



STATUTE OF THE EUROPEAN LEGAL RESEARCH & TRAINING NETWORK

A guide to the main rules and bylaws for the organization and lawyers

Prepared in accordance to the values, principles and rules guiding European
Legal Research & Training Network



Veurstraat 96, 3037 BP, Rotterdam, The Netherlands

I. NAME

A European non-profit association is hereby formed, to be named **ÉUROPEAN LEGAL RESEARCH & TRAINING NETWORK (ÉUROPEAN LEGAL)**

II. HEAD OFFICE

The Head Office is located at **Veurstraat 96, 3037 BP, Rotterdam**. The Executive Board may decide to transfer the Head Office at any time to any other place in The Netherlands. Notification of that decision must be shared with the branch offices in the Balkans and members of European Legal.

III. AIMS & OBJECTIVES

III.1. EUROPEAN LEGAL RESEARCH & TRAINING NETWORK is a European non-profit making association and its objects are:

- a) To introduce, implement and maintain a European professional culture among lawyers on all matters of mutual interest relating to the exercise of the profession of the lawyer, the development of the law and practice pertaining to the rule of law, democracy, and administration of justice both on a national and regional level
- b) To support and practice high professionalism among lawyers at an early stage of their career through training, research, and networking activities, both on a national and regional level
- c) To raise awareness among early career lawyers about issues and problems within their national legal order and assist them tackle them through and active and direct involvement in the activities related to their profession



d) To help lawyers from the WB region gradually integrate and act, think and behave in line with the EU standards, norms, values, and principles, upon the legal profession is based and functions upon

e) To shift and change their mindset and their professional mentality about their role, place and function within the legal profession, legal system, and society in general through motivational mechanisms, coaching and mentoring

III. 2. The activities that the association aims to pursue to realise its objects are:

- Creation of a Regional Networking Platform in each one of the WB countries
- the setting up of Committees and Working Groups of experts dealing with various aspects of the practice of the legal profession,
- the organisation, promotion and financing of conferences and training events, workshops, seminars, e-learning and training, discussion panels, round tables, motivational speaking, and coaching sessions etc
- contacts, dialogue, and visits to and with European and non-European Bars as well as with European and international institutions and courts,

III.3. The association is entitled to undertake all steps in connection directly or indirectly with its objects. Further, it is entitled, directly or indirectly with its objects and in accordance with legal and statutory provisions, to acquire or dispose of personal or real property, to conclude contracts, and accept any donations, or/and testamentary.



IV. FULL AND ASSOCIATE MEMBERS

a) Full Members

1. Conditions and rules of admission, exclusion, and resignation

The founders of the present Association together with the organisations and individuals which are representative of the profession of lawyer, recognised as such and designated assist and contribute to the same mission as European Legal and which are admitted in such capacity by the Plenary Session according to Article VIII b) shall be the full members.

A full member may resign at any time, by written notification delivered to the Executive Board or Secretariat. The full member who has resigned or has been excluded has no rights to any assets of the association, is not entitled to be reimbursed any part of the subscriptions paid and must pay the subscriptions that have been fixed for the year in which its resignation is tendered.

2. Grouping of the full members in national delegations

The full members are grouped in national delegations, each of which shall be composed of a maximum of 6 individuals. Each delegation shall nominate a Head of delegation whose nomination shall be notified in writing to the Executive Board. Each delegation shall also nominate an Information Officer who shall be responsible for all communications between his/her delegation and the other delegations and with the Board.

The full members have the right to act as active or passive members and choose one of the following types of memberships. a) Individual, b) Corporative, c) Student. Depending on their area and level of interest and commitment they may also choose between a membership on a national, regional, or European level.

European Legal also distinguishes the honorary membership appointed as such by the general meeting upon a proposal of the board, because of their exceptional



merits towards the association. Honorary members have the same rights and obligations as members have. The further rules and details of all types of memberships are to be found on the webpage www.legislationnet.com

b) Associate Members

The associate members are lawyers which are representative of the legal profession on their respective countries. The associate members may attend meetings of the Plenary Session without a right to vote, represented by no more than one individual for each country. An associate member may be excluded on the same grounds as a full member. An associate member may resign at any time, by written notification delivered to the Board.

The associate member who has resigned or has been excluded has no rights to any assets of the association, is not entitled to be reimbursed any part of the subscriptions paid and must pay the subscriptions that have been fixed for the year in which its resignation is tendered.

V. Observer members

The observer members are lawyers or organizations which are representative of the profession of lawyer in their countries and on regional level. They may attend meetings of the Plenary Session without a right to vote, represented by no more than one individual for each WB country.

An observer member may be excluded on the same grounds as a full or associate member. An observer member may resign at any time, by written notification delivered to the Secretariat.

The observer member who has resigned or has been excluded has no rights to any assets of the association, is not entitled to be reimbursed any part of the subscriptions paid and must pay the subscriptions that have been fixed for the year in which its resignation is tendered.



VI. The Executive Board

a) Composition

The board consists of an odd number of at least three persons who are appointed by the general meeting. Members are appointed, except as provided for in paragraph 2 hereunder.

2. The general meeting may decide to appoint a member of the board who is not a member of the association. The appointment of board members is done based on one or more binding nominations, except for the provision made in paragraph 4 hereunder. The board is authorized to make such a nomination, and so are three members together. The nomination of the board shall be announced in the notice of the meeting. A nomination made by three or more members must be submitted to the board in writing before the meeting starts.

b) Powers of the Board

All the powers necessary for the implementation of the objects of the association shall be vested in the General Meeting. The following powers are solely within the authority of the Board and may not be delegated:

1. the approval of the budget and of the accounts;
2. modification of the statutes;
3. the dissolution of the association;
4. the annual election of the President and the Vice Presidents;
5. fixing the amount of the subscriptions of representations, working groups, associate and observer member and other internal organs.
6. the admission and the exclusion of full, associate or observer members;
7. the adoption of internal management rules;



8. Electing a chairperson, a secretary and a treasurer from among its members.

c) Meeting rules

The Board shall meet at least once a year, convened by and under the chairmanship of the President, or, in his or her absence, of one of the Vice-Presidents. Additionally, every end of the month the Board will meet to discuss with the representation, the advisory boards, and committees the progress of the organization and upcoming projects. The secretary keeps minutes of the proceedings at every meeting, which shall be confirmed in a succeeding meeting and after that signed by the chairman and the secretary.

d) Procedures

As far as the articles of association or the law do not stipulate otherwise, all decisions of the board shall be taken based on most votes validly cast in a meeting in which at least half of the number of board members is present or represented. In the event of votes being equally divided, the general meeting shall decide. The verdict of the chairperson on the result of a vote voiced at a meeting of the board, shall be decisive. The same applies to the content of a decision taken, in as far as the vote was taken on a proposal which had not been recorded in writing.

If, however, the correctness of the verdict referred to in the previous paragraph is disputed immediately after it was voiced, a new vote shall be taken if the majority of the board members or, if the original vote was not taken by roll-call or in writing, one person with voting rights, so requires. A board member can have himself represented in a board meeting by one fellow board member.

Participation in a board meeting and voting in such a meeting can be effected through an electronic means of communication.



If all board members relate to each other through telephone or through a means of audio visual communication, wherever they are in the world, they are in a meeting of the board for the duration of the connection, unless the majority of the board members present objects to that, and provided that all board members are familiar with the decisions to be taken. The minutes of the deliberations, signed by the chairperson and the secretary, provide sufficient proof of the issues dealt with in these meetings.

VII. Committees and working groups

a) Finance Committee

There shall be a Finance Committee whose functions shall be advisory and supervisory. It shall consist of at least three and at most six members, one of whom shall be the Chairman. The Chairman shall be elected, and the other members of the Finance Committee shall be appointed, for a term of two years which may be renewed for up to two further periods of two years, but the total period of a person's membership of the Committee shall not exceed six years.

Any person who, as at 31 December 2009, has served for between two and four years as a member of the Finance Committee shall serve for no more than a further two terms of two years each as a member of that committee.

b) Other committees and working groups

The President may establish such other committees and working groups as he / she considers useful and may appoint any person to be the Chair of a committee or working group. The Chairs of committees and working groups shall be appointed for a term of two years which may be renewed for up to two further periods of two years, without prejudice to the right of the President to change the chair whenever necessary.



c) Representation of the association

All decisions binding on the association shall (except in case of special proxy) be signed by the President or by one of the Vice-Presidents, and those concerning the daily management of the association, by the Secretary-General, who shall not be obliged to furnish evidence of the powers by which they do so.

However, the President may only represent the association in the signature of an act of purchase or sale of real property or a right in real property, as well as of credit or mortgage, with the express authorisation of the Plenary Session or the Standing Committee.

All proceedings involving the association, either as plaintiff or defendant shall be conducted by the Standing Committee represented by the President or by one of the Vice-Presidents.

VIII. Amendments of the statutes, dissolution, and liquidation

The General Meeting may only deliberate on an amendment to the statutes of the association if at least two thirds of delegations whose votes have not been suspended, comprising at least two thirds of the votes, are present or represented. However, if the meeting is not attended by at least two thirds of the delegations comprising two thirds of the votes, a new Meeting shall be summoned, which will rule validly notwithstanding the number of delegations or the number of votes present or represented.

The same rules apply in case of dissolution of the association. After the payment of the debts of the association, its assets shall be assigned to another association which will make use of them for purposes as far as possible like the objects of
EUROPEAN LEGAL



In case of liquidation, it shall be conducted by the board. After liquidation net assets will accrue to those who were member of the association at the time the dissolution resolution was passed. Every one of them receives an equal share. With the dissolution resolution however, it may be decided to allocate the net assets differently. Book 2 of the Dutch Civil Code, taken upon prior approval of the general meeting of the members, and to a resolution of the general meeting of the members to convert the association into another legal form in accordance with article 2:18 of the Dutch Civil Code, the stipulations of article 24 apply as much as possible by analogy, without prejudice to the requirements of the law.

