

STATUTES

PART 1

NAME - REGISTERED OFFICE - STATEMENT OF PRINCIPLES - OBJECTIVES - COOPERATION WITH OTHER ASSOCIATIONS

Article 1 Name

This non-profit making international association was formed under the Belgian Law of October 25, 1919 (hereinafter the Act), and was confirmed by Royal Decree of February 1st 1994.

The name of this association is “European Federation of Associations of Families of People with Mental Illness” (EUFAMI). For any activities outside the said Federation, the association will be referred to by its abbreviation EUFAMI.

This non-profit making international association comes under the provisions of Title III of the Belgian Law of 27 June 1921 concerning non-profit making associations, non-profit making international associations and foundations.

Article 2 Registered Office

The Registered Office of the Federation is currently situated at the following address in Belgium: Diestsevest 100, 3000 Leuven (Belgium). By resolution of the Board of Directors, the Registered Office may be transferred to any other place in Belgium. Such transfer is to be published in the Supplements to the Belgian Official Gazette “Belgisch Staatsblad - Moniteur belge” and is to be notified to the Registry of the Leuven Chamber of Commerce.

Article 3 Statement of Principal Aims

The Federation has no motive of profit whatever. Its principal aims are:

- To achieve throughout Europe a continuous improvement in mental health generally, in the quality of care and welfare of people with mental illness in society, and especially in the level of support for their families, caring relatives and friends;
- To enable the member associations to combine their efforts and act jointly at the European level towards the achievement of those aims;
- To strengthen and assist the member associations in their efforts to improve mental health conditions in their own territories, while fully respecting their national or regional autonomy.

Article 4 Objectives

The statement of principal aims as set forth under Article 3 hereof can be translated into five more specific objectives:

- To coordinate and provide for the cooperation of the member associations by exchanging experience and information;
- To defend the rights and protect the interests of the family members of people with mental illness, and of the people with mental illness themselves, to enable them to achieve the fullest possible life in society in the spirit of the '1990 De Haan Manifesto';
- To represent the family associations in any official European bodies in order to establish the rights and interests mentioned above;
- To stimulate research into the causes, prevention, treatment and consequences of mental illnesses for the family members concerned and the people with mental illness themselves, and to collaborate with scientific research bodies;

- To build up a positive image concerning mental illness, and counter social prejudice in this regard in society.

Activities include, inter alia:

- representing family members in Europe
- developing suitable methods of treatment, e.g. by research
- developing training programmes in order to support family members.
- running national and international campaigns to avert unwanted treatment, e.g. stigmatisation and treatment of persons with mental illness and their families as less than equals,
- strengthening member organisations.

Article 5 Cooperation with Other Associations

In order to realize its objectives, the European Federation of Associations of Families of People with Mental Illness reserves the right to itself to join, and/or cooperate with other international associations pursuing related objectives.

PART 2

MEMBERSHIP

Article 6 Membership Categories

The Federation will have two kinds of membership:

- Full members (with voting rights)
- Affiliated members (with no voting rights)

Article 7 Membership Terms and Conditions

A full member is any officially recognised association of family members of people with mental illness from any country within the European region as per the World Health Organization definition of Europe, be they national or regional. Each full member shall have one vote at all General Meetings and Extraordinary General Meetings.

An Affiliated member is any mental health care organisation and body as shall be accepted by the Board of Directors of the European Federation and ratified by the General Meeting.

Individual persons cannot become members of the Federation.

Article 8 Applications for Membership

Applications for membership must be sent to EUFAMI for the attention of the Secretary of the Board of Directors in the form prescribed by the internal regulations, and be accompanied by the Memorandum and Articles of Association of the association or body by which such application is made.

Article 9 Termination of Membership

Members who wish to terminate their membership, need to notify the Board of Directors of this intention in writing.

Article 10 Suspension of Membership

Suspension of membership of the Federation may be proposed by the Board of Directors, by reason of overdue membership fees, after having hearing the interested party. In such case the General Meeting shall decide on the exclusion of membership by a two-thirds majority of the votes of its members present or represented.

Any members wishing to leave the European Federation at their own request must inform the Board of Directors thereof in writing.

In both cases, these members and their assignees are not entitled to the property of the Federation.

Article 11 Membership Subscriptions

The members shall pay an annual subscription fee; such fees will be agreed on an annual basis by the General Meeting on the proposal of the Board of Directors. Fees will be set at a country level and countries will be categorised using the economic geographic tables which are produced and maintained by the World Bank. In order to recognise that there may be some members who, due to their internal financial situation, may have difficulty in paying the full membership fee, a rebate system on fees, based on each member's audited annual income, will also operate. In order to be considered for a rebate to be applied to any member's fees, the said member must provide a copy of the previous year's audited financial account to the EUFAMI office when applying for a rebate. The rebate system on fees will be agreed on an annual basis on the proposal of the Board of Directors.

Affiliate member fees will be less than full member fees; such fees being agreed by the General Meeting and will also be based on the above criteria.

The subscriptions shall be expressed in Euros (EUR), i.e. the European currency unit.

PART 3

STRUCTURE AND ORGANIZATION

Article 12 Administrative Organs of the Federation

The Federation shall be made up of:

1. A General Meeting
2. A Board of Directors

Article 13 Composition of the General Meeting

The General Meeting shall be made up of delegates of both full and affiliated members. Each member will be represented by one delegate, who in the case of a full member will be the nominated voting representative for that member. The term of office of a delegate is four years and no delegate can serve more than two terms.

Each member may have itself represented at the General Meeting by another member by means of a written special proxy. A member may however not hold more than two of such proxies.

The General Meeting can deliberate validly only if two-thirds of the members entitled to vote are present or represented by proxy.

Except in such exceptional cases as set out below, the resolutions shall be adopted by an ordinary majority of the full members present and represented. Such exceptional cases relate to:

1. Alteration of the Statutes and Internal Administrative Regulations;
2. Dismissal of members of the Board of Directors;
3. Dissolution of the Federation.

In the aforesaid cases, a two-thirds majority shall be required to be able to resolve validly.

The decisions taken by the General Meeting shall be recorded in a minutes book, signed by the President and maintained by the Secretary, who shall keep the minutes book available for members at the Federation's Registered Office.

Article 14 Convening of the General Meeting

The General Meeting shall be convened on an annual basis. The notice for the holding of the General Meeting shall be sent out to all members not later than six weeks prior to the date of the meeting. Such notice, which also should specify the location, will be transmitted by the most appropriate electronic method available.

In addition, an Extraordinary General Meeting may be convened in the following cases and conditions:

- If at least one third of the Full members of the General Meeting requests to do so in writing;
- If two thirds of the members of the Board of Directors request to do so.

Article 15 Powers of the General Meeting

The following matters shall form part of the exclusive powers of the General Meeting, and this in order of importance:

- The amendment of the Statutes;
- The appointment and removal from office of members of the Board of Directors;
- The establishment of priorities for the work of the Federation, and approval or amendment of the programme proposed by the Board of Directors;
- The approval of the annual report, accounts and budget;
- The dissolution of the Federation;
- The approval of the internal administrative regulations;
- The appointment of an auditing company to review annual accounts;
- The adoption of resolutions relating to the suspension of members of the Federation;
- Ratification of members of the association approved by the Board of Directors;
- Ratification of membership fees as proposed by the Board of Directors.

Voting procedures will be in accordance with the provisions of Article 19.

Article 16 Composition of the Board of Directors

The Federation shall be managed by a Board of Directors. The Board shall be composed of nine members, of which four are officers – President, Vice President, Secretary and Treasurer. There must be a majority of family members on the board. No country can have more than one director at the same time.

Nominations for election to the Board can be made by any full member. Each full member can only nominate a maximum of one person for election. Directors are elected for a term of 4 years. A director can serve a maximum of two terms. No member of the Board, be they officers or ordinary members, can remain as a Board member beyond a maximum of eight years (that is two terms) unless a special motion is approved by the General Meeting.

The directors are chosen by the General Meeting and can be dismissed by the General Meeting at any time. A director's mandate comes to an end as a result of decease, resignation, civil incapacity, dismissal or lapsing of the mandate term. When electing the Board of Directors, each member must strive to nominate as many family members of people with mental illness as possible.

The Board of Directors can deliberate validly only if at least two thirds of its members are present. Any resolutions of the Board of Directors shall be adopted by an ordinary majority of the directors present. Any director who has been absent from three consecutive Board meetings, without a valid reason, shall be removed as a member of the Board of Directors by the General Meeting on the recommendation of the Board of Directors. For a reason to be valid, it must be provided in writing to the Secretary no later than seven days prior to the date of the meeting on the member association's headed notepaper, detailing the reason for the absence and signed by a valid signatory of the member association.

The officers of the Board, namely the President, Vice President, Secretary and Treasurer, shall be elected by the Board of Directors for a term of two years. An officer can serve a maximum of two terms in the one officer position. A person who has served in a capacity of officer is eligible to be elected to the position of one of the other officers.

Article 17 Convening of the Board of Directors

The Board of Directors shall meet at least three times per annum. The notice of meeting, together with the agenda and supporting papers shall be sent out to Board members, by electronic transmission, no later than three weeks prior to the meeting.

Article 18 Powers of the Board of Directors

The powers of the Board of Directors are:

- The adoption of management resolutions with a view to the specific annual realization of the objectives of the Federation, in general accordance with the policies adopted by the General Meeting;
- The appointment and removal from office of any or all of the Officers, i.e. the President, Vice-President, Secretary and Treasurer;
- Approval to waive or reduce membership fees for a member who requests such action so long as a reasonable case is made to justify such action;
- Acceptance of members of the association;
- Setting of Membership fees;
- The gradual realisation of the objectives of the Federation;
- The implementation of the management resolutions of the General Meeting;
- The convening of General Meetings and Extraordinary General Meetings;
- The recruitment and dismissal of the Secretary General;
- Deciding fund raising strategy.

Article 19 Legal Liability of the Board of Directors

The Board of Directors shall act as a plaintiff or defendant in lawsuits on behalf of the Federation. In such cases it shall be represented by the President or a member of the Board of Directors designated by the Board to do so. All other acts through which the association commits herself, have to be signed by two Officers or by the President and two members of the Board of Directors except if a document gives permission for a named person to sign on behalf of EUFAMI in restricted circumstances. Such authorisation will be reported to the Board of Directors.

Article 20 Voting

General Meeting

Each full member shall have one vote at the General Meeting.

Except in such exceptional cases as mentioned below, any resolutions shall be adopted by an ordinary majority of the members present and represented.

Such exceptional cases relate to:

1. Amendment of the Statutes and Internal Administrative Regulations;
2. Dismissal of members of the Board of Directors;
3. Dissolution of the Federation.

In the case of the exceptional cases described above, a two-thirds majority of the votes of the Full members are required.

In the event that any of the decisions below should be taken more than three months before a General Meeting, and if no Extraordinary Meeting can be convened, voting can take place by mail, email or fax, as appropriate. Voting procedures and counts are the same as required in the General Meeting.

The decisions are:

- (a) election of a new Board member if an elected Board member resigns, dismissed or passes away;
- (b) approval of budget;
- (c) provisional approval of accounts.

Such decisions however still need to be validated at the next General meeting.

General

In the event of an equality of votes within the General Meeting and/or within the Board of Directors, the President shall have the deciding vote.

PART 4

BUDGETS AND ACCOUNTS

Article 21 Financial Year and Financial Responsibility

The financial year of the Federation shall end on December 31. Within four months after the closing of the financial year, the accounts of the past financial year will be submitted to the Board of Directors for preliminary approval.

At least three months before the closing of the financial year a budget for the next financial year will be set before the Board of Directors for temporary approval.

On an annual basis, the Board of Directors shall submit the audited accounts and the budget to the General Meeting for final approval. Every year the accounts must be reviewed by independent auditors approved by the General Meeting.

The annual accounts must, in accordance with Article 51 of the Law, be sent to the Registry of the Leuven Chamber of Commerce

Concerning the financial responsibility, any financial losses legally incurred by the Federation will be borne jointly by all the Full members; no individual director or officer will be liable for losses of the Federation. Any significant financial loss incurred in any year should be communicated to the Full members as soon as possible after year end, but not later than April 30.

PART 5

DISSOLUTION OF THE FEDERATION

Article 22 Dissolution of the Federation

Without prejudice to the application of Articles 55 and 56 of the Law concerning non-profit making associations, non-profit making international associations and foundations, any proposal to dissolve the Federation must emanate from the Board of Directors or at least from three-quarters of the Full members of the Federation.

The Board of Directors shall inform the members of the date of the General Meeting on which such proposal will be deliberated on not later than three months prior to such meeting. The General Meeting can deliberate on such proposal validly only if two-thirds of the voting members are present or represented by proxy. A resolution shall be valid only if it obtains a two-thirds majority of the votes of the Full members.

Should such General Meeting not reach the quorum of two-thirds of the Full members, a second General Meeting shall be convened, in accordance with the same procedures as the first General Meeting. Such second General Meeting can adopt finally valid resolutions in connection with the proposal made, irrespective of the number of members present or represented. The General Meeting shall determine the method of dissolution and winding up of the Federation.

The net assets of the Federation need to accrue to a non-profit private legal entity, with a similar objective as the dissolved association.

Article 23 Additional Provisions

As to anything not provided for in the foregoing Articles of Association, the Federation shall act in conformity with any relevant statutory provisions.