**The Scope of the Local State Administration in Slovakia During the Pandemic of COVID-19[[1]](#footnote-1)**

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**Abstract**

The state administration represents an integral and irreplaceable part of a system of public administration in each country. The central administration authorities have state power, through which they apply laws and all national policies, thus interfering with every segment of public life and directly affecting functioning of society across the national territory. The importance of ministerial departments and other national bodies to society is unquestionable. However, in case of the Slovak Republic, there is a particular level of general local state administration. It has been in its current form since 2013 and it is represented by 72 district offices. For government and central ministries, district authorities constitute an important intermediary with citizens living in the remote regions. District offices through their competencies intervene in several important areas of public life such as business, housing, agriculture, registry, transport, or civil offences. During the COVID-19 pandemic, public institutions had to deal with many undesirable issues. The Slovak district offices received new assignments, such as cooperation with local self-governments during mass population testing and screening for COVID-19 disease. They also held hearing with citizens, who have violated pandemic regulations.

The paper’s main purpose is to identify and analyse scope of Slovak district offices during the COVID-19 pandemic. Our objective will be to focus on new competencies and assignments, that district offices must have done during the pandemic and describe each activity and process carried out by district offices.

Keywords: State administration, local state administration, district offices, Slovakia, COVID-19.

**Introduction**

The COVID-19 pandemic influenced the world and significantly affected lives of the whole society. It had curtailed citizens, paralyzed private sector, and no exception has been given to public authorities. Over time, the social issue has also become an economic and political problem. Representatives of national government cabinets had to find adequate solutions on how to proceed in an unwanted situation. These measures are mostly implemented through public authorities, which form the institutional framework and the state apparatus. The most important issues are frequently mentioned by the government, parliament, president, or ministerial departments on nationwide level. However, other state administration offices and self-government bodies also took part in resolving the unexpected situation to varying degrees. Hence, in this paper, we will focus on the scope of lower levels of public administration. Specifically, we will examine the scope of district offices that act in local state administration in Slovakia. The Ministry of the Internal Affairs of the Slovak Republic, as the superior body for district offices has also delegated selected competencies to this lower and decentralized level.

From a practical point of view, it was a matter of redistribution of funds for population testing and conducting negotiations with citizens related to the violation of anti-pandemic acts. The output of the paper identifies new competencies of district offices and points out the overall sum, administrative burden, typology of sanctions and the amount of the fines.

**State administration as a subsystem in the system of public administration**

Public administration is an integral component of each modern and democratic political system. It intervenes in a wide range of public affairs and mediates a notable number of public services for residents. Therefore, we could evaluate, that there is no state system of government, which could work and implement ideology without a fully established public administration including state administration [1].

State administration represents an important part of each system of public administration. It is a space, where the most significant decisions of national importance are implemented. All those actions are realised through a tool called state power. Such a significant mechanism cannot deal with any subject, individual, or authority. In order to acquire such a form of power, it is necessary to obtain the legitimate consent of citizens, through elections. In the elections, political entities run, making the space of state administration undoubtedly a certain political and institutional base for the ruling party or coalition. Subsequently, are important also joint ties between state administration and other state components such as the legislature and the judiciary [2].

State administration can be examined from various perspectives. In short, we may characterize it as conducted state policy, which shows the real interests of the state – as we have written, the interests of the political parties that the citizens chose in the general elections. Another important feature is that these activities are applied to objects that must be subordinated. As objects, we may define inhabitants, regardless of nationality, as the law applies to transit people in real-time and entrepreneurs, who carry out their business activities in the territory of the state [3].

However, in a broader sense, the state administration is a set of several government activities that are implemented in parallel, such as:

* Organizing – constant activities aimed at fulfilling assignments in various sections of public policy,
* Implementing – the performance of state administration is carried out specifically within the valid legislation,
* Execution – through the execution are continuously performed the whole competency framework of state administration bodies,
* Regulation – this form consists of imposing responsibilities towards citizens and other objects. To do this, the authorities use acts that apply to all citizens and administrative adjudgments against individuals,
* It should be also noted that all of these activities are financed directly from the state budget and within the organisational structure of state administration applies a system of superiority and subordination. Subsequently, the employees inside the state institutions create a personnel state mechanism [3].

In the foreign scientific literature, it is even pointed out that the state administration is the most important part of public administration and has a wide pronounced impact on the whole society. This argument is based on the fact that the most social, economic, and political decisions are implemented through the state administration, and it shapes the national and foreign course of the state. Nowadays especially in the countries of the European Union, there are many cases, where a state administration is in a weakened position after decentralization processes. In this scenario, it must be stated that the state administration is indeed a significant part, but its real position may be weaker in some countries at the expense of local or regional self-government. For state administration status are important principles constituted by the European Union, they are also sought through them to contribute to multilevel governance and the application of the fundamentals of subsidiarity. Thus, reducing the scope of state administration again. The EU obviously does not apply these concepts only within their administrative structure, but also strives to make them implemented by member states [4].

In this context is also important to point out, that a significant factor influencing the form of state administration is the state establishment. Unitary states and federations are typical especially in Europe. Unitary states are characterized by a uniform model of central authorities operating throughout the territory. On the contrary, the federations have state administration bodies at the federal level as well as the degree of the individual federal countries [5].

**The local state administration system in Slovakia**

The state administration is carried out in Slovakia at three levels. The central, regional, and local degree [6]. The noticeable difference between ministerial departments and lower territorial bodies is that the local or regional authorities exercise their powers specified in the demarcated territory. The case of Slovak public administration consists of regional (deconcentrated) bodies and local levels created by district offices. In addition to territorial scope, further distinguishing feature is a competence framework. Central ministries have selected segments of public life, but district offices are representative of the local state administration that intervenes with its agenda in several sectors of public affairs [7].

In the Slovak public administration is applied the so-called dual system of local state administration as well. It means, that within the structure of public administration at the local level are two independent units, without a relation of superiority and subordination. Their relationship is based on active cooperation. The first type represents already mentioned district offices as direct executors. The second indirect implementers are municipalities, through the delegated competencies of state administration. However Slovak legislation determines the primary body of local state government district offices. These authorities were established on 1 October 2013, after the implementation of the ESO reform. The complex of Slovak territorial state administration also confirms the existence of so-called specialized local state administration. Specialized authorities carry out their agenda at the municipal or regional level. Unlike district offices, their authorities’ competency framework is limited only to one selected area. As an example, we could point out tax and customs offices, or regional monument offices. It is also worth mentioning, that several offices were supposed to be part of district offices. However, during the implementation of the ESO programme, the reform team could not have done these priorities because of several significant obstacles. Those were primarily caused due to limited administrative, personal and infrastructure capacities [8].

***The reform ESO***

The initial idea of applying the ESO reform originated in a circle of ruling party SMER-social democrats in 2012. The events that happened in society associated with economic recession and financial crisis the government cabinet had to implement several important measures to support and stabilize economy and state budget. In addition to tax changes and a wide number of spending cuts, there was one form of saving public finance the transformation of the public administration model, more specifically, the state administration [9].

The reform was built on qualitative improvements and changes in the organisational system of local state administration. The primary purpose was the idea, that citizens and entrepreneurs, as clients of the public services, could have dealt with a wide range of operations in one place and did not visit plenty of different offices. The whole implementation took place on principles of integration of sectoral offices into one comprehensive district office. From the practical perspective, it was a merging of separately seated authorities transformed into an integrated section of the district office [8].

Furthermore, the reform was supposed to save considerable funds, not only for state bodies, but also for citizens and private enterprises. It applies to new management mechanisms in the field of public administration and finally clarifies the whole system of state administration. The reform was implemented by regulations and acts. It was an important part of the government manifest from 2012 to 2016. However, from the beginning a professional community and experts were puzzled by frequent changes in official projects and misunderstandings from politicians and members of the reform group. Initially, the reform suggested an integration of many separate offices, including those the most visited ones, such as social insurance branches and labour offices. Then, after recognising multiple reasons such as insufficient capacity and place in public buildings, etc. the reform team decided to keep mentioned offices separate as a part of specialized local state administration. The reform also assumed notable savings of public funds. As a matter of fact, it has never been precisely defined. However, the final sum of savings for the state budget should have been more than 500 million euros [10]. The final audit was carried out by the Supreme Audit Office of the Slovak Republic. In the post-reform studies of the supreme office have never been these savings verified though [11].

***The organization structure and scope of Slovak district offices***

At the present in the Slovak Republic exist 72 district offices. However, if we would focus on the administrative map, we may observe 79 districts at all. The numeric difference is caused by the fact that there is only one district office in the whole capital of Bratislava. According to the administrative map it consists of 8 districts though. A similar situation is in the second largest town in Košice, which is composed of 5 administrative units and two district offices. The leading expected step was a larger economic efficiency in the performance of state administration. The representatives of the reform group decided to create only one extensive authority instead of more offices with limited agenda. The last specificity is Štúrovo. It has never been an administratively significant town in its area, however, one of the principal objectives of the reform ESO was to guarantee to citizens that they will not travel more than 50 kilometres to the district office [12]. Therefore, we may evaluate, that affairs regarding adherence to and copying of administrative borders were not observed and it also could be an interesting opportunity for future changes such as merging or expanding district offices.

Moreover, the district offices are categorized into three levels. The first is created by authorities seated in eight regional towns. They have a most expanded scope and with their competency framework interfere across the whole regional territory and parts of the remaining districts in the region. The second level disposes of a reduced scope and the third even more [7]. We may state that this is a truly limited and supplementary agenda, which is the most frequently required among citizens.

The district offices receive an annual fixed budget in advance from the responsible and superiorly Ministry of the Internal Affairs. They are also not capable to carry out public procurement. Therefore, district authorities do not have status indicating legal subjectivity. At the same time, however, the legislation allows the head of the office to represent in court. When the ESO reform was applied, the reform team of the Ministry of the Interior argued, that legal subjectivity would only complicate the efficiency and overall performance of the authorities and burden the unnecessary matters. Also, this time, we may notice that the priority of reform was implemented through management processes taken from the private sector and a courageous effort to perform a state administration as much as possible efficiently. At the same time, however, this is not a problem for the district authorities. The level was established priority for providing public services, not for any extensive implementation of government ideology. In addition, this was for the very first time, when local state administration authorities in Slovakia do not dispose of the competence of their own public procurement [13].

As we have mentioned above on, the responsible subject, who stands at the top of the hierarchy is the head of the office. The high-profile representative is directly liable for the coordination and management of the whole authority. The head is appointed by the Government of the Slovak Republic on a proposal of the Minister of Internal Affairs. The legal conditions are set only to integrity, Slovak citizenship and reaching the age of 18 [14].

The executive’s responsibilities include the following competencies:

* Fulfilling the complete framework of state administration assignments within its organization,
* Singing of regulations,
* Creation of adequate preconditions for the purpose of effective management, methodological assistance to the staff of its authority and preparation for any type of control by the central department to which the section of district office belongs,
* Represents the district office in procedural proceedings, or may entrust another an employee from its institution,
* Prepares and approves the Offices annual work schedule and financial plan. The financial plan is subsequently submitted to the Ministry of the Interior of the Slovak Republic for approval,
* If is a head of the Office authorized by the ministerial department, also may realise a personnel management agenda, and hire new employees,
* Draws up a working time schedule for its employees,
* Carries out regular inspections at the workplace to achieve a continuous increase in performance at the office,
* Represents the district office in negotiations with representatives of other state bodies and deputies of local and regional self-governments,
* Provides protection for civil servants in the workplace, security of their personnel information and prevention of leakage of non-public state data [14].

The agenda of the district authorities are currently truly extensive, even though the education section has been abolished since 2021 and transferred into the Ministry of Education scope. The citizens and entrepreneurs may solve a wide range of affairs related to registry matters, business permits, land register, environment, district roads, agriculture, housing policy, personal documents, and many others. Within the presented contribution we deal with the competence of district offices during the fall of pandemic COVID-19. In this case, the section of general internal administration has become particularly significant. It held hearings with citizens who, by their conduct or activity violated regulations created in order to protect public health. In addition, it is perhaps the most widespread section in terms of its scope. This department of the district office provides a complete hold of infringement proceedings, and cooperation in organizing all elections and referendums in Slovakia. They are involved in the distribution of ballot papers, methodological and guidance activities for local and regional self-government, delivering ballot papers and noting down electronic data on final election results in collaboration with representatives of the Statistical Office of the Slovak Republic. Furthermore, citizens and non-profit organizations may register for public collections. Subsequently, the section is responsible for managing the register of those collections. In addition, general internal administration carries out registry as they verify domestic and foreign language documents [15].

District offices have also acquired new competencies in a redistribution of funds for testing the population against COVID-19 disease. In the field of mandatory and mass testing, Slovakia was one of the only few countries that introduced this unpopular step. By the end of 2021, more than 55 million euros had passed through all district offices in Slovakia. They were responsible for reimbursement of rescue expenses, distribution of funds between municipalities that provided testing points, purchase of respirators and tests for students at primary schools, and other administrative and material equipment regarding COVID-19 purposes [16].

**The analyse of proceedings related to the violation of the regulations against the spreading of COVID-19 disease**

In the previous chapter, we identified several ordinary and new assignments and competencies, that were transferred into the scope of district offices. Many European and global countries had various problems with adhering to COVID-19 regulations. That is a reason, why we decided to focus in the following graphs on how many hearings were held, what kinds of sanctions were applied by Slovak authorities and what was the average amount of financial fine.

Graph 1. Total number of hearings in the Slovak regions (from 1 May 2020 to 30 April 2022)[[2]](#footnote-2)

Graph 1 shows us how many hearings were held at district offices in the region’s headquarters related to the violation of the COVID-19 regulations. As it can be observed, a balanced or a similar sum prevails between the particular offices. However, there is a very significant increase in those hearings in the Košice region. In general, it is one of the less socially and economically developed regions in Slovakia. After further communications with the Košice district office, we understand that citizens simply did not adhere to the regulations of the government and health authorities. Likewise, some offenders have been sanctioned multiple times. This subsequently had to be reflected in the excessive burden on the administration of the Košice district office.

Graph 2. Total percentage between punishment by a fine (blue) and rebuke (red) in the Slovak regions (in %)[[3]](#footnote-3)

According to Act no. 372/1990 coll. Offences law, the legislator left the choice of a citizen’s sentence to the district office. However, the two possible sentences are fine and rebuke. Graph 2 observed, what type of sanction the district authorities used. We may divide them into two groups, where Bratislava, Žilina, Prešov and Košice authorities strongly preferred financial sanctions. It is worth mentioning especially the Košice office, which with a high number of hearings had to obtain significant revenue from administrative fines. On the other hand, Trnava or Trenčín used the sanction of rebuking a citizen as a preferred option. In such a case, from a practical point of view, the hearings had to cause only unnecessary costs for the district authorities. As hearings are administrative, personnel and time-consuming tasks. However, citizens were exempted from spending during the difficult period of the pandemic.

Graph 3. The average amount of a financial sanction (the Euros)[[4]](#footnote-4)

In the last Graph 3, we may observe the average amount of a financial sanction. It is no surprise that the highest fines were imposed in Bratislava, Trnava, Nitra and possibly Žilina regions. As these are the economically most developed regions in Slovakia. On the contrary, it is worth mentioning Trenčín, where both the preferred sanction was a rebuke, and the average amount was the lowest. Graph 3 also shows the Slovak average of 34,56€.

**Conclusion**

The COVID-19 pandemic significantly affected social events. It has caused many losses and unsolicited issues to the civil, public, and private sectors. State administration as an integral part of public administration and the political system had to deal with it as well. In addition to the ministerial department, other lower government structures have been involved in solving many important assignments.

We may evaluate, that the process of implementation of the reform ESO was not simple and seamless. The political aspects are truly serious for creating and establishing any public administration component. Sometimes the political decisions work oppositely and are counterproductive. What makes unwanted problems for public services and their final quality. Nevertheless, district offices are nowadays completely working and mediating wide agenda for citizens, which we may have genuinely recognised and confirmed above all during pandemic COVID-19.

The public administration experts in Slovakia frequently talk about the importance and needs of district offices, as well as whether an integrated or separate local state administration model is more effective. In the presented paper we pointed out the fact that during pandemic district offices fulfilled selected significant competencies. Although the issue of reform of the public administration model represents an interesting possibility, the current structure has shown certain reliability within the state apparatus and has fulfilled its purpose.

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3. The data were obtained by submitting an application under the Freedom of Information Act (Act no. 211/2000 Coll. Freedom of Information Act). [↑](#footnote-ref-3)
4. The data were obtained by submitting an application under the Freedom of Information Act (Act no. 211/2000 Coll. Freedom of Information Act). [↑](#footnote-ref-4)