



REPUBLIC OF SLOVENIA
MINISTRY OF EDUCATION AND SPORT

OFFICE OF THE REPUBLIC OF SLOVENIA FOR YOUTH

ACT ON THE PUBLIC INTEREST IN YOUTH SECTOR (ZJIMS)

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ACT ON THE PUBLIC INTEREST IN YOUTH SECTOR (ZJIMS)

I. GENERAL PROVISIONS

Article 1 ***(Content of the Act)***

This Act shall define the youth sector and determine the public interest in the youth sector as well as the method of implementing the public interest in the youth sector.

Article 2 ***(Principles)***

The implementation of this Act shall be based on the principles of democracy, plurality, integrity, intergenerational solidarity, equality, non-discrimination and justice, multiculturalism, intercultural dialogue, volunteering, promoting a healthy lifestyle, respecting life and the environment, and the participation of non-governmental organisations in the management of public affairs.

Article 3 ***(Definition of Terms)***

The particular terms used in this Act have the following meaning:

- “youth” are young people and young adults of both genders aged between 15 and a completed 29 years;
- “youth sector” are the fields where the process of making and implementing youth policies and the youth work is carried out, defined in Article 4 of this Act;
- “youth work” is an organised and target-oriented form of youth action and is for the youth, within which the youth, based on their own efforts, contribute to their own inclusion in society, strengthen their competences and contribute to the development of the community. The implementation of various forms of youth work is based on the volunteer participation of the youth regardless of their interest, cultural, principle or political orientation;
- “youth policy” is a harmonised set of measures of various sectoral public policies with the purpose of promoting and facilitating the integration of youth in the economic, cultural and political life of the community and appropriate support mechanisms for developing youth work and operation of youth organisations, which is carried out in cooperation with autonomous and democratic representatives of youth organisations and professional and other organisations;
- “organisation in youth sector” is a subject which operates in the youth sector and is organised as a youth organisation or an organisation for the youth or a youth council;
- “youth organisation” is an autonomous, democratic, volunteer and independent association of youth, which with its operation enables the youth to gain planned learning experience, form and express their viewpoints and implement their activities in accordance with their interest, cultural, principle or political orientation, and is organised as an independent legal entity, namely as a society or an association of societies or as an integral part of another legal entity, namely a society, an association of societies, a trade union or a political party providing that the autonomy of operation in the youth sector has been ensured by the basic act of this legal entity;

- “organisation for youth” is a legal entity which implements the youth programme, but is not a youth organisation, and is organised as an institute, an institution or a cooperative;
- “structured dialogue” is an open, transparent, long-term, continuous and systematic dialogue between the youth and the holders of power at national and local levels in the youth sector;
- “youth infrastructure” is a physical space (land or building or part of building) intended particularly for the youth for carrying out the youth work;
- “youth programme” is a set of activities implemented by a youth organisation carried out among their peers continuously throughout most of the year and involving a large number of holders of activities and active participants;
- “programme for the youth” is a programme of measures in the youth sector implemented by organisations for youth with the purpose of providing the best living conditions, operation and organisation of youth, and carried out continuously through most of the year and involving a large number of active participants.

II. IMPLEMENTATION OF THE PUBLIC INTEREST IN THE YOUTH SECTOR

Article 4

(Fields of Youth Sector)

The fields of the youth sector relate to:

- autonomy of youth,
- informal learning and training and increasing the competences of youth,
- access of youth to the labour market and enterprise development of youth,
- care for youth with fewer opportunities in society,
- volunteering, solidarity and intergenerational participation of youth,
- mobility of youth and international integration,
- a healthy lifestyle and preventing various forms of youth dependencies,
- access of youth to cultural goods and promoting creativity and innovation among youth, and
- participation of youth in managing public affairs in society.

Article 5

(Public Interest in the Youth Sector)

The public interest in the field of youth sector shall be implemented by providing:

- regulatory and other conditions for developing the fields of youth work and inclusion of the youth aspect in strategies, policies and measures affecting the youth, and
- financial support to youth programmes and programmes for youth including support to youth infrastructure.

1. HOLDERS AND SUBJECTS OF PUBLIC INTEREST

Article 6

(Public Interest Holders)

- (1) The public interest holders in the youth sector shall be the State and the self-governing local communities and the self-governing national communities in the areas where the autochthonous members of the Italian and Hungarian national communities live.
- (2) The body responsible for implementing the public interest in the youth sector at a national level shall be the administrative body responsible for youth. In implementing public interest in the youth sector, other administrative bodies responsible for particular fields in the youth sector shall participate as well.
- (3) For participating in the making and implementing of the youth policy, the Government of the Republic of Slovenia (hereinafter, the Government) shall appoint a consulting body for youth.
- (4) The bodies of the self-governing local community shall be responsible for implementing public interest in the youth sector at a local level.

Article 7

(Competences of the Administrative Body Responsible for Youth)

The administrative body responsible for youth shall:

- prepare the regulations and measures in the field of the youth sector;
- provide financial support to youth programmes and programmes for youth (hereinafter, programmes in the youth sector);
- provide for and execute supervision for the implementation of regulations and measures in the youth sector;
- monitor the situation of youth and the impact of measures in the youth sector;
- cooperate with the responsible bodies and other subjects in the youth sector;
- participate in representing the State in the bodies of the European Union and the Council of Europe and at an international level in the matter relating to youth, and
- perform other tasks in accordance with the law.

Article 8

(Council of the Government of the Republic of Slovenia for Youth)

- (1) The Government shall appoint the Council of the Government of the Republic of Slovenia for Youth as a consulting body which will offer assistance in making decisions on matters in the field of youth and the youth sector.
- (2) The Council of the Government of the Republic of Slovenia for Youth shall perform the following tasks:
 - monitor, determine and assess the situation of youth in society;
 - monitor and assess the consideration of the proposals of youth relating to social changes;
 - propose measures in the youth sector and monitor the implementation of interests of youth in other policies at a national level;
 - consider the proposals of acts and other regulations and measures of the Government relating to the field of youth work, youth policies and the life of youth in general, and give opinions on the act proposals;
 - discuss the current issues of youth and give opinions to the competent institutions on these issues;
 - give incentives and proposals for settling particular issues in the field of youth;
 - give proposals and recommendations relating to financing the activities of youth;
 - considers the trends of programming and financial plans of youth organisations and other organisations participating in the youth sector;
 - give the Government and the competent ministries the proposals, incentives and recommendations for implementing the commitment of strengthening the youth dimension in particular sectoral public policies;
 - stimulate the participation of youth in various consulting and decision-making bodies at national and local levels.
- (3) The Council of the Government of the Republic of Slovenia for Youth shall consist of the same number of representatives of the Government and the organisation in the youth sector.
- (4) The Government shall appoint the members of the Council of the Government of the Republic of Slovenia for Youth among the representatives of organisations in the youth sector, who were proposed by the organisations themselves.
- (5) The members of the Council of the Government of the Republic of Slovenia for Youth shall be appointed for a period of four years. The Council of the Government of the Republic of Slovenia for Youth shall be led by a president appointed by the Government among the ministers.
- (6) The detailed structure and method of work and any other issues relating to the operation of the Council of the Government of the Republic of Slovenia for Youth shall be determined by the Government.

Article 9

(Public Interest Subjects)

- (1) The subjects of public interest in the youth sector are the youth organisations and organisations for youth, which are organised and operate in accordance with the act, based on which they were established.
- (2) The subjects of public interest in the youth sector are also the youth council at a national level and the youth councils at a local level. The national youth organisations join into the youth council at a national level, while the youth organisations at a local level join into the local community youth councils. The status, conditions for joining and operation of youth councils shall be regulated by a separate law.
- (3) In implementing public interest in the youth sector, the State and the self-governing local communities cooperate with each other and with the organisations in the youth sector.

Article 10

(Awards)

- (1) For extraordinary achievements in the youth sector, the minister responsible for youth (hereinafter, the minister) shall award the national awards.
- (2) The ministry responsible for youth (hereinafter, the ministry) shall keep a record of given awards referred to in the previous paragraph, which is intended for the entry and publication of data on legally significant facts relating to giving awards. The record shall be public.
- (3) In the record the personal information of the natural person, who received the award, shall be processed: personal name, unique personal identification number (EMŠO) or date of birth and gender, nationality and address of permanent or temporary residence. Irrespective of the provision in the previous paragraph, only the data on the personal name shall be public.
- (4) The ministry may process the personal information under the previous paragraph only for maintaining the record and implementing the tasks relating to giving the award and for statistical purposes.
- (5) The criteria and method of awarding and the manner of keeping a record of awards shall be determined in detail by the minister.

2. STATUS OF ORGANISATIONS IN THE PUBLIC INTEREST IN THE YOUTH SECTOR

Article 11

(Conditions for Obtaining the Status of an Organisation in the Public Interest)

- (1) For obtaining the status of an organisation in the public interest in the youth sector, organisations in the youth sector must meet the following conditions:
 - regular implementation of youth programmes or programmes for the youth (hereinafter, programmes in the youth sector) in the fields under Article 4 of this Act,
 - important achievements in the development and integration of youth work, and
 - appropriate material and personnel capacities for their operation.

- (2) In addition to the conditions referred to in the previous paragraph, organisations in the youth sector wishing to obtain the status under the previous paragraph must also meet the special conditions with regard to their legal form, namely:
1. the youth organisation, which is a society or an association of societies, established in accordance with the act regulating the societies:
 - meets general conditions for obtaining the status in the public interest in accordance with the Societies Act;
 - has at least 90 percent of members aged up to 29 years and 70 percent of members of the management aged between 15 and 29 years;
 2. the youth organisation, which is organised as an integral part of another legal entity, namely a society, an association of societies, a political party or trade union:
 - autonomy of operation in the youth sector is provided for in its basic act;
 - has at least 90 percent of members aged up to 29 years and 70 percent of members of the management aged between 15 and 29 years;
 - has been operating in the youth sector continuously for at least two years prior to submitting an application for obtaining the status, and
 - has mostly implemented the programmes under the first indent of the first paragraph of this Article for the past two years;
 3. other legal entity of private law, namely a private institute, institution or cooperative:
 - has been operating in the youth sector continuously for at least two years prior to submitting an application for obtaining the status, and
 - has used its funds mostly for the programmes under the first indent of the first paragraph of this Article for the past two years.
- (3) The subjects under point 1 of the previous paragraph shall obtain the status of a society in the public interest in the youth sector, the subjects under point 2 of the previous paragraph shall obtain the status of a youth organisation in the public interest in the youth sector, and the subjects under point 3 of the previous paragraph shall obtain the status of organisation for youth in the public interest in the youth sector.

Article 12
(Status of a National Youth Organisation)

- (1) A youth organisation with the status of an organisation in the public interest in the youth sector in accordance with the first paragraph and point 1 or 2 of the second paragraph of the previous Article shall obtain the status of a national youth organisation if it has at least 300 members and is organised so that internal territorially organised units are defined in its statute or other internal act, which operate in most of the statistical territorial units in the Republic of Slovenia determined at the NUTS 3 level in accordance with the European Union regulations on the common classification of territorial units.

- (2) The youth organisation referred to in the previous paragraph, of which the members are members of the Italian or Hungarian national communities or the Roma community, shall obtain the status of a national youth organisation irrespective of the membership conditions and the territorial organisation under the previous paragraph.
- (3) The provisions under Articles 13 and 14 shall apply to the granting of the status of a national youth organisation.

Article 13

(Procedure for the Granting of the Status of an Organisation in the Public Interest)

- (1) The ministry shall decide on the granting of the status of an organisation in the public interest in the youth sector.
- (2) For the subjects under points 2 and 3 of the second paragraph of Article 11 of this Act and relating to the granting, operation and withdrawal of the status of an organisation in the public interest, the act regulating the societies shall apply mutatis mutandis unless otherwise stipulated by this Act.
- (3) The manner of proving and determining the fulfilment of conditions and the detailed criteria for obtaining the status of an organisation in the public interest shall be determined by the minister.

Article 14

(Record of Organisations in the Public Interest in the Youth Sector)

- (1) The ministry shall keep a record of the organisations in the youth sector, which were granted the status of an organisation in the public interest in the youth sector in accordance with Article 11 of this Act.
- (2) The record is intended for the entry and publication of data on legally significant facts on the organisation in the public interest in the youth sector and the legal certainty of other persons, the certainty of legal transactions and the transparency of operation of these organisations. The record shall be public.
- (3) In the record, the following personal information of the legal representative of the organisation in the youth sector shall be kept: personal name, unique personal identification number (EMŠO) or date of birth and gender, nationality and address of permanent or temporary residence. Irrespective of the provision under the previous paragraph, only the personal name of the legal representative of the organisation in the youth sector shall be public.
- (4) The ministry may process the personal information under the previous paragraph only for maintaining the record and implementing the tasks relating to granting the status of an organisation in the public interest and for statistical purposes.
- (5) For keeping the record of organisations in the public interest in the youth sector, the regulations regulating the societies shall apply mutatis mutandis unless otherwise stipulated by this Act or an implementing act published on the basis thereof.

Article 15
(Operation of Youth Councils in the Public Interest)

A youth council at a national level and the youth councils at a local level shall obtain the status of an organisation operating in the public interest in the youth sector with the registration in accordance with the law under the second paragraph of Article 9 of this Act.

3. MANNER OF IMPLEMENTING THE PUBLIC INTEREST

Article 16
(National Programme for Youth)

- (1) The National Programme for Youth is the fundamental programme document, which, in accordance with this Act, defines the priorities and measures that are in the public interest in the youth sector.
- (2) The National Programme for Youth contains: the programmes, the financial plan with the costs and sources, the providers, the expected development impact and the impact assessment indicators, the period and the time limits of implementing this programme. In establishing the National Programme, the long-term guidelines exceeding the period of its validity shall be taken into consideration.
- (3) The National Programme for Youth shall be adopted by the National Assembly of the Republic of Slovenia (hereinafter, the National Assembly) on the proposal of the Government for nine years. The proposal of the National Programme for Youth shall be prepared by the ministry in cooperation with the organisations in the youth sector.
- (4) Based on the National Programme for Youth, the Government shall adopt the implementing plans in accordance with the adopted national budget.
- (5) The competent ministries shall be responsible for implementing the National Programme for Youth.
- (6) Every three years the Government shall submit to the National Assembly a partial report on implementing the National Programme for Youth with evaluated results, and a final report after the expiry of the validity of the National Programme for Youth. The National Assembly shall consider the report and prepare its position relating thereto.

4. CO-FINANCING OF THE PROGRAMMES IN YOUTH SECTOR

Article 17
(Subject of Co-financing)

The programmes in the youth sector shall be co-financed based on the National Programme for Youth.

Article 18

(Method of Co-financing)

- (1) Co-financing the programmes in the youth sector according to this Act shall be performed based on an invitation to tender and a public call.
- (2) The invitation to tender shall be used when it is reasonable to determine in advance only the assessment and evaluation criteria of proposals for the programmes in the youth sector.
- (3) The public call shall be used for the programmes in the youth sector implemented by:
 - organisations in the youth sector with the status of organisations in the public interest in the youth sector,
 - youth councils and
 - public institutes operating in the youth sector.
- (4) The financial sources shall be allocated to those programmes, which shall be assessed or evaluated the highest in the selection procedure under the second or third paragraph of this Article.

Article 19

(Text of the Invitation to Tender)

- (1) The text of the invitation to tender shall contain:
 - a clear statement that this is an invitation to tender for the selection of programmes in the youth sector and that those will be co-financed which will be assessed the highest;
 - the fields of the programmes in the youth sector, which are the subject of the invitation to tender;
 - the criteria, by which the applied programmes in the youth sector will be assessed;
 - the conditions, which all applicants must meet;
 - the indicative value of the available funds for the subject of the invitation to tender;
 - the period, in which the allocated funds must be utilised;
 - the application time limit and the manner of sending the application;
 - proof of meeting the conditions;
 - a list of employees responsible for providing information related to the invitation to tender, and
 - information on any tender documentation that is available.
- (2) In addition to the information under the previous paragraph, other information may be published as well relating to the subject of the invitation to tender. The content of the detailed documentation shall be separately determined in the text of the invitation to tender.

Article 20
(Text of the Public Call)

- (1) The text of the published public call shall contain:
- a clear statement that this is a public call for the application of proposals of programmes in the youth sector - the subjects under Article 18 of this Act, and that those will be co-financed which will be assessed or evaluated the highest;
 - the types of the programmes in the youth sector, which are the subject of the public call;
 - the criteria to be met by the programme in the youth sector for co-financing;
 - the conditions, which all providers must meet;
 - the indicative value of the available funds for the subject of the public call;
 - the period, in which the allocated funds must be utilised;
 - the application time limit and the manner of sending the application;
 - proof of meeting the conditions;
 - a list of employees responsible for providing information related to the public call, and
 - information on any tender documentation that is available.
- (2) In addition to the information under the previous paragraph, other information may be published as well relating to the subject of the public call. The content of the detailed documentation shall be separately determined in the text of the public call.

Article 21
(Procedure)

- (1) The public call or invitation to tender shall be implemented by the administrative body under Article 7 of this Act and the ministries responsible for the fields determined in the National Programme for Youth (hereinafter, responsible body).
- (2) The beginning of the selection procedure of programmes in the youth sector, with which the type of the procedure, the date of publication and the text of the tender shall also be specified, shall be determined by the authorised person of the responsible body.
- (3) The application time limit to the invitation to tender and the public call shall last at least a month.
- (4) For implementing the invitation to tender and the public call, the authorised person of the responsible body shall appoint a tender committee.
- (5) The procedure of the invitation to tender and the public call shall be performed in accordance with this Act and the implementing regulation, with which the minister shall regulate in greater detail the procedure and the conditions for selecting the co-financing of programmes in the youth sector. For co-financing the programmes in the youth sector implemented by other competent ministries, the provisions of this Act shall apply unless otherwise regulated by another act.

- (6) Regardless of the previous paragraph, the regulations relating to the implementation of the procedures in utilising the European cohesion policy funds shall apply to the co-financing of programmes in the youth sector from the funds of the European Community cohesion policy.
- (7) In the selection procedure of the beneficiaries for the co-financing of programmes based on this Act, the provisions of the act regulating the general administrative procedure shall apply unless otherwise stipulated by this Act.

Article 22
(Consideration of Applications)

- (1) After the expiry of the application time limit, the committee shall review the submitted applications and determine their timeliness, completeness and the eligibility of the applicant.
- (2) An application which was submitted after the application time limit expired or was not submitted by an entitled person shall be rejected.
- (3) The applicant of an incomplete application which was submitted in the specified time limit shall be invited to amend his application within eight days after the receiving this invitation. If the application is not amended in the prescribed time limit, it shall be discarded as incomplete.

Article 23
(Evaluation of Applications)

- (1) Timely and complete applications shall be classified according to their content and evaluated in accordance with the criteria determined in the invitation to tender or the public call.
- (2) Based on the evaluation, a consolidated list of applicants classified with regard to the achieved number of points shall be composed. The result of the evaluation shall be recorded on an assessment list which is an integral part of the record, in which the conclusions relating to the achievement of criteria for a particular application shall be explained.
- (3) After the completed evaluation, the tender committee shall prepare a proposal on the selection of the beneficiaries and the share of funds for co-financing a particular selected programme.
- (4) The applicants shall have the right to access the tender documentation relating to the evaluation and selection procedure of the applicants.

Article 24
(Decision on the Selection of Beneficiaries)

Based on the proposal under the third paragraph of the previous Article, the authorised person of the responsible body shall receive a decision on the selection.

Article 25
(Decision)

- (1) Based on a selection decision, the competent authority shall issue a decision to every applicant in which the eligibility with regard to acquiring financial resources and their extent relating to the selected programme are determined.
- (2) In the administrative dispute the repealed or annulled decision under the previous paragraph shall not have an impact on the already concluded contracts with other beneficiaries.

Article 26
(Contract)

- (1) When the decision under the previous Article becomes executable, a contract shall be concluded with the beneficiary on co-financing the selected programme in the youth sector.
- (2) The contract shall regulate all mutual relationships relating to the provision of state funds for co-financing the subject of the contract, in particular:
 - the objectives, which will be implemented in the validity period of the contract;
 - the criteria, according to which their implementation will be monitored;
 - the time limits, in which the objectives must be met;
 - the extent, time limits and method of executing the contractual obligations;
 - the manner of supervision of the eligible use of funds, and
 - any other issues relating to the subject of the contract.

5. IMPLEMENTING THE PUBLIC INTEREST AT A LOCAL LEVEL

Article 27
(Authority of the Self-governing Local Communities)

- (1) A self-governing local community shall implement the youth policy at a local level in accordance with its own interests, needs, capabilities and circumstances, such as the number and structure of inhabitants, its economic power, and spatial and personnel capacities in the youth sector.
- (2) A self-governing local community may implement the youth policy at a local level by:
 - adopting a local programme for youth,
 - establishing a working or consulting body for youth issues,
 - financially supporting the programmes in the youth sector, and
 - implementing other measures in the youth sector in accordance with the law.
- (3) For co-financing the programmes in the youth sector at a local level, the provisions of this Act shall apply *mutatis mutandis*.

Article 28
(Activity of the Youth Centre)

- (1) A youth centre is an organised functional centre for youth provided by the local community or other legal entity of public or private law or a natural person, in which the programmes in the youth sector and the youth work are implemented at a local level.
- (2) The youth centres shall:
 - provide for the conditions of operation, socialising and other activities of young individuals regardless of the fact, whether they are members of youth organisations or not, and the youth organisations of local communities;
 - provide for the youth infrastructure;
 - provide for appropriate spatial conditions and equipment for implementing the youth work and for the appropriate qualifications of personnel to support the youth work;
 - provide the conditions for developing creative and critical young individuals;
 - develop and implement the programmes in the field of information and consultation and informal learning;
 - participate in implementing youth mobility, volunteer youth work, active citizenship, youth research work and integration at an international level, and
 - provide support to other programmes in the youth sector in the local environment.

III. SUPERVISION

Article 29
(Supervision of the Implementation of the Act)

The supervision of the implementation of the provisions of this Act and the issued regulations based thereon shall be carried out by the ministry.

IV. TRANSITIONAL AND FINAL PROVISIONS

Article 30
(Continuation of Mandate of the Consulting Body)

The tasks of the consulting body referred to in Article 8 of this Act shall be performed by the Council of the Government of the Republic of Slovenia for Youth, whose mandate shall begin with the entry into force of this Act and end when it expires.

Article 31
(Time Limit for Adopting an Implementing Regulation)

The implementing regulation referred to in the fifth paragraph of Article 10, the third paragraph of Article 13 and the fifth paragraph of Article 21 of this Act shall be issued by the minister within six months after the entry into force of this Act.

Article 32

(Time Limit for Submitting the National Programme for Youth)

The Government shall submit the National Programme for Youth to the National Assembly for adoption within 18 months after the entry into force of this Act.

Article 33

(Application of the Act)

Irrespective of the provisions of this Act, the invitations to tender and the public calls, which began to be implemented prior to the entry into force of this Act shall be concluded in accordance with the regulations, based on which they began.

Article 34

(Entry into force)

This Act shall enter into force on the fifteenth day after being published in the Official Gazette of the Republic of Slovenia.

No. 600-01/10-7/47

Ljubljana, 18 May 2010

EPA 950-V

National Assembly
of the Republic of Slovenia
Dr. Pavel Gantar
President