

Na temelju Članka 211., stavka 2. Zakona o socijalnoj skrbi (dalje u tekstu: „**Zakon o socijalnoj skrbi**“) i članak 54., stavak 1. Zakona o ustanovama (dalje u tekstu: „**Zakon o ustanovama**“), Upravno vijeće ustanove **SeneCura Dom za starije i nemoćne Novaki Bistranski**, sa sjedištem na adresi Podgorska ulica 91, Novaki Bistranski (Općina Bistra), MBS: 080740520, OIB:53667143842 (dalje u tekstu: „**Dom**“) uz prethodnu suglasnost osnivača Doma, društva **SeneCura Novaki Bistranski d.o.o.**, sa sjedištem na adresi Podgorska ulica 91, Novaki Bistranski (Općina Bistra), Republika Hrvatska, registrirano pri Trgovačkom sudu u Zagrebu pod matičnim brojem subjekta (MBS) 080728742, OIB:97668643697 (dalje u tekstu: „**Osnivač**“), koje zastupaju direktori Anton Kellner i Markus Horst Schwarz, donosi 23. svibnja 2024.

In accordance with Article 211, paragraph 2 of the Social Welfare Act (hereinafter: the „**Social Welfare Act**“) and Article 54, Paragraph 1 of the Institutions Act (hereinafter: the „**Institutions Act**“) the Management Council of the institution SeneCura Home for the elderly and disabled Novaki Bistranski, with registered seat at Podgorska ulica 91, Novaki Bistranski (Municipality Bistra), MBS: 080740520, OIB:53667143852 (hereinafter: the „**Home**“), with the prior consent of the founder of the Home, the company Sene Cura Novaki Bistranski d.o.o., having its registered office at Podgorska ulica 91, Novaki Bistranski (Municipality Bistra), Republic of Croatia, registered with the Commercial Court Zagreb under the registration number (MBS) 080728742, OIB:97668643697 (hereinafter: the „**Founder**“), represented by the directors Anton Kellner and Markus Horst Schwarz, adopts 23 May 2024.

**ODLUKA O PROMJENI
STATUTA DOMA
I
UTVRĐIVANJU PROČIŠĆENOG TEKSTA
STATUTA**

**THE DECISION ON AMENDMENT OF
THE STATUTE OF THE HOME
AND CONFIRMATION OF THE
CONSOLIDATED TEXT OF THE
STATUTE**

(1) Uz suglasnost Osnivača – koja se prilaže ovoj Odluci kao zaseban prilog – Upravno vijeće Doma ovime mijenja u cijelosti statut Doma.

(2) Pročišćeni tekst statuta glasi kako slijedi:

(1) The management Council of the Home amends herewith the Statute of the Home in its entirety, with consent of the Founder – that is attached hereto as a separate schedule.

(2) The consolidated text of the Statute shall read as follows:

STATUT
SeneCura DOMA ZA STARIJE I
NEMOĆNE NOVAKI BISTRANSKI

(pročišćeni tekst)

OPĆE ODREDBE

Članak 1.

Ovim Statutom uređuje se naziv i sjedište te djelatnost Doma; pravni status Doma; ustroj i tijela Doma, njihova nadležnost i način odlučivanja; status korisnika Doma; opći akti Doma i način njihova donošenja; vođenja evidencija; imovina Doma; javnost rada, poslovna tajna; statusna promjene i prestanak rada i ostala pitanja značajna za rad Doma.

NAZIV, SJEDIŠTE TE DJELATNOST DOMA

Članak 2.

(1) Naziv Doma glasi: SeneCura Dom za starije i nemoćne Novaki Bistranski.

(2) Skraćeni naziv Doma je: Dom SeneCura Novaki Bistranski.

(3) Naziv Doma istaknut je na zgradu, u kojoj se obavlja djelatnost Doma.

Članak 3.

Sjedište Doma je na adresi Podgorska ulica 91, Novaki Bistranski (Općina Bistra).

Članak 4.

Za promjenu naziva i sjedišta Doma potrebna je odluka Osnivača.

Članak 5.

(1) Dom ima pečat četvrtastog oblika, koji sadrži puni naziv Doma.

(2) Ako Dom ima više pečata, isti se označavaju rednim brojem, a Ravnatelj Doma pisanom odlukom određuje osobe zadužene za njihovo korištenje

Članak 6.

(1) Djelatnost Doma određuje se Odlukom o osnivanju Doma.

(2) Dom obavlja sljedeće djelatnosti u okviru usluge smještaja:

- Pružanje usluga stanovanja i prehrane, brige o zdravlju, njege, održavanje osobne higijene i pomoć pri obavljanju svakodnevnih

STATUTE
OF THE SeneCura HOME FOR THE ELDERLY
AND DISABLED
NOVAKI BISTRANSKI

(consolidated text)

GENERAL PROVISIONS

Article 1

This Statute regulates the name, the registered seat and business activities of the Home; legal status of the Home; corporate governance and bodies of the Home, their authority and method of decision-making; status of the Home's users; general acts of the Home and the manner of their adoption; record keeping; assets of the Home; publicity of operations; trade secret; statutory changes and termination of business activities and other issues relevant of the operation of the Home.

NAME, REGISTERED SEAT AND BUSINESS ACTIVITIES OF THE HOME

Article 2

(1) The name of the Home is: SeneCura Home for elderly and disabled Novaki Bistranski.

(2) Abbreviated company name of the Home is: Home SeneCura Novaki Bistranski.

(3) The name of the Home is visible on the building in which the activities of the Home are performed.

Article 3

The registered seat of the Home is at address Podgorska ulica 91, Novaki Bistranski (Municipality Bistra).

Article 4

A decision of the Founder is required for the change of the name of the Home, and of its registered seat.

Article 5

(1) The Home has a square shaped seal containing the full name of the Home.

(2) If the Home has several seals they shall be marked with serial number, and the director of the Home determines by means of a written decision the persons, who are authorised with their use.

Article 6

(1) The business activities of the Home are determined by the Articles of Association of the Home.

(2) The Home performs the following activities, as part of the accommodation service:

- Housing and meals, health care, nursing, maintaining of the personal hygiene and everyday activities support, social work

aktivnosti, usluge socijalnog rada, psihosocijalne rehabilitacije, radnih aktivnosti, organiziranje slobodnog vremena, pratnje i organiziranog prijevoza i savjetodavnog rada; te

- Pružanje usluga poludnevnog i cjelodnevnog boravka i usluge pomoći i njege u kući starijim i nemoćnim osobama.

(3) Dom može obavljati i druge djelatnosti, koje služe obavljanju djelatnosti upisane u sudski registar, ako se one u manjem opsegu ili uobičajeno obavljanju uz upisanu djelatnost.

(4) Odluku o promjeni djelatnosti Doma donosi Osnivač.

PRAVNI STATUS DOMA

Članak 7.

Dom je ustanova socijalne skrbi upisana u sudski registar i upisnik ustanova socijalne skrbi, koji vodi ministarstvo nadležno za socijalnu skrb.

Članak 8.

Dom posluje samostalno i obavlja svoju djelatnost pod uvjetima i na način određen mjerodavnim zakonima i zakonskim propisima, Odlukom o osnivanju Doma, ovim Statutom i drugim općim aktima Doma te pravilima struke.

USTROJ I TIJELA DOMA

Članak 9.

Tijela Doma su Upravno vijeće, Ravnatelj i Stručno vijeće.

UPRAVNO VIJEĆE

Članak 10.

(1) Domom upravlja Upravno vijeće.

(2) Upravno vijeće ima pet članova, od kojih su tri predstavnika Osnivača, jedan predstavnik radnika Doma, jedan predstavnik korisnika Doma odnosno skrbnika ili zakonskog zastupnika korisnika.

(3) Članove Upravnog vijeća, predstavnike Osnivača i korisnika Doma, imenuje Osnivač. Člana Upravnog vijeća, predstavnika korisnika predlažu korisnici Doma na skupu korisnika. Člana Upravnog vijeća, predstavnika radnika zaposlenih u Domu imenuje radničko vijeće, a ako ono nije utemeljeno predstavnika radnika biraju radnici Doma na slobodnim i neposrednim izborima, tajnim glasanjem, sukladno posebnim propisu.

services, psychosocial rehabilitation, work activities, free time organisation, supervision and organised transportation and consultations; and

- half-day and all-day residence and home support and health care services for elderly and disabled.

(3) The Home may also perform other business activities that serve the activities registered with the court registry, if such are normally or to a smaller degree performed along with registered activity.

(4) Decision on change of the business activities of the Home is adopted by the Founder.

LEGAL STATUS OF THE HOME

Article 7

The Home is a social welfare public institution listed in the court registry and the registry of social welfare institutions that is managed by the Ministry competent for social welfare.

Article 8

The Home operates independently and performs its activities under the terms and conditions set by the applicable laws and regulations, the Articles of Association of the Home, the Statute and other general acts of the Home and rules of the profession.

CORPORATE GOVERNANCE AND BODIES OF THE HOME

Article 9

The bodies of the Home are the Management Council, the Director, and the Professional Council.

MANAGEMENT COUNCIL

Article 10

(1) The Management Council manages the Home.

(2) The Management Council has five members, three of them are representatives of the Founder, one is the representatives of the employees of the Home, one is the representative of the users of the Home, i.e. guardians and legal representative of the users.

(3) The members of the Management Council, which are representatives of the Founder and of the users of the Home, shall be appointed by the Founder. The users shall hold an assembly and select a person to be nominated as the user's representative to the Management Council. The member of the Management Council, which is the representative of the employees of the Home shall be appointed by the works council. If, however a works council has not been established, the employees' representative shall be chosen by the employees of the Home directly by free and confidential vote, pursuant to applicable laws.

Članak 11.

(1) Upravno vijeće ima predsjednika i zamjenika predsjednika. Predsjednika i zamjenika predsjednika Upravnog vijeća biraju članovi Upravnog vijeća između predstavnika osnivača.

(2) Predsjednik Upravnog vijeća:

- saziva sjednice Upravnog vijeća;
- rukovodi radom Upravnog vijeća;
- nastupa u ime Upravnog vijeća;
- potpisuje akte, koje donosi vijeće;
- obavlja i druge poslove, koji su u svezi s radom Upravnog vijeća.

Članak 12.

Članovi Upravnog vijeća imenuje se na četiri godine i mogu biti ponovno imenovani na istu funkciju. Isto važi za predsjednika i zamjenika predsjednika Upravnog vijeća.

Članak 13.

Mandat Članu Upravnog vijeća prestaje:

- istekom mandata;
- na vlastiti zahtjev, prije isteka mandata;
- prestankom rada u Domu;
- prestankom statusa korisnika.

Članak 14.

(1) Osnivač može svojom odlukom razriješiti člana Upravnog vijeća prije isteka njegova mandata, ako isti član:

- ne postupa u skladu s uputama i smjernicama Osnivača;
- ne postupa u skladu s mjerodavnim zakonima i zakonskim propisima ili općim aktima;
- sudjeluje u donošenju ili potiče na donošenje nezakonitih i štetnih odluka za Dom;
- predlaže mjere i postupke, koji su suprotni ugovorom preuzetim obvezama;
- ometa izvršenje zadataka i poslova radnika Doma te sprječava rad nadzornih tijela te izvršenje njihovih mjera; te
- bude pravomoćno osuđen za kazneno djelo; te

Article 11

(1) The management Council has a president and deputy president. The president and deputy president of the Management Council are elected by the members of the Management Council among the representatives of the Founder.

(2) The president of the Management Council:

- invites for the assembly of the Management Council;
- manages the operations of the Management Council;
- acts on behalf of the Management Council;
- signs acts, adopted by the Management Council;
- undertakes other tasks, which arise in connection with the operations of the Management Council.

Article 12

The members of the Management Council are appointed for four-year term and can be reappointed on the same position. The same applies for the president and deputy president of the Management Council.

Article 13

The mandate for a member of the Management Council ends:

- after expiry of the mandate;
- upon own request, before expiry of the mandate;
- upon termination of work in the Home;
- upon the end of the status of user of the Home.

Article 14

(1) The founder may revoke by means of his decision a particular member of the Management Council, before expiry of his / her mandate, if such member:

- is not acting in accordance with the instructions and guidelines of the Founder;
- is not acting in accordance with laws and regulations and general acts of the Home;
- participates in adopting or supports the adoption of decisions, that are illegal and harmful for the Home;
- recommends measures and procedures, that are contrary to the obligations assumed by the underlying contracts;
- obstructs the performance of tasks and duties by the Home's employees and prevents the activities of the supervision authorities and the implementation of measures imposed by such authorities;
- is convicted of criminal offense; and

- vrši druge radnje, koje su u suprotnosti s interesima doma i/ili mogu nanijeti štetu Domu ili njegovom poslovnom ugledu.

- undertakes actions, which are contrary to the Home's business interests and/or may cause damages to the Home or its business reputation.

(2) Osnivač može razriješiti člana Upravnog vijeća – predstavnika radnika Doma, kojemu je otkazan ugovor o radu s Domom.

(2) The Founder may revoke member of the Management Council – the representatives of the employees, whose employment contract with the Home has been terminated.

(3) Osnivač nadalje može razriješiti člana Upravnog vijeća prije isteka njegova mandata, kada ocijeni da je razrješenje nužno i u interesu je napretka rada Doma.

(3) The Founder may further revoke a particular member of the Management Council, before expiry of his / her mandate, if he believes that such revocation is required and in the interest of development of the Home.

Članak 15.

Article 15

(1) U slučaju razrješenja prije isteka mandata pojedinog člana Upravnog vijeća na njegovo mjesto imenuje se novi član kojem mandat traje do isteka mandata člana na čije mjesto je postavljen.

(1) If a member of the Management Council is revoked before expiry of his / her mandate, a new member shall be appointed to the position of the revoked member of the Management Council. The mandate of such person expires on the day the mandate of the person who was replaced would have expired.

(2) U slučaju prestanka obavljanja dužnosti svih članova Upravnog vijeća, njihovu funkciju privremeno, do izbora novih članova, obavljat će Ravnatelj Doma.

(2) In case all the members of the Management Council cease to perform their duties, their function shall temporarily, until the election of new members, be assumed by the Director of the Home.

Članak 16.

Article 16

Naknadu za rad članova Upravnog vijeća Doma utvrđuje Osnivač pisanom odlukom, ako za tu namjenu Domu osigura sredstva.

A remuneration for work of the members of the Management Council is determined by the Founder by means of a written decision, if the Home provides means for this purpose.

Članak 17.

Article 17

(1) Upravno vijeće donosi Poslovnik o radu, kojim se uređuje način rada i donošenja odluka.

(1) The Management Council adopts the Rules of Procedure, which regulates the manner of work and decision-making process of the Management Council.

(2) Upravno vijeće obavlja poslove iz svoje nadležnosti na sjednicama.

(2) The Management Council performs the duties within its scope at its sessions.

(3) Obrazloženi zahtjev za sazivanje sjednice Upravnog vijeća uz prijedlog dnevnog reda može se podnijeti svaki član Upravnog vijeća, Ravnatelj i Osnivač.

(3) Any member of the Management Council, the Director or the Founder may file a documented request for assembly of the Management Council session, accompanied by the assembly agenda.

(4) Upravno vijeće valjano raspravlja i odlučuje kada je na sjednici nazočno više od polovice broja članova. U slučaju da se Upravno vijeće ne može sastati, Upravno vijeće može donositi odluke na način uređen odredbama Poslovnika o radu Upravnog vijeća.

(4) The management Council is validly convened and may reach valid decisions, if the majority members are present at a session. If the Management Council is not able to convene, the Management Council may reach the decisions as prescribed by the provisions of the Rules of the Procedure of the Management Council.

(5) Upravno vijeće odluke donosi većinom glasova od ukupnog broja glasova.

(5) The Management Council shall reach its decisions by majority vote of the aggregate number of votes.

Članak 18.

Article 18

(1) U upravljanju Domom, Upravno vijeće obavlja sljedeće poslove:

(1) The Management Council performs the following duties within the management of the Home:

- donosi programe rada i razvoja Doma i nadzire njihovo izvršenje;
- donosi financijski plan i godišnje izvješće o izvršenju financijskog plana;
- predlaže Osnivaču promjenu djelatnosti Doma;
- daje Osnivaču i ravnatelju Doma prijedloge i mišljenja o pojedinim pitanjima;
- imenuje i razrješava ravnatelja, te s njima sklapa ugovor o radu,
- daje suglasnost na Odlukom o osnivanju te Statutom određene radnje Ravnatelja Doma;
- donosi statut te Pravilnik o radu Doma uz suglasnost Osnivača, te poslovnik o radu Upravnog vijeća, kao i druge opće akte Doma;
- donosi odluke u II. stupnju o pravima iz radnog odnosa;
- donosi odluke i obavlja druge poslove određene zakonom, aktom o osnivanju i statutom.
- adopts the Home's operational and development programs and monitors their implementation;
- adopts the financial plan and issues the annual report on the fulfilment of the financial plan;
- recommends to the Founder a change of the Home's activities;
- gives suggestions and opinions to the Founder and the Directors on certain issues;
- appoints and revokes the Director and concludes the employment contract with the Director;
- gives consent to certain actions of the Director, as itemized in the Articles of Association and this Statute;
- adopts the Statute and Employment By-Laws of the Home, subject to the consent of the Founder, and the Rules of Procedure of the Management Council, as well as, other internal acts of the Home;
- adopts II. Level decisions regarding rights from the employment relationship;
- adopts decisions and performs other duties determined by the law, Articles of Association or Statute.

(2) Upravno vijeće podnosi izvješće o svom radu Osnivaču najmanje jednom godišnje ili na zahtjev Osnivača i češće.

(2) The Management Council provides a report of its work to the Founder at least once per year, or an request of the Founder, more often.

RAVNATELJ

DIRECTOR

Članak 19.

Article 19

(1) Ravnatelj organizira i vodi rad i poslovanje Doma.

(1) The Director organizes and manages the work and business operations of the Home.

(2) Ravnatelja imenuje i razrješuje Upravno vijeće. Mandat ravnatelja traje četiri godine, te isti po isteku mandata može biti ponovno imenovan.

(2) The Director is appointed and revoked by the Management Council. The mandate of the Director is set at 4 years, whereas the director may be re-appointed upon expiry of his / her mandate.

(3) Za ravnatelja Doma može biti imenovana osoba, koja ispunjava uvjete propisane Zakonom o socijalnoj skrbi.

(3) A person who complies with the conditions prescribed in the Social Welfare Act may be appointed as the Director of the Home.

(4) Radi izbjegavanja dvojbi, ovime se utvrđuje da se u postupku imenovanja ravnatelja ne provodi javni natječaj, u skladu s člankom 40., stavkom 2. Zakona o ustanovama.

(4) For avoidance of any doubt, it is hereby determined that a public tender shall not be carried out in the process of appointment of the director pursuant to Article 40, Paragraph 2 of the Institutions Act.

(5) Osoba imenovana za ravnatelja Doma sklapa s Upravnim vijećem ugovor o radu u punom radnom vremenu na vrijeme od četiri godine.

(5) The person appointed as Director of the Home shall conclude with the Management council a full-time employment contract for a period of four years.

Članak 20.

Article 20

(1) Ravnatelj može dati punomoć drugoj osobi da zastupa Dom u pravnom prometu u granicama svojih ovlasti, pod uvjetom da za isto ima prethodno pisano odobrenje Osnivača Doma.

(1) The Director may give Power of attorney to another person to represent the Home in legal matters within its authority, subject to the written approval by the Founder of the Home.

(2) Ravnatelj ne može bez posebne ovlasti Upravno vijeća ili Osnivača Doma nastupati kao druga

(2) Without special authorization of the Management Council or the Founder of the Home,

ugovorna strana i s Domom sklapati ugovore u svoje ime i za svoj račun kao ni u svoje ime, a za račun drugih osoba, ili u ime i za račun drugih osoba.

Članak 21.

Ravnatelj Doma obavlja sljedeće poslove:

- organizira i vodi rad i poslovanje Doma;
- poduzima sve pravne radnje u ime i za račun Doma, što uključuje bez ograničenja na, sklapanje ugovora s korisnicima Doma;
- predstavlja i zastupa Doma u svim postupcima pred sudovima, upravnim i drugim državnim tijelima te pravnim osobama s javnim ovlastima, o čemu je dužan obavijestiti Osnivača prije pokretanja takvih postupaka odnosno čim sazna za postojanje predmetnih postupaka;
- vodi stručni rad Doma;
- donosi opće akte Doma iz svoje nadležnosti, kako je utvrđeno Odlukom o osnivanju Doma i ovim Statutom;
- sklapa ugovore o radu s radnicima Doma;
- donosi odluke u I. stupnju o pravima iz radnog odnosa;
- podnosi izvješće o svome radu te statusu te održavanju Doma Upravnog vijeću Doma i Osnivaču najmanje jednom godišnje, ili na zahtjev Upravnog vijeća i/ili Osnivača i češće;
- obavlja druge poslove utvrđene zakonom i statutom Doma.

Članak 22.

(1) Upravno vijeće dužno je razriješiti Ravnatelj Doma i prije isteka mandata za koji je izabran ako:

- ravnatelj to osobno zahtijeva;
- nastane neki od razloga, koji po posebnim propisima ili propisima kojima se uređuju radni odnosi dovode do prestanka ugovora o radu;
- je nastupila zapreka iz članka 261. stavka 1. Zakona o socijalnoj skrbi;
- ravnatelj bez opravdanog razloga ne provodi program rada Doma, koji je donijelo Upravno vijeće;
- ravnatelj u svojem radu krši propise i opće akte Doma ili neopravdano ne izvršava odluke Upravnog vijeća ili postupka u suprotnosti s njima;
- ravnatelj svojim nesavjesnim ili nepravilnim radom prouzroči Domu veću štetu, zanemaruje ili nemarno obavlja svoju dužnost tako da su nastale ili mogu nastati veće smetnje u obavljanju djelatnosti;

the Director may not act as a party and conclude contracts with the Home on its own behalf and for its own account, on its own behalf and for the account of others, nor on behalf of and for the account of others.

Article 21

The Directors of the Home performs the following duties:

- organizes and manages the work and business operations of the Home;
- undertakes all legal actions of the Home, including execution of agreements with the users of the Home;
- represents the Home, in all proceedings before courts, administrative and other state instructions, and legal persons with public authority, and notifies the Founder of all such proceedings before their commencement or immediately upon becoming aware of such proceedings;
- manages the professional operations of the Home;
- adopts general acts for the Home, arising in connection to the Director's duties, as determined by the Articles of Association and this Statute;
- concludes employment contracts with employees;
- adopts I. level decisions regarding rights from the employment relationship;
- provides a report on its work and status and maintenance of the Home to the Management Council of the Home and the Founder, at least once a year, and on request of the Management Council and/or the Founder, more often;
- performing other duties determined by the law, and the Statute of the Home.

Article 22

(1) The Management Council is obliged to revoke the Director of the Home before the expiry of the mandate if:

- The Director personally requests so;
- A reason occurs, which leads to termination of the employment contract according to special regulations or regulations regarding employment relationships;
- there is an obstacle from Article 261 Paragraph 1 of the Social Welfare Act;
- the Director without reasonable cause does not implement the agenda of the Home adopted by the Management Council;
- the Director breaches the regulations and general by-laws of the Home or is not carrying out decisions of the Management Council without reasonable cause or acts in contradiction to them;
- the Directors causes significant damages to the Home due to his/hers negligent or undue work, neglects or carelessly performs his/hers duties, so that major disruptions in performing of business activities occurred or may occur;

- je nalazom inspekcije ustanovljena teža povreda propisa i općih akata Doma ili su utvrđene veće nepravilnosti u radu Ravnatelja.

(2) Upravno vijeće mora prije donošenja odluke o razrješenju obavijestiti Ravnatelja odluke o razrješenju obavijestiti Ravnatelja o razlozima za razrješenje i dati mu mogućnosti da se o njima pisano izjasni.

(3) U slučaju razrješenja Ravnatelja imenovat će se vršitelj dužnosti Ravnatelja, a Dom će imenovati Ravnatelja u roku od 30 dana od dana imenovanja vršitelja dužnosti.

Članak 23.

Ravnatelj Doma može imenovati radne, odnosno stručne skupine za izradu analiza, prijedloga i stručnih mišljenja nužnih ili korisnih za odlučivanje Upravnog vijeća o određenim pitanjima.

STRUČNO VIJEĆE

Članak 24.

(1) Dom ima Stručno vijeće, koje čine svi stručni radnici koji obavljaju djelatnost socijalne skrbi u Domu.

(2) Stručno vijeće donosi poslovnik o radu.

Članak 25.

Prava i obveze Stručnog vijeća:

- raspravlja i odlučuje o stručnim pitanjima rada Doma,
- daje Upravnom vijeću te Ravnatelju mišljenja i prijedloge glede organizacije rada i uvjeta za razvitak djelatnosti Doma,
- sudjeluje u utvrđivanju plana i programa rada Doma, te prati njegovo ostvarenje
- potiče i promiče stručni rad,
- obavlja i druge stručne poslove utvrđene zakonom i Statutom.

KORISNICI DOMA

Članak 26.

(1) Korisnici Doma su osobe, koje zbog starosti ili nemoći ne mogu samostalno skrbiti o osnovnim životnim potrebama (funkcionalno ovisne starije osobe i teško bolesne odrasle osobe kojima je zbog trajnih promjena u zdravstvenom stanju prijeko potrebna stalna pomoć i njega druge osobe).

- a severe breach regulations and general by-laws of the Home have been detected in the inspection findings or major irregularities in the work of the Directors have been determined.

(2) Before adopting the revocation decision, the Management Council must inform the Director of the reasons for the revocation and give the possibility to respond in written.

(3) In case of revocation, an acting Director shall be appointed, and the Home will appoint the Director within 30 days from the appointment of an acting Director.

Article 23

The Director of the Home may appoint work or professional groups to provide analysis, recommendations or professional opinions, required or useful to the Managements Council to reach decisions on certain matters.

PROFESSIONAL COUNCIL

Article 24

(1) The Home has a Professional council consisting of all professional employees that perform social welfare activities in Home.

(2) The Professional Council adopts Rules of Procedure.

Article 25

Rights and obligations of the Professional Council:

- discusses and adopts decisions with reference to professional matters of the Home,
- provides to the Management Council and the Director recommendations and suggestions with reference to the organization of work and conditions for development of the Home's operations,
- participates in determining the plans and programs of the Home, and monitors their implementation,
- promotes and advocates professional business activities,
- performs other professional duties determined by the law, and the Statute.

USERS OF THE HOME

Article 26

(1) The users of the Home are persons who are old or disabled and thus not able to care for their basic needs (functionally dependent elderly and adults with serious illness, who due to permanent changes in their health condition need constant assistance and care of another person).

(2) Život i rad korisnika Doma organizira se u skladu s načelima rada u ustanovi socijalne skrbi.

(3) Smještaj u Dom ostvaruje odrasla osoba na temelju ugovora o smještaju, kojim se reguliraju međusobna prava i obveze korisnika i Doma.

(2) Life and work of Home's users is organized in accordance with the principles of work in a social welfare institution.

(3) The accommodation in the Home is provided to an adult on the basis of an accommodation contract, which regulates the mutual rights and obligations of the user and the Home.

OPĆI AKTI DOMA

Članak 27.

Opći akti Doma su Statut, pravilnici, poslovnici i odluke, kojima se uređuju pojedina pitanja u Domu.

Članak 28.

Upravno vijeće Doma donosi sljedeće opće akte:

- Statut – uz prethodnu suglasnost Osnivača;
- Poslovnik o radu Upravnog vijeća;
- Pravilnik o radu – uz prethodnu suglasnost Osnivaču;
- Pravilnik o unutarnjoj organizaciji i sistematizaciji radnih mjesta- uz prethodnu suglasnost Osnivača;
- Pravilnik o čuvanju imovine korisnika Doma (supotpisan od strane Ravnatelja Doma); te
- Pravilnik o zaštiti na radu (supotpisan od strane Ravnatelja Doma);te
- Pravilnik o unutarnjem nadzoru (supotpisan od strane Ravnatelja Doma).

Članak 29.

Ravnatelj Doma donosi sljedeće opće akte:

- Pravilnik o kućnom redu; te
- sve druge pravilnike – uz prethodnu suglasnost Upravnog vijeća.

Članak 30.

Sve druge poslovnike, donose tijela na čiji se rad odnose. Sve druge opće akte Doma, za koje zakonom ili Odlukom o osnivanju Doma nije određeno drugačije, donosi Upravno vijeće.

Članak 31.

(1) Izmjene i dopune općih akata donose se po istom postupku po kojem su i donijeti.

(2) Opći akti stupaju na snagu osmi dan od dana njihova objavljivanja na oglasnoj ploči Doma.

GENERAL ACTS OF THE HOME

Article 27

General acts of the Home are Statute, by-laws, rules of procedure and decisions regulating certain matters in the Home.

Article 28

The Management Council of the Home adopts the following acts:

- Statute – with prior consent of the Founder;
- Rules of Procedure for the Management Council;
- Employment By-laws – with prior consent of the Founder;
- By-laws on internal organization of work positions – with prior consent of the Founder;
- By-laws on safe keeping the assets of the users of the Home (co-signed by the Director of the Home);
- Health and safety by-laws (co-signed by the Director of the Home); and
- Internal monitoring by-laws (co-signed by the Director of the Home).

Article 29

The Director of the Home adopts the following acts:

- House Rules; and
- All other by-laws – with prior consent of the Management Council

Article 30

Any other rules of procedure are adopted by the relevant bodies, to which such rules apply to. All further general acts of the Home are adopted by the Management Council if not determined otherwise by law or the Articles of Association.

Article 31

(1) Amendments of general acts are adopted according to the same procedure as their adoption.

(2) General acts enter into force on the eighth day since their publication on the bulletin board of the Home.

(3) Tumačenje odredbi Statuta daje Upravno vijeće.

VOĐENJE EVIDENCIJA

Članak 32.

Dom vodi propisane evidencije i dokumentaciju o korisnicima, vrstama usluga i drugim stavkama važnim za rad Doma, o kojima dostavlja izvješće nadležnim tijelima.

IMOVINA DOMA

Članak 33.

Financiranje obavljanja djelatnosti Doma osiguravaju se pribavljanjem sredstava za rad i financijskih sredstava od Osnivača Doma, uplatom korisnika za pruženu uslugu, donacijama, te iz drugih izvora, sukladno zakonu.

Članak 34.

(1) Ako Dom u obavljanju svoje djelatnosti ostvari dobit, ta se dobit upotrebljava za obavljanje i razvoj djelatnosti Doma ili druge ustanove Osnivača.

(2) Osnivač Doma može odlučiti ostvarenu dobit Doma upotrijebiti i na drugi način, uz odgovarajuću primjenu propisa o trgovačkim društvima, a na temelju posebne odluke Osnivača.

Članak 35.

U pravnom prometu Doma odgovara cijelom svojom imovinom, a Osnivač odgovara sukladno zakonu, neograničeno i solidarno cijelom svojom imovinom za obveze Doma.

Članak 36.

(1) Dom može u pravnom prometu stjecati prava i preuzimati obveze, može biti vlasnikom pokretnih i nepokretnih stvari te može biti strankom u postupcima pred sudovima, drugim državnim organima i tijelima s javnim oblastima.

(2) Dom ne može bez prethodne pisane suglasnosti Osnivača steći, opteretiti ili otuđiti nekretninu ili drugu imovinu ustanove.

(3) Pisana suglasnost Osnivača iz stavka 2. ovog Članka može biti dana putem elektroničke pošte.

JAVNOST RADA

Članak 37.

(1) Rad Doma je javan.

(3) The Management Council shall give interpretation of the Statute's provisions.

RECORD KEEPING

Article 32

The Home keeps the prescribed records and documentation on the users, the types of services provided, and other items relevant to the operation of the Home, regarding which a report is provided to the competent authorities.

ASSETS OF THE HOME

Article 33

Performance of the business activities of the Home is financed through raising funds and financial means from the Founder of the Home through payment of users for provided services through donations and other sources in accordance with the law.

Article 34

(1) If the Home makes profit in performing its business activities, the profit is to be used for performance and development of the Home's business activities or of another institution of the Founder.

(2) The founder may decide by means of a special decision that the profit of the Home is to be used in a different manner, subject to appropriate application of the laws regulating the operations of the commercial companies.

Article 35

In legal transactions, the Home is liable with its whole assets, and the Founder is liable for the obligations of the Home pursuant to the law, unconditionally and jointly with its whole assets.

Article 36

(1) The Home may acquire rights and assume obligations in legal matters, it may own movables and immovables, and it may appear as a party in proceedings before courts, and other state institutions with public authority.

(2) Without prior written consent of the founder the Home may not acquire, encumber or sell real estate or any other property of the institution.

(3) The written consent of the Founder from Paragraph 2 of this Article may be given by e-mail.

PUBLICITY OF OPERATIONS

Article 37

(1) The business operation of the Home is public.

(2) Dom je dužan pravodobno i istinito obavještavati javnost o obavljanju djelatnosti ili dijela djelatnosti za koju je osnovan.

(3) Dom će u razumnom roku dati sredstvima javnog informiranja, na njihov zahtjev, informacije o obavljanju svoje djelatnosti i omogućiti im uvid u odgovarajuću dokumentaciju.

(4) Samo Osnivač i osoba koju ovlasti Upravno vijeće može putem sredstava javnog priopćavanja izvijestiti javnost o djelatnosti i radu Doma i davati izjave i intervjue u svezi s tim.

POSLOVNA TAJNA

Članak 38.

(1) Poslovnom tajnom smatraju se isprave i podaci o Domu, radnicima i/ili korisnicima Doma, njegovu Osnivaču, čije bi priopćavanja i/ili iznošenje, zbog njihove prirode i značaja štetilo interesima i poslovnom ugledu Doma, radnika i korisnika i/ili Osnivača.

(2) Poslovnom tajnom smatraju se osobito isprave i podaci:

- o korisnicima i radnicima Doma i njihovom podrijetlu, osobnim, zdravstvenim i obiteljskim prilikama, a koji su sadržani u službenoj dokumentaciji Doma;
- prijedlozi materijala pripremljeni za sjednice Upravnog vijeća i drugih tijela Doma, prije nego što ih ta tijela usvoje;
- podaci i isprave koji se po posebnim propisima i Pravilniku o radu smatraju poslovnom tajnom;
- Isprave i podaci, koje kao povjerljive Domu priopći nadležno tijelo;
- mjere i način postupanja u slučaju nestanka korisnika;
- druge isprave, koje Ravnatelj uz suglasnost Upravnog vijeća ili Osnivača proglasi poslovnom tajnom.

Članak 39.

(1) Poslovnu tajnu dužni su čuvati svi članovi Upravnog vijeća i drugih tijela Doma, svi radnici koji su na bilo koji način saznali sadržaj isprava i podataka, koji se smatraju poslovnom tajnom kao i one osobe koje rade za Dom ili u Domu, a nisu u radnom odnosu u Domu.

(2) Povreda dužnosti čuvanja poslovne tajne predstavlja teže kršenje obveze iz radnog odnosa (ugovora o radu).

(3) O čuvanju poslovne tajne neposredno skrbi Ravnatelj.

(2) The Home is obliged to inform the public timely and true on performing of the registered business activity, or part thereof.

(3) The Home shall provide information on its business activity and give insight into relevant documents to media, upon request and within reasonable time.

(4) Only the Founder and the person authorized by the Management Council may inform the public on the business activity and operation of the Home and give statements and interviews to the media.

TRADE SECRET

Article 38

(1) Documents and information on the Home, its employees and/or users and the Founder, shall be deemed a trade secret, if its disclosure and/or revelation, due to their nature and significance, could damage interests and business reputation of the Home, employees, and users, and/or the Founder.

(2) Trade secret are considered especially following documents and information:

- regarding users and employees of the Home and their origin, family health and personal circumstances, which are listed in the official records, of the Home;
- proposals that are prepared for Management council meetings as well as for other bodies, before adoptions to special regulations, and Employment By-laws;
- information, and documents that are considered trade secret according to special regulations, and Employment By-laws;
- documents and information that were revealed as confidential to the Home by competent body;
- measures and action plan in case a user goes missing;
- other documents that are designated as trade secret by the Director with the consent of the Management Council or the Founder

Article 39

(1) All members of the Management Council and other Home's bodies, all employees who learned somehow of the content of the documents and information considered as trade secret, as well as the persons working for the Home or in the Home, but are not employed by the Home, are obliged to keep the trade secret.

(2) The breach of the obligation to keep the trade secret represents a severe breach of obligation from employment relationship (employment contract).

(3) The keeping trade of trade secret falls under the responsibility of the Director.

STATUSNE PROMJENE

Članak 40.

O svim statusnim promjenama Doma odlučuje Osnivač.

Članak 41.

Dom prestaje s radom kada se ispune pretpostavke iz članka 71. i 71. Zakona o ustanovama.

STATUTORY CHANGES

Article 40

The Founder decides on all statutory changes of the Home.

Article 41

The home shall end its operation when the assumptions from Article 71 and 72 of the Institutions Act are met.

ZAVRŠNE ODREDBE

Članak 42.

Na pitanja koja nisu uređena ovim statutom primjenjuju se odredbe primjenjivih zakon i propisa.

Članak 43.

(1) Ovaj pročišćeni tekst Statuta stupa na snagu osmog dana od dana objave na oglasnoj ploči Doma.

(2) Stupanjem na snagu ovog pročišćenog teksta Statuta prestaje važiti Statut od 27. studeni 2020. godine.

(3) Sukladno odredbi članka 54., stavka 1. Zakona o ustanovama i članka 211., stavka 2. Zakona o socijalnoj skrbi, na tekst ovog Statuta suglasnost je dao Osnivač.

FINAL PROVISIONS

Article 42

Matters not regulated by this Statute are regulated by applicable laws and regulations.

Article 43

(1) This consolidated text of the Statute enters into force on the 8th day as of its publication on the bulletin board.

(2) By entering into force of this Statute, the Statute as of 27 November 2020. is no longer valid.

(3) According to the provisions of Article 51 Paragraph 1 of the Institutions Act and Article 211 Paragraph 2 of the Social Welfare Act, the text of this Statute is approved by the Founder.

PREDSJEDNIK UPRAVNOG VIJEĆA/PRESIDENT OF THE MANAGEMENT COUNCIL



Sanda Gavranović Mujanović

koju zastupa/represented by:

Andreja Kljaić/Dora Bajić

punomoćnik / proxy