

**Statute
of the
[full name of the Government Council]**

**Article 1
Introductory Provisions**

- (1) The [full name of the Government Council] (hereinafter referred to as the “Council”) is a standing *advisory* body of the Government in the area of [state as briefly as possible the applicable area(s)].
- (2) The Council has been established by [Act/the Government, no., year reference whether an act or Government Decree (including any amendments thereto)].

**Article 2
Scope of Powers and Responsibilities**

- (1) The Council shall [characterise briefly the Council’s mission].
- (2) The Council shall perform, *inter alia*, the following tasks:
 - a) [specify the scope of independent powers and responsibilities under separate paragraphs]
 - b) [... (number of paragraphs as necessary)].
- (3) In co-operation with [please specify, e.g., a ministry, civic association and the like], the Council shall:
 - a) [specify the scope of independent powers and responsibilities performed in co-operation]
 - b) [... (number of paragraphs as necessary)].
- (4) On or before 31st May of every calendar year, the Council shall submit to the Government an annual report for the preceding year.

**Article 3
Composition of the Council**

- (1) The Council shall have [how many in total - numeral], including the Chairperson, Vice-chairperson [Vice-chairpersons] and other members.
- (2) The Chairperson of the Council shall be appointed and recalled by the Government; *as a rule*, the Chairperson shall be a minister of the Government.
- (3) The Vice-chairperson of the Council shall *as a rule* be appointed and recalled by the Government. *As a rule*, the Vice-chairperson shall be a minister or deputy minister responsible for all or any of the issues falling within the scope of responsibilities of the Council. Members of the Council shall be appointed and recalled by the Chairperson of the Council (*where membership of the Council is based on the holding of an office, such membership may be established without appointment*).
- (4) Members of the Council shall include
 - a) [Minister – Ministers of ... (in each case state the position, without names of persons)],
 - b) [Deputy Minister – Deputy Ministers ...],
 - c) [experts in the field falling within the scope of responsibilities of the Council – individual fields can be specified; choose only those appropriate – number of paragraphs as necessary].

- (5) The term of office of all members of the Council shall be four years and shall in principle be identical with the term of office of the Government. After termination of the Government's term of office, the Council shall continue to perform its activities in its current composition until the appointment of a new Council.
- (6) If any member of the Council was appointed in the course of the term of office of the Government, then his/her term of office shall terminate concurrently with termination of the Government's term of office. There does not exist any limitation on reappointments, unless such limitation is imposed by applicable law.¹
- (7) Membership of the Council shall automatically terminate
 - a) in case of the Chairperson, upon termination of the office of a member of the Government or if recalled from the office by the Government,
 - b) in case of representatives of state administration, if recalled from the office or upon termination of their employment/service.
- (8) Membership of the Council shall be non-substitutable, with the exception of ministers of the Government who may be substituted by their respective deputies. *Exceptional substitution at Council meetings is provided for in Article 5(4) and (5) of this Statute.*
- (9) The rules applicable to the work of the Council, its committees and working groups shall apply mutatis mutandis to permanent collaborators.

Article 4 Chairperson of the Council

- (1) The Chairperson of the Council shall be accountable for the work of the Council to the Government of the Czech Republic.
- (2) The Chairperson of the Council shall convene and direct meetings of the Council, which shall take place as necessary but at least *once in three months – [if the Council meets more frequently, state as appropriate]*.
- (3) Furthermore, the Chairperson of the Council shall, without limitation
 - a) appoint members of the Council,
 - b) direct the work of the Council,
 - c) sign opinions, recommendations and other documents of the Council,
 - d) present to the Government proposals to recall the Vice-chairperson of the Council (*if the Vice-chairperson is appointed by the Government*),
 - e) present to members of the Council for their approval the plan of work of the Council, and draft documents of the Council for discussion,
 - f) appoint and recall the chairperson and vice-chairpersons of committees and working groups,
 - g) decide on establishing or dissolving a working group of the Council, on its composition and on the rules of procedure applicable to such working group,
 - h) decide on the composition of committees,
 - i) decide on whether guests will be invited to Council meetings,
 - j) grant consent with inviting experts as permanent collaborators of the committees and working groups of the Council,
 - k) propose the amount of remuneration of members of the Council and experts, if the entitlement pursuant to Article 10 hereof exists.
- (4) During the absence of or as authorised by the Chairperson of the Council, the Chairperson of the Council shall be substituted by the Vice-chairperson of the

¹ The law imposes a limit on the number of terms of office for members of, e.g., the Council for Research and Development to a maximum of two consecutive terms.

Council who shall direct the Council’s meetings. In justified cases, the Chairperson of the Council may grant a permanent authorisation to the Vice-chairperson of the Council to convene and direct the meetings; in such a case, the Vice-chairperson shall be deemed the Executive Vice-chairperson.

- (5) If justified by the scope of activities of the Council, the Chairperson of the Council may appoint additional vice-chairpersons of the Council. *As a rule*, any of the chairpersons of the committees of the Council shall be appointed as such additional vice-chairperson.

Article 5 Members of the Council

- (1) Members of the Council shall be obligated to attend meetings of the Council and meetings of the committees and/or working groups whereof they are members (hereinafter “activities of the Council”).
- (2) Members of the Council shall have the right to present proposals to the Council and participate in its activities. They shall also have the right to attend the meeting of any committee and/or any working group of the Council.
- (3) If a member of the Council is unable to attend a meeting, he/she shall be obligated to excuse him/herself in advance to the Chairperson of the Council (via the Secretariat of the Council) and send at least an informal written position regarding individual items of the agenda.
- (4) In the event of sickness or other reasons deserving special consideration, a member of the Council representing the state administration may send another employee of the same authority to a session of the Council (such other employee, the “substitute”). Not later than prior to the commencement of deliberations of the Council, the substitute must present a written proxy signed by the member of the Council being represented.
- (5) The substitute may only vote if expressly authorised in writing to do so by the member being represented in respect of the individual items of the agenda.

Article 6 Committees of the Council

- (1) The Council shall establish, as necessary, standing committees from among its members. External collaborators may be invited to serve on a committee.
- (2) The Council shall decide on establishing and dissolving its committees. Only a member of the Council may chair a committee. Committees shall be specifically listed in the Council’s Statute.
- (3) *The Council shall have the following committees: (please state, if committees have already been established)*
- a) *Committee ...,*
- b) *in as many paragraphs as necessary.*
- (4) *Committees in particular shall*
- a) *[describe the responsibilities of the committees],*
- b) *in as many paragraphs as necessary.*
- (5) Every committee shall have its statute, which shall be subject to approval by the Council. The statute of the committee shall, among other things, specify whether meetings of the committee shall be governed by the same rules of procedure as the Council’s meeting or whether the committee shall act according to its own rules of procedure.

Article 7 Working Groups

- (1) The Council may establish temporary working groups if necessary. Working groups may be established “within” or “across” committees of the Council. Working groups shall have no statute of their own.
- (2) Working groups shall be established and dissolved by the Chairperson of the Council, *as a rule* at the proposal of members of the Council. A working group may only be chaired (headed) by a member of the Council. External collaborators may be invited to work in a working group.
- (3) Working groups shall deal with partial issues falling within the scope of responsibilities of the Council; in particular, they shall draft underlying materials for Council meetings.

Article 8 External Co-operation

- (1) The Council may request co-operation of state administration employees who are not members of the Council or, as the case may be, external experts (hereinafter “Experts”).
- (2) Experts may, at the invitation of the Chairperson of the Council, participate in the work of the Council, either as *ad hoc* guests in relation to a specific issue, or may participate in the work of committees and/or working groups as permanent collaborators.

Article 9 Secretariat of the Council

- (1) The activities of the Council (including the work of its committees and working groups) shall be secured by the secretariat of the Council (hereinafter the “Secretariat”), being an organisational unit of the *Office of the Government of the Czech Republic/another authority – please specify*.
- (2) The Secretariat shall in particular
 - a) provide for the administrative and organisational background of the activities of the Council,
 - b) gather documents and information necessary for the Council’s work,
 - c) draft expert underlying documentation for the Council’s work based on instructions of the Chairperson of the Council,
 - d) update the information regarding the Council and its members posted on the Internet.
- (3) The director of the Secretariat shall be responsible for the fulfilment of the tasks of the Secretariat and shall direct the work of the Secretariat. The director of the Secretariat shall be appointed and recalled by the Chairperson of the Council after consultation with the relevant minister within whose ministry the Secretariat has been established.
- (4) *As a rule*, the director of the Secretariat shall at the same time serve as the secretary of the Council; on an exceptional basis, any other of the members of the Council may serve as the secretary of the Council, and then the next sentence shall not apply. The director of the Secretariat shall attend meetings of the Council, with an advisory vote.

The director of the Secretariat shall direct the work of the Secretariat as instructed by the Chairperson of the Council.

- (5) The Secretariat shall update on a regular basis the information posted in respect of the Council and the outputs of its work on the web site of the Office of the Government of the Czech Republic. Such information shall also include a list of all committees and working groups.

Article 10

Cost of Activities; Remuneration

- (1) The cost of activities of the Council shall be covered from the budget of the authority where the Council's Secretariat has its seat. Meetings of the Council and its committees and working groups shall take place within such authority's premises.
- (2) Members of the Council shall be entitled to reimbursement of demonstrable travel expenses in accordance with applicable laws. Business trips shall be subject to approval by the director of the Secretariat of the Council.
- (3) Members of the Council shall not be entitled to any remuneration for performance of their office.
- (4) Those members of the Council who are not employees of the state or public administration shall, however, be entitled to remuneration for work demonstrably performed for the Council based on the Council's order (*i.e.*, as service) or based on a contract for work performed outside employment (agreement on performance of work, contract for work activities). Such remuneration shall be payable in an amount approved by a senior official of the authority materially providing for the work of the Council. The amount of such remuneration shall be proposed by the Chairperson of the Council.
- (5) At the proposal of the Chairperson of the Council, the reimbursement of travel expenses and/or remuneration for work performed may also be authorised in respect of an expert co-operating with the Council. Such reimbursements and remunerations shall be governed by the same administrative mechanism applicable to members of the Council.

Article 11

Rules of Procedure

- (1) The Rules of Procedure of the Council shall provide for the manner of dealings and activities of the Council and, *as a rule*, also the dealings and activities of the Council's committees and working groups. The Council's Rules of Procedure and any amendments thereto shall be subject to approval by the Council.
- (2) In justified cases, committees of the Council may have rules of procedure of their own. Any such rules of procedure shall also be subject to approval by the Council.
- (3) Working groups shall, *as a rule*, deal informally and shall adopt their decisions on a consensual basis. Where necessary, their dealings shall be reasonably governed by the Council's Rules of Procedure or, as the case may be, by the rules of procedure for the committee under which such working group acts. Upon the establishment of a working group, the Chairperson of the Council shall decide as to which rules of procedure shall apply to the working group's work.

Article 12

Final Provisions

- (1) This Statute has become effective on *[date (state the month as word, not number)]* pursuant to Government Resolution No. *[number and year of the resolution]*.
- (2) Any and all amendments to this Statute shall be subject to authorisation by the Government of the Czech Republic.
- (3) The Statute shall be available to the general public on the web site and at the seat of the Office of the Government of the Czech Republic. Posted at the web site shall at all times be the amended and restated version of the Statute.

Prague, date: *[date]*

Name and title (Chairperson of the Council)