**Application form for compensation of the victim of a violent crime according to the Victims´ Rights Act (Act No. 274/2017 Coll.)**

**Identification of the victim /parent or legal guardian/ legal representative**

**1.1 Identification of the victim[[1]](#footnote-1)**

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| **Name, family name, date of birth / personal number** (if given one) |
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| **Address** (street, city/town, postal code) |
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| **Citizenship / other residency status according to sec. 10 (1)** [[2]](#footnote-2) |
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**1.2 Identification of the guardian or legal guardian if the victim is a child or was assigned a legal guardian by a court decision.**

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| **Name, family name, date of birth** |
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| **Address** (street, city/town, postal code) |
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| **Document proving guardianship (e.g. birth certificate, court decision)** |
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**1.3 Identification of the legal representative**

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| **Name, family name / business name** |
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| **Address (residence)** (street, city/town, postal code) |
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| **Type of legal representation according to sec. 16 (3)[[3]](#footnote-3)**  |
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**II. Details of the offence**

**2.1 Indicate, specify and attach the copy of the decision** (in case you are not able to attach one of the decisions mentioned below, please specify the case file number and the law enforcement authority or the court, which is acting in the case or acted in the case last)

1. judgement or penal order, issued in criminal proceedings, by which the offender has been found guilty of committing a crime that caused injury/harm to the victim of violent crime, or
2. judgement, issued in criminal proceedings, by which the defendant has been acquitted because he/she was not criminally responsible on the grounds of insanity or lack of age of criminal responsibility , or
3. decision by which the criminal prosecution stayed or postponed the criminal proceedings under the relevant provisions of Act No. 301/2005 Coll. (the Code of Criminal Procedure), or
4. decision by which the criminal proceedings has been initiated if neither of the above-mentioned decisions has been issued, announced or entered into force, and the outcomes of investigation led by law enforcement bodies do not give rise to reasonable doubts as to whether the act, that has characteristics of a crime by which injury/harm was caused to the victim, occurred.

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**2.2 Did the crime occur in the territory of the Slovak Republic?**

☐ YES ☐ NO

**III. Details on injury suffered**

**3.1 Did you claim the damages arising from the injury/harm during the criminal proceedings against the offender?**

☐ YES ☐ NO

**3.2 Has the claim been decided on during the criminal proceedings?**

☐ YES ☐ NO

**3.3 In case the criminal court referred you with your claim for compensation for damages to civil proceedings, have you initiated the civil proceedings or proceedings before another body?**

☐ YES ☐ NO

**3.4 If the answer is yes, please specify the civil proceedings or the decision issued concerning your claim for compensation** (if you are not able to attach a decision from a civil proceeding, specify the case file number and the relevant court).

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**3.5 Specify the amount of compensation you are applying for with a brief justification[[4]](#footnote-4) of the stated amount and injuries suffered.**

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**3.6 Indicate and attach the document supporting the stated amount of compensation you are applying for (e. g. judgement, medical certificate)** If this document is part of the criminal / court file, please, indicate the case file number. If you are the only surviving relative of the deceased victim applying for compensation, in the amount of fifty-times of minimum wage, please attach the document proving this.

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**IV. Details on offender compensation**

**4.1 Have you been fully compensated for the injury suffered by other means?[[5]](#footnote-5)**

☐ YES ☐ NO

**4.2 Indicate all the steps you have taken in order to receive compensation directly from the offender (e. g. application for compensation during the criminal proceedings, initiation of civil proceedings for claiming compensation, recovery procedure for awarded compensation).**

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**4.3 If you have received a partial compensation from the offender, please specify the received amount of compensation. Also specify the amount of compensation that you have received by other means (e. g. from the private insurance scheme).**

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**4.4 If you have not taken all steps to claim compensation for the suffered injuries from the offender (e.g. application for compensation from the offender during the criminal proceedings, initiation of civil proceedings for claiming compensation, recovery procedure for awarded compensation), please specify your reasons.**

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**V. Fill out in case of death as direct result of a violent crime**

**5.1 Specify your relationship with the person who deceased as a direct result of a violent crime and attach the relevant documents proving this relationship.**

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**VI. Method of payment**

**6.1 Specify the payment details** (e.g. bank account number/IBAN, in case of postal order, specify name, family name, address and date of birth of the recipient).

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**VII. Declaration**

7.1 When deciding on the application, the ministry will consider and take into account the information and statements provided in this application form, its attachments, and the documents obtained according to sec. 17 of the Victims' Rights Act.

7.2 The victim of a violent crime hereby declares that the information and statements provided in this application are true and complete to the best of their knowledge. The victim hereby confirms that s/he is aware that the ministry may in accordance with sec. 16 (6) of the Victims' Rights Act withdraw its original decision and issue a new decision ordering the victim to return the already obtained compensation or its part, if additional facts arise, in particular, if the victim was not truthful when submitting this application form, did not fulfil the information obligation under sec. 16 (4) of the Victims' Rights Act (e.g. the victim failed to inform the ministry on receiving even partial compensation from the offender), and if a final decision in the criminal proceedings entered into force based on which the victim was not entitled to receive the state compensation since the conditions in sec. 11 (1) or (2) of the Victims' Rights Act were not met.

7.3 Upon payment of the compensation to the victim by the state, the claim for compensation against the offender in the awarded amount passes on to the state. The victim is no longer entitled to seek compensation in the awarded amount from the offender.

7.4 If it is necessary to add any other relevant information in respect of this application and for deciding on the compensation, the victim can specify these in a written letter attached to this application form.

In ...........................................date

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 victim’s signature/ legal guardian’s signature / legal representative’s signature[[6]](#footnote-6)

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| **Attachments:** |

1. According to sec. 2 (1) (d) of the Victims´ Rights Act, victim of violent crime is a person who

	1. suffered physical/bodily harm as a direct consequence of an intentional violent crime; if the person died as a result of a violent crime, eligible for compensation is a surviving spouse and a surviving child, if there is none, a surviving parent and a person who cohabitated with the deceased at least one year prior the death of a victim in a shared household or the person to whom the deceased had a maintenance obligation
	2. suffered non-material/psychological harm as a direct consequence of crime of human trafficking, rape, sexual abuse, sexual violence, domestic violence, and enforced disappearance. [↑](#footnote-ref-1)
2. According to sec. 10 (1) of the Victims' Rights Act, compensation may be claimed by a victim of violent crime who is a citizen of the Slovak Republic or a citizen of another Member State of the European Union or a stateless person having permanent residence in the Slovak Republic or in another Member State of the European Union, or a foreign national under the conditions and to the extent stipulated by a ratified, if the injury occurred in the Slovak Republic. Compensation may be claimed by a victim of violent crime who has been granted asylum, subsidiary protection, temporary refuge, leave to remain or exceptional leave to remain in the Slovak Republic, if the injury occurred in the Slovak Republic. [↑](#footnote-ref-2)
3. According to sec. 16 (3) of the Victims' Rights Act, a victim of violent crime can be represented in the compensation proceedings by an attorney, the Legal Aid Centre, accredited victim support organisation, victim support organisation providing help and support according to a specific legal act, or a close relative. No other legal representation is allowed. [↑](#footnote-ref-3)
4. For example: pain and suffering enumerated in accordance to an expert opinion or a medical opinion provided for the purposes of criminal proceedings, compensation for psychological injuries according to sec. 12 (2) or (3) etc. [↑](#footnote-ref-4)
5. For example from the private insurance scheme (health insurance, accident insurance), compensation obtained directly from the offender etc. [↑](#footnote-ref-5)
6. Indicate whose signature is attached, cross out the incorrect identification. [↑](#footnote-ref-6)