

Pursuant to Articles 45 and 46 of the Institutes Act (Official Gazette of the Republic of Slovenia – previous version, nos. 12/91, 8/96, 36/00 – Prevention of Undeclared Work and Employment Act and 127/06 – Public-Private Partnership Act) and Article 11 of the Decision of incorporation of public institute “Študentski dom Ljubljana” (Official Gazette of the Republic of Slovenia no. 67/12) the Council of the Študentski dom Ljubljana Institute at its 5th regular session on 14 March 2013 adopted

ARTICLES OF ASSOCIATION OF PUBLIC INSTITUTE LJUBLJANA STUDENT HOUSING

I. GENERAL PROVISION

Article 1

The Institute is a legal entity governed by public law. The founder of the Institute is the Republic of Slovenia (hereinafter: founder), founding rights and obligations shall be carried out by the Government of the Republic of Slovenia.

Public Institute LJUBLJANA STUDENT HOUSING (hereinafter referred to as: the Institute) is the legal successor of:

- public Institute STUDENT HOUSING IN LJUBLJANA, Cesta 27. aprila 31, Ljubljana, registration number 5051142000 and
- public Institute LJUBLJANA POST-GRADUATE STUDENT HOUSING, Gosarjeva ulica 9, Ljubljana, registration number 1532111000,

which merged on 31 December 2012 pursuant to the Decision on founding of Public Institute “Ljubljana Student Housing” (Official Gazette of the Republic of Slovenia no. 67/12; hereinafter referred to as: Decision on incorporation of institute) and were terminated on the same day.

II. NAME, REGISTERED OFFICE AND ACTIVITY OF THE INSTITUTE

Article 2

Name of the institute is: LJUBLJANA STUDENT HOUSING (ŠTUDENTSKI DOM LJUBLJANA).

Abbreviated name of the institute is: LSH (ŠDL).

Registered address of the institute is in: Ljubljana.

Business address of the institute is: Cesta 27. aprila 31, Ljubljana.

Registration number of the institute is: 6280722000.

Tax number of the institute is: 1325866

Article 3

The seal of the institute shall be round, with the diameter of 35 mm. It shall read “REPUBLIC OF SLOVENIA” along the outside edge, inside it shall read “public institute Ljubljana Student Housing”, there shall be the Coat of Arms of the Republic of Slovenia in the middle.

The Institute shall also use seals with the diameter of 20 mm with the same content as the seals referred to in paragraph one of this Article.

The number of individual seals, their use and manner of storage, safekeeping and destruction and detailed provisions regarding numbering of organizational units and transfer of seals outside the registered office of the Institute shall be stipulated by special organizational regulation prescribed by the Director.

Article 4

Activities of the Institute in accordance with the Decree on the standard classification of activities (Official Gazette of the Republic of Slovenia nos. 69/07 and 17/08) are:

Principal activity:

55.900 Other accommodation.

Secondary activities:

- 47.110 Retail sale in non-specialised stores with food, beverages or tobacco predominating,
- 47.190 Other retail sale in non-specialised stores,
- 55.201 Children and other holiday homes,
- 55.204 Mountain refuges and youth hostels,
- 55.209 Other short-stay accommodation,
- 56.101 Restaurants and inns,
- 56.102 Snack bars and similar,
- 56.103 Sweetshops and coffee-houses,
- 56.104 Provisory food-serving stands
- 56.210 Event catering activities
- 56.290 Other food service activities ,
- 56.300 Beverage serving activities,
- 66.190 Other activities auxiliary to financial services, except insurance and pension funding,
- 68.320 Management of real estate on a fee or contract basis,
- 81.100 Combined facilities support activities,
- 81.210 General cleaning of buildings,
- 81.220 Other building and industrial cleaning activities,
- 81.290 Other cleaning activities,
- 84.110 General public administration activities,
- 84.120 Regulation of the activities of providing health care, education, cultural services and other social services, excluding social security,
- 84.300 Compulsory social security activities,
- 88.910 Child day-care activities,
- 88.991 Activity of humanitarian organisations,
- 88.999 Other social work activities without accommodation n.e.c.,

90.010	Performing arts,
90.020	Support activities to performing arts,
90.030	Artistic creation,
90.040	Operation of arts facilities,
93.110	Operation of sports facilities,
93.120	Activities of sport clubs,
93.130	Fitness facilities,
93.190	Other sports activities,
93.299	Other amusement and recreation activities n.e.c.,
96.010	Washing and (dry-)cleaning of textile and fur products,
96.090	Other personal service activities n.e.c..

As part of its activity the Institute may for the above stated purposes found another institute in accordance with the legislation and with the consent of the founder.

Article 5

In legal transactions the Institute shall act in its name and on its behalf within the registered activities independently with all rights, obligations and responsibilities without restrictions as stipulated by the law and Decision on founding of the Institute.

Article 6

The Institute shall carry out:

- the public service of providing accommodation to post graduate and undergraduate students in Ljubljana and
- non-profit accommodation to employed post graduate students with early stage researchers status, visiting higher education lecturers and higher education co-workers and visiting researchers.

Article 7

The Institute shall accept students to vacancies intended for accommodation of citizens of the Republic of Slovenia in accordance with conditions and criteria prescribed for subsidizing accommodation of students.

Accommodation of undergraduate and postgraduate students from the previous paragraph shall be determined in a regulation issued by the minister competent for higher education in accordance with the law governing higher education.

More detailed manners of accommodation and conditions for residing of other users and students shall be regulated by a document issued by the director with consent of the minister competent for higher education and science.

If after acceptance of all students from the priority list free sleeping berths remain, the Institute may accommodate other students for a profit price.

Article 8

The Institute holds residential units adapted for the needs of disabled students and special needs students. Disabled students which are physically disabled, other special needs students and their assistants may reside in these units.

The Institute shall keep a special record for disabled students and for residential units adapted for disabled students.

If disabled students which fulfil conditions for subsidized accommodation do not fill all residential units adapted for their needs, the Institute may also accommodate disabled students who exhausted conditions for subsidized accommodation or do not fulfil these conditions, but who would not be able to complete their studies without accommodation in the Institute's residential units. The director shall decide on eligibility for residence in these units.

Disabled students residing under the conditions stipulated in paragraph three of this Article shall pay a profit prize for their accommodation in accordance with the Institute's services price list adopted by the Council of the Institute.

III. ORGANIZATION OF THE INSTITUTE

Article 9

Work in the Institute shall be organized in organizational units:

- management of the Institute managed by its Director;
- sector of general, staffing and legal matters managed by the head of the sector in accordance with the Rules on job classification;
- financial-accounting sector managed by the head of the sector in accordance with the Rules on job classification;
- student affairs sector managed by the head of the sector in accordance with the Rules on job classification;
- sector for hospitality services and tourism managed by the head of the sector in accordance with the Rules on job classification;
- technical sector managed by the head of the sector in accordance with the Rules on job classification;
- LSH sector managed by the head of the sector in accordance with the Rules on job classification.

Internal organization and systematization of the Institute with detailed content of work in an individual organizational unit shall be established by the Director with the Rules on job classification.

IV. BODIES OF THE INSTITUTE

Article 10

Bodies of the Institute shall be:

- Council of the Institute,

- Director,
- expert board of the Director,
- student council of residents.

Institute Council

Article 11

The Institute Council shall be the management body of the Institute.

The Institute Council shall consist of five members, namely:

- three members shall be appointed by the founder at the proposal of the ministry competent for higher education and science,
- one member shall be elected by the student council of residents among themselves and
- one member shall be elected by the employees of the Institute from among themselves.

Article 12

The term of the members of the Institute shall be four years, except for the representatives of the student council of residents the term of which shall be one year.

Members of the council may be appointed two consecutive times.

Article 13

The founder shall appoint its representatives in accordance with its rules.

Article 14

The student council of residents shall elect its representative in accordance with the Articles of Association.

Article 15

Employees of the Institute shall elect its representative with a secret ballot called by the Director who shall also determine the date of the elections and the three member voting committee from among persons who are employed at the Institute and shall not run for the members of the Council Institute.

Call for applications shall be published at the message board of the Institute.

At least fifteen days should lapse during the call for applications and the elections. The limitation period shall start the day following the publishing of the call for applications.

Any person employed at the Institute may be a candidate for the member of the Institute Council (candidates for Institute Council members). A member shall submit the candidacy for the Institute Council member in a sealed envelope to the secretarial service within eight days of the day of call for applications with the heading “do not open – for election of Institute

Council members”. The voting and election committee shall take over the envelopes with proposals.

Article 16

Elections shall be valid if more than half eligible voters participate. An eligible voter is each person who is employed at the Institute.

The candidate who receives the most cast votes shall be elected.

If two or more candidates receives the same largest amount of votes, elections shall be repeated among these candidates.

Minutes on elections and the voting result shall be confirmed by the voting committee within three business days from the day of the elections. The union of the Institute shall monitor the carrying out of the elections.

Article 17

Institute Council shall have a Chairman and one Deputy Chairman.

The Chairman shall be appointed by the Institute from among the representatives of the founder with the majority of votes of all members of the Institute Council.

The term of the Chairman of the Council shall be four years.

The Deputy Chairman of the Institute Council shall be proposed from among the members while his/her term shall be tied to the term of the Chairman of the Institute Council.

The Institute Council shall be constituted if more than half of its members are elected.

Article 18

The Institute Council:

- oversees legality of work and operations of the Institute,
- monitors, analyzes and evaluates the work of the Institute,
- adopts the work programme and financial plan of the Institute,
- proposes to the founder an operational audit, evaluates the work of the Director,
- defines the content of the agreement on the accommodation of students in the institute and in private accommodation,
- grants consent to annual and multi-annual work programmes of the Institute and adopts reports on their execution,
- decides on the use of the surplus of revenues over expenses,
- decides on the manner of covering of expenses over revenues, adopts the Articles of Association of the Institute,
- adopts the Rules on the work of the Institute Council, confirms the annual report,
- adopts the housing rules and price list of the services of the Institute,

- appoints and relieve the Director of his/her duties,
- concludes an employment agreement with the Director and carries out other rights and obligations of an employer in relation to the Director,
- proposes to the founder amendments of general documents which fall in the jurisdiction of the Institute Council,
- proposes to the founder guidelines regarding management of tangible assets of the Institute,
- proposes to the founder changes and expansion of activities and
- carries out other tasks in accordance with regulations, Decision on the founding of the Institute and these Articles of Association.

The Institute Council shall acquire the consent of the founder to the Articles of Association, annual programme of work and financial plan, annual report of the Institute, use of surplus of revenues over expenses, manner of covering the surplus of expenses over revenues and appointment and dismissal of the Director.

There shall be a quorum at the meeting of the Institute Council if the majority of its members are present, decisions shall be adopted with the majority of members present. In order to adopt the Articles of Association and other general acts, work programme and the financial plan the majority of all members of the votes shall be required as well as for the appointment and dismissal of the Director.

Article 19

The Institute Council shall adopt the Rules on the work of the Institute Council with the majority of votes of all members of the Institute Council with which it shall regulate the work of the Institute Council and especially its constitution, convening, management and course of its sessions, rights and obligations of members of the Institute Council, manner of adoption of decisions, maintaining order at sessions, recoding minutes and decisions etc.

Director of the Institute

Article 20

The Institute shall be represented by the Director who shall be responsible for the legality of work. The Director shall represent the Institute independently and without limitations.

Article 21

The Director shall be appointed and relieved of his/her duties by the Institute Council with the consent of the founder. Pursuant to the document on the appointment of the Director the Institute Council shall conclude an employment agreement with the Director. The employment relationship with the Director shall be concluded for a limited period of time which shall be concluded for a limited period of time depending on his/her term.

The term for the Director shall be five years. After the term lapses the same person may be again appointed for the director.

A person may be appointed Director if he/she in addition to the general conditions also satisfies the following conditions:

- is a citizen of the European Union with permanent residence in the Republic of Slovenia,
- shall have at least education acquired at second degree study programme in accordance with the second degree study programme in accordance with the act governing higher education or education which equal to the degree of the education acquired in accordance with a second degree study programme, and has at least five years of working experience in management positions,
- has organizational and management abilities.

The candidate for Director shall submit the programme of business and programme development of the Institute for the term.

Article 22

The Director shall be appointed by the Institute Council from among the candidates for the Director which meet conditions stipulated by the law, Decision on founding of the Institute and the Articles of Association.

The Institute Council shall commence the proceedings for the appointment of the Director at least ninety days before the end of the term of the Director with a Decision in which it shall determine conditions of the call for applications and determine in which media it shall publish the call for applications.

The Institute shall publish the call for applications for appointment of a new Director in a manner determined by the Decision referred to in paragraph two of this Article within the time period determined in this Decision.

The candidates for the Director shall send their candidacy with registered mail to the registered address of the Institute with inscription “ne odpiraj-za razpis za direktorja” (do not open – call for applications for appointment of the Director) at least eight days after the publication of the call for applications for appointment of the Director. The candidacy which is sent with registered mail with acknowledgement of receipt on this day shall be deemed as sent on time. The programme referred to in Article 21, paragraph four of these Articles of Association is a mandatory enclosure of the candidacy.

Article 23

The Institute Council shall within 15 days from the end of the period for sending the applications, based on all timely and reviewed candidacies, establish which candidates meet the conditions and shall appoint the Director and shall send the proposal for acquiring the consent of the founder to the appointment of the Director the following business day at the latest. If it is not possible to carry out all interviews at the same extraordinary meeting, the latter shall continue in following business days.

After receiving the consent of the founder, the Institute Council shall within the five business days conclude an employment agreement with the Director signed by the Chairman of the Institute Council.

The Institute Council shall inform the candidates who were not selected in writing within three business days from acquiring the consent of the founder and shall instruct them that they have the right to review the documents relating to the call for applications and demand judicial protection at the competent court within fifteen days of receiving the notification if they believe the appointment procedure was violated and that such violation significantly influenced the decision on the selection of the candidate or that the selected candidate does not satisfy the conditions stipulated in the call for applications.

Article 24

The Director shall organize and manage the work and business operations, represent and act on the behalf of the Institute and shall be responsible for the legality of the work. In addition to this it shall also:

- organize and manage the work and business operations of the Institute,
- manage the expert work of the Institute,
- represent and act on behalf of the Institute,
- proposes business policy and measures for its implementation,
- be responsible for the legality of work,
- adopts general documents for which another body is not competent in accordance with the law, Decision on founding of the Institute or this Articles of Association,
- organise and harmonize the working process,
- take care of carrying out the decisions of the Institute Council,
- proposes the work programme,
- prepare the proposal of the rules of the dormitory and price list of the services of the Institute services,
- prepare the annual report,
- prepare other reports on work and business operations of the Institute at the request of the Institute Council,
- take care of material and financial operations,
- decide on disciplinary liability of the employees,
- determine job classification,
- decide on individual rights and obligations of the employees,
- decide on individual rights and obligations of students,
- keep a special record for disabled students and residential units adapted for disabled students and shall determine the eligibility for residing in these units by disabled students which exhausted criteria for subsidized accommodation or do not meet these criteria,
- carry out other works in accordance with the regulations, Decision on the founding of the Institute and these Articles of Association.

Article 25

During the Director's absence Assistant Director or one of the heads of the organizational units referred to in Article 9 of these Articles of Association shall stand in for him/her and during his/her absence the Director shall authorise such person with a general or special authorisation for representation.

Expert board of the Director

Article 26

The expert board of the Director shall comprise of heads of organizational units referred to in Article 9 of this Articles of Association. Members of the expert board of the Director or heads of organizational units shall be appointed and dismissed by the Director.

The expert board of the Director shall help the Director in carrying out his/her duties, and the expert board of the Director or its individual member shall at the request of the Director provide his/her written opinion regarding a matter which is within the competence of the Director.

The expert board of the Director shall work in meetings convened by the Director at his/her own discretion. Depending on the agenda the Director may also invite other employees of the Institute or representatives of the student council of residents to attend a meeting of the expert board of the Director.

Student council of residents

Article 27

The student council of residents (hereinafter referred to as: SCR) shall be a body of all students residing in the Institute and shall be organized in accordance with its own general documents.

SCR shall have a chairman and its deputy.

SCR shall elect one member of the Institute Council from among themselves. The member of the Institute Council – the representative of SCR is also the Chairman of SCR.

An individual representative of the dormitory shall be elected in each student apartment building in the dormitory.

Article 28

Representatives of the apartment buildings shall be elected based on the general and equal voting right with a secret ballot. Each person who has the status of a student and a resident of an individual building where the elections are carried out on the day of elections shall have the right to vote and be voted while it may exercise this right only in the building where he/she resides.

Article 29

Elections of representative of apartment buildings shall be carried out each year. They shall be called by the Chairman of SCR no later than fourteen days prior to elections. If the Chairman does not call them, the Deputy Chairman of SCR shall call them. If none of the above stated calls them, the Director shall call them. The call shall be published at all message boards of all apartment buildings.

The candidate for the representative shall submit his/her candidacy in a sealed envelope to the Chairman of SCR or at the SCR mailbox until the end of the second Monday in October at the latest.

Chairman of SCR shall no later than on the following day of an individual apartment building publish all candidates for representative in the corresponding building.

Article 30

The elections for building representatives shall be carried out by a three member committee appointed by SCR from among eligible voters who do not run for the apartment building representative.

After the voting has finished the election committee shall count the ballots within three business days and publish the result of the elections on the message board of each apartment building.

A candidate who received the most votes in an individual apartment building is elected a representative of that apartment building.

Article 31

The accuracy of the elections shall be monitored by a three member supervisory committee appointed by SCR from among eligible voters who do not run for a representative of the apartment building and are not members of the election committee.

Article 32

Elections for the Chairman of SCR shall be carried out each year in October, one week prior to elections of representatives of apartment buildings.

Chairman of SCR shall convene a meeting and include elections in the agenda of the meeting. The term of the previous Chairman of SCR shall end at the end of October. The term of the newly elected Chairman of SCR shall start when the term of the previous Chairman of SCR ends.

The term of the Chairman of SCR shall be one year and he/she may be re-elected without restrictions.

Article 33

Chairman of SCR shall appoint its Deputy from among the members of the student council residents. The term of the Deputy depends on the term of the Chairman of SCR.

Article 34

SRC shall adopt and determine the entire voting rules of the Student council of residents.

Article 35

SCR shall:

- provide the Institute Council with opinions on the Articles of Association,
- provide the Institute Council and the Director opinions on all matters relating to rights and obligations of student residents,
- adopt an annual plan of extra-curricular activities and carry out the annual programme of extra-curricular activities in accordance with the financial regulation of the Institute and
- shall submit its documents to be adopted by the Institute Council.

If the Institute Council or the Director do not take into consideration the opinion referred to in the previous paragraph, SCR may demand that the matter is reconsidered and decided on. For matters which are in the competence of the Director, he/she shall reconsider them and if he/she decides the same he/she shall provide a written explanation and with matters which are in the competence of the Institute Council the Council shall again vote on the matter with which a majority of all members of the Institute Council shall be required to adopt a decision. SCR shall exercise this right through its Chairman.

VI. FUNDS OF THE INSTITUTE

Article 36

The Institute shall acquire funds for carrying out its activities:

- from rents,
- from the budget of the Republic of Slovenia,
- by selling goods and services on the market,
- from payments for service,
- from other resources in a manner and under conditions stipulated by the regulations.

The Institute shall acquire assets from the national budget based on the annual work programme and financial plan with the consent of the founder.

Article 37

The Institute may use the surplus of revenues over expenses for carrying out and development of activities referred to in Article 4 of these Articles of Association or may pay it into the national budget.

The Institute Council shall decide on the use of the surplus of revenues over expenses with the consent of the founder.

The Institute Council shall decide on covering the surplus of expenses over revenues arising from its activity with the consent of the founder.

The founder shall not cover the surplus of expenses over revenues arising from secondary activities referred in Article 4 of these Articles of Association.

VII. TRADE SECRET

Article 38

The following data and documents shall constitute a trade secret:

- those which are defined as a trade secret with statutory and other regulations,
- those which the Institute Council defines as a trade secret,
- those which a competent authority or another organization provides to the Institute in confidentiality ,
- those included in tenders or public auctions until the results are published,
- those the publication of which would harm the Institute and which the Director decides are a trade secret,
- those which have a special social meaning.

Article 39

Data and documents which constitute a trade secret shall be appropriately marked as such.

The Director and others who are in charge shall keep all documents and data which they acquire while dealing with another organization as confidential.

Documents and data which constitute a trade secret in accordance with these Articles of Association shall be kept as confident by all employees, regardless of how they learned about these data or documents. Such obligation shall apply to all employees even after the termination of their employment relationship with the Institute.

Documents and data which are deemed a trade secret in accordance with these Articles of Association may only be disclosed to others if the Director of the Institute or persons, which he/she authorised to do so, allow such disclosure.

VIII. NOTIFICATION OF THE EMPLOYEES OF THE INSTITUTE

Article 40

The Director shall inform the employees on all matters relating to the operating activities of the Institute stipulated by the regulations regarding employment relationships, health and social security and the collective agreement which applies to the Institute. He/she shall inform the employees by posting messages at the message board at the headquarters of the Institute, through heads of departments and by using electronic media. The Director shall also inform the unions in cases where regulations currently in force stipulate so.

Article 41

Prior to adopting a general document which determines the organization of work or obligations which the employees must be acquainted with in order to carry out contractual and other obligations of the employees, proposal of a document or another decision in accordance with the collective agreement applicable for the Institute the Director shall provide such proposal to the unions of the Institute for opinion in accordance with the provisions of the collective agreement.

IX. GENERAL DOCUMENTS OF THE INSTITUTE

Article 42

General documents of the Institute shall be the Articles of Association, rules, rules of procedure, organizational and other documents which determine the manner of exercising rights, obligations and responsibilities of employees, internal organization and other questions important for operation of the Institute.

The Institute Council shall adopt the following general documents of the Institute:

- Articles of Association,
- Dormitory Rules and
- Price list of service of the Institute.

All other documents shall be adopted by the Director apart general acts relating to operation and organization of the Student council of residents which shall be adopted by SCR and confirmed by the Institute Council.

Individual documents shall be in accordance with the document of the Institute and applicable legislation.

General documents shall enter into force on the 15th day after they are published on the message board of the Institute, unless stipulated otherwise by the document.

Employees may see all general documents of the Institute in the secretarial service of the Institute every business day or shall be published at the website of the Institute.

X. TRANSITIONAL AND FINAL PROVISIONS

Article 43

Articles of Association shall enter into force on the following day after the day they are adopted by the Institute Council and the founder grants its consent to it.

Article 44

These Articles of Association were adopted by the Institute Council on 14 March 2013 at the 5th meeting of the Institute Council.

Consent of the founder is an integral part of the Articles of Association.

Chairman of the Institute Council

Eda Okretič Salmič, M.Sc.

Republic of Slovenia
Government of the Republic of Slovenia

Registration number: 4aktiŠDL/2013

Date: 14 March 2013