

(Round stamp Město Česká Třebová)

(Acceptance stamp Základní škola Česká Třebová, Nádražní ulice, date 31.12.2009)

Foundation Deed of Základní škola Česká Třebová, Nádražní ulice
(Primary School Česká Třebová, Nádražní street)

F u l l v e r s i o n

The Town of Česká Třebová

by Resolution No. 215 of the Town Board of Česká Třebová, dated 27th October 2009, and effective as of 1st November 2009, pursuant to Sec. 8 (1) of Act No. 561/2004 Coll., on pre-school, primary, secondary, higher vocational and other education, as amended (hereinafter only the Education Act), Sec. 84 (2) (d) of Act No. 128/2000 Coll., on Municipalities (municipal establishment), as amended, and pursuant to Sec. 27 – 37a, and Sec. 39b of Act No. 250/2000 Coll., on Budgetary Rules of Territorial Budgets, as amended

changes the Foundation Deed

of the contributory organization Základní škola Česká Třebová, Nádražní ulice
(Primary School Česká Třebová, Nádražní street)
dated 15th November 2000, as effective from 1st January 2001

and issues its complete version:

Art. I

Educational Authority

Name of the educational authority:	The Town of Česká Třebová
Registered office of the educational authority:	Staré náměstí 78, 560 02 Česká Třebová, district Ústí nad Orlicí
Company registration number:	00278653

Art. II

Name and Registered Office of the Contributory Organization

Name:	Základní škola Česká Třebová, Nádražní ulice (Primary School Česká Třebová, Nádražní street)
Registered office:	Nádražní 200, 560 02 Česká Třebová
Date of establishment:	1 st January 2001
Company registration number:	70882452
Legal form of the organization:	c o n t r i b u t o r y o r g a n i z a t i o n

Art. III
**Categories and Types of Schools and School Institutions Categorized
within the Organization**

Základní škola Česká Třebová, Nádražní ulice (*Primary School Česká Třebová, Nádražní street*) (hereinafter referred to only as the organization) operates the following kinds of schools and school institutions:

Kinds of schools:

Primary school

Kinds of school institutions:

school institution for leisure activities – *after-school childcare*

– *school club*

facility of the school catering

– *school canteen*

Art. IV
Main Purpose and Scope of Activities of the Organization

4.1 The organization has been established to develop the characters of pupils aged within the compulsory education, provide them with cognitive and social capacities, moral and spiritual values for personal and civic life, performance of profession, gaining of information and education during the whole life (and further pursuant to Sec. 2 (2) (b – g) of the Education Act).

Description of the organization's scope of activities:

1. provides:

– *basic education;*

2. guaranties:

– *education of children out of school lessons in the after-school childcare and school club;*

3. secures:

– *catering for pupils, students in the school canteen;*

4. enables:

– *catering for its own employees in its own catering facility;*

– *catering for former own employees - pensioners;*

5. mediates:

– *purchase and sale of textbooks and school aids without profit;*

6. organizes:

– *competitions for primary school's pupils with possibility to award prizes*

7. performs relevant provisions of the Education Act, related to state administration in school system;
8. carries out the complementary activities within the scope as specified below in Art. X.

Art. V

Statutory Body and Way of its Acting on behalf of the Organization

- 5.1 The statutory body of the organization is the school director (hereinafter referred to only as the director) named to the position on the basis of open competition announced by the educational authority in accordance with Sec. 166 (2) of the Education Act.
- 5.2 The director fulfils the tasks of the organization's manager and is entitled to act in all the matters on behalf of the organization.
- 5.3 The director is fully responsible for activities and development of the organization pursuant to Sec. 164 and 165 of the Education Act.
- 5.4 The director determines the internal organizational structure of the organization, organizational rules and internal directives pursuant to the operational needs in accordance with the valid legal regulations and regulations of the educational authority.
- 5.5 The director carries out the rights and obligations of the employer resulting from the labour law regulations.
- 5.6 The director appoints his representative who represents him during his absence to the extent as specified by the organizational rules.

Art. VI

List of Assets

- 6.1 From 1st January 2001, all rights and obligations of budgetary organization Základní škola Nádražní St. No. 200 Česká Třebová, company registration number 00854352, established by the Foundation Deed dated 7th December 1992, are transferred to the organization.
- 6.2 The transfer of the rights and obligations from the original budgetary organization occurred as a result of its transformation into the contributory organization, based on Resolution 163 dated 13th December 2000 (correcting Resolution 137 dated 15th November 2000), and pursuant to Sec. 41 (2) of Act No. 250/2000 Coll., on Budgetary Rules of Territorial Budgets, as amended. For this reason, the assets defined in Annex 1 of this Foundation Deed were also transferred to the contributory organization under establishment while the organization under establishment owns the subject matter movable property as of the date of its establishment.
- 6.3 The Town of Česká Třebová hands over the immovable property owned by the Town of Česká Třebová to the organization for management, based on a Borrowing Agreement.

- 6.4 The assets are handed over to the organization for an indefinite period connected with the existence of the organization pursuant to this Foundation Deed. After the termination of the organization, all assets, as well as all rights and obligations of the organization, are transferred to the educational authority.
- 6.5 By a decision of the educational authority, it is possible to further specify the relations to the assets of the organization and change the scope of the entrusted assets, to withdraw the assets, and to tighten up the rights and obligations of the organization in connection with management of such assets.

Art. VII

Acquisition of Assets by the Organization

- 7.1 Pursuant to Sec. 27 (5) of Act No. 250/2000 Coll., on Budgetary Rules of Territorial Budgets, as amended, the organization can acquire into its ownership only the assets necessary for performance of activities it has been established for, namely by:
- a) the transfer free of charge from the educational authority;
 - b) a gift, with the previous written approval of the educational authority;
 - c) inheritance; without having the previous written approval of the educational authority, the organization is obliged to refuse an inheritance;
 - d) another way based on a decision of the educational authority.
- 7.2 All movable assets necessary for the main activity, the organization acquires into its ownership and it shall serve in particular for its main activity. It is possible to use it for the complementary activities only provided that its using will not endanger the performance of the main activity.
- 7.3 The organization is entitled to acquire long-time tangible and non-tangible assets amounting to the purchase price from CZK 20,000.- without VAT to CZK 100,000.- without VAT, only with a consent given by a Town Authority's worker appointed by the educational authority; and long-time tangible and non-tangible assets amounting to the purchase price higher than CZK 100,000.- without VAT only with a previous written consent of the educational authority (City Council). The above mentioned does not concern purchasing of textbooks, educational and school's aids.
- 7.4 All immovable assets which the organization acquires for its main activity, excluding the immovable assets acquired as a gift or by inheritance, acquires always for the educational authority only after the previous written consent of the educational authority. The educational authority entrusts this newly acquired assets to the organization for its economic activities.
- 7.5 The educational authority hereby grants its previous consent to the contributory organization for acceptance of a financial gift the value of which does not exceed CZK 20,000.- in a particular case for gifts without determined purpose.

Art. VIII

Delimitation of the Assets' Rights and Obligations of the Organization

- 8.1 The organization carries out the role of administrator towards the assets, owned by the educational authority, which were entrusted to the organization as a borrowing, and manages all assets free of charge, duly and effectively, in accordance with valid legal regulations and rules of the educational authority, i.e. inter alia protects it against destruction, damage, stealing or misuse and against any unauthorized interference.
- 8.2 The organization may not sell, lend, pledge, invest, donate, discard, establish a right in rem for any other person or anyhow alienate or burden the assets in borrowing without previous written consent of the educational authority.
- 8.3 The organization can rent the assets in borrowing, which are not necessary for fulfilment of its tasks, without a consent of the educational authority, only for a short-term, maximum for one year so that the operation of the organization and the purpose which was established for is not disturbed. For renting the assets for the period longer than one year the previous written consent of the educational authority is necessary.
- 8.4 The organization is obliged to ensure regular and by relevant regulations required revisions and technical inspections of the assets. It is responsible for compliance with all fire, safety, hygienic and other regulations related to its activities, own and borrowed assets. The organization is responsible towards the educational authority for all damage caused by its activities on the borrowed assets.
- 8.5 The educational authority's assets transferred free of charge into the organization's ownership shall be depreciated in accordance with valid legal regulations. If these assets become permanently useless for the organization, they shall be in the first place offered to the educational authority free of charge. If the educational authority does not accept a written offer, the organization is allowed, after a previous written consent of the educational authority, to transfer it into ownership of another person, respecting the conditions stipulated by the educational authority.
- 8.6 The organization is obliged to carry out regular inventory of the assets in accordance with Act No. 563/1991 Coll., on Bookkeeping, as amended.
- 8.7 The organization depreciates the assets pursuant to the valid legal regulations. The depreciations of assets create the investment fund of the organization. The director of the organization submits every year to the educational authority the evidence (depreciation plan) for creation of the investment fund's sources plan and at the same time processes a proposal for its use.
- 8.8 The organization pays for all the repairs of assets it has in its ownership. In case of assets in borrowing, the organization pays for the repairs and common maintenance up to the amount of CZK 20,000.- without VAT, in each particular case; and the repairs amounting to more than CZK 20,000.- without VAT with previous consent of a responsible worker from the division of town development and investments. If a major repair is needed, the organization is obliged to promptly inform the educational authority and enable such repair. The organization further reimburses all energy and

services consumption connected with its activities, while the relevant contracts with energy suppliers shall concluded under its own name.

8.9 The organization is obliged to insure always the immovables and the movables having regard to possible risks, unless the educational authority decides otherwise.

8.10 The organization is obliged to claim the right for damages and right to recover the unjustified enrichment and announce this to the educational authority without delay.

Art. IX

Financial Management of the Organization

9.1 The organization manages (pursuant to Sec. 161 (6) of the Education Act) the funds obtained from its own activities and the funds received from the budget of the educational authority and from the state budget. It also manages the financial means of its financial funds and financial donations from natural and legal persons, including the funds provided from abroad.

9.2 Financial relations between the educational authority and the organization are determined in particular by the following acts:

- a) Act No. 250/2000 Coll., on Budgetary Rules of Territorial Budgets, as amended;
- b) Act No. 128/2000 Coll., on Municipalities (municipal establishment), as amended.

9.3 Financial relation to the budget of the educational authority for the organization's financial management, profit-sharing of the organization, binding indicators, possible levy and other indicators shall be determined by the educational authority for each calendar year.

9.4 The establishment, creating and drawing down of the financial funds of the organization shall be governed by the budgetary rules.

9.5 The organization is obliged to implement an internal control system within the meaning of the relevant provisions of Act No. 320/2001 Coll., on Financial Control in Public Administration and on Amendments to Certain Acts (Financial Control Act), as amended.

9.6 The organization is obliged to proceed in accordance with the valid Directive on Procurement of Small-Scale Public Contracts by the Town of Česká Třebová.

9.7 Unless the educational authority decides otherwise, the income from the lease of the property of the educational authority entrusted to the borrowing of the organization shall be the income of the organization.

Art. X
Complementary Activities of the Organization

- 10.1 For better use of all its economic opportunities and the expertise of its employees, the organization may undertake the following complementary activities:
- restaurant services;
 - lease of real estates and non-residential premises;
 - lease and lending of movables.
- 10.2 Complementary activities may not interfere with the fulfilment of the organization's main purpose and scope of activities.
- 10.3 Complementary activities as a whole may not be loss-making for the calendar year concerned.
- 10.4 The organization is obliged to ensure separate monitoring of the main activity and of the individual types of complementary activities by means of accounting analytics.
- 10.5 The organization may use the profit generated by the complementary activities only for the benefit of its main activity. The use of profit from the complementary activities for another purpose is possible only based on a written consent of the educational authority.
- 10.6 The director of the organization is obliged to draw up the Directive on Complementary Activities of the Organization and submit it to the educational authority for approval.

Art. XI
Period for which the Organization is established

- 11.1 The organization is established for an indefinite period of time.

Art. XII
Other Rights and Obligations

- 12.1 The organization is obliged to comply with all legal regulations, and orders, guidelines and directives of the Ministry of Education, Youth and Sports of the Czech Republic; and the directives, resolutions and guidelines of the educational authority towards the organization.
- 12.2 At any time when requested, the organization shall give to the educational authority free access to the property, accounting and property records, internal regulations, all official correspondence, information databases and outputs of the organization's activities, bank statements, etc. for inspection, unless this is contrary to legal regulation.

Art. XIII
Transitional and Final Provisions

- 13.1 The organization was established by Resolution No. 136 of the Town Board of the Town of Česká Třebová, dated 15th November 2000, as effective from 1st January 2001 for an indefinite period of time.
- 13.2 This complete wording of the Foundation Deed was approved by Resolution No. 215 of the Town Board of the Town of Česká Třebová, dated 27th October 2009 and it is effective as of 1st November 2009.
- 13.3 This Foundation Deed has been executed in four counterparts having the validity of the original, and each of the following entities shall receive one copy:
- educational authority Town of Česká Třebová;
 - director of the organization;
 - Pardubice Regional Authority;
 - Regional Court in Hradec Králové, Commercial Register.

The integral part of this Foundation Deed is:

- Annex No. 1 Movable assets

Česká Třebová 30.10.2009

(Round stamp Město Česká Třebová)
On behalf of the mayor of the town
signed by Mrs. Žáčková.

Translated by:
Ludmila Rašnerová

Česká Třebová 08.04.2020



Annex No. 1 to the Foundation Deed of the Contributory Organization
Základní škola Česká Třebová, Nádražní ulice
(Primary School Česká Třebová, Nádražní street)

The organization hereby takes over the assets of the original budgetary organization, i.e. of Základní škola Nádražní ulice No. 200 in Česká Třebová, company registration number 00854352, which was owned by this original budgetary organization on 31st December 2000, in accordance with Resolution No. 163 of the Town Board, dated 13th December 2000 (correcting Resolution No. 131 of the Town Board, dated 15th November 2000) and pursuant to Sec. 41 (2) of Act No. 250/2000 Coll. The below mentioned assets are concerned:

A. According to the inventory of the budgetary organization made on 31st October 2000, the assets were recorded in total amount of CZK 4,720,546.45 as follows:

1. Collections

Collection	value of inventory in CZK
"AVP" (audio-visual aids)	151,772.20
Foreign language	60,198.30
Czech language	13,723.-
History	17,693.40
Filmstrips, tape recorders	27,502.-
Physics	159,746.35
Music Education	133,336.-
Chemistry	28,893.30
Library	111,298.30
Mathematics	123,455.40
National School	147,405.10
Plant Growing Practices	3,710.-
Biology	74,541.75
Family Education	47,223.35
After-school Childcare	72,049.-
Technical Activities	123,839.20
Physical Education	228,137.35
Videocassettes	36,151.35
Computer Technology	235,702.-
Art	12,217.-
Geography	59,437.80
Total	1,868,032.15

2. Basic Resources ("*tangible capital assets*" category)

Primary School	403,232.-
School Canteen	733,266.80
Total	1,136,498.80

3. "DKP" ("minor value capital assets" category)

Primary School	1,319,895.-
School Canteen	396,120.50
Total	1,716,015.50

B. Movables acquired by the budgetary organization from 1st November 2000 to 31st December 2000.

C. Balance of the material supplies of the budgetary organization on 31st December 2000.

Translated by:
Ludmila Rašnerová

Česká Třebová 08.04.2020



Amendment No. 1

to the Foundation Deed dated 15th November 2000, by which the Town of Česká Třebová establishes the contributory organization Základní škola Česká Třebová, Nádražní ulice (*Primary School Česká Třebová, Nádražní ulice*), pursuant to Sec. 84 (2) (d) of Act No. 128/2000 Coll., on Municipalities (municipal establishment), as amended, and pursuant to Sec. 27 (2) of Act No. 250/2000 Coll., on Budgetary Rules of Territorial Budgets, as amended.

This Amendment No. 1 changes the above-mentioned deed, specifically Art. X – **Complementary Activities of the Organization**, point 10.1, with the following wording:

10.1 For better use of all its economic opportunities and the expertise of its employees, the organization may undertake the following complementary activities:

- restaurant services;
- lease of real estates and non-residential premises;
- production, business and services not mentioned in Annexes 1 – 3 of the Trade Licensing Act:
 - production of fibrous materials, paper and paperboard and goods from these materials;
 - production of school and office stationery excluding paper products, production of fashion jewellery, brush and confection goods, umbrellas, souvenirs;
 - wholesale and retail trade;
 - lease and lending of movables;
 - photographic services;
 - after-school education and schooling, organization of courses, trainings, including lector activities;
 - management of culture, culture-educational and entertainment facilities, management of culture productions, amusements, expositions, fairs, shows, sales and similar events;
 - production, business and services not elsewhere classified.

The remaining provisions of the Foundation Deed, dated 15th November 2000, shall remain unchanged.

This Amendment No. 1 was approved by Resolution No. 200 of the Town Board on 15th December 2014 and becomes effective on 16th December 2014.

In Česká Třebová
(Date of document acceptance
by Základní škola Česká Třebová
13.01.2015)

(round stamp Město Česká Třebová)

Signed by: Jaroslav Zedník
Mayor of the Town

Translated by:
Ludmila Rašnerová

Česká Třebová 08.04.2020

