

AGENCIFICATION IN SLOVAKIA: THE CURRENT SITUATION AND LESSONS LEARNED*

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Abstract

There is little information on agencification in Slovakia. Here we try to fill this gap by focusing on both national and the sub-national governments. Our main goal is to describe the character and scale of agencification in Slovakia. We also wish to test a specific hypothesis, derived from NPM policy convergence theory: that agencification in Slovakia lacks a systematic conceptual framework located in the local context. Our research has unearthed nine countrywide service delivery agencies, plus a large number of decentralized delivery agencies (e.g. public hospitals, universities, schools and public training institutions), and 25 central regulatory agencies. This is not an exhaustive list as there is no official data on agencies. We argue that Slovak agencification – especially during the Dzurinda administrations – was mainly determined by two factors: the EU accession process and the political orientation of the governing coalition. Agencification predicts that increased managerial freedom should improve results. We show that this is true for Slovakia, even though our hypothesis that agencification in Slovakia lacks a systematic local conceptual framework is also shown to be true. We argue that despite many implementation problems, the creation of agencies in Slovakia and elsewhere in CEE was an important step forward.

Keywords: Slovakia, agencification, local public services, politics of agencies, post-communist transition.

1. Introduction

Slovakia is a relatively small state in the middle of Europe. Its area is 49,034 square km and its population about 5.4 millions. The Slovak Constitution was ratified on 1st of September 1992, and was fully effective from 1st of January 1993 when Slovakia amicably split from the Czech Republic. During 1993-2011 both left wing and right wing coalitions ruled the country, with different strategies and reform programs. Since 2004 Slovakia has been a member of the European Union, and from 2009 also of the Euro zone.

The main goal of this article is to describe the scale of agencification in Slovakia, and to try to explain the most important aspects of its developments and functionalities. Our research was conducted as an integral part of the COST CRIPO project Comparative Research into Current Trends in Public Sector Organization (CRIPO, IS0601). The novelty of our paper is that we focus not only on the national level, that is, on the classical forms of agencies. We feel that agencification theories could also be applicable on the sub-national level and therefore we also try to examine briefly the area of delivery of local public services, using our regionally unique comprehensive database of field research results.

2. Theoretical framework

Agencification refers to the creation of semi-autonomous organizations that operate at arms' length of the government, to carry out public tasks (regulation, service delivery, policy implementation) in a relatively autonomous way i.e. there is less hierarchical and political influence on their daily operations, and they have more managerial freedoms (van Thiel, 2009; Roberts, 1986; Pierre, 2004). The concept of "agencification", or distributed governance, is a core element of the "New Public Management (NPM)" (Greenaway, 1995; Pollitt *et al.*, 2001; Verhoest *et al.*, 2010; Lægreid and Verhoest, 2010; Trosa, 1994).

NPM is often described as the reform movement in public management, propelled by policy makers seeking to improve government and public administration practices, with its emphasis on "performance appraisal and efficiency, the disaggregation of public bureaucracies into agencies which deal with each other on a user pay basis; the use of quasi-market and contracting out to foster competition; cost-cutting; and a style of management which emphasizes amongst other things, output targets, limited term contracts, monetary targets and incentives, and freedom to manage" (Rhodes, 1991, p. 11).

The OECD summarizes these attempts as the aim to make the public sector "lean and more competitive while, at the same time, trying to make public administration more responsive to citizens' needs by offering value for money, choice flexibility, and transparency" (OECD, 2005).

The theory behind NPM has been influenced by an eclectic variety of ideas, coming from different disciplines, such as public choice, management theory, classical Public Administration, neoclassical Public Administration, policy analysis, principal-agent

theory, property rights theory, the neo-Austrian school, and transaction-cost economics (Gruening, 2001). These very different theoretical orientations could be grouped into three broad categories: 1) (neo-) classical Public Administration and Public Management, 2) management sciences, and 3) new institutional economics.

The first group's main orientation is the orderly organization of the state, applying scientific principles of government organization and collective decision making (Anthony and Young, 2003; Lee, 1995). The second stream (management sciences) advocates the introduction in the public domain of private sector management ideas and techniques (Brignall and Modell, 2000; Broadbent and Laughlin, 1998; Hood, 1995; Lane, 2000). The third orientation (new institutional economics) views governmental decision makers as self-interested subjects, working in an environment in which information asymmetry, bounded rationality and opportunism leads to transaction costs and agency costs (Dunleavy and Hood 1994; Laking, 2002).

Each of these three orientations introduces specific themes into the NPM agenda and agencification. However, there are three main themes that emerge from an overall appreciation of NPM reforms. These are (a) decentralization, (b) improved competitiveness by increased efficiency and effectiveness, and (c) accountability for performance. These themes correspond to three basic criteria, offered by Pollitt *et al.* (2001) that characterize the NPM version of agencies:

- Deregulation (or more properly re-regulation) of controls over personnel, finance and other management matters;
- Performance “contracting” – some form of performance target setting, monitoring and reporting; and
- Structural disaggregating and/or the creation of “task specific” organizations (Moynihan, 2006).

The varying understandings of agencification in different settings demonstrate that public management ideas that carry the same label and basic prescriptions can be constructed in different ways in different countries, adopted for different reasons and lead to different outcomes. In Slovakia, as it is the case in any other country, the diffusion of NPM and/or agencification has some specific, idiosyncratic features.

One of the difficulties in examining NPM/agencification in different countries is in categorizing what has actually been transferred and adopted. Dunleavy and Hood (1994) have argued that NPM ideas are best understood as a series of doctrines explaining the sources of public sector problems and the means to solve those problems. The practical adoption of these doctrines in a particular place and time provides the opportunity to create experiential learning for others (Mantzavinos, North and Shariq, 2004), which can be positive (experience reinforces the claims of the doctrine with evidence of the effectiveness of reforms) and negative (experience undermines the claims of the doctrine with contradictable effects of reforms).

The literature of NPM policy transfer and adoption – NPM policy convergence theory (Weaver and Rockman 1993; Schick, 1998; Christensen and Læg Reid, 1999;

Pollitt and Bouckaert, 2004; Hammerschmid and Meyer, 2005) suggests that ideas, presented in doctrinal form, should be systematically reshaped to fit the local context characterized by such factors as specific economic pressures, chance events, resources, political institutions and ideology, external stakeholders, social values, and administrative culture.

Variation in the local context can thus be expected to create variations in NPM policy transfer and adoption etc. So is the case with respect to variations in the concept of agencification across countries. In considering accounts of NPM, Reed (2004) suggests that while the concept might have some common meaning, the use and meaning of the term in local discourse will be shaped by local contingencies.

Public management reforms are particularly prone to ambiguity (Hammerschmid and Meyer, 2005). Ambiguity in the public sector arises from environmental uncertainty, from unclear goals, and uncertain knowledge about effective organizational technologies (DiMaggio and Woody, 1983). This makes it difficult to confidently predict that plausible doctrines will work in practice (Pollitt and Bouckaert, 2000). Such doctrines present simplified versions of managerial technologies, but are sometimes conflated with political ideology (Lodge, 2003), and often abstracted to a point where the doctrine is not a practical description of how to apply the reform in a particular setting. The outcomes of agencification are often contradictory. Pollitt *et al.* (2004) offer an empirical summary of the agencification experience in different countries:

- Agencies are frequently pursuing multiple goals rather than a single purpose.
- Agencification has not fostered a clear separation between policy and implementation.
- The creation of new agencies is marked by a high degree of path dependency rather than dramatic change.
- Agencification can undermine policy coordination.
- There is little evidence that performance information is being used.
- Informal non-contractual relationships between agencies and the center remain an important basis for policy development.
- There is little clear evidence that agencies have saved money, improved performance or reduced the size of government.
- Agencification has sometimes weakened central capacity and oversight, increased information asymmetry and bureaucratic/stakeholder influence. Where central oversight has been maintained, it has required the development of an audit-based regulatory system (Moynihan, 2006).

Despite the fact that New Public Management and agencification have become an important policy issue on many countries' reform agenda, case evidence (Pollitt and Bouckaert, 2000; Pollitt *et al.*, 2004) suggests that the reforms have rarely been implemented correctly.

3. Methodology

There is little data about agencification in Slovakia (Beblavý, 2002; Moynihan, 2006). In this paper we try to fill this gap by focusing both on the “standard” national level, and also on the sub-national governments. The main goal of this article is to characterize developments and the current stage of agencification in Slovakia. This will be done in the following logical sequence:

- analyzing when, how and why agencies in Slovakia were created;
- defining the scale of agencification in Slovakia;
- analyzing the most important aspects of agencies’ functioning at national and sub-national levels; and
- summarizing the findings and lessons learned.

The specific goal of the paper is to test the following hypothesis – formulated on the basis of NPM policy convergence theory – regarding agencification in Slovakia: Agencification in Slovakia lacks a systematic conceptual framework located in the local context.

Because of the very limited database available for the evaluation of agencification in Slovakia we have to rely mainly on qualitative research methods, and we also decided to use case studies as the tool to support our arguments. As indicated above, we also include sub-national level cases. The case study on the delivery of local public services shows that core agencification concepts can also be adapted to this level and provides important facts in relation to our research assumptions.

4. Agencification in Slovakia

In this section we try to discuss the main features of agencies and agencification processes in Slovakia, with respect to the protocol and materials developed by the COST team.

Slovakia is actively seeking public management policies consistent with the democratic market systems. NPM and agencification have become an important policy issue on the public sector reform agenda. Governments have continued to try to move from a centrally planned to a market based economy. More significant attempts to improve government and public administration practices by adopting NPM policies are apparent only in the last five years.

After the 1989 Velvet Revolution led to the end of communism, the revitalization of democracy in Czechoslovakia (Bercik and Nemeč, 1999) and the formalization of a separate state by the Slovakian constitution in 1992, Slovakian public management policy primarily focused on the decentralization of administration. Other public management issues, such as increasing efficiency, effectiveness, performance accountability, as well as agencification were less prominent on the policy agenda (SIGMA, 2002).

The only important exception was the switch from a system of financing health care, pensions and unemployment benefits, from general taxation to social insurance. A consequence was the creation in 1993 of three public agencies – Vseobecna zdravotna

poistovna and Poistovna MV SR for health care insurance and Socialna poistovna for unemployment and pension benefits.

The main motivation for agencification in these cases was to raise extra revenue without creating major new taxes: an attractive option in the then difficult financial situation. Earmarked taxes or fees justified by the creation of a new agency were less visible and less politically risky. The process of agencification also allowed policymakers to claim they were fixing difficult policy problems. For example a health insurance agency is a substitute for a comprehensive public health insurance system (Beblavý, 2002; Moynihan, 2006).

The main wave of agencification was connected to the reform measures of the 1998-2006 liberal governments and to the EU accession process. Both factors served as major catalysts of change, leading to the creation of a relatively comprehensive set of agencies, many of them enjoying a very high degree of autonomy from the executive government. This epoch of agencification started after the general elections in 1998, when the new liberal Slovak government (Prime Minister Dzurinda) returned to the issue of public administration reform with three key goals:

- fulfilling the requirements of the EU accession process;
- territorial decentralization (as a goal, not an instrument – see for example Nemeč, 2009); and
- implementation of several NPM mechanisms in the public sector (mainly performance financing, performance budgeting, and privatization).

It is obvious that in this phase, based on liberal and pro-market ideology and EU deregulation policies, agencification became an increasingly important issue. With little or no discussion about the normative and practical aspects of privatization and agencification, in particular the split between policy and administration; pursuing efficiency through specialization and expertise, and depoliticization, a massive reorganization of the public sector occurred between 1998 and 2006, based on “market” (NPM) ideologies. Tables 1 and 2 in the Annexes show the many different agencies that were created, with the idea of shrinking direct state delivery, and moving to private production with state regulation.

However, motivation for agencification was not that straightforward as there was a diversity of actors, each having different incentives to support agencification. The media and the general public accepted the doctrines claiming increased professionalism and level of service. Managers saw agencification as an opportunity to win more autonomy and better pay, reducing the uncertainty arising from central government policy changes. Ministers and elected officials saw agencification as an attractive path because it reduced administrative and financial responsibilities while providing additional patronage opportunities, a motivation contrary to expectations that agencification will reduce government size and political interference in management. Another rationale for the creation of agencies was the search for an alternative between central and local provision. At a local level the creation of a pluralistic service delivery system (see the case study below) was begun very soon after 1990, and continued

throughout the Dzurinda period. These endogenous motives for agencification were strengthened by exogenous pressure on policy makers. The need to comply with the “*acquis communautaire*”, already influenced by liberalization trends in the EU, required the establishment of several regulatory and implementation agencies to cope with new tasks.

In 2006 the left wing government of Robert Fico was elected by voters who were very dissatisfied with the perceived radicalism of previous reforms. This new government could not reverse the previous agencification decisions, in part because of EU membership obligations. More generally, public administration reforms received little attention during this period. But the extent of agencies’ autonomy and their politicization received much attention.

In 2010, the liberal coalition returned to power. However, because of the economic and financial crisis a new wave of agencification was not an issue. Political control over the most important agencies remained the only hot problem. The key question being to which party from coalition or opposition the leadership of regulatory agency belongs.

The agency interests were not counterbalanced by a strong central public management agency. The Ministry of Finance and the Ministry of Labor, Social Affairs and Family have responsibilities for different aspects of public management, but interest in either Ministry in the topic has not been intense. The absence of a strong central direction is one reason why many argue that the agencification in Slovakia lacks a systematic conceptual and legal framework (Beblavý 2002; Moynihan, 2006).

Depoliticization in general and depoliticization of agencies in particular was never on the real agenda of any Slovak government. However, the opposite might be true – just after creating agencies political parties started to understand the benefits emanating from controlling agencies. As a result, the political fight for the “allocation” of agencies – either between coalition versus opposition parties, or within the political parties in power – has become increasingly visible. It is illustrative that although the current Radicova government promised that merit must be the basis of appointments to top agency positions, the reality seems to continue to be just the opposite.

Some attempts to diminish the financial autonomy of agencies (especially if allocated to the opposition parties) became also visible after 2006. Compared to some other countries Slovakia did not react to the fiscal constraints caused by the economic and financial crisis by cutting staff or merging agencies. Rather, the general government policy to cope with large deficits was and continues to be to increase taxes and to cut public expenditures – almost equally for all budgetary chapters. There was no review of the effectiveness of different types of expenditures and of public bodies’ performance. This remains a challenge for the future.

4.1. Main barriers

On the basis of existing data (summarized for example by Bouckaert *et al.*, 2009) we could argue that agencification in Slovakia is realized in a very difficult environment characterized by some of country specific features as well as some (CEE) region-

specific features. Making the choice between traditional government bureaucracies and agencies represents very much the choice between “Devil” and “Beelzebub” (Van Mierlo, 1997). These features include the following:

- The Slovak public sector is characterized by over-politicization of the decision making processes at all levels. Perhaps aping former communist practices political parties, regardless of their position in the political spectrum, seek maximum control of all important public sector bodies.
- The business environment in Slovakia is still far from being highly competitive. In our view short term profit maximizing strategies prevail, and fair long term business strategies are still rare. Even potentially competitive markets are not well developed, and remain dominated by monopolistic or oligopolistic structures and behavior.
- The expectations at the beginning of transformation were optimistic, but today we well know that democratic institutions and norms were not fully developed during the twenty years of transformation. The formal structures exist, but actors’ behavior is still “semi-socialist”. Lack of individual responsibility, paternalism and fiscal illusion remain important features of citizen’s mindsets and behavior. For example in Slovakia 67% of respondents believe that their problems need to be solved by the state (Buncak *et al.*, 2009). Under such conditions rent-seeking corrupt behavior by politicians and bureaucrats is successful, because it is the simplest way to maximize individual benefits, at least from a short-term viewpoint.
- The possible success of any NPM tool (including agencies) is also connected with the “quality of the rule of law”. The state is switching from the role of provider to that of regulator: such a change is only formal, not substantive if the regulations and guidelines do not exist and where the law is neither respected nor enforced.
- The performance of agencies should be based on values and principles like accountability, responsibility, performance, balanced autonomy and control. Under Slovakia conditions although in many cases autonomy is a major concern of the actors, accountability and control issues remain marginal. This problem is exaggerated by the predominantly old-fashioned, administrative procedural type of public sector control and auditing practices.

5. Assessing the functionality of agencification in Slovakia

As noted there is little information about Slovak agencification processes. Therefore we are not able to draw overarching conclusions about the character and results of the agencification process. In order to characterize the situation and to formulate some arguments for our final evaluation and core policy recommendations, we use two case studies, based on data from our own research (as indicated above performance reviews for the main Slovak agencies are not available). The first case study focuses on central level agencies, more specifically, universities. It provides important facts about issues like independence versus central control, accountability and responsibility,

and pervasive performance effects. The second case study focuses on the sub-national level and is based on comprehensive data about local public service delivery collected by the authors. This case study again confirms that although agencies are a common solution in the Slovak public sector, the lack of a systematic approach, means they deliver very contradictory results.

5.1. Case study I:

Higher education institutions as performance financed agencies

The reform of higher education during the first Dzurinda government transformed state universities and other higher education institutions into independent public agencies, financed on the basis of their performance (only police and military universities remained state bodies), and also created the space for private schools. The underlying idea was that increased autonomy, flexibility, and a switch to multi-sourced financing would lead to better quality education. Results however do not seem to match these intentions.

The management of public higher education institutions is now almost fully independent of the government. Their rectors report to the Advisory Boards, not to the Ministry. The revenues of Slovakian public higher education institutions today come from two sources: public grants and transfers and their own incomes. Despite the intention to increase the ratio of self-generated income, almost nothing happened in this regard. Public grants still represent 80%-90% of total university revenue.

For the allocation of public grants the Slovak Republic uses a formula based performance financing system. The specific budget mechanisms are based on the existence of several sub-programs constituting the total amount of public transfers for public higher education institutions. The system of these sub-programs is as follows:

Program of Higher Education, Science and Social Support to Students

- subprogram *Higher education* – grant to finance accredited study programs;
- subprogram *Higher education science and technique* – grant to finance research and development;
- subprogram *Higher education development* – grant to finance development needs;
- subprogram *Social support for students* – grant to provide support to students; and
- subprogram *Targeted transfers*.

Source: Ministry of Education

Higher education institutions transparently “compete” for public resources mainly in the first two sub-programs via the following criteria:

- Number of students (weighted by “unit costs per student”, which differ across universities). According to this criterion 85%-90% of the public grant was allocated at the beginning, during the period from 2002 to 2006.
- Quality of research (as measured by such indicators as the financial value of international and national research grants, number of publications, number of PhD students). The amount of resources allocated according to this criterion was marginal in the early days.

Table 1 shows that the performance-based allocation – items 1 and 2 – amounts to almost 90% of the total allocation, thus the discretion of the Ministry in providing resources is minimized. This proportion remained similar in subsequent years.

Table 1: Public transfers to public higher education institutions 2002-2006
(mil. current Sk)

	2002		2003		2004		2005		2006	
Grant to finance study programs	5,825	78%	6,660	80%	7,460	79%	8,023	78%	8,745	76%
Grant to finance research & development	584	8%	638	8%	948	9%	1,066	10%	1,119	10%
Grant to finance development needs	378	5%	370	4%	330	5%	450	4%	500	4%
Grant to provide support to students	648	9%	650	8%	700	7%	810	8%	1,150	10%
Total	7,435	-	8,318	-	9,438	-	10,349	-	11,514	-

Source: www.minedu.sk

It was expected that the performance-based allocation of funds would motivate higher education institutions to focus more on quality and less on the number of students. But all institutions reacted with a significant increase in the number of newly admitted students. This could have been a positive development, but because total allocated resources only increased a little faster than inflation the outcome was tragic. The grant per student decreased significantly over the last 5 years (Table 2). The intention was to allow higher education institutions to compete transparently for funds on the basis of quality. The outcome was significantly different – universities have fallen into the “performance financing trap” caused by the pervasive motivation effects of the financing formula.

Table 2: Newly admitted higher education students in Slovakia (1990-2006)

	1990/91	1995/96	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06
New full time students	13,404	20,809	24,279	24,270	26,974	24,150	32,488	35,542
% of new full time students from 18 (19) years old population	15.9%	21.8%	27.2%	27.2%	30.4%	27.2%	36.7%	41.3%
New part-time students	1,868	3,881	9,665	12,763	8,057	15,057	15,718	17,254
Total	15,272	24,690	33,944	37,033	35,031	39,207	48,206	52,796

Source: Ministry of Education

The interpretation of these figures – the above mentioned trap – is straightforward: facilities are overcrowded, the level of achievement in entry examinations is declining and staff is increasingly overburdened. But this is unique neither to Slovakia nor to Central and Eastern Europe. Falling entry requirements and overcrowded higher education facilities signal a risk of falling graduate quality because if the best students go to university and the number enrolled expands the average and marginal quality falls.

The fact that with fewer resources per unit the quality of output was sacrificed is well documented by the national ranking agency ARRA and its evaluations (www.arra.sk). The government only reacted later by increasing the weight of scientific results in the allocation formula from 5% at the start to 40% in 2009, and by introducing a new performance evaluation system for public higher education institutions. According to this performance evaluation system better performing institutions receive higher weights in the calculation formula – for example higher grant per student.

Higher education institutions are also interesting from the view point of the control and accountability of agencies. As indicated, public schools are only held accountable by their representative bodies.

The main representative body is the Advisory Board with 14 members appointed by the Minister responsible for higher education. The minister nominates six members of the Board, the rector another six members, and two members are nominated by the Academic Senate. This means that the majority of board members is nominated by the university and perhaps may only represent university interests. The “internal” representative body is the Academic Senate. It has as a minimum of 15 members (the maximum is not defined) and is elected by the “academic society” (students and teachers); a minimum of one third by the students. Only members of the “academic society” can be elected to the Senate.

In such a system the Ministry lost almost all direct influence over universities’ decisions. Its advisory body – the Accreditation Committee (quality regulatory agency) – cannot help much in this direction either. The role of the Accreditation Committee is to advise the Minister, on the basis of transparent criteria, on matters of granting rights to deliver study programs by public and private schools. Only recently, with the introduction of the performance evaluation system, has the Committee acquired some means to promote a better quality of education. But it still cannot interfere in the internal matters of universities.

Ineffective regulatory system, pervasive effects of performance financing scheme and possibly other factors such as the character of the labor market (according to our data many private and all public employers demand diplomas and not knowledge) are the factors behind several of the accountability and control problems characteristic of Slovak higher education. Several important “incidents” were comprehensively covered in the media and showed that the system is far from perfect. We mention two well-known cases for illustration.

The university in Trenčín was found to have granted several MA degrees after only about six months study. Apparently this was legal so that the university cannot be legally sanctioned. The only body authorized to deal with the issue, the Accreditation Committee, allowed the program to continue.

The media reported that universities in Trnava and in Banská Bystrica had also collected illegal fees from part time students. The Minister immediately demanded a stop to the practice. The ministerial request was however declined by the rectors. Because it was impossible to settle the case with the use of the regulatory tools of the Ministry, several court cases occurred, with various outcomes, and university rectors tried to sue

the Minister for defaming their university's name. After subsequent legislation legalized fees for part-time students most outstanding court cases were dropped.

5.2. Case study II: The delivery of local public services

The delivery of local public services in Slovakia represents an interesting example of different types of “agencies” used by sub-national governments. Local self-governments in Slovakia have a large level of autonomy; only courts may reverse the decisions of municipal bodies. Moreover, municipalities’ budgets amount to a relatively important proportion of public expenditures (see Table 3).

Table 3: Total general and local government revenues and expenditures as % GDP in Slovakia

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Total general government revenues	42.60	40.50	40.40	38.60	38.00	36.80	37.40	35.30	35.40	33.50	32.50	32.70
Total local government revenues	3.30	2.70	2.80	3.00	2.90	3.90	7.20	6.90	6.70	6.30	6.00	5.30
Total general government expenditures	49.00	45.80	47.80	50.90	44.50	45.00	40.10	37.60	38.20	36.90	34.40	34.90
Total local government expenditures	4.70	3.70	3.60	2.70	3.00	3.60	7.30	6.40	6.70	6.60	6.10	5.40

Source: Eurostat

About 80% of municipal revenues are covered by the principal intergovernmental transfer, which is the share of personal (PIT) and corporate income tax. Less than 20% of municipal revenues are covered by municipal taxes and charges. Municipalities have a really restricted space to develop their own tax policy.

Our long term research focusing on the method of delivery of selected local public services provides interesting information about the mix of delivery forms. The data from our two representative samples (Ochrana *et al.*, 2007), collected by questionnaires, show that all possible agency types (Type 3, 4 and 5; see van Thiel, this issue) are involved in the system of local services delivery (Table 4). Data from other samples (like Beblavý and Sičáková-Beblavá, 2006; Pavel and Beblava, 2008; Majlingová, Majlingová and Šagát, 2006; Vozárová, 2010) indicate similar patterns.

Table 4: Local public services delivery in Slovakia (own samples 2000 and 2006)

Service	Own employees		Municipal body		Municipal limited company		Municipal shareholders company		Full contracting	
	2000	2006	2000	2006	2000	2000	2006	2000	2006	2000
Waste management	5%	5%	20%	5%	21%	7.5%	5%	2.5%	49%	80%
Cemeteries	39%	55%	27%	7.5%	6%	10%	0%	2.5%	28%	25%
Public green	38%	78%	27%	7.5%	13%	10%	3%	0%	19%	4.5%
Local communications	27%	38%	27%	10%	14%	15%	2%	2%	30%	35%
Local lighting	33%	63%	23%	2.5%	21%	12.5%	0%	0%	23%	22%

“Agencification” at the sub-national level began in the first phases of transformation (1990s), when the production of local public services was in many cases transferred from direct municipal production to several types of “agencies”, or outsourced. The core problem of this process is the fact that outcomes from such a change are unclear.

The most comprehensive comparisons of efficiency of different forms of delivery of local public services were produced by Maljingova (2005) with a focus only on the waste management service. The data indicated that costs do not depend on the institutional form; the establishment of agencies or contracting does not automatically decrease costs. But the data are not very reliable, despite the fact that all questionnaires were signed by municipal officials (the same problem appears in relation to the data in Table 5). We emphasize two core problems related to data reliability:

- First, inaccuracies in calculating the real cost of service delivery by the local self-government. Because there is no cost-centers-based-accrual accountancy at the level of local self-government, municipalities are not able to measure the real costs of service delivery. Moreover internal delivery costs are underestimated, as normally only the direct costs are included.
- Second, recent experience clearly indicates that because performance benchmarking is not standard in Slovakia, many municipalities simply do not know the real data and so only provide estimates (see Nemeč *et al.*, 2008).

Table 5: Costs of waste management in Slovakia according to the form of delivery and size category (Sk)

	-999	1,000-4,999	5,000-9,999	10,000-19,999	20,000-49,999	50,000-
Own employees	164	323	78	x	150	x
Municipal body	455	151	398	205	130	x
Municipal limited company	x	89	36	209	163	x
Municipal shareholders company	x	181	x	x	x	x
Contracting	181	168	127	117	212	65

Source: Majlingova (2005)

In our surveys we only examined the efficiency of contracting (Table 6). It was expected that competition would ensure contracting would lead to lower costs for the same quality, or slightly higher costs for much better quality. However, data from different sources (such as Merickova *et al.*, 2010; Merickova, 2006; Beblavý and Sičáková-Beblavá, 2006; Pavel and Beblava, 2008; Majlingová and Šagát, 2006; Vozárová, 2010) indicate that there are no major differences in service quality, and according to our samples efficiency gains are not always present.

Our data indicate that agencification and contracting do not deliver better results compared to classic forms of delivery of local public services. There are several explanations for this finding (for a more complex evaluation for example see Merickova *et al.*, 2010 or Ochrana *et al.*, 2007).

Table 6: Costs of contracted public services per inhabitant (own employees = 100%)

Service	2001	2005	2006	2008	2009
Waste	94	94	125	184	60
Cemeteries	64	13	67	146	66
Public green	82	192	150	151	133
Maintenance of local communications	70	109	119	114	104
Public lighting	100	138	128	156	127

First, taking into account the fact that economic theory does not prescribe a specific form for delivering local public services that is optimal to all conditions, the process of deciding which form to use should be based on systematic ex-ante assessment of delivery options. However, this is usually not done in Slovakia (see for example Merickova *et al.*, 2010). The decisions about the delivery form are usually not systematic; moreover, the methods of awarding the contracts are not sufficiently competitive as direct awards still dominate. This situation is alarming; municipalities frequently do not respect the public procurement law, and thus the risks of corruption and inefficiency of service provision increase. Other problems include municipal managers' lack of managerial skills, non-existent guidelines, limited competitiveness of supply and the low quality of control and audit in the public sector.

The core lesson for our study is that the problems connected with contracting of local public services indicate that in Slovakia providing autonomous players with a high level of independence may not lead to positive outcomes.

6. Conclusions

Our research establishes several important conclusions about agencification in Slovakia. First, Slovakia belongs to those countries exhibiting moderate to extensive agencification efforts (see also Beblavy, 2002) at all levels of government. As shown in the Annexes Slovakia has nine nationwide service delivery agencies plus a large number of decentralized delivery agencies, including public hospitals, universities, primary and secondary schools, and public training institutions. It also has 25 central regulatory agencies. But this is not a comprehensive list as there is no official list of agencies.

As for the purpose of agencification in Slovakia, especially during the Dzurinda governments there were two core factors: the EU accession processes, and the political orientation of the governing coalition. The concepts of responsiveness to citizens' needs for value for money, choice flexibility, and transparency do not seem to have played an important role.

From the viewpoint of the outcomes of agencification it was expected that increased managerial freedom would lead to better results. As indicated in the analysis, this did not prove to work very well in Slovakia. Our data shows that in many cases agencification in Slovakia achieved few or no productivity and quality improvements in the production of public services.

In addition to our case studies, we have also provided arguments and evidence in support of our assumption that agencification in Slovakia lacks a systematic conceptual framework attuned to the local context.

Yet despite all these problems we assert that the creation of agencies in Slovakia and elsewhere in CEE were important steps forward, despite the many implementation problems that attend most changes under CEE conditions (Dunn *et al.*, 2006). Such developmental illnesses can be remedied by the process of increased democratization in the region, especially by raising the level of public awareness, participation and control. It will just take time.

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Annex 1

Table 1 lists the most important agencies of different types in charge of public service delivery, grouped by task and sector. The data show that utility services are delivered predominantly by privatized bodies, while agencies from categories 1 and 2 (van Thiel *et al.*, 2009) are indicated in bold and are found mainly in social services.

Table 1: Main public service delivery agencies/bodies

Sector	Legal statute of providers	Evolutions of forms of ownership
Telecommunications	Slovak Telekom, shareholder company, owned by Deutsche Telekom AG	Privatization of state body Slovenske telekomunikacie in 1999-2000
Postal services	Slovak Post, shareholders company, owned by the state	Converted from state enterprise in 2004
Production, transport and marketing of electricity	Many licensed private companies. Largest body is Slovenske elektrarne, a shareholder company	Deregulated market, Slovenske elektrarne owned by the state (34%) and ENEL SPA (66%)
Gas transport-distribution	SPP distribucia – for delivery of gas to consumers and Eurostream – for international gas transport – both 100% daughter company of SPP	Unbundling from 1. 6. 2006
Marketing of gas	SPP – shareholders company, owner the state – 51% and Slovak Gas Holding B.V. – consortium E.ON Ruhrgas a Gaz de France (49%)	Privatization in 2002
Railway transport of passengers	Slovak Railways	State enterprise, established 1.1.1993
Freight rail transport	Cargo Slovakia	From 1.1.2005 as the separate state shareholders company, previously part of Slovak railways
Regional and local transport of passengers	On rail – Slovak railways On road – licensed private companies	Deregulation of road transport from mid-2000, regulated by sub-national governments.
Air transport	Private companies	After split of Czechoslovakia the federal airlines CSA became a purely Czech body. Few new private companies established later. Attempts to create national airline failed.
Inland water transport	Private companies	Privatization of formed state body.
Water	Regional private companies	Deregulation from 2006
Waste water	Regional private companies	Deregulation from 2006
Heating	All types	Privatization in 1990
Broadcasting	Public TV with three channels (agency 2), private TVs, regional TVs	Licenses for private TVs issued.
Hospital health services	Mixed system of legal forms, all hospitals predominantly publicly financed. Public hospitals may represent form of agency Type (2).	From state hospitals to mixed system as the result of 2004 legislation, the process was stopped in 2006, but may be restarted.
Ambulatory health services	Mainly private but publicly financed ambulances.	Privatization in late 1990.
Financing health services	One public and three private health insurance companies. Public health insurance company VsZP may represent a Type (2) form of agency.	Pluralistic compulsory public health insurance from 1993.
Primary and secondary education	Mixed system, with predominantly public schools. Some primary and most secondary schools may represent form of agency Type (2).	Mixed form early 1990. System of student vouchers (performance financing) created fairer environment from early 2000.
Higher education	Mixed system, with predominantly public schools. Public universities and high schools may represent form of agency Type (2).	Private schools started from early 2000. They may charge fees and are not eligible for systemic state support. Public schools are performance financed.

Sector	Legal statute of providers	Evolutions of forms of ownership
Vocational training	All accredited bodies can deliver training, irrespective of their legal status. Many sectoral public training institutes may be regarded as agency Type (2).	Fully deregulated delivery based on accreditation only from late 1990.
Compulsory social protection (unemployment and pension benefits)	State insurance fund (Socialna poistovna) – may represent agency Type (2)	Established in 1993
Complementary social protection	Mainly private companies.	Established in late 1990 and early 2000
Financial services	Private	Early phase of privatisation. Selling national banks to foreign corporations in late 1990.
Security – Police, Prisons, Immigration	State administration bodies, under the Ministry of Interior	
Security – Prosecution	Special state administration body.	
Payments – EU funds	More implementation agencies - may represent agency Type (2)	
Payments – Student loans	Independent body – Studentsky pozickovy fond , may represent agency Type (2)	Established in 1997
Payments - Development aid	Independent body – Slovak Agency for International Development Cooperation , may represent agency Type (2)	Established in 2007
Payments – Social benefits	De-concentrated state administration plus self-government.	
Registration – Land registry (cadastre), Bureau of Statistics	Special state administration bodies	
Registration – cars and drivers licenses	Police	
Metrology	Independent body – Urad pre normalizaciu, metrologiu a skusobnictvo may represent agency Type (2)	Established in 1998
Meteorology	Independent body – Státny hydrometeorologický ústav , may represent agency Type (2)	Established in 1993
Museums	Mostly legal bodies, but financially depended. Between public body and agency. Few private museums.	Connected to all levels of government – Ministry of Culture, regional and local self-governments.
Housing	Privatized. Some municipalities build and manage social housing flats.	
Social services	Mixed system, public organizations and private bodies.	
Forestry	State enterprise Lesy SR.	Established in 1999
Roads	On central level – Slovenska sprava ciest and Slovenska diaľnicna spoločnosť , both may represent agency Type (2).	Highways (SDS) and roads of first category (SSC) “belong” to central government, while the rest belong to self-governments.

Annex 2

Table 2 gives an overview of the main independent and semi-independent regulatory (and similar) agencies, grouped by policy sector.

Table 2: Regulatory agencies, grouped by sector*

Sector	Market structure	Modes of regulation
Telecommunications	Liberalized	Independent regulator: Telekomunikačný úrad SR (www.teleoff.gov.sk), may represent agency Type (2).
Postal services	In the process of liberalization	Independent regulator: Postový regulačný úrad (www.posturad.sk), may represent agency Type (2).
Production of electricity	Liberalized	Independent regulator: Úrad pre reguláciu sieťových odvetví (www.urso.sk), may represent agency Type (2).
Electric networks (transport-distribution)	Regional monopolies	Independent regulator: Úrad pre reguláciu sieťových odvetví (www.urso.sk), may represent agency Type (2).
Marketing of electricity	Regional monopolies	Independent regulator: Úrad pre reguláciu sieťových odvetví (www.urso.sk), may represent agency Type (2).
Gas transport-distribution	Monopoly	Independent regulator: Úrad pre reguláciu sieťových odvetví (www.urso.sk), may represent agency Type (2).
Marketing of gas	Monopoly	Independent regulator: Úrad pre reguláciu sieťových odvetví (www.urso.sk), may represent agency Type (2).
Railway transports of passengers	Monopoly	Semi-independent regulator Úrad pre reguláciu železničnej dopravy (www.urzd.sk), may represent agency (between 1 and 2).
Freight rail transport	Monopoly	Semi-independent regulator Úrad pre reguláciu železničnej dopravy (www.urzd.sk), may represent agency (between 1 and 2).
Regional and local transport of passengers	Regional and local licenses, normally to one supplier	Semi-independent regulator Úrad pre reguláciu železničnej dopravy (www.urzd.sk), may represent agency (between 1 and 2).
Air transport	Liberalized	Semi-independent regulator – Letecký úrad SR (www.caa.sk), may represent agency (between 1 and 2).
Inland water transport	Liberalized	Semi-independent regulator – Štátna plavebná správa (www.sps.sk), may represent agency (between 1 and 2).
Hospital health services	Mix of all types of companies and NGOs	Independent regulatory office Úrad pre dohľad nad zdravotníckou starostlivosťou (www.udzs.sk), may represent agency Type (2).
Ambulatory health services	Mainly private	Independent regulatory office Úrad pre dohľad nad zdravotníckou starostlivosťou (www.udzs.sk), may represent agency Type (2).
Higher education	Dominated by state/public schools, few private high schools exist.	Semi-independent Akreditačná komisia (www.akredkom.sk), may represent agency (between 1 and 2).
Financial services	Competitive market	Independent regulator – Narodná banka SR (www.nbs.sk), may represent agency Type (2).
Broadcasting	Competitive market	Independent regulator – Rada pre vysielanie a retransmisiu (www.rada-rtv.sk), may represent agency Type (2).

* Some other (regulatory) bodies in Slovakia that may be characterized as agencies of the second type (all are legal persons, some of them partly dependent on their ministries). We should mention the Public Procurement Office (www.uvo.gov.sk), the National Labor Inspection (www.safework.sk), the Monuments Board of the Slovak Republic (www.pamiatky.sk), the Antimonopoly Office (www.antimon.gov.sk), the Slovak Office for Technical Normalization (www.sutn.gov.sk), the Slovak Metrologic Body (www.smu.gov.sk), the Office for Nuclear Supervision (www.ujd.gov.sk), the Office of the Industrial Property (www.indprop.gov.sk).