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ANALYSIS OF “CLASSICAL” AND LEGISLATIVE DEFINITIONS FOR THE TERM RECORDS OF THE SLOVAK TERMINOLOGY DATABASE

ABSTRACT: The paper presents a comparative study of „classical“ and legislative definitions referring to the same concept in the field of law, which reveal multidimensional nature of these concepts. The author focuses on one hand on typology of definitions and on the other on their structure, coherence and applicability. The aim is to decide, on the basis of this comparison, which type of definition is to be used to represent concepts in the domain of law in the Slovak Terminology Database, addressing not only lawyers but also lay public, so that definitions included in this Database can facilitate and enhance knowledge acquisition.

KEY WORDS: terminology, definition, consistence, terminology database

Every terminologist agrees that “ultimate purpose of any terminological resource is to facilitate and enhance knowledge acquisition” (Faber 2001:194). Therefore, any team involved in terminology management, whatever the type, size, purpose and target audience of the given terminology collection might be, cannot but cope and answer the essential question: What is the optimal method for achieving this goal in our case? Or, to put it more precisely: What is the best way for representing “specialised” concepts? And because of the fact that it is the definition that is widely acknowledged as the key terminological information, more specific question requires to be answered: What criteria should a definition meet in order to help the user to acquire specialised knowledge from this collection? And the team must bear in mind that in case of reusing different terminological sources reflecting points of view of various authors the key issue is to harmonise their definitions and thus ensure consistency and clarity of information.

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The paper does not have the ambition to present extensive and theoretical study on definitions and legal definitions in particular, instead it focuses on the comparison of direct quotations from Slovak legislation and their “classical” counterparts or paraphrases, which had been incorporated in the beta version of the Slovak Terminology Database (hereinafter referred to as the STD), both types featuring as definitions for the same legal concept. The reason behind this comparison is a contradiction between the requirement of definition’s authenticity and the need for its adaptation to the guidelines of a specific terminology collection, i.e. many terminology databases include definitions from various primary or secondary knowledge or terminology resources in a cut-and-paste fashion (Faber 2006:40) without taking into consideration the complementarity of term record data categories and its coherence with respect to related term records. Although definition creation imperatively leads to the selection of conceptual characteristics dictated by the author’s point of view, degree of the accuracy of the conceptual description, culture etc. Definitions should not be therefore treated as given information but as a construction (see Bessé 1996).

Upon a brief introduction dealing with STD project presentation, the focus of the paper will be drawn to the definition in general – its delimitation and structure, its typology and functions, criteria of formation, and will close with a focus on legal definitions and their specificities. In the second part the attention will be paid to the definition analysis itself, which will subsequently enable to draw the concluding suggestion for appropriate treatment of definitions. The aim of the paper is to determine or propose guidelines for modifications, if acceptable by domain experts, that a legislative definition can or should undergo when included into the STD.

Project of the slovak terminology database

The STD, which started in the autumn of 2005, was conceived as a monolingual database to provide the user with both conceptual and linguistic information. From the very planning phase of the project the STD was to aspire for the cooperation with leading European database IATE in terms of exchanging terminological data, and that is why the same classification system EUROVOC 4.2 Thesaurus was chosen for the STD. As for the STD software the team chose and adapted the ready-made, open source and especially userfriendly

WikiWikiWeb editing system based on MoinMoin. Although the STD was started with insertion of already compiled terminological resources, the main line of project methodology favours the extraction of lexical units – potential terminological units from running specialised texts included in specialised corpora and followed by the validation of their relevancy and correctness by domain experts.

As far as the term record design is concerned, the inspiration was drawn especially from the ISO 10241:1992 International terminology standards -- Preparation and layout. Nowadays, resulting term record comprises – after several updates – 13 data categories, 7 out of which are obligatory. In order to satisfy the needs of professionals, lay public and last but not least the translators and interpreters, obligatory categories include term, field, definition, context, related terms and sources of both definition and context. Remaining optional fields of the term record feature synonym, foreign language equivalent, acceptability, indication of the institution or terminology committee that approved the head term, comment and links to relevant reliable web pages.

The beta version of the STD, launched online in May 2007, was focused on reusing and adapting existing quality terminology resources published in particular in the Slovak linguistic revue *Kultúra slova*, as the team received a copyright license for their non-commercial use. The testing period enabled to verify and evaluate proposed methodology, which resulted in several subsequent modifications, and to train team editors and proofreaders. More specific issues of this phase covered harmonization of varying editorial practices in order to meet one common form of the term record.

Nowadays, the STD offers more than 3300 terminological records that can be classified by a circa 20 EUROVOC descriptors corresponding to specialized domains such as: Administrative Law, Astronomy, Bilingualism, Civil Security, Construction, Criminal Law, Criminology, Employment and Working Conditions, Fire Protection, History, Labour Law, Linguistics, Migration Policy, Private Law, Public order, Social Protection, Society and Demography etc.) with only a part of terminology fields completed, i.e. term and usually definition, source, less often synonym, sometimes related terms, and comment. Since January 2008 the team together with external collaborators started two partial terminology projects focused on social security and history.

Table 1. Model term record – *rozhodnutie* (*decision*)

Slovenská terminologická databáza	
JanaLevická Nastavenia Odhlásenie	
rozhodnutie	
povolanie » prevelenie » služobná disciplína » PoslednéZmeny » rozhodnutie	
Hlavná stránka	Nový záznam
Diskusia	Posledné zmeny
Informácie	Oznamy
Odoberať	O databáze
Pridať odkaz	Stránka/Ako editovať
Prílohy	rozhodnutie
Viac akcií: <input type="button" value="v"/>	
term	rozhodnutie
synonym	
field	● správne právo
definition	individuálny správny akt, ktorým sa zasahuje do právnej situácie konkrétnej fyzickej alebo právnickej osoby
biblio	Đurčo, P. a kol.: Bezpečnostnoprávna terminológia. 2007
context	Rozhodnutie musí byť v súlade so zákonmi a ostatnými právnymi predpismi, musí ho vydať orgán na to príslušný, musí vychádzať zo spoľahlivo zisteného stavu veci a musí obsahovať predpísané náležitosti.
context source	Zákon č. 71/1967 Z. z. o správnom konaní
acceptability	legislatívny
approved	
related terms	výkon rozhodnutia, vykonateľnosť rozhodnutia, právoplatnosť rozhodnutia, náležitosti rozhodnutia, preskúmanie rozhodnutia mimo odvolacieho konania
translation	
comment	
URL	● http://ec.europa.eu/information_society/policy/psi/docs/pdfs/implementation/sk_notification_71_1967_amendment_215_527.pdf

Kategória:Bezpečnostnoprávna oblasť

rozhodnutie (posledná edícia z 2008-06-23 14:30:01 uskutočnil pálo)

Editovať Diskusia Informácie Odoberať Pridať odkaz Prílohy Viac akcií:

Delimitation and structure of definition

„Definition is nothing else but the showing the meaning of one word by several other not synonymous terms,“² wrote John Locke in 1689. However, within the realm of terminology, definition should not explain the meaning but clarify given concept and is usually defined as a microsystem consisting of hierarchically ordered characteristics of a concept.

These characteristics or conceptual features maintaining relations of different nature are supposed to reflect the structure of a concept but as Seppälä (2004:37) points out they can never cover its totality. Therefore, it is not unusual to find several differing definitions for the same concept. It is a mental construct, a sort of a generalisation or synthesis and thus can never be exhaustive (see Analysis part).

It is common knowledge that every definition should consist of mutually substitutable parts – definiendum and definiens, the former being in our case the term and the latter represents the defining utterance containing defining elements of two kinds: classifying core and a handful

² http://en.wikisource.org/wiki/An_Essay_Concerning_Human_Understanding/Book_III

of specifying information. According to numerous studies the conceptual structure of the definition, namely number of these specifying features and their order, depends on the very categorising element of this defining sentence – the Aristotelian *genus proximus*. However, the selection or nature of this classifying element is in turn the function of the knowledge level the participants of this communication – author and target public – have.

And final remark to conclude this section, the only defining element, vital for the distinguishing of the concept, that is not be expressed in the definition is the respective field the concept belong to.

Typology and purpose of definitions

The practice has recorded numerous typologies of definitions based on different perspectives – e.g. function, conceptual structure, situation of use, formal composition, content, role, and editing practice, their choice being dictated especially by the target audience, aim of work and respective domain.

CONCEPTUAL STRUCTURE. Linguistic and terminological theory fosters traditional, most frequent and abovementioned Aristotelian definition also referred to as **classical, intensional or comprehensive definition**³, whose conceptual structure features nearest superordinate concept followed by specific features. Sager (1990:42) defines its function as follows: “systematically identifies a concept with respect to all others in the particular subject field”.

Example from the STD:

vodičský preukaz/driving licence – *osvedčenie, ktorým sa preukazuje oprávnenie na vedenie motorového vozidla*

/certificate, which proves that one is entitled to drive a motor vehicle/⁴

Comprehensive definition has its counterpart in the **extensional definition** that ISO 740 defines as “an enumeration of all species which are all on the same level of abstraction”.

³ ISO 740 „An intensional definition (in the classical sense) consist of a listing of the characteristics of the concept to be defined, i.e. the description of the intension of the concept. For this purpose the nearest genus that has either been defined already or can be expected to be generally known, and the characteristic(s) restricting (determining) this genus are given. One or several of these characteristics also differentiate the concept to be distinguished from other concepts of the same horizontal series“.

⁴ Translations of definitions from Slovak into English were done by the author with the aim to reflect as much as possible original wording and semantics regardless of Slovak specificities in terms of legal and administrative system.

Example from the STD:

disciplinárne opatrenie/disciplinary measure – písomné pokarhanie, zníženie služobného platu až o 15 % na dobu najviac 3 mesiacov, zníženie hodnosti o jeden stupeň na dobu jedného roka, zákaz činnosti, prepadnutie veci /written censure, lowering of service salary by as much as 15 % for the period not longer than 3 months, degradation to lower rank for the period of one year, prohibition to undertake activities, confiscation of a thing/

However, it is a common phenomenon to find so-called mixed definitions that usually consist of comprehensive as well as extensional part or feature other types of definitions – e.g. partitive⁵, functional⁶, etc.⁷

Another very frequent and useful typology (see Bessé 1996, Larivière 1996 etc.) is based not on the form but on the definition's object and on the type of outcome, in which the definition appears. It distinguishes *encyclopaedic definition* (provides a collection of knowledge concerning an object and is used in encyclopaedias), *lexicographic one* (explains the signified by distinguishing their meanings and usage of language signs and employed in the dictionaries and also encyclopaedias) and finally *terminological definition*. The last one can be identified only on the basis of its triple purpose, i.e. it enables to describe, to circumscribe and distinguish the concept within an organised system.

To characterise terminological definitions in conclusion – they can refer to the intension, extension of the concept, or its function but first of all they should act as a pointer to both hierarchical and non-hierarchical relations between concepts within the same subject field, which can be achieved by means of coherent elaboration (Faber 2001:196). Some authors also claim that this kind of definition should be prescriptive and didactic.

What is a quality terminological definition?

According to the metaphorical wording of Juan Sager (1990), definition is a „bridge between the term and its concept“. This bridge, however, can be

⁵ Is a definition based on the enumeration of the concept that refer to the main parts of an object covered by a superordinate concept in a partitive relation. ISO 12620

⁶ A definition describing function or purpose of the defined concept/object of the extralinguistic world.

⁷ For example *stipulative definition* (the one that is restricted to one theory, author, legal act etc.)

of various material, construction and stability because, as Hanks (2006:399) rightly points out: every definition "offers an interpretation (or a menu of possible interpretations) of" a given term. The question is, of course, where are the limits of this interpretation and how to assure its applicability and quality of the definition itself.

Besides the criterion of authenticity of the source the theory of terminology suggests for definition creation following criteria :

1. ACCURACY – refers to a definition that includes all essential characteristics required for the concept identification and distinction. However, if a definition does not comply with this criterion and the definitional work reveals to be incomplete, the result cannot be classified as a definition but as a defining context⁸ for it fulfils only one third of definition's functions – description.

2. CONSISTENCY and SYSTEMATICITY – refers to a definition that is worded without contradiction and with respect to its internal coherence and to its interrelation with nearest concepts – e.g. many definitions contradict basics of terminology work for they comprise unknown, ambiguous or vague terms;

3. OBJECTIVITY – in spite of certain inevitable subjectivity every definition should aspire for objective and neutral wording. Acceptable degree of subjectivity results from the fact that human perception and knowledge of the world, its classification and segmentation of the lexicon are interdependent within a synchronic point of view (see Rey-Debove 1971). Therefore, definition naturally reflects development of the science, thus of a concept.

4. ADEQUACY – level of the language used in the definition must take into consideration the level of education of the target audience, if not it can be even completely useless;

5. ECONOMY – defining statement should express and describe the concept as condensely as possible.

6. UNDERSTANDABILITY – essential requirement related to all the previous ones and aiming at functionality and effectiveness of the defining statement

⁸ **Context** is defined in the ISO 12620 as a „text which illustrates a concept or the use of a designation“, or „a text or part of a text in which a term occurs“ while **defining context** is considered by Canadian term base Termium as the one that brings a light on the distinctive characteristics of the concept. ISO 12320:1995 informs that it contains substantial information about a concept but does not possess the formal rigour of a definition.

Legal definitions

Let us tackle the specificity of legal definitions. According to Kaczmarek and Matulewska (2006: 86) “legal definitions are those which are in statutory texts and which introduce an unknown term with the help of known terms”. I would like to extend this textual characterisation of legal definitions to all „legal concepts“ represented by terms regardless of the type of text they appear in. However, in order to avoid any misunderstanding, those taken from Slovak legislation and analysed in the second part will be referred to as “legislative definitions”.

Zieliński distinguishes two fundamental functions of legal definition (2002:188-191): expressing the precise meaning of agents, things or conventional actions created by the legislator as well as eliminating ambiguity and vagueness by stipulating legal terms that: 1. come from the colloquial or general language; 2 are still in development; 3. have been borrowed from other languages; 4. have been borrowed from other LSPs.

However, one can raise the question if the elimination of ambiguity and reference to legal concepts are the only distinguishing features of legal definitions. Can we identify any structural and/or formal specificities? What kind of defining elements are essential for a legal definition? Can we rely on Solan’s statement (2006): “the law is a classical definition in that it lists elements that are individually necessary and together sufficient for a XY to have occurred”? And as far as their usage in a general terminology database like the STD is concerned, what is the best practice – copy-and-paste inclusion of Slovak legislative definitions or only after some kind of modification? Let us remind that the purpose of not only legal definitions in the STD is to provide understandable expert knowledge. For some terminologists (see e.g. Da Graça Krieger 1996) warn that „laws are usually synthetic texts and their regulatory and sanctioning nature do not offer semantically rich contexts to provide satisfactory definitions“. Moreover, legal terms might occur with different meanings in different legal contexts which creates ambiguities and is in direct contradiction to the requirement for accuracy.

Analysis of the conceptual structure of selected definitions

The second part of the paper is devoted to the analysis of conceptual structure of about 40 pairs of definitions – first one comes from the terminology

resource entitled the Law and Protection Terminology (hereinafter referred to as LPT) compiled by a team of circa 25 authors from the Police Academy of Bratislava⁹. The other element of the pair has been taken from the Slovak legislation and expresses same concept belonging to the field of administrative law, private law, labour law or criminal law. We will try to evaluate the quality and functionality of these examples for the purpose of the STD.

As for the nature of defined concepts, they can be labelled as general legal ones and their terms appear also everyday in media and thus undergoing also the process of determinologisation. However, other legal concepts from the set of analysed terms were coined within the opposite tendency – coming from the general lexicon they acquired specific meaning in the field of law (e.g. *rozhodnutie/decision*). Most of analysed definitions make explicit abstract concepts rather than concrete ones, which we classified according to Seppälä typology of conceptual classes into activities, acts, entities, and groups.

1. First four analysed definitions belong according to authors to the realm of administrative law. They refer to the related concepts expressing protection of different agricultural properties instituted by the law – *lesná stráž, rybárska stráž, stráž prírody, poľná stráž* – as follows:

poľná stráž (field guard)

LPT DEFINITION: **ochrana** poľnohospodárskeho majetku nachádzajúceho sa na poľnohospodárskych pozemkoch mimo intravilánu obce;

/protection of agricultural property located on the agricultural lots beyond the community grounds/

LEGISLATIVE DEFINITION (Act n° 255/1994): **jej povinnosťou**

je ochrana poľnohospodárskych kultúr, plodín a majetku, ktorý slúži na zabezpečenie poľnohospodárskej výroby a nachádza sa na poľnohospodárskych pozemkoch mimo intravilánu obce

/its duty is to protect breeds, crops and agricultural property, which enables agricultural production and is located on the agricultural lots beyond the community grounds/

⁹ Ďurčo, P. et al. 2007. *Bezpečnostnoprávna terminológia*. Bratislava: Akadémia Policajného zboru v Bratislave.

lesná stráž (forest guard)

LPT DEFINITION: **inštitút slúžiaci na ochranu** lesného pôdneho fondu, lesov, bez ohľadu na vlastnícke a užívacie vzťahy;

/institute assuring the protection of forest soil, forests as such regardless of their owners and users/

LEGISLATIVE DEFINITION (Act n° 326/2005): **na zabezpečenie ochrany** lesného majetku orgán štátnej správy lesného hospodárstva ustanovuje lesnú stráž

/in order to assure the protection of the forest property the body of public administration for the forest economy establishes the forest guard/

rybárska stráž (fishery guard)

LPT DEFINITION: **inštitút zriadený na ochranu výkonu** rybárskeho práva, pričom zák. č.139/2002 Z.z. ukladá navrhnuť rybársku stráž užívateľovi rybárskeho revíru ako povinnosť;

/institute established to provide protection for the exercise of fishing rights, in accordance with law n 139/2002 it is the duty of the user of fishing area to propose fishery guard/

LEGISLATIVE DEFINITION (Act n° 139/2002): zabezpečenie ochrany výkonu rybárskeho práva v rybárskych revíroch **je povinnosťou užívateľa; užívateľ** je povinný navrhnuť okresnému úradu pre každý rybársky revír rybársku stráž

/to assure the protection of the exercise of fishing rights in the fishing areas is the duty of the user; the user is obliged to propose to the community council fishery guard for each fishing area/

stráž prírody (guard of the nature)

LPT DEFINITION: **fyzická osoba**, ktorá dosiahla vek najmenej 18 rokov, je občanom SR, bezúhonná a úplne spôsobilá na právne úkony, je odborne spôsobilá, zdravotne a fyzicky spôsobilá a zložila sľub;

/natural person that reached the age of 18 years, is a citizen of the Slovak Republic, has appropriate moral profile, knowledge, health and physical skills and has taken the oath/

LEGISLATIVE DEFINITION (Act n° 543/2002): členom stráže prírody sa fyzická osoba stáva **dňom zápisu** do zoznamu členov stráže prírody, ktorý vedie krajský úrad

/natural person becomes a member of the guard of nature on the day of

his/her inscription into the list of members maintained by the department council/

The first defining statement for each concept comes from LPT – three out of the four definitions can be labelled as functional. Apart from specific characteristic denoting purpose, they include locality and object characteristics. In comparison with legislative ones they lack the agent and time characteristics but in this case they do not seem to be essential. The fourth one – *stráž prírody* – is incomplete for it lists some conditions for becoming a member of the specialised guard but no distinguishing features, that is why it could refer to any group/agentive concept. The terms also lack systematicity for their semantic motivation indicates that they are co-hyponymes but the wording of respective definitions do not clarify if this is the case or not – they feature three different genus proximus. The reason might be that although coming from the same terminology resource they were actually taken from different acts.

Each of abovementioned legislative defining statements lack classifying element and therefore we labelled them as defining contexts. Two of them are of functional nature while the most exhaustive and detailed one referring to the *guard of nature* is a partitive defining context and includes specific characteristics like agent, time, means but not the purpose.

2. Legislative definitions from the next pair reveal a typical thriving for exhaustiveness in legal acts:

utajované skutočnosti (classified information)

LPT DEFINITION: *zákonom vymedzený okruh informácií alebo vecí, ktoré treba chrániť pred nepovolánymi osobami alebo cudzou mocou /a pool of information or things defined by law that are to be protected against unauthorized persons or foreign power/*

LEGISLATIVE DEFINITION: (Act n° 215/2004) **informácie alebo veci určené pôvodcom utajovanej skutočnosti, ktoré vzhľadom na záujem Slovenskej republiky treba chrániť pred vyzradením, zneužitím, poškodením, neoprávneným rozmnožením, zničením, stratou alebo odcudzením a ktoré môžu vznikáť len v oblastiach, ktoré ustanoví vláda Slovenskej republiky svojím nariadením**

/information or things determined by the author of classified issue that, with respect to the interests of the Slovak Republic, are to be protected against

disclosure, misuse, damage, unauthorized copying, destruction, loss or theft and that can originate only within areas established by the government of the Slovak Republic by means of a directive/

LPT definition represents a simplified version of the concept's verbal representation in comparison with its legislative counterpart which is of mixed character (enumerative+intensional). Both definitions express what is to be protected but while the first one points out to the type of abusers, the legislative one lists all possible ways of misuse and at the same time emphasizes the origin and agent of the classification of the information.

povolanie (call-up)

LPT DEFINITION: **dočasná zmena** v služobnom pomere policajta, pri ktorej ho minister povolá na plnenie úloh inšpekčnej služby
/temporary change of employment of a policeman within which the minister calls him/her on to perform tasks of inspection service/

LEGISLATIVE DEFINITION: (Act n° 73/1998) **minister môže** na nevyhnutne potrebný čas povolať na plnenie úloh inšpekčnej služby policajta s jeho súhlasom, a to i na také činnosti, ktoré nevyplývajú z funkcie, do ktorej bol ustanovený alebo vymenovaný
/minister can call on a policeman for a period of time necessary for the performance of inspection service tasks, with his/her agreement, and also for activities that do not arise from his/her function to which he/she has been nominated or appointed/

First legislative definition of these two interdomain homonymes lacks categorisation, but expresses agent/means characteristics, time and condition characteristics while the second one shows a formal deficiency for it includes verb with the same root, which heavily impairs understandability – *prevelenie => preveliť.*

prevelenie (transfer)

LPT DEFINITION: **dočasná zmena** v služobnom pomere policajta, ktorú možno realizovať za zákonom stanovených podmienok i bez jeho súhlasu, ale iba na stanovený čas
/temporary change of employment of a policeman that can be carried out in accordance with the conditions stipulated by the law even without his/her

agreement but only for a determined period of time/

LEGISLATIVE DEFINITION: (Act n° 73/1998) **policajta možno preveliť** aj bez jeho súhlasu na plnenie úloh Policajného zboru uložených pri vyhlásení bezpečnostného opatrenia na ochranu života, zdravia alebo práv iných osôb na nevyhnutne potrebný čas

/a policeman can be transferred even without his/her agreement for a period of time necessary for the performance of Police Forces tasks imposed in time of security measure declaration for the purpose of life, health or other persons's rights protection/

3. Legislative definitions in the following pairs reveal the lack of categorisation, they mostly include characteristic of function; the first two are based on enumeration of conditions and types respectively. Their LPT counterparts can boast a more consistent and transparent content not to mention exhaustiveness of essential characteristics:

rozhodnutie (decision)

LPT DEFINITION: **individuálny správny akt**, ktorým sa zasahuje do právnej situácie konkrétnej fyzickej alebo právnickej osoby

/individual administrative act that intervenes into the legal situation of a concrete natural or legal person/

LEGISLATIVE DEFINITION: (Act n° 71/1967) **musí byť v súlade so** zákonmi a ostatnými právnymi predpismi, musí ho vydať orgán na to príslušný, musí vychádzať zo spoľahlivo zisteného stavu veci a musí obsahovať predpísané náležitosti

/must comply with laws and other legal provisions, must be issued by an entitled authority, must be based on a reliably verified state of things and must include required elements/

disciplinárne opatrenie (disciplinary measure)

LPT DEFINITION: **sankcia** za disciplinárne previnenie policajta, ktorá sa ukladá najskôr v nasledujúci deň po spáchaní disciplinárneho previnenia a len do 30 dní odo dňa, keď sa o disciplinárnom previnení dozvedel ktorýkoľvek z nadriadených, najneskôr však do jedného roka odo dňa spáchania disciplinárneho previnenia

/sanction for disciplinary wrongdoing of a policeman that is imposed at earliest on the following day after the disciplinary wrongdoing and only until 30

days after the day when any of his/her superiors learnt about the disciplinary wrongdoing, however until a year time at latest from the committing of the disciplinary wrongdoing/

LEGISLATIVE DEFINITION: (Act n° 73/1998) písomné pokarhanie, zníženie služobného platu až o 15 % na dobu najviac 3 mesiacov, zníženie hodnosti o jeden stupeň na dobu jedného roka, zákaz činnosti, prepadnutie veci
/written censure, lowering of service salary by as much as 15 % for the period not longer than 3 months, degradation to lower rank for the period of one year, prohibition to undertake activities, confiscation of a thing/

pracovný poriadok (working guidelines)

LPT DEFINITION: **súčasť podnikových normatívnych aktov**, vydávaný zamestnávateľom na základe ZP, konkretizuje jeho ustanovenia podľa vlastných osobitných podmienok za účelom špecifikácie uplatňovania práv a povinností vyplývajúcich z pracovnoprávných vzťahov, organizačno-technologických predpisov, BOZP, atď.

/part of company's normative acts, issued by the employer on the basis of the Labour Code, which puts its provisions in concrete terms according to its own specific conditions for the purpose of the specification of the exercise of rights and duties arising from the employer-employee relationships, organisation and technological regulations, industrial safety guidelines, etc./

LEGISLATIVE DEFINITION: (Act n° 311/2001) **bližšie konkretizuje** v súlade s právnymi predpismi ustanovenia Zákonníka práce podľa osobitných podmienok zamestnávateľa

/provides more details in accordance with legal provisions of the Labour Code according to specific conditions of the employer/

Conclusion and further work

Analysed legislative defining statements

1. reveal to be rather defining contexts than definitions in comparison with LPT counterparts because of missing classifying elements – i.e. defining context¹⁰ does not have to explicitly express superordinate genus term and all the essential characteristics but must include enough information to identify the concept;

¹⁰ In the Belgian terminology manual *Recommandations relatives à la terminologie* it is referred to as **legal definition**.

2. are mostly functional and enumerative in nature. Their enumerative character consists of listing detailed conditions that an act/activity/entity must comply with in order to be acknowledged as such by the law;

3. are more explicit than „classical“ definitions;

4. sometimes lack generalisation for they were in some cases created for the sake of specific legal act, i.e. they correspond to stipulative definitions and therefore are less suitable for the STD needs.

As far as their form is concerned only a few legislative definitions can boast a rigorous form (minimal punctuation, no capital letters, no copula verbs, etc.) and meeting abovementioned criteria of economy. Moreover, a handful of them breach the basic rule not to use the same linguistic unit or its derivative both for the definiendum as well as within the definiens since it heavily impairs understandability. In several cases domain expert opted for the possibility to state two definitions for the same concept separated by a semi-colon for the sake of avoiding the slightest possible ambiguity and thus created redundancy.

The author is fully aware that presented analysis lacks substantial corpus of definitions especially with respect to different branches of law and therefore requires to extend the research. Nevertheless, it enabled her to formulate following interim recommendations:

Bearing in mind the character of analysed legislative defining statements, especially absence of classifying element and some of the essential characteristics the non-expert user can have problems to deduce the exact concept they express. For the sake of clarity and coherence it would be therefore desirable to state the genus explicitly.

In order to assure consistency and understandability we suggest as the first step creation of terminological fields consisting of related terms/concepts followed by an analysis and comparison of their definitions focusing on the inclusion/absence of classifying element, number and type of characteristics, which is a feasible activity also for a non-specialist.

However, none of these modifications would not be inserted into the STD without further documentation and especially consultation with specialists; their approval is always needed to gather additional data to enable the terminologist to build a legally accurate and linguistically satisfactory definition.

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