

**Guidance of the Ministry of Economy of the Slovak Republic  
on the voluntary submission of an application for screening of a foreign investment**

This guidance applies to those foreign investments that are not considered critical foreign investments under Act No. 497/2022 Coll. on the screening of foreign investments and on amendments to certain acts (hereinafter the “Foreign Investment Screening Act”) in connection with Regulation of the Government of the Slovak Republic No. 61/2023 Coll., laying down the critical foreign investments (hereinafter “Government Regulation No. 61/2023 Coll.”).

The aim is to increase awareness among foreign investors considering the voluntary submission of an application for authorisation of a foreign investment pursuant to § 11(2) of the Foreign Investment Screening Act, i.e. in cases where foreign investors are not obliged to submit such an application.

The Ministry of Economy of the Slovak Republic recommends that foreign investors submit applications for authorisation of their foreign investments in cases where:

1. The target entity is a supplier of goods, products, services and/or solutions to the state, a critical entity, an economic mobilization entity, or an operator of an essential service, especially where the subject of supply is in some way unique and difficult (if at all possible) to replace with alternative goods, products, services and/or solutions, for example due to the technologies used and/or specific manufacturing/development processes, specific characteristics, or a limited number of alternative suppliers on the EU market, i.e. a shortage or complete absence of alternative suppliers established in the EU and suitable alternative suppliers from third countries that can operate on the EU market without export or import restrictions on the product concerned.
2. The target entity financially, personnel-wise or otherwise supports research, development or innovations based on a contract concluded with universities and/or the Slovak Academy of Sciences, especially in areas such as energy (including renewable energy sources), semiconductors, quantum technologies, artificial intelligence (particularly where related to biometrics and data mining), and biotechnology.
3. The target entity participates in a project and/or programme of Union interest pursuant to the Annex to Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union, as amended.
4. The foreign investment is subject to screening conducted by another country (especially EU Member States) and its implementation would also result in the indirect acquisition of a Slovak target entity that falls under points 1 to 3 of this guidance.
5. The foreign investor is directly or indirectly controlled by a public authority of a third country or by an entity with ownership participation from a third country.
6. The foreign investor is uncertain whether the investment qualifies as a critical foreign investment under the Government Regulation No. 61/2023 Coll., and, for certain reasons—particularly in view of the scope of information provided during informal consultations (via [fdiscreening@mhsr.sk](mailto:fdiscreening@mhsr.sk))—the Ministry of Economy of the Slovak Republic is also unable to provide a definitive assessment.

A foreign investor may also voluntarily submit an application for authorisation of a foreign investment in order to confirm its credibility and the credibility of its investment plans in relation to a specific foreign investment, through a confirmation issued by the Ministry of Economy of the Slovak Republic that the investment does not pose a risk to security and public order, or eventually through a decision on the authorisation of the foreign investment.