

STATUTE  
of the  
AGENCY FOR PROMOTION AND SUPPORT OF TOURISM

**SECTION I**

**GENERAL PROVISIONS**

Article 1

This Statute regulates the manner of execution of the duties within the competencies of the Agency for Promotion and Support of Tourism (hereinafter: the Agency), the authorizations of the Director and the Management Board and their mutual relations, the rights, authorizations, and responsibilities of the employees, the internal organization of the Agency, as well as other issues of significance and interest in terms of the execution of the duties of the Agency.

**Name, Registered Offices, and Founder**

Article 2

The full name of the Agency is: AGENCY FOR PROMOTION AND SUPORT OF TOURISM.  
The name of the Agency in the international relations is AGENCY FOR PROMOTION AND SUPPORT OF TOURISM.

The short name of the Agency is: APPT

The registered offices of the Agency are in Skopje, on 2 Debarca St., 1000 Skopje.

The founder of the Agency is the Government of the Republic of Macedonia.

**Legal Position**

Article 3

The Agency has the status of a legal entity, which is independent in its operation. The Agency carries out its function and achieves its goals based on the rights, competencies, authorizations, and obligations as defined in the Law on Establishment of the Agency for Promotion and Support of Tourism in the Republic of Macedonia and this Statute.

**Seal and Stamp**

Article 4

In its operation, the Agency uses a seal and a stamp. The seal is of an oval shape and the following text is affixed in a semi-circular form along the internal side of the seal, in large printed letters in the Cyrillic alphabet in the Macedonian language: AGENCY FOR PROMOTION AND

SUPPORT OF TOURISM – Skopje, and the national emblem of the Republic of Macedonia is affixed in the middle of the seal.

The Agency's stamp is of a rectangular shape. The stamp contains the following text: Agency for Promotion and Support of Tourism – Skopje, a section in which the date of receipt of the filing, the number under which the filing is to be archived, and the number of the appendix to the filing are to be inserted. On the lower edge, there is a line on which the date is to be written, and the word Skopje underneath it.

The seal and the stamp are safe kept and used by an official entrusted with the task of maintaining the archives as defined in a decision of the Director.

The manner of use, safekeeping, and handling all official seals of the Agency are determined in a decision of the Management Board.

### **Protective Mark**

#### *Article 5*

The Agency has its protective mark utilized in the operation of the Agency and in the correspondence with other legal and physical entities.

The manner of and conditions for using the protective mark is defined in a decision of the Management Board.

### **Representation and Presentation**

#### *Article 6*

The Agency is represented and presented by the Director, without limitations.

In case of the Director being absent or prevented, he/she is replaced during the existence of reasons there for by a management member from among the employees, identified in a decision of the Director.

### **Authorized Signatory of Accounts**

#### *Article 7*

The Agency has a budget account and other accounts for a single beneficiary of the budget of the Republic of Macedonia.

The Director is the authorized signatory of the Agency, without limitations.

The Management Board may adopt a decision to authorize yet another signatory of the accounts of the Agency from among the employees, defining the authorizations, amount, and limitations related to the execution of the Agency accounts.

## **SECTION II COMPETENCIES AND INTERNAL ORGANIZATION**

## Competencies of the Agency

### Article 8

The Agency is entrusted with the task of promoting the tourism of the Republic of Macedonia abroad, to present professionally all segments and regions of the tourism offer, with the ultimate goal being progress and development of tourism in the Republic of Macedonia, thus contributing to the overall development of the Republic of Macedonia.

The Agency shall in particular develop and support the creation and promotion of new tourist products, particularly in underdeveloped tourist regions in the Republic of Macedonia.

The Agency shall also cooperate with other organizations and institutions in the country and abroad.

In the realization of its basic goals, the Agency develops and implements a Program for Promotion and Support of Tourism Promotion in the Republic of Macedonia, with separate subprograms for the separate types of tourism.

### Article 9

The Agency has the following competencies:

- Improvement and promotion of tourism,
- Professional presentation of all segments and regions in the tourist offer,
- Conducting analyses for the potentials of the national and international tourist market,
- Development and implementation of the Program for Promotion and Support of Tourism Promotion, such that will include both all segments and all regions in the tourist offer,
- Conducting analyses of the results achieved by implementing the Program for Promotion and Support of Tourism Promotion,
- Implementation of a procedure for subsidizing the foreign organized tourist turnover in the Republic of Macedonia,
- Formation and development of a central tourist information system and linking the system with other information systems in the country and abroad,
- Cooperation with tour operators to attract as large a number of tourist as possible,
- Cooperation with private (domestic and foreign) entrepreneurs and companies,
- Putting forward proposals for quality measures and activities aimed at promotion and support of the underdeveloped regions of the country in terms of tourism,
- Active promotion of the total touristic potential of the Republic of Macedonia in the country and abroad,
- Provision of informative marketing material for promotion of the touristic values (printed publications, audio and video materials, internet presentations, souvenirs, etc.),
- Development and promotion of new integrated tourist products,
- Cooperation with the competent institutions in terms of the development of the infrastructure, tourism and cultural events, logistics in tourism, scientific and educational activities, and other areas contributing to the development and high-quality growth of the tourist offer,
- Cooperation and guiding the operation of the units of local self-government towards a high-quality sustainable development and promotion of the tourist offer that will include the locally organized tourism events as well,

- Encouragement and coordination of all tourist organizations, chambers, associations, and other institutions in the field of tourism and hospitality, with the aim of improving and promoting tourism,
  - Initiation and guidance for inter-municipality and regional cooperation for the purpose of joint promotion of tourism in the given regions,
  - Initiation and implementation of international cooperation with similar organizations and institutions,
  - Taking part in the attraction of investments in tourism in the Republic of Macedonia, and
- Performing other activities in accordance with the law and this Statute.

### **Internal Organization of the Agency**

#### Article 10

The internal organization and systematization of the positions and jobs, the special conditions for entering into an employment status of the employees in the Agency and their deployment within the Agency is regulated in a Rulebook.

#### Article 11

The expert, administrative/technical, supportive, and other works for the needs of the Agency shall be done by the expert department in the Agency.

#### Article 12

The Agency may have organizational units in the Republic of Macedonia and abroad, with no capacity of a legal entity.

The establishment of organizational units shall be determined in a decision of the Management Board.

## **SECTION III RUNNING AND MANAGEMENT BODIES**

### **1. Management Body Director**

#### Article 13

The operation of the Agency shall be run by the Director.

The Director of the Agency shall carry out the following duties:

- Representing and presenting the Agency,
- Organizing the work and managing the expert departments of the Agency,
- Informing the Government of the Republic of Macedonia about all existing administrative and legal obstacles to the promotion and support of tourism and proposing measures for

their removal, as well as submitting periodical and annual reports on issues within the competency of the Agency,

- Implementing the decisions of the Management Board,
- Taking care of the legality in the operation and the spending of financial assets,
- Harmonizing the business activities of the Agency,
- Development of annual operational programs and annual financial plans for the funds required and the sources of such funds,
- Adoption of acts on the internal organization and systematization of the positions at the Agency and other acts of the Agency, adoption of annual plans for employments in the Agency, as well as making decisions on the right arising out of the employment relations of the Agency employees,
- Setting up councils of experts and advisory bodies (permanent and temporary) for issues within the competencies of the Agency,
- Use of services of legal and physical entities from the country and abroad on issues within the competencies of the Agency,
- Adoption of individual acts on the employees related to the employment relations,
- Approval of business trips in the country and abroad for issues within the competencies of the Agency,
- Informing the Macedonian public on issues within his/her competencies, for issues of importance for tourism and development of tourism, based on a previously made assessment of the purposefulness of such provision of information,
- Informing the Agency employees on issues within the competencies of the Agency, based on a previously made assessment of the purposefulness of such provision of information,
- Issuance of instructions, orders, decisions, and other individual acts,
- Making decisions on other issues defined under the Law and this Statute, as well.

#### Article 14

The Director shall be appointed and dismissed by the Government of the Republic of Macedonia.

The term of the Director shall be 4 years, with the possibility of being re-appointed.

The Agency Director shall appoint a management member from among the employees, who shall stand in for him/her in case of his/her absence or being prevented from carrying out his/her function.

#### Article 15

A person meeting the conditions defined in Article 12 of the Law on Establishment of the Agency for Promotion and Support of Tourism in the Republic of Macedonia.

#### Article 16

The Director shall submit a report on his/her work twice a year to the Government of the Republic of Macedonia, not later than within one month following the end of the reporting period.

#### Article 17

The Director shall be dismissed prior to the expiry of the term in the following cases:

- at his/her own request,
- in case he/she fails to act pursuant to the Law, Statute, and the acts of the Agency or unjustifiably fails to implement the decisions of the Management Board or acts contrary to such decisions,
- in case he/she causes disturbance in the operation of the Agency and inflicts damage by working unprofessionally and improperly,
- in case he/she neglects or defaults on his/her obligations and thus causes disturbances in the performance of activities of interest for the Agency,
- in case he/she fails to submit reports on his/her work to the Government of the Republic of Macedonia,
- in case he/she fails to remove any shortcomings in the financial operation, identified by licensed persons,
- in case he/she submit a resignation in writing,
- in case he/she is convicted for a criminal act with an effective court decision, with the sanction imposed being imprisonment of at least 6 months,
- in case he/she becomes permanently or temporarily incapable of unobstructed performance of the duty for a period longer than 6 consecutive months or in case of death, and
- in case he/she meets conditions for exercising to right to retirement.

## **1. Management Bodies**

### **Management Board**

#### **Composition, Term, and Selection of the Management Board**

##### Article 18

The operation of the Agency shall be run by the Management Board.

The Management Board shall have 7 members and shall be composed of:

- 4 members proposed by the Government of the Republic of Macedonia,
- 1 member proposed by the Ministry of Economy, and
- 2 members proposed by the chambers of commerce, following the principle of rotating the registered chambers of commerce of the Republic of Macedonia.

The Management Board members shall be appointed and dismissed by the Government of the Republic of Macedonia.

The term of the Management Board President and members shall last 4 years, with the right to re-appointment.

In case the term of the President and member (members) of the Management Board expires, the President and member (members) of the Management Board shall continue to carry out their work until the appointment of new member(s).

##### Article 19

The Management Board shall elect a President of the Management Board from among the employees.

The President and the members of the Management Board shall be entitled to remuneration, defined by the Government of the Republic of Macedonia.

## Article 20

The Management Board shall meet every three months upon a request of the President, one third of the Management Board members or the Director.

The Management Board may adopt decisions only if the majority of its members are present at the meeting. The adoption of a decision requires absolute majority.

The Management Board shall adopt Rules of Operation regulating the manner and procedure of work of the Management Board.

## Article 21

The Management Board shall have the following powers:

- adoption of the Statute of the Agency;
- adoption of the Rules of Operation;
- adoption of an Annual Operational Program and an Annual Financial Plan;
- provision of assistance to the Agency Director by giving opinion and proposals related to the implementation of the Program;
- adoption of the general acts on the organization and systematization of the operation of the Agency and the other acts in accordance with the law and this Statute,
- reviewing and adopting the reports on the activities of the Agency,
- deciding in second instance on appeals and objections to individual acts adopted by the Director of the Agency;
- approval of business trips abroad, in case more than three Agency employees travel;
- defining criteria for use and disposal of funds generated by the operation of the Agency;
- adoption of documents for the financial operation of the institutions, in accordance with the regulations on material and financial operation;
- adoption of other general acts pursuant to the law and this Statute;
- adoption of decisions on rewards, appraisals, and acknowledgments upon proposal by the Director;
- defining the policy and principles of development and operation of the institution;
- making decisions on other issues related to the performance of duties of the Agency and carrying out other jobs defined under the law and this Statute.

## Article 22

A member of the Management Board shall be dismissed prior to the end of the term in the following cases:

- following the end of the term,
- in case he/she submit a resignation in writing,
- when it is found that he/she works contrary to the law and the Statute and acts of the Agency,
- in case he/she is convicted for a criminal act with an effective court decision, with the sanction imposed being imprisonment of at least 6 months,
- in case he/she becomes permanently or temporarily incapable of unobstructed performance of the duty for a period longer than 6 consecutive months or in case of death.

**SECTION IV**  
**FUNDING THE AGENCY**

Article 23

The Agency shall obtain funds for the performance of its activity from the following sources:

1. the Budget of the Republic of Macedonia, based on a previously adopted Program for Operation of the Agency,
2. its own funds,
3. donations of international organizations, other foreign natural or foreign legal entities,
4. other sources in compliance with the Law.

The funds of the Agency may only be used in accordance with the stipulated tasks and functions of the Agency, as defined under the Law and SECTION II of this Statute, to cover the required expenses related to the organization of the Agency and the implementation of its activities.

**SECTION V**  
**MANNER OF OPERATION OF THE AGENCY**

Article 24

Projects supported by the Government of the Republic of Macedonia shall be implemented via the Agency, independently and through the Agency in cooperation with the other legal and physical entities, with the aim being the promotion and support of tourism in the Republic of Macedonia.

Article 25

For the purpose of realization of the Program measures and activities, the Agency may cooperate with several institutions in the Republic of Macedonia and international institutions.

Article 26

To implement projects it is entrusted with, the Agency shall submit several periodical and annual reports to the Government of the Republic of Macedonia, based on which the further operation and functioning of the Agency shall be designed.

**SECTION VI**  
**INFORMING THE PUBLIC**

Article 27



The Agency shall inform the public about its operation via the information media, via announcements, publications, advertisements, by taking part in special talk shows, and by directly informing the electronic media.

The Agency shall also have its single or several internet pages, as a medium through which it informs the public on issues under its competency.

The person responsible for provision of information for the public is the Director or a person appointed by the Director.

## **Informing the Employees**

### Article 28

Employees shall be informed on the information board of the Agency and by direct verbal information or by information in writing by the Director, the management or other authorized individuals.

What shall be posted up on the information board shall be the general acts of the Agency, the individual acts of the Management Board, announcements, and other types of informative documents.

## **SECTION VII**

### **GENERAL ACTS**

#### **Procedure for Introducing Amendments and Addenda to the Statute**

### Article 29

This Statute shall be amended in the procedure stipulated for its adoption.

Authentic interpretation of the Statute, whether in its entirety or of its individual provisions, shall be given by the party adopting it, i.e. the Management Board of the Agency.

#### **Other general Acts**

### Article 30

Certain issues related to the operation of the Agency shall be more closely regulated under other general acts and rulebooks, in accordance with the Law and this Statute.

In terms of paragraph 1 of this Article, the Agency shall in particular adopt:

- 1.** An archive book of the operation of the Management Board of the Agency;
- 2.** A Rulebook on the organization and systematization of positions;
- 3.** A Collective Agreement at the level of the Agency;
- 4.** A Rulebook on Protection against Fire.

In accordance with the needs of the Agency, other acts shall also be adopted in compliance with the Law.

#### **Collective Agreement**

## Article 31

Issues in the area of employment relations shall be further regulated in a collective agreement at the level of the Agency, in accordance with the Law and the General Collective Agreement.

The Collective Agreement of paragraph 1 of this Article shall be entered on behalf of the Agency by the Director, a representative of the union of employees in the Agency and the Management Board.

## **SECTION VIII**

### **BUSINESS SECRET**

## Article 33

Business secret shall be the documents that shall be defined as such by the Director or the Management Board of the Agency, in separate acts.

Violations of the duty to keep business secrets shall constitute violation of the working discipline.

## **SECTION IX**

### **DISCIPLINARY LIABILITY OF EMPLOYEES**

## Article 34

In case of non-compliance with the working order and discipline defined under the Law and the general and individual acts of the Agency, a disciplinary procedure shall be initiated by the Committee set up by an act of the Director of the Agency.

For employees in the Agency found to have disciplinary liability in a disciplinary procedure, measure shall be undertaken in accordance with the Law on Employment Relations, the General Collective Agreement, and the Collective Agreement at the level of the Agency.

## **SECTION X**

### **INTERIM AND FINAL PROVISIONS**

## Article 35

The general acts and rulebooks defined under Article 31 of this Statute shall be adopted within the following deadlines:

1. Rules of Operation of the Management Board – on the day of commencement of work of the Management Board or the constitutive session of the Management Board of the newly formed Agency for Promotion and Support of Tourism in the Republic of Macedonia.
2. Rulebook on the Organization and Systematization of Positions – within 1 month following the adoption of the Agency Statute,

3. Collective Agreement at the Agency level – within 2 months following the adoption of the Agency Statute,
4. Rulebook on Protection against Fire – within 1 month following the adoption of the Agency Statute.

In accordance with the needs of the Agency, other acts shall also be adopted in compliance with the Law.

#### Article 36

This Statute shall enter into force on the day following its publication on the information board of the Agency, and shall be published following a previous approval of the Government of the Republic of Macedonia.

Skopje, 13.05.2013