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Youth Work Act

Passed 17.06.2010
RT I 2010, 44, 262
Entry into force 01.09.2010

Amended by the following acts

Passed	Published	Entry into force
17.06.2010	RT I 2010, 44, 262	01.01.2011, enters into force on the date which has been determined in the Decision of the Council of the European Union regarding the abrogation of the derogation established in respect of the Republic of Estonia on the basis provided for in Article 140 (2) of the Treaty on the Functioning of the European Union, Council Decision 2010/416/EU of 13 July 2010 (OJ L 196, 28.07.2010, p. 24 - 26).
23.02.2011	RT I, 25.03.2011, 1	01.01.2014; date of entry into force amended 01.07.2014 [RT I, 22.12.2013, 1]
21.11.2013	RT I, 13.12.2013, 5	23.12.2013
05.12.2013	RT I, 22.12.2013, 1	01.01.2014
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
05.06.2014	RT I, 29.06.2014, 1	01.07.2014
19.06.2014	RT I, 12.07.2014, 1	01.01.2015
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, official titles of ministers replaced on the basis of subsection 107 ³ (4) of the Government of the Republic Act.
09.12.2015	RT I, 30.12.2015, 1	18.01.2016

Chapter 1 GENERAL PROVISIONS

§ 1. Scope of application of Act

This Act provides the legal bases for the organisation of youth work.

§ 2. Application of Administrative Procedure Act

The provisions of the Administrative Procedure Act apply to administrative proceedings prescribed in this Act, taking account of the specifications provided for in this Act.

§ 3. Definitions

In this Act, the following definitions are used:

- 1) a young person is a natural person between 7 and 26 years of age;

2) a youth work agency is a state agency administered by a ministry, a rural municipality or city administrative agency or an institution administered by a rural municipality or city administrative agency, a legal person in private law, or an undertaking of a legal person in private law the main activity of which is the organisation of youth work;

3) a youth work association is a non-profit association, an union of non-profit associations or a foundation the objective of which is the integration of youth workers, youth work agencies or other exercisers and organisers of youth work and representation of their interests;

4) a permanent youth camp (hereinafter *youth camp*) is a camp of a person entered in the commercial register, the non-profit associations and foundations register or the register of religious associations, or a camp of an agency entered in state register of state and local government agencies, or a camp of a legal person in public law (hereinafter *youth camp manager*) which is conducted on the basis of youth camp statutes and activity licence issued by the minister responsible for the area and the duration of one camp period of which is at least six twenty-four hour periods and which operates more than sixty days in a year;

5) a youth project camp (hereinafter *project camp*) is a camp of a person entered in the commercial register, the non-profit associations and foundations register or the register of religious associations, or a camp of an agency entered in state register of state and local government agencies, or a camp of a legal person in public law (hereinafter *project camp manager*) which is conducted with the permission of rural municipality or city government and the duration of one camp period of which is at least six twenty-four hour periods and which operates up to sixty days in a year;

6) a youth council is an advisory participation council consisting of young people which operates at rural municipality or city council;

7) a youth programme is an action plan in the field of youth work together with the forecast of value and the duration of which exceeds one year;

8) a youth project is an action plan in the field of youth work together with a budget and the duration of which is up to one year;

9) a youth association is a non-profit association at least two thirds of the members of which are young people and the objective of which is the organisation and performance of youth work;

10) a union of youth associations is a non-profit association the members of which are youth associations.

§ 4. Youth work

(1) Youth work is the creation of conditions to promote the diverse development of young persons which enable them to be active outside their families, formal education acquired within the adult education system, and work on the basis of their free will.

(2) The organisation of youth work proceeds from the following principles:

1) youth work is performed for the benefit of and together with young people by involving them in the decision making process;

2) upon creating the conditions for the acquisition of knowledge and skills the needs and interests of young people shall be proceeded from;

3) youth work is based on the participation and free will of young people;

4) youth work supports the initiative of young people;

5) youth work proceeds from the principle of equal treatment, tolerance and partnership.

§ 5. Restriction on working with young people

[Repealed - RT I, 13.12.2013, 5 - entry into force 23.12.2013]

Chapter 2 ORGANISATION OF YOUTH WORK

§ 6. Functions of the Ministry of Education and Research

The Ministry of Education and Research shall:

1) prepare the national programmes of youth work;

2) support the activities of youth associations and allocate annual grants thereto;

3) exercise state and administrative supervision in the field of youth work within the competence provided in the legislation and monitor the purposeful use of funds allocated for youth work from the state budget;

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

4) perform other functions provided by law.

§ 7. Functions of county governors

County governors shall:

1) co-ordinate the implementation of national youth work programmes in the county by entering into agreements with legal or natural persons for the implementation thereof if necessary;

2) analyse youth work and the organisation of youth work in the county and prepare the corresponding overviews;

- 3) exercise state and administrative supervision in the field of youth work at the assignment of the minister responsible for the area within the competence provided in the legislation and monitor the purposeful use of funds allocated for youth work from the state budget;
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]
- 4) perform other functions provided by law.

§ 8. Functions of rural municipality and city councils

Rural municipality and city councils shall:

- 1) determine the priorities of youth work in their administrative territories and set out the tasks necessary for the achievement thereof in the rural municipality or city development plans;
- 2) approve the support principles of youth associations, youth programmes and youth projects from the rural municipality or city budget, the procedure and conditions for applying for and payment of support, providing the terms and conditions of cost-sharing for the grant of support if necessary as well as the application forms of support and the procedure for reporting the use of support;
- 3) support the youth programmes and youth projects of youth associations operating in the administrative territory of the given rural municipality or city in case of existing budget funds;
- 4) consult with the youth council, in case it exists, upon planning, implementation and assessment of youth work;
- 5) approve the conditions and procedure for the conduct of project camp in the administrative territory of the given rural municipality or city and the procedure for issue of the permit for the conduct of project camp;
- 6) perform other functions connected with the organisation of youth work in their administrative territories.

§ 9. Youth council

(1) Youth council can be established at a rural municipality or city council. The objective of youth council shall be the discussion of issues concerning young people which are in the competence of the rural municipality or city and the making of proposals to the rural municipality or city council and rural municipality or city government in connection therewith proceeding from the needs and interests of young people.

(2) Youth council shall be elected democratically by the young people of the rural municipality or city pursuant to the procedure established by the rural municipality or city council.

(3) The bases for the activities of youth council shall be established by the rural municipality or city council.

(4) The rural municipality or city shall support the sustainable activities of the youth council in their administrative territory pursuant to the procedure established by the rural municipality or city council.

(5) Upon the request of the youth council the rural municipality or city council shall forward the drafts of their hearing agendas and draft legislations regarding young people to the youth council and before the taking place of the rural municipality or city council hearings.

§ 10. Activity licence obligation

(1) An activity licence is required for the organisation of youth and project camps.

(2) The activity licence of a project camp is for a specified term and is valid for up to 60 days.
[RT I, 30.12.2015, 1 - entry into force 18.01.2016]

§ 10¹. Requirements for youth and project camp manager

(1) A youth camp manager shall offer young people the service of diverse recreational holidays promoting their development in a consistent manner.

(2) A project camp manager shall offer young people the service of recreational holidays promoting their development mainly in one field of youth work.

(3) A youth camp shall correspond to the health protection requirements established on the basis of Public Health Act. A young person shall not be admitted to youth camp if the young person's state of health may endanger his or her health or the health of other people considering the orientation of the camp.
[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended - RT I, 22.12.2013, 1)]

§ 10². Application for activity licence

(1) An application for a youth camp activity licence shall be resolved by the Ministry of Education and Research or an agency authorised by the minister responsible for the area. An application for a youth camp activity licence shall be submitted through the Estonian Education Information System at least three months

before the commencement of activities of a youth camp. The data on the youth camp activity licence shall be entered in the Estonian Education Information System.

[RT I, 30.12.2015, 1 - entry into force 18.01.2016]

(2) An application for a project camp activity licence shall be resolved by the rural municipality or city government in the administrative territory of which the conduct of a project camp is applied for. An application for a project camp activity licence shall be submitted through the Estonian Education Information System at least two months before the commencement of activities of a project camp. The data on the project camp activity licence shall be entered in the Estonian Education Information System.

[RT I, 30.12.2015, 1 - entry into force 18.01.2016]

(3) In addition to the provisions of the General Part of the Economic Activities Code Act, an application for a youth and project camp activity licence shall set out the following data:

- 1) in case of a youth camp the statutes thereof;
- 2) the written consents of the director and counsellors of the youth and project camp complying with the qualification requirements and documents which allow to assess their compliance with the requirements;
- 3) information on the premises (buildings), furnishings and area necessary for the activities of the youth and project camp, and information concerning the compliance thereof with health protection, fire safety and rescue requirements;
- 4) in case of a youth camp an activity plan for camp periods including a list of activities which promote the development of young people;
- 5) in case of a project camp the name, personal identification code and place of residence of the person responsible for organising the project camp and the exact location in which the project camp is conducted;
- 6) in case of a project camp the objective and schedule thereof.

(4) The statutes of youth camp shall be approved by the youth camp manager and it shall set out:

- 1) the name of the youth camp;
- 2) the location of the youth camp;
- 3) the objective and tasks of the activity of youth camp;
- 4) the structure of the youth camp;
- 5) the competence and functions of the director and counsellors of the youth camp;
- 6) the rights and obligations of young people participating in the youth camp;
- 7) the conditions for admission of a young person to the youth camp;
- 8) the language of the youth camp;
- 9) the bases for calculating the rate of the fee for participation in the youth camp;
- 10) the bases for financing the youth camp;
- 11) the procedure for termination of the activities of the youth camp.

(5) The qualification requirements for the directors and counsellors of youth and project camps and the procedure for establishing the compliance therewith shall be approved by the minister responsible for the area.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended - RT I, 22.12.2013, 1)]

(6) A person having acquired foreign professional qualification may also work as the director or counsellor of a youth or project camp provided that his or her professional qualification has been recognised according to the Recognition of Foreign Professional Qualifications Act. The competent authority provided for in subsection 7 (2) of the Recognition of Foreign Professional Qualifications Act is the Estonian Youth Work Centre.

[RT I, 30.12.2015, 1 - entry into force 18.01.2016]

§ 10³. Object of inspection of activity licence

An activity licence shall be granted if:

- 1) the director and counsellors of a youth and project camp comply with the qualification requirements and the requirements provided for in § 51¹ of the Republic of Estonia Child Protection Act;
- 2) the statutes of a youth camp comply with the requirements provided for in this Act;
- 3) the youth and project camp has the premises (buildings), furnishings and area necessary for the activities of the youth and project camp, and which comply with health protection, fire safety and rescue requirements;
- 4) the youth and project camp complies with the requirements established in this Act for the conduct of youth and project camp;
- 5) the youth and project camp has complied with the requirements for processing sensitive personal data arising from the Personal Data Protection Act.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended - RT I, 22.12.2013, 1)]

§ 11. Operation of project camps

[Repealed - RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended - RT I, 22.12.2013, 1)]

§ 12. State or administrative supervision over activities of youth camps

(1) State or administrative supervision over the educational activities of youth camps shall be exercised by the Ministry of Education and Research or the county governor of the location of the youth camp at the assignment of the minister responsible for the area by appointing the officials exercising state or administrative supervision.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1¹) For the execution of state supervision provided for in this section, the law enforcement agency may apply the special state supervision measures provided for in §§ 30 and 50 of the Law Enforcement Act on the basis of and pursuant to the procedure provided for in the Law Enforcement Act.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(2) Officials exercising administrative supervision shall have the right to visit the youth camp by informing the youth camp manager thereof in advance, inspect the documents of the youth camp and receive information concerning the application of legislation.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3) [Repealed - RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(4) Upon failure to observe the precept the official exercising state supervision shall have the right to impose penalty payment pursuant to the procedure specified in Substitutive Enforcement and Penalty Payment Act. Maximum penalty payment shall be 640 euros.

[RT I 2010, 44, 262 - entry into force 01.01.2011]

§ 13. State or administrative supervision over project camps

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1) Rural municipality or city government shall exercise state or administrative supervision over compliance with the conditions and procedure for operation of project camp.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1¹) For the execution of state supervision provided for in this section, the law enforcement agency may apply the special state supervision measures provided for in §§ 30 and 50 of the Law Enforcement Act on the basis of and pursuant to the procedure provided for in the Law Enforcement Act.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(2) [Repealed - RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3) Upon failure to observe the precept the official exercising supervision shall have the right to impose penalty payment pursuant to the procedure specified in Substitutive Enforcement and Penalty Payment Act. Maximum penalty payment shall be 640 euros.

[RT I 2010, 44, 262 - entry into force 01.01.2011]

§ 13¹. Special state supervision measures

For the execution of state supervision provided for in this Act, the law enforcement agency may apply the special state supervision measures provided for in §§ 30 and 50 of the Law Enforcement Act on the basis of and pursuant to the procedure provided for in the Law Enforcement Act.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

Chapter 3 FINANCING OF YOUTH WORK

§ 14. Financing from state budget

(1) The following grants shall be prescribed in the state budget within the budget of the Ministry of Education and Research:

- 1) youth programmes and youth projects;
- 2) national programmes for development of youth work;
- 3) youth research;
- 4) youth work agencies;
- 5) international co-operation in youth work;
- 6) training for youth workers;
- 7) youth work associations;
- 8) activities of youth associations (annual grant).

(2) The conditions and procedure for applying for and allocating grants for youth programmes, youth projects, national programmes for the development of youth work, youth research and youth work agencies shall be approved by a regulation of the minister responsible for the area.

§ 15. Annual grants for youth associations

(1) The objective of annual grants for youth associations shall be the increase of the capability of youth associations and the achievement of national objectives of youth policy.

(2) The following shall have the right to apply for an annual grant for youth association:

- 1) youth association the membership of which includes at least 500 young persons and the local units of which operate in the territory of at least one third of the counties;
- 2) union of youth associations the members of which include at least 30 youth associations;
- 3) school student councils' union if it aggregates at least one third of Estonian basic school, upper secondary school or vocational educational institution students through its members;
- 4) federation of student unions the members of which include at least one half of all student unions of educational institutions implementing higher education level studies.

(3) The allocation of annual grants to youth associations, refusal to allocate annual grants and the amount thereof shall be decided by the minister responsible for the area, taking into account:

- 1) the national priorities of youth work and youth policy;
- 2) the youth association development plan, activities and former achievements in the field;
- 3) the scope of activities of youth association, target group, membership and capability including the performance of former duties;
- 4) the compliance of the applicant and application with the established requirements. The minister responsible for the area may involve experts for the decision making.

(4) The specific conditions and procedure for applying for, allocating and refusal to allocate annual grants shall be established by the minister responsible for the area.

(5) The applicant shall be notified of the decision to allocate, refusal to allocate the annual grant for youth association within five working days as of the date on which the decision is made in a format which can be reproduced in writing.

Chapter 4 LIABILITY

[Repealed -RT I, 12.07.2014, 1 - entry into force 01.01.2015]

§ 16.–§ 17.[Repealed - RT I, 12.07.2014, 1 – entry into force 01.01.2015]

Chapter 5 IMPLEMENTING PROVISIONS

§ 18. Termination of the register of youth associations and register of youth camps

The register of youth associations and the register of youth camps shall be liquidated in conformity with the requirements specified in the Archives Act and Public Information Act.

§ 19. Validity of youth camp activity licence

Youth camp activity licence which has been issued to the manager according to the requirements applicable prior to entry into force of this Act shall be valid until the period of validity specified on the licence.

§ 20.–§ 34.[Omitted from this text.]

§ 35. Entry into force of Act

(1) This Act enters into force on 1 September 2010.

(2) [Omitted from this text.]