

Pursuant to the provisions of the Article 54 of the Law of Institutions (Official Gazette Nos. 76/93, 29/97, 47/99 and 35/08) and Article 26 Paragraph 2 of the Law on Research Activities and High Education (Official Gazette Nos. 123/03, 105/04, 174/04, 46/07, 45/09, 63/11, 94/13, 139/13, 101/14), the Administrative Board of the Institute of Public Finance (hereafter referred to as: the Institute) adopted at its meeting held on 17 September 2014 the following

STATUTE of INSTITUTE OF PUBLIC FINANCE

I. GENERAL PROVISIONS

Article 1

This Statute regulates the following issues concerning the Institute of Public Finance: legal status; name; seat; seal and mark; activities; bodies; financing and assets; procedure and conditions for work place and research rank election; general regulations; openness to the public; business secret and other matters significant for activities of the Institute.

II. LEGAL STATUS

Article 2

Institute of Public Finance was established by the University of Zagreb in 1970; on 16th of May 1988 it was signed into the court registry of District commercial Court in Zagreb as work organization under the name of "Institut za javne financije – Zagreb, p.o."

By entering of the Law of Institutions into force on 7th of August 1993, according to the Article 78, paragraph 1 and 2, the Institute became public institution, founded by the Republic of Croatia.

Based on the formal decision of Ministry of Science and technology, Class: 640-01/96-01/008, Registration number: 533-07-96-4, dated 21st November 1996, Institute of Public Finance, seated in Zagreb, Katančičeva 5, was signed in the Registry of scientific research Institutes of Ministry of Science and Technology as a scientific research legal person in scientific field of social sciences.

In accordance with the Law on Research Activities and High Education (Official Gazette Nos. 123/2003, 105/2004, 174/2004 i 46/2007) Institute of Public Finance has the position of public scientific institute and was signed in the Registry of scientific organizations which is being lead by the ministry responsible for science, and it has also been signed into court registry of Commercial court in Zagreb as a legal person.

Rights and duties of the Republic of Croatia as the founder of the Institute are being performed through the ministry responsible for science.

Article 3

The work of the Institute is regulated by the Law of Institutions, except in the matters which have been differently regulated by the Law on Research Activities and High Education.

III. THE NAME, SEAT, SEAL AND MARK

Article 4

The Institute performs its activities, works and takes part in legal activities under the name of "Institut za javne financije".

Abbreviation of the name of the Institute is: IJF.

In international communication, the Institute uses the name in English: Institute of Public Finance.

Abbreviation of the name in English is: IPF.

The name of the Institute is marked on the building of the seat of the Institute.

The seat of the Institute is in Zagreb, Smičklasova 21.

Article 5

The Institute has a seal of rectangular shape sized 4,5 cm x 1,0 cm with the inscription Institut za javne financije written in the upper row, and Zagreb, Smičiklasova 21 in the lower row.

Every one of the seals being used by authorized persons is marked with a number, in accordance with the paragraph 1 of this Article.

Article 6

The Institute has a mark consisting of the mark and logo. The mark is red and consists of 4 vertical rectangles of different heights and 4 circles (one above each rectangle). On the right is a logo. Logo is grey, written in two lines and contains words "Institute for" written in the above row and "javne financije" in the bottom row, in press Marlene Pro Regular.

IV. ACTIVITY

Article 7

The Institute carries out activities:

- running a programme of scientific research as public service in research activity in the social science, field of economy and politology, and the natural science, field of mathematics.
- 22.1. Publishing
- buying and selling of goods
- services of photocopying.

Programmes of scientific research consist of research projects and programme of research activity.

V. GOVERNING BODIES

Article 8

For performing new activities, new departments of the Institute can be established by amendments to this Statute.

Article 9

The Institute has:

- Administrative board,
- Director,
- Board of researchers.

The Institute can also form other bodies (professional, advisory, etc) which can be founded by general rules which determine the composition, competence and rules of procedure).

The Institute forms other bodies when the law determines.

Article 10

The Institute is run by Administrative Board.

The Administrative Board has five members. The president and two members are appointed by the founder, one member is appointed by Board of researchers, and one member is appointed by Board of employees.

If the Board of Employees hasn't been formed, one member of the Administrative Board is appointed and relieved of duty by the employees of the Institute by secret and direct vote, in the procedure defined by Labour law for the election of employee council with only one member.

The term of office for the members of Administrative Board is four years. The same person can be reappointed for the member of Administrative Board.

Article 11

The member of Administrative Board can be relieved of duty before the expiration of the term of his office in the event that

- the member requests to be relieved from their duty
- the member stops performing their duties as a member for longer than three months
- the member is no longer able to carry out their duty
- the member violates the respectability of the office they hold.

Article 12

The Administrative Board:

- has the authority to adopt the Statute of the Institute and the other general regulations;
- plans the Institute's activity and its development as well as supervise the implementation thereof;
- has the authority to establish a financial plan;
- adopts an annual budget, proposed by the Board of researchers, with the approval of the Minister;
- decides upon the annual account and the distribution of profit;
- proposes to the founder the change of the name, the seat and the activities of the Institute;
- passes the second degree individual decisions about the work relations of the employees of the Institute;
- gives suggestions and opinions about certain issues to the founder, Director and the Board of researchers;
- decides on matters that haven't been assigned to other bodies of the Institute by the Statute;
- appoints and dissolves of duty the director of the Institute;
- performs other activities set by the law and/or this Statute.

Article 13

The Administrative Board makes its decisions on its meetings. The meetings of the Administrative Board are called and presided by the President of the Administrative Board.

If the President of the Administrative Board is absent or prevented or if the President of the Administrative Board hasn't accepted the proposition by the Director or the Board of researchers to call the meeting, the meeting can be called by the member of the Administrative Board.

The Administrative Board is valid and makes valid decisions if more than half of its members are present at the meeting.

Decisions are passed by a majority of votes of the total number of members.

The Director and the President of the Board of researchers can participate in the work of the Administrative Board, without the right to participate in decision making.

The Administrative Board can regulate all the other matters of its work in a regulation.

Article 14

The Director is the head of the Institute, who represents and acts on behalf of the Institute and is responsible for the legality of its activities.

The Director organises and directs the work and activities of the Institute, particularly the following:

- carrying out decisions made by the Administrative Board;
- carrying out the Statute, the general acts of the Institute and giving directions about their implementation;
- suggesting to the Administrative Board the work programme of the Institute, the financial plan and the budget for the current year;
- submitting to the Administrative Board a report of the Institute's annual accounts and proposing the income distribution;
- deciding about the acquisition of real estate, encumberment or the disposal of the real estate and other Institute's property, according to the financial plan;
- deciding on the commencement and termination of employment of personnel;
- deciding on the employment rights in the first degree;
- suggesting to the Administrative Board the passing of the Statute and the other general acts;
- representing the Institute in all court, administrative and government proceedings and procedures;
- issuing written mandates to other persons to represent the Institute in legal matters;
- determining which persons are authorised to sign financial and other documents.

Article 15

The Director of the Institute can be a person who meets the following requirements:

- election to the research rank research associate,
- doctorate (PhD title),
- articles published in the internationally recognised journals and publications from the field of social sciences – scientific field economy, finance and fiscal policy
- fluency in English
- 5 years of experience in similar positions.

The Director of the Institute is appointed and relieved by the Administrative Board based on a public competition published in the Official Gazette, daily newspaper and the official Internet page of the Institute.

The Director is appointed to term of office of four (4) years. One person can be re-appointed for the Director.

Article 16

The Director can be recalled before the expiration of the term of office he or she was appointed to.

The Administrative Board shall recall the Director if:

- the Director himself or herself requests to be relieved of office in accordance with employment regulations,
- circumstances develop that would lead to the termination of employment in accordance with the employment regulations
- the Director does not act in accordance with the provisions or general acts of the Institute, or refuses to carry out decisions made by the Institute's governing bodies without valid reason, or acts contrary to such decisions
- negligent or irregular actions of the Director cause the Institute considerable damage, or if he or she neglects his or her duties or performs them negligently, which results or may result in significant hindrance to the smooth performance of the Institute's activities.

The Director must be given a chance to express his view on the reasons for his recall before the decision to recall him from the paragraph 2 of this article can be made.

If the Director is relieved of office, an Acting Director shall be appointed by the Administrative Board for the period of one year at the most and the Administrative Board shall open competition for a new Director within thirty (30) days of the appointment of the Acting Director.

Article 17

The Board of Researchers is a board of the expert researchers of the Institute.

The Board of Researchers performs the following duties:

- determines and implements the research policy of the Institute;
- discusses and makes decisions about professional and research issues
- conducts the part of the scientific rank election, if the Institute is authorised to conduct election;
- conducts the elections procedure for the scientific, assistant and technical work posts;
- appoints and recalls one member of the Administrative Board;
- proposes the candidates for the competition committee for the election of the Director to the Administrative Board;
- gives the Administrative Board the preliminary opinion in the process of passing of the Statute;
- performs other duties appointed to him by the founding act and/or this Statute.

Article 18

The Board of Researchers consists of:

1. researchers elected to the researchers' rank;
2. research assistants elected to the assistants' work posts.

Article 19

The Board of Researchers elects its president and vice president from its members by majority of all the members' votes.

Meetings of the Board of Researchers are called by the President, and in case of his absence or inability, the vice president.

The Board of Researchers makes its decisions by majority of all the members' votes.

Other issues of its work can be regulated by the rules of conduct.

VI. ASSETS AND FINANCING

Article 20

The assets of the Institute consist of all the real estates and movable property, objects and property rights that used to be social assets over which the Institute had the right of disposal until the date on which the Law on Institutions took effect, as well as the movable property over which the Institute has obtained the right of ownership after the Law on Institutions took effect.

The assets of the Institute also consist of other property (real estate, movable property, money, property rights) which the Institute acquired in performing its activities (from the founder, by providing services or from other sources).

Article 21

The Director of the Institute may, without the authorization of the Administrative Board, on behalf of the Institute sign contracts of value up to 300,000.00 HRK. For contracts of value over 500,000.00 HRK the authorization of the Ministry of Science, Education and Sport is required.

Without the authorization of the Ministry of Science, Education and Sport, the Institute may not acquire, burden or sell real estate or other assets of the value of over 500,000.00 HRK.

Article 22

If the Institute in performing its activities acquires corporate profit, that profit is used for procurement of scientific equipment, other work instruments and other capital and current expenditures, in accordance with the financial plan.

Article 23

Resources for performing the activities of the Institute are provided from the following sources:

- resources of the founder;
- funds from the State Budget of the Republic of Croatia designated for the implementation of national projects, collaborative scientific projects, assistant employees, research fellows and research infrastructure and equipment;
- funds from the State Budget via sources other than the Ministry of Science and Technology (hereafter referred to as "the Ministry") issuing from special programmes and contracts;
- funds for the implementation of research projects funded by sources other than the State Budget (i.e. third parties);
- funds received through contracts with international organisations and from bilateral co-operation in accordance with laws and contracts between states, as well as contracts with international organisations signed by the Republic of Croatia;
- own income from the market, made by performing research and technical projects, elaborates, expertise, publishing and other activities;
- trusts, foundations, grants and donations;
- other sources in accordance with the law.

Article 24

The funds listed in Article 22 are to provide for the salaries of researchers and other employees of the Institute and for the Institute's fixed assets and equipment costs.

Researchers and other employees can be employed to work on any special project or programme providing that all the costs of such employment are paid out of the budget of the project or programme.

VII. THE PROCEDURE AND THE CONDITIONS OF THE ELECTION TO THE WORK POSTS AND RANKS

Article 25

Research work posts are: research associate, senior research associate, research advisor and research advisor in permanent position.

Assistant work posts are: research assistant and post-doctoral fellow.

Technical work posts are: technical assistant, senior technical assistant and technical advisor.

Article 26

General conditions for the election for the research post is the enrolment in the Register of researchers in the equivalent or the higher research rank i.e. the election for the research rank conducted within the election for the research work post.

Additional conditions for the election for the research work post of the research associate, senior research associate, research advisor and research advisor in permanent position have been described in the general act - Regulation on work and work posts.

Assistant work posts of research assistants are intended for the persons that have graduated from the university studies. That person shall sign a contract with the limited duration of five years. That person must be enrolled in the post graduate studies.

Assistant work posts of the post-doctoral fellow are intended for a person that has finished his doctoral studies. That person may be appointed to the rank of post-doctoral fellow and sign a work contract with the duration of four years.

Each research assistant has a mentor named by the Board of researchers. That is usually a project manager of the project on which the assistant is employed. Based on the proposal of the project manager, the mentor can be another person. Assistants who haven't been assigned on the project can be appointed to the researcher elected at least to the rank of research associate. Every year a mentor evaluates the work of the assistant. The evaluation is based on the mentor's written report. If an assistant receives a negative evaluation, the Board of researchers will suggest the termination of his work contract. The procedure of assistant evaluation shall be described in a separate regulation.

Article 27

The conditions for the election to the technical work post are:

1. for technical associate: the election to the rank of technical associate;
2. for senior technical associate: the election to the rank of senior technical associate;
3. for technical advisor: the election to the rank of technical advisor.

The election on the technical work posts lasts five years. The condition for election is the election to the same or higher technical post. The employee can be elected to the technical work post two times at most. The obligation of the election no longer exists after the second election to the technical advisor work post.

Article 28

The conditions for the election to the technical posts are:

1. for technical associate: graduation from university of social or scientific field, in accordance with the Institute's activities described in Article 7. p. 1. s. 1. of the Statute;
2. for higher technical associate: graduation from university of social or scientific field, in accordance with the Institute's activities described in Article 7. p. 1. s. 1. of the Statute, work experience of five years in the Institute's activities;
3. for technical advisor: graduation from university of social or scientific field, in accordance with the Institute's activities described in Article 7. p. 1. s. 1. of the Statute, work experience of ten years in the Institute's activities.

Article 29

The election to the research, assistant and technical work posts is based on public competition published for at least 30 days in the Official Gazette, daily newspaper, the Internet site of the Institute and on EURAXESS portal.

Article 30

The procedure of the election to the research, assistant and technical work posts is conducted by the Board of researchers. The procedure is conducted according to the Law on Research Activities and High Education.

Upon the Director's suggestion, the Board of researchers decides on the announcement of the public competition and the decision about the appointment of the Commission of experts consisting of three members.

Dependant whether the election is being made for the research, assistant or technical work post, the members of the Commission have to be of the same or higher research, assistant or technical post.

Article 31

A competition announcement lists the requirements each candidate should fulfil, the deadline for application, and the period within which the applicants shall be informed about the decision. Applications are to be submitted to the Board of Researchers of the Institute. Applications shall be reviewed by the Commission of experts, and determines if the applications have been received on time and how many of them fulfil the requirements of the competition.

Article 32

The decision on appointment is made by the Board of researchers of the Institute. The Board of researchers shall vote about the candidates which fulfil the criteria from the competition, in accordance with the report from the Commission. In the case that more than one candidate fulfils the criteria; the Board of researchers shall make its decision based on the majority of votes of all the members.

The Board of researchers, which makes the decision about the appointment to the research, assistant and technical work posts is bound to inform the candidates about the results of the procedure within fifteen days from the day after making the decision.

Article 33

If the competition is made for the research work post, within the same procedure the election for the research post shall be made if the candidate hasn't been elected. The Institute shall make the part of the election according to the procedure in the Law on Research Activities and High Education, if it is certified for the procedure.

After the election to the research post the Institute shall finish the procedure of election to the work post. If the decision about the election to the same or higher work post hasn't been made until the date in the work contract, his work contract is valid until the making of the decision.

Article 34

After the procedure, the person elected shall sign a work contract with the Institute in accordance with the law.

Article 35

Other employees have to meet the conditions in accordance with the general work regulations and the general acts of the Institute.

Work posts of the other employees and their number and conditions are determined by the Regulation on work and work posts and the Regulation on work and work posts finances from Institute's own revenue.

The election of the other employees is conducted by the Director.

VIII. OPENNESS TO THE PUBLIC

Article 36

The work of the Institute is open to the public.

The publicity of the work of the Institute is ensured by availability of the information about the work of the Institute in the mass media.

Institute shall refuse to publish information about the documents and data which have been declared confidential, as well as the documents and information acquired by the business activities of the Institute or its employees, and which are considered a state, military or business secret.

The director or the other authorised person is entitled to publish information about the work of the Institute.

IX. GENERAL ACTS

Article 37

General acts of the Institute are:

- Statute;
- Regulation on work
- Regulation on work and work posts;
- Regulation on work and work posts finances from Institute's own revenue;
- Regulation on mentorship
- Regulation on internal division of resources;
- Regulation on the library of the Institute;
- Regulation on protection of archive and registrative records;
- Regulation on work protection and
- Regulation on fire protection.

Article 38

The statute is passed by the Administrative board, with the approval of the Ministry of science.

Regulations are passed by the Administrative board.

Statute and the other general acts are to be published on the notice board of the Institute and enter into force on the eight day from publishing.

X. TRANSITIONAL AND FINAL PROVISIONS

Article 39

When this Statute takes effect, the 2011 Statute of the Institute of Public Finance is no longer valid.

Article 40

Other general acts of the Institute shall be unified with the provisions of this Statute within 60 days from entering into force of this statute. Until the unification, the existing general acts provisions shall be applied only if they are not contrary to the provisions of the law or this Statute.

Article 41

This Statute takes effect after the approval of the founder is obtained, upon the expiration of eight (8) days after the Statute is posted on the notice board of the Institute.

President of the Administrative Board
Prof. dr. sc. Jurica Pavičić

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