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# Ministry of Labour, Social Affairs and Family of the Slovak Republic

[English](#) > [Family and Social Assistance](#) > [Financial Support of Families with Children](#) > [Child allowance](#)

## Child allowance

A child allowance is a state social benefit granted to a beneficiary as a contribution to a dependent child's education and maintenance and to partly cover the cost of school supplies in order to encourage the child's schoolwork.

The allowance is paid monthly until the child reaches 25 years of age, provided that he or she remains dependent.

For the purposes of the child allowance, a dependent child is a child who:

- a) is systematically preparing, as a full-time student at a secondary school or higher-education institution, for a career;
- b) cannot systematically prepare for a career by studying or cannot be gainfully employed because of sickness or injury;
- c) is exempt from the obligation to attend school;
- d) is educated in a primary school for pupils with disabilities; or

e) according to an assessment of his or her chronic medical condition, is unable to systematically prepare for a career or be gainfully employed, but is only considered dependent until he or she reaches the age of majority.

For the purposes of the child allowance, a child is not considered to be a dependent child if he or she:

- a) is entitled to an invalidity pension; or
- b) has been awarded a master's degree.

## Claimants

A child allowance may be claimed by:

- the parent of a dependent child;
- a parent who has been granted custody of the child by a court;
- a person entrusted by a final court ruling to care for a dependent child instead of the child's parents;
- an adult dependent child if he or she is not the parent of a dependent child;
- an adult dependent child if his or her parents have an obligation of maintenance;
- a dependent adult child if, until the age of majority, he or she has been placed in nonparental care;
- a dependent adult child who is married;
- a dependent adult child whose marriage has ended;
- a minor parent granted parental responsibility.

If **multiple claimants** meet the statutory conditions, **only one of them is entitled to the allowance** for the same child. They must agree on who the beneficiary will be.

If a court grants the parents alternating custody of a minor or approves an agreement that has been reached by the parents, the allowance and supplement are paid to the beneficiary to whom the allowance and supplement were paid before the minor was placed in alternating custody or before the parents' agreement was approved, unless the minor's parents agree in writing to change the beneficiary.

If parents who have been granted alternating custody agree in writing on the alternation of the allowance and supplement, each of the parents may claim the allowance and supplement, but always for a period of at least 6 consecutive calendar months.

## Eligibility

In order to qualify for a child allowance, the following conditions must be met:

- the claimant cares for a dependent child;
- the claimant (even if a non-national) is permanently or temporarily resident in Slovakia or is a person defined by the regulations of the European Parliament and of the Council governing the coordination of social security systems in the EU. Claimants **do not qualify** for the child allowance if:
- the dependent child is cared for in a facility providing child protection and social guardianship or in a special educational facility because of a court order of institutional care, or an interim measure or decision imposing protective custody or correctional action;
- the dependent child is on remand or serving a custodial sentence;
- the claimant and the dependent child are staying in a country which is not a Member State of the European Union, a party to the Agreement on the European Economic Area, or the Swiss Confederation, and the claimant does not have public health insurance cover in Slovakia during his or her stay in that country.

## Applying for the allowance

Claimants claim the child allowance by submitting a **written application** to the local [office of Labour, social affairs and family](#) where they are permanently or temporarily resident (only for non-nationals). Claimants may also claim the child allowance [electronically by submitting an application containing their advanced electronic signature](#).

Application forms are available at offices of Labour, social affairs and family. Alternatively, you can [print one here](#).

## Claim procedure

The office of Labour, social affairs and family where a claimant applies for the child allowance decides whether to grant the allowance in administrative proceedings conducted

in accordance with Act No 71/1967 on administrative proceedings.

If the child allowance is granted, no written decision is issued.

The office of Labour, social affairs and family is required to issue a written decision in proceedings on the allowance if:

- the application for the allowance is refused because the claimant does not meet the statutory conditions;
- payment of the allowance is suspended or resumed;
- the allowance is to be reduced, withdrawn or refunded.

The office of Labour, social affairs and family does not issue a decision withdrawing the child allowance when the child reaches the age of 25 or is awarded a master's degree.

## Amount

The child allowance in 2020 is **EUR 24.95**.

This amount is increased by EUR 102.50 for the calendar month in which the dependent child enters the first year of primary school for the first time.

The amount of the child allowance is revised on 1 January of every calendar year by the coefficient adjusting the minimum subsistence level and is rounded to the nearest euro cent.

The Ministry of Labour, Social Affairs and Family announces the new amount of the allowance by issuing a ministerial measure, the full text of which is published in the Collection of Legislative Acts of the Slovak Republic by 31 December of the calendar year.

## Payment

The office of Labour, social affairs and family pays the allowance to a beneficiary who has applied for it and qualifies for it. It is paid for the whole calendar month, even if the beneficiary qualifies for the allowance for only part of the month. The allowance is only paid once per calendar month for any one child.

Rules of the payment:

- the allowance is paid monthly in arrears, by the end of the calendar month following each calendar month in which the claimant qualifies for the allowance;
- it is paid into the beneficiary's account at a bank or at a branch of a foreign bank that is licensed to operate as a bank in Slovakia. Alternatively, at the beneficiary's request, the allowance is paid in cash;
- if the beneficiary makes a written request for a change in the way that the allowance is paid, the office of Labour, social affairs and family is obliged to comply with that request;
- the allowance is not paid to a country that is not an EU Member State, a party to the Agreement on the European Economic Area, or the Swiss Confederation.

## Suspension of payments

The office of Labour, social affairs and family **suspends the payment** of the allowance if:

- it has reason to investigate whether the beneficiary continues to qualify for the allowance;
- the beneficiary has not complied with statutory obligations (he or she has not reported facts relevant to the entitlement to, or to the amount and payment of, the allowance); or
- another Member State is responsible for providing this allowance or a similar family benefit.

The office of Labour, social affairs and family:

- **suspends payment** of the allowance as of the calendar month following the calendar month for which the allowance has already been paid;
- issues a **decision to resume** payment of the allowance from the calendar month following the calendar month in which the beneficiary has proved that the reasons for which the payment was suspended no longer exist;
- **issues a decision to pay the balance** of the allowance for the period during which payment was suspended, provided that the conditions of eligibility for the allowance were met during this period.

**If there is a change of beneficiary during a month**, provided that the conditions of eligibility are met, the allowance for that month will be paid to the beneficiary qualifying for the allowance at the end of the calendar month in question. The person who qualifies for the allowance must claim the allowance by submitting a new application at the end of the relevant month.

**If there is a change in the beneficiary's permanent or** (only if a non-national) **temporary residence** during a month, the earliest the new office of Labour, social affairs and family will pay the allowance is in the calendar month following the calendar month in which the change of permanent or temporary residence was reported to that office of Labour, social affairs and family.

**If the beneficiary dies after claiming the allowance** and the conditions of eligibility for the allowance were met on the day he or she died, the allowance will be paid to another beneficiary or to the municipality in which the dependent child permanently or temporarily (only if a nonnational) resides.

**If the beneficiary does not qualify for the allowance** or fails to prove facts relevant to the assessment of the claim, the office of Labour, social affairs and family refuses the application.

## Alternative recipient

If the beneficiary does not use the child allowance for the purpose for which it is intended and if the allowance is not provided through an alternative recipient, the office of Labour, social affairs and family – on its own initiative or on the initiative of another legal entity or individual – **suspends payment** of the allowance to the beneficiary and remits it to another entity:

- another beneficiary; or
- a facility for child protection and social guardianship or a special correctional facility in which the dependent child is placed.

If the reason why the allowance is paid to another entity passes, the office of Labour, social affairs and family discontinues the payment of the allowance to that other entity and resumes payment to the beneficiary.

### Alternative recipient

The office of Labour, social affairs and family appoints an alternative recipient of the allowance if:

- a) a written notification from the headteacher shows that the beneficiary is neglecting the dependent child's compulsory education;

- b) it discovers that the beneficiary is not using the allowance for its intended purpose;
- c) a notification from a competent authority pursuant to Act No 372/1990 on minor offences, as amended, shows that the minor dependent child for whom an allowance and a supplement are paid to the beneficiary has committed a minor offence; this also applies if the minor dependent child was under 15 years of age at the time the offence was committed and the administrative authority has therefore dropped the case or discontinued the proceedings on the offence;
- d) a correctional measure is imposed on the dependent child or on the dependent child's parent; or
- e) the allowance and the supplement are paid to a beneficiary who receives a hardship benefit and supplementary allowances, or is jointly assessed with someone who receives such a benefit and allowances, and the hardship benefit and supplementary allowances are provided to them via an alternative recipient.

The alternative recipient of the allowance and the supplement under (a) to (d) is the municipality in which the beneficiary permanently or temporarily resides or, if justified, another person.

The payer appoints an alternative recipient under (c) for a period of 3 consecutive calendar months. If the minor dependent child does not commit another offence in the 3 consecutive calendar months following the calendar month in which the payer decided to appoint an alternative recipient of the allowance and the supplement under (c), the payer stops using that alternative recipient.

If, over the period that the alternative recipient of the allowance and the supplement under (c) is appointed, the minor dependent child commits another offence according to notification from the competent authority, the payer withdraws the allowance and the supplement for that minor dependent child. **The allowance and supplement for this minor dependent child can be reclaimed, at the earliest, 3 consecutive calendar months after the withdrawal of the allowance and supplement, provided that the minor dependent child does not commit an offence in that time.**

If, over the period that the alternative recipient of the allowance and the supplement under (a), (b), (d) or (e) is appointed, the minor dependent child commits an offence, the payer withdraws the allowance and the supplement for that minor dependent child. **An allowance and supplement for this minor dependent child can be reclaimed, at the earliest, a) 3 consecutive calendar months after the withdrawal of the allowance and supplement, provided that the minor dependent child does not commit an offence in that time; or b) from the calendar month in which the minor dependent child begins to systematically prepare for a career before reaching the age of majority.**

The payer will stop using the alternative recipient of the allowance and supplement appointed under:

- a) (a) if the beneficiary duly ensures the compulsory education of the dependent child, but not earlier than 3 consecutive calendar months as of the appointment of the alternative recipient;
- b) (b) if the reasons for appointing the alternative recipient have ceased to exist;
- c) (d) after a correctional measure has been evaluated and lifted, assuming it has served its purpose.

If the beneficiary **does not use the child allowance for the purpose** for which it is intended, the office of Labour, social affairs and family – on its own initiative or on the initiative of another legal entity or individual – **suspends payment** of the allowance to the beneficiary and remits it to:

- another beneficiary;
- the municipality in which the dependent child permanently or temporarily (if a nonnational) resides; or
- a social service facility in which the dependent child is placed.

## Claimants' obligations

Claimants must:

- prove facts relevant to the establishment of the entitlement to, and to the amount and payment of, the allowance;
- report in writing, within 8 days, changes in facts relevant to the entitlement to the allowance, or submit a notification of such changes electronically, signed with an advanced electronic signature. The 8-day time limit begins on the first day following the day on which the change occurs;
- ensure that the allowance serves its purpose.

The beneficiary is not obliged to prove facts that are known to the payer from the performance of its other activities, e.g. from proceedings on another family benefit or hardship aid.

Slovakia's EU membership is a relevant fact affecting the entitlement to, and payment and amount of, child allowance, depending on the place (country) where the applicant and his or her spouse are employed. Any change in the country where a parent or spouse is employed in the EU must be notified by the beneficiary to the payer within the statutory time limit. Over the duration of the entitlement to the allowance and supplement, the beneficiary (the parent of a dependent child, the parent in whose custody a child is placed by a court, the person in whose non-parental care a dependent child is placed by a final court ruling, or a minor parent who has been granted parental responsibility) is obliged, after the dependent child reaches 3 years of age, to notify the payer in writing, or electronically with an advanced electronic signature, of how and where this dependent child will be cared for until he or she starts compulsory education. The obligation under the preceding sentence does not apply in cases where the dependent child is cared for by his or her parent or by a person in whose nonparental care the dependent child has been placed by a court ruling and **that person receives a maternity or parental allowance.**

## Lapse of entitlement

An applicant may claim the allowance retroactively for **a maximum period of 6 months.**

## Cooperation in the provision of the allowance

State administration bodies, municipalities, healthcare facilities, school facilities and other legal entities and individuals who provide data for the purposes of the parental allowance are required:

- to cooperate with offices of Labour, social affairs and family (the 'payer');
- to report, at the request of the office, personal data about the beneficiary and the child, and other data on the due care of the child and on the gainful employment of the beneficiary in order to check that the conditions relating to the entitlement to the parental allowance, and to the amount and payment thereof, remain in place.

The payer may visit the beneficiary at his or her place of residence and may request all legal entities and individuals involved to provide information and explanations about the conditions in which entitlement to the parental allowance have remained in place. These entities and individuals are obliged to provide the necessary information.

The payer must exercise the greatest discretion with regard to facts it learns in connection with the provision of the parental allowance. It discloses information on these facts only if withholding such information would seriously endanger the life or health of individuals or if it is required to do so by a special regulation.

## Lapse of entitlement

An applicant may claim the allowance retroactively for **a maximum period of 6 months.**

The entitlement to the parental allowance expires:

- as of the first day of the calendar month following the month in which the child reaches a given age (up to 3 years of age, or 6 years of age if the child has a chronic

medical condition, up to 6 years of age if the child has been placed in non-parental care, and a maximum of 3 years from the date on which the decision placing the child in the custody of the same beneficiary becomes final);

- on the death of the beneficiary or child.