

Youth Council Act (ZMS)

Uradni list RS, 70-3305/2000
List of articles

INTRODUCTORY PROVISIONS

Article 1

This Act regulates the status, functioning, activities and financing of the Youth Council of Slovenia and the youth councils of local communities.

Article 2

The Youth Council of Slovenia shall be the umbrella organisation for:

- societies,
- associations of societies, and
- youth organisations within political parties that are registered in compliance with the law on political parties,

of all social, political and ideological orientations that offer activities of public benefit for children and young people, and which have a membership and leadership in which at least 70 per cent of people are between 15 and 29 years of age.

Local community youth councils shall be the local umbrella organisations for:

- societies,
- associations of societies, and
- internal organisational units of youth organisations of political parties registered in compliance with the law on political parties,

of all social, political and ideological orientations that offer activities of public benefit for children and young people, which have a membership and leadership in which at least 70 per cent of people are between 15 and 29 years of age and which are registered in the local community.

Association with the Youth Council of Slovenia and local community youth councils shall be based on the principles of free association, equality and mutual respect for the autonomy of each organisation.

STATUS OF YOUTH COUNCILS

Article 3

The Youth Council of Slovenia and local community youth councils shall have legal personality under private law with the rights, obligations and responsibilities stipulated by law and their founding acts.

Article 4

The Youth Council of Slovenia and local community youth councils shall have a founding act that regulates the following:

- the name and registered office;
- the objectives and principles of operation;
- the method of obtaining membership, conditions for membership and cessation of membership for societies, associations of societies and youth organisations within a political parties, and the dissolution of the council;
- the bodies, their composition, method of election to and removal from office, length of office and competences of the bodies;
- the method of ensuring the public nature of work;
- the tasks and activities, and legal representation;
- the source of funding and method of supervising the use of funds;
- the method of adopting amendments to the founding act;

- other issues of significance to the operation of the council and its functioning in accordance with the law and its objectives and principles.

The Youth Council of Slovenia and local community youth councils shall adopt their founding acts with a two-thirds majority vote by their members.

AUTHORISATIONS AND ACTIVITIES

Article 5

The Youth Council of Slovenia and local community youth councils shall in accordance with their founding acts:

- operate within the sphere of social policy for children and young people, care and education, free time activities, culture, public information and international cooperation;
- provide conditions for the operation and development of interest groups in which young people may associate;
- enable cooperation by young people in the adoption of legal and other regulations that affect the life and work of young people;
- perform other tasks to assert the interests of young people as set out in their founding act.

Article 6

Before setting out proposals for laws and other regulations that directly affect the life and work of young people, the government, ministries and other state agencies and local community bodies must inform the Youth Council of Slovenia or local community youth councils.

FINANCING

Article 7

The Youth Council of Slovenia and local community youth councils shall obtain funding from:

- the budget of the Republic of Slovenia and local community budgets on the basis of submitted programmes;
- subscription fees;
- property rights;
- gifts and bequests;
- donations;
- their own activities;
- other sources.

Article 8

The Youth Council of Slovenia and local community youth councils may directly perform remunerative activities under the conditions set out for that activity by law.

The remunerative activities must be set out in the founding act and must be related to the purpose and tasks of the Youth Council of Slovenia or local community youth councils and may be performed to the extent required to meet those objectives.

Revenue from remunerative activities must not be the main source of revenue for the Youth Council of Slovenia and local community youth councils.

Any surplus of revenue over expenditure obtained from direct performance of remunerative activities may only be used to meet the objectives of the Youth Council of Slovenia or local community youth councils in accordance with their founding act.

Any division of the assets of the Youth Council of Slovenia or local community youth councils among its members shall be considered null and void.

Article 9

Financial and material transactions and the use of funds shall take place under the conditions and in the method set out by law and the founding acts of the Youth Council of Slovenia or local community youth councils.

Records of financial and material transactions shall be kept in accordance with accounting regulations.

The Court of Auditors shall be responsible for the supervision of the legality, purpose, and economical and effective use of the public funds obtained by the Youth Council of Slovenia and local community youth councils for their activities.

REGISTRATION AND DISSOLUTION

Article 10

The administrative unit in which a council has its registered office shall be the body competent for registering the Youth Council of Slovenia and local community youth councils (hereinafter: competent body).

The Ministry of Education and Sport shall adjudicate on appeals against decisions by the competent body.

The provisions of the law regulating societies shall apply *mutatis mutandis* to applications for registration, decisions by the competent body and changes in the founding act or legal representative.

Article 11

The register of the Youth Council of Slovenia and local community youth councils shall be kept by the Ministry of Education and Sport.

Information entered in the register of the Youth Council of Slovenia and local community youth councils shall be public in nature.

Article 12

The Youth Council of Slovenia and local community youth councils may be dissolved if their members so desire.

Article 13

The Youth Council of Slovenia and local community youth councils may adopt a resolution of dissolution.

The legal representative of the Youth Council of Slovenia and local community youth councils must inform the competent body of the dissolution from the preceding paragraph within 30 days.

The resolution must be accompanied by a report on the use of funds stating the amount of funds, the method of settling liabilities, the amount of public funds and their restitution to the budget and the transfer of assets to the state or local community.

The provisions of the law regulating societies shall apply *mutatis mutandis* to the transfer of assets and to the conduct of the competent bodies in the case of the dissolution of the Youth Council of Slovenia or local community youth councils by agreement of their members.

PENAL PROVISIONS

Article 14

A fine of between 250,000 and 500,000 tolar shall be levied on a council that:

1. goes beyond the area of activity set out in its founding act (Article 4);
2. performs an activity not in accordance with the purpose and tasks of the council (second paragraph of Article 8);
3. does not use any surplus of revenue over expenditure to perform the basic activities of the council (fourth paragraph of Article 8);
4. makes false statements regarding financial and material transactions (second paragraph of Article 9);
5. changes its founding act or legal representative and does not submit a request for change in registration (third paragraph of Article 10).

A fine of between 50,000 and 100.000 tolar shall also be levied on the legal representative of a council in breach of the preceding paragraph.

TRANSITIONAL AND FINAL PROVISIONS

Article 15

The Youth Council of Slovenia, which was established on 25 April 1990 and registered on 21 April 1995 in the Slovenian business register with registration number 5623545, shall be transformed into the Youth Council of Slovenia from the first paragraph of Article 3 of this Act.

The Act on Transformation shall be adopted by the general meeting of the Youth Council of Slovenia no later than six months after this law enters into force.

The Act on Transformation shall define the changes required to effect the transformation, which shall be in accordance with the provision of this Act. The Act shall also determine the transfer of assets and employees and the deadline for the election of the new bodies of the Youth Council of Slovenia.

Until the election of the new bodies, the Youth Council of Slovenia shall be administered by the current president and executive board.

The Youth Council of Slovenia from the first paragraph of Article 3 of this Act shall exist from the date its transformation is officially registered.

Article 16

This Act shall enter into force on the eighth day after its publication in the *Uradni list Republike Slovenije*.

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