

Information for a citizen applying for material need assistance

(Act No. 417/2013 Coll.)

The **applicant** for material need assistance is obliged to

- a) prove all the facts decisive for the right to material need assistance (*e.g. income, property family situation*);
- b) submit the documents necessary for a decision on the right to material need assistance at the request of the Office;
- c) allow for the verification of the facts necessary for the assessment of the right to material need assistance at the place of residence.

Before submitting an application for material need assistance, a citizen is obliged to make **claims** to ensure basic living conditions and assistance in material need. The claim for the purposes of this act includes

- a) maintenance according to a special regulation (*child maintenance, spousal maintenance, if they do not live in the common household*);
- b) substitute maintenance according to a special regulation (*substitute maintenance is provided by the Office*);
- c) social insurance benefits, pensions from old-age pension savings, pensions from supplementary pension savings, social security benefits, parental allowance, repeated contributions to support substitute care (*e.g. sickness benefits, unemployment benefit, pensions – old-age, invalid, orphan, widow/widower, except for early old-age pension*);
- d) a claim from an employment relationship or from a similar employment relationship (*e.g. unpaid wages*).

Exercise of right to sickness benefits:

If a citizen is a recipient of material need assistance and at the same time has a part time job, and becomes temporarily incapable of work, he/she is obliged to inform the physician of employment, the physician shall issue a document on the duration of the incapacity for work using the form of the Social Insurance Agency (not the form of the Office), on the basis of which he/she will claim sickness benefits from the Social Insurance Agency.

The assistance recipient is obliged to

- a) notify the Office in writing of changes in all facts decisive for the duration of the right to material need assistance within eight days (*e.g. change in income, property family situation, exercise of the right*). *If the assistance recipient or a member of the household is employed, he/she is obliged to submit a monthly income confirmation to the Office within eight days of its payment*;
- b) prove the required fact at the request of the Office within the period determined by the Office;
- c) allow for the verification of the facts necessary for the assessment of the right to material need assistance at the place of residence;
- d) deliver to the Office a confirmation of the beginning and end of the temporary incapacity for work of a member of the household within three working days from the date of issue of the confirmation of the beginning or end of the temporary incapacity for work;
- e) deliver to the Office, for the purposes of Section 10, a confirmation of the amount of hours worked in a legal relationship establishing the right to income from a dependent activity,

within three working days after the end of the calendar month in which this activity was performed.

Material need assistance is provided monthly in arrears to a bank account or in cash to an address in the Slovak Republic. The form and method of providing material need assistance is determined by the Office, and it may not be provided abroad.

ATTENTION:

The Office does not issue a written decision on the recognition and increase of material need assistance. The written decision is replaced by the payment (provision of material need assistance), i.e. collecting material need assistance at the post office or crediting the provided amount to the recipient's account. If the recipient is not satisfied with the paid amount of material need assistance, he/she can file an appeal against the received payment within 15 days of receiving the provided payment. *Example: if the recipient collect the material need assistance at the post office on 15 May, the last day of the deadline for filing an appeal is 30 May.*

Material need allowance (Section 10)

In the calendar month following the calendar month in which material need assistance was provided for the first time, every adult member of the household who does not have an agreed employment relationship of at least 32 hours per month is obliged to participate in:

- a) minor municipal services for the municipality or budget organization or contribution organization managed by the municipality;
- b) volunteer activity; or
- c) work to prevent an emergency situation, during a declared emergency situation and when eliminating the consequences of an emergency situation.

If an adult member of the household does not participate in the above activities, the benefit is reduced by the amount of the individual benefit for each adult member of the household.

The performance of the activity is ensured by the Activation Centres of the offices, which offer activities, control performance and record attendance. The offer of activities is delivered to citizens in person, electronically or by registered mail to the address of permanent residence, or to the contact address.

If a citizen is in a legal relationship that establishes a right to income from a dependent activity (agreement on the performance of work or an agreement on employment)

- a) **in the agreed range of less than 32 hours per month**, the monthly range of hours is determined as the difference between the agreed range from this legal relationship and 32 hours;
- b) **in the agreed range greater than or equal to 32 hours per month:**

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- he/she is not obliged to participate in the performance of the activity, the Office does not offer them;
- he/she is obliged to submit the monthly range of hours actually worked to the Office.

If the amount of hours worked is less than 32 hours, material need assistance will be reduced by the amount of the benefit for the individual. The citizen is obliged to submit the completed form "Certificate of the amount of hours worked" to the Office within three working days after the end of the calendar month in which this activity was performed. If a citizen is in a legal relationship and has been recognized by the attending physician as

temporarily incapable of work, and is provided with income compensation during temporary incapacity for work or sick leave of the employee - **the period of temporary incapacity for work is considered the period during which the citizen performed the agreed activity.**

- c) In the event that a citizen cannot participate in the offered activities due to the fact of being recognized as temporarily incapable of work by the attending physician for more than 15 consecutive days in a calendar month, the amount of hours (32 hours) is reduced by 1 hour for each day of temporary incapacity for work. The citizen is obliged to work the remaining hours.
- d) If the citizen refuses the offered activities or does not comply with the specified conditions stated in the Offer, the benefit intended to ensure basic living conditions shall be reduced by the amount of the benefit for an individual pursuant to Section 10 (3) of Act No. 417/2013 Coll. on material need assistance and on amendments to certain acts.
- e) In the event that the Office withdraws material need assistance, the citizen is obliged to sign up for health insurance as a self-payer, if he/she is not in the register of job seekers.
- f) As part of the inclusion in the performance of work activities, a citizen does not enter into an employment relationship. For that reason, the provisions of the Labour Code do not apply to the performance of activities.

Control of treatment regimen

The Office shall inspect compliance with the treatment regimen of a household member during temporary incapacity for work. The control is carried out at the address of permanent residence. If the physician indicates a different address of residence on the confirmation of temporary incapacity for work, the control will be carried out at this address.

Protecting allowance (Section 11)

If the citizen is temporarily incapable of work, he/she is obliged to submit to the Office a confirmation of the beginning or end of the temporary incapacity for work **within three working days from the issuance** of the confirmation by the general practitioner/attending physician on the form “Confirmation of temporary incapacity for work of a citizen/job seeker”, which is attached to the IN.

The protective allowance shall not be provided:

- in the calendar month in which non-compliance with the treatment regimen was identified
- from the calendar month in which you failed to submit the form of temporary incapacity for work until the end of the month in which this failure was identified.

The citizen is not obliged to submit the confirmation on the duration of temporary incapacity for work issued by the general practitioner/attending physician by the end of the month to the Office.

After submitting the confirmation of the beginning of temporary incapacity for work issued by the attending physician, the citizen will receive a request from the Office to submit the form “Opinion on the duration of the adverse health condition of a citizen in material need”. The form “Opinion on the duration of adverse health condition” must be confirmed by the attending physician if it is assumed that his/her incapacity for work will last longer than three months.

The citizen shall submit the form confirmed by the attending physician to the Office **no later than two weeks before the expiration of the three months of incapacity for work.**

Attention:

If the recipient of material need assistance does not comply with the request and does not submit the Opinion on the duration of adverse health condition form within the deadline set by the Office, the Office shall decide to stop the provision of material need assistance in accordance with Section 25 (4) of Act No. 417/2013 Coll. on material need assistance. If the citizen submits the form after three months of the adverse health condition, the Office will resume the payment of material need assistance, but without the protecting allowance. If the citizen does not submit the form to the Office within three months from the date of termination of the provision of material need assistance, the Office shall decide to terminate the right to material need assistance.

If the medical examiner confirms by the “Opinion on duration of adverse health condition” form that the adverse health condition of the household member does not continue after 3 months, the household member is obliged to participate in the activities specified in Section 10 (3) of Act on material need assistance in the amount of 32 hours per month, despite the fact that the incapacity for work continues.

If the recipient of the assistance or a member of the household is a pregnant woman from the beginning of the fourth month of pregnancy, she shall prove to the Office that she attends regular examinations at the gynaecologist by submitting a pregnancy certificate.

If the recipient of the assistance or a member of the household is the parent of a child under one year of age, he/she shall demonstrate personal, all-day and proper care by submitting a confirmation from the paediatrician that he/she attended a preventive examination with the child (9 preventive examinations up to one year of the child's age).

Done at dated

citizen's signature