

# BeVolunteer Statutes

## Article 1 : Name

An association named BeVolunteer and ruled according to the French law of July 1, 1901 and the decree of August 16, 1901 is founded by the members adherent to the present statutes.

## Article 2 : Object

The objects of the association are to:

- promote the ideas of hospitality and cultural exchanges;
- develop, maintain and promote the websites of projects supported by BeVolunteer as listed on the site of BeVolunteer;
- ensure the voluntary work of all the members of the association and any person participating in the activities of the association will always contribute to achieve its objects;
- ensure the voluntary work of all the members of the association and any person participating in the activities of the association remains for non commercial aims.

## Article 3 : Duration

The duration of the association is indefinite.

## Article 4 : Head office

The head office of the association is initially defined in its document of declaration (declaration document) and taken up in its special register in accordance with the legislation. It can be transferred by simple decision of the Board of Directors.

The legal location of the head office of the association can be transferred following a decision by the board of directors. It is fixed initially in the document of declaration of the association.

## Article 5 : Means of action

The means of the association are, notably, as far as they contribute to the objects of the association:

- websites or other Internet related supports
- publications, conferences, meetings, through any means of communication
- permanent or occasional sales of any product or service

## Article 6: Membership

The association consists of physical persons.

### Article 6.1 Members

The association consists of active, supportive and honorary members.

#### Active members

An active member is a physical person who has full rights to vote in the General Assembly, be elected to the Board of Directors and other rights defined in the rules and regulations, except

- during the first three months of membership, during which the member can't vote in the General Assembly nor be elected to the Board of Directors;

- during the first twelve months of membership, during which the member can't vote in the General Assembly to any subject related to the article 10 of the present statutes.

### **Supportive and Honorary Members**

Supportive and Honorary Members are members who support the association but have neither a right to vote in the General Assembly nor a right to be elected to the Board of Directors. Conditions to obtain either of these statuses are defined in the rules and regulations.

### **Article 6.2 : Conditions of membership**

Any person willing to contribute to the objects of the association and meeting the conditions defined in the rules and regulations (Art. 7) can become an active member of the association.

The membership is to be requested to the Board of Directors, who can approve or reject it without having to justify their decision.

The requirements to become an active member can not contain discrimination criteria like: sex, origin, family situation, physical appearance, name, handicap, genetic characteristics, customs, sexual orientation, ethnicity, belonging to a nation or a religion (art. 225-1 du Code pénal).

### **Article 6.3 : Loss of the membership**

Membership is cancelled by:

- a) death of the member;
- b) written resignation sent to the Board of Directors;
- c) expulsion for serious motive. It will be confirmed by the General Assembly;

The Board of Directors can suspend provisionally until the next General Assembly the rights of a member in the association for serious reasons, after acquainting themselves with the explanations of the member, who will receive a written justified summoning. The General Assembly following the suspension has to confirm the exclusion or cancel it; in the latter case the members regain all their previous rights in the association.

## **Article 7 : Rules and Regulations**

Rules and Regulations will be established by the BoD and approved by the GA in order to define the method of execution of the present statutes. They are valid as soon as they are published by the BoD. Any changes in these regulations have to be accepted by the next GA.

These regulations apply to all the members of the association.

## **Article 8 : Structure**

The organs of the association are:

- the General Assembly (GA)
- the Board of Directors (BoD)

### **Article 8.1 The General Assembly**

The General Assembly (GA) includes all the members as explained in Article 6.

The GA is the supreme organ of the association.

The GA can meet physically or by other means of communication deemed appropriate by the BoD.

The rules of organization of GA will be set in the rules and regulations.

### **Power of the General Assembly**

Their scope of activity includes:

- the election of the BoD;

- the revision and amendment of the statutes of the association in accordance with article 10 of the present statutes;
- approval of the activity of the past period, and setting the objectives for the coming one.
- They may confer to the BoD any authorization required to carry out operations within the remit of the association and for which their statutory powers would be insufficient.

Every member of the association can nominate another member of their choice to represent them. The deputy can represent no more than one person other than himself.

### **Article 8.1.1 : Ordinary General Assembly**

The ordinary GA meets at least once a year after notification (at least one month in advance) by the Executive Delegate of the BoD.

### **Article 8.1.2 : Extraordinary General Assembly**

The extraordinary GA meets when convoked by the Executive Delegate of the BoD:

- 1) at the request of at least one quarter of the active members of the association;
- 2) at the request of the BoD.

### **Article 8.1.3 : Ordinary and extraordinary General Assembly: majorities**

All votes are by absolute majority.

## **Article 8.2 : Board of Directors**

The association is steered by a Board of Directors (BoD) elected by the GA. The BoD is the executive organ of the association.

### **Article 8.2.1 : Composition**

The number of members of the BoD is set in the rules and regulations. Every voting member can cast a maximum number of votes equal to the available number of seats.

In case of a vacancy in one of its seats, it stays free until the next GA (ordinary or extraordinary).

The BoD can appoint consultative members, members of the association and/or third parties.

### **Article 8.2.2 : Eligibility**

As described in article 6.

### **Article 8.2.3 : Decision Making**

Every member of the board can nominate a member of the BoD of their choice to represent them. The deputy can represent no more than one person other than himself/herself.

The BoD can meet physically or by other means of communication. The rules of organization of BoD meetings are set in the rules and regulations.

The BoD meet every time the interest of the association requires it. Meetings are decided by either a request of the Executive Delegate, a request of at least three of its members or the schedule of the last meeting. The BoD will use any appropriate means to discuss and take the decisions necessary for the association.

Decisions are taken with the absolute majority of the present and represented members. If the vote is equal, the Executive Delegate has the casting vote. The decisions taken during regular meetings and discussions, for example through email discussions or internet conferences, can integrate the vote of absent members who have transmitted their opinion on decisions proposed by the agenda to the Executive Delegate or another member of the BoD.

## **Article 8.2.4 : Power of the board of directors**

The scope of activity of the BoD is:

- to be the forum of discussion of the association where the positions concerning the future of the association and the declarations that could be made for this purpose are determined;
- to decide on the suspension of a membership if needed;
- to decide on the issue of potential conflicts;
- to apply the decisions of the GA and to take any administrative formal decision needed between two reunions of this assembly;
- to work out and apply the internal regulations to be approved by the GA
- to receive and manage the budget and the annual accounts of the association;
- to propose the budget for the next financial year to be approved by the GA;
- to approve or reject the membership of new members
- to organize at least one GA per year or take care it is being organized by other members of the association

## **Article 8.2.5 : Delegates**

In order to make the management of the association easier, the Board of Directors chooses from among its members several delegates with a specific mission. The content of the mission of a delegate will be the object of a description approved by the BoD. The BoD can choose as many delegates as needed.

Three main delegates are identified: an Executive delegate, a Treasurer delegate, a Secretary delegate. If necessary, assistants can also be appointed. The BoD can at any point of time assign a specific mission as a delegate to one of its members.

### **Executive Delegate**

The Executive Delegate holds the power of representation and signature in the name of the association, represents the association in all the acts of civil or administrative life, and in justice, if necessary. The Executive Delegate represents the executive organ of the association (BoD), and so can not take a decision without the validation of the BoD. In case of temporary or permanent incapacity, the Executive delegate is temporarily replaced by a vice-Executive delegate, or the Secretary Delegate, who in this case holds the same powers, until the BoD names a new Executive Delegate.

### **Secretary Delegate**

The secretary is in charge of all correspondence and the archives. The Secretary Delegate is helped in his tasks by the assistant secretary if there is one. They draft the minutes of the meetings. In case of absence, they are replaced by a member of the BoD.

### **Treasurer Delegate**

The treasurer is in charge of the management of the patrimony of the association. The treasurer makes any payments and receives any revenue under the supervision of the Executive delegate, keeps a regular account of all transactions and reports to the BoD which verifies the management of the finances. In case of absence, the treasurer is replaced by a member of the BoD.

## **Article 8.2.6 : Payment / reimbursement**

The board directors can not receive payment in any form for their function. The GA can decide to permit the members of the BoD to be entitled to the reimbursement of their expenses on presentation of documentary evidence, and with the agreement of the Executive delegate. Each refund must be approved by the Executive delegate, under the control of the BoD.

Reimbursements will be, if possible, avoided. The aim of this article is to absolutely prevent reimbursing transport or accommodation costs.

### **Article 8.2.7 : Resignation and Removal**

A BoD member can resign from his functions by written request to a BoD delegate. In case of serious misconduct, a BoD member can be suspended from his functions. This request should be taken by the BoD or a GA (ordinary or exceptional, with normal ways of convocation). The suspension takes effect at the moment of its request.

### **Article 9 : Resources**

The resources of the association include:

1. the contributions of its members and entrance fees if required;
2. subsidies which could be granted by the international institutions, national institutions or local authorities;
3. sums received in return of services rendered or goods sold;
4. donations and legacies;
5. whatever is not forbidden by the laws and the current regulations in the European Union.

### **Article 10 : Modification of statutes**

The statutes can be modified only by a GA summoned especially for this purpose. The modification will be confirmed by a favourable vote of three quarters (3/4) of the present and represented voting members, which must represent at least half (1/2) of the voting members of the association.

### **Article 11 : Dismantling**

The dismantling of the association has to be agreed on by at least three quarters (3/4) of voting members present and represented at the General Assembly, which must represent at least half (1/2) of the voting members of the association. The assets are then transferred to the UNESCO. The assets are allocated according to article 9 of the French law of July 1st, 1901 and to the decree of August 16th, 1901.

### **Article 12 : Administrative formalities**

The Executive delegate or his representative is appointed to carry out all the statutory formalities of declaration and publication in accordance with the French law of July 1st, 1901 and the decree of August 16th, 1901, both at the time of the creation of the association and during its entire existence.

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The GA, - delegates sign.