



# Statutes of the Charter of European Rural Communities 2019

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### **Name and headquarters**

#### Article 1

1. The association (also called network or organisation) is named: Charter of European Rural Communities.
2. It has its headquarters in the municipality of CISSÉ (France).

#### Article 2

1. The objective of the association is to:
  - a. Promote the cooperation and communication among the inhabitants of the Member States of the European Union and other members' countries;
  - b. Inform the citizens about the customs and lifestyles of other countries of the EU;
  - c. Enable the inhabitants of the Charter to launch and engage in joint projects.
2. The Charter will reach those objectives by:
  - a. Organising meetings of the network where all members are represented with a delegation;
  - b. Arranging thematic conferences where members can participate
  - c. Establishing common projects related to the priorities of the European Union;
  - d. Stimulating bilateral contact among individuals and groups.

### **Duration**

#### Article 3

1. The association is envisaged for an unlimited duration;
2. The financial year of the association is the calendar year, under condition that the first financial year starts with the foundation (and ends on the thirty-first of December the following year).

### **Membership**

#### Article 4

1. The Charter should have one member from each member state of the European Union.
2. The members are the municipalities or their representatives in a foundation "Friends of Europe" who are registered in writing as members to the Presidium and are accepted by the members' Mayors' Meeting. This is manifested by a signed declaration of that municipality.

3. Apart from the obligation as fixed in Article 4, Paragraph 1, the Charter could also have members from non-EU countries. Article 4, Paragraph 2 is applicable to these members as well. The acceptance by the members' Mayors' Meeting however, should be made with a majority of at least two thirds of issued votes. The members' Mayor's Meeting could limit the rights and powers of members as referred to in this Paragraph. This limitation should be manifested by a signed declaration and could only be made upon initial acceptance of the member.

## Article 5

1. The membership finishes:
  - a. By member's cancellation;
  - b. By association's cancellation;
  - c. By dismissal.
2. Cancellation of membership by the member itself is only possible at the end of a financial year. It is made in writing to the administration with at least four weeks notice.
3. Cancellation of membership on behalf of the association can be fulfilled at the end of the running financial year and by the Presidium:
  - a. When on the first of November a member, after being ordered in writing at least three times, did not meet his financial obligations in that financial year to the association;
  - b. When a member has ceased requirements of membership, as stated at that time in statutes and regulations.
4. Cancellation is always made in writing, stating the reasons of cancellation.
5. Deprivation of membership can be expressed when a member acts opposable to the statutes, regulations or decisions of the association. This is performed by the Presidium which informs the member of the decision by station the reasons, as quickly as possible.
6. When membership ends in the course of a financial year, the annual contribution remains indebted by the member, unless the Presidium decides otherwise.
7. In case a member agreed to take part in projects with a limited duration, financed by external parties, Article 5, Paragraph 2 is only applicable to the final year of the granted project(s). Cancellation of membership before the end of the project(s) is not possible, unless the Presidium decides otherwise.

## Contributions

### Article 6

Every member owes an annual contribution. The sum of the contribution is fixed by the members' Mayors' Meeting.

## Presidium

### Article 7

1. The Presidium includes at least five and at most eight persons, respectively being representatives of five to eight different members.
2. The members of the Presidium are elected to office at the members' Mayors' Meeting.
3. Cissé, the French member of the Charter, will always be part of the Presidium, since the Charter has been founded there.

4. The Presidium is chaired by the President. The President is elected to office at the members' Mayors' Meeting for a term of four years. When the President resigns, he is immediately eligible for reelection, to the maximum of two terms in total.
5. The President is assisted by an appointed secretary.
6. The Presidium elects among its members a Vice-President who is appointed to the management of finances.
7. The Presidium elects among its members a second Vice-President.
8. The President and Vice-President(s) are responsible for the day-to-day management of the association.
9. When the President is absent for a long period, the Vice-President takes responsibility for the tasks of the President. The second Vice-President takes responsibility then for the tasks of the Vice-President.
10. When the Vice-President is away for a long period, the second Vice-President takes responsibility for his tasks.
11. The members of the Presidium are named for a term of four years and may be reelected. One year is specified as period between two successive annual members' Mayors' Meetings. The members of the Presidium tender their resignation following a procedure established by the Presidium. A member of the Presidium who is resigning is immediately eligible for reelection, to the maximum of two terms in total.
12. If the number of members of the Presidium is less than the minimum stated in Article 7, paragraph 1, the Presidium remains however operational. The Presidium calls a members' Mayors' Meeting as soon as possible where appointment to the vacant post is addressed.

#### Article 8

1. The Presidium is, with the preliminary agreement of the members' Mayors' Meeting, competent to decide to sign contracts of acquisition, abalienation or encumbrance of property of register and to sign contracts where the association is involved as deposit or united co-customer in credit, takes cognisance of a third part or gets involved in a guaranteed debt of other people.
2. The Presidium represents the association.
3. The competence of (re)presentation belongs to the President and Vice-President(s).

#### **Youth Coordination Team**

##### Article 8a

1. To encourage young people to participate in the association's activities, the association has a Youth Coordination Team. The Youth Coordination Team could advice the President and the Presidium, whom could mandate certain tasks to the Youth Coordination Team.
2. The Youth Coordination Team includes at least two and at most four young persons (18-30 years), respectively being representatives of two to four different members.
3. The members of the Youth Coordination Team are elected to office by the Presidium.
4. The members of the Youth Coordination Team are named for a term of two years. One year is specified as period between two successive annual members' Mayors' Meetings. The members of the Youth Coordination Team tender their resignation following a procedure established by the Youth Coordination Team. A member of the Youth Coordination Team who is resigning is immediately eligible for reelection, to the maximum of two terms in total.

5. The Youth Coordination Team appoints among its members one person that will attend meetings of the Presidium. The appointed member does not have voting right in the Presidium.

### **Members' Mayors' Meeting**

#### Article 9

Members' Mayors' Meetings take place in the community where the association is established statutorily, or in another community or country as specified by the Presidium.

#### Article 10

1. All members, as well as those who are invited by the Presidium and/or by the members' Mayors' Meeting, have access to this assembly. A suspended member has access to the assembly where the decision of suspension is made and is permitted to take the floor.
2. Except for a suspended member, every present member has one single vote in members' Mayors' Meetings, unless limitations regarding voting right have been ratified according to Article 4, Paragraph 3.
3. Members of the Presidium and the Youth Coordination Team have access to the members' Mayors' Meeting but do not have the right to vote.
4. An unanimous decision of all members who have the right to vote, even when they are not in attendance at the members' Mayors' Meeting, has the same authority as a decision of the members' Mayors' Meeting, provided that it is taken with the knowledge of the Presidium. This decision can also be made in writing.
5. The President (or his representative as stated in Article 11, Paragraph 1) presides over the manner of voting in members' Mayors' Meeting.
6. All decision, on which there is no written requirement for majority by law or by these statutes, are made by an absolute majority of issued votes. A hung vote on any issue is postponed. On elections between more than two members that do not result in an absolute majority, voting is repeated between the two members with the biggest number of votes, if necessary after an intermediate vote.

#### Article 11

1. Members' Mayors' Meetings are chaired by the President or in his/her absence by the Vice-President. If no member of the Presidium is present, the assembly appoints a chairperson.
2. Minutes of speeches of members' Mayors' Meeting will be written by the secretary or by a person appointed by the President. These minutes will be accepted in writing during the same Mayors' Meeting, or as quickly as possible after meeting, and is witnessed and signed by the President and the Vice-President of the meeting. The minutes of the members' Mayors' Meeting are accepted when there are no written remarks within six weeks after the minutes have been send to the members.

#### Article 12

1. The financial year of the association is the same as the calendar year. Every year at least one members' Mayors' Meeting takes place within less than eight months after the end of the financial year, except for continuation of this term by members' Mayors' Meeting. In the Mayors' Meetings, the Presidium presents its annual report on the procedure of the association and on its strategy.

2. It presents the balance sheet for approval and the condition of incomes and expenditures with an explanatory text in the members' Mayors' Meeting. These documents are signed by the members of the Presidium; when a signature is missing of one or more persons, it is recorded statin the reasons. At the end of term every members has the right in law to ensure the collective managers execute their obligations.
3. If, regarding the preceding article, a statement of a certified public accountant as read in article 2.393 indent 1 of the Civil Code is not produced, members' Mayors' Meeting appoints each year a commission of at least two members who cannot be part of the Presidium.
4. To the commission, the Presidium is required to present all demanded information for their review, to present the treasury and stocks and to provide the books and documents of the Mayors' Meeting.
5. The commission examines documents named in Article 12, Paragraphs 1 and 3.
6. When according to the commission examination requires further specific accounting expertise, assistance can be provided by an expert at the expense of the association. The commission makes a report of its results in the members' Mayors' Meeting.

#### Article 13

1. Members' Mayors' Meetings are called by the Presidium as often as it considers it desirable or is obliged by virtue of law.
2. In the written request of at least a third of members who have the right to vote, the Presidium is obliged to call a members' Mayors' Meeting, taking place in less than six weeks after the presentation of request. If, within fourteen days, they do not follow up the request, the applicants can undertake the convocation of a members' Mayors' Meeting such as fixed in Article 13, Paragraph 3. Then the applicants invite persons other than members of the Presidium to preside the Mayors' Meeting and to write down the minutes.
3. The call up of a members' Mayors' Meeting is made by communication written to the members of the association in a period of at least seven days. The agenda is listed in the invitation.

#### **Modification of the Statutes**

#### Article 14

1. The modification of statutes can be made only by a decision of members' Mayors' Meeting, in which they are notified of proposal to modify the statutes.
2. Those who make a proposal in members' Mayors' Meeting for a modification of statutes are obliged to provide an exact copy of this proposal to the members for their examination at least seven days before the day of the meeting.
3. Members' Mayors' Meeting can only decide to modify the statutes with a majority of at least two thirds of issued votes.
4. The modification of statutes comes into force only after a public notary deed is made. Each of the members of the committee is competent to get the act of modification of statutes.
5. The members of the Presidium have the obligation to give evidence in the offices of the register of the public notary, a genuine copy of the act of the modification of statutes and an entire and permanent text of statutes, such as they are formulated after modification.

## **Disolution and payment of debt**

### Article 15

1. Article 14 is applicable in accordance with a decision of members' Mayors' Meeting for the dissolution of the association.
2. The members' Mayors' Meeting decides the manner of the decision heard in the previous paragraph, for credit balance, and having into account, as much as possible, the objective of the association.
3. The settlement is fulfilled by the Presidium.
4. After dissolution the association continues as long as necessary for the settlement of its property. During the settlement the articles of statutes remain in force as long as possible. The documents and announcement which emanate from the association must show the words "in liquidation" beside its name.
5. The settlement finishes at the moment when there are no more benefits known by the liquidator.
6. The books and documents of the dissolved association must be kept for the years after the settlement. The documenter is the one, who as such, is pointed out by the liquidators.

## **Regulations**

### Article 16

1. Members' Mayors' Meeting can fix and change one or more regulations, in which topics are regulated or that are not completely regulated in these statutes.
2. Regulations cannot be made up with dispositions opposite to law or these statutes.
3. Decisions with fixing and modification of regulations are applicable in accordance with what is stated in Article 14

## **Final Clause**

### Article 17

In the association all competences, which are not given to other organs by law or statutes, return to the members' Mayors' Meeting.

Boy Scholtze

President

Ratified: Mayors' Meeting, Põlva (Estonia), 20<sup>th</sup> July 2019