



RESOLUTION OF THE GOVERNMENT OF THE CZECH REPUBLIC

dated March 26, 2020, No. 305

on adopting an emergency measure

Following the Governmental Resolution No. 194 dated March 12, 2020, by which the Government, in line with Art. 5 and 6 of the Constitutional Act No. 110/1998 Coll., on Security of the Czech Republic, declared a state of emergency for the territory of the Czech Republic due to threat of health in connection to proven outbreak of coronavirus designated SARS CoV-2 in the territory of the Czech Republic and in line with Section 5 letter a) to e) and Section 6 of the Act No. 240/2000 Coll., on Emergency Operation and on change of other Acts ("Emergency Act"), as amended, for the purpose of resolving the emergency situation, the Government hereby decided on adoption of emergency measures, under Section 5 letter e) and Section 6 (1) letter b) of the Emergency Act, as follows:

The Government:

instructs, in order to ensure continuity of the provision of non-insurance social benefits, the Labour Office of the Czech Republic and the Ministry of Labour and Social Affairs to proceed, for the duration of the state of emergency, in procedures concerning benefits pursuant to Act No. 117/1995 Coll., on State Social Welfare, as amended, Act No. 111/2006 Coll., on Emergency Benefit, as amended, Act No. 108/2006 Coll., on Social Services, as amended, Act No. 329/2001 Coll., on Benefits for Disabled Persons, amending certain related acts, as amended, and Act No. 259/1999 Coll., on Social-Legal Protection of Children, as amended, as follows:

1. in proceedings initiated ex officio, an issuance of a decision in the case may be the first act; in cases for which the law states that no decision is to be issued, the delivery of written notice may be the first act,
2. in proceedings initiated by request, when the fulfilment of conditions for entitlement to the benefit and for its payment and its amount is indisputable, an issuance of a notification in writing about the benefit and its amount which is not to be personally delivered, shall be the first act. In case of foster care benefits, the course of action is similar, the difference being that a decision shall be issued,
3. an application for the benefit may also be submitted electronically via a form set by the Ministry of Labor and Social Affairs, without a certificated electronical signature, or it may be scanned or photographed with hand signature, with scanned or photographed attachments proving decisive facts. If the option defined in Section 37 par. 4 second sentence of Administrative Procedure Code was used for submitting an application during a state of emergency, there is no obligation to confirm or supplement the submission pursuant to Section 37 par. 4 first sentence of the Administrative Procedure Code, if the Labor Office of the Czech Republic does not request said confirmation or supplementation. Aforementioned applies to further submissions containing decisive facts concerning the claim, the amount or the payment of the benefits in a similar manner,

4. a presumption of dependency of children applies to allowance for child's needs after reaching maturity, unless proven otherwise, and the payment of the allowance for child's needs is kept unless an authorized person requests a change of the payment. Territorial jurisdiction of a regional office of the Labor Office of the Czech Republic pursuant to the permanent address of the person who cares for the former child who reached maturity is kept.

To be implemented by:

Minister of Labor and Social Affairs
Labor Office of the Czech Republic

Ing. Andrej Babiš, m.p.
Prime Minister