

Collection of Laws N. 98/2002

Government Decree from February 20, 2002

which determines the conditions and way of providing grants from the State Budget for the activities of members of national minorities and the support of integration of members of the Roma community

The Government orders according to § 12/2 and § 13/2 of Act N. 273/2001 Coll. on the rights of members of national minorities and the amendment of some acts and for the completion of Act N. 218/2000 on budgetary rules and the amendment of some relating acts (budgetary rules), as amended by Act N. 493/2000 Coll. Act N. 187/2001 Coll., Act N. 320/2001 Coll. and Act N. 450/2001 Coll.

PART 1 GENERAL PART

§ 1 The subject of legislation

(1) This Decree amends the conditions and way of providing grants from the State Budget for the activities of members of national minorities, preservation and development of culture, traditions and languages of members of national minorities, dissemination and acceptance of information in languages of members of national minorities that have been living on the territory of the Czech Republic as well as their education and the support of integration of members of the Roma community (hereinafter „grants“).

(2) Grants for activities mentioned in Clause 1 are provided to natural or legal persons in accordance with a special legislation regulation.¹⁾

§ 2 The definition of concepts

For the purposes of this Decree

- a) a provider is a state administration authority that announces and implements a competitive grant procedure and decides grants provided to members of national minorities for a certain purpose or activity for the benefit of members of national minorities,
- b) an applicant is a person who applies for a grant by the submission of a project;
- c) an acceptor is an applicant for whose benefit a provider decides to provide a grant and who implements a project;
- d) a project is the description of activity aimed at the activities of members of national minorities or activities for the benefit of members of national minorities in the field of
 - 1. the preservation, development and presentation of cultures of national minorities,

- 2. the dissemination and acceptance of information in languages of national minorities or largely in languages of national minorities or information on national minorities in society,
 - 3. education in languages of national minorities and multicultural upbringing, or
 - 4. the support of integration of members of the Roma population,
- e) competitive granting procedures including the announcement of a competitive granting procedure, acceptance of applications for grants and offers of projects, evaluation of projects, proposals of amounts for their implementation and issuance of decisions on grants.²⁾

§ 3

Measures for the determination of state financial interest

- (1) After discussion with the Government Council for National Minorities (hereinafter „Council“) a provider proposes in its chapter of the State Budget a specific binding index for activities of members of national minorities for every budget year or activities for the benefit of national minorities including a specific binding index for the support of integration of members of the Roma population, especially
 - a) the Ministry of Culture for respective fields according to § 2d) 1 and 2
 - b) the Ministry of Education, Youth and Sports for respective fields according to § 2d) 2 and 4 and
 - c) the Ministry of Labour and Social Affairs for a respective field according to § 2d) 4.
- (2) Before discussion with a provider the chairman of the Council discusses the proposal of a specific binding index for the support of integration of members of the Roma community with the Council of the Government of the Czech Republic for the affairs of the Roma community (hereinafter „integration authority“).

§ 4

The announcement of a competitive granting procedure

- (1) Before the announcement of a competitive granting procedure a provider discusses with the Council its proposal concerning the main fields of distribution of financial means from the State Budget in respective fields according to § 2) d. As for a proposal concerning the support of integration of members of the Roma community, he will discuss it in advance with the integration authority.
- (2) In the term determined in co-operation with the Council a provider announces every year competitive granting procedures concerning projects for the support of activities of members of national minorities and by means of the Council and in co-operation with the integration authority it announces competitive granting procedures concerning projects for the support of integration of members of the Roma community. Then he announces the conditions of a competitive granting procedure by means of mass media and within an accessible information system.
- (3) A provider determines criteria for the evaluation of projects in co-operation with the Council; as for the projects concerning the integration of members of the Roma community, the Council also co-operates with the integration authority.

§ 5
The acceptance of applications and projects

- (1) An applicant submits to a provider three copies of an application for a grant with a project plus annexes in writing.
- (2) If an application is submitted by a legal person, she must add to her project the copy of the legal personality record; in addition, both legal and natural persons must add the copy of the document of a company registration number and the affirmation that on the day of submitting the application she has no financial obligations to the State Budget, state fund, health insurance company or the budget of a territorial self-government unit³⁾ and the affirmation that she agrees with the disclosure of identification data and the amount of a grant in an accessible information system of providers.

§ 6
The project

- (1) Any project must be elaborated according to conditions determined by a provider and submitted on a prescribed form. A provider publishes the conditions of elaboration of a project and the standard form of a form in an accessible information system.
- (2) An integral part of a project must be the budget for its implementation.
- (3) A project must be implemented within its respective calendar year; if the implementation of a project lasts more than one year, it is necessary to submit the whole project including budgets for individual years and enumerate exactly which part is implemented in each respective calendar year.
- (4) According to § 2) d one applicant can submit at most 3 projects in each field for each respective calendar year.

§ 7
The evaluation of projects

- (1) Projects are evaluated within the competitive granting procedures of a provider. For these purposes a provider establishes a competitive grant procedures committee. During the nomination of members of a competitive grant procedures committee a provider takes account of the Council's proposals. The members of the Council or other representatives of members of national minorities nominated by the Council must be represented in every competitive grant procedures committee which evaluates projects aimed at the activities of members of national minorities or activities for the benefit of members of national minorities.
- (2) A provider's competitive grant procedures committee for the evaluation of projects in the field of integration of members of the Roma community must include representatives of the integration authority.
- (3) A provider informs the Council about the results of a competitive granting procedure immediately. The same practice is applied in case of projects aimed at the integration of members of the Roma community in regard to the integration authority.

§ 8
Conditions for providing a grant and its use

- (1) It is possible to provide a grant only for a purpose mentioned in a provider's decision. A provider of a grant can make modifications during a budget year on the basis of a written application of an acceptor by means of the issuance of a new decision.
- (2) It is possible to provide a grant to applicants who can prove that they have acted for the benefit of members of national minorities for at least 1 year.
- (3) There is no legal claim to a grant.⁴⁾ It is possible to provide a grant only to those applicants who have no financial obligations according to § 5/2.
- (4) It is possible to provide a grant which equals 70% of budgetary expenses on an approved project. In cases with special circumstances a provider can increase this percentage.
- (5) During the assessment of a grant according to Clause 4 it is necessary to take account of expenses relating to wages at the level comparable with adequate pay for similar activities within the budget according to a special legislation regulation.⁵⁾
- (6) A grant for the implementation of a project can be used for the coverage of expenses on business trips on the territory of the Czech Republic at the level determined by a special legislation regulation for employees in employment.⁶⁾ The financial means of a grant can be used for the coverage of travelling expenses only if a business trip is an integral part of a project.
- (7) A grant is not an investment. A grant for the procurement or improvement upon tangible and intangible property can be provided according to a special legislation regulation.⁷⁾
- (8) It is not possible to use a grant for the coverage of expenses for treats and gifts for authorised representatives of legal persons.
- (9) An acceptor can use a grant only in accordance with an approved budget for the implementation of a project and the conditions for the use of a grant in accordance with the decision on providing a grant.

§ 9
The issuance of a decision

- (1) A grant is provided on the basis of a provider's decision on providing a grant from the State Budget.⁸⁾
- (2) In his decision a provider determines the conditions of use of a grant from the State Budget.

§ 10
The acceptor

- (1) If the details of an acceptor mentioned in the decision on providing a grant are changed, he is obliged to inform a provider immediately and in writing about this change.
- (2) If a project is not implemented, an acceptor is obliged to pay the finances back to the account from which a grant for this project has been provided within the same year.
- (3) If a project terminates prematurely during the year, an acceptor is obliged to submit data on the financial settlement of a grant within 30 days of the termination of the project and pay

the finances back to the account from which they have been drawn (if possible before 31 December of the respective year) or to the deposit account of a provider.⁹⁾

§ 11 **Control and financial settlement**

- (1) The control of complying with conditions of drawing the grant in accordance with this Decree and sanctions for the infringement use or detention of financial means conform to special legislation regulation.¹⁰⁾
- (2) An acceptor is responsible both for the economical use of finances in accordance with purposes for which they have been provided and the settlement of a grant.
- (3) An acceptor who receives a grant from the State Budget is obliged to submit information on the financial settlement of the grant to the provider before 15 February of the next calendar year.⁹⁾
- (4) If an acceptor does not carry out the financial settlement of a grant before the determined date, he will get no further grant in the year in which he is obliged to settle the grant.
- (5) A provider terminates the financial settlement of grants for the activities of members of national minorities carried out in the previous year before 1 March of the next year; he then notifies the Council of the results of control of the financial settlement of grants before 31 March; if projects are aimed at the integration of members of the Roma community, he notifies the integration authority. This is without prejudice to a provider's obligation to act in accordance with principles and terms of the financial settlement of obligations to the State Budget.¹¹⁾
- (6) A provider controls the implementation of selected projects aimed at the activities of members of national minorities in co-operation with the Council; if projects are aimed at the support of integration of members of the Roma community, he acts in co-operation with the integration authority.

§ 12 **Reports on the use of grants**

In co-operation with the chairman of the integration authority and providers who provide from the chapters of their budgets respective grants for the activities of members of national minorities the chairman of the Council submits to the government annual summarising reports on the situation of nationalities on the territory of the Czech Republic including the evaluation of the use of grants provided during the last calendar year in accordance with this Decree.

§ 13 **The publication of information and the registry of grants**

- (1) All data on competitive granting procedures, their results and the level of grants are published in an accessible information system of providers.
- (2) In co-operation with providers the Council publishes an aggregate table of approved grants for the activities of members of national minorities on its page in an accessible information system of the Office of the Government. The integration authority publishes in the same way an aggregate table of approved grants for projects aimed at the support of integration of members of the Roma community.

(3) Every calendar year providers register data on non-governmental non-profit organisations which received a grant from the State Budget for the activities of members of national minorities or activities for the benefit of national minorities and the support of integration of members of the Roma community into an accessible information system within the central registry of grants provided from the budget of the Ministry of Finance.

PART 2 SPECIAL PART

The support of preservation, development and presentation of cultures of national minorities

§ 14

(1) The aim of the support is to preserve and develop the cultures of members of national minorities living in the Czech Republic as well as to study, analyse and demonstrate national cultures and folk traditions of minorities by documentation, understanding and tolerance in society, knowledge of history, traditions and culture of various ethnic groups and improvement of communication between the majority and minorities. A provider of grants for these activities is the Ministry of Culture.

(2) The Ministry of Culture proposes financial means for the support of activities mentioned in Clause 1 as a specific binding index ‘The Support of Cultural Activities of National Minorities’ within its chapter of the State Budget for every budget year.

§ 15

It is possible to provide grants for projects concerning

- a) theatres,
- b) museums,
- c) galleries,
- d) libraries,
- e) documentation,
- f) issuance of non-periodical publications,
- g) issuance of periodical publications out of the grants according to § 17.
- h) other activities of members of national minorities, especially artistic, cultural and educational ones, study, analyses and documentation of national cultures and folk traditions of national minorities, publications and multi-ethnic activities.

The support of dissemination and acceptance of information in languages of national minorities

§ 16

(1) The support from the State Budget is aimed at creating conditions for the dissemination and acceptance of information in languages of national minorities or largely in languages of national minorities and information on national minorities in the society. The provider of grants for this purpose is the Ministry of Culture.

(2) The Ministry of Culture proposes financial means for the support of activities mentioned in Clause 1 as a specific binding index ‘The Support of Dissemination and Acceptance of Information in Languages of National Minorities’ in its chapter of the State Budget for every budget year.

§ 17

The support of projects aimed at the dissemination and acceptance of information relates to

- a) periodical publications issued in languages of national minorities or largely in languages of national minorities or information on national minorities in society,
- b) radio or television broadcasting in languages of national minorities or largely in languages of national minorities or information on national minorities in society.

§ 18

(1) An applicant can apply for a grant for the support of a project according to § 17a) only if he submits a project concerning the issuance of printed matter which complies with conditions of a special legislation regulation.¹²⁾

(2) A competitive granting procedure relates to the publishers of periodical publications of national minorities which are not profitable or distributed on the basis of a contract to distributors not on the territory of the Czech Republic. A periodical publication must be accessible to the citizens of the Czech Republic, members of national minorities and the majority.

(3) Both legal and natural persons whose activity is focused on activities of national minorities can take part in a competitive granting procedure concerning the publishing of periodical publications of national minorities.

(4) An applicant for a grant for the issuance of periodical publications of national minorities justifies an application for a grant and fills in the form including the preliminary calculation of expenses in a prescribed table, total budget of financial expenses, presupposed income, information on the purpose of a publication, way of distribution and other data, if a provider asks for them.

(5) A grant for the issuance of periodical publications of national minorities can be provided only for provable material, production and overhead expenses on the publishing and distribution of printed matters of national minorities after the abatement of presupposed income from the sale of a publication with regard to usual market prices.

(6) An operator of radio or television broadcasting can apply for a grant for the support of radio or television broadcasting in languages of national minorities. Projects can be aimed at the production of individual programmes or series in languages of national minorities or largely in languages of national minorities or programmes on national minorities or multicultural programmes.

The support of education in languages of national minorities and multicultural upbringing

§ 19

(1) The aim of the support is to create conditions for the realisation of state policy in the field of education in languages of national minorities and multicultural upbringing. The support of projects focused on the multicultural upbringing of children and young people is aimed at strengthening the awareness of human solidarity, upbringing to democratic citizenship, knowledge of history and culture of other nations, mutual tolerance and the fight against racism and xenophobia. The provider of grants for these activities from the State Budget is the Ministry of Education, Youth and Sports.

(2) The Ministry of Education, Youth and Sports proposes financial means for the support of activities mentioned in Clause 1 as a special binding index ‘The Support of Education in Languages of National Minorities and Multicultural Upbringing’ in its chapter of the State Budget for every budget year.

§ 20

The support of projects aimed at education in languages of national minorities, out-of-school and leisure activities of children and young people from members of national minorities and projects aimed at multicultural upbringing relates to

- a) language courses for children and young people from members of national minorities,
- b) sociocultural, sportive and other educational activities of children and young people from members of national minorities,
- c) documentation, analyses, research and elaboration of educational programmes in the field of education of national minorities.

The support of projects aimed at the integration of members of the Roma community

§ 21

(1) The aim of the support is to create equal conditions for members of the Roma community, especially in the field of education and welfare laying stress on prevention of the social discrimination of members of the Roma community, situation of Roma women, assurance of the participation of members of the Roma community in the application of integration programmes, atmosphere of trust, understanding and tolerance in society, knowledge of history and traditions of the Roma population, improvement of communication between the Roma community and the majority. Providers of grants for projects aimed at the integration of members of the Roma population are the Ministry of Education, Youth and Sports, Ministry of Culture and Ministry of Labour and Social Affairs.

(2) Respective ministries propose financial means for the support of activities mentioned in Clause 1 as a specific binding index ‘The Support of Projects for the Integration of Members of the Roma Community’ in their chapters of the State Budget for every budget year.

§ 22

Grants for the support of projects aimed at the integration of members of the Roma community are provided to legal persons.

§ 23

The support of projects in the field of the integration of members of the Roma community relates to the support of

- a) integration of members of the Roma community, especially in the field of social and cultural activities and education,
- b) education of Roma pupils and students,
- c) development of providing special social services.

PART 3 FINAL PROVISION

§ 24

The effect of the Decree

This Decree comes into effect on 15 April, 2002.

Prime Minister:
Ing. Zeman

Deputy Prime Minister:
JUDr. Rychetský

¹⁾ Act N. 218/2000 Coll. on budgetary rules and the amendment of some acts (budgetary rules), as amended by following regulations.

²⁾ § 14/3 of Act N. 218/2000 Coll.

³⁾ Act N. 250/2000 Coll. on budgetary rules of regional budgets, as amended by following regulations.

⁴⁾ § 14/1 of Act N. 218/2000 Coll.

⁵⁾ Act N. 143/1992 Coll. on wages and compensations for being on duty in budgetary and some other organisations and authorities, as amended by following regulations.
Government Decree N. 251/1992 Coll. on wages of employees of budgetary or some other organisations, as amended by following regulations.

⁶⁾ Act N. 119/1992 Coll. on the coverage of travelling expenses, as amended by following regulations.

⁷⁾ § 12 and 13 of Act N. 218/2000 Coll.

⁸⁾ § 14/3 of Act N. 218/2000 Coll.

⁹⁾ Decree N. 12/2001 Coll. which determines the principles and terms of the financial settlement of obligations to the State Budget.

¹⁰⁾ For example Act N. 320/2001 Coll. on financial control in state administration and the amendment of some acts (Financial Control Act); § 44 of Act N. 218/2000 Coll., as amended by Act N. 187/2001 Coll. and Act N. 320/2001 Coll.

¹¹⁾ § 2/4 b) of Decree N. 12/2001 Coll. which determines the principles and terms of the financial settlement of obligations to the State Budget.

¹²⁾ Act N. 46/2000 Coll. on rights and duties relating to the issuance of periodical publications and the amendment of some other acts (Press Act).