



17 October 2012

EUN/GA/DOC/045

General Assembly

Statutes

Text adopted by the general assembly on 17 October 2012

I. TITLE, SEAT, AIMS, DURATION

Article 1 Title

An international network called the "European Network of Education Councils" is hereby established. The network takes the form of an international non-profit organisation, as provided in article 46 and further of the Belgian law of 27 June 1921.

Article 2 Seat

The seat of the network shall be established in Belgium (Kunstlaan 6 bus 6, 1210 Brussel) where the secretariat of the organisation is situated. The address of the seat can be changed by a simple decision of the Executive Committee.

Article 3 Aims

The aims of the network are to provide member organizations as defined in art. 5 to 7 a platform for exchange and cooperation on challenges and new developments in education and training policies, in stakeholder participation and consultation, in participative, evidence based and effective policy making and implementation.

Therefore the network

- informs members on European, international and national policy lines and offers a learning platform for discussion and exchange of experience;
- facilitates cooperation between members in order to strengthen stakeholder participation in policy making on education and training (at European and national/regional level);
- determines common insights and understanding, formulates statements to advice decision makers at EU and national/regional level on the opinions of education stakeholders;

- undertakes (if approved so by the executive committee) specific studies on issues relevant for the education and training policy agenda;
- acts as an interlocutor with supranational organizations and institutions taking action in the field of education and training.

Article 4 Duration

The network shall be established for an unlimited duration. The general assembly decides on the dissolution of the network upon the proposal of the Executive Committee.

II. MEMBERS

Article 5 Membership

5.1. The organisation counts at least three members and is open to Belgians and foreigners.

5.2. The members of the organisation are national and/or regional education councils as defined in Article 6.1 or corresponding members as defined in Article 6.2. Both categories of members have to apply for membership.

Article 6 Criteria for membership

6.1. To become a member under this article, an education council has to fulfil all the following conditions.

- The council operates as a permanent body
- The council acts independently from any single interest through the presence of a range of members from different social groups, political affiliations and/or academic perspectives.
- The council has as principal goal to provide advice on educational and training policy.
- The advisory role is embedded in the policy making process at the level where the main competences on education and/or training policy are attributed.

If a council is competent for two or more education levels in the system or is operating at a national level, it will be given priority to become a member when candidates of the same EU member state also apply for membership.

6.2. Corresponding members can be accepted at the decision of the general assembly at the proposal of the executive committee.

Corresponding members are permanent institutions with an advisory role in the policy making process on education and training. The membership of a corresponding member comes to an end at the moment that an education council (art 6.1) from the same country is accepted as a member'

Article 7 Admission, temporary suspension and exclusion procedure

7.1. The general assembly approves the admission of new members, as mentioned in art. 6, upon the proposal of the Executive Committee.

7.2. The general assembly decides on the exclusion of a member. The assembly shall take its decision on the basis of a two-thirds majority of the votes present or represented, after hearing the member concerned or asking them to provide explanations.

7.3. The executive committee decides on the temporary suspension of a member mentioned in art. 6.1. if the body no longer fulfils the criteria of 6.1 or the obligations of art. 8. The executive committee can allow members in this case to participate temporary at the conditions of corresponding members.

7.4. The members shall be free to withdraw at any time from the network by written notification to the president.

7.5. Members who permanently no longer meet the criteria mentioned in art.6 shall be excluded from the network, according to the procedure described in art. 7.2.

7.6. The members mentioned in art. 7.4. cannot grant rights on the assets of the organisation and cannot claim back the donations or the capital brought in.

Article 8 Rights and Obligations of Members

8.1. All members of the network:

- shall be committed to the aims of the network mentioned in art. 3 and make efforts to contribute to achieve the concrete goals of the annual programme;
- shall contribute to the implementation of the decisions of the General Assembly;
- shall fulfil the tasks for which they were elected;
- shall submit notification of the appointment of their representative(s) to the executive committee.

8.2. Members as defined in art. 6.1. pay the full subscription for the current year within the specified period. Corresponding members as defined in art. 6.2. pay a reduced subscription within the specified period.

8.3. Members as mentioned in 6.1. are entitled to take part in all the activities of the network. They have a full responsibility in the network as described in the part. III and IV (competences of the general assembly and the executive committee).

Corresponding members are entitled to take part in the general assembly, in the seminars and conferences and other initiatives they are invited to by the executive committee. They receive information produced by Eunec on European, international and national policy lines.

III. THE GENERAL ASSEMBLY

Article 9 Composition

9.1. All members of the organisation are allowed to be represented in the General Assembly.

Members mentioned in art. 6.1. are represented by two representatives: the President and/or a person so empowered by his/her council. Each of these two representatives will have one vote in the general assembly.

Corresponding members have the right to attend the meetings of the general assembly. They are represented by one person empowered by the council. This representative will have one vote in the General Assembly.

9.2. The Executive Committee may invite personalities or experts to take part in a General Assembly meeting, depending on the topics discussed.

Article 10 Responsibilities

10.1. The responsibilities of the General Assembly include the right to:

- amend the statutes;
- elect the President of the network;
- nominate and discharge of members of the executive committee;
- determine the status of members and acceptance and exclusion of a member according to the art. 6;
- approve the budget and the annual account
- discuss and decide on matters concerning the operation, activities and working programme of the network;
- discuss and decide matters concerning the existence of the network;
- dissolve the organisation;
- approve or amend the internal rules of procedure;

10.2. Decisions of the General Assembly will be adopted upon the proposal of the Executive Committee.

10.3. The statutes may be amended and the network may be dissolved only by a meeting of the General Assembly upon the proposal of the Executive Committee. In that case the procedure as foreseen in articles 50 §3, 55 and 56 of the law shall be fulfilled. In the event of the network being dissolved, the net assets remaining after the debts and the liabilities have been cleared shall be passed on to a network or body whose activity is closest to the aims at the basis of the network. During the dissolution of the network the General Assembly appoints a liquidator. The liquidator leads the adjustment of the network and executes the decisions of the General Assembly in reference to the dissolution.

Article 11 Calling of Meetings

11.1. The General Assembly shall meet once a year at least.

11.2. Extraordinary meetings of the General Assembly may be convened by the President on the basis of a decision by the Executive Committee, or when at least one third of the members so request. The notice and agenda for an extraordinary meeting shall be sent to the members at least one month beforehand. The notice is made either by letter, by fax or by e-mail.

Article 12 Voting in the General Assembly

12.1. The President of the network shall chair the General Assembly. By absence of the President, the General Assembly is chaired by the secretary-general. The quorum is reached when at least one third of the members are present. Decisions shall be taken by simple majority voting. Decisions concerning amendments to the statutes or the dissolution of the network require a two-thirds majority of the votes.

12.2. Decisions may not be taken on matters, which are not included on the agenda sent with the notice of meeting. In case of urgency, a point can only be added if a majority of the assembly agrees with the proposal. In case the votes on both sides are equal in number, the person chairing the meeting shall have the casting vote.

12.3. Each member of the general assembly has the right to vote.

12.4. Each member can be represented by another member by way of a written power of attorney. Each member can represent maximum one other member.

12.5. The General Assembly gives notice of the decisions to all the members. The decisions of the General Assembly are registered.

IV. THE EXECUTIVE COMMITTEE

Art. 13. Composition

The Executive Committee is composed of one representative from each council paying the fees as mentioned in art. 8.2. Each council gives notification to the general assembly. The general assembly appoints the members for a term of two years. Members of the Executive Committee exercise the mandate free of charge. They are re-eligible.

Article 14 Responsibilities

14.1. Competencies

The Executive Committee has to prepare the proposals that are submitted to the General Assembly.

The Executive Committee must:

- implement the decisions of the General Assembly;
- announce the meetings of the General Assembly and the other network activities;
- approve new members
- appoint the auditor
- prepare the accounts after receiving the auditor's report
- decide on the budget
- take decisions in accordance with the statutes of the network, in accordance with the interests of the network or with the policy of the General Assembly;
- report to the General Assembly on its activities and its financial management
- nominate the general secretary.

- decide on the annual fees for members mentioned in art. 6.1. and for the corresponding members.

14.2. The network is represented by the President, the Secretary General, or a member that is appointed for a specific assignment.

14.3 For some special tasks and actions and for acts of daily governance, the executive committee can delegate his power at one or more members of the executive committee or even at another person, member or not. The duration of this delegation cannot be longer than four years and the mandate can be withdrawn at all times by the executive committee with immediate effect.

Article 15 Decision-making

15.1. The president convenes the Executive Committee. The president shall chair the Executive Committee. By absence of the President, the Executive Committee is chaired by the secretary-general.

15.2. The Committee can only take a valid decision when at least half of the members are present. If the quorum is not reached, a new committee can be organised with the same agenda. This new committee can deliberate and decide legally if at least one third of members are present or represented. Simple majority (the half plus one, abstentions excluded) makes decisions. In the event of equality of votes, the person chairing has the casting vote.

15.3. Every member of the Executive Committee can give a written power of attorney at another member to represent him at the meeting of the Executive Committee.

15.4. The Executive Committee can gather by phone- or videoconference. The rules (15.1 till 15.3) are also applicable in this case.

15.5. In exceptional cases, if required by urgent necessity and the importance for the network, the decisions of the Executive Committee can be taken by unanimous written agreement of the members. This agreement can be given by letter or by fax. This procedure cannot be followed at the moment of the determination of the annual account.

15.6. Minutes are made of each meeting.

15.7. The Executive Committee may organize smaller groups of work in order to prepare matters to be debated and decided in Executive Committee meetings.

V. THE PRESIDENCY

Article 16 Presidency

16.1. The President of the Network is elected by the General Assembly upon proposal of the Executive Committee among the presidents or other persons empowered by the councils represented in the Executive Committees.

16.2. The President shall have a two-year term of office. This may be renewed by the General Assembly.

16.3. The President shall represent the network and chair the General Assembly and the Executive Committee.

VI. FUNDING OF THE NETWORK

Article 17 Resources

17.1. The financial year runs from January the 1st till December the 31th. The first financial year closes at December the 31th 2006.

17.2. The annual account and the budget are made by the Executive Committee in conformity with art. 53 of the law and are submitted at the next meeting of the General Assembly.

17.3. The network's resources originate from:

- annual subscriptions of members of the Executive Committee;
- annual subscriptions of other members
- any direct or indirect support from member organisations (organisation of meetings, hosting of events instigated by the General Assembly);
- subsidies linked to the activities of the network;
- fees, royalties and in general any income linked with the network's activity.

17.4. The Executive Committee establishes each year the amount of the annual subscription of the members of the Executive Committee, and of the annual subscription of the other members.

Article 18 Auditing

An external auditor appointed by the Executive Committee each year audits the accounts.

VII. INTERNAL RULES OF PROCEDURE

Article 19 Internal Rules of Procedure

The Executive Committee shall decide on drafting internal rules of procedure.

Article 20 Coming into Operation of the Statutes

The present statutes come into operation the date of approval by the General Assembly.

Article 21 Subsidiary Dispositions

Each subject that is not covered explicitly by these statutes is covered by title III of the law of 27 June 1921 or any legislation that should replace this law after the foundation of this organisation.