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

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Derogation from the determination of applicable legislation

Two or more Member States, the competent authorities of these Member States or the bodies designated by these authorities may by common agreement provide for exceptions to Articles 11 to 15 in the interest of certain persons or categories of persons, within the meaning of Article 16 of Regulation No 883/2004, provided that such exemptions are agreed.

For example, if the posting of an employee lasts longer than 24 months, it is possible to apply for an exemption under Article 16 of Regulation 883/2004, according to which the posted employee will continue to be subject to the legislation of the State from which they are posted, or if the person requests the determination of the legislation of a Member State other than that originally designated.

If a person applies, by way of exemption from the basic rules, for the determination of Slovak legislation, the application is submitted to the **Ministry of Labour, Social Affairs and Family of the Slovak Republic**, which will grant such exemptions in justified cases.

If the Ministry has granted an exemption for someone and, based on that, they are subject solely to Slovak legislation, a Social Insurance Agency branch will issue, on the grounds of such exemption, a PD A1 to that person based on their submitted Application for a Portable Document A1 – [see point 188](#).

There is no automatic legal entitlement to an exemption.