

Zmluva
o platení členského poplatku do
Európskej federácie národných inštitúcií pre jazyk (EFNIL)

Čl. I.
Zmluvné strany

Poskytovateľ:	Ministerstvo školstva, vedy, výskumu a športu Slovenskej republiky
sídlo:	Stromová 1, 813 30 Bratislava
v zastúpení :	Juraj Draxler, MA - minister
osoba oprávnená rokovať v odborných veciach:	Bc. PhDr. Marek Hajduk, PhD.
Tel. číslo:	02/59374730
Fax:	02/59374720
e-mail:	marek.hajduk@minedu.sk
IČO:	00164381
DIČ:	2020798725
Bankové spojenie:	Štátna pokladnica
Číslo účtu v tvare IBAN:	SK8081800000007000065236

(ďalej len „poskytovateľ“)

a

Jazykovedný ústav Ľudovíta Štúra Slovenskej akadémie vied	
sídlo:	Panská 26, 813 64 Bratislava
v zastúpení :	prof. PhDr. Slavomír Ondrejovič, DrSc. - riaditeľ
osoba oprávnená rokovať v odborných veciach:	prof. PhDr. Slavomír Ondrejovič, DrSc.
Tel. číslo:	02/544 317 62
Fax:	02/544 317 56
e-mail:	slavoo@juls.savba.sk
IČO:	00167088
DIČ:	2021356601
Bankové spojenie:	Štátna pokladnica
Číslo účtu v tvare IBAN:	SK2381800000007000006607

(ďalej aj „JÚLŠ SAV“)

(ďalej spolu aj ako „zmluvné strany“)

Preambula

Dohodou o zriadení Spoločenstva akademických a centrálnych jazykových inštitúcií, podpísanou v roku 2003 v Štokholme vznikla Európska federácia národných inštitúcií pre jazyk (ďalej „EFNIL“) so sídlom v Mannheime.

Slovenská republika bola v zastúpení Jazykovedného ústavu Ľudovíta Štúra Slovenskej akadémie vied prijatá za riadneho člena EFNIL na 6. výročnom zasadaní 14. novembra 2008 v Lisabone na základe pristúpenia k Organizačným pravidlám prijatým na Valnom zhromaždení EFNIL-u v Paríži dňa 9. novembra 2004, ktorých znenie tvorí Prílohu č. 1 tejto zmluvy.

EFNIL predstavuje spoločenstvo akademických a centrálnych jazykových inštitúcií, ktoré sa venujú výskumu, dokumentácii a kultivovaniu úradného jazyka, resp. úradných jazykov v štátoch Európskej únie.

Cieľom účasti Slovenskej republiky v zastúpení JÚLŠ SAV v EFNIL je zisťovanie a výmena informácií o používaní a fungovaní úradných (spisovných, štandardných) jazykov EÚ, príprava dokumentácie a informácií dôležitých pre jazykovú politiku EÚ i podpora európskej jazykovej rozmanitosti, ako aj individuálnej viacjazyčnosti občanov európskych krajín.

Poskytovateľ týmto preberá finančnú záštitu (platba členského poplatku) nad touto medzinárodnou spoluprácou v oblasti jazykovej politiky EÚ na národnej úrovni.

Čl. II.

Predmet a účel zmluvy

Predmetom tejto zmluvy je platba členského poplatku vo výške **3 000,-** EUR (slovom tritisíc EUR) každoročne z prostriedkov štátneho rozpočtu Slovenskej republiky (ďalej len „prostriedky štátneho rozpočtu“) prostredníctvom kapitoly rozpočtu poskytovateľa, ktorá vyplýva z členstva Slovenskej republiky v zastúpení Jazykového ústavu Ľudovíta Štúra Slovenskej akadémie vied v EFNIL.

Čl. III.

Práva a povinnosti zmluvných strán

- 1) Zmluvné strany zodpovedajú za včasné a riadne plnenie záväzkov vyplývajúcich z tejto zmluvy.
- 2) JÚLŠ SAV je povinný na základe požiadavky poskytovateľa predložiť všetky informácie týkajúce sa účasti v EFNIL a pravidelne poskytovateľa informovať o záveroch jednotlivých rokovaní EFNIL, ktorých sa JÚLŠ SAV zúčastní.
- 3) JÚLŠ SAV je povinný uchovávať všetky dokumenty a doklady, vrátane účtovných dokladov, najmenej počas piatich rokov nasledujúcich po roku, v ktorom bola uskutočnená posledná platba z prostriedkov štátneho rozpočtu.

- 4) Poskytovateľ sa zaväzuje uhrádzať členský poplatok uvedený v bode 1 tejto zmluvy každoročne, na základe doručenej faktúry a v stanovenom termíne splatnosti, počas trvania členstva Slovenskej republiky v zastúpení JÚLŠ SAV v EFNIL.
- 5) JÚLŠ SAV sa zaväzuje zabezpečiť zastupovanie Slovenska ako členského štátu Európskej únie formou vystúpení a diskusií na jednotlivých zasadaniach EFNIL-u, vypracovanie všetkých dokumentov podľa inštrukcií vedenia EFNILu, ako aj vypracúvanie a dopĺňanie Monitoru európskej jazykovej politiky (ELM).

Čl. IV. Odstúpenie od zmluvy

- 1) Poskytovateľ má právo odstúpiť od zmluvy, ak :
 - a) si JÚLŠ SAV neplní povinnosti stanovené v tejto zmluve,
 - b) dôjde k ukončeniu členstva Slovenskej republiky v zastúpení JULS SAV v EFNIL.
- 2) JÚLŠ SAV má právo odstúpiť od zmluvy v prípade, ak si poskytovateľ neplní povinnosti dohodnuté v tejto zmluve.
- 3) Odstúpenie od zmluvy je účinné dňom jeho doručenia druhej zmluvnej strane na adresu uvedenú v záhlaví tejto zmluvy.
- 4) Zmluvné strany môžu ukončiť túto zmluvu aj na základe dohody.

Čl. V. Záverečné ustanovenia

- 1) Zmluvné strany sa zaväzujú bezodkladne navzájom sa písomne informovať o zmenách identifikačných údajov uvedených v zmluve a akýchkoľvek iných zmenách a skutočnostiach, ktoré by mohli mať vplyv na práva a povinnosti vyplývajúce z tejto zmluvy v lehote najneskôr do 30 kalendárnych dní.
- 2) Práva a povinnosti zmluvných strán touto zmluvou neupravené sa spravujú ustanoveniami zákona č. 172/2005 Z. z. o organizácii štátnej podpory výskumu a vývoja a o doplnení zákona č. 575/2001 Z.z. o organizácii činnosti vlády a organizácii ústrednej štátnej správy v znení neskorších predpisov, zákona č. 523/2004 Z. z. o rozpočtových pravidlách a o zmene a doplnení niektorých zákonov v znení neskorších predpisov, Občianskeho zákonníka v platnom znení a súvisiacich všeobecne záväzných právnych predpisov platných na území Slovenskej republiky.
- 3) Zmluvné strany po prečítaní tejto zmluvy vyhlasujú, že jej obsahu porozumeli, a tento zodpovedá skutočnému prejavu ich vôle a na znak vzájomného súhlasu ju podpisujú.
- 4) Zmeny a doplnenia tejto zmluvy môžu byť vykonané len formou očíslovaných písomných dodatkov, podpísaných oprávnenými zástupcami zmluvných strán.
- 5) Táto zmluva je vyhotovená v štyroch rovnopisoch, z ktorých po podpise dostane každá zo zmluvných strán po dvoch rovnopisoch.

6) Zmluva nadobúda platnosť dňom jej podpísania obidvoma zmluvnými stranami a účinnosť dňom nasledujúcim po dni jej zverejnenia v Centrálnom registri zmlúv, vedenom Úradom vlády Slovenskej republiky.

7) Neoddeliteľnou súčasťou tejto zmluvy je :

Príloha č. 1 - Organisational Procedures and Regulations - Dokument o prístupí k organizačným pravidlám EFNIL-u.

V Bratislave dňa

V Bratislave dňa

Za poskytovateľa :

Za JÚEŠ SAV :

.....
Juraj Draxler, MA
minister

.....
prof. PhDr. Slavomír Ondrejovič, DrSc.
riaditeľ

Funkcia:	Meno, priezvisko:	Podpis:	Funkcia:	Meno, priezvisko:	Podpis:
Spracovateľ	Jana Krchňavá		GR SFaR	Eva Bizoňová	
RO MSMOVV	Marek Hajduk		R OP	Miroslava Marcinekova	
rozpočtár	Zuzana Vráblik		ŠT1	Romana Kanovská	
GR SVŠ,VaV	Peter Plavčan		minister	Juraj Draxler	

European Federation of National Institutions for Language

Fédération européenne des institutions linguistiques nationales



Executive Committee

Secretariat:

Nederlandse Taalunie

Post box 10595

2501 HN Den Haag

Netherlands

Tel +31-70-346 95 48

Fax +31-70-365 98 18

E-mail efnil@taalunie.org

ORGANISATIONAL PROCEDURES AND REGULATIONS

Adopted by the General Assembly, Paris, 9 November 2004

CHAPTER 1 GENERAL ASPECTS

Article 1 (Constitutional basis)

This document contains the organisational regulations, principles and procedures as they are to be applied within the European Federation of National Institutions for Language. The document was adopted by the General Assembly in Paris on 9 November 2004. The regulations, principles and procedures in this document are based on the Constitution of the Federation. If stipulations in this document prove to be contradictory to stipulations in the Constitution, then the Constitution prevails and the text of this document should be modified by the General Assembly in its first meeting after the contradiction had been noticed, to make it comply with the Constitution.

Article 2 (Use of languages within the Federation)

Being a European organisation which promotes multilingualism of institutions and services and plurilingualism of citizens, the Federation will use as many European languages as possible consistent with a responsible use of its financial and other resources.

Article 3 (Financial and Work Year)

The Financial and Work Year of the Federation starts on 1 July of each calendar year and ends on 30 June of the following calendar year. The Executive Committee is obliged to submit a financial report each financial year and an activity report for the same period at the annual regular meeting of the General Assembly, which has to be organised according to the criteria described in Article 8 § 1 of this document. At the same meeting the Executive Committee has to submit a work plan and financial budget for the year in progress.

CHAPTER 2 THE MEMBERS OF THE FEDERATION

Article 4 (Federation Members)

Article 4.1 The members of the Federation are the central or national institutions for research, documentation and language policy of the officially recognised standard languages within the states of the European Union, called Federation Members. Bi- or multinational institutions can be accepted as regular members of the Federation if and only if they are involved in the official language policy of the countries they cover and/or if they are mandated by the governments of the countries they represent.

Article 4.2 One member state of the European Union can be represented by up to two of the language institutions as stated above. If there are more such institutions within a member state, they should determine among themselves which of them will be proposed as Federation Members.

Article 4.3 Institutions which wish to become Federation Members must submit an application in which they explain their reasons for seeking membership. The application letter shall include the constitution of the institution or a summary of the most important aspects contained in it.

Article 4.4 As soon as the Secretariat of the Federation has received the application of an institution it will confirm receipt of the application in writing. The applying institution becomes a Candidate Federation Member and is entitled to participate in all projects and activities of the Federation and to receive all information sent to regular Federation Members.

Article 4.5 A Candidate Federation Member becomes a Federation Member after acceptance or acknowledgement by the General Assembly and after payment of the regular membership fee.

Article 4.6 The General Assembly can only refuse applying institutions in the following cases:

- (a) If the applying institution does not fulfil the general conditions, e.g. if it is not an institution as defined in Article 4. § 1 of this document and in Article 1 of the Constitution;
- (b) If there is already another institution from the same member state which is a Federation Member and this Member objects to the membership of the applying institution;
- (c) If there are already two member institutions from the same country;
- (d) If it does not accept the general objectives as described in the Constitution of the Federation.

Article 4.7 Federation Members who wish to resign must communicate their resignation in writing to the Secretariat of the Federation. Resigning Federation Members lose their rights and are free of obligations as soon as the General Assembly has acknowledged their resignation.

Article 4.8 The General Assembly may decide to expel a Federation Member in the following cases:

- (a) If the Federation Member does not pay its membership fee or does not fulfil its normal obligations towards the Federation, despite having been urged to comply with its duties;
- (b) If the Federation Member expresses opinions which are considered to be detrimental to EFNIL or which deliberately offend Federation Members and/or Delegates
- (c) If the Federation Member becomes bankrupt, is dissolved or loses the specific language competence and tasks for which it had been accepted.

Article 4.9 In extreme cases the Executive Committee can submit a written proposal for immediate expulsion of a Federation Member, without having to call a meeting of the General Assembly. The proposal is considered to be approved if a majority of delegations expresses its agreement with the proposal in writing to the Secretariat.

Article 5 (Associate members)

Article 5.1 Language institutions representing the official language(s) of a European state that is not a member of the European Union can submit a request to be accepted as associate member institutions. Associate member institutions will receive all regular information which is sent to the Federation Members and are allowed to participate to all activities of the Federation, but will not have a right to vote in the General Assembly of the Federation.

Article 5.2 Institutions which wish to become associate members of the Federation must submit an official application in which they explain their reasons for seeking associate membership. The application letter shall include the constitution of the institution or a summary of the most important aspects contained in it.

Article 5.3 The General Assembly accepts or rejects applications for associate membership. It communicates its decision to the applying institution, giving reasons for any rejection. Access to information and participation in activities will be guaranteed only after acceptance by the General Assembly and payment of the fee for Associate Members.

CHAPTER 3 THE BODIES OF THE FEDERATION

Article 6 (The General Assembly – Membership fee and composition)

Article 6.1 Federation Members pay a membership fee. The level of contribution will be established by the General Assembly and will be the same for each Member Country. If a Member Country is represented by two Federation Members, these can divide their country's membership fee among them. Binational and multinational institutions recognised as Federation Members according to the criteria established by Article 4 § 1 of this document have to pay for each Member Country which they represent or make agreements with possible other Federation Members from the same country.

Article 6.2 Associate Members also pay a membership fee. This fee will be the same for each Associate Member. The General Assembly establishes the level of contribution. The fee for Associate Members shall not be higher than 50% of the fee of a Member Country.

Article 6.3 If a country of the European Union does not have a central or nationally supported language institution, this country may be represented by up to two representatives from relevant academic fields. If these representatives have no administrative body or institution which pays the country's membership fee they will not have to pay fees and will not have a right to vote in voting procedures regarding matters internal to the Federation, but will be entitled to take part in voting procedures concerning the approval of position points and opinions regarding fundamental aspects of national or European policy. If an administrative body or a language institution pays the country's membership fee, then the representatives will become regular delegates and receive full voting rights. In such cases the body or institution which pays the country's fee will become a Federation Member in its own right.

Article 6.4 Federation Members and Associate Members appoint their own delegates and can decide to substitute delegates, within the limits of the rules and principles described in the Constitution and in this document. They must inform the Secretariat of the composition of their delegation. The appointment of a delegate is not limited in time, unless decided otherwise by the Federation or Associate Member itself. Federation Members and Associate Members must inform the Secretariat immediately in writing of all changes in its delegation.

Article 7 (General Assembly – Voting procedures)

Article 7.1 Decisions are taken by a simple or by a qualified majority. A simple majority is a majority obtained with 50% plus one of the registered votes for each voting session with a participation of at least 50% of the delegates having a right to vote, regardless of the number of delegates that registered a countable vote. Countable votes are votes in favour or against a certain proposal. Abstentions are considered as non-countable votes. This means that they are considered as a non-vote with the single proviso that – as far as voting procedures in writing are concerned, abstentions will be taken into consideration in determining the quorum of delegates that are counted as being present. A qualified majority is that obtained with 50% plus one of the registered votes for each voting session in which at least 75% of the delegates having a right to vote has registered a countable vote.

Article 7.2 A qualified majority is necessary in the following cases:

- (a) in order to amend, adopt and substitute the Constitution of the Federation and in order to establish Organisational Procedures and Regulations;
- (b) in order to approve position points and opinions concerning fundamental aspects of national or European language policy and policy measures to be published or otherwise made public in the name of the Federation as a whole;
- (c) in order to dissolve the Federation and decide on the destination or division of its resources and debts.

For decisions regarding all other issues a simple majority will be sufficient.

Article 7.3 The General Assembly can take binding decisions if and only if 50% of the delegates with a right to vote are present at the meeting or have responded to a written voting procedure, even if they have registered an abstention. If a quorum is not obtained the General Assembly cannot take binding decisions but can exchange opinions and organise a new decision-making session. New meetings or sessions can take place at least 3 weeks after the session for which a

quorum was not obtained. In these sessions the General Assembly can always take lawful decisions, regardless of the quorum of delegates with a right to vote.

Article 8 (General Assembly – Convocation)

Article 8.1 There will be at least one meeting of the General Assembly during each work year. This meeting will normally take place in the period between 1st of October and the 30th of November of each year and will normally be combined with a working conference. This regular meeting of the General Assembly will decide on the financial budget and work programme for the forthcoming year and on the financial and activity reports regarding the last working year, admit new Federation Members and Associate Members, admit observers to the General Assembly and elect the members of the Executive Committee.

Article 8.2 The date and place of the regular meetings of the General Assembly are established by the Executive Committee, which will inform the delegates at least three months before the proposed date of the meeting. The agenda of the meeting and the necessary financial and administrative documents should be in the possession of the delegates at least three weeks before the date of the meeting. Calls to meetings, agenda and documentation will normally be sent by e-mail.

Article 8.3 Absent delegates can mandate colleague delegates or appoint substitutes from their institution to represent them and to take part in voting procedures on their behalf. Mandates to other delegates or substitutes should be given in writing. The mandated persons must submit a letter of mandate from the absent delegate to the General Secretary before the beginning of the meeting.

Article 8.4 A meeting of the General Assembly has to be called if a request for such a meeting is supported by at least 25% of the delegates. Reasons should be given for such a request. The Executive Committee is obliged to organise the requested meeting at the latest 30 days after having received the written request from the delegates.

Article 8.5 The costs of attending meetings of the General Assembly will be borne by Federation Members with regard to its own delegate or delegates. Other organisational costs will be met by the Federation or by the Federation Member by whom an event is organised.

Article 9 (Executive Committee – Composition and duration of mandate)

Article 9.1 In electing the President, Deputy President and ordinary members of the Executive Committee the General Assembly must take note of the fact that the Committee should be representative for the language situation within Europe. It should therefore consider at least the following criteria:

(a) An appropriate distribution between language families, regions and larger and smaller languages;

(b) An appropriate distribution between male and female members.

The Executive Committee can submit proposals for the substitution of Committee members or for the election/nomination of a completely new Executive Committee, especially in those cases in which there are no (or not enough) candidates.

Article 9.2 If in the course of his or her mandate the President, Deputy President or ordinary member of the Executive Committee loses his or her status as appointed delegate of a Federation Member, he or she must resign immediately as member of the Executive Committee and must be replaced by another delegate within the General Assembly, at the latest at the next meeting of the General Assembly.

Article 10 (Executive Committee – Voting and other procedures)

Article 10.1 All Committee decisions shall be taken by a simple majority of present Committee members. If the number of votes for and against is the same, the President has a second (casting) vote.

Article 10.2 The Executive Committee meets as required, normally with a minimum of two face-to-face meetings a year, one in spring and one in autumn. The Committee should limit its face-to-face meetings as much as possible within the limitations mentioned in this Article and should consider the possibility of replacing additional face-to-face meetings with telephone or video conferences.

Article 11 (General Secretary and Secretariat)

Article 11.1 The Federation Member to which the General Secretary belongs will be mandated by the General Assembly to administer and account for all the resources of the Federation (contributions or subsidies of the Federation Members, subsidies of the member states of the European Union and the institutions of the European Union and private donations) on behalf of the Executive Committee, which will submit budgets and financial reports for approval to the General Assembly.

Article 11.2 In the absence of a Secretariat and a secretarial staff of its own, the Federation will ask the Federation Member to which the General Secretary belongs to perform the secretarial work on behalf of the Federation. If this member indicates that it is not able to comply with this request, the Executive Committee is entitled to seek whatever solution is considered feasible.

As adopted by the General Assembly of the European Federation of National Institutions for Language, during its meeting at Paris, Tuesday 9 November 2004.

For the European Federation of National Institutions for Language,

Prof.dr. G. Stickel
President

J. Van Hoorde
General Secretary