# **Political Party Statute**

## **Basic provisions**

**§ 1 Introductory provisions**

(1) The name of the Party shall be Пирати (hereinafter referred to as "Party")

(2) The party is registered under Act no.51/2009 Coll. Act on Civil society organisations, as amended (hereinafter referred to as ACS), and operates in the Republic of Serbia.

### **§ 2 Program and goals**

(1) The objectives of the Party shall be to assert fundamental human rights to the free dissemination of received information and the strict protection of the privacy of the citizen, which reflect the changing reality of information technologies in the society of the 21st century. To achieve this goal, it is important to revise the copying monopoly so that it cannot become a pretext for attacks on internet freedom.

(2) The Party seeks to assert and support

1. Freedom of access to information
2. Freedom of speech
3. Free Cultural Works, software and standards
4. Independence of courts and prosecutors´ offices from the state
5. Transparent management of revenues from copying and similar fees, and reduction or cancellation of such fees
6. Democracy and maximum public involvement in decision-making
7. Transparent selection procedures in the public sector
8. Protection of natural and cultural assets
9. Education and scientific institutions

(3) The Party shall, by its program and all legal means possible, fight against

1. abuse of the laws restricting liberty
2. censorship, violence, racism, fear, insecurity and doubt in society, and against the suppression of human rights

## **Party members and supporters**

### **§ 3 Party members**

(1) The Party is open to any citizen of the Republic of Serbia with permanent residence in the territory of the Republic of Serbia or a citizen of another Member State of the non EU and European Union with a permanent residence in the territory of the Republic of Serbia who

1. has reached the age of 18
2. is fully competent to perform legal acts
3. is not a member of another Slovak political party or political movement
4. agrees with the program and goals of the Party
5. commits to support the basic program objectives referred to in Article 2
6. unless the Executive Committee decides otherwise, it has not been excluded by the Party in the past
7. according to the ACS, submits an application for membership to the authority of a party

(2) The applicant for membership shall truthfully state in the application

1. personal data which are the subject of records
2. whether in the past he applied for membership in the Party and whether he was a member or a registered supporter
3. whether or not he has been a member of another political party or political movement (including foreign ones) in the past, including the time frame of such membership
4. whether he has been convicted of an intentional criminal offence
5. whether he is being prosecuted

(3) The completed and signed application for membership shall be submitted by the applicant to the regional association in the place of permanent residence, exceptionally, in justified cases, to another regional association or the Executive Committee. Admission is decided by the regional committee of the relevant regional association, or exceptionally by the executive committee of the party, usually in the presence of the applicant; the rejection of the application must be justified. Membership is subsequently established after payment of the membership fee.

(4) A member of the association may, in justified cases, host in a maximum of one other regional association, which agrees with that. Where possible, the visiting member shall have the same rights as a full member, except for the right to vote on personnel matters.

(5) Membership expires on the date

1. specified in the notice of withdrawal from the Party, but not earlier than the date of receipt of such notice by the Committee of the Association concerned, or by the Executive Committee of the Party;
2. of the decision on the expulsion of a member from the party in the event of a serious breach of the statutes, intentional incomplete or false completion of the membership application, or repeated damage to the good name of the party
3. of limitation of legal capacity
4. of loss of citizenship of the Republic of Serbia or another member state of the non EU and European Union
5. change of permanent residence outside the territory of the Republic of Serbia
6. the date of death of the member

(6) Membership is suspended, thereby member temporarily loses membership rights,

1. on the expiration of the time limit set for the payment of the membership fee after the call for payment of the membership fee, in which the member was demonstrably notified of the possibility of suspending the membership until the payment of the membership fee or termination of membership
2. the date of validity of the decision on the restriction of legal capacity, for the period of this restriction
3. on the date specified in the interim measure, or the award of the arbitration panel, for the period specified therein
4. on the date specified in the request for suspension of membership, but not earlier than the date of receipt of such request by the committee of the association concerned or the executive committee of the Party
5. on the date of loss of any other condition of membership under Art. 3 par. 1 of these statutes

(7) A member of the party has the right

1. to be informed of the activities of a Party, in particular of any substantive resolutions of the authorities directly concerning him, and of the staffing of the authorities of the Party;
2. to express freely his views and defend them, to take part in the deliberations of the internal affairs of the party
3. participate in the formulation of the Party's policy
4. to address other members and bodies of the Party with suggestions, initiatives, questions and comments
5. to participate, with voting rights, in the decisions of the bodies of which oneself is a member
6. to be elected and, where appropriate, delegated to party bodies and functions
7. to be nominated as a candidate for election to public office, where the candidacy may require the fulfilment of other criteria, such as obtaining the support of a specified number of members of the Party

(8) A member of the party is obliged

1. to support the political objectives of the Party, in particular, the basic program objectives set out in Article. 2
2. comply with the provisions of the rules of procedure and other internal rules, in particular, tolerate restrictions on their rights imposed by the arbitration panel for breach of a member's obligations;

(9) There is no legal right to membership in the party.

### **§ 4 Registered party supporters**

(1) Anyone who supports the ideological goals of the party can register as a supporter by completing and signing the registration form.

(2) Registered supporters of the party are not members of the party under the ACS.

(3) Registered supporters may submit proposals to party bodies, may participate in discussion meetings, may be members of councils and sections may cooperate with the party in nominating candidates for public office elections. They may not vote or be elected as members of any authority of the Party. Additional provisions on members shall apply to registered supporters to the extent appropriate.

## **The organizational structure of the Party; statutory bodies, organizational units and other units of the Party**

**§ 5 Organizational Structure of the Party**

1. **Authorities of the Party**

a) [National](https://www.pirati.cz/o-nas/stanovy.html#%C4%8Cl-8-celost%C3%A1tn%C3%AD-f%C3%B3rum) Forum

b)Executive Committee

c) Revision and Audit committee

d) Regional authorities

1. **Organizational units**
2. regional associations

Regional associations are organizational units of a party created on a territorial basis.

Organizational units may acquire property on behalf of a party, manage and dispose of it, or acquire other property rights, act and undertake on behalf of a party only to the extent specified in the articles of association and based on a warrant granted by the statutory body, to a precisely defined extent.

1. **Regional authorities of the party**

In regional associations, they are party authorities

a) regional forum

b) regional committee

1. **Other party units**

a) Councils

b) Working groups

### **§ 6 General principles**

1. The authorities of a Party shall approve the rules of procedure and, where appropriate, the election rules, which they shall issue following customary democratic principles, in particular concerning equality of votes. The presumption of correctness applies in the negotiations of the party's bodies.
2. The principle of hierarchy shall be applied when assessing the validity of regulations issued by different competent authorities. The organizational units of the party shall be self-governing within the limits of the internal regulations; they may issue regulations under which they exercise their powers.
3. A serious declaration delivered to all addressees, which does not raise doubts as to its credibility, is considered to be a proper notification. Actions required by law should also be duly notified.

1. In a duly announced vote and at a duly announced meeting, the bodies shall act by a majority of those present, unless otherwise provided in the internal rules. A remediable error in a legal action will invalidate it only if it can be assumed that the removal of the error would lead to a different result.
2. Proposals marked as essential require approval by more than a three-fifths majority. Accepted major proposals can only be changed by another major proposal. The statutes may be amended only on the basis of a substantive proposal for the meeting.
3. Voting takes place if possible electronically, by correspondence and with an extended voting time. The National Forum and the Regional Forums shall vote by secret ballot in personal votes and in primary elections and whenever a member so requests; elected bodies shall vote by secret ballot only if the designation of names could expose members to persecution for the purpose of enforcing the party's policy, and the body shall decide on this before voting.

1. The term of office of all elected positions is four years.
2. The election period begins with the end of the election session or the announcement of the election results.

1. In addition, the election period of the Executive Committee and regional committees always ends no later than three months after the elections to the National Council of the Republic of Serbia, but only if the party participates in these elections.

1. Each member may hold at most one of the positions of head of the section, member of the executive committee, arbitration commission, or review commission.

1. An individual may resign from office in a body performed under these Articles of Association by proper notification to the committee of the body, in justified cases to the superior body. He shall take note of the resignation and inform the authority entitled to elect an alternate. Similarly, an authority may recognize itself on a collective resignation. The provisions on termination of membership shall apply mutatis mutandis to the termination of office.

1. The representative shall perform a legal act on behalf of the represented party who has in breach of a legal obligation by inaction, or if the circumstances indicate that this will happen.

**Bodies**

**§ 7 National Forum**

1) The National Forum is the highest authority of the party.

2) Every full member of a party has the right to participate and vote in the National Forum.

3) The meeting of the national forum is convened by the chairman of the party at least once a year.

4) The Chairman of a Party shall convene a meeting of the National Forum if requested by the Executive Committee.

5) National forum in the exclusive competence

1. elect and remove the members of the statutory authority and the executive committee
2. establish and abolish councils and sections
3. elects and removes members of commissions and heads of councils and sections
4. approves the statutes and amendments to the statutes
5. discuss and approve the annual report of the Chairman of the Party
6. give special consideration to decisions of the authority of a Party if the group of members so proposes to the Chair within two weeks of the decision becoming final. From that moment on, the enforceability of the decision shall be suspended. The National Forum may revoke the decision within two weeks of the suspension. Otherwise, the decision will be enforced. For the purposes of this provision, a group shall mean at least one-fifth of all members of a Party, unless a national forum provides in its rules of procedure for less than
7. have the right to impose a waiting period for entry into the Party if it deems it useful.

6) National Forum also

1. approve further regulations for the adjustment of intra-party conditions
2. assign tasks to the Executive Committee
3. discusses and approves basic program and idea documents
4. determine the amount of membership fees and the time limits for their payment
5. approves the financial rules, management rules, party budget, management results

**§ 8 Executive Committee**

1. The Executive Committee shall consist of nine members, one of whom shall be the Chairman of the Party.
2. Executive Committee
   1. is the executive authority of a Party
   2. The Executive Committee shall consist of the Chairman of the Party, 1. The Vice-Chairman of the Party; 2. Vice-Chairman of the Party and minimum two members of the Committee
   3. have overall responsibility for the Party and political affairs between meetings of the National Forum
   4. comply with the resolutions of the National Forum
   5. meet as required; it shall meet whenever requested to do so by any member of the Committee
   6. may duly announce the new elections of the regional committee of the regional association
   7. discuss and prepare the report and proposals for the national forum
   8. may approve model rules of procedure and elections
   9. is responsible for the lists of candidates for elections to public office, in exceptional, justified cases it may change the list of candidates.
3. The members of the Executive Committee have the right to participate in the meetings of all organizational units, authorities of the Party, and other components of the Party in an advisory capacity.
4. The proceedings of the Executive Committee may be declared closed.
5. Party Chairman
   1. convene and chair a meeting of the national forum
   2. convene and chair a meeting of the Executive Committee
   3. act externally on behalf of the Executive Committee
6. The Vice-Chairmen of the Party shall represent the Chairman of the Party in the order specified. They perform functions on the basis of a mandate from the party chairman or the executive committee.

**§ 9 Statutory body**

1. The statutory authority represents the party internally and externally.
2. The statutory authority consists of the Chairman of the Party, 1. Vice-Chairman of the Party and 2. Vice-Chairman of the Party
3. Legal acts on behalf of the party and written acts on behalf of the party are performed by the chairman of the party or another member of the statutory authority.

**Acting on behalf of the party**

1. Each member of the statutory authority acts and signs independently on behalf of the party.
2. When signing on behalf of a party to the printed or prescribed name of the party and the name of the actor, the acting person shall attach a handwritten signature stating his / her function in the party.
3. Other members of the party or its employees may act on behalf of the party only on the basis of written authorization of a member of the statutory authority of the party.

**§ 10 Examining Authorities - Arbitration and Revision Commission**

**Generally:**

The review authorities shall act in accordance with the legal principles common to democratic justice, in particular, to ensure that they are impartial. Other authorities, organizational units, and other components of the party are obliged to cooperate in the review.

* Commissions are collegial authorities of a party composed of at least three members of the party. The maximum possible number of members of the commission is seven.
* The role of the commissions is to perform the specific tasks arising from these statutes.
* The members of each commission elect a chairman and vice-chairman of the commission from among themselves.
* Each commission approves its rules of procedure.
* The Commission is governed by a statute approved by the National Forum.
* Two commissions are established by law, namely the Arbitration Commission and the Revision Commission.

1. Arbitration Commission

is the control authority of the party, supervises the management and compliance with generally binding legal regulations and regulations of the party. It decides in party disputes between natural persons, resp. between natural persons and organizational units of the Party, authorities, or other components of the Party.

Arbitration Commission

1. investigates complaints of violations of the regulations relating to the activities of a Party
2. investigates and resolves competence disputes in a party which by law do not belong to another authority
3. when hearing investigated complaints, always hear the parties to the proceedings
4. issue interim measures in matters which cannot be postponed and decide on the limitation of the rights of a member for a breach of the law and on its exclusion
5. decides on the validity of a legal act of an organizational unit or authority of a party, o. i. rejection of the application or transfer request
6. answer preliminary questions from the authorities of the Party and individuals if the interpretation of the statutes or regulations is not clear; such a response exerts a force of persuasiveness when applied
7. Audit Committee

is the party's review authority.

Audit Committee

1. keep under review the regulations of a Party and verify that they conform with the generally binding laws and regulations of the Party;
2. continuously check that the activities of the Party are carried out under the generally binding legal regulations, statutes and internal regulations of the Party
3. continuously collects proposals for amendments to the Articles of Association
4. examine the annual accounts and the annual report
5. checks that the accounting records are kept in accordance with the facts

**Organizational units**

**§ 10 Regional associations**

1. The minimum number of members of a regional association is three.
2. A member of a party belongs to a regional association that has accepted him as a member or to which he has transferred. The transfer shall be governed by the provisions of the application and the membership of the party shall not be affected.
3. Every member of the regional association has the right to participate in the regional forum.
4. Regional Forum
   1. elect and remove from among its members the members of the Regional Committee
   2. implement the Party's policy at the regional level
   3. establish and abolish regional commissions, which shall carry out the activities of national commissions at the regional level to an appropriate extent;
   4. assign tasks to the Regional Committee
5. Regional Committee
   1. consists of a chairman and two to four vice-chairmen
   2. corresponds to the regional forum, implements the resolutions of the regional forum and the national forum
   3. it accepts new members and decides on the admission of a member transferring from another regional association
   4. collects proposals for candidates for elections and provides them with professional and political training, o. i. nominates an electoral representative to the party chairman
   5. ensures the primary elections in its area and determines whether registered supporters can also vote in them; to this end, it may set up a regional electoral commission.
   6. convenes a meeting of the Regional Forum at least once a year
   7. the provisions of these Statutes on the powers of the Executive Committee shall apply mutatis mutandis to the powers of the Regional Committee
   8. represents the regional association externally and in other authorities of the party, if so provided by law

**Other party units**

**§ 11 Council**

1. Councils are colleagues of a group of parties composed of a third party and party supporters of a party. The maximum number of board members is seven.
2. The role of the councils is to fulfil a specific role based on a resolution of the National Forum.
3. The members of each Council shall elect a chairman and a vice-chairman from among themselves. Registered supporters of the party who are members of the council cannot be elected.
4. In all votes within the council, registered supporters of the party have only an advisory vote.
5. Each council approves its rules of procedure.
6. The Council is governed by a statute approved by the National Forum.

### **§ 12 Sections**

1. Sections are monocratic groups of a party composed of the leader and possibly several members of the party and supporters of the party.
2. The role of the section is to fulfil a specific role based on a resolution of the national forum.
3. The section is governed by the statute approved by the national forum.
4. The head of the section must be a member of the party and decides on all matters of the department.
5. The head of the section may appoint other members of the section and entrust them with the performance of the functions of the section.

**Management and liquidation**

**§ 13 Management principles**

1. The party is responsible for its obligations with all its assets.
2. The party disposes of its assets and keeps its accounts in accordance with the relevant provisions of generally binding legal regulations. The property of the Party shall be managed by the Executive Committee based on the approved budget and the approved budgetary rules of the Party. Internal regulations may regulate the management of organizational units and authorities of a party.
3. The party's budget, its changes during the year, and the financial results are approved by the national forum.

**§ 14 Termination**

1. In the event of liquidation of a party, the Executive Committee shall decide on the manner of disposing of the balance of assets arising from the liquidation of assets and liabilities.

**§ 15 Transitional and final provisions**

1. Executive Committee
   1. convene the inaugural meeting of the Forum of New or Renewed Regional Associations at the request of the appropriate number of Party members from the Area.
   2. decides on membership and performs other tasks of the regional committee in places where no regional association operates
2. Regional associations may set up their regional arbitration authority deciding in the first instance; in appeal proceedings, the decision-making committee of the party decides.
3. Authorities elected under the previous statutes shall be deemed to have been elected under those statutes; if someone holds incompatible posts and does not notify the Executive Committee of the choice of the post he wishes to resign, he shall lose the post he later
4. The Articles of Association of the party come into force on the day of registration with the Serbian Business Registers Agency.