

**LEGAL FRAMEWORK AND SOME PRACTICAL ASPECTS OF THE  
PERFORMANCE OF INTERPRETING AND TRANSLATION BY THE  
COURT APPOINTED INTERPRETERS AND TRANSLATORS  
IN THE CZECH REPUBLIC**

***Komora soudních tlumočnicků ČR, o. s.***

***(The Chamber of Court Appointed Interpreters and Translators of the Czech Republic)***

**Antwerp, Lessius University College, 28 November 2009**

*Good morning, Dear Colleagues,*

*First of all, let me introduce myself. My name is Jana Schovancová and I am President of the Board of the Chamber of Court Appointed Interpreters and Translators of the Czech Republic. By profession, I am advocate and court appointed interpreter and translator of Spanish language. Let me introduce to you my two colleagues and members of the Board, Ms Ilona Schee Šprcová who is court appointed interpreter and translator of Russian and English language and Ms Eva Gorgolová who is court appointed interpreter and translator of English language.*

*We also welcome the creation of EULITA and we are pleased that we may attend this first founding Conference. We would like to express and yesterday we declared our interest in joining this new Association.*

*As you could see, the topic of my presentation is „Legal Framework and Some Practical Aspects of the Performance of Interpreting and Translation by the Court Appointed Interpreters and Translators in the Czech Republic“. However, earlier in this year, in March and April when I was drafting our contribution to this Conference, the situation in the field of the legal regulation was a little bit different and we hoped a new Act regulating the profession of court appointed interpreters and translators would see the light of the day until this Conference takes place, i. e. by the month of November 2009.*

*There were some legislative works in last two years in which the representatives of our Chamber actively participated but the approval of the draft of the new Act was finally postponed by the Government in the month of May 2009 and we hope we would inform you about the new legal regulation next time.*

The aim of this presentation is to outline the current legal framework and the most important practical aspects of the professional activity of court appointed interpreters and translators in the Czech Republic. We will deal with the following topics:

- Current Legal Framework – the Act and Decree of the Ministry of Justice of the Czech Republic
- The Position of the Court Appointed Translators and Interpreters in the Czech Republic

- The Chamber of Court Appointed Interpreters and Translators of the Czech Republic
- Certified Translation and its Attributes
- Translation and Interpreting Rates

### ***Current legal framework***

As far as the current legal framework is concerned, performance of interpreting and translation by the court appointed translators and interpreters in the Czech Republic is actually regulated by the Act No. 36/1967 Coll., on Certified Experts, Translators and Interpreters and the Decree No. 37/1967 Coll., to execute the Act on Certified Experts, Translators and Interpreters, in its current version. Both the Act and the Decree are very old, obsolete and as I told you before, there were legislative works on a new Act and we hope the new Act will be finished soon since the need for a new legal regulation is very strong.

### ***Court appointed translators and interpreters in the Czech Republic***

Court appointed translators and interpreters in the Czech Republic are appointed by a Regional Court, with jurisdiction according to their places of residence. They provide official translations or interpreting as requested by Czech laws and regulations. A court appointed translator/interpreter works especially for civil services, Police, courts, prosecuting attorney's offices but also for private persons whose intention is, for example, to work abroad. The online version of the official Register of Court Appointed Translators and Interpreters is available by visiting the website of the Ministry of Justice of the Czech Republic: [www.justice.cz](http://www.justice.cz) . The register of court appointed translators and interpreters – members of the Chamber of Court Appointed Translators and Interpreters of the Czech Republic is available by visiting the website of the Chamber: [www.kstcr.cz](http://www.kstcr.cz) .

### ***The Chamber of Court Appointed Translators and Interpreters of the Czech Republic***

As regards the Chamber, the Chamber of Court Appointed Interpreters and Translators of the Czech Republic is a voluntary professional organization to associate, represent and defend the interests of interpreters and translators qualified, admitted, appointed and sworn pursuant to Act No. 36/1967 Coll., on Certified Experts, Translators and Interpreters, as amended. The Chamber was established on 16th October 1996 as a non-political organization, it has actually approx. 550 members who translate and interpret to 37 foreign languages. Its main task is to pursue, enforce and defend the professional, labour, legal and social interests of its members. Since the requirements for the qualification of translators and interpreters are not currently unified and regulated in the Czech Republic, the Chamber strives to

improve the qualification and know-how of its members. The Chamber organizes training courses, meetings and briefings with the purpose of sharing experience and knowledge. The Chamber also participates in preparing and negotiating drafts of legal regulations concerning translators and interpreters and it has formulated ethical principles (the Ethical Code) of this profession.

Since the Chamber is the only one professional organization of the court appointed translators and interpreters in the Czech Republic, we are frequently asked for help with practical issues relating to this profession by national authorities. This way we draft opinions for the Ministry of Justice, Ministry of Interior of the Czech Republic, various regional courts and other national authorities.

The Chamber has its own bulletin „Court Interpreter“ (*in Czech: „Soudní tlumočník“*) which is issued twice a year and where we inform (not only) our members about the activities of the Chamber, about the seminars and workshops and also, among others, we answer the questions of our members there.

### ***Certified translation and its attributes***

As far as certified translation and its attributes are concerned, a certified translation shall include the original document or its certified copy, the translation of the document into the target language, and, on a separate page, the „translator’s clause“, sealed by the seal of the translator and signed by him/her. The translator’s clause contains certification by the court appointed translator that the translation corresponds with the original document. The eventual certified copy of the document shall be made either by a notary or by a registrar of the competent Municipal Authority since a court appointed translator cannot verify the conformity of the copy with the original document. Generally, it is recommended to always give an authentic copy to a court-appointed translator, because only the original document or its certified copy can be used for an official translation pursuant to the Decree No. 37/1967 Coll., to execute the Act on Certified Experts, Translators and Interpreters, as amended. The entire packet has to be stitched together to prevent an unobserved separation; it is perforated, and a lace is drawn through and sealed by the translator’s seal.

### ***Translation and interpreting rates***

Last part of this contribution refers to the translation and interpreting rates. Translation and interpreting rates for civil service are governed by the Decree No. 37/1967 Coll., as amended. Translations are charged according to „standard pages“. A standard page is counted according to the Czech standard for typewriting, which means 30 lines with 60 strokes. In the case of computers, it means 1800 characters. Each started page is charged as a full one. Interpreting is charged by rates for a working day, which means 8 hours, including all breaks. Interpreter and client may

agree upon work in the scope of half a working day (i.e. 4 hours). The interpreter is entitled to include time spent outside his/her professional or private address into the rate. Payment of travel expenses (travel, meals, accommodation, etc.) is governed by valid regulations of the Czech Republic.

***To conclude, I would like to point out that the Chamber of Court Appointed Interpreters and Translators of the Czech Republic has actively participated in works on a new legal regulation.***

***We hope to ensure that the office of the court appointed interpreters and translators not only remains a vital institution for individuals and businesses dealing with legal matters, but also can establish itself as a reliable safeguard within the constantly growing community of international authorities.***

***If you have questions please contact us via email: [kstcr@kstcr.cz](mailto:kstcr@kstcr.cz) or visit our website: [www.kstcr.cz](http://www.kstcr.cz) . (Our website was translated to many foreign languages).***

**THANK YOU FOR YOUR ATTENTION.**

\*\*\*\*\*