

## **Statute of the Government Council for Non-Governmental Organisations**

### **Article 1**

#### **Introductory provisions**

- 1) The Government Council for Non-Governmental Organisations is a permanent advisory, initiatory and coordination body of the Government of the Czech Republic (hereinafter only as "CR") in the field of non-governmental non-profit organizations (hereinafter only as "NGO").
- 2) The Government Council for Non-Governmental Organisations was established by Government Resolution No. 428 of 10<sup>th</sup> June 1992 as a Council for Foundations; by the Government Resolution No. 223 of 30<sup>th</sup> March 1998 it was transformed into the Government Council for Non-Governmental Organisations (hereinafter only the "Council").

### **Article 2**

#### **Competences of the Council**

- 1) The Council collects, discusses and through its Council chairman/chairwoman (hereinafter the "Chair") submits to the Government materials related to the NGOs and the creation of a suitable environment for their existence and activities.
- 2) The Council also in particular
  - a) Initiates and evaluates conceptual and implementing materials for government's decisions related to the support of NGOs, legislative and political measures, which are related to the conditions for their activities;
  - b) Monitors, initiates and comments legal acts, which regulate the standing and activities of the NGOs; comments the proposals of new regulations, which are related to NGOs
  - c) Initiates cooperation between Ministries, other administrative bodies and self-government bodies in the field of NGO support including policies of subvention from public budgets;
  - d) Monitors, analyses and publishes information about the standing of the NGOs within the European Union (hereinafter only as "EU"), about the CR's participation in the EU regarding NGOs and about related financial sources, cooperates with Ministries and other administrative bodies, responsible for the administration of the EU financial sources in the CR, if their use is related to NGOs;
  - e) In cooperation with Ministries, other administrative bodies, NGOs and other bodies and institutions ensures the availability and publishing of information about NGOs and the state policy measures, which concern NGOs; it particularly analyses and makes accessible information concerning subsidies from public budgets for NGOs and the process for their award and use;
  - f) Participates in the measures of Ministries and other administrative bodies, which are related to the NGOs, particularly the process of activity standardization, accreditation assignment and categorization of NGO types;
  - g) Monitors and informs the government about the use of financial sources of the Foundation Investment Fund category, which were divided into the foundation capital of selected foundations by the Resolutions of the Chamber of Deputies of the Parliament of the Czech Republic No. 413/1999 and No. 1946/2001, and about the division of their profits; in this activity the Council cooperates with the Ministry of Finance;
  - h) Annually submits its annual activity report for the previous year to the Government by 31<sup>st</sup> May.

**Article 3**  
**Composition of the Council**

- 1) The Council decides by vote with an equal standing of all members. In the event of a tied vote, the Chair shall have the casting vote
- 2) The Council has a maximum of 32 members, comprising the Council Chair, three Vice-Chairmen/Chairwomen (hereinafter the "Vice-Chair") with one of them being the Representative of the experts from NGOs and other members.
- 3) The other members of the Council are:
  - a) Experts from NGOs, who specialize in one of the areas of the non-profit sector, which the Council deals with;
  - b) Deputy Ministers of Culture, Labour and Social Affairs, Local Development, Industry and Trade, Education, Youth and Sport, Interior, Justice, Foreign Affairs, Health, Agriculture and Environment;
  - c) The Government Commissioner for Human Rights, if appointed;
  - d) The Chairman of the Association of the Czech Republic's Regions;
  - e) The Chairman of the Union of Towns and Municipalities of the Czech Republic;
- 4) The Council members specified in par. 3 letter a) make up at least one half of all Council members.
- 5) The Council Chair is appointed and dismissed by the government; the Chair is a member of the government.
- 6) The Council Vice-Chairs and members specified in par. 3, letter a) are appointed by the government based on the recommendation of the Chair, the Council members specified in par. 3, letter b) are appointed by the Chair based on the recommendation of the appropriate Ministers.
- 7) Council members specified in par. 3, letter b) have their permanent representatives appointed by the Chair. In the event that the relevant Deputy Minister doesn't attend the Council meeting his permanent representative takes his place with the right to vote.
- 8) The Council members have a four-year term of office. After the term is over, the Council members continue their activities until new members are appointed. The number of repeated appointments for Council members specified in par. 3, letter a) is limited to two consecutive terms.
- 9) The Council membership ends:
  - a) In case of the Council Chair upon the termination of his term of office as a member of the government;
  - b) In case of representatives of the Ministries, the Government Commissioner for Human Rights, the Chairman of the Association of the Czech Republic's Regions and the Chairman of the Union of Towns and Municipalities of the Czech Republic upon termination of their term of office;
  - c) Upon resignation of a Council member, which is delivered in writing to the Council Chair;
  - d) Upon dismissal a Council member;
  - e) Upon death of a Council member;
  - f) Upon the dissolution of the Council.

## **Article 4**

### **Council Chair**

- 1) The Council Chair is accountable to the government for the activities of the Council.
- 2) The Council Chair calls and chairs Council sessions. Council sessions take place as and when necessary, but at least four times a year. Upon the proposal of at least one third of the Council members the Council Chair calls a Council meeting to be held within three weeks after the proposal is submitted.
- 3) The Council Chair further in particular
  - a) Regulates Council activities;
  - b) Based on the recommendations of appropriate ministers appoints Council members according to the Article 3, par.3, letter b) and their permanent representatives;
  - c) Appoints and dismisses chairmen and vice-chairmen of the Council's committees
  - d) Appoints and recalls members of the Council's committees;
  - e) Signs the Council meeting records, opinions, recommendations and other Council materials;
  - f) Checks the fulfilment status of tasks arising from the tasks/resolutions adopted by the Council;
  - g) Submits Council materials to the government
- 4) In the event of the absence of the Council Chair at a Council meeting a Council Vice-Chair authorized by the Council Chair deputizes for him. The Council Chair may authorize one of the Vice-Chairs to act as a permanent deputy with the exception of activities, which can be performed only by a member of the government.

## **Article 5**

### **Council Members**

- 1) Council members are obliged to attend Council sessions, Committee meetings or meetings of the working groups of which they are members.
- 2) Council members have the right to submit proposals to the Council including proposals for additions to the Council meeting's programme.
- 3) The Council members approve the Council meeting's programme.
- 4) Council members cannot be deputized with the exception according to Article 3 par. 7. The absence at the Council meeting must be excused in writing in advance at the Council Secretariat.

## **Article 6**

### **The Council Board**

- 1) The Council Board comprises of the Council Chair and three Vice-Chairs
- 2) The Council Board fulfils the tasks of the Council between its meetings. The Council Board in particular:
  - a) Prepares and proposes the Council meeting programme;

- b) Prepares and presents to the Council members proposals that are being put on the Council meeting agenda;
  - c) Invites guests to the Council meetings or approves their participation.
- 3) The Council Board meetings are called as necessary.
- 4) The Council Board meetings are organized by the Council Secretary (hereinafter only as "Secretary") who attends the meeting in an advisory capacity. The Secretary makes written minutes from this meeting.

## **Article 7**

### **Council Committees**

- 1) The Council Committees are its permanent working bodies. Their task in particular is to fulfil tasks, which they receive from the Council.
- 2) External persons may also be invited to work in a Council Committee.
- 3) Only a Council member can be the Chairman of a Council Committee.
- 4) The Council Committee Chairman is responsible to the Council Chair for the activities of the Committee.
- 5) The Council Committee may also have a Vice-Chairman, who is appointed by the Council Chair.
- 6) Other members of the Council Committees are:
  - a) Representatives of the expert public;
  - b) Representatives of Ministries, other administrative bodies and self-government bodies.
- 7) Members of Council Committees are always experts in fields, which the given Committee deals with.
- 8) In special cases and after an agreement with the Council Committee Chairman and the Council Secretariat the Committee meetings can be attended by the Committee members' deputies. The deputy must be authorized in writing by the deputized Committee member to attend the meeting.
- 9) The Council Committee meetings are called as necessary. The Committee meeting is called by its Chairman in cooperation with the Council Secretariat. In cooperation with the Council Secretariat the Committee Chairman can invite guests to the Committee meetings.
- 10) The Council has the following Committees:
  - a) Committee for Legislation and Funding
  - b) Committee for the EU
- 11) The Committee for Legislation and Funding proposes the creation and amendments of legal regulations regarding the standing and activities of the NGOs; monitors and comments regulations regarding the standing and activities of the NGOs and initiates and evaluates political measures regarding the conditions for NGO activities.
- 12) The Committee for Legislation and Funding in particular:
  - a) Monitors legal regulations, which influence the standing and activities of the NGOs, initiates their creation and participates in their preparation;
  - b) Prepares and advances comments to legal regulations, which are related to the standing and functioning of the NGOs;

- c) Monitors processes of NGO funding at the level of state administration and strives for their improved efficiency;
  - d) Informs the Council about its activities and presents to it its proposals for measures.
- 13) The Committee for the EU monitors and analyzes information about the standing of NGOs within the EU, participation of the CR in the EU regarding the NGOs and the related financial sources; cooperates with Ministries and other administrative bodies, responsible for the administration of EU funds in the CR, if their use is related to NGOs.
- 14) Committee for the EU in particular:
- a) Cooperates with Ministries and other administrative bodies, responsible for the implementation of EU financial sources in the CR and creates proposals for measures to incorporate NGOs into the use of these financial sources;
  - b) Monitors the situation of NGOs in integration processes at the EU level;
  - c) Informs the Council about its activities and presents to it its proposals for measures.

### **Article 8 Working Groups**

- 1) The Council Chair establishes temporary working groups as necessary based on the Council's proposal.
- 2) Only a Council member or an employee assigned to the Council Secretariat can be the Head of a working group. The Head of the working group is appointed and dismissed by the Council Chair. The working groups may also have external persons as members.
- 3) The working groups deal with partial issues within the Council's scope of activity and prepare expert materials for its meetings.

### **Article 9 External Cooperation**

- 1) The Council may, through its members, request cooperation from state administration employees or external experts (hereinafter the "Experts").
- 2) External experts or representatives of Ministries or other administrative bodies may, upon invitation from the Council Board or its approval, attend Council sessions on specific issues or participate in the activities of the Council Committees and Council workgroups as permanent co-workers.

### **Article 10 Council Secretariat**

- 1) The activities of the Council are supported by the Council Secretariat (hereinafter the "Secretariat"), which is an organizational part of the Office of the Government of the Czech Republic (hereinafter only as "Office").
- 2) The Secretariat is an expert department for issues regarding NGOs and the relationships of NGOs and the state administration.
- 3) The Secretariat in particular
  - a) Administratively and organizationally supports the activities of the Council, its Committees and working groups;

- b) Monitors and prepares conceptual and implementation materials for Council's or Council Chair's decisions on legislative or political measures regarding the standing and functioning of the NGOs;
  - c) Collects and processes expert materials for the Council sessions based on the orders given by the Council or the Council Board;
  - d) Cooperates with Council Committees' Chairmen, prepares materials for the Council Committees' meetings and participates in preparation of the Council Committees' meetings;
  - e) Regularly publishes information about the Council and its activities, including information about its Committees and working groups and their activities on the website of the Office;
  - f) Monitors the term of office of the Council members according to Article 3 par. 8 of this Statute.
- 4) The Director of the Secretariat manages and is responsible for the Secretariat's activities in accordance with the orders given by the Council Chair and Vice-Chair, into whose agenda the Secretariat is organizationally incorporated. The Director of the Secretariat is appointed and dismissed by Head of the Office, based the proposal of the Council Vice-chair into whose agenda the Secretariat is organizationally incorporated.
- 5) The Director of the Secretariat is also the secretary of the Council and attends Council meetings in an advisory capacity.

#### **Article 11**

##### **Costs for Activities and Remuneration**

- 1) Regular costs for the activities of the Council are covered from the budget of the Office.
- 2) Meetings of the Council and its Committees and working groups usually take place on the premises of the Office.
- 3) Council members are entitled to a reimbursement of provable travel expenses related to the Council's activities and in accordance with the valid legislation. Based on the proposal of the Council Chair, reimbursement of travel expenses may be granted to experts who cooperate with the Council if they have an appropriate contract with the Office.
- 4) Members of the Council, its Committees or working groups are not entitled to remuneration for the performance of their function.

#### **Article 12**

##### **Rules of Procedure**

- 1) The Council procedures are regulated by the Council Rules of Procedure. The Council Rules of Procedure, its amendments and supplements are subject to approval by the Council.
- 2) The Council Committees adhere adequately to the Council Rules of Procedure during their meetings.
- 3) As a rule, working groups will meet informally and decide consensually. If necessary they will adhere adequately to the Council Rules of Procedure during their meetings..

## **Article 13**

### **Concluding Provisions**

- 1) The Statute is available to the public on the website of the Office. The version displayed on the website is always the full wording of the valid Statute.
- 2) Amendments and supplements to the Statute are subject to approval by the Government.
- 3) This Statute entered into force on 29<sup>th</sup> August 2012.