GLOBALG.A.P. Risk-Assessment on Social Practice (GRASP)

GRASP Module – Interpretation for Czech Republic

GRASP Module Version 1.3-1-i June 2020

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English Version

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Cont	rol Point	Compliance Criteria	Interpretation for Czech Republic
EMPL	LOYEES' REPRESENT.		
1	Is there at least one employee or an employees' council to represent the interests of the staff to the management through regular meetings where labor issues are	Documentation is available which demonstrates that a clearly identified, named employees' representative(s) or an employees' council representing the interests of the employees to the management is elected or in exceptional cases nominated by all employees and recognised by the	For GRASP compliance, in addition to the local law, the farm shall have a representative or a form of representation when the farm has more than 1 employee (employee concept is defined in section 9.2 of the GRASP General Rules). Any producer with minimum 1 employee shall have a form of employees' representation that can be applied to meet the GRASP requirements as indicated in the different control points with respect to the employees' representative (ER). There shall be a form of employees' representation, decided by the employees
	addressed?	management. The election or nomination takes place in the ongoing year or production period and is communicated to all employees. The employees	freely and without management interference. In case the workers do not elect an employee's representative, it does not exempt the farm to comply with other CPCCs that underlines roles of the employees' representatives.
	representative(s) shall be aware of his/her/their role and rights and be able to discuss complaints and suggestions with the management. Meetings between employees' representative(s) and the management occur at accurate	The ultimate form of representation shall be the one that is more efficient to comply with local laws and all GRASP CPs and when local laws accept it, several can coexist as long as one is aware of the roles and responsibilities of GRASP. Local laws accept trade unions representations, and safety representative and workers councils. See Section 276(1) Labour Code	
		frequency. The dialogue taking place in such meetings is duly documented.	Therefore, in order to apply GRASP, producers with three or less workers (Act No. 83/1990 Coll., three members can establish a trade union organization, or an employer organization) shall find a suitable form of representation, which is free and without management interference. It shall be understood that this representation will be limited to the GRASP implementation only.
			Provision of confidential information is only possible if it does not jeopardize the employer's interests (Section 11 of Act No. 412/2005 of the Collection of Laws of the Czech Republic (Sb.), on the protection of classified information.) Employees' representatives shall not be placed at an advantage or disadvantage

concerning their rights to information because of the performance of this activity.

Contro	ol Point	Compliance Criteria	Interpretation for Czech Republic
			Trade unions act in labour relations including collective bargaining; an employees' council and occupational health and safety representative may be elected if there is no trade union operating in the plant. Employees' representatives are obliged to inform employees in a suitable manner about the activities pursued by the employees' representative, about the contents and conclusions of information and discussions with the employer.
	NAME PROCEDURE		Trade union representatives, workers council or health safety representative performing or delivering task of GRASP, shall be evaluated by auditor. During a GRASP assessment, auditors shall get evidence that the trade union representative, workers council or system representing the workers' interest (no matter the representative chosen) has full awareness of this and its responsibilities in the different in CPs 1,2,4, and 10. This shall be documented to be reviewed by the auditor.
	PLAINT PROCEDURE		
2	Is there a complaint and suggestion procedure available and implemented in the company through which employees can make a complaint or suggestion?	A complaint and suggestion procedure appropriate to the size of the company exists. The employees are regularly informed about its existence, complaints and suggestions can be made without being penalized and are discussed in meetings between the employees' representative(s) and	There shall always be a system to file complaints or suggestions as indicated for GRASP. This system shall be communicated to all employees. The employer is obliged to discuss with the employee or, if requested by the employee, with the trade union or employees' council or occupational health and safety representative a complaint of the employee concerning the exercise of rights and obligations arising from labour relations. If there is a trade union or employees' council at the employer, it is appropriate to
		the management. The procedure specifies a time frame to answer complaints and suggestions and	file complaints and communications through them using the system established as indicated in this CP
		take corrective actions. Complaints, suggestions and follow-up solutions from the last 24 months are documented.	If there is neither a trade union nor a works council at the employer, the employee has the right to file a complaint on his/her own, using the system indicated in this CP
			The method of filing complaints and the related procedure, as well as the method of keeping the records of such complaints are usually set out individually by employers. This system will be evaluated as per the requirements indicated in this CP by the auditor.

Contro	ol Point	Compliance Criteria	Interpretation for Czech Republic
			The complaint procedure, through which employees can make a complaint, must be available on the farm.
			When less than 3 workers, and/or neither trade union or worker council representation exist there shall be a system that replaces the employees' representative roles, e.g. complaint box, workers' meeting with management where complaints are discussed,
			Farm management shall indicate clearly the system for complaints according to their needs and the local law. An employees' representative shall inform the auditor about the efficiency of the system and how this is evaluated considered in the meeting with management. In addition, documents shall show the process and how the system is communicated to the workers. If workers have not good language command, then the system shall be available in the language used to instruct the workers.
			A system shall be accessible in all workers languages and/or consider lack of ability to read or write. (oral instructions)
SELF-	DECLARATION ON G	OOD SOCIAL PRACTICES	
3	Has a self- declaration on good social practice regarding human	The management and the employees' representative(s) have signed, displayed and put in practice a self-declaration assuring	The Czech Republic has ratified conventions of the International Labour Organization (ILO) regulating labour relations and conditions. These conventions are superior to the Czech legal regulations so the employers have to comply with them in the territory of the Czech Republic.
	rights been signed	good social practice and human	
	by the management	rights of all employees. This	They include the following conventions:
	and the employees'	declaration contains at least	Convention 11 – Right of Association (Agriculture) Convention (98/1924 Coll.)
	representative and has this been	commitment to the ILO core labor	Convention 29 – Forced Labour Convention (506/1990 Coll.)
	communicated to	conventions (ILO Conventions 111 on discrimination, 138 and 182 on	Convention 87 – Freedom of Association and Protection of the Rights to Organise a Convention (489/1990 Coll.)
	the employees?	minimum age and child labor, 29	Convention 98 – Right to Organise and Collective Bargaining Convention
	op.o., 000.	and 105 on forced labor, 87 on	(470/1990 Coll.)
		freedom of association, 98 on the	Convention 99 - Minimum Wage Fixing Machinery (Agriculture) Convention
		right to organize and collective	(470/1999 Coll.)
		bargaining, 100 on equal	Convention 100 – Equal Remuneration Convention
		remuneration and 99 on minimum	(450/1990 Coll.)
		wage) and transparent and non- discriminative hiring procedures	Convention 105 – Abolition of Forced Labour Convention (231/1998 Coll.)

Control Po	oint	Compliance Criteria	Interpretation for Czech Republic
		and the complaint procedure. The self-declaration states that the employees' representative(s) can file complaints without personal sanctions. The employees have been informed about the self-declaration and it is revised at least every 3 years or whenever necessary.	Convention 111 – Discrimination (Employment and Occupation) Convention (465/1990 Coll.) Convention 122 – Employment Policy Convention (490/1990 Coll.) Convention 135 – Workers' Representatives Convention (108/2001 Coll.) Convention 138 – Minimum Age Convention (24/2008 Coll.) Convention 144 – Tripartite Consultation Convention (109/2001 Coll.) Convention 155 – Occupational Health and Safety Convention (20/1989 Coll.) Convention 182 – Worst Forms of Child Labour Convention (90/2002 Coll.) The self-declaration shall indicate farm consideration even for those ILO conventions that were not ratified by the country. The declaration shall include the willingness to comply, protect and actively have processes to protect those rights. It shall explain how the employee representative shall be able to present complaints on the rights included in the declaration. In case there is no employees' representative and/or neither trade union or worker council representation exist (and CP1 is non-applicable), then an alternative system shall be in place to provide for the role of the employees' representative in this CP.
ACCESS T	TO NATIONAL LAB	OR REGULATIONS	
res imp GR and rep hav	o the person sponsible for the plementation of RASP (RGSP) d the employees' presentative(s) ve knowledge of access to recent	The responsible person for the implementation of GRASP (RGSP) and the employees' representative(s) have knowledge of or access to national regulations such as gross and minimum wages, working hours, trade union membership, anti-discrimination,	Evidence of access to national legislation (what is the access and how) shall be provided to auditor during assessment and shall be cross-checked with Employees' Representative. If the access is electronically provided, then the auditor shall check that there are means for this accessibility in the form of resources provided to reach the information at all times that workers are present.
nat	tional labor gulations?	child labor, labor contracts, holiday and maternity leave. Both the RGSP and the employees' representative(s) know the essential points of working	In case there is no employees' representative and/or neither trade union or worker council representation exist (and CP1 is non-applicable), then an alternative system shall be in place to provide for the role of the employees' representative in this CP.
		conditions in agriculture as formulated in the applicable	The employer is obliged to ensure the occupational health and safety of employees considering to the risks to their life and health of work. The employer's

Contr	ol Point	Compliance Criteria	Interpretation for Czech Republic
		GRASP National Interpretation Guidelines.	obligation to take care of occupational health and safety forms an integral and equally important part of the work obligations of managers. The employer is obliged to provide employees with sufficient and adequate information and instructions concerning occupational health and safety. The employer is obliged to provide employees with training on legal and other regulations to ensure occupational health and safety. The training shall be provided by the employer to its new employees and to the employees whose function, kind of work or technologies have changed. The employer is obliged to provide a trade union and an occupational health and safety representative with training making it possible for them to exercise their function properly, and to provide them with access to legal and other regulations to ensure occupational health and safety. The main responsibility for health and safety at work is with the employer according to the law. Employer pass these obligations to executives who must ensure that all employees have been trained and have knowledge of the regulations. Employer's obligation is also to ensure that worker health and safety and employee representatives have sufficient knowledge, undergone training and access to all relevant documents and regulation.
5	Can valid copies of	For every employee, a contract	The employment is established by a working contract between the employer and
	working contracts be shown for the	can be shown to the assessor on request (on a sample basis). Both	employee.
	employees? Are the	the employees as well as the	The working contract shall contain:
	working contracts	employer have signed them.	- contact data of the contracting parties (i.e. employer and employee)
	compliant with	Records contain at least full	 kind of work to be performed by the employee for the employer
	applicable	names, nationality, job description,	 place(s) of work where the work is to be performed
	legislation and/or	date of birth, the regular working	- date of the employment commencement
	collective bargaining	time, wage and the period of	- duration of employment.
	agreements and do they indicate at least	employment (e.g. permanent, period or day laborer etc.) and for	Please add:
	full names, a job	non-national employees their legal	For GRASP, records shall contain at least full names, nationality, job description,
	description, date of	status and working permit. The	date of birth, the regular working time, wage and the period of employment (e.g.
	birth, date of entry,	contract does not show any	permanent, period or day laborer etc.). Even when the local law does not include
	wage and the period	contradiction to the self-declaration	these requirements for working contracts, any farm under GRASP assessment
	of employment?	on good social practices. Records	must comply with all these requirements
	Have they been	of the employees must be	
	signed by both the	accessible for the last 24 months.	

Contro	ol Point	Compliance Criteria	Interpretation for Czech Republic
	employee and the employer?		When labor is subcontracted, auditor shall check requirements and check on local regulations of subcontracted employment
			The working contract has to be made in writing. Each contracting party has to obtain one counterpart of the working contract. The employee is entitled to a wage, salary or remuneration for the performed work.
			The wage is either agreed in the contract or set out by the employer in an internal regulation. A written wage assessment must be issued by the employer on the day when the employee commences employment. The wage assessment contains details about the method of remuneration, and the date and place of payment of the wage. The employer is also obliged to state details about the pay grade, pay step, pay scale and other regular monthly pay components. The amount of the minimum wage is set out by the government in its Decree (unless it agrees with the social partners - trade unions, employers).
PAYS			
6	Is there documented evidence indicating regular payment of salaries corresponding to the contract clause?	The employer shows adequate documentation of the salary transfer (e.g. employee's signature on pay slip, bank transfer). Employees sign or receive copies of pay slips / pay register that make the payment transparent and comprehensible for them. Regular payment of all employees during the last 24 months is documented.	Wages or salaries are payable after the work performance, at the latest in the calendar month following the month in which the employee became entitled to the wage or salary or to any component of the wage or salary. The regular pay day has to be agreed, set out or determined to be in the period stated in the preceding sentence. In the monthly settlement of wages or salaries the employer is obliged to provide the employee with a written document containing information about individual components of the wage or salary and deductions. If requested by the employee, the employer shall present documents based on which the wage or salary was calculated. Assignment of the right to a wage, salary or remuneration based on agreement or their compensation is prohibited. Documents shall consider language or education barrier to potential understanding of evidence of payment. Auditors shall check that all the information requested by the local laws is transparent and comprehensible for workers in the documents.
WAGE	S		transparent and comprehensible for workers in the documents.
7	Do pay slips / pay registers indicate the conformity of payment with at	Wages and overtime payment documented on the pay slips / pay registers indicate compliance with legal regulations (minimum wages)	For the time of overtime work the employee is entitled to the wage to which they became entitled for such time, unless the employer and the employee agree on time off in lieu.

Control Point	Compliance Criteria	Interpretation for Czech Republic
least legal regulations and/or collective bargaining agreements?	and/or collective bargaining agreements as specified in the GRASP National Interpretation Guideline. If payment is calculated per unit, employees shall be able to gain at least the legal minimum wage (on average) within regular working hours.	For the time of work on rest days the employee is entitled to the attained wage and time off in lieu to the extent of the work performed on the rest day. For the time of night work and work on Saturday and Sunday the employee is entitled to the attained wage and a bonus amounting to no less than 10 % of the average earnings. For the time of work in an arduous work environment the employee is entitled to the attained wage and a bonus. Wages in kind may be provided by the employer only with the employee's consent. The amount of the wage paid in money to the employee by the employer must not be lower than the relevant minimum wage. Overtime work can be performed only rarely. An employer may order overtime to
		employees in case of serious operational reasons. Overtime may not be more than 8 hour a week and 150 hours per calendar year. The employee must agree with overtime work.
		Pay slips or other instrument used shall mention wages and overtime.
		The wage/public sector pay must not be lower than the minimum wage set out by the Government Decree on the minimum wage. Every employee is entitled to a salary the minimum amount of the minimum wage. This law applies to full time employees but also to secondary employment on agreement on work performance (student's job, contract for work etc.). Entitled to a minimum wage arises in any employment or legal relationship based on agreements.
		For 2020, the minimum wage is CZK 14,600 (for 40 hours per week). Where an employee's wage is lower than the minimum wage, the employer is obliged to top it up. The wage does not include work at weekends or on public holidays and overtime work. Where a trial period is agreed, it must not exceed 3 months
		The employees shall have an equal pay or equal agreement-based remuneration for equal work or for work of equal value. Equal work means work of equal complexity, responsibility and laboriousness that is carried out in the same or comparable working conditions. When paying a monthly wage or public sector pay, the employer is obliged to provide the employee with a written document

Control Point Compliance Criteria		Compliance Criteria	Interpretation for Czech Republic
			containing details of all the components of the wage or public sector pay and the deductions made. The employee may require documentation of such calculation.
NON-	EMPLOYMENT OF MIN	IORS	
8	Do records indicate that no minors are employed at the company?	Records indicate compliance with national legislation regarding minimum age of employment. If not covered by national legislation, children below the age of 15 are not employed. If children -as core family members- are working at the company, they are not engaged in work that is dangerous to their health and safety, jeopardizes their development or prevents them from finishing their compulsory school education.	The Czech Republic has ratified the ILO Convention 138 – Minimum Age Convention. This Convention sets 15 years as the minimum age of employment or work in the territory of the Czech Republic. Children or young workers of company management shall be included in the GRASP assessment. For GRASP compliance, no young worker (between 15 and 18 years) shall work in any activity that is dangerous to their health and safety, jeopardizes their development or prevents them from finishing their compulsory school education. Employment of children below 15 years of age or children who have not finished their compulsory school education is prohibited. Such children may only pursue artistic, cultural, advertising or sports activities. A child who has reached 15 years of age and finished their compulsory school education may commit to perform depended work under another legal regulation. A person attains full legal capacity upon reaching the age of majority. The age of majority is 18 years.
A 0.00	TOO TO COMPLIE CODY	COLLOCK EDUCATION	
9	Do the children of employees living on the company's production/ handling sites have access to compulsory school education?	There is documented evidence that children of employees at compulsory schooling age (according to national legislation) living on the company's production/ handling sites have access to compulsory school education, either through provided transport to a public school or through on-site schooling.	N/A in case no employees' children of compulsory schooling age are living on the company's production/ handling sites. It is a GRASP requirement, that when there are minors living in the farm premises, the administration shall: 1) Keep a list with the location, name, age, parents' information of the minors 2) Provide evidence that the families have been notified of the necessity that their children go to school. This shall be sampled through the registration system used by the farm to provide housing to the workers. A system shall provide the information needed to see the number and ages of the people living in the housing provided or located on the farm premises. In the territory of the Czech Republic, school education is compulsory for nine school years but no more than until the end of the school year in which the pupil

Contr	ol Point	Compliance Criteria	Interpretation for Czech Republic
			reaches 17 years of age. Compulsory school education applies to the citizens of the Czech Republic and the citizens of other EU Member States who stay in the territory of the Czech Republic for more than 90 days. Compulsory school education begins at the beginning of the school year that follows the day when the child reaches 6 years of age, unless suspension of the child's education is permitted. A child has to be registered by their legal guardian for compulsory school education. Pupils undergo compulsory school education at the basic school established by the municipality or a union of municipalities seated in the school district where the pupil has their permanent residence, unless the pupil's legal guardian selects a school other than the school in their catchment area. Municipalities are obliged to secure the conditions for the fulfilment of compulsory school education of children who have their permanent residence in the territory of the given municipality. Municipalities establish and dissolve basic schools or arrange fulfilment of compulsory school education at a basic school established by another municipality or union of municipalities. Another method of fulfilment of compulsory school education is individual education taking place without regular attendance of the school, and education of pupils with a severe mental disability.
	RECORDING SYSTEM		
10	Is there a time recording system that shows working time and overtime on a daily basis for the employees?	There is a time recording system implemented appropriate to the size of the company that makes working hours and overtime transparent for both employees and employer on a daily basis.	For GRASP, a recording system of working time shall be included even when is not mandatory by the local law. Records are regularly reviewed by the employees and accessible for the employees' representative(s).
	ale employees.	Working times of the employees during the last 24 months are documented. Records are regularly approved by the employees and accessible for the	The document used shall be transparent (to the worker and the employer) working time and overtime. The time recording system shall facilitate the revision of the worker and shall consider language or education barriers.
		employees' representative(s).	The employer is obliged to keep records for every employee, showing the beginning and end of each worked: shift, overtime work and other agreed overtime work, night work, time actually worked while the employee had the on-call duty. If requested by the employee, the employer is obliged to allow the employee to inspect their account of working hours or records of working hours and their account of wages and make extracts from them or copies at the employer's

Conti	rol Point	Compliance Criteria	Interpretation for Czech Republic
			expense. The selected recording method has to allow proving the required facts if requested by an inspection authority (labour inspectorate). In case there is no employees' representative and/or neither trade union or worker council representation exist (and CP1 is non-applicable), then an alternative system shall be in place to provide for the role of the employees' representative in this CP.
WOR	KING HOURS AND BR	EAKS	
WOR 11	NING HOURS AND BR Do working hours and breaks documented in the time records comply with applicant legislation and/or collective bargaining agreements?	Documented working hours, breaks and rest days are in line with applicant legislation and/or collective bargaining agreements. If not regulated more strictly by legislation, records indicate that regular weekly working hours do not exceed a maximum of 48 hours, during peak season (harvest), weekly working time does not exceed a maximum of 60 hours. Rest breaks/days are also guaranteed during peak season.	For GRASP compliance, even when permitted by the law, the total number of hours, including overtime and ordinary, SHALL NOT exceed 60 hours per week in any week of the year. This shall be checked by auditor. Working hours, breaks, safety breaks, overtime hours and rest days shall be in line with the provisions of the Labour Code regulating working hours and time of rest. The standard weekly working hours are 40 hours per week. The standard weekly working hours of employees working: in a three-shift and nonstop work schedule are 37.5 hours per week, in a two-shift work schedule are 38.75 hours per week. The employer is obliged to give the employee a break for a meal and rest lasting no less than 30 minutes after 6 hours of uninterrupted work at the latest; a juvenile employee has to be given such a break after 4.5 hours of uninterrupted work at the latest. Where work that cannot be interrupted is performed, the employee must be given an adequate time for rest and a meal even without interrupting the operation or work; such time is included in the working hours. If an employee has the right to a safety break under special legal regulations when performing work, such a break is included in the working hours. If a safety break falls during the time of the break for a meal and rest, the break for a meal and rest is included in the working hours. The duration of a shift shall not exceed 12 hours. The employer is obliged to schedule the working hours so that between the end
			of one shift and the beginning of the next shift the employee has an uninterrupted rest period of at least 11 hours within 24 consecutive hours, and the employee below 18 years of age has an uninterrupted rest period of at least 12 hours within 24 consecutive hours. In agricultural operations the rest period may be reduced up to 8 hours within 24 consecutive hours for an employee above 18 years of age,

Contr	ol Point	Compliance Criteria	Interpretation for Czech Republic
			provided that the subsequent rest period is extended by the time by which the preceding rest period was reduced.
	APPLICABLE FOR PF	RODUCER GROUPS	
	GRATION INTO QMS		
QMS	Does the assessment of the Quality Management System (QMS) of the producer group show evidence of the correct implementation of GRASP for all participating producer group members?	The assessment of the Quality Management System of the producer group demonstrates that GRASP is correctly implemented and internally assessed. Noncompliances are identified and corrective actions are taken to enable compliance of all participating producer group members.	This control point normally has no Interpretation, as it connects the GRASP requirements to the GLOBALG.A.P. Option 2 groups.
	TIONAL SOCIAL BENE	FITS	
R1	What other forms of social benefit does the company offer to employees, their families and/or the community? Please specify incentives for good and safe working performance, bonus payment, support of professional development, social benefits, child care, improvement of social surroundings etc.).		Benefits are usually provided in a monetary or non-monetary form. Monetary benefits include contributions to: - meals - sports and health - culture and recreation - accommodation and transport - allowance in addition to sickness benefits - employee shares - supplementary pension and life insurance - loans with more favourable terms - educational courses and training - using a car or mobile phone and computer also for private purposes - gifts for life and other anniversaries - interest-free or low-interest loans for housing purposes or overcoming a difficult life situation - benefits in kind – company products, etc. Non-monetary benefits include:

Control Point	Compliance Criteria	Interpretation for Czech Republic
		 above-standard leave time off for arrangements or medical therapy flexible working hours home working, etc.
		The form and quantity of the employee benefits are determined by the employer. For government branches and publicly funded organisations established by the State and publicly funded organisations established by local government units, the Cultural and Social Needs Fund Regulation regulates the amount in which the cultural and social needs fund has to be created. The basic allocation to the fund amounts to 1 % of the annual volume of costs paid as salaries and salary compensations or wages and wage compensations and remunerations for on-call duty and remunerations and other consideration paid to apprentices for their productive work performed as a part of professional training.

Annex to GRASP Interpretation for Czech Republic

Control Point 1: Employee's Representation

Labor Code No. 262/2006 Coll. § 3, 276, 281, 286

Control Point 2: Complaint Procedure

Labor Code No. 262/2006 Coll. § 3, 276, 281, 286

Labor inspection Act No. 251/2005 Coll.

Control Point 3: Self-declaration

http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200 COUNTRY ID:102 723

Control Point 4: Access to National Labor Regulations

Labor Code No. 262/2006 Coll. § 101, 103, 106, 108 Anti-Discrimination Act, No. 198/2009 Coll.

Control Point 5: Working contracts

Labor Code No. 262/2006 Coll. § 3, 33, 34, 109, 113, 122

Control Point 6: Payslips

Labor Code No. 262/2006 Coll. § 113 – 134, 136, 142

Control Point 7: Wages

Labor Code No. 262/2006 Coll. § 91, 93, 113, 114 - 119, 123, 135 - 6 Government Regulation on minimum wage No. 567/2006

Control Point 8: Non-employment of Minors

ILO Convention 138 – Minimum Age Convention Civil Code No. 89/2015 Coll. § 30, 34, 35, Labor Code No. 262/2006 Coll.

Control Point 9: Access to compulsory School Education

Act on Pre-school, Basic, Secondary, Tertiary Professional and Other Education (the Education Act) No. 561/2004, § 3, 11, 36, 40, 41, 42, 178

Control Point 10: Time recording system

Labor Code No. 262/2006 Coll. § 78, 93 – 96

Control Point 11: Working hours and breaks

Labor Code No. 262/2006 Coll. § 78 – 92

R1: Additional benefits

Act on Income Taxes No. 586/1992 Coll.

Reform of Income Taxes No. 261/2007 Coll.

Decree on Cultural and Social Needs Fund, No. 114/2002 Coll.

All legislation and international agreements are always meant as amended.