



Jamstveni in preživninski sklad Republike Slovenije
Guarantee and Maintenance Fund of the Republic of Slovenia



IZPLACILA	6.000.000.00
PREŽIVNINE	514.000.000



SKUPAJ

IZPLAČILA

6.000.000.000 SIT

44000 upravičeno

2001

PREŽIVNINE

514.000.000 SIT

2733 otrok

2001

IZPLAČILA

280.000 SIT

3085 upraviče

2001

2651 za

Kazalo

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1.

Beseda direktorice
A word from the director



Spoštovani,

edina stalnica v teh štirih letih delovanja Sklada je neprestana sprememba. Tako se je najprej rodil jamstveni sklad, pričel z delom, postal prepoznaven v prostoru, naši upravičenci so uspešno uveljavili svoje pravice. Nato se je prvemu pridružil še eden - preživninski, tako da smo na Skladu začeli opravljati dve nalogi. Izkušnje prvega so narekovale delo in rast drugega. Ob tem pa smo se neprestano učili, izboljševali, vedno bolj razumeli svoje poslanstvo in rasli skupaj z zadovoljstvom naših upravičencev. Pri tem nas je namreč vseskozi spremljala misel, da so nas ustanovili zato, da je naša storitev v korist drugim.

Naše delo pa ni le izvajanje zakona. Za Skladom stojimo ljudje, katerih prva naloga je opraviti svoje delo dobro. Da bi delali s srcem, moramo razumeti namen, videti učinke, pozitivne dosežke. In te smo videli. To pa nam je dalo polet, elan, da ljubimo svoje delo in razumemo, da delamo predvsem in za ljudi. Mislimo, da smo bili uspešni. V čem? V tem, da nam delo za naše upravičence pomeni izpolnitev tudi našega življenja.

Dear readers,

The only constant in the four years of the Fund's operation is constant change. The Fund was born, created, it started working, became recognisable in its environment, our beneficiaries successfully drew on their rights. Then, another fund was created and we had two. Our experience with the first fund dictated the operation and the growth of the second fund. In doing so we were incessantly learning, improving, better understanding our mission and we grew parallel with the satisfaction of our beneficiaries. The only thing that is important is that our services are intended for others and to the benefit of others - that is what we were created for!

Yet our work is not only the implementation of laws. Standing behind the Fund are people, whose primary task is to complete their work professionally. In order to work with our hearts, we need to understand the purpose, see the results. And results we have seen. That is what gave us the vitality to love our work and to understand that we are working for people in need. We believe that we have been successful. How so? Working for our beneficiaries is fulfilling for our own lives.

Sklad kot tak je v slovenskem prostoru še vedno nova ustanova, čeprav je treba poudariti, da smo v štirih letih s finančnimi sredstvi pomagali približno 47.000 upravičencem. Menimo, da je število ljudi, ki smo jim v resnici pomagali, še veliko večje, saj imajo upravičenci do sredstev iz našega Sklada svoje družine. Prav zato se trudimo, da pomagamo v okviru svojih zakonskih možnosti in pristojnosti: tako nikomur nismo odklonili nasveta, vsem pa tudi pomagamo poiskati pot do uveljavitve pravice, kajti zavedamo se, da smo tukaj zaradi upravičencev. Jamstveni sklad tako omogoča uveljavljanje pravic delavcev v primeru insolventnosti delodajalca, preživninski sklad pa omogoča uveljavljanje pravic otrok v primeru neplačevanja preživnin.

Priznati moram, da včasih zaposleni na Skladu kar ne moremo verjeti stiskam, v katerih so se znašli ljudje, ki pridejo k nam, pa najsi gre za upravičenca na področju delovanja jamstvenega ali pa preživninskega sklada. Lahko si predstavljate, v kakšni nemoči in finančni stiski se znajde družina, kjer sta delo zaradi stečaja izgubila eden ali celo oba od roditeljev in tako ostala brez vseh dohodkov. Ob tem pa moramo vedeti, da se je običajno ta družina zaradi slabega poslovanja podjetja že kar nekaj časa preživljala s skromnimi, nerednimi dohodki. V podobnih razmerah se znajde tudi eden od staršev, ko se po skupni življenjski poti s partnerjem ponavadi po zelo bolečem razhodu znajde sam z otroki, brez finančne pomoči, a z vsemi obveznostmi: z vprašanjem, kako naj omogoči otroku, da se ne bo počutil prikrajšanega pri vsem, česar so deležni njegovi vrstniki, na katerega odgovora ne pozna.

Lahko bi rekla, da se še zdaj, po tolikih letih delovanja Sklada, ob ugodni razrešitvi primera vedno znova razveselimo, saj vemo, da se za vsakim takim primerom skriva bolj ali manj boleča življenjska zgodba. Prav zato naj omenim, da smo samo na področju delovanja jamstvenega sklada

The Fund as such is still a new institution in Slovenia and it has brought in a possibility of exercising new rights. The Guarantee Fund allows for workers to enforce their rights in the case of employer insolvency, while the Maintenance Fund provides for the rights of children in the case of defaulted maintenance payments.

Our resources have helped approximately 47,000 beneficiaries in four years. We believe that the number of people whom we have actually helped is much higher since our Fund's beneficiaries have families. We have never turned away anyone asking our advice and we help everyone on their way to enforcing their rights, for we know that we are here for our beneficiaries.

I must admit that at times those of us working at the Fund find it hard to believe what kind of distress people who come to us are experiencing, be it a beneficiary of the Guarantee or of the Maintenance Fund. You can imagine how disempowered and financially compromised a family becomes when one or even both parents lose their jobs because of bankruptcy. We must know that such a family had usually lived on modest, irregular income for some time because of the employer's poor operations. It is a similar situation that one of the parents finds themselves in after a usually painful separation from their partner and is left alone with the children, without financial assistance but with all the obligations. How can they make sure that their child will not feel left out from everything other children have available?

Let me mention that only in the field of operation of the Guarantee Fund 44,000 beneficiaries were paid a total of almost 6 billion tolar. It should be noted that in 2001 alone we helped 3,085 beneficiaries from 127 companies. Many applicants received the full amount of the entitlement, that is four and a half minimum salaries, averaging to over 280,000 tolar net. Our work in the field of child maintenance replacements was equally successful. The Maintenance Fund paid maintenance replacements to 2,733 children in the total amount of 514 million tolar in 2001.

finančna sredstva izplačali 44.000 upravičencem v skupnem znesku skoraj 6 milijard tolarjev. Pri tem naj še poudarimo, da smo samo v letu 2001 z izplačili pomagali 3.085 upravičencem iz 127 podjetij. Kar precej vlagateljev je prejelo ves pripadajoči znesek, to je štiri in pol minimalne plače oziroma v povprečju približno 280.000 tolarjev neto. Prav tako uspešno je potekalo tudi delo na področju izplačevanja nadomestila preživnine. Preživninski sklad je namreč do konca leta 2001 izplačal nadomestilo preživnine 2.733 otrokom v skupni višini 514 milijonov tolarjev.

Kot sem že rekla, pa nismo zadovoljni samo zaradi finančne pomoči, ki jo nudimo. Tako delavcem omogočimo delno poplačilo terjatev, ki jim pripada na podlagi njihovega minulega dela. Predvsem pa nas radosti občutek, da se je oziroma se bo z našo pomočjo v marsikaterem primeru vprašanje neplačevanja preživnine uredilo na daljši rok z rednim poravnavanjem obveznosti med staršema. V vseh primerih to ni možno, saj je čustvena vrzel med nekdanjima partnerjema pregluboka, vendar pa smo tu mi, da jo zapolnimo. Sklad je namreč kar v nekaj primerih lahko deloval kot posrednik, tako da se je preživninski zavezanec odločil plačevati preživnino. Prav tako je naše delovanje vzpodbudilo zakonite zastopnike, da so pričeli postopek izterjave. Predvsem pa je zdaj že čutiti, da sam obstoj Sklada sporoča zakonitemu zastopniku, da je preživnina pravica otroka.

Zaradi vsega povedanega, se na Skladu trudimo, da se vse zadeve čim bolj tekoče in hitro rešujejo. Tako pa bo tudi v prihodnje!

Direktorica
mag. Lilijana Madjar

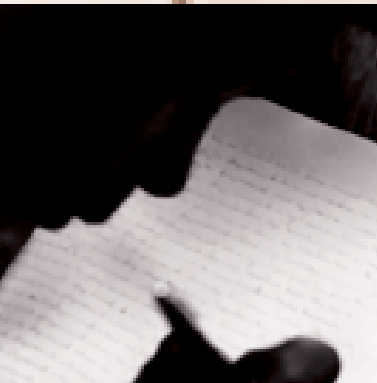


As already mentioned, we are not satisfied just with the financial assistance we are able to offer. We also ensure for the workers a partial recovery of the debt they are owed for their past work. What is most pleasing is that with our assistance many cases of defaulting on maintenance payments will or have been settled for the long-term with regular payments. In quite a few cases the Fund was able to act as an intermediary and the person liable to pay maintenance decided to do so. Also, our activity has prompted legal guardians to initiate recovery proceedings. It can be felt that the mere existence of the Fund is a message to those liable to pay maintenance that maintenance is a child's right.

It is because of all that was said that we at the Fund are striving for all cases to be processed as smoothly and quickly as possible. That is also how it will remain in the future.

Fund Director
Lilijana Madjar, M.Sc.





Svojim upravičencem se posvetimo z nasmehom in prijazno besedo.

Our entitled persons get our attention together with a smile and kind word.



Poglavitni podatki o skladu *Fund highlights*

Na splošno o Skladu

Ime: Javni jamstveni in preživninski sklad Republike Slovenije

Sedež: Kotnikova 28, Ljubljana

Telefon: (01) 4720 990

Posebna brezplačna telefona:

080 11 21 za jamstveni sklad

080 14 14 za preživninski sklad

Telefax: (01) 4720 991

Elektronski naslov: jpsklad@ess.gov.si

Spletni naslov: <http://ciiweb.ijs.si/jps/home.htm>

Organizacija Sklada

Direktorica: mag. Lilijana Madjar

Sekretarka: Ajda Likar

Vodji sektorjev:

Vodja pravno-upravnega sektorja:

Miriam Ravnikar Šurk

Vodja finančno-računovodskega sektorja:

Ana Šparemblek

Organi upravljanja:

Nadzorni svet v sestavi:

Predsednik: dr. Vlado Dimovski

Člani: Goran Bizjak, Nevenka Lekše, Vitko Roš, Nives Vogrič

Število zaposlenih: 20

General

Name: *Guarantee and Maintenance Fund of the Republic of Slovenia*

Head Office: *Kotnikova 28, Ljubljana*

Phone: *+386 1 4720 990*

Special toll-free numbers:

080 11 21 Guarantee Fund

080 14 14 Maintenance Fund

Fax: *+386 1 4720 991*

E-mail: *jpsklad@ess.gov.si*

Website: *<http://ciiweb.ijs.si/jps/home.htm>*

Fund Organisation

Director: *Mrs Lilijana Madjar, M.Sc.*

Fund Secretary: *Mrs Ajda Likar*

Heads of Division:

Head of Legal and Administrative Division:

Miriam Ravnikar Šurk,

Head of Financial and Accounting Division:

Ana Šparemblek

Management Bodies:

Supervisory Board:

Chairman: *Vlado Dimovski, Ph.D.*

Members: *Goran Bizjak, Nevenka Lekše, Vitko Roš, Nives Vogrič*

Number of staff: *20*

Delovanje Sklada

Pravna oblika: javni sklad

Datum ustanovitve: 9. 5. 1997

Ustanovitelj: Republika Slovenija

Začetek delovanja:

03. 11. 1997 jamstveni sklad,

18. 10. 1999 preživninski sklad

Zakonski okvir:

Zakon o Jamstvenem in preživninskem skladu Republike Slovenije (Ur. l. RS, št. 25/97, 10/98, 41/99, 53/99) ter Zakon o javnih skladih (Ur. l. RS, št. 22/2000)

Dejavnost Sklada:

- zagotavljanje pravic delavcev, ki jim je delovno razmerje prenehalo zaradi insolventnosti delodajalca - to pomeni, da je nad njim začel stečajni postopek ali da je sklep o potrditvi prisilne poravnave s finančno reorganizacijo postal pravnomočen (v tem primeru govorimo o delovanju jamstvenega sklada);
- zagotavljanje uveljavljanja pravice do nadomestila preživnine tistim otrokom, ki jim je s pravnomočno sodbo, začasno odredbo oziroma z dogovorom pri centru za socialno delo določena preživnina, vendar je preživninski zavezanci ne plačujejo.

Fund Operations

Legal Status: public fund

Date of establishment: 9 May 1997

Founder: Republic of Slovenia

Start of operations:

03 November 1997, Guarantee Fund,

18 October 1999, Maintenance Fund

Legal base:

Guarantee Fund of the Republic of Slovenia Act (OJ RS, No. 25/97, 10/98, 41/99, 53/99), Public Funds Act (OJ RS No. 22/2000)

Fund's Activity:

- to provide for the rights of workers whose employment was terminated due to employer insolvency. This means that bankruptcy proceedings have been initiated against the employer or that a decision confirming forced settlement through financial reorganisation has become final (this contingency is covered by the Guarantee Fund);
- to provide for the exercise of the right to receive maintenance replacement to those children who have been awarded maintenance by virtue of a final court decision, an injunction or by virtue of an agreement with a Centre for Social Work, but where those liable to pay maintenance are defaulting on the payments.



Vedno si vzamemo čas za nasvet upravičencem.

We always take time to advise the entitled persons.



Delovanje jamstvenega sklada

Guarantee fund operations

Pravico do izplačila prejemkov iz jamstvenega sklada imajo tisti delavci, ki so izgubili delo zaradi začetka stečajnega postopka ali pravnomočnega sklepa o potrditvi prisilne poravnave s finančno reorganizacijo in so bili pred prenehanjem delovnega razmerja pri istem delodajalcu neprekinjeno zaposleni najmanj tri mesece (gre za delovna razmerja za nedoločen ali določen čas, ne pa za dela, ki temeljijo na pogodbi o delu ali kakšni drugi civilno-pravni pogodbi). Poleg tega so delavci morali svoje pravice prijaviti v rokih in na način, določen v Zakonu o prisilni poravnavi, stečaju in likvidaciji oziroma zahtevati varstvo svojih pravic v rokih in na način, določen v predpisih, ki urejajo delovna razmerja. Prav tako je pomembno, da še niso bili poplačani najmanj v višini, ki jo pokriva Sklad.

Delo na področju jamstvenega sklada je v letu 2001 potekalo že četrto leto. Lahko rečemo, da smo na tem področju vzpostavili kontinuiteto dela, saj je v glavnem potekalo nemoteno. Pri tem lahko ugotovimo, da je v zadnjem času prišlo do večje informiranosti upravičencev, ne le o pravicah iz naslova delovanja jamstvenega sklada, temveč tudi glede pravic, ki jih imajo delavci iz stečaja oziroma postopka prisilne poravnave.

The right to receive payments from the Guarantee Fund is enjoyed by those workers who lost their employment as a result of the initiation of bankruptcy proceedings or a final court decision confirming forced settlement through financial reorganisation and who, prior to the termination of employment, were employed with the same employer for at least three months without interruption (this applies to full-time permanent employment, not contract work or other forms of contractual employment). Also, workers have to claim their rights within the deadlines and under the terms set out by the Forced Settlement, Bankruptcy and Liquidations Act and other labour regulations; it is also important that they had not received compensation beyond the minimum amount covered by the Fund.

The Guarantee Fund had been operational for its fourth consecutive year in 2001. Since our activities were conducted without any major difficulties, one could conclude that we have established a continuity of work in this field. It should be noted that the beneficiaries are now also better informed not only about their rights under the Guarantee Fund, but also about the rights of workers in the event of bankruptcy or forced settlement proceedings.

3.1. Prispеле zahteve

Postopek za uveljavitev pravic se vedno začne na zahtevo upravičenca, ki odda Zahtevo za poravnavo obveznosti iz naslova pravic delavcev v primeru insolventnosti delodajalca na območno službo Zavoda Republike Slovenije za zaposlovanje (v nadaljevanju Zavod). Rok za oddajo zahteve je 90 dni od datuma prenehanja delovnega razmerja.

Od 1. januarja do 31. decembra 2001 je Sklad prejel 2.651 zahtev za uveljavljanje pravic zaradi insolventnosti delodajalca. Posredovali so jih zaposleni iz 131 podjetij: največ iz Almire, d. d., Radovljica - 264 zahtev; Tola, d. o. o., Šentjur - 174 zahtev; Agromerkurja, d. o. o., Murska Sobota - 160 zahtev; Siturista, d. o. o., Ljubljana - 145 zahtev; Emone blagovni center, d. d., Ljubljana - 134 zahtev in Indipa, d. d., Murska Sobota - 105 zahtev.

Iz 88 podjetij je Sklad prejel manj kot 10 zahtev na podjetje, kar kaže, da so se v letu 2001 začeli postopki zaradi insolventnosti delodajalca večinoma v manjših podjetjih. V letu 2001 je bilo v Sloveniji 387 podjetij, v katerih je bil začel stečajni postopek.

Dne 08. 07. 1999 je bil objavljen Zakon o finančnem poslovanju podjetij (Ur. l. RS, št. 54/99), ki je med drugim določil tudi postopek izbrisa podjetja iz sodnega registra brez likvidacije. Zakon je določil, da imajo delavci, ki izgubijo službo, ob izbrisu enake pravice kot delavci, ki jim preneha delovno razmerje zaradi začetka stečajnega postopka, vključno s pravicami po Zakonu o jamstvenem skladu Republike Slovenije. Iz podjetij, ki so bila izbrisana iz sodnega registra na podlagi Zakona o finančnem poslovanju podjetij, je v letu 2001 na Sklad prispelo 14 zahtev.

3.1. Applications received

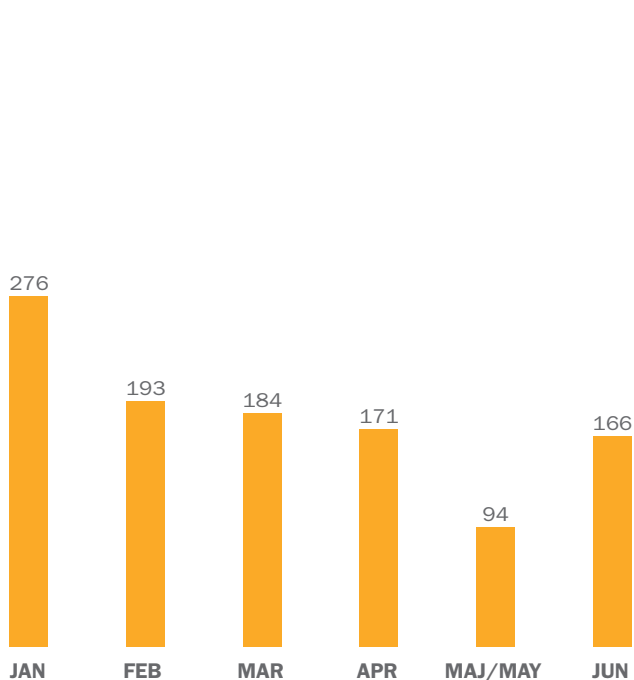
The procedure for enforcing the rights of workers always begins with an application by the beneficiary who files a claim for the compensation of entitlements stemming from workers' rights in the event of employer insolvency with the respective regional office of the National Employment Office. The applications deadline is 90 days following the termination of employment.

The Fund received 2,651 claims for entitlements arising from employer insolvency between 1 January and 31 December 2001. These claims were submitted by employees from 131 different enterprises: most from Almira d.d., Radovljica (264 claims); Tola d.o.o., Šentjur (174 claims); Agromerkur d.o.o., Murska Sobota (160 claims); Siturist d.o.o., Ljubljana (145 claims); Emona blagovni center d.d., Ljubljana (134 claims); and Indip d.d., Murska Sobota (105 claims).

The Fund received less than 10 claims per enterprise from 88 enterprises, showing that in 2001 insolvency proceedings were mainly initiated in smaller companies. In 2001 bankruptcy proceedings were initiated against 387 companies in Slovenia

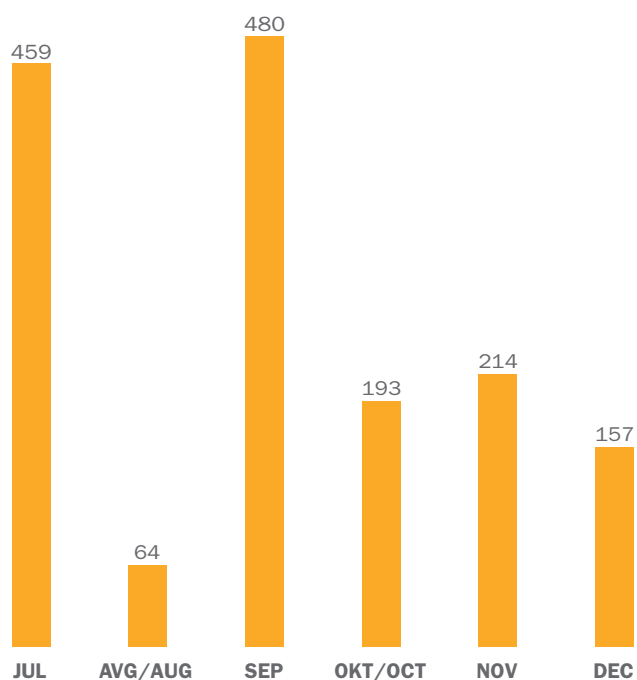
The Act on Financial Transactions of Companies (OJ RS No. 54/99) was published on 8 July 1999, laying down the procedure of deleting a company from the court register without liquidation. The said act stipulates that workers who lose their employment enjoy the same rights upon the deletion of the company as employees, whose employment is terminated due to the initiation of bankruptcy proceedings, including also the rights under the Act on the Guarantee Fund of the Republic of Slovenia. 14 claims from companies that were deleted from the court register pursuant to the Act on Financial Transactions of Companies were submitted to the Fund in 2001.

Število prispelih zahtev po mesecih v letu 2001



Število vloženih zahtev po mesecih kaže velika nihanja. Tako je julija in septembra prispelo kar 37,0 % vseh zahtev v letu 2001, medtem ko je bil maja in avgusta ta delež precej nižji (6,2 %).

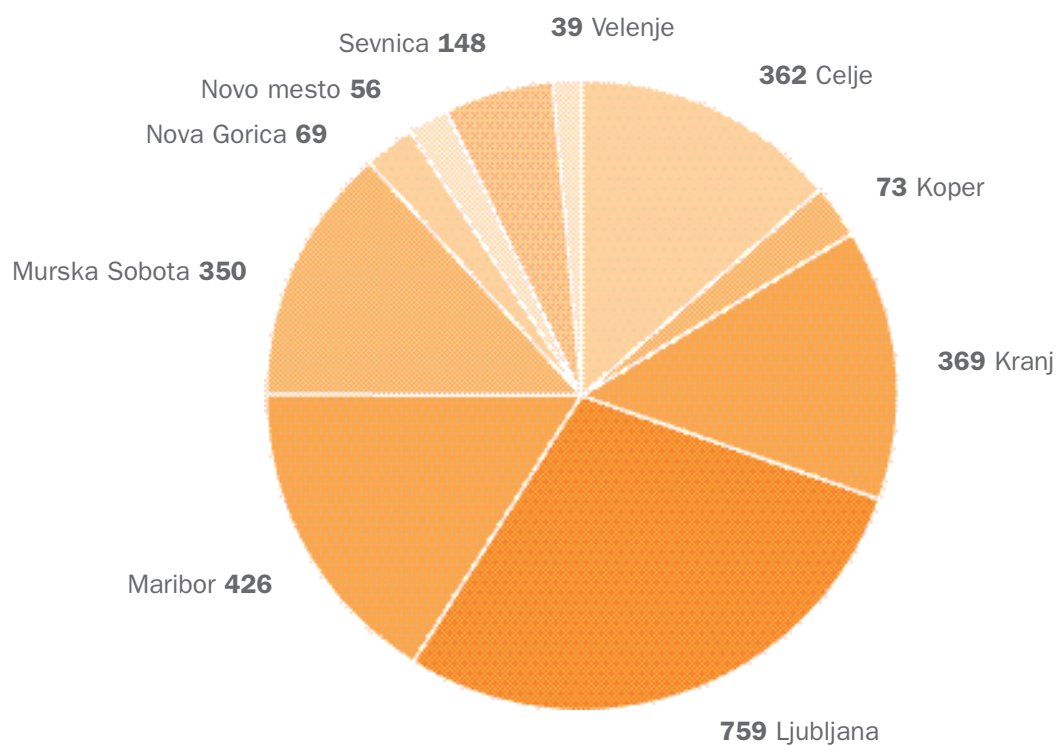
Claims received by month in 2001



The number of claims received by month exhibits great fluctuations. Thus as many as 37.0% of all claims for 2001 were received in July and September, while this share was much lower in May and August, at 6.2%.

**Število prispelih zahtev po območnih službah
Zavoda v letu 2001**

**Claims received by Regional Employment Office
in 2001**



Največ zahtev je prispelo iz območne službe Ljubljana (759) in Maribor (426), in sicer 44,7 % vseh prispelih zahtev, najmanj pa iz Velenja (39 oz. 1,5 %). Območna služba Ljubljana je tako po številu prispelih zahtev že tretje leto na prvem mestu.

Most claims were received from the Ljubljana (759) and Maribor (426) Regional Employment Offices, totalling to 44.7% of all claims received, while least arrived from Velenje (39 or 1.5%). The Ljubljana Regional Employment Office thus remains at the top of the chart for the third consecutive year in terms of claims received.

3.2. Izdane odločbe po območnih službah Zavoda

V letu 2001 je bilo o pravicah iz naslova insolventnosti delodajalca izdanih 3.620 odločb, od tega 3.121 pozitivnih (86,2 %) in 499 odločb (13,8 %), s katerimi je Sklad v celoti ali delno zavrnil oziroma zavrgel zahtevo vlagatelja. Negativne odločbe so bile izdane zaradi neizpolnjevanja pogojev ali poplačila terjatev v stečajnem postopku ali postopku prisilne poravnave. Pritožbo na odločbo je vložilo 83 upravičencev.

Večje število odločenih zahtev od vloženih je posledica tega, da so bile nekatere zahteve posredovane na Sklad konec leta 2000, tako da je bilo o njih mogoče odločiti šele v letu 2001.

Število zahtev, odločb in izplačil po območnih službah Zavoda v letu 2001

Območne službe Zavoda	Vložene zahteve	Pozitivne	Zavrnilne	Zavržbe	Odločene	Izplačane
<i>Regional Empl. Office</i>	<i>Claims filed</i>	<i>Approved</i>	<i>Denied</i>	<i>Rejected</i>	<i>Decisions</i>	<i>Payments</i>
Celje	362	356	25	9	390	354
Koper	73	64	19	9	92	79
Kranj	369	389	11	2	402	367
Ljubljana	759	822	230	15	1067	820
Maribor	426	540	119	15	674	456
Murska Sobota	350	452	6	2	460	513
Nova Gorica	69	65	0	2	67	64
Novo mesto	56	27	9	0	36	27
Sevnica	148	157	17	2	176	157
Velenje	39	249	1	6	256	248
Skupaj/Total	2.651	3.121	437	62	3.620	3.085

3.2. Decisions issued by Regional Employment Office

3,620 decisions relating to entitlements stemming from employer insolvency were issued in 2001, of which 3,121 (86.2%) were approvals and 499 (13.8%) were denials, which fully or in part denied the claim. Negative decisions were issued due to failure to comply with the requirements or due to a payment of the claims in the bankruptcy or forced settlement proceeding. 83 beneficiaries appealed to their decisions.

The fact that the number of decisions issued exceeds the number of claims received results from the fact that certain claims were only received by the Fund at the end of the year 2000 such that a decision could only be issued in 2001.

Number of claims, decisions and payment by Regional Employment Office in 2001

3.3. Izplačila

Upravičenci lahko od jamstvenega sklada prejmejo sredstva v višini največ 4,5 minimalne plače. Ta znesek vključuje neizplačane plače za zadnje tri mesece pred datumom prenehanja delovnega razmerja - v višini največ 3 minimalnih plač, določenih z Zakonom o jamstvenem in preživitinskem skladu RS na dan izdaje odločbe, oziroma neizplačana nadomestila plač za plačane odsotnosti z dela za zadnje tri mesece pred datumom prenehanja delovnega razmerja v višini največ 3 minimalnih plač, nadomestila plače za čas neizrabljenega letnega dopusta, do katerega je delavec upravičen v tekočem koledarskem letu - v višini največ ene polovice minimalne plače in odpravnine v višini in pod pogoji, kot jih za presežne delavce določajo predpisi, ki urejajo delovna razmerja - v višini največ 1 minimalne plače.

Iz naslova pravic delavcev v primeru insolventnosti delodajalca je v letu 2001 izplačila prejelo 3.085 upravičencev iz 127 podjetij v skupni višini 599.473.483 tolarjev. Najvišje izplačilo je bilo marca za 520 upravičencev v skupni višini 121.453.667 tolarjev, povprečno neto izplačilo na upravičenca je znašalo 134.756 tolarjev; najvišje izplačilo je bilo 280.360 tolarjev najnižje pa 3.400 tolarjev neto.

44,5 % vseh izplačil so prejeli upravičenci iz območne službe Ljubljana in Murska Sobota, najmanj pa iz območne službe Novo mesto (1,6 %).

3.3. Payments

Beneficiaries are entitled to payments in the maximum amount of 4.5 minimum salaries. This amount includes unpaid salaries for the last three months prior to the termination of employment - up to 3 minimum salaries as determined by the Act on the Guarantee and Maintenance Fund of the Republic of Slovenia on the day of the issuing of the decision; unpaid salary replacement for paid leave for the last three months prior to the termination of employment - up to 3 minimum salaries; salary replacement for the unused portion of annual leave that the worker was entitled to in the current calendar year - up to one half of the minimum salary; and severance pay in the amount and under the conditions laid down for redundant workers by labour regulations - up to 1 minimum salary.

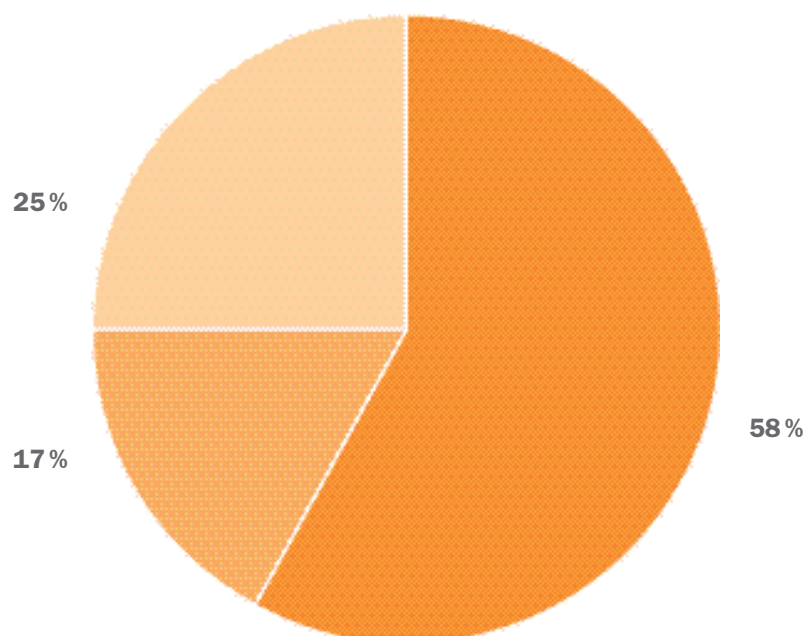
3,085 beneficiaries from 127 companies received payments stemming from the rights of employees in the case of employer insolvency in the total amount of 599,473,483 toolars in 2001. The highest monthly sum of payments (121,453,667 toolars) took place in March for 520 beneficiaries. The average net payment per beneficiary amounted to 134,756 toolars; the highest single payment was 280,360 toolars while the lowest payment amounted to 3,400 toolars net.

44.5% of all payments were received by beneficiaries in the Ljubljana and Murska Sobota regions, while least were received in the Novo Mesto region (1.6%).

Deleži posameznih vrst izplačil v letu 2001

Repartition of individual types of payments in 2001

- Plaća / Salary
- Dopust / Annual leave
- Odpravnina / Severance pay

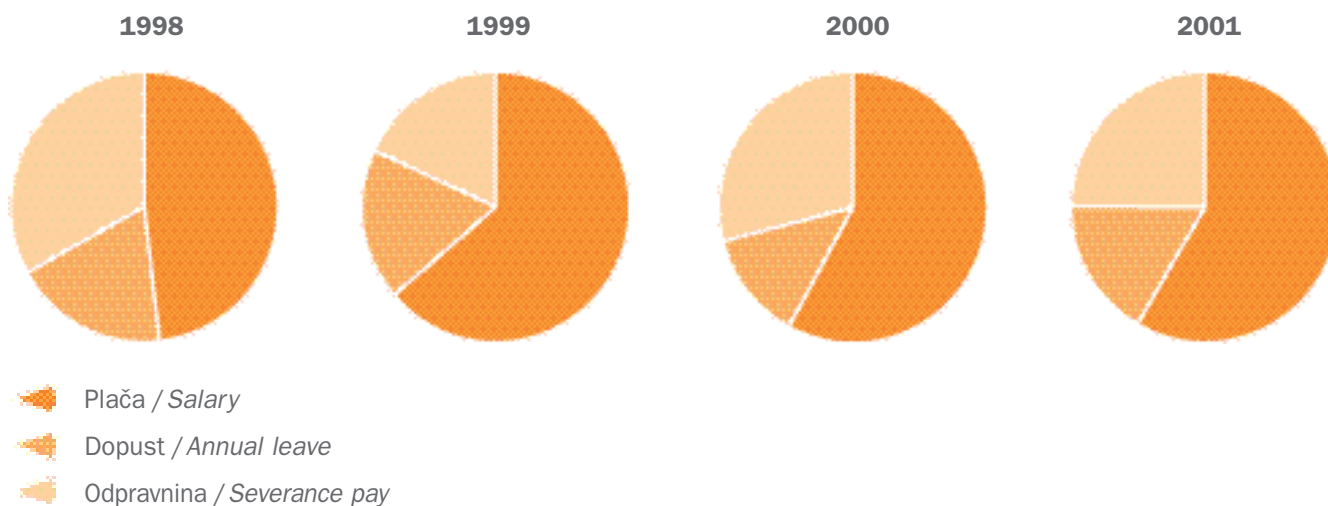


Tudi v letu 2001 je bilo upravičencem še vedno največ finančnih sredstev izplačanih iz naslova neizplačanih plač in neizplačanih nadomestil plače za plačane odsotnosti z dela (58,0 %), 25,0 % je bilo izplačil za neizplačane odpravnine, 17,0 % pa je bilo izplačil za nadomestila plače za čas neizrabljenega letnega dopusta.

In 2001, as in previous years, most payments to beneficiaries were made for unpaid salaries and unpaid salary replacements for paid leave (58%), 25% of payments covered unpaid severance pay, while 17% of all payments covered salary replacements for unused annual leave.

Izplačila glede na pravice - deleži po posameznih letih

Payment by entitlement - repartition by year



Primerjava deležev sredstev, izplačanih za posamezno pravico v letu 2001, z deleži v preteklih letih, nam kaže, da se delež izplačanih sredstev iz naslova neizplačanih plač v zadnjih treh letih giblje okrog 58,0 %; delež sredstev za neizrabljen letni dopust se je v letu 2001 glede na prejšnje leto povečal za 3,0 %, delež izplačanih sredstev za neizplačane odpravnine pa se je v letu 2001 glede na prejšnje leto zmanjšal za 4,0 %.

A comparison of the shares of amounts paid for individual entitlements in 2001 with shares for past years shows that the share of amounts paid for unpaid salaries revolved around 58% for the past three years; the share of funds paid for salary replacement for unused annual leave increased by 3% in 2001 compared to the previous year, while the share of funds paid for unpaid severance pay decreased by 4% in 2001 compared to the previous year.

3.4. Terjatve

V letu 2001 je bilo iz naslova subrogacij (to pomeni, da z izvršitvijo odločb preidejo terjatve delavca do višine, ki jo je Sklad izplačal, na Sklad) Skladu nakazano 421.319.391 tolarjev, kar predstavlja 70,3 % izplačanih sredstev upravičencem. To pomeni, da smo zaradi uspešne izterjave Sklada za ta sredstva razbremenili državni proračun. V letu 2001 je bilo največ vračil decembra (103.668.092 tolarjev).

Vračila iz naslova subrogacij po letih (v SIT)

Leto	Znesek
Year	Amount SIT
1998	50.955.218
1999	638.228.845

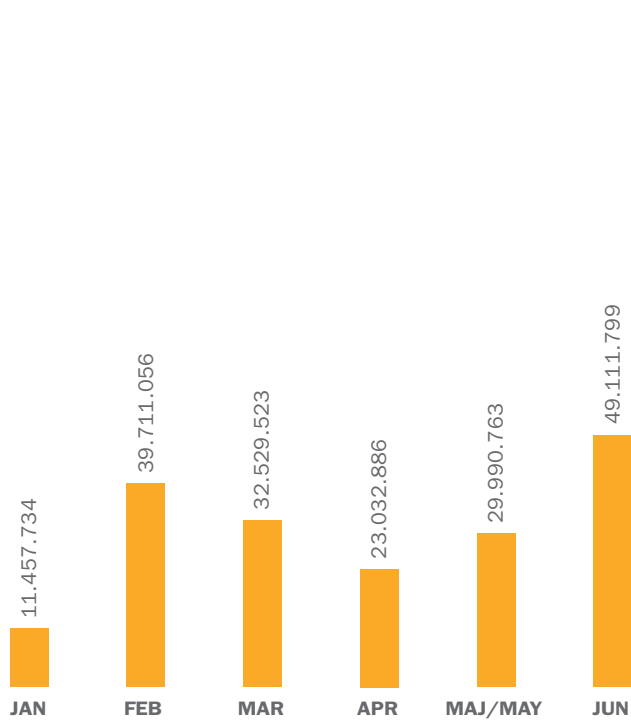
3.4. Debt

In 2001 the fund received 421,319,391 tolar in subrogations (meaning that upon execution of decisions the debt is transferred from the employee to the Fund, up to the amount paid by the Fund), representing 70.3% of the amounts paid to beneficiaries. The Fund's successful debt recovery has thus taken the load off the national budget. Most repayments in 2001 were made in December (103,668,092 tolar).

Reimbursements under subrogation by year (SIT)

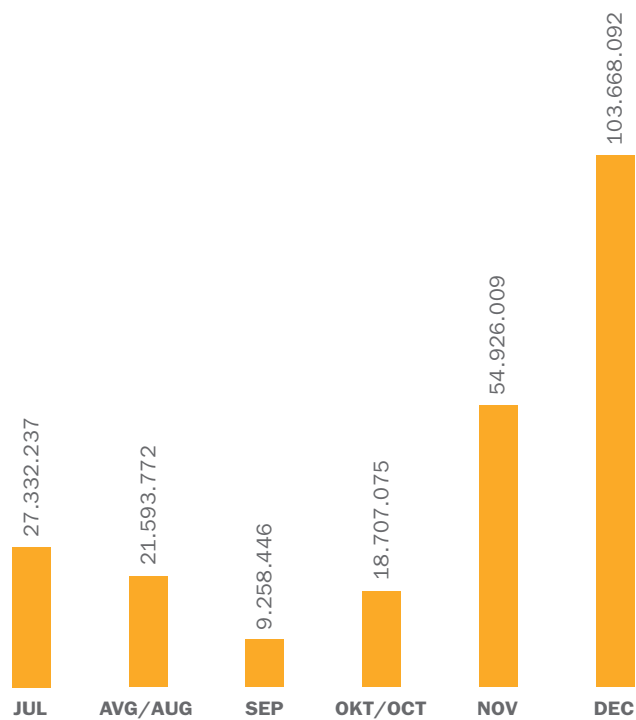
Leto	Znesek
Year	Amount SIT
2000	467.126.216
2001	421.319.392

Mesečna vračila iz naslova subrogacij v letu 2001 (v SIT)



Sklad je na dan 31. 12. 2001 izkazoval terjatve do 289 podjetij v skupnem znesku 1.849.893.344 tolarjev. Višina odprtih terjatev po posameznih podjetjih je zelo različna. Dobro polovico vseh odprtih terjatev predstavlja dolg le 19 podjetij. Sklad skrbno spremlja vsa podjetja s terjatvami.

Monthly reimbursements under subrogation in 2001 (SIT)



As on 31 December 2001 the Fund exhibits receivables against 289 companies in the total amount of 1,849,893,344 tolar. The amount of debt per company varies greatly. The Fund is very carefully monitoring all its debtor companies. Over half of all debt comes from 19 companies.



Tudi pravniki si prizadevamo, da s svojim znanjem pomagamo upravičencem.

Lawyers also strive to help our entitled persons with our professional knowledge.



Delovanje preživninskega sklada

Maintenance fund operations

Preživninski sklad je namenjen upravičencem - to je otrokom, ki jim je s pravnomočno sodbo, začasno odredbo oziroma z dogovorom pri centru za socialno delo določena preživnina, vendar je preživninski zavezanci ne plačujejo. Šteje se, da preživninski zavezanec ne plačuje preživnine, če le-ta ni plačana zaporedoma tri mesece, oziroma jo plačuje neredno - če v zadnjih 12 mesecih skupno dolguje 3 preživnine. Naj poudarimo, da ima pravico do nadomestila preživnine otrok, ki je državljan Republike Slovenije in ima stalno prebivališče v Republiki Sloveniji, oziroma je tujec in ima stalno bivališče v Republiki Sloveniji, če je tako določeno z meddržavnim sporazumom ali ob pogoju vzajemnosti. Prav tako ne sme biti star več kot 18 let, živeti pa mora v družini, kjer dohodek na družinskega člana ne presega 55,0 % povprečne plače v državi v preteklem letu. Poleg tega je za uveljavitev te pravice nujno, da je bil sprožen ustrezen postopek za izterjavo preživnine, pa je bil le-ta neuspešno zaključen oziroma traja že več kot tri mesece.

Sklad je začel zbirati zahteve za uveljavitev nadomestila preživnine 18. oktobra 1999, tako da sta za nami dobri dve leti izkušenj na tem področju. Pri tem že od vsega začetka opazamo precejšnje težave, ki jih imajo upravičenci oziroma njihovi zakoniti zastopniki z izpolnjevanjem zahteve, predvsem pa s posredovanjem potrebnih dokazil. Veliko dela na Skladu je zato potrebnega zaradi pozivanja k dopolnjevanju vlog. Pridobivanje ustreznih listin je včasih dokaj težavno in lahko zelo podaljša postopke za izdajo odločb.

Na Skladu tudi ugotavljamo, da je spremljanje vloge upravičenca na preživninskem skladu kompleksno in dolgotrajno. Ugotavljamo, da je ob eni pozitivni odločbi izdelanih še povprečno osem drugih dokumentov, kar kaže na izredno intenzivnost dela glede na število prejetih zahtev.

The Maintenance Fund is intended for beneficiaries, i.e. children, who have been allocated maintenance by virtue of a final court ruling, an injunction or an agreement with a Centre for Social Work, whereby those liable to pay maintenance are defaulting on their payments. It is deemed that the person liable to pay maintenance has defaulted on the payments if they fail to pay maintenance for three consecutive months or if they pay maintenance irregularly, meaning they owe 3 payments for the past 12 months. It should be noted that those entitled to receive maintenance replacements are children who are citizens of the Republic of Slovenia with permanent residence in the Republic of Slovenia, or foreign citizens with permanent residence in the Republic of Slovenia if so agreed by way of a bilateral agreement or under the condition of reciprocity. Also, the beneficiary may not exceed the age of 18 and must reside in a family where the household income per family member does not exceed 55% of the national average salary for the past year. Also necessary for the claiming of this entitlement is the initiation of maintenance recovery proceedings which were either unsuccessful or are taking more than three months.

The Fund began collecting applications claiming maintenance replacement on 18 October 1999, meaning we have over two years of experience in this field behind us. From the very beginning we have been noticing substantial difficulties that beneficiaries or their legal guardians are having with the filling out of the applications, particularly with the submittal of the required documents. A substantial amount of the Fund's work effort therefore focuses on calling on the claimants to complete their applications. The acquisition of documents is sometimes very difficult and can considerably extend the procedure for issuing a decision.

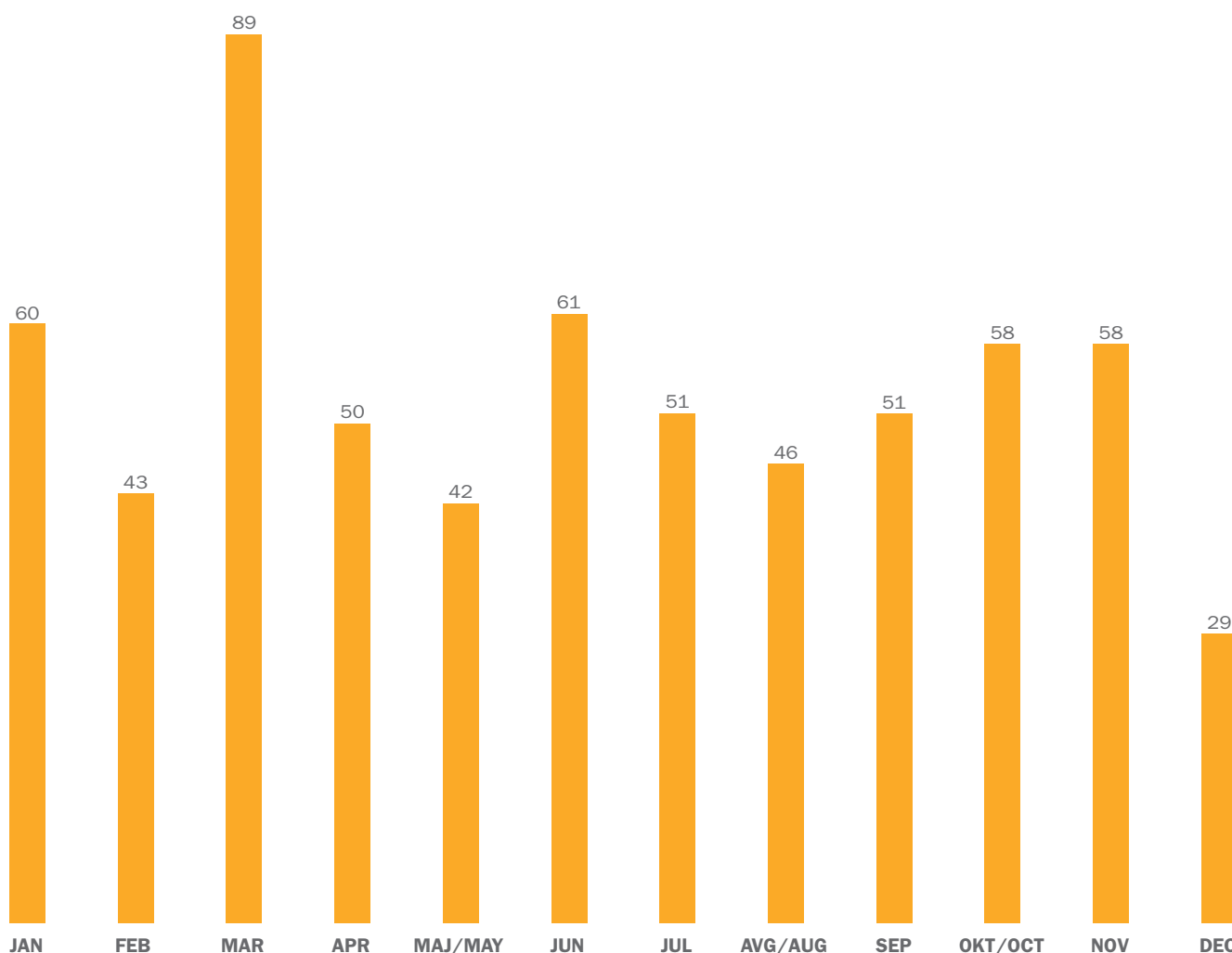
Following up on applications at the Maintenance Fund is a complex and lengthy task. We have found that for every approval issued another eight documents have to be issued on average, demonstrating the high labour intensiveness of these applications.

4.1. Prispеле zahteve

Zahtevo za uveljavitev nadomestila preživnine vlaga upravičenčev zakoniti zastopnik. Pravica do izplačila nadomestila preživnine traja do dopolnjenega 15. leta starosti oziroma do 18. leta, če upravičenec ni v delovnem razmerju. Sklad je v letu 2001 prejel 639 zahtev za 808 otrok, povprečno za 67 otrok na mesec.

Zahteve za uveljavljanje nadomestila preživnine so za največ otrok prispеле na Sklad v prvih treh mesecih delovanja Sklada, in sicer še v letu 1999. V letu 2001 je bilo največ zahtev posredovanih marca.

Število prispelih zahtev po mesecih v letu 2001



4.1. Applications received

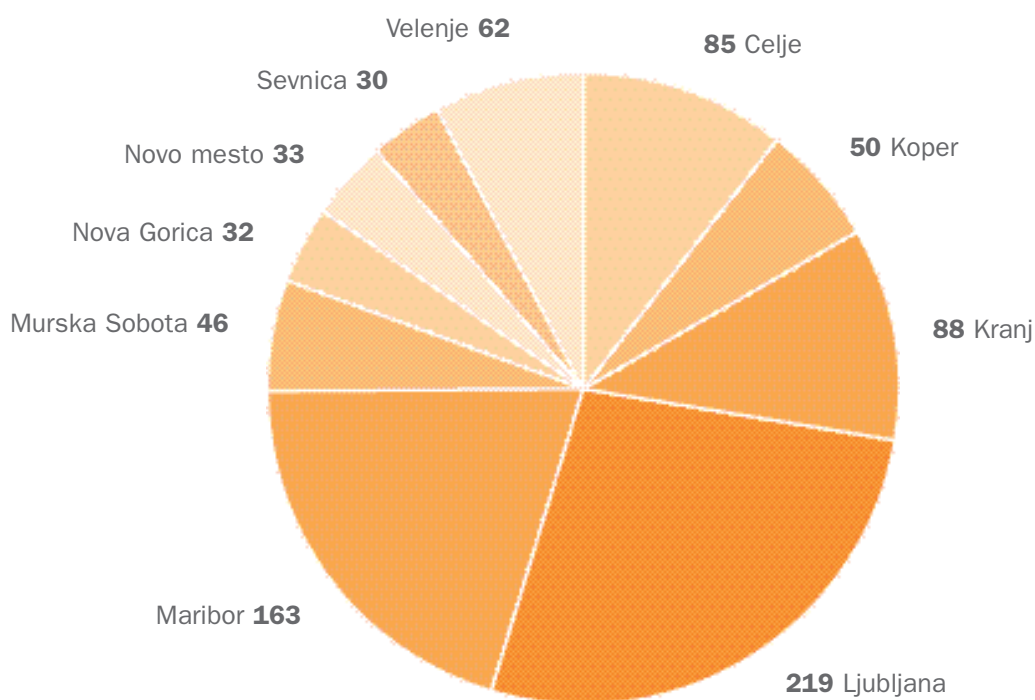
An application claiming entitlement to maintenance replacement is filed by the beneficiary's legal guardian. The entitlement to payment of a maintenance replacement lasts until the beneficiary's age of 15 or, provided the beneficiary is not employed, until the age of 18. In 2001 the Fund received 639 applications for 808 children, with an average of 67 children per month.

Most applications claiming entitlement to maintenance replacement were received by the Fund in the first three months of the Fund's operation in 1999. In 2001 most applications were received in March.

Number of applications received by month in 2001

4.2. Število prispelih zahtev po regijah v letu 2001

4.2. Number of applications by region in 2001



Največ zahtev je v letu 2001 prispelo na Sklad z območja Ljubljane (26,8 %) in Maribora (21,3 %), najmanj z območja Nove Gorice, Novega mesta in Sevnice (po 5,5 %) - podobno kot v letu prej.

Zakoniti zastopniki lahko z eno zahtevo uveljavljajo nadomestilo preživnine za vse otroke enega preživninskega zavezanca. V letu 2001 je bilo povprečno število otrok na vlogo 1,3. Največ zakonitih zastopnikov (75,4 %) je vložilo zahtevo za enega otroka, 21,9 % za dva otroke, 2,2 % za tri otroke, en zakoniti zastopnik pa za pet otrok.






The Fund received most applications in 2001 from the regions of Ljubljana (26.8%) and Maribor (21.3%), while least were received from Nova Gorica, Novo Mesto and Sevnica (5.5% each), similarly to the previous year.

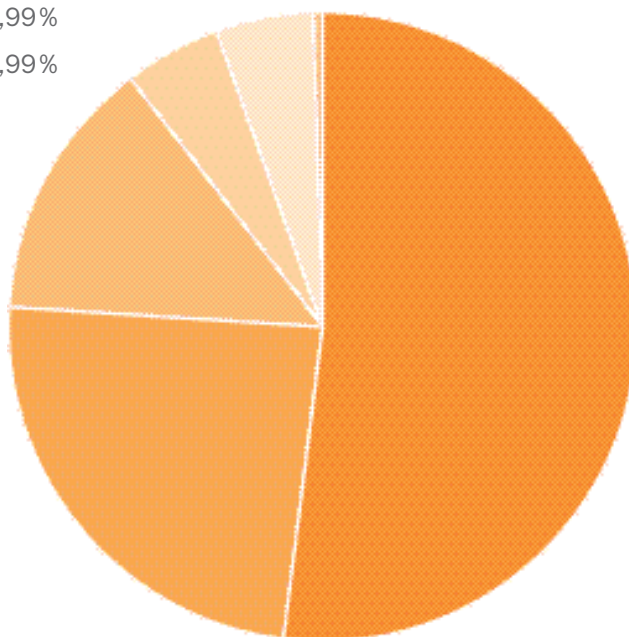
Legal guardians may claim maintenance replacement for all children falling under one person liable to pay maintenance with a single application. In 2001 the average number of children per application was 1.3. Most legal guardians (75.4%) filed applications for one child, 21.9% for two children, 2.2% for three children, and one legal guardian filed for five children.

Iz analize dohodkov družine, v kateri živijo otroci (podatki so pridobljeni iz odločb o otroških dodatkih pristojnih centrov za socialno delo), je razvidno, da največ otrok živi v družinah z izjemno nizkim dohodkom. Največ (47,7 %) jih prihaja iz družin, ki imajo dohodek na družinskega člana pod 25,0 % povprečnega dohodka v Republiki Sloveniji v letu 2000. V družinah, ki imajo povprečen dohodek na družinskega člana pod 35,0 %, živi kar 69,6 % otrok.

An income analysis of the families the children live in (data acquired from the decisions on child benefits issued by competent Centres for Social Work) shows that most children live in extremely low-income families. Most of them (47.7%) come from families with an income per family member of below 25% of the average income in the Republic of Slovenia in the year 2000. As many as 69.9% of the children live in families with an average income per family member below 35% of the average.

Struktura prispelih zahtev v letu 2001 po deležih glede na povprečno plačo v Sloveniji v letu 2000

-  do/up to 24,99%
-  od/from 25% do/to 34,99%
-  od/from 35% do/to 44,99%
-  od/from 45% do/to 54,99%
-  od/from 55% do/to 99,99%
-  nad/over 100%



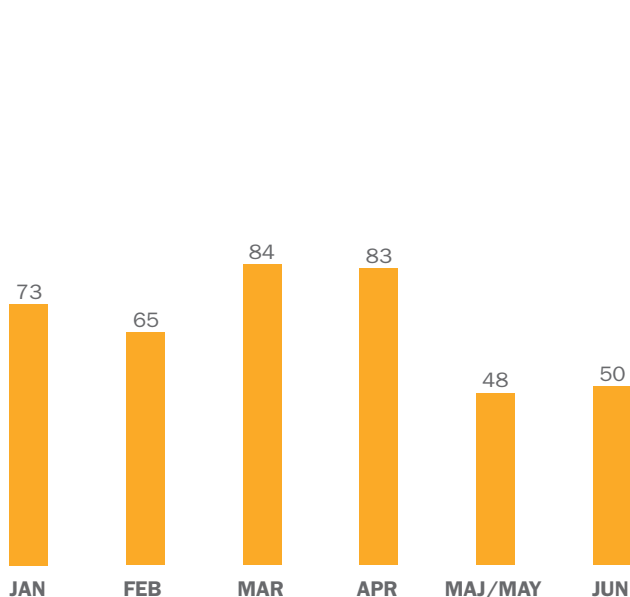
Income per family member by number of applications received in 2001

4.3. Izdane odločbe

V letu 2001 je Sklad izdal 682 odločb za 870 otrok. Pravica do nadomestila preživnine je bila priznana 658 otrokom, 87 otrok pa ni izpolnjevalo pogojev za pridobitev navedene pravice, predvsem zaradi starosti nad 18 let in preseganja 55 % povprečnega dohodka v RS v letu 2000 na družinskega člana. Največ odločb je bilo izdanih za otroke z ljubljanskega in mariborskega, najmanj pa za otroke iz novogoriškega območja. Največ odločb je Sklad izdal julija.

V letu 2001 so za 30 otrok zakoniti zastopniki umaknili zahtevo pred izdajo odločbe Sklada. Razlog je bil v večini primerov ureditev plačevanja preživnine s preživninskim zavezancem. Sklad je v letu 2001 zavrgel nepopolne vloge za 95 otrok, saj zakoniti zastopniki kljub pozivom zahtev niso dopolnili.

Število otrok, za katere je bila izdana odločba, po mesecih v letu 2001

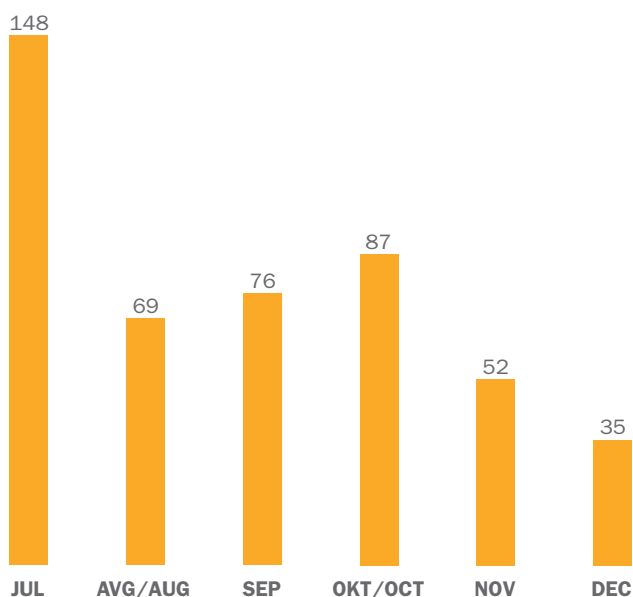


4.3. Decisions issued

In 2001 the Fund issued 682 decisions for 870 children. The entitlement to maintenance replacement was approved for 658 children, while 87 children failed to meet the requirements for the said entitlement, mostly because of exceeding the age of 18 and exceeding the threshold of 55% of the average income per family member in the Republic of Slovenia for 2000. Most decisions were issued for children from the Ljubljana and Maribor regions, while least decisions were issued in the Nova Gorica region. Most decisions were issued in July.

In 2001 legal guardians withdrew their applications for 30 children prior to the Fund issuing a decision. The reason for the most part was a settlement of maintenance payments with the person liable to pay maintenance. In 2001 the Fund rejected as incomplete applications for 95 children as the legal guardians failed to complete the applications despite requests.

Number of children by month for whom a decision was issued in 2001

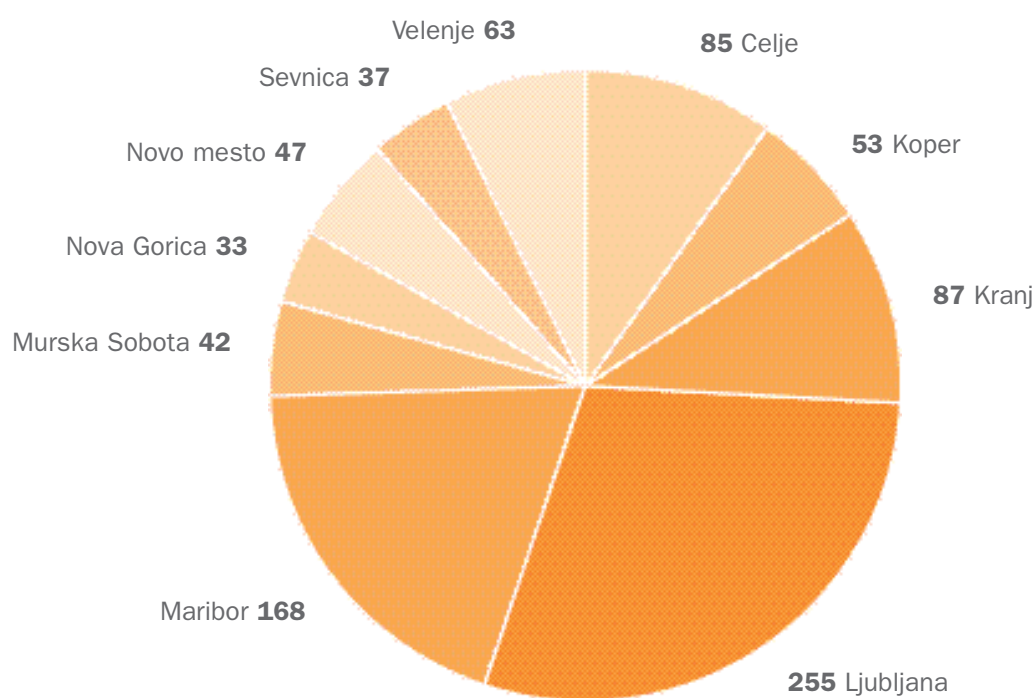


Odločbe so bile izdane sorazmerno z regionalno porazdeljenostjo upravičencev, pri čemer velja pripomniti, da ima odločilno vlogo pri izdaji odločbe datum oddaje zahteve na Sklad.

Decisions were issued relative to the regional distribution of the beneficiaries, whereby one must note that the date of filing the application with the Fund plays the decisive role.

Število otrok, za katere je bila izdana odločba, po regijah v letu 2001

Number of children by region for whom a decision was issued in 2001



Število otrok, za katere je bila vložena zahteva, izdana odločba, izplačano nadomestilo, v letu 2001

Number of children for whom an application was filed, a decision issued and maintenance replacement paid in 2001

Regija	Vložene zahteve	Pozitivne	Odločenih		Umikov pred odločbo	Odločene skupaj	Izplačane
<i>Region</i>	<i>Claims filed</i>	<i>Approved</i>	<i>Denied</i>	<i>Rejected</i>	<i>Withdrawn</i>	<i>Total Decisions</i>	<i>Payments</i>
Celje	85	57	10	11	7	85	242
Koper	50	39	4	8	2	53	120
Kranj	88	69	9	8	1	87	245
Ljubljana	219	191	31	25	8	255	775
Maribor	163	124	19	24	1	168	567
Murska Sobota	46	33	4	5	0	42	134
Nova Gorica	32	26	1	4	2	33	47
Novo mesto	33	38	3	4	2	47	136
Sevnica	30	31	2	2	2	37	109
Velenje	62	50	4	4	5	63	235
Skupaj/Total	808	658	87	95	30	870	2610

4.4. Izplačila

Nadomestilo preživnine se usklajuje skladno z rastjo cen življenjskih potrebščin in plač. Vlada Republike Slovenije je v letu 2001 višine preživnine in višine nadomestil preživnine z rastjo življenjskih stroškov uskladila enkrat. Uskladitev je bila 1. junija 2001, in sicer za 5,9 %. Sklad je o teh spremembah obvestil zakonite zastopnike.

Višina nadomestila je odvisna od otrokove starosti. Na dan 31.12.2001 je za otroka do 6. leta starosti znašala 11.431 tolarjev, za otroka od 6. do 14. leta starosti 12.570 tolarjev, za otroka nad 14. letom starosti pa 14.860 tolarjev.

Na dan 31. decembra 2001 je Sklad izplačal nadomestilo preživnine 2.330 otrokom. Povprečna višina nadomestila preživnine v decembru je bila 12.604 tolarjev. Višina povprečnega izplačila nadomestila preživnine je odvisna od višine določene preživnine za otroke ter strukture upravičencev po starostnih razredih. Kar 35,4 % otrok prejema nadomestilo preživnine nižje od višine, ki mu pripada po našem Zakonu, kar pomeni, da je za te otroke preživnina določena v nižjem znesku, kot znaša nadomestilo preživnine.

Povprečno izplačilo nadomestila preživnine se je v letu 2001 mesečno povečevalo. Povprečna višina izplačanega nadomestila preživnine v letu 2001 je znašala 11.987 tolarjev.

V letu 2001 je Sklad izplačal nadomestila preživnine v skupni višini 308.832.296 tolarjev.

4.4. Payments

The amount of maintenance replacement is adjusted with the consumer price index and the salary index. In 2001 the Government of the Republic of Slovenia adjusted maintenance and maintenance replacement levels with the consumer price index one time. This took place on 1 July 2001, when the amounts were adjusted by 5.9%. The Fund informed the legal guardians of this change.

The amount of maintenance replacement depends on the child's age. As on 31 December 2001 it amounted to 11,431 tolar for a child up to the age of 6; 12,570 tolar for children aged 6 to 14; and 14,860 tolar for children above the age of 14.

As on 31 December 2001 the Fund had paid maintenance replacements for 2,330 children. The average amount of the replacement in December amounted to 12,604 tolar. The amount of the average replacement payment depends on the amount of maintenance allocated to the children and on the age structure of beneficiaries. As many as 35.4% of the children receive maintenance replacement payments below the level they are entitled to by the act governing our Fund, meaning that the maintenance for these children was set at a level lower than the maintenance replacement.

The average maintenance replacement payment in 2001 increased from month to month. The average maintenance replacement payment for 2001 amounted to 11,987 tolar.

In 2001 the Fund made maintenance replacement payments in the total amount of 308,832,296 tolar.

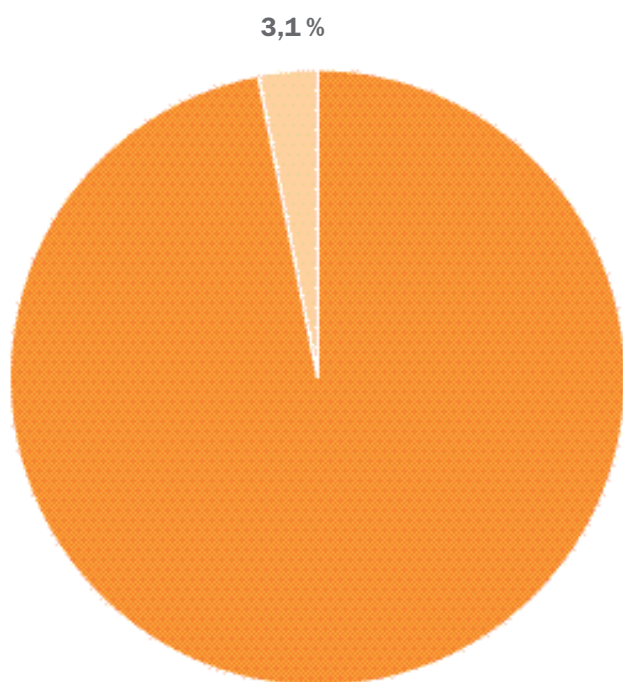
4.5. Terjatve

Z izvršitvijo odločbe, terjatve otroka proti preživninskemu zavezancu preidejo na Sklad do višine izplačanih sredstev. Izterjava terjatev preživninskih zavezancev predstavlja za Sklad obsežno nalogo, kateri je posvečal precej pozornosti tudi v letu 2001. Sklad vodi izvršilne postopke izterjave samostojno in preko pooblaščenih odvetnikov, ki v imenu in za račun Sklada vodijo izvršilne postopke zoper preživninske zavezance. Do konca leta je bilo vrnjeno 24.208.287 tolarjev, to je 7,8 % vseh izplačil (v letu 2000 - 3,1 % vseh izplačil).

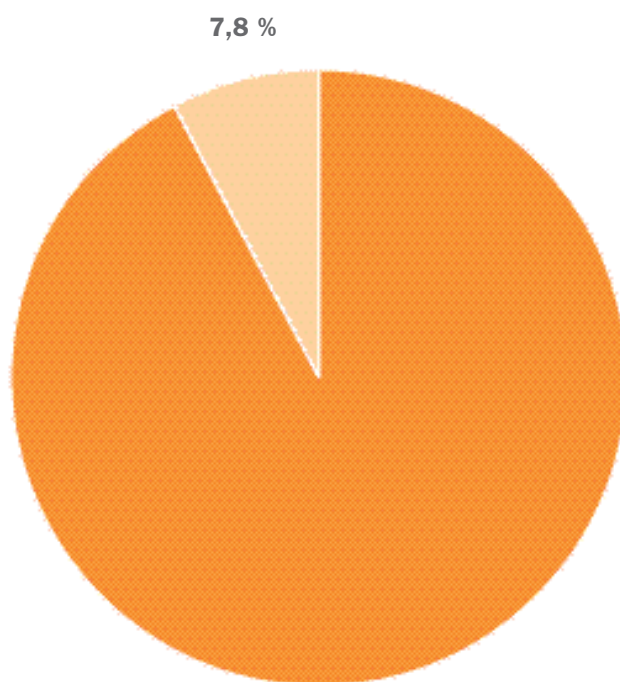
4.5. Debt

With the execution of the Fund's decision the child's claim against the person liable to pay maintenance is transferred to the Fund up to the amount of payments made. The recovery of these payments from the persons liable to pay maintenance thus represents a substantial task. The Fund manages debt recovery proceedings on its own and by way of authorised attorneys who manage debt recovery proceedings against maintenance debtors on behalf of the Fund. By the end of the year 24,208,287 tolar were recovered, i.e. 7.8% of all payments (compare against 3.1% in 2000).

Vračila v letu 2000
Debt recovered in 2000



Vračila v letu 2001
Debt recovered in 2001





Z vedrim razpoloženjem in strokovnim znanjem skrbimo za namensko in zakonito porabo sredstev.

In cheerful atmosphere and with professional knowledge we take care of dedicated and legal expenditure of resources.



Računovodski izkazi

Statements of Accounts

5.1. Bilanca stanja na dan 31. 12. 2001 (v 1000 SIT)

A. SREDSTVA

1. Dolgoročna sredstva in sredstva v upravljanju	36.352
neopredmetena dolgoročna sredstva	44.695
popravek vrednosti neopredmetenih dolgoročnih sredstev	22.268
oprema in druga opredmetena osnovna sredstva	38.368
popravek vrednosti opreme in drugih opredmetenih osnovnih sredstev	24.443
2. Kratkoročna sredstva; razen zalog in aktivne časovne razmejitve	2.737.671
denarna sredstva v blagajni	35
denarna sredstva na računih	255.906
kratkoročne terjatve do kupcev	12.300
kratkoročne terjatve iz financiranja	492
druge kratkoročne terjatve	2.462.353
neplačani odhodki	6.585
AKTIVA SKUPAJ	2.774.023

B. OBVEZNOSTI DO VIROV SREDSTEV

3. Kratkoročne obveznosti in pasivne časovne razmejitve	2.481.730
kratkoročne obveznosti do dobaviteljev	6.530
druge kratkoročne obveznosti iz poslovanja	2.339.383
neplačani prihodki	135.817
4. Lastni viri - sklad namenskega premoženja	292.293
PASIVA SKUPAJ	2.774.023

5.1. Balance sheet as on 31 December 2001 (in SIT 1000)**A. ASSETS**

1. Fixed assets and assets under management	36,352
intangible fixed assets	44,695
value adjustment for intangible fixed assets	22,268
equipment and other tangible fixed assets	38,368
value adjustment for equipment and other tangible fixed assets	24,443
2. Current assets, less inventory and accruals	2,737,671
cash on hand	35
cash in accounts	255,906
short-term receivables from customers	12,300
short-term receivables from financing	492
other short-term receivables	2,462,353
unpaid expenditure	6,585
TOTAL ASSETS	2,774,023

B. LIABILITIES

3. Short-term liabilities and deferrals	2,481,730
short-term liabilities to suppliers	6,530
other short-term operating liabilities	2,339,383
unpaid revenues	135,817
4. Own resources - dedicated funds	292,293
TOTAL LIABILITIES	2,774,023

5.2. Izkaz uspeha za leto 2001

v 1000 SIT

Prihodki iz Proračuna RS	683.707
Prihodki iz naslova subrogacij	445.936
Drugi prihodki	14.310
PRIHODKI SKUPAJ	1.143.953

Izplačila upravičencem	908.306
Dejavnost Sklada	178.199
ODHODKI SKUPAJ	1.086.505

PRESEŽEK 57.448

5.2. Income statement for 2001

in SIT 1000s

Revenues from National Budget	683,707
Revenues from subrogations	445,936
Other revenues	14,310
TOTAL REVENUES	1,143,953

Payments to beneficiaries	908,306
Fund overhead	178,199
TOTAL EXPENDITURES	1,086,505

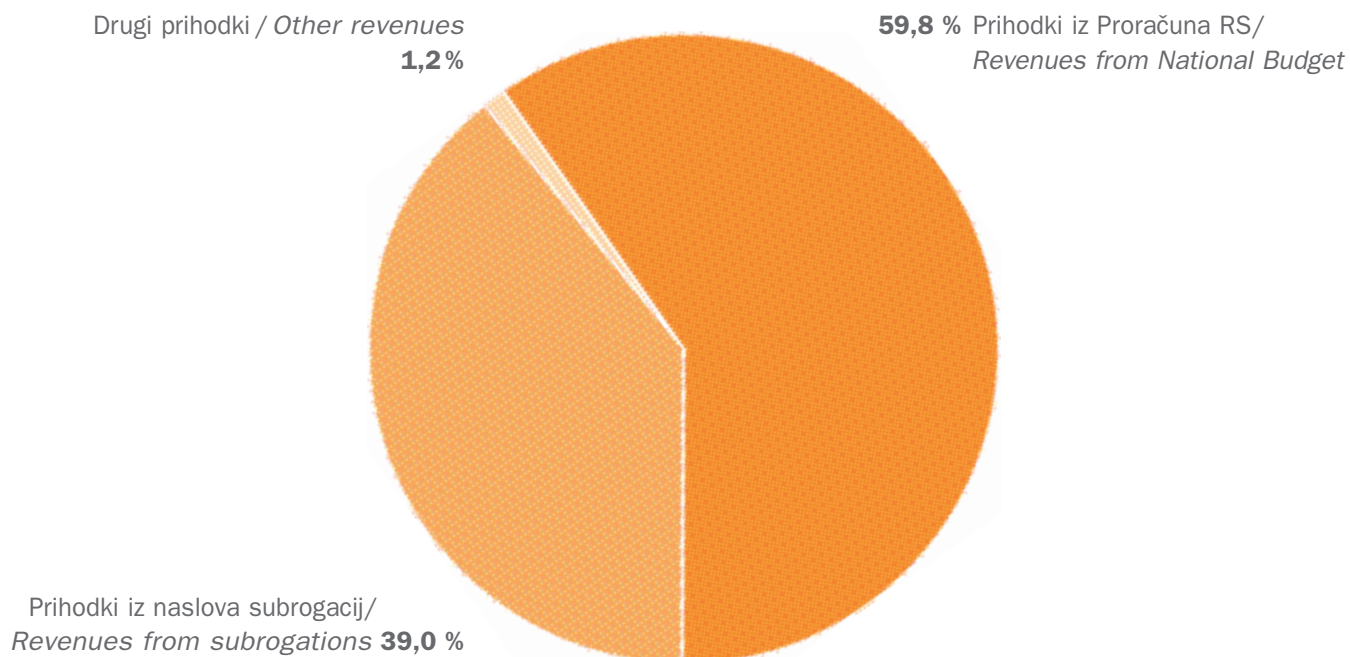
SURPLUS 57,448

5.3. Prihodki in odhodki

5. 3. Revenues and expenditures

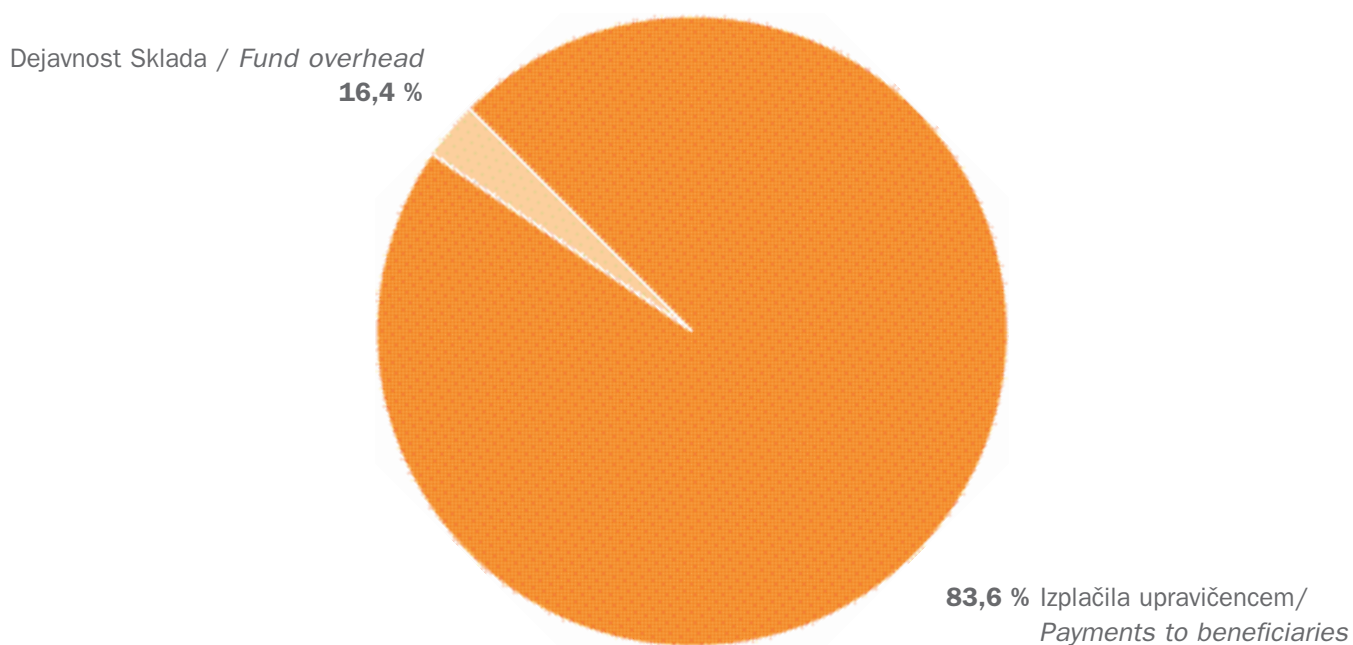
Prihodki Sklada v letu 2001

Fund revenues in 2001



Odhodki Sklada v letu 2001

Fund expenditures in 2001



5.4. Revidiranje sklada

V letu 2001 je neodvisna revizijska hiša revidirala poslovanje Sklada za poslovno leto 2000. V poročilu je podala mnenje, da je bila poraba sredstev Sklada zakonita, namenska, gospodarna in učinkovita.

5.4. Auditing

An independent audit organisation audited the Fund's operations for the 2000 business year. The opinion in the report states that the Fund's expenditures were legal, dedicated, economic and efficient.

Izdal: Javni jamstveni in preživninski sklad Republike Slovenije, maj 2002
Za izdajatelja: mag. Lilijana Madjar
Produkcija: MIT marketing, Maja Koren
Kreativna zasnova: Marko Korač, Maja Koren in Borut Kuk
Oblikovanje: Borut Kuk
Fotografija: Janez Vlachy
Priprava za tisk in tisk: Premiere

Uporaba in objava podatkov je dovoljena le z navedbo virov.

*Published by Javni jamstveni in preživninski sklad Republike Slovenije,
Public Guarantee and Maintenance Fund of the Republic of Slovenia, may 2002
On behalf of the publisher: Lilijana Madjar, M.Sc.
Produced by MIT marketing, Maja Koren
AD: Marko Korač, Maja Koren & Borut Kuk
Designed by Borut Kuk
Photography by Janez Vlachy
Prepress & printed by Premiere*

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