

# DESTINATION DEVELOPMENT ORGANIZATION – AMAZON OF EUROPE BIKE TRAIL

In accordance with Articles 8 and 9 of the Institutions Act (Official Gazette of the Republic of Slovenia, No. 12/91, 8/96, 36/00 – ZPDZC and 127/06 – ZJZP) on the 11.3.2021 the founders accepted,

## **ACT ON ESTABLISHMENT OF THE INSTITUTE DESTINATION DEVELOPMENT ORGANIZATION – AMAZON OF EUROPE BIKE TRAIL**

### **I. GENERAL PROVISIONS**

#### Article 1

With this act on the establishment of the institute founders:

- Municipality of Velika Polana, Velika Polana 111, 9225 Velika Polana, Tax number: SI35407727, Registration number: 1332104, represented by mayor Damijan Jaklin
- Iskriva, Institute for Development of Local Potentials, Reteče 215, 4220 Škofja Loka, Tax number: SI 29528801, Registration number: 6618294000, represented by the director, Urška Dolinar

establish the Institution DESTINATION DEVELOPMENT ORGANIZATION – AMAZON OF EUROPE BIKE TRAIL.

With this act and the establishment of the institute, the founders, on the basis of mutual trust, agree on the realization of the common interest.

The institute is established for an indefinite period.

#### Article 2

Destination Development Organization – AMAZON OF EUROPE BIKE TRAIL (below: institute) is an institution established on the basis of the Amazon of Europe Bike Trail project and based on the rules and obligations in accordance with the provisions of this founding act.

The subject of this founding act is to define the organization and operation and the tasks and responsibilities of the institution in order to successfully use and permanently manage the Amazon of Europe Bike Trail.

The purpose of the establishment and operation of the institute is to upgrade the existing project cooperation in accordance with the Partnership Agreement signed by each partner of Amazon of Europe Bike Trail project before its start.

The Institute covers the entire area of the planned 5-country Biosphere Reserve Mura-Drava-Danube (TBR MDD) 5-, which covers the countries of Austria, Croatia, Hungary, Slovenia and Serbia (in alphabetical order).

### **II. GOALS AND ACTIVITIES OF THE INSTITUTE**

#### Article 3

The goals of the institute are:

- development and management of tourism products in connection with the Amazon of Europe Bike Trail and the Responsible Green Destination Amazon of Europe projects,
- development of new tourism products in accordance with the principles of sustainable development, with the aim of increasing added value in the region and in accordance with international standards,
- protection of natural and cultural heritage in the TBR MDD area, with the help of a valorisation program,
- sustainable development of the TBR MDD area according to the principle "good for nature, good for people".

#### Article 4

The Institute carries out the following activities:

- participation in the creation of a comprehensive tourist offer in TBR MDD,
- promotion of the tourist offers in TBR MDD,
- providing quality content for the implementation of tourist activities,
- brand development,
- raising the quality of tourist activities,
- development of information systems and tools to promote tourism and protection of the environment,

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- networking and coordination of various organizations that want to actively and constructively participate in the activities of the association,
- promoting stakeholder networking and cooperation for the joint development and marketing of products and services that contribute to the development and promotion of the area,
- organizing, conducting or participating in the organization of tourist, entertainment, educational and other events,
- protection of the environment, natural and cultural heritage and folk traditions,
- design and publishing of publications and printed materials,
- informing target groups,
- cooperation with related associations and organizations at home and abroad,
- informing members and the public about the problems and progress in the field of operation of the association,
- commitment to respect the ethical and moral principles of the profession in the operation of the association,
- striving for a high professional level of the association's work.

The goals, which need to be included in the annual work program and in the activities of the institution, are related to the following contents:

1. Strategy, brand management, development of tourist products: The Association is the coordinator of strategic decisions and development and management of tourist products and brands.
2. Communication and marketing: design of communication and marketing activities for the promotion of tourism products.
3. Quality management: development of a plan for quality management of created tourist products.
4. Management of the marketing and sales information system: the association will establish a direct or indirect marketing and sales information system in the field of TBR MDD, in accordance with international standards.
5. Valorization program: the association will help to continue, implement and expand the valorization program and try to find additional supporters who will support tourism products and the TBR MDD valorization program with donations and / or services.

### Article 5

Activity codes according to the standard classification of activities that can be performed by the organization:

- S94.999 Activity of not elsewhere classified (n.e.c.) member organizations (orgs.)
- J58.110 Book publishing
- J58.130 Newspaper publishing
- J58.140 Publishing of journals and other periodicals
- J58.190 Other publishing
- J63.120 Operation of web portals
- J63.990 Other information
- N79.110 Travel agency activities
- N82.300 Organization of exhibitions, fairs, meetings
- P85.600 Auxiliary activities for education
- R93.190 Other sporting activities
- R93.299 Other unclassified leisure activities
- I56.104 Catering
- 70.220 Other business and management consultancy activities
- 72.200 Research and experimental development on social sciences and humanities
- 79.120 Tour operator activities
- 79.900 Reservations and other travel-related activities
- 85.520 Education, advanced training and training in the field of culture and the arts
- 85.590 Education, further training and training n.e.c.
- 94.110 Activities of business and employers' membership organizations
- 94.120 Activities of professional associations
- 94.999 Activities of other membership organizations n.e.c.
- 96.090 Other service activities n.e.c.

The main activity of the institute is: S94,999 Activities not elsewhere classified. member org.

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## Article 6

In carrying out its tasks, the Institute also cooperates with other organizations, associations and societies with similar activities in the Republic of Slovenia and abroad.

## Article 7

The activities of the institute may be changed or expanded only with a decision of the council of the institute and the consent of the founders.

The Institute may conclude contracts and perform other legal transactions only within the scope of activities entered in the court register.

The institute may perform a gainful activity if it is intended for the performance of the activity for which the institute was established. The Institute performs gainful activity in accordance with the existing legislation.

The Institute may perform activities for obtaining public and other funds to achieve the goals of the Institute.

## Article 8

In order to achieve its purpose and goals, the Institute may establish a company or entrust the performance of a gainful activity to other persons or companies, on the basis of a lease or related contract in accordance with the law.

### III. NAME AND HEADQUARTERS OF THE INSTITUTE

## Article 9

The name of the organization in Slovene: **ZDRUŽENJE ZA RAZVOJ DESTINACIJE – KOLESARSKA POT EVROPSKA AMAZONKA**  
- **short name – EVROPSKA AMAZONKA ZRD**

The name of the organization in English is: Amazon of Europe Bike Trail Destination Development Organization - abbreviated name - Amazon of Europe DDO.

The headquarters of the organization are in Velika Polana, at the address Velika Polana 111, 9225 Velika Polana.

The organization has its own stamp, signature, and flag. The dimensions of the stamp, distinctive sign and flag shall be determined by the organization's management board.

The use of a stamp in business is not mandatory.

### IV. PUBLICITY OF THE WORK OF THE INSTITUTE

## Article 10

The work of the institute is public.

The Institute ensures the publicity of its work by informing the public about its work, with information on planned activities and with reports on the work performed, in accordance with the regulations on access to public information.

The institute informs its bodies:

- with the right of the members of the bodies to access the minutes of the bodies of the institution,
- at regular meetings of the institution,
- through the media,
- through websites,
- via electronic communication,
- in other ways.

The institute informs the general public:

- through the media,
- through websites,
- organizing round tables and press conferences,
- via electronic communication,

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- in other ways determined by the board of directors of the institution.

The Secretary General of the Institute is responsible for ensuring the publicity of the work of the association.

Notwithstanding the above provisions, information that is protected under the regulations on the protection of personal data and information from the areas of work of the institution where it appears on the market and is a business secret according to the decision of the Secretary General of the institution are not publicly available.

### V. POWERS IN LEGAL TRANSACTIONS AND LIABILITY

#### Article 11

The Institute is an independent legal entity that acts in legal transactions within its activities independently, with all rights and obligations, in its own name and for its own account.

Legal capacity is acquired by the institution by entering the deed of incorporation in the court register.

The Institute is responsible for its obligations by all means at its disposal. The Institute assumes responsibility for the efficient, economical and efficient handling of funds.

The founders are not responsible for the obligations of the institution.

### VI. REPRESENTATION

#### Article 12

The Institute is represented by the Secretary General in relations with the founders, third parties, courts and other institutions. Acting until the appointment of the Secretary-General, the Acting Secretary-General shall be appointed, but for a maximum of one year. In relations with the Secretary General, the Institute is represented by the President of the Council of Founders of the Institute.

The institute may also appoint one procurator - the secretary of the institute. The power of attorney is entered in the court register and can be revoked at any time. The competent body for granting / revoking a power of attorney is the council of founders of the institute.

### VII. BODIES OF THE INSTITUTE

#### Article 13

The bodies of the institute are:

- the council of founders,
- Management board,
- the Secretary - General,
- supervisory board of the institute.

#### VII.1 COUNCIL OF FOUNDERS OF THE INSTITUTE

##### Article 14

All founders or the members of the institute form the council of founders of the institute. Each founder in the council is represented by the legal representatives of the founders or their authorized representatives.

The Board of Founders of the Institute meets at least once a calendar year. Additional meetings may be convened by the board of directors of the institute or the secretary general, or a meeting may be held at the request of at least one third (1/3) of the members of the founding council of the institute.

The meeting of the Board of Founders is convened by the Secretary General of the Institute on behalf of the Management board with a written invitation, directly to each member / founder at least two weeks before the date set for the meeting. The meeting is chaired by the chairman of the board of directors of the institute.

##### Article 15

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The council of founders is quorate if more than half of the members / founders are present. If there is no quorum, the meeting shall be adjourned for 30 minutes. After this time, the quorum shall be:

- if it is established that the members / founders have been invited in accordance with this act,
- if at least one third (1/3) of the members / founders are present.

Voting is generally public, and members / founders can opt by secret ballot by a simple majority. As a rule, elections of bodies are secret and take place after a debate. The decision is valid if it is decided by half of those present.

### Article 16

The council of founders of the institute is chaired by the president of the council or his deputy. The Electoral Assembly of the Council is chaired by a three-member working presidency, which is elected at the beginning of the Assembly.

### Article 17

A correspondence session may also be held on the proposal of the President of the Council. A resolution is adopted if a majority of the members / founders who voted vote in favor.

### Article 18

The Council of Founders of the Institute:

- decides on the agenda of the meeting,
- approves the work program of the institute, the financial plan and the annual report of the institute,
- elects and dismisses the President of the council of founders, the Secretary General and 5 members of the Management Board of the Institute,
- elects and dismisses the Supervisory Board,
- adopts, amends and supplements the act on the establishment of the institute, the statute of the institute and the internal acts of the institute - other acts of the institute,
- decides on appeals of members of the institution against the measures of the bodies of the institution,
- decides on the purchase and sale of real estate.

The founding council of the institute will make all decisions regarding the management of tourist products, such as strategy, brand management, finances, membership in the institute, etc.

### Article 19

The Council of Founders of the Institute also decides:

- on the change of the registered office or business address of the institution,
- on the change of the activity of the institution,
- on the status transformation of the institution,
- on the participation of the institute in other companies, institutes or associations,
- on the additional entry of founders or members,
- on consent to the statute or amendments to the statute,
- on the consent to the dissolution of the institution,
- on the use of the surplus of revenue over expenditure,
- to cover operating deficits,
- on the consent to the granting of guarantees, sureties or any guarantees or loans of the institution,
- on the consent to take out loans from the institution,
- additional funding for the founders in addition to the initial funding,
- consent to the appointment and dismissal of the Secretary-General and / or the Procurator,
- on other issues which they determine themselves.

The founders or members decide on these issues by a 3/4 majority of all founders or members.

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Each founder decides for himself on additional financing of the institute, co-financing of individual projects from the funds of the founders, granting of liability insurance or inclusion in individual projects and withdrawal from the institute. Such a decision cannot be tied to the decisions of the bodies of the institution or to the majority consent of the other founders.

The legal representatives of the founders may authorize a third party to participate in the voting or decision-making. More detailed procedural rules may be laid down in the statute of the institution.

### VII.2 MANAGEMENT BOARD

#### Article 20

The management board shall be an executive body elected for a term of five (5) years, with the possibility of extension, and shall consist of seven members: the president, the secretary and 5 members, representatives of the participating states.

The Chairman and Deputy Chairman of the Management Board shall be elected by the members of the Management Board at their first meeting.

The management board shall perform the following tasks:

- takes care of the implementation of the program of the institute,
- convenes meetings of the council of founders of the institute and prepares the necessary material for them - reports and proposals for resolutions,
- executes the decisions of the council of founders of the institute,
- manages the work of the institution in accordance with the approved work program,
- prepares a proposal for the work program of the institution, the financial plan and the annual plan,
- takes care of the material and financial operations of the institution,
- manages the property of the institution,
- decides on violations in the institution as a body of the first instance,
- decides and determines the amount of the remuneration for the chairman of the board of directors,
- deals with issues in the field of professional work of the institute,
- decides on professional issues within the powers set out in the statute or rules of the institution,
- determines the professional bases for the work programs and development of the institute,
- gives opinions and proposals to the Council of Founders of the Institute and to the Secretary General regarding the organization of work and conditions for the development of activities, research projects,
- monitors and professionally evaluates the activities of the institute,
- performs other tasks specified by law, the founding act, the statute, the rules of the institute or the decisions of the council of founders of the institute.

The management board may establish working and project groups to carry out individual tasks and activities.

It shall meet at least twice a year at the invitation of the president or at the request of at least a quarter of the members. A member who is absent from three consecutive meetings of the management board without good reason shall be deemed to have resigned.

More detailed rules are set out in the statute of the institution.

#### Article 21

A member of the Management Board may be recalled or dismissed early at any time, especially if his actions damage the good reputation, operation of the institution, especially if he does not review and accept properly submitted invitations, does not prepare for meetings or unjustifiably does not attend meetings.

Members of the Board of Directors are not entitled to severance pay or compensation due to early termination of member status. More detailed procedural rules may be laid down in the statute of the institution.

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## VII.3 GENERAL SECRETARY OF THE INSTITUTE

### Article 22

The management body is the general secretary of the institute, who organizes and manages the work and operations of the institute and represents the institute.

The Secretary General is responsible for the legality of the work and the business success of the institution.

The Secretary General of the Institute is appointed and dismissed by the Board of Founders on the basis of a public tender. The invitation to tender for the post of Secretary-General shall be published in the media.

The employment relationship with the Secretary General is concluded for a definite period of time, for the duration of the term of office. The employment contract with the Secretary General is concluded on behalf of the Board of Founders of the Institute by its President.

The term of office of the Secretary-General shall be 5 years, after which he may be reappointed.

A candidate for Secretary-General must meet the following conditions:

- education at least VI. degree
- experience in management positions,
- organization skills,
- other requirements that may be determined by the council of the institution by a resolution having the nature of a general act of the institution.

The Secretary General may be dismissed before the expiration of the term for which he was appointed, in the cases and under the conditions determined by Articles 38 and 39 of the Institutions Act.

### Article 23

The duties of the general secretary are:

- represents the institution,
- implements the business policy of the institute, decisions and measures for the operation of the institute,
- organizes and manages the work process of the institution,
- prepare proposals for acts within the competence of the Board of Founders and the Management Board,
- prepare a proposal for the annual work and financial plan and is responsible for implementation,
- participates in the meetings of the board of founders of the institute and the board of directors,
- concludes employment contracts in the institution,
- exercises the competences and obligations of the employer towards the employees of the institution,
- decides on the use of funds in accordance with the plan,
- prepares and convenes meetings and materials (proposals of resolutions) of the council of founders of the institute on behalf of the board of directors,
- makes proposals and prepares the agenda for the meetings of the council of founders of the institute,
- implements measures for the implementation of resolutions adopted by the founding council of the institute or the board of directors,
- takes care of the management, protection and costs of the institution according to the principle of good stewardship,
- performs other tasks determined by the board of founders of the institute,
- keeps business books, lists of members and other lists and a register of resolutions in accordance with regulations.

More precisely, the obligations of the general secretary may be determined in the statute of the institution and / or in the contract on the performance of the work and tasks of the general secretary.

### Article 24

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The general secretary shall be independent in the performance of his duties. He is responsible for his work to the board of founders of the institute and the board of directors of the institute.

### Article 25

In performing his function, the general secretary has the right and duty to perform tasks from the work area of the Institute and to order tasks.

## VII.4 SUPERVISORY BOARD OF THE INSTITUTE

### Article 26

The Supervisory Board supervises the legality of the work of the institute's bodies and the legality and efficiency of the financial and material operations of the institute.

The Supervisory Board meets at least once a year. It is responsible for its work to the board of founders of the institute.

The Supervisory Board consists of three members appointed for a term of five (5) years. The members of the Supervisory Board elect a chairman from among themselves.

### Article 27

Responsibilities of the Supervisory Board:

- considers the annual report on the financial operations of the association and gives its opinion,
- monitors the operations of the association, identifies possible irregularities and orders their elimination.

## VIII. RESOURCES OF THE INSTITUTE FOR THE ESTABLISHMENT AND START OF WORK OF THE INSTITUTE

### Article 28

The founders provide the financial resources and spatial and infrastructural conditions necessary for the establishment and commencement of the work of the institute.

Funds for the establishment and commencement of the institute or subsequent payments of funds to ensure the operation of the institute are not an obligation to the founders or do not represent a contribution as a basis for the right to a business share but are earmarked assets of the institute and are not paid or termination of the founder.

The Municipality of Velika Polana provides spatial and other infrastructural conditions within the existing facilities for the operation of the institution.

## IX. RESOURCES, METHOD AND CONDITIONS FOR OBTAINING FUNDS FOR THE WORK OF THE INSTITUTION

### Article 29

The Institute obtains funds for the performance of its activities from the following sources:

- funds of the founders,
- public funds,
- by carrying out its own activity,
- from tenders of state and local communities and their bodies and through international tenders,
- subsidies,
- from other sources (grants, donations, sponsorships, gifts...).

Each founder decides for himself on additional financing of the institute, co-financing of individual projects from the funds of the founders, granting of liability insurance or inclusion in individual projects and withdrawal from the institute. Such a decision cannot be tied to the decisions of the bodies of the institution or to the majority consent of the other founders. In



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the event of liquidity problems, the Secretary General is obliged to act in accordance with the applicable Financial Operations Act, insolvency and winding-up proceedings and the Companies Act.

### X. SURPLUS OF REVENUE AND COVERAGE OF DEFICITS OF FUNDS FOR THE WORK OF THE INSTITUTION

#### Article 30

The operation of the institute is not profit-oriented, the surplus of revenues over expenses may be used by the institute only for the performance and development of activities.

#### Article 31

The assets of the institute include cash, securities, receivables, copyrights and other movable and immovable property. The property is the property of the institution.

The institution may manage the property only on the basis of a decision of the council of the institution. The Institute is obliged to provide copyright or intellectual property from individual projects to the founders participating in an individual project. The Institute may not become the owner of facilities or technical devices or facilities in transactions in which an individual or several founders participate as an investor, unless otherwise agreed in a special contract.

#### Article 32

Members or the founders of the institute, members of the bodies, the secretary general, the employees of the institute and other partners must treat the resources of the institute as good stewards.

The Secretary General must envisage and introduce measures to identify and compensate for damage caused to the institution, members, associates or employees.

#### Article 33

The deficit of the necessary funds for work is covered by the institute with its own funds, which it disposes of independently.

The founders are not obliged to provide additional funds for the institution's deficits. In the event of a shortage of funds for the performance of the institution's activities, the council of the institution shall propose a way to cover this deficit. The decision on coverage is made by the founders of the institute, with the founders taking on additional financial obligations for each of them.

In the event of liquidity problems, the Secretary General is obliged to act in accordance with the currently applicable Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act (ZFPPIPP) and the Companies Act (ZGD-1).

### XI. BOOKKEEPING AND FINANCIAL OPERATIONS OF THE INSTITUTION

#### Article 34

The Institute must keep business books and prepare annual reports in accordance with the provisions of the Accounting Act and other regulations, the Code of Accounting Principles and Slovenian Accounting Standards.

#### Article 35

The Secretary General of the Institute is responsible for the correct and legal keeping of accounting records.

### XII. EXCLUSION OF THE FOUNDER OF THE INSTITUTION

#### Article 36

The status of the founder or member of the institution may be revoked from the founder in the following cases:

- if it is the subject of a financial recovery or winding-up procedure,

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- if it does not fulfill the assumed obligations to the institute, founders or members of the institute or other partners in projects,
- if it violates the provisions of the founding contract, the statute and other acts of the institute and the decisions of the bodies of the institute,
- in the case of other acts or omissions that are or could damage the reputation or operations of the institution, members or projects of the institution.

Any founder or member of the institution or body of the institution may initiate the procedure for revoking the status of founder or member. The initiative is addressed to the council of the institution, which decides on this after obtaining the statement of the founder or member and with the consent of the founders referred to in Article 14.

The council of the institution and the founders must consider the proposal within fourteen days of receipt. If the council of the institution finds that a violation has been committed, it shall issue an opinion proposing the revocation of the status of founder or member and proposing to the founders the issuance of consent for exclusion. The exclusion takes effect within the time limit from the decision of the council of the institution. In other cases, it issues an opinion that there are no conditions for revoking the status.

Irrespective of the decision of the institute's council, the founders or members may decide on the expulsion of an individual founder or member with a resolution referred to in Article 10. The founder or member in question and his representatives or representatives in the bodies do not have the right to vote when deciding on exclusion and are not taken into account in the assessment of the quorum. By signing this act, members waive judicial protection against expulsion decisions. In the event of exclusion, the founder or member is not entitled to the calculation or payment of the value of the share. The exclusion of an individual founder or member does not affect the existence of the institution.

### XIII. WITHDRAWAL OF THE FOUNDER OR MEMBER

#### Article 37

Any founder or member of the Institute may at any time voluntarily withdraw with a notarized written statement submitted to the Secretary General.

Withdrawal shall take effect on the date on which the Secretary-General receives the declaration of withdrawal by post or e-mail. The term of office of all members of the council proposed by the founder and members of other bodies of the institution shall cease on the day of the entry into force of the withdrawal, and the withdrawing member shall inform them thereof. Withdrawal of membership and termination of membership in the bodies does not affect the quorum of the decision-making of the founders or bodies.

In the event of withdrawal, the founder or member is not entitled to the calculation or payment of the value of the share. The withdrawal of an individual founder or member does not affect the existence of the institution.

### XIII. SUBSEQUENT ENTRY OF THE NEW FOUNDER OR MEMBER

#### Article 38

Any founders or members must be approved by all founders.

Upon the amendment referred to in the first paragraph of this Article, it is necessary to adopt an amendment to this deed of incorporation.

### XIV. TERMINATION OF THE INSTITUTE

#### Article 39

The institution is terminated in cases and according to the procedure determined by law.

In the event of dissolution of the institute, the funds remaining after the completion of bankruptcy proceedings or liquidation shall be distributed among the founders or members in accordance with the principle of proportional distribution according to the amount of invested funds, unless otherwise determined by the decision of the founders. The founders or members who have resigned or been excluded shall not participate in such distribution of property.

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The institute terminates:

- if a final decision establishes the annulment of an entry in the court register,
- if the institution has been banned from carrying out its activities because it does not meet the conditions for carrying out its activities,
- if the founders or members adopt an act on the dissolution of the institute because the needs or conditions for performing the activity for which the institute was established have ceased,
- if the founders or members adopt an act on the dissolution of the institution because the conditions for the continuation of the activity no longer exist,
- if it merges with another institution or merges with another institution or splits into two or more institutions,
- if the institution is organized as a company,
- in other cases specified by law or the instrument of incorporation.

### XV. GENERAL ACTS OF THE INSTITUTE

#### Article 40

The institute has a statute that regulates:

- organization of the institution,
- bodies of the institution and their competencies,
- the method of decision-making, and
- other issues important for the performance of the institution's activities.

The statute of the institute is adopted by the council of the institute with the consent of the founder.

The institution may also have other general acts.

### XVI. TRANSITIONAL AND FINAL PROVISIONS

#### Article 41

The local and substantively competent court at the seat of the institution shall have jurisdiction to resolve any disputes related to this act.

#### Article 42

The deed of incorporation is adopted when the founders of the institute sign it and certify their signatures on the deed.

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FOUNDERS OF THE INSTITUTE:

Municipality of Velika Polana, Velika Polana 111, 9225 Velika Polana, represented by the mayor mag. Damijan Jaklin

Signature: \_\_\_\_\_, date of signature: \_\_\_\_\_

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Iskriva, Institute for Development of Local Potentials, Reteče 215, 4220 Škofja Loka, represented by the director Urška Dolinar  
Signature: \_\_\_\_\_, date of signature: \_\_\_\_\_