

# STATUTS

The Association is a non profit making organisation of public interest with a tax deductible status

## A. Constitution

### **Art. 1 Name, location and duration**

1.1 The association is constituted under the name "Essential" and is designated hereafter by the term "the Association".

1.2 The Association includes all of its present and future branches. These branches remain independent as far as their internal organization is concerned.

1.3 The Association is headquartered in Nyon.

1.4 The Association is of an indefinite length.

1.5 The Association is governed by the present Statutes and by art. 60 ff of the Swiss Civil Code.

### **Art. 2. Goal**

2.1 The purpose of the Association is to support small development projects with material or financial assistance, especially in India or in other countries, according to requests. This help is provided on a punctual basis and free of charge.

2.2 The Association is a non profit-making organisation.

### **Art. 3 Resources**

The resources of the Association come from :

- a) spontaneous gifts and donations, in cash or in kind,
- b) collection of funds and fund-raising events.

### **Art. 4 Members**

4.1 The members of the Association include any person willing to work actively towards the Association's goals.

4.2 All the members are volunteers.

4.3 All the members are free to leave the Association without notice, after informing the Committee.

4.4 Any member can be excluded, for just motives, by the General Assembly of the Association by a majority of the members present.

4.5 The members have no right on the Association's property.

## B. Organization

### **Art. 5 The organs of the Association are as follows :**

- the General Assembly,
- the Committee,
- the Auditors.

### **Art. 6 The General Assembly**

6.1 The General Assembly is the supreme authority of the Association.

6.2 The Committee convenes the Annual General Assembly during the first half of the year, with at least three weeks' notice.

6.3 The Committee can summon an Extraordinary Assembly at any time, with at least three weeks' notice.

6.4 The Committee must summon the General Assembly whenever a fifth of the members of the Association make such a request.

6.5 The decisions of the General Assembly are taken by a majority vote of the members present. In case of a tie, the person chairing the Assembly casts the deciding vote.

6.6 Decisions at the General Assembly are taken by a show of hands unless a third of the members present request a secret ballot.

### **Art. 7 Responsibilities of the General Assembly**

The General Assembly:

- a) elects the President of the Committee,
- b) elects the Auditors,
- c) approves the accounts,
- d) votes on motions presented,
- e) dismisses members if and when necessary,
- f) approves the statutes or their modification.

### **Art. 8 The Committee**

8.1 The Committee and its President are elected by the General Assembly for the duration of one year.

8.2 The Committee is composed of 3 members at least and 9 members at most.

8.3 The different regions of the canton must be represented.

8.4 The President and the members of the Committee are volunteers.

8.5 The Committee appoints, among its members, a Treasurer and a Secretary, the same person being able to combine the two functions.

8.6 Decisions are taken by the majority of members present. In case of a tie, the President casts the deciding vote.

### **Art. 9 Responsibilities of the Committee**

9.1 The Committee is responsible for the administration of the Association's affairs.

9.2 It ensures that the Association's Statutes are properly carried out.

9.3 It proposes to the General Assembly all decisions that it considers appropriate.

9.4 The President, the Treasurer or the Secretary may act in the name of the Association and their signature is binding on the Association.

### **Art. 10 The Auditors**

10.1 Two persons and a substitute are elected Auditors of the accounts.

10.2 They are elected for a period of two years.

10.3 They submit their report to the General Assembly for approval at the time of the Annual General Meeting.

**Art. 11 Liability**

11.1 The members of the Association and the members of the Committee can not be held responsible on an individual basis for the debts or the other contractual commitments entered into by the Association.

11.2 The Association's contractual commitment are guaranteed only by the Association's property.

**Art. 12 Dissolution**

12.1 The Association can, at any time, decide to dissolve itself if a majority of the members present at a meeting of the General Assembly convened to this effect so decides.

12.2 The Association will be dissolved in event of bankruptcy or if the Committee cannot be constituted in accordance with the Statutes.

12.3 In the event of a dissolution, the surplus of liquidation remaining after extinction of all the debts of the Association will be given to any other institution in Switzerland pursuing an identical or similar objective of public interest and designated by the General Assembly. The members of the Association are therefore not entitled to any possible surplus of liquidation.

**Art. 13 Enforcement**

The Statutes come into force after their approval by the General Assembly.

The present Statutes were adopted by the constitutive Assembly on August 26, 2002 and were amended on December 16, 2004.

The President: Joceline Bachelard