI, article 3.6.

## **8.3. Electronic communication with Czech authorities**

Recommendations of the Ministry of the Interior and the Ministry of Foreign Affairs of the Czech Republic concerning electronic communication of diplomatic missions, consular posts and offices of international organizations with Czech authorities:

In connection with the development of electronic communication, the Ministry of the Interior has noted that some foreign missions are interested to set up data mailboxes. The following is an overview and comparison of the existing options for electronic communication with Czech authorities.

Starting from 1 January 2015, a taxable person who has a data mailbox must submit its tax returns electronically (see Section 72, paragraph 4, of Act No. 280/2009, the Tax Code). However, standardized documents required by social and health security authorities do not have to be submitted electronically; in this case, electronic submission remains optional.

Information on electronic tax returns is available at:

**<http://www.daneelektronicky.cz>**

Information on options for electronic submission to social and health security authorities is available at:

**<http://www.cssz.cz/cz/e-podani/zakladni-informace/zakladni-informace.htm>**

The applicable legislation recognizes two kinds of electronic communication: (a) through an electronic communication network (via email), using a recognized electronic signature, or (b) through a data mailbox.

Both types of communication can take place through an agent. The options for electronic communication including their advantages and disadvantages are described below.

### **8.3.1. Communication using a recognized electronic signature**

A natural person authorized by his/her employer can apply at an accredited certification services provider (see below for contacts) for secure-signature-creating devices and a qualified certificate, in accordance with the Electronic Signature Act (Act No. 227/2000 on the electronic signature and amending some other acts, as amended). The holder of these devices and of the qualified certificate may then submit documents electronically using the recognized electronic signature. The qualified certificate can be obtained from one of the three Czech providers or from a foreign certification services provider. The provider must meet the requirements of Section 11, paragraph 3(b), of the Electronic Signature Act and must be listed in the Trusted List of Certification Services Providers.

#### **Advantages and disadvantages:**

- + Possession of the certificate does not establish any obligations for the holder; the certificate can be used at the holder's discretion.
- + If you do not have or do not want to set up a data mailbox, your communication with the authorities will continue as before.
- + You can hold more than one qualified certificate at the same time, no matter whether issued in the Czech Republic or abroad.
- The annual costs are about CZK 400 per one certificate.
- The standard validity period of a certificate is one year from the date of issue; however, in some other EU Member States this period may be longer (3 to 5 years).

#### **Where do I obtain the secure-signature-creating devices and the qualified certificate?**

**[www.postsignum.cz](http://www.postsignum.cz)**

**[www.ica.cz](http://www.ica.cz)**

**[www.eidentity.cz](http://www.eidentity.cz)**

Another possibility is to obtain a qualified certificate abroad from a provider listed in the Trusted List of Certification Services Providers ("TSL").

#### **How do I verify whether my certificate is a qualified certificate?**

The Ministry of the Interior offers an online application called CertIQ allowing you to check whether your certificate was issued as a qualified certificate in any of the EU Member States in accordance with Directive No 1999/93/EC on a Community framework for electronic signatures. CertIQ is available free of charge at <http://tsl.gov.cz/certiq/>

If the CertIQ application recognizes the certificate as qualified, the electronic document with the qualified certificate will be considered a document signed with a recognized electronic signature.

### **8.3.2. Communication using a data mailbox**

Section 18 of Act No. 300/2008 on electronic acts and authorized document conversion, as amended, introduces the option to communicate with public authorities using a data mailbox. The Act does not explicitly refer to missions of foreign states (or offices of international organizations) and, according to the applicable legislation, a mission is not considered a legal person. However, it can be considered an agent of a legal person (which, in this case, is the represented sending State or organisation) or entity acting on behalf of the sending State as a subject of international law. As such, a mission can be considered eligible to apply for a data mailbox in terms of Section 5, paragraph 2 of the above Act No. 300/2008. The mission would then be registered as an authorized entity and its head would be registered as its governing body entitled to act on behalf of the represented legal person (sending State or organisation). According to Section 5, paragraph 3 of Act No. 300/2008, a legal person can only have one data mailbox; therefore, if a sending State has more than one mission in the Czech Republic (a diplomatic mission and consular posts), the data mailbox can only be set up for one of them (normally the diplomatic mission).

Please note that the holder of a data mailbox must ensure proper administration of the mailbox, not only as regards submission of documents to public authorities but also as regards the receipt and archiving of the received documents. Once a data mailbox has been set up, all Czech public authorities will preferentially use it for delivering their documents to the holder (see Section 17 of the above Act No. 300/2008). The documents delivered to the data mailbox are saved for 90 days from the login and then they are deleted. If the holder wants to have access to them in the future, it is his responsibility to download and archive them in time.

Since the missions are not listed in any electronic register directly linked to the data mailbox system, it is their responsibility to inform the Ministry of the Interior of any changes of their contact details (name and address, authorized person).

These extra requirements can be avoided by choosing option (a) - communication using recognized electronic signature or option (c) - communication through an agent.

#### **Advantages and disadvantages:**

- + Setting up and using a data mailbox is free of charge.
- + A data mailbox is user-friendlier than secure-signature-creating devices and qualified certificates.
- All documents from Czech public authorities will be delivered primarily via the data mailbox.
- Received documents should be archived.
- Any changes of contact information and authorized person must be notified to the Ministry of the Interior.
- Tax returns must be submitted through the data mailbox, once it is set up.

#### **How to set up a data mailbox**

The form of the application for a data mailbox is available for download at:

[http://www.datoveschranky.info/assets/metodicke-postupy/zadost\\_zrizeni\\_po.pdf](http://www.datoveschranky.info/assets/metodicke-postupy/zadost_zrizeni_po.pdf)

The form must be filled in, printed out and signed by a person entitled to act on behalf of the applicant; the signature must be notarized. The application must be sent to the Ministry of the Interior, nám. Hrdinů 1634/3, 140 21 Prague 4. The Ministry of the Interior will check the relevant databases in cooperation with the Ministry of Foreign Affairs to verify the data. Once the data mailbox is set up, the holder receives the login information via registered mail.

### **How to access a data mailbox**

The data mailbox will be made accessible upon the first login by the authorized person (using the login information received in the letter) or on the 15th day following the delivery of the login information. Please note that the letter containing the login information is deemed delivered 10 days after you have received a delivery notice from the post office.

### **How to appoint an additional authorized person**

Since the governing body (normally the head of the mission) is usually not the person who would administer the data mailbox, it is recommended to appoint an additional person for this purpose; this can be done upon the receipt of the login information and the first login in the data mailbox, by adding the person to the list of authorized persons. The person will then receive his/her own login information. Further information on the use and administration of data mailboxes is available at: [www.datoveschranky.cz](http://www.datoveschranky.cz).

### **8.3.3. Communication through an agent**

If you do not choose any of the above options, you can also consider the possibility to communicate with Czech public authorities electronically through an authorized agent; normally, it would be your tax advisor or external accountant, or any third person who has either the secure-signature-creating devices and a qualified certificate, or a data mailbox. This can be done by granting the agent the full powers for this purpose and having these full powers registered with the local Social Security Administration and Tax Office. After that, the agent will be authorized to make electronic submissions to these authorities on your behalf.

### **8.3.4. Recommendation**

The Ministry of the Interior and the Ministry of Foreign Affairs of the Czech Republic recommend you to carefully consider all the above options, including their advantages and disadvantages, to be able to fulfil your legal obligations as an employer, and choose the solution best suited to your specific situation.

*NB: The above options do not alter in any way the procedure for serving judicial documents to foreign states and persons enjoying immunities in cases when these are not exempt from the jurisdiction of the Czech Republic; judicial documents are served through the Ministry of Foreign Affairs of the Czech Republic in accordance with international law and with the provisions of Section 7, paragraphs 5 and 6 of Act No. 91/2012 on private international law. Also, please note that the use of any of the above communication options has no bearing on the immunity of foreign states from sanctions imposed by public authorities (fines or other enforcement measures as defined in the relevant legislation).*



## **9 | Import, export, transit and possession of firearms in the Czech Republic**

Act No. 119/2002 concerning firearms and ammunition (“Firearms Act”) lays down the rules governing the ownership, possession, carrying and use of firearms and ammunition, the rights and obligations of persons who possess firearms and ammunition, and the export, import, temporary import and transit of firearms and ammunition. The Firearms Act also divides firearms and ammunition into categories.

Questions concerning Czech laws and regulations applicable to non-military firearms and ammunition can be directed to

Police Presidium of the Czech Republic  
Directorate of the Arms and Security Equipment Service  
Secretariat:  
tel: +420 974 834 436  
Fax: +420 974 834 726  
e-mail: rszbm@pcr.cz

### **9.1. Acquiring, possessing and carrying firearms and ammunition**

The Firearms Act divides firearms into four categories: A, B, C and D. Category A, B and C firearms and their ammunition can be acquired, possess and carried only by holders of Czech firearms passes (“zbrojní průkaz”) or firearms licences (“zbrojní licence”). The Firearms Act contains some additional requirements for category A and B firearms. Members of the staff of foreign missions can obtain Czech firearm passes from the Police Presidium of the Czech Republic. The necessary condition is that the applicant must be a member of a resident mission. Firearms licences issued by sending States are not recognized in the Czech Republic.

Category D arms (e.g. historical, mechanical) and their ammunition can be acquired, possessed and carried by any natural person aged over 18 and having full legal capacity.

### **9.2. Registration of firearms**

All category A, B and C firearms are subject to registration. Firearms in the possession of the staff of foreign missions must be registered with the Police Presidium of the Czech Republic. The evidence of this registration is the firearm registration card (“průkaz zbraně”). Anybody who acquires a category A, B or C firearm must have it registered within 10 working days of its acquisition. The firearm must be presented at the Police Presidium upon registration.

## **9.3. Export, import and transit of firearms and ammunition**

### **9.3.1. Temporary import and transit of firearms and ammunition**

Category A, B and C firearms and their ammunition imported, possessed and carried in the Czech Republic on a temporary basis or moved through the Czech Republic in transit must be accompanied by a transit waybill (“Zbrojní průvodní list pro tranzit”). Transit waybills are issued by embassies and consulates of the Czech Republic and by the Police Presidium of the Czech Republic; visitors importing firearms and ammunition on a temporary basis for hunting and sport shooting purposes may get the waybill from the police at the border crossing point. The waybill is not required for hunting and sporting weapons and ammunition, if the hunter or sport shooter bringing them into the Czech Republic is a national of another EU Member State, of an EEA member country or of the Swiss Confederation, holds the European Firearms Pass with the firearm entered on it, and is able to substantiate to the competent authorities the reasons for his/her visit (e.g. to produce an invitation).

#### **Temporary import of firearms and ammunition for the use of security officers accompanying protected persons**

The Firearms Act (Section 51, paragraph 3) requires missions to notify to the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic information about armed security officers who are to accompany a protected person during a planned visit. The notification must include details on any firearms and ammunition carried by the officers. This information and a request for an import/transit permit must be presented in a diplomatic note with attached forms 1a and 1b (see Chapter 10) no later than five (5) working days before the security officer’s planned arrival. Form 1b must be completed separately for each officer. Form 1b requires the mission to certify that the security officer is a member of the security service of the State providing protection to the protected person.

The officers must be nationals of the State that provides the protection (the passport number entered in form 1b must refer to a passport issued by that State).

In case the mission does not receive, through the Diplomatic Protocol, information about any objections raised by the Police Presidium by the date on which the delegation is to arrive, the import/transit is deemed to be permitted. Otherwise, the Police Presidium contacts the mission and proposes an alternative solution.

### **9.3.2. Permanent import of firearms and ammunition**

Category A, B and C firearms and their ammunition can be imported on a permanent basis only if the firearm and/or ammunition is accompanied by an import waybill (“Zbrojní průvodní list pro trvalý vývoz, trvalý dovoz a průvoz zbraní a střeliva”). Member of the staff of diplomatic missions may get the waybill from the Police Presidium of the Czech Republic or from a Czech embassy or consulate abroad (e.g. in urgent cases, if the staff member is outside the Czech Republic at the time of the application). To get the waybill, the applicant must hold a valid Czech firearms pass or Czech firearms licence. Anybody who imports an A, B or C category firearm must have it registered within 10 working days of the date of import.



### 9.3.3. Permanent export of firearms and ammunition

Permanent export of category A, B or C firearms and their ammunition is subject to authorization by the competent Czech authorities and to the consent of the country of import.

If the exported firearm and/or ammunition will not leave the customs territory of the European Union, it only needs to be accompanied by an export waybill (“Zbrojní průvodní list pro trvalý vývoz, trvalý dovoz a průvoz zbraní a střeliva”). The waybill is sufficient evidence of authorization for intra-EU exports. If the exported firearm and/or ammunition will leave the customs territory of the European Union, the exporter must obtain an export authorization (“vývozní povolení”) from the Ministry of Industry and Trade of the Czech Republic.

#### **Contact details**

Licensing Office, Ministry of Industry and Trade of the Czech Republic  
Department of Arms and Ammunition of Non-Military Character  
tel: +420 224 907 635  
Fax: +420 224 907 677  
e-mail: [klvana@mpo.cz](mailto:klvana@mpo.cz)

**Important:** Arrangements necessary for air transport of firearms and ammunition must be agreed with the air carrier sufficiently in advance.

*Members of the staff of missions must return any firearm documents issued in the Czech Republic (firearms pass, firearm identification card).*

### 9.3.4. Import and transit of firearms and ammunition for foreign armed forces and security corps stationed in or passing in transit through the Czech Republic

The temporary import and transit authorizations normally required by the Firearms Act are not necessary if the firearms and ammunition are in the possession of foreign armed forces and security corps stationed in, passing in transit through or overflying the territory of the Czech Republic on the basis of special legislation or of an international treaty. No authorizations are also required for the transport of firearms and ammunition intended to be used by such forces and corps in performing their duties in other countries. These exemptions are subject to some additional requirements.

In the above cases, foreign missions are recommended to contact the Police Presidium of the Czech Republic. To facilitate the exemption procedure, the mission must provide to the Police Presidium all required information about the planned transport operation.

#### **Contact details**

Police Presidium of the Czech Republic  
Directorate of the Arms and Security Equipment Service  
tel: +420 974 834 278  
Fax: +420 974 834 726  
e-mail: [rszbn.firearms@pcr.cz](mailto:rszbn.firearms@pcr.cz)



## **10 | Security of foreign visitors (protected persons) in the Czech Republic**

### **10.1. Security coverage provided by the Czech Republic Police**

Security coverage is provided by the Protection Service of the Czech Republic Police or by the Military Police of the Czech Army. Decisions on the level of security required in each case are made by the Protection Service on the basis of the current security situation and potential risks.

The Czech Republic provides security coverage to the following protected persons:

- Heads of State
- Chairpersons of both chambers of the Parliament
- Prime Ministers
- Ministers of Foreign Affairs
- Ministers of the Interior
- Ministers of Justice
- Ministers of Defence (security coverage provided by the Czech Army's Military Police)
- Heads of some international organizations.

Before the visit, the diplomatic mission must present an official request for protection to the protocol department of the competent government authority. In case the visitor is on the above list, the request must be directed to the Diplomatic Protocol of the Ministry of Foreign Affairs. In case the visitor is not on the above list, the request must be directed to the protocol or other appropriate department of the government authority responsible for the organization of the visit.

The details and special requirements must be agreed directly between the mission, the Protection Service and the competent protocol department.

### **10.2. Foreign security officers**

#### **10.2.1. Temporary import of firearms and ammunition for the use of security officers**

The Firearms Act (Section 51, paragraph 3) requires missions to inform the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic about armed security officers who will accompany the protected person, and about their firearms and ammunition. This information must be presented in a diplomatic note with attached Form 1a (temporary import of arms and ammunition, request for Czech police coverage) and Form 1b (details on foreign security officers and their firearms and ammunition).

The note must reach the Diplomatic Protocol no later than five (5) working days before the security officer's planned arrival.

Form 1b must be completed separately for each officer. This form requires the mission to certify that the security officer is a member of the security service of the given country travelling to the Czech Republic on official duty.

The officer must be a national of the country that provides protection to the protected person. The passport number entered in Form 1b must be the number of a passport issued by this country. Passports issued by other countries are not acceptable as identity documents of foreign security officers.

In case the mission does not receive, through the Diplomatic Protocol, information about any objections raised by the Police Presidium by the date on which the delegation is to arrive, the import/transit is deemed to be permitted. Otherwise, the Police Presidium contacts the mission and proposes an alternative solution.

The mission must ensure that each security officer carries a copy of the note and copies of Forms 1a and 1b. The officers must present these documents to Czech authorities on request

#### **Contact details**

Ministry of Foreign Affairs of the Czech Republic

Diplomatic Protocol

tel: +420 224 182 228

Fax: +420 224 182 073

e-mail: dp\_flights.security@mzv.cz

#### **10.2.2. Allocation of radio frequencies for the use of security officers accompanying foreign delegations**

Foreign security officers using portable radio equipment are authorized to use the frequencies allocated to them advance by the Czech Telecommunication Office. Requests for the authorization must be submitted to the Czech Telecommunication Office through the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic.

#### **How to obtain the authorization**

The mission must send to the Diplomatic Protocol a written request in the form of a verbal note accompanied by completed Form 2 "Request for allocation of radio frequencies for the use of security officers accompanying protected persons" ("Žádost o schválení rádiových kmitočtů pro ochranný doprovod chráněných osob"). The request must be sent by fax or e-mail at least five (5) working days before the planned arrival.

**Important:** *It is essential to observe this deadline – otherwise, the Czech Telecommunication Office may be unable to process the request in time.*

On the basis of the note, the Czech Telecommunication Office issues a short-term individual permit to use radio frequencies for terrestrial mobile service ("Krátkodobé individuální oprávnění k využívání

rádiových kmitočtů pozemní pohyblivé služby”). The permit is issued in Czech only. It allocates the frequencies and sets out the conditions for their use. In case the requested frequencies are already occupied by other users, the Czech Telecommunication Office will allocate other frequencies. Therefore it is advisable to include in the request a list of alternative frequencies.

The permit is sent to the mission by fax or e-mail through the Diplomatic Protocol.

To speed up the processing of requests related to the security of foreign visitors, missions are recommended to present the request for security coverage, temporary firearms import permit and radio frequencies under one covering note.

**Contact details**

Ministry of Foreign Affairs of the Czech Republic

Diplomatic Protocol

tel: +420 224 182 228

Fax: +420 224 182 073

e-mail: [dp\\_flights.security@mzv.cz](mailto:dp_flights.security@mzv.cz)

### **10.3. Annexes**

- 1. Request for permit for temporary import or transit of arms and ammunition carried by security officers accompanying protected person and Request for police protection of protected person (forms 1a and 1b)**
- 2. Request for short-term authorization to use radio frequencies for security officers accompanying protected persons (form 2)**

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formulář/form 1a

- Žádost o povolení dočasného dovozu nebo tranzitu zbraní a streliva ozbrojeného doprovodu chráněné osoby
- Žádost o ochranu chráněné osoby
- Request for permit for temporary import or transit of arms and ammunition carried by armed security officers accompanying protected person*
- Request for police protection of protected person*

Údaje k chráněné osobě / <i>Information on protected person</i>	
Země / <i>Country</i>	
Příloha k nótě velvyslanectví č.j. / <i>Enclosed with Embassy note No.</i>	
Číslo faxu velvyslanectví / <i>Embassy fax number</i>	
Jméno chráněné osoby <i>Name of protected person</i>	
Funkce chráněné osoby <i>Position/rank of protected person</i>	
Účel návštěvy <i>Purpose of visit</i>	
Typ dopravního prostředku, čísla letů nebo registrační značka auta/aut <i>Means of transport, flight numbers/car registration number(s)</i>	
Datum, čas a místo přiletu/příjezdu <i>Date, hour and place of arrival</i>	
Datum, čas a místo odletu/odjezdu <i>Date, hour and place of departure</i>	
Případné další upřesnění pohybu chráněné osoby na území České republiky v rámci oficiální návštěvy <i>Other details on the protected person's movements in the Czech Republic during the official visit <sup>*)</sup></i>	
Zvláštní požadavky a upozornění diplomatické mise <i>Special requirements and additional information from the diplomatic mission</i>	

<sup>\*)</sup> Je možné přiložit program návštěvy / *Programme of the visit may be enclosed*

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formulář/form 1b

Diplomatická mise tímto potvrzuje, že uvedený ochránce je příslušníkem bezpečnostního orgánu státu poskytujícího ochranu chráněné osobě.

*The diplomatic mission hereby confirms that the security officer named below is a member of the security service of the State providing protection to the protected person.*

<b>Údaje o ozbrojeném doprovodu / Information on armed security officer</b>	
Jméno a příjmení ozbrojeného ochránce <i>First name(s) and surname of armed security officer</i>	
Datum narození <i>Date of birth</i>	
Číslo pasu <i>Passport number</i>	
Přicestuje ozbrojený ochránce s chráněnou osobou? <i>Will the armed security officer arrive together with protected person?</i>	ANO NE *) YES NO *)
Pokud <b>NE</b> , uveďte datum, čas a místo příjezdu/odjezdu, číslo letu nebo registrační číslo auta <i>If NO, state the date, hour and place of arrival and departure, flight number/car registration number</i>	
Doveze ozbrojený ochránce svou zbraň osobně? <i>Will the security officer have the firearm with him/her when entering the Czech Republic?</i>	ANO NE *) YES NO *)
Pokud <b>NE</b> , uveďte datum, čas a místo dočasného dovozu a vývozu nebo tranzitu zbraně, číslo letu nebo SPZ auta <i>If NO, state the date, hour and place of temporary import/re-export or transit of the firearm, flight number/car registration number</i>	
<b>Údaje o zbraní / Information on firearm</b>	
Druh zbraně <i>Type of firearm</i>	
Značka výrobce <i>Brand name</i>	
Vzor (model) <i>Model</i>	
Výrobní číslo <i>Serial number</i>	
Ráže <i>Calibre</i>	
Počet nábojů <i>Number of rounds</i>	

\*) Nehodící se škrtněte / Delete what is not applicable



Annex 2, pg. 1/1

formulář/form 2

**Žádost o krátkodobé oprávnění k využívání rádiových kmitočtů pro ochranný doprovod chráněných osob**  
**Request for short-term authorization to use radio frequencies for security officers accompanying protected persons**

Země / Country Příloha k nótě velvyslanectví č. / Enclosed with Embassy note No. Číslo faxu velvyslanectví / Embassy fax number	
Jméno chráněné osoby Name of protected person	
Funkce chráněné osoby Position/rank of protected person	
Datum a místo příletu/příjezdu Date and place of arrival	
Datum a místo odletu/odjezdu Date and place of departure	
Požadované rádiové kmitočty Requested frequencies *)	
Typ vysílacího zařízení Type of transmitter	
Počet kusů Number of transmitters	
Šířka pásma zabraného vysíláním Bandwidth occupied by emission	
Kanálová rozteč Channel spacing	
Maximální vyzářený výkon (W) Maximum radiated power (W)	
Požadované období platnosti od – do Requested validity period from – to **)	
Oblast využití (pohyb chráněné osoby na území České republiky) Area of use (movements of the protected person in the Czech Republic) ***)	
Případné další požadavky Additional requirements	

\*) Je nutné uvést buď počet rádiových kmitočtů z pásma od–do nebo konkrétní kmitočty. / State the number of frequencies and band limits (i.e. xx frequencies in xx-yy MHz band), or list the required frequencies.

\*\*) Jen pokud se liší od doby pobytu chráněné osoby na území České republiky (např. příjezd předvoje). / Complete only if different from the start and end dates of the protected person's visit (e.g. advance team).

\*\*\*) např. Praha, Jižní Čechy, Ostrava, ... / E.g. Prague, South Bohemia Region, Ostrava, ...



## **11 | Václav Havel Airport Prague (Prague Airport) – access and movement rules for persons enjoying diplomatic privileges and immunities**

### **11.1. Parking in front of Terminals 1 and 2**

Motor vehicles with valid diplomatic registration plates can park free of charge in the Green Zone (area marked out by green lines) on the First Traffic Lane in front of Terminal 1 and the Arrivals Hall of Terminal 2 (see Annexes B and C). Access from the Green Zone to the Departures Hall of Terminal 2 is by lift from the Arrivals Hall of Terminal 2.

Missions are requested not to leave their vehicles parked in the Green Zone for longer than reasonably necessary (“reasonably necessary” parking time is less than two hours). The zone serves the short-term parking needs of Czech government authorities and is not intended for long-term parking.

Access to the First Traffic Lane is controlled by a security gate (in front of Terminal 1). The cards needed to unlock the gate are issued in the Connecting Building between Terminal 1 and Terminal 2 (room directly above McDonald’s) on working days from 7:00 to 14:30 hours. The card costs CZK 235 (this price is considered a service fee). There are limitations on the number of cards issued to missions: two (2) cards for an embassy, one (1) card for a consulate general or an honorary consulate whose country does not have a resident embassy in the Czech Republic, and one (1) card for an office of an international organization.

Important: Loss of the card must be immediately reported to the Prague Airport Security Dispatching (BED), tel. +420 220 117 777, +420 220 111 000, fax +420 220 119 137) or to the Prague Airport Security Guard (OLE), Service Entrance 21 (see Annex D).

#### **Contact details (card issuing office)**

Prague Airport Security Systems (BSR)

tel: +420 220 112 013

Fax: +420 220 112 777

parking.dispecink@prg.aero

## **11.2. Access to non-public areas**

### **11.2.1. Types of non-public areas**

For the purposes of this Handbook, the term “non-public area” refers to:

- Security Restricted Area (SRA)
- Transit Area
- Customs Area

### **11.2.2. Basic rules**

A staff member who comes to the airport as a non-travelling visitor and needs to enter a non-public area must present to the security officer a valid diplomatic ID card issued by the Ministry of Foreign Affairs of the Czech Republic (“ID card”).

- Diplomatic agents, consular officers and representatives of international organizations accredited to the Czech Republic holding D, K and MO/D cards (“diplomats”) are allowed to enter the non-public areas upon presentation of an ID card. The mission does not have to apply for an entry pass in advance.
- Members of the non-diplomatic staff (holding ATP, SP, SSO, KZ, SP/K, SSO/K, HK, MO and MO/ATP cards) can enter the non-public areas only if necessary to hand over or receive diplomatic bags. For this purpose, they are allowed to enter the Customs Areas upon presentation of an ID card. If they need to enter other non-public areas, the mission must apply for an entry pass in advance.

#### **How to apply for an entry pass:**

- The mission must present a written application for a temporary entry pass for a member of non-diplomatic staff. The application must be sent by fax to the Prague Airport Security Systems Department (BSR, fax 220 112 266).
- The application must be written on the mission’s letterhead paper and signed by the head of mission.
- The application must include the staff member’s first name and surname, ID card number, and the date and approximate time when the staff member will need to enter the non-public area. The application must state that the duties to be performed by the staff member are necessary for the conduct of the official business of the mission and cannot be performed by a diplomat.
- The application must be delivered sufficiently in advance, no later than 24 hours before the staff member will need to enter the non-public area. BSR receives and processes applications on Mondays to Fridays, 7:00-14:30 hours. Outside office hours and on non-working days the applications are received and processed by BED (fax 220 119 137).

Staff members must wear their entry passes visibly while in the non-public area. The pass must be presented, on request, to Prague Airport security officers and to the Czech Republic Police and Customs Office personnel.

## **11.3. Movement in non-public areas**

### **11.3.1. Security Restricted Area (SRA)**

Staff members entering the SRA must be escorted by authorized persons. The “authorized person” is a person holding a Prague Airport ID card with a permanent authorization for access to the SRA. The authorized person must wear a GUIDE badge.

#### **Terminal 1**

The SRAs are the gate areas beyond security checkpoints. Staff members entering a SRA must pass through security screening and must be escorted by authorized persons.

#### **Terminal 2**

The SRA is the whole Transit Area beyond the Central Security Checkpoint. Staff members entering the SRA must pass through security screening and must be escorted by authorized persons.

Missions can request the Prague Airport to provide the authorized person. In such case, the Prague Airport will assign a security officer to escort the mission’s staff inside the SRA. The service is subject to payment according to the Prague Airport Price List. The requests are received and processed by BSR (Monday to Friday, 07:00 – 14:30, fax 220 112 266) and BED (outside BSR’s office hours, fax 220 119 137). The request must be delivered sufficiently in advance (at least 24 hours in advance) and must include the mission’s invoicing address.

### **11.3.2. Transit Areas**

#### **Terminal 1**

The Transit Area is the area between passport counters and the entrances to gate areas. The whole Transit Area is a non-SRA. Staff members wearing an entry pass can move about the area without restrictions and do not need to be escorted by authorized persons.

#### **Terminal 2**

The whole Transit Area is a SRA. Staff members entering the Transit Area must be escorted by authorized persons (see 11.3.1.).

### **11.3.3. Customs Areas**

The Customs Areas are the baggage claim areas in Terminals 1 and 2. To enter a Customs Area, the staff member needs a special pass from the Praha-Ruzyně Customs Office. The customs area pass is valid only with the staff member’s ID card. Applications for the passes must state the purpose for which the pass is needed. The application must be written on the mission’s letterhead paper with the mission’s stamp

and the signature of the head of mission, and must be personally delivered to the Praha-Ruzyně Customs Office.

For security reasons, in accordance with international practice, the Customs Office limits the number of available passes. The number of passes held by a mission must be in proportion to the mission's size. Accordingly, heads of mission are requested to consider the actual needs of their missions and keep the number of customs area passes to a necessary minimum.

Staff members holding customs area passes can get to the Customs Area in Terminal 1 via Service Entrance 15 and Turnstile 42, and to the Customs Area in Terminal 2 via Service Entrance 27 in the Arrivals Hall of Terminal 2. They must leave the Customs Areas by the same route as arriving passengers.

Important: Customs area passes are accepted only by the card readers at the entrances to the Customs Areas. Missions are fully responsible for the customs area passes issued to them by the Customs Office. Misuse of the pass is regarded as a breach of security. Loss of the pass must be immediately reported to the duty officer at the Prague-Ruzyně Customs Office, tel. 261 331 041, and to the BED, tel. 2 2011 1000.

#### **Contact details**

Prague-Ruzyně Customs Office  
Department 13 – Air Traffic Security Policies  
tel: +420 261 331 035

#### **11.3.4. Meeting visitors**

Arriving visitors can be met only by diplomats (see 11. 2.2.).

##### **Terminal 1**

- The diplomat enters the Transit Area via Service Entrance 21 (see Annex D) in the Connecting Building between Terminal 1 and Terminal 2 (see Annex B). He/she receives the “Diplomatic Mission” pass from a security officer at the entrance;
- The diplomat meets the visitor in the Transit Area and accompanies him/her to the passport control counters;
- The diplomat can walk through the priority passport control counter marked “Priority Check – CREW-CD - Přednostní odbavení pro posádky a diplomaty” and again meet with the visitor in the Customs Area;
- On leaving the Customs Area, the diplomat returns the pass at the place where he/she received it or leaves it in a drop box in the Customs Area (see Annex F).

##### **Terminal 2**

- Diplomats are not allowed to enter the Transit Area (SRA) unless escorted by an authorized person. Accordingly, the diplomat should agree with an authorized person in advance (personnel of handling companies, air carriers, VIP lounge personnel), or ask to be assigned a security officer at the point of collecting the “Diplomatic Mission” pass. In the latter case, the mission will be charged a service fee according to the Prague Airport Price List;

- The diplomat receives the “Diplomatic Mission” pass at Service Entrance 25 (see Annex E) and completes the BSR form (see Annex A) that will serve as a basis for billing. The authorized person or security officer takes the diplomat to the Central Security Checkpoint and then into the jet bridge;
- The diplomat meets with the visitor inside the jet bridge and goes with him to the Customs Area (baggage claim area) via the one-way turnstiles. While in the SRA, they must be escorted at all times by the authorized person or security officer who cannot leave them until they enter the Customs Area;
- On leaving the Customs Area, the diplomat returns the pass at the place where he/she received it or leaves it in a drop box in the Customs Area (see Annex G).

### **11.3.5. Accompanying departing passengers**

Departing passengers can be accompanied only by diplomats(see 11. 2.2.).

#### **Terminal 1**

- The diplomat enters the Transit Area via Service Entrance 21 (see Annex D) and receives the “Diplomatic Mission” pass;
- The departing passenger goes through passport control and meets with the diplomat on the other side of passport control counters;
- While in the Transit Area of Terminal 1, the diplomat and departing passenger do not have to be escorted by an authorized person;
- At the entrance to the gate area the diplomat asks a security officer to escort them inside the gate area (SRA). The security officer is authorized to escort them inside this SRA even if he/she does not wear the GUIDE badge. While in the gate area, they must be escorted at all times;
- The diplomat takes leave of the departing passenger in the gate area. He/she is not allowed to enter the jet bridge;
- The diplomat returns by the same route to Service Entrance 21 and returns the pass.

#### **Terminal 2**

- Diplomats are not allowed to enter the Transit Area (SRA) unless escorted by an authorized person. Accordingly, the diplomat should agree with an authorized person in advance (personnel of handling companies, air carriers, VIP lounge personnel), or ask to be assigned a security officer at the point of collecting the “Diplomatic Mission” pass. In the latter case, the mission will be charged a service fee according to the Prague Airport Price List;
- The diplomat receives the “Diplomatic Mission” pass at Service Entrance 25 (see Annex E) and completes the BSR form (see Annex A) that will serve as a basis for billing. The authorized person or security officer takes the diplomat to the Central Security Checkpoint and then into the jet bridge;
- Once the departing passenger boards the aircraft, the diplomat returns by the same route and returns the pass at Service Entrance 25.

### 11.3.6 Diplomatic bags entrusted to captains of aircraft

Staff members whose duty is to handle diplomatic bags entrusted to captains of commercial aircraft in accordance with Article 27, paragraph 7 of the Vienna Convention on Diplomatic Relations must carry a letter of authority from the mission confirming that they are authorized to hand over and receive such diplomatic bags. The letter must state:

- the staff member's first name and surname,
- the staff member's position and ID card number,
- the date and hour at which the bag is to be handed over or received, and the flight number,
- the number of bags to be handed over or received,
- the name and position of the person who has issued the letter of authority (as a rule the head of mission) and a clearly legible stamp of the mission.

In addition, the staff member must present all normally required documents. The bag must be visibly marked, e.g. "valise diplomatique", "colis diplomatique" or "diplomatic bag".

#### Terminal 1

- The staff member enters the Transit Area via Service Entrance 21 (see Annex D) and receives a "Diplomatic Mission" pass from a security officer;
- While in the Transit Area of Terminal 1, the staff member does not have to be escorted by an authorized person;
- At the entrance to the gate area the staff member asks a security officer to escort him/her inside the gate area (SRA). The staff member goes through security screening; the bag is screened as well. The security officer then takes the staff member into the SRA and accompanies him/her into the jet bridge. The staff member hands over or receives the bag inside the jet bridge;
- The staff member goes back by the same route and returns the pass at Service Entrance 21.
- To take diplomatic bags to/from aircraft parked at a remote stand (i.e. a stand not connected to the gate by a jet bridge), staff members are allowed to enter the apron (SRA) subject to the following rules:
- On receiving the "Diplomatic Mission" pass at Service Entrance 21, the staff member asks for transport to the aircraft and completes the BSR form (see Annex A);
- The staff member goes to Gallery B to wait for a security officer;
- The security officer takes the staff member through security screening; the bag is screened as well. The security officer drives the staff member by car to the aircraft and back. The mission will be charged a service fee according to the Prague Airport Price List;
- The staff member goes back by the same route and returns the pass at Service Entrance 21.

#### Terminal 2

- The staff member collects the "Diplomatic Mission" pass at Service Entrance 25 (see Annex E) and completes the BSR form (see Annex A). The security officer then takes him/her to the Central Security Checkpoint where the staff member goes through security screening; the bag



is screened as well. The security officer then takes the staff member into the jet bridge. The staff member hands over or receives the bag inside the jet bridge;

- The staff member is taken back to Service Entrance 25 where he/she returns the pass. The mission will be charged a service fee according to the Prague Airport Price List.
- To take diplomatic bags to/from aircraft parked at a remote stand (i.e. a stand not connected to the gate by a jet bridge), staff members are allowed to enter the apron (SRA) subject to the following rules:
  - The staff member collects the “Diplomatic Mission” pass at Service Entrance 25 (see Annex E) and completes the BSR form (see Annex A). The security officer then takes him/her to the Central Security Checkpoint where the staff member goes through security screening; the bag is screened as well. The security officer takes the staff member into the SRA, arranges for a car to be waiting at Gallery C, goes with the staff member to the car and drives him/her to the aircraft.
  - After handing over or receiving the bag, the staff member is taken back to Service Entrance 25 where he/she returns the pass. The mission will be charged a service fee according to the Prague Airport price list.

## **11.4. VIP lounges**

### **11.4.1. VIP Service Club CONTINENTAL**

VIP Service Club CONTINENTAL at Prague Airport serves VIP passengers. Missions can reserve the club by telephone on 220 114 490 or by e-mail on [vip.service@prg.aero](mailto:vip.service@prg.aero). The prices are as shown in the Prague Airport Price List. The club has its own reserved parking area in front of the entrance.

The Ministry of Foreign Affairs of the Czech Republic pays for the club’s services, including the cost of refreshments served in the club, when the club is used by Ministers of Foreign Affairs on official or working visits to the Czech Republic or by other visitors invited by the Minister of Foreign Affairs of the Czech Republic. The club may also be used by ambassadors accredited to the Czech Republic upon their first arrival and final departure from Prague. In such case, the Ministry pays for the use of the club and for refreshments served to the ambassador, his/her family members, members of the embassy staff and representatives of the sending State. The Ministry does not pay for any refreshments served to the ambassador’s guests.

All departing passengers must pass through the security checkpoint at the exit to the apron. No more than four (4) persons are allowed to accompany a departing passenger onto the apron. Persons who wish to accompany the passenger should ask the personnel in the club for permission to enter the apron. The accompanying person must pass through the same security screening as departing passengers.

Staff members coming to the club to meet or take leave of visitors must, on request, present their valid ID cards.

#### **11.4.2. Other VIP lounges**

Diplomats can meet with transiting passengers in any of the other airport lounges – e.g. the MasterCard Lounge in Terminal 1 or the Citigold Lounge in Terminal 2. Diplomats can get to the lounges in Terminal 1 via Service Entrance 21. Access to the Citigold Lounge is directly from the public Arrivals Hall in Terminal 2. The services of airport lounges are subject to payment. The prices, contact details and other information can be found on the Prague Airport website [www.prg.aero/en/passenger-services/vip-service/airport-lounges/](http://www.prg.aero/en/passenger-services/vip-service/airport-lounges/).

### **11.5. Security screening of departing passengers and baggage (including diplomatic mail)**

Security screening of passengers and baggage is required by Act No. 49/1997 concerning civil aviation as amended, Regulation (EC) No 300/2008 of the European Parliament and of the Council, the current version of national aviation regulation L-17, the current version of the National Civil Aviation Security Programme and the Prague Airport Security Programme.

In accordance with the above regulations, passengers, air crews and other persons seeking to enter the SRA must undergo security screening and must permit the screening of their baggage and cargo. No exceptions are allowed. Diplomatic bags must be marked in accordance with the Vienna Convention. They cannot be opened and inspected, but they are not exempted from screening.

Passengers are allowed to enter the area beyond the security checkpoint only after the security officer is satisfied that the passenger does not pose a risk to aviation security. If there are serious reasons to believe that the passenger might pose a risk, and the passenger refuses to present for inspection the articles that have given rise to such concerns or refuses to undergo the security check, the passenger can be denied entry in the SRA and, following agreement with the air carrier, may be refused carriage.

This means that diplomats, VIP passengers, diplomatic couriers and other persons enjoying privileges and immunities under the Vienna Conventions must undergo security screening.

### **11.6. Terminals for non-scheduled flights**

Non-scheduled flights (by state as well as private aircraft) are handled at Terminals 3 and 4. The terminals are located to the south-east of the main part of Prague Airport; access is from K letišti street (exit marked “Terminál 3” on the arterial road from Prague to Prague Airport). Parking in front of both terminals is free of charge.

### **11.6.1. Terminal 3**

Terminal 3 of Prague Airport handles non-scheduled flights made for unofficial purposes. The Ministry of Foreign Affairs of the Czech Republic does not arrange and pay for any services provided at this terminal.

#### **Contact details**

tel: +420 220 114 000

VIP lounge: [vip.service@prg.aero](mailto:vip.service@prg.aero)

### **11.6.2. Terminal 4**

Terminal 4 is used mainly during official visits of senior foreign officials.

Prague Airport website: [www.prg.aero](http://www.prg.aero)

## **11.7. Annexes**

- 1. Application for temporary entry passes for diplomats (annex “A”)**
- 2. Map of Prague Airport (annex “B”)**
- 3. Parking zones – Terminal 1 and Terminal 2 (annex “C”)**
- 4. Service Entrances 21 and 25 (annexes “D” and “E”)**
- 5. Drop boxes for returned “Diplomatic Mission” passes (annexes “F” and “G”)**

## Annex 1 „A“



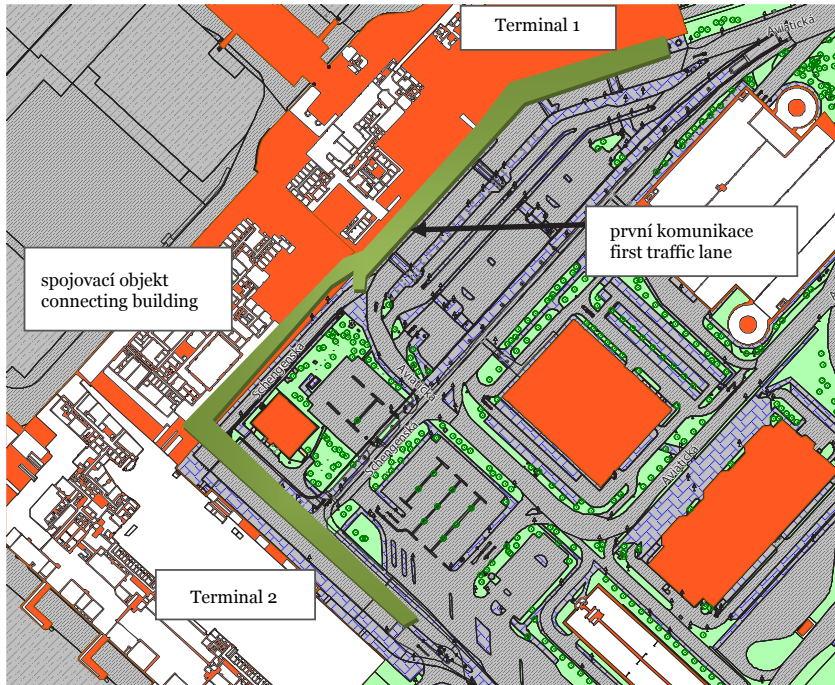
<b>DIVIZE BEZPEČNOSTI – BEZPEČNOSTNÍ SYSTÉMY A REŽIMY</b> <i>Security Section – Security system</i>
<b>ŽÁDOST O JEDNORÁZOVÝ VSTUP DIPLOMATICKÝCH PRACOVNÍKŮ DO NEVEŘEJNÉHO PROSTORU LKPR</b> <i>Appeal for entrance for diplomatic mission to nonpublic area</i>

<b>Datum vstupu:</b> <i>Date of entrance</i>
<b>Čas vstupu :</b> <i>Time of entrance</i>

Údaje k osobám, které vstupují do neveřejného prostoru LKPR:			
Příjmení, jméno <i>Surname, name</i>	Číslo diplomatického průkazu <i>Number of diplomatic card</i>	Velvyslanectví <i>Embassy/country</i>	Podpis <i>Signature</i>

Vyplní Letiště Praha a.s / BZP / OLE			
Místo vstupu:		Zapsal:	

Annex 2 „B“



Annex 3 „C“

**Terminal 1**



**Terminal 2**





Annex 4 „D“





Annex 4 „E“



Annex 5 „F“

**Terminal 1**



Annex 5 „G“

**Terminal 2**





## **12 | Obtaining clearances for state aircraft; notifying specific flights of civil aircraft**

### **12.1 Definition**

#### **12.1.1. State aircraft**

According to Article 3 of the Convention on International Civil Aviation (Chicago, 1944), state aircraft are aircraft used in military, customs and police services. No state aircraft can fly over or land in the territory of the Czech Republic without authorization.

#### **12.1.2. Civil aircraft with VIP passengers on board**

For the purposes of this Handbook, the expression “civil aircraft with VIP passengers on board” refers to aircraft with VIPs on board in cases where the aircraft does not need an overflight, landing and takeoff clearance but is subject to prior notification – see 12.5.

“VIP passengers” are heads of state, ruling monarchs and their immediate families, chairpersons of parliamentary chambers, prime ministers and government ministers.

#### **12.1.3. Diplomatic clearances**

For the purposes of this Handbook, the expression “diplomatic clearances” refers to authorizations granted to foreign state aircraft (see above for definition) through the Ministry of Foreign Affairs of the Czech Republic. Applications for such clearances must be submitted through diplomatic channels. Diplomatic clearances may be valid for one flight, for one year, or for an indefinite period.

#### **12.1.4. Military flights**

For the purposes of this Handbook, the term “military flights” refers to air transport of foreign armed forces and military material, and to air transport carried out for foreign armed forces by military or civil aircraft used or contracted for this purpose by foreign armed forces. Clearances for military flights must be obtained directly from the Ministry of Defence of the Czech Republic (see 12.6.1.).

## **12.2. Requests for single-flight diplomatic clearances**

Requests for single-flight diplomatic clearances for non-military flights must be submitted to the Diplomatic Protocol of the Ministry of Foreign Affairs of the Czech Republic (“Diplomatic Protocol”).

### **12.2.1. Procedure**

The diplomatic mission/Ministry of Foreign Affairs presents to the Diplomatic Protocol a diplomatic note with a completed “Diplomatic Clearance Request” form. The note must be presented at least five (5) working days before the planned flight. In urgent cases (humanitarian and ambulance flights) the note must reach the Diplomatic Protocol at least one working day before the planned flight. Requests received after the deadline may not be processed in time before the aircraft is due to take off. To speed up the processing, it is recommended to first send the note by fax or e-mail.

#### **Contact details**

Ministry of Foreign Affairs of the Czech Republic  
Diplomatic Protocol  
Loretánské nám. 5  
118 00 Praha 1  
tel: +420 22418 2228  
Fax: +420 22418 2073/22418 2034  
e-mail: dp\_flights.security@mzv.cz

Once the clearance is granted, the Diplomatic Protocol sends the request form (by fax or e-mail) back to the applicant with the clearance number written in section E.

Urgent requests submitted outside working hours or during weekends and public holidays are received and processed by the Operations and Information Centre of the Ministry of Foreign Affairs – tel. +420 22418 2425, fax +420 22418 2047, open 24 hours a day.

## **12.3. Annual diplomatic clearances**

Requests for next year’s blanket diplomatic clearances for all types of state aircraft must be submitted to the Ministry of Foreign Affairs of the Czech Republic before 15 September of the current year. The applicant must present a diplomatic note containing a list of the aircraft stating the owner, operator and type of each aircraft.

The annual diplomatic clearance does not, subject to some exceptions, cover flights of aircraft carrying dangerous material (such as explosives or arms and ammunition) and reconnaissance equipment in operation, flights of combat aircraft and unmanned aircraft.

Annual diplomatic clearances are granted on the basis of reciprocity. Each aircraft covered by the clearance must comply with the conditions of the clearance.



## **12.4. Permanent diplomatic clearances**

Permanent diplomatic clearances for flights of state aircraft are valid for an indefinite period. They are granted in exceptional cases, namely if the flights are necessary for the fulfilment of the Czech Republic's commitments under international law.

## **12.5. How to notify information about flights of civil aircraft with VIP passengers on board**

In accordance with Article 5 of the Convention on International Civil Aviation (Chicago, 1944), civil aircraft with VIP passengers on board do not need a diplomatic clearance to fly over or land in the territory of the Czech Republic. However, information about the flight must be notified to the Diplomatic Protocol who will forward it to the competent civil aviation authorities.

## **12.6. Clearances granted by other Czech authorities**

### **12.6.1. Flights of military aircraft (military flights only)**

Single-flight clearances for military flights (see 12.1.4.) are granted by the National Movement Coordination Centre of Armed Forces in Stará Boleslav (NMCC). Requests must be sent directly to the NMCC at least ten (10) days before the planned flight and must include the completed "Diplomatic Clearance Request" form.

Clearances for flights by aircraft of NATO and PfP countries, both in time of peace and in war, are granted by the Ministry of Defence of the Czech Republic on the basis of NATO regulations. Unless provided otherwise, the contact point is the NMCC.

#### **Contact details**

National Movement Coordination Centre of Armed Forces  
Ministry of Defence of the Czech Republic  
Brandýs n/L-Stará Boleslav  
tel: +420 973 230 760  
Fax +420 973 230 730  
e-mail: nmcc@army.cz

### **12.6.2. Flights performed by civil aircraft for commercial purposes**

Some flights performed by foreign civil aircraft for commercial purposes may need an authorization. The authorization can be obtained from the Ministry of Transport of the Czech Republic. Requests for these authorizations should not be submitted through diplomatic channels – it is up to the operator to obtain the authorization directly from the Civil Aviation Department of the Ministry of Transport.

#### **Contact details**

Ministry of Transport of the Czech Republic  
Civil Aviation Department  
Nábřeží L. Svobody 12  
110 15 Praha 1  
tel: +420 225 131 329/225 131 390  
Fax +420 225 131 323  
e-mail: [flights@mcr.cz](mailto:flights@mcr.cz)  
SITA: PRGTOYA, PRGMT8X





## **12.7. Annexes**

### **1. Diplomatic clearance request / Information about flight**

Annex 1, pg. 1/1

**CZ**

Czech Republic

- DIPLOMATIC CLEARANCE REQUEST** FOR FLIGHT OF STATE AIRCRAFT  
 **INFORMATION ABOUT FLIGHT** OF CIVIL AIRCRAFT OR AIRCRAFT WITH BLANKET CLEARANCE

**SECTION A Request details**

1.	State of registry	
2.	Aircraft operator	
3.	Type of aircraft (alternate acft. if any) and MTOW	
4.	Aircraft registration	
5.	Radio call sign(s)	
6.	Flight number (if applicable)	
7.	Military/police/customs/civil aircraft	
8.	Pilot-in-command (name)	
9.	Number of crew	
10.	Number of passengers	
11.	Position/rank of VIP passenger	
12.	Purpose of flight	

**SECTION B Route/Flight itinerary in UTC**

13.	Departure aerodrome (ICAO) and ETD	
14.	Destination aerodrome (ICAO) and ETA	
15.	Date and time of entry into the airspace of the Czech Republic	
16.	Date and time of exit from the airspace of the Czech Republic	
17.	Arrival aerodrome in the Czech Republic Date and time of landing	
18.	Departure aerodrome in the Czech Republic Date and time of departure	
19.	Required services (e.g. fuel, accommodation)	

**SECTION C Equipment and cargo**

20.	Communication, navigation, transponder	
21.	Built-in armament and photographic equipment	
22.	Dangerous/hazardous cargo UN classification Indicate consignor/consignee if the cargo is destined for third subject (e.g. on behalf of MOD). If you need to provide more details, use the Annex.	

**SECTION D Remarks**

23.	Blanket clearance number (annual, permanent) if any	
-----	-----------------------------------------------------	--

**SECTION E Decision TO BE COMPLETED BY CZECH AUTHORITIES**

24.	Clearance number (to be used in Box 18 of ICAO flight plan)	Date, note
	Validity of clearance:	



## **13 | Transit and presence of foreign armed forces in the territory of the Czech Republic**

A foreign force (including armed services personnel with the accompanying civilian component, military equipment and material) is considered to be present in the territory of the Czech Republic if it remains in the country for more than 48 hours. The expression “presence” does not refer to overflight and to overland transit of the force (which normally takes less than 48 hours).

Transit and presence of foreign forces are subject to the consent of the competent Czech authorities. While in the territory of the Czech Republic, the foreign force must respect Czech laws and regulations, unless provided otherwise by an international treaty binding on the Czech Republic. The basic principles and conditions for the presence of foreign forces in the territory of the Czech Republic in time of peace are set out in the Constitution of the Czech Republic.

### **13.1. Reporting transit or presence of a foreign force for the purpose of entry authorization**

To obtain an entry authorization for a foreign force arriving by air or by land, the mission must report the relevant data to the National Movement Coordination Centre of Armed Forces (NMCC) of the Ministry of Defence of the Czech Republic not later than 30 days before the planned movement of the force.

#### **Contact details**

National Movement Coordination Centre of Armed Forces  
Ministry of Defence of the Czech Republic  
Brandýs n/L-Stará Boleslav  
tel: +420 973 230 760  
Fax +420 973 230 730  
e-mail: nmcc@army.cz

### **13.2. Documents**

For the purpose of border and inland checks, members of the force must carry:

- an individual or collective movement order, in the language of the sending State and in the English and French languages, issued by the authorities of the sending State and certifying to the status of the individual or group as a member or members of a force and to the movement ordered;
- the military personnel must carry a passport or an equivalent document and/or a personal identity card with a photograph;

- members of the civilian component and dependents<sup>1</sup> must carry a passport or an equivalent document;
- a military driving permit issued by the authorities of the sending State to military and civilian personnel;
- a completed Uniform Customs Declaration showing that the goods being moved are intended solely for the use of the force, and including a list of the goods.

While in the Czech Republic, members of the force must be ready to present the above documents on request to the Czech Republic Police and Customs Office personnel.

On entering the Czech Republic, the force may be required by Czech military authorities to present a certificate proving that the military and civilian personnel and dependents are free of any infectious or contagious diseases.

### **13.3. Transit and presence of NATO and PfP forces**

The transit and presence of NATO forces and forces of countries participating in the Partnership for Peace must comply with NATO regulations (STANAG 2456, SOFA, A Mov P-1 to A Mov P-4).

### **13.4. Movement on public roads**

Any movement of vehicles of foreign forces on public roads in the Czech Republic must be approved in advance by the NMCC (see above for contact details). Information about the vehicles and cargo must be presented on special forms (the forms and instructions how to complete them are available on the Diplomatic Protocol website [www.mzv.cz/protocol](http://www.mzv.cz/protocol), section “Systém pro oznamování silničních přesunů cizích ozbrojených sil/System for reporting the movements of foreign armed forces using public roads”).

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<sup>1</sup> “Dependent” means the spouse of a member of a force or a civilian component, or a child of such member depending on him or her for support.

## 14 | Employment in the Czech Republic

### 14.1. Posted staff members

According to the Vienna Convention on Diplomatic Relations, diplomatic agents must not practise for personal profit any professional or commercial activity in the receiving State (see Article 42 of the Convention). The principal (and only) sphere of a diplomatic agent's activity must be the performance of diplomatic functions. However, diplomatic agents are allowed to engage in secondary activities in areas of personal interest, provided that such activities do not affect the performance of diplomatic functions and are not carried out solely for personal profit (e.g. lecturing at universities, etc.).

A diplomatic agent who disregards the above rule and practises professional or commercial activities for personal profit does not enjoy immunity from the civil and administrative jurisdiction of the receiving State in respect of such activities.

The above prohibition of professional and commercial activities applies only to diplomatic agents. It does not apply to their family members<sup>1</sup> and to other staff categories. However, even for non-diplomatic staff, secondary professional and commercial activity should be an exception rather than a rule.

#### **Administrative and technical staff**

Members of the administrative and technical staff who take up secondary employment in the Czech Republic do not enjoy immunity for civil and administrative jurisdiction in respect of the secondary employment (see Article 31, paragraph 1 (c) of the Vienna Convention on Diplomatic Relations). They must fulfil all obligations imposed by the laws and regulations of the Czech Republic in respect of the secondary employment (this means that they must obtain an employment permit, if required, and must pay the income tax, health insurance and social security contributions on the wages earned in the secondary employment, etc.).

#### **Consular officers and consular employees**

Consular officers and consular employees are exempted from the jurisdiction of Czech judicial and administrative authorities only in respect of acts performed in the exercise of consular functions (see Article 43, paragraph 1 of the Vienna Convention on Consular Relations). Consular officers and employees who take up secondary employment do not enjoy immunity from the Czech Republic's jurisdiction in respect of the secondary employment and must fulfil all obligations imposed by the laws and regulations of the Czech Republic in respect of the secondary employment (this means that they must obtain an employment permit, if required, and must pay the income tax, health insurance and social security contributions on the wages earned in the secondary employment, etc.).

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1 Employment of family members – see next section.

## **Service staff**

Members of the service staff of diplomatic missions enjoy immunity only in respect of acts performed in the course of their duties at the mission (see Article 37, paragraph 3 of the Vienna Convention on Diplomatic Relations). The Vienna Convention on Consular Relations similarly restricts the immunities enjoyed by the service staff at consular posts. Members of the service staff who take up secondary employment do not enjoy immunity from the Czech Republic's jurisdiction and must fulfil all obligations imposed by the laws and regulations of the Czech Republic in respect of the secondary employment (this means that they must obtain an employment permit, if required, and must pay the income tax on wages earned in the secondary employment, health insurance and social security contributions, etc.).

## **International organizations**

Members of the staff of international organizations and their family members must observe the rules set out in the applicable bilateral or multilateral international treaties.

## **14.2. Family members**

### **14.2.1. Employment of spouses of staff members**

The Vienna Convention on Diplomatic Relations and the laws and regulations of the Czech Republic do not restrict the right of a spouse of a member of a diplomatic mission or consular post to engage in gainful activities in the Czech Republic. It is to be noted that the conditions for taking up employment are different for family members of EU/EEA and Swiss nationals, for family members of the staff of missions whose sending States have concluded with the Czech Republic bilateral agreements on the employment of family members, and for family members of the staff of other missions (non-EU countries that do not have a bilateral agreement with the Czech Republic).

### **Taking up employment – family members of EU/EEA and Swiss nationals**

In matters governed by Act No. 435/2004 concerning employment as amended, family members of EU/EEA and Swiss nationals have the same status as Czech nationals.

The term “family members of EU/EEA and Swiss nationals”<sup>2</sup> refers to a spouse or to a partner (if the union has been formalized in accordance with the laws and regulations of the sending State) regardless of his/her nationality, or to a foreign national who presents to the competent authorities of the Ministry of the Interior of the Czech Republic sufficient evidence that his/her relationship to the EU/EEA or Swiss national is akin to that of a family member and that he/she forms part of such national's household.

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2 See Section 3 of Act No. 435/2004 concerning employment as amended and Sections 15a and 18of of Act No. 326/199 concerning the residence of foreigners in the territory of the Czech Republic and amending certain acts as amended.



Family members who are themselves EU/EEA or Swiss nationals are not regarded as foreigners for the purposes of employment and do not need an employment permit.

Family members who are non-EU nationals do not need an employment permit if they hold a temporary residence permit.

### **Employment of family members of non-EU nationals whose country has an agreement on the employment of family members with the Czech Republic**

The mission must request the Diplomatic Protocol to confirm that the agreement permits the family member to take up employment. The request must contain the basic information – first name and surname, name and address of the employer, date on which the employment is to begin.

The conditions of the employment will be as set out in the agreement.

### **Employment of family members of non-EU nationals whose country does not have an agreement on the employment of family members with the Czech Republic**

The family member must apply for an employment permit at the local branch of the Employment Office.

#### **14.2.2. Status of family members after taking up employment**

The employed family member retains his/her registration with the Diplomatic Protocol. However, his/her immunity from civil and administrative jurisdiction does not extend to acts performed in the course of the employment. Every family member who is employed in the Czech Republic must pay the income tax and social security and health insurance contributions as required by Czech labour legislation.

Since employment has a direct bearing on a family member's entitlement to privileges and immunities, the mission must promptly notify the Diplomatic Protocol whenever a family member takes up employment. The note must contain the basic information – first name and surname, name and address of the employer, and the date on which the employment is to begin.

#### **14.2.3. Employment of children**

The Diplomatic Protocol registers unmarried children aged 18-26 who do not engage in an independent gainful activity, provided that they are enrolled in a standard full-time Bachelor or Master degree study programme.

A child who takes up employment in the Czech Republic cannot retain his/her registration with the Diplomatic Protocol. The child loses all privileges and immunities and must return his/her ID card.

### 14.3. Locally engaged staff

The employment of persons who are nationals of or permanently resident in the Czech Republic and have not been posted to the mission by the Ministry of Foreign Affairs of the sending State (locally engaged staff) is governed by Czech legislation, including Act No. 262/2006, the Labour Code as amended, Act No. 435/2004 concerning employment as amended, and Government Regulation No. 567/2006 concerning the minimum wage, the lowest guaranteed wage levels, the definition of difficult working conditions and allowances for work in difficult working conditions.

Diplomatic missions, consular posts and international governmental organizations employing locally engaged staff must comply with Act No. 589/1992 concerning social security contributions and contributions to the government employment policy as amended, Act No. 187/2006 concerning health insurance as amended, and Act No. 155/1995 concerning pension insurance as amended.

With the exception of immunity from execution, States cannot invoke their jurisdictional immunity in proceedings related to acts performed by a mission in connection with the employment of locally engaged staff.

The following is a summary of some of the obligations arising from the above legislation.

#### 14.3.1. Working hours

The standard working time is 40 hours per week. The employer must organize the working hours in accordance with the following provisions of the Labour Code:

**Work breaks** (Section 88, paragraph 1) - the maximum period of continuous work is limited to six hours, after which the employer must allow the employee to take an at least 30-minute break for meal and rest.

**Uninterrupted rest period between two shifts** (Section 90, paragraph 1) – the employer must organize the working hours so as to give the employee an uninterrupted rest period of at least 11 hours between the end of one shift and the start of the next shift.

**Uninterrupted rest period per week** (Section 92, paragraph 1) - the employer must organize the working hours so as to give the employee one uninterrupted rest period of at least 35 hours per week.

**Non-working days** (Section 91, paragraphs 1, 2 and 3) - the days of the employee's weekly uninterrupted rest and public holidays. The employer may order the employee to work on non-working days only on an exceptional basis, in cases explicitly defined in Section 91, paragraph 3.

#### 14.3.2. Extra pay

The standard working time is 40 hours per week. This limit set by the laws and regulations of the Czech Republic. If the employee works above the limit he/she must receive the following compensations required by the applicable provisions of the Labour Code:

**Overtime work** (Section 114, paragraphs 1 and 3) - the employee must receive a portion of his/her wages proportionate to the duration of overtime work plus an overtime premium amounting to at least

25% of his/her average earnings, unless the employer and the employee have agreed that an extra leave (corresponding to the duration of overtime work) would be granted instead of the overtime premium.

However, the overtime wage plus an overtime premium, or the extra leave, should not be given to an employee whose normal wages, as agreed in the employment contract, already include compensation for anticipated overtime work. It is important that this type of wages, with an overtime compensation already included, can be stipulated only in the contracts that specify the anticipated duration of overtime work. The statutory limit for overtime work agreed on this basis is 150 hours per calendar year. Once the 150-hour limit is exceeded, the employee must be given the standard overtime wage with an overtime premium, or an extra leave.

An employer who wants to grant extra leave rather than to pay an overtime premium must specifically agree on this with the employee.

**Work performed on public holidays** (Section 115) - the employee must receive a portion of his/her wages proportionate to the duration of such work plus extra leave corresponding to the duration of such work. During the extra leave the employee is entitled to a leave pay equal to his/her average earnings.

The employer and employee can agree that instead of the extra leave the employee will receive a premium in an amount not lower than his/her average earnings.

An employee who did not work because a public holiday fell on his/her regular working day must receive compensation equal to his/her average earnings.

**Night work** (Section 78, paragraph 1 (j) and (k), Section 116) - work performed between 22 hours and 6 hours if the employee works for at least three hours during this time.

The employee must receive a portion of his/her wages proportionate to the duration of such work plus a premium amounting to at least 10% of his/her average earnings.

The rules concerning regular work breaks, non-working days and weekly uninterrupted rest periods must also be observed.

**Work performed on Saturdays and Sundays** (Section 118, paragraph 1) - the employee must receive a portion of his/her wages proportionate to the duration of such work plus a premium amounting to at least 10% of his/her average earnings.

The rules concerning regular work breaks, non-working days and weekly uninterrupted rest periods must also be observed.

### 14.3.3. Wages

The amount of wages paid to an employee must not be lower than the minimum guaranteed wage level set by Government Regulation No. 567/2006<sup>3</sup> (Section 112 of the Labour Code).

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3 This Regulation is regularly amended – the current basic minimum wage level (CZK 55 per hour or CZK 9 200 per month for a 40-hour working week) is set by Government Regulation No. 204/2014 (in effect

This does not include overtime wages and extra payments for work on non-working days, night work and work on Saturdays and Sundays.

Employers may voluntarily undertake to pay additional wages (thirteenth- or fourteenth-month wages).

### **Paid leave**

The minimum annual leave entitlement is four weeks in a calendar year (Section 213, paragraph 1). An employee who has been employed with one employer on a continuous basis for a whole calendar year and has worked at least for 60 days years in the calendar year is entitled to the full amount of annual leave. An employee who has not been employed with one employer on a continuous basis for a whole calendar year but has worked for the employer for at least 60 days is entitled to a proportionate amount of the annual leave (Section 212, paragraph 1).

An employee who has not worked for the employer for at least 60 days is entitled to paid leave for the days worked, amounting to one twelfth of the annual leave entitlement per every 21 days worked in the calendar year (Section 214).

The employee is entitled to a leave pay amounting to his/her average earnings (Section 222, paragraph 1). 1). The employer is not allowed to make extra payments in lieu of annual leave unless the employment relationship is terminated (Section 222, paragraph 2).

### **Statutory time off, sick leave, maternity and parental leave**

The employer must allow the employee to take sick leave and maternity or parental leave and to take time off to care for a child aged under ten or other family members in cases defined in Section 39 of the sickness Insurance Act (Part Eight of the Labour Code).

The following payments are also mandatory under the Labour Code

- leave pay (Section 222 of the Labour Code), payments during statutory time off and in the event of lay-off or other disruption to work (Part Eight of the Labour Code and Government Regulation No. 590/2006 concerning the causes and duration of disruption to work)
- compensations for travel costs, subject to the conditions specified in Part Seven of the Labour Code.

The following are examples of optional allowances and benefits:

- meal allowances (meal vouchers);
- transport allowance;
- contributions to the supplementary pension scheme.

#### **14.3.4. Cooperating with Czech authorities**

The Ministry of Foreign Affairs of the Czech Republic recommends diplomatic missions, consular posts and international organizations to cooperate with labour, social security and health insurance inspectors, namely to provide all required information and documents related to the employment of locally engaged staff and to consider the possibility of permitting a workplace inspection, subject to the consent of the head of mission.

#### **14.3.5. Contact details**

Any questions regarding employment can be discussed with the Ministry of Labour and Social Affairs during its regular consultation hours on Wednesdays, 14:30-17:15 hours in the Ministry building at Na poříčním právu 1, Praha 2. Relevant information is also available on the Ministry website **[www.mpsv.cz](http://www.mpsv.cz)**.



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