

Draft Statutes for PPEU

PREAMBLE

We, the Undersigned,

Convinced that, while remaining proud of their own national identities and history, the peoples of Europe are determined to transcend their former divisions and, united ever more closely, to forge a common destiny," ([1], Preamble of European Constitution)

Based on the Uppsala and Prague Declarations,

Aspiring to be recognized as a Political Party at EU Level,

Promoting the unviolable and unalienable rights of the human being, freedom, democracy, equality and the rule of law.

Supporting the evolution of democracy on every level and assuring transparency for political processes and decision-making,

Believing that a new style of policy is possible, which is build on rationality, public participation, cooperation and respect.

Disregarding generally race, belief, gender, sexuality, age and social status as criteria for different legal and personal treatment,

Focussing on the long-term welfare of European citizens instead of big money,

Emerging from the struggle for a free, open and participative internet as a truly transnational and international movement,

Uniting the forces of Pirates and Pirate Parties from all over Europe to influence European policy together, but with respect for the autonomy of its members,

Cross-Inseminating new ideas, concepts and actions to initiate progress in Europe,

Hoping to contribute to prosperity and peace all over Europe,

Subject to the ratification of the member parties,

agree to create an international non-profit association according to Belgian law and determine its

statutes as follows:

GENERAL PROVISIONS

Article 1 – Name

The official name of the association shall be "European Pirate Party" and „European Pirates“, abbreviated "PPEU" or „PIRATES“. Both the full and the abbreviated names may be used indistinguishably.

All acts, invoices, announcements, publicity, letters, orders and other documents issued by the Association, shall indicate the full name or the abbreviated name of the Association .

A list of official translations of the association's name which may be used by the member parties is included in Annex A.

Article 2 – Seat

The seat of the European Pirate Party is situated at 47A Rue Gerard, 1040 Etterbeek, Brussels, Belgium.

The Council may move the seat anywhere in Belgium by simple majority vote. The move must be published in the Belgian Official Gazette in accordance with Belgian law. To move it to any other location the Council has to decide unanimously.

An unanimous vote of the Council is also needed to establish other offices and/or subsidiaries outside of Belgium. Inside of Belgium other offices and subsidiaries may be established by simple majority vote of the Council.

Matters related to the application of the Statutes shall be determined by the courts of Brussels or by arbitration and the laws of Belgium shall apply.

Article 3 – Legal Provisions

Article 10 of the Treaty establishing the European Union recognises that, “political parties at European level are important as a factor for integration within the Union. They contribute to forming a European awareness and to expressing the political will of the citizens of the Union.”

The Association carries out its activities, pursues its aims and is organised and financed in conformity with the Regulation (EC) n° 2004/2003 of the European Parliament and Council of 4

November 2003 on the regulations governing political parties at European level and the rules regarding their funding.

The Association is regulated by the dispositions of Title III of the Belgian law of 27 June 1921 on non-profit associations (ASBL), international non-profit associations (AISBL) and foundations, as amended by the Act of 2 May 2002.

All matters not expressly provided for or regulated in these statutes shall be governed by the Act of 27 June 1921 or legislation replacing that Act after the foundation of the Association, general legislation, the internal rules and relevant practice.

Article 4 - Language

In the event of divergence or of doubt between these statutes in the original version in English and any version in another language, the English language version prevails.

English shall be the working language of the Association. Any initiatives and proposals can only be adopted, if they have been translated into English prior to the start of the decision-making-process on the level of the Association.

Article 5 – Representation

The Council represents the Association in all judicial and extra judicial acts. Represented by the Chairperson or the person substituting for him, it acts as plaintiff or defendant in all the judicial actions and decides whether or not to use recourse. The Board may appoint an attorney-in-fact, and is legally bound by acts of such person within the limits of their power of attorney.

Any member of the Board may bind the Association for acts of daily management.

For the acts that bind the Association, other than those of daily management, the Council is represented at least by one special delegate and by one of the members of the Board, who need not justify themselves of their own powers with regard to third persons.

Article 6 - Limited liability

Members of the Association, members of the Council, members of the Board and people in charge of daily management are not bound by the obligations of the Association.

The liability of the members of the Board and the Council or of people charged with the daily management of the Association is limited to the strict fulfilment of their mandate.

Art. 7 – Principles

The Association shall pursue international aims in respect of the principles on which the European Union is based, namely principles of freedom, equality, solidarity, democracy, respect of Human Rights and Fundamental Freedoms, and respect for the Rule of Law.

The Association shall work as transparent as possible, regarding the protection of personal data and the right to privacy of the people involved.

The Association shall take into account the opinion of each individual Pirate who is a member of any of the member parties. Important decisions shall be based on democratic principles for the inner workings of the Association.

The Association shall adhere to all regulations necessary to being recognized as a Party at European level.

The members of the Association shall adopt a Common Manifesto which shall reflect the principles and policies of the European Pirate movement.

All decisions concerning choices and attitudes of PPEU member parties or political organizations in their own countries remain strictly under the sovereignty of national parties.

The Association may carry out all operations and conduct all activities (including real estate transactions), both in Belgium and abroad, which directly or indirectly increase or promote its objectives under the conditions that they adhere to the principles of this organisation stated in this article and does not undertake industrial or commercial transactions and does not seek to procure a profit to its members.

In interpreting these Statutes a pragmatic approach shall be chosen with preference to the spirit and purpose of the Statutes.

Art. 8 – Objectives

The Association aims to further the interests and goals of its members.

To accomplish these objectives the association shall, among other things:

-
- develop close work relations between and among the members, their parliamentary, european, national and regional groups, the groups in the other parliamentary assemblies and the parties which have the same political platform outside the European Union;
-
- identify and inform about common policies among the Pirates of Europe;

-
- adopt a Common Manifesto strive for implementing these common policies at EU level and in the whole of Europe;
-
- coordinate election campaigns for the European Parliament on request of the member parties;
-
- organize Pan-European assemblies, conferences and conventions;
-
- act as a contact for the European institutions and representatives to the European Pirate movement
-
- establish the Pirate movement in the public's eye, the European Union and Europe as a whole and
-
- voice and broadcast for its member parties policies and discussions of interest on request of its members.

Members

Art. 9 – Membership

The number of members is unlimited, but may not be less than ten Ordinary Members. All Members, except for Supporting Members, shall be legal entities constituted according to the laws and customs of their country of origin. If a member does not possess legal personality according to the laws and customs of its country of origin, it must appoint a natural person to act in the name and on behalf of its organisation and its members as a common attorney-in-fact. In case of a change of representation, the Secretary General of the association is immediately informed in writing.

There are five categories of members:

- a) Ordinary Members
- b) Associate Members
- c) Observer Members
- d) Individual Members
- e) Special Members

Members shall maintain their name, identity and autonomy of action within the scope of their national and regional responsibilities.

Art. 10 – Ordinary Members

Eligible as Ordinary Members are all parties which

-
- are established as a political party or in another form, if their country or state does not allow them to become a party (or makes it very difficult for them) in a country or state of the European Union,
-
- are not subordinate to any other party in this country or state,
-
- carry the term „Pirate“ or any translation of that term somewhere in their party name,
-
- intend to participate in elections to the European Parliament,
-
- maintain a democratic political base and a democratic internal structure,
-
- are politically active,
-
- accept and comply with the regulations of these Statutes and orders of its bodies and
-
- accept the Common Manifesto.

They have the following obligations:

-
- to comply with all the regulations of the Statutes of the Association and all orders of the bodies of the Association,
-
- to cease and desist any actions which may harm the Association or are contrary to the objectives and principles of the Association or go against the policies laid down in the Common Manifesto or damage the Association in any other way,
-
- to regularly attend Council meetings of the Association,
-
- to participate in the political discussion and decisions of the Association,
-
- to stay politically active and participate in elections,
-
- to send their yearly accounts and election results to the Association or a link to them, if they are published accessible for everyone online,

-
- to conduct their financial organisation in a transparent and accountable manner,
-
- to pay their designated fee as Ordinary Members in a timely manner and
-
- to report every year to the Association on party and policy developments.

They have the following rights:

-
- to vote in the Council on every matter,
-
- to participate in the political discussions and to speak at Council meetings,
-
- to participate in the development of the political agenda,
-
- to participate in the decision making process,
-
- to have access to all non-confidential documents of the Association,
-
- to table resolutions and amendments as well as contribute other items to the agenda of Council meetings,
-
- to participate in common campaigns,
-
- to appoint delegates and arbitrators and propose candidates for the Board and
-
- to have access to use of the Associations logo and other representational devices.

Art.11 – Associate Members

Eligible as Associate Members are all parties which

-
- are established as a political party or in another form, if their country or state does not allow them to become a party (or makes it very difficult for them), in a country or state which territory lies at least partly in the geographical Europe without being a member state of the European Union,
-
- are not subordinate to any other party in this country or state,

-
- carry the term „Pirate“ or any translation of that term somewhere in their party name,
-
- intend to participate in elections in their country or state, if legally possible and feasible,
-
- maintain a democratic political base and a democratic internal structure,
-
- are politically active,
-
- accept and comply with the regulations of these Statutes and orders of its bodies and
-
- accept the Common Manifesto.

They have the following obligations:

-
- to comply with all the regulations of the Statutes of the Association and all orders of the bodies of the Association,
-
- to cease and desist any actions which may harm the Association or are contrary to the objectives and principles of the Association or go against the policies laid down in the Common Manifesto or damage the Association in any other way,
-
- to regularly attend Council meetings of the Association,
-
- to participate in the political discussion and decisions of the Association,
-
- to stay politically active and participate in elections, if possible and feasible,
-
- to send their yearly accounts and election results to the Association or a link to them, if they are published accessible for everyone online,
-
- to conduct their financial organisation in a transparent and accountable manner,
-
- to pay their designated fee as Associate Members in a timely manner and
-
- to report every year to the Association on party and policy developments.

They have the following rights:

-
- to vote in the Council on every matter, except for decisions involving the policies and structure of the European Union or its institutional system,
-
- to participate in the political discussions and to speak at Council meetings,
-
- to participate in the development of the political agenda,
-
- to participate in the decision making process,
-
- to have access to all non-confidential documents of the Association,
-
- to table resolutions and amendments as well as contribute other items to the agenda of Council meetings,
-
- to participate in common campaigns,
-
- to appoint delegates and arbitrators and propose candidates for the Board and
-
- to have access to use of the Associations logo and other representational devices.

If the state in which the Associated Member Party is established effectively becomes a member of the European Union, such Associated Member Party shall automatically become an Ordinary Member Party as from the date of the adherence of such a state to the European Union.

Art. 12 – Observer Members

Eligible as Observer Members are

1. all parties which

-
- are established as a political party or in another form, if their region, country or state does not allow them to become a party (or makes it very difficult for them), in a region, country or state of at least a part of the geographical Europe,
-
- are subordinate to another Ordinary or Associate Member Party or one eligible to become such a member party,
-

- carry the term „Pirate“ or any translation of that term somewhere in their party or organisation name,
-
- intend to participate in elections in their region, country or state, if legally possible and feasible,
-
- maintain a democratic political base and a democratic internal structure,
-
- are politically active,
-
- accept and intend to comply with the regulations of these Statutes and orders of its bodies and
-
- accept the Common Manifesto.

2. all parties which

-
- are established as a political party or in another form, if their region, country or state does not allow them to become a party (or makes it very difficult for them), in a region, country or state outside of geographical Europe,
-
- are not subordinate to another party or organisation,
-
- carry the term „Pirate“ or any translation of that term somewhere in their party or organisation name,
-
- intend to participate in elections in their region, country or state, if legally possible and feasible,
-
- maintain a democratic political base and a democratic internal structure,
-
- are politically active,
-
- accept and intend to comply with the regulations of these Statutes and orders of its bodies and
-
- strive for similar political goals as the Association.

3. All organisations which

-
- carry the term „Pirate“ or any translation of that term somewhere in their

organisation name,

-
- maintain a democratic political base and a democratic internal structure,
-
- are politically active,
-
- accept and intend to comply with the regulations of these Statutes and orders of its bodies and
-
- strive for similar political goals as the Association and are closely linked to it.

They have the following obligations:

-
- to comply with all the regulations of the Statutes of the Association and all orders of the bodies of the Association,
-
- to cease and desist any actions which may harm the Association or are contrary to the objectives and principles of the Association or go against the policies laid down in the Common Manifesto or damage the Association in any other way,
-
- to stay politically active and participate in elections, if possible and feasible,
-
- to send their yearly accounts and election results to the Association or a link to them, if they are published accessible for everyone online,
-
- to conduct their financial organisation in a transparent and accountable manner and
-
- to report every year to the Association on the party / organisation and policy developments.

They have the following rights:

-
- to participate in the political discussions and to speak at Council meetings,
-
- to participate in the development of the political agenda,
-
- to participate in the decision making process,
-

- to have access to all non-confidential documents of the Association,
-
- to table resolutions and amendments as well as contribute other items to the agenda of Council meetings,
-
- to participate in common campaigns and events and
-
- to have access to use of the Associations logo and other representational devices.

A party which is eligible to become an Ordinary or Associate Member may decide to apply only for the status of an Observer Member. It may at any time apply for another membership status, if it fulfils the necessary conditions. The procedure detailed under Art. 15 needs to be repeated to change the membership status.

Art.13 – Supporting Members

Eligible as Supporting Members are all individuals which

-
- are not a member of any member party or organisation,
-
- accept and intend to comply with the regulations of these Statutes and orders of its bodies and
-
- accept the Common Manifesto.

They have the following obligations:

-
- to pay their designated fee as a Supporting Member in a timely manner,
-
- to comply with all the regulations of the Statutes of the Association and all orders of the bodies of the Association and
-
- to cease and desist any actions which may harm the Association or are contrary to the objectives and principles of the Association or go against the policies laid down in the Common Manifesto or damage the Association in any other way.

They have the following rights:

-

- to participate in the political discussions and to speak at Council meetings,
-
- to participate in the development of the political agenda,
-
- to participate in the decision-making process,
-
- to have access to all non-confidential documents of the Association,
-
- to table resolutions and amendments as well as contribute other items to the agenda of Council meetings, if sponsored by a member party or organisation,
-
- to participate in common campaigns and
-
- to have access to use of the Associations logo and other representational devices.

Art. 14 – Special Members

Special Members are the Pirate Group in the European Parliament and the European Pirate Youth Organisation, if they exist.

The Pirate Group in the European Parliament and the European Pirate Youth Organisation will automatically be treated like an Ordinary Member concerning their rights and like an Observer Member concerning their obligations.

Each Pirate Member of the European Parliament may also become a Supporting Member, if it is eligible.

Art. 15 – Procedure for admitting new Members

To be eligible to become a Member of the Association, any aspiring party, organisation or individual needs to send an application to the Secretary General of the Association to the address of the official seat. An email will suffice.

The application shall be distributed to all Board members and Council delegates. If the application is not from an individual aspiring to become a Supporting Member, the application shall be published on the official website of the Association.

The Secretary General sends a letter or email of acknowledgement of the application to the applicant, as well as the procedure that will be followed as regards its application. At the same time, the Secretary General sends general information on the Association, a copy of the Statutes and the Common Manifesto. The applicant is asked to confirm its consent to the contents of the Statutes and the Common Manifesto or to confirm that it shares in general the political goals of

the Association, if the applicant applied for an Observer Member status which does not require to acknowledge the Common Manifesto. The applicant should translate into English its own political programme and its Statutes, if the applicant is not a Supporting Member. If the applicant has less than 500 members, a summary of the structure of its party or organisation and its political programme in English will be sufficient. The applicant should further inform Association of the number of registered members, political representatives as well as the budget and accounts. The Association may request further information (e.g. a short history of the party of the applicant, competing Pirate parties, existing of a youth wing, informations about the electoral system of the state, country or region of the applicant etc.).

The Secretary General and the Treasurer will assess these and other relevant informations and send the received documents and his recommendation to the other Board members, the Council members and publish them on the Association's website, if the documents received are non-confidential and publication would not be a breach of privacy. The Treasurer will give a recommendation on the amount of the membership fee. Where there is an existing Ordinary or Associate Member in the same country or politico-geographic region as the applicant, that Member shall be consulted on the application and its views included in the supporting documentation.

If the Council members receive the recommendations and the adhering documents not later than a month before the next Council meeting, they shall vote on the application at the next Council meeting. The names of the applying parties, organisations or individuals on whose application the Council will vote shall be named in the agenda of the meeting sent to all Council members with the invitation to the next Council meeting. If this was not done, the non-attending Council members shall be allowed to send their vote on the applicants after the Council meeting.

The membership is granted, if the Council decides on it with a two-third majority. The Council shall give reasons for accepting or rejecting applications. As soon as the decision of the Council is valid and the new member has paid its membership fee, it may exercise all its rights and is bound to all obligations of its membership.

In Annex B to these Statutes all the member parties and member organisations are listed. A register of all the members will be kept at the registered office of the Association. This register lists the surname, first name, place of residence, date and place of birth of members or, in the case of legal persons or de facto associations, the name, legal form, address of the registered office, identity of the representative and, where applicable, the registration number in accordance with existing legislation and/or regulations. The list shall be updated every year by recording membership changes by name in alphabetical order. Any member of the association may consult the list of members at the association's registered office free of charge. Third parties with an evident serious concern may request extracts, which shall be signed by the Secretary General and shall accordingly be brought to the attention of the persons concerned by letter or email from the Board.

Within one month of announcement of the statutes, a list must be deposited with the registry of the civil court for the place where the association is established, recording the name, legal form, address of the registered office, identity of the representative and, where applicable, the registration number in accordance with existing legislation and/or regulations of all the Ordinary members of the association in alphabetical order. The list shall be updated every year by recording membership changes by name in alphabetical order.

Article 16 – Change of name and mergers

A Member that changes name or merges with another political party/organisation must inform the Secretary General.

The Board shall assess the degree of continuity of the new party/organisation with the Association's member and will decide on the confirmation of the membership status. This decision shall be confirmed by the Council. Both decisions require a two-third majority.

In case of confirmation of the continuity of the membership status; the member will be considered having accepted the Association's decisions applicable to the former member and will be responsible for all its obligations vis-à-vis the Association, including financial.

In case of non-confirmation, the Council shall give reasons for the decision and the new party/organisation may submit a new application for membership.

Art. 17 – Resignation, Exclusion, Suspension, Loss of Membership and Death /Dissolution/Bankruptcy

Any member, whatever their identity, may at any time resign from the Association. Their resignation must be notified to the Secretary General by registered letter from a duly mandated person to the registered office of the Association. The resignation shall come into effect immediately or as otherwise specified in the letter of resignation, but the member resigning remains bound by all outstanding debts contracted with the Association until the end of the financial year in which the resignation came into effect.

If a new Ordinary or Associate Member Party is superordinate to an existing Ordinary or Associate Member Party, the subordinate party shall automatically become an Observer Member Party.

If a Supporting Member becomes a member to any of the party members of the Association or the party in which the Supporting Member is a member becomes a member of the Association, the Supporting Member will lose their membership automatically at the time the other membership becomes valid.

Any member may also be suspended or excluded by the Council on at least one of the following grounds:

- non-compliance with its obligations,
- non compliance with the criteria for membership.

A suspended member is obliged to uphold its financial obligations to the Association. The suspended member may attend meetings of the Association but without voting rights. A suspended member can regain its membership if it complies with its obligations and the criteria for membership. Such compliance must be formally notified to the Secretary General who then may recommend to the Council to lift the suspension.

The exclusion of a member is also decided by the Council. The exclusion comes into effect immediately after the decision of the Council but the excluded member remains bound by all outstanding debts contracted with the Association until the end of the financial year in which the exclusion came into effect.

A proposal for suspension or expulsion of a member may be submitted by any Ordinary or Associate Member or the Board, but not more than once on the same grounds. All decisions on the suspension and exclusion of a member are taken by a three-quarter majority. The concerned members may not vote on such a decision. The names of the concerned parties, organisations or individuals on whose suspension or exclusion the Council will vote and the grounds on which the proposed suspension or expulsion is based shall be named in the agenda of the meeting and sent to all Council members with the invitation to the next Council meeting. If this was not done, the non-attending Council members shall be allowed to send their vote on the suspensions and exclusions after the Council meeting. The concerned member shall have the opportunity to plead its case during the Council meeting and hand out a statement which shall be published with the minutes of the Council meeting. The suspension or expulsion decision sets forth the grounds on which the suspension or expulsion is based but apart from that, the decision does not need to be justified, but it shall give reasons. The Secretary-General sends a copy of the decision to the expelled member by registered letter, within 15 calendar days.

A member's affiliation ceases automatically upon death, dissolution, disqualification, liquidation or in cases of temporary administration, court-ordered settlement or insolvency.

Resigning, deceased/dissolved/bankrupt or excluded members and their successors or rightful claimants shall have no entitlement to the assets of the Association.

They may not claim restitution or reimbursement of subscriptions paid or payments made.

They may not demand or claim a report, statement of accounts, sealing or inventory.

Art. 18 – Membership Fees

A fee is requested of the Ordinary and Associate member parties and the Supporting Members. The amount of which is set annually by the Council on proposal of the Board represented by the Treasurer. The Treasurer will meet up with all the Ordinary and Associate Member Parties' Treasurers to discuss the obligations of the member parties in regard to the annual fee in advance of the annual Council meeting. The Ordinary and Associate Member Parties have to hand out to the Treasurer a copy of their last annual account in advance of the meeting. If no agreement can be reached, the member parties will pay the same fee as last year. Membership Fees are fixed in euro; they are payable without deduction of incurred costs.

The annual Membership Fees of the Association's Ordinary Member Parties is based on:

- a) a basic sum calculated on the basis of the votes obtained by that party in the last European Elections
- b) a basic sum per member of that party in the European Parliament.

The annual Membership Fee of the Association's Associated Members and those Ordinary Members who have not taken part in any elections to the European Parliament yet are based on the votes obtained by the last national elections. If an Ordinary or Associate Member has not taken part in national elections yet or is requesting it, the fee will only be calculated by a basic sum per member of that party.

Observer Members do not have to pay a fee. Supporting Members will have to pay a set minimum fee. All members may further contribute by giving donations to the Association.

Inflation shall be taken into account.

The basic calculation is made for the first budget following European Elections. The fee of any member may not exceed € 500.000,- per year.

Member parties who do not meet their financial commitments will lose all voting and speaking rights within the organs and bodies of the association as well as their right to propose candidates for positions within the association, until they have paid off their arrears. A list outlining the current Membership Fees' situation will be distributed at each Council meeting by the Treasurer.

Members must pay their annual contribution between the first of January and the date of the annual Council meeting. On request of a member party the Council may allow them to delay their annual contribution for up to one year or relieve them of the payment or a part of it. The member party concerned may not vote on such a decision.

If a Member Party did not pay their due member fee for two consecutive years until the second year's annual Council meeting, they are deemed to have left the Association by resignation

automatically.

Art. 19 – Registered Supporters

Any natural person may apply to become a registered supporter of the Association. Registered Supporters are obliged to pay an annual fee which will be set by the Treasurer. If they are unable to pay the set fee, they may asked for a reduced fee.

Organs

=Council=

Save in the cases provided for in Articles 8, 12 and 20 of the Law of 27 June 1921, the meeting may legitimately consider items not announced on the agenda, provided that all members of the Council are present and/or represented and so agree at the meeting by a simple majority vote.

The Council may validly decide to dissolve the association or amend the statutes only in accordance with the provisions of Articles 8 and 20 of the Law of 27 June 1921.

=Board=

Internal Regulations may be adopted by the Board to regulate its procedure and the tasks of its members. If Internal Regulations are adopted, they shall be sent to all the members. If Internal Regulations of the Board conflict with the Statutes, the Statutes shall prevail.

For the purposes of certain actions and duties or everyday management functions, the Board may transfer its powers to one or more members of the Board or even another person, who may or may not be a member of the Association. The Board will have the faculty of special delegate. The powers of the said person(s) shall be defined precisely by the Board; the Board may at any time revoke these powers with immediate effect.

Any appointment, resignation or dismissal of a member of the Board must be deposited with the registry of the commercial court and published in the Annex to the Belgian State Gazette.

Art. X – Treasurer

The main focus of this function is to supervise the budget and the accounts and to exercise financial control. All payments are made by the Treasurer or the person authorized to make payments.

The Treasurer will initiate legal ways to enlarge the financial means of the Association.

The Treasurer, and in his absence the Chairperson or their Substitutes, shall be empowered to accept, either provisionally or definitively, the gifts made to the Association and to complete all formalities necessary in order to acquire them.

The Treasurer will initiate, monitor and publish financial protocols to ensure openness and transparency. The Treasurer shall report to the Council once every three months.

The Treasurer shall be responsible for accounting requirements and control of donations, as described in Articles 6 - 10 of Regulation (EC) No 2004/2003 and other relevant legislation.

The Treasurer, together with the Secretary-General, is responsible for the grant application to the European Parliament and the implementation and execution of the financial rules.

The Treasurer shall comply as fully as possible with the regulations referred to in section (X) irrespective of whether the Association is regarded as a political party at European level by the EU.

The Treasurer shall also:

-
- be responsible for the budget and the accounts of the Association. These shall be presented to the Board, the Ordinary and Associate Member Parties' Treasurers and the Council;
-
- determine the yearly membership fees and present his proposal to the Board, the Ordinary and Associate Member Parties' Treasurers and the Council;
-
- prepare the budget follow-up four times a year and inform the Board and the Council;
-
- supervise joint project budgets with the Pirates in the European Parliament and the Member Parties;
-
- follow-up on financial rules, e.g. reimbursements, criteria for membership fees, to be adopted by the Board or the Council;
-
- present expenses to the Board and the Council for decision, if necessary;
-
- monitor the financial developments, protocols and financial transparency in the Member Parties;
-
- where possible develop new sources of income.

=Arbitration=

Decision-making Process

-Abstentions?

Finances

Art. X – Financial Provisions

The financial year of the Association shall run from 1 January to 31 December of the same year.

At the end of each financial year, the Board shall adopt the annual accounts for the past financial year and the budget for the next year in the manner provided for by law and shall then submit them annually for approval by the Council.

After approval of the annual accounts and the budget, the Council shall vote separately on granting discharge to the members of the Board and, if appropriate, the Auditor(s), if any have been appointed.

At least eight days before the annual Council meeting, the accounts and budget shall be communicated to the members of the Council, who may then ask to inspect, without removal, any of the documents on which these accounts and budgets are based.

A surplus shall be added to the assets of the Association and may not under any circumstances be paid to the members as a dividend or in any other way.

The Board shall ensure that the annual accounts and the other documents referred to in the Law on Not-for-profit Associations are deposited within thirty (30) days of approval at the Registry of the Court of First Instance or, if the law so requires, the National Bank of Belgium.

Art. X - Funding

In accordance with Regulation (EC) No. 2004/2003 of the European Parliament and of the Council of 4th November 2003 on the regulations governing political parties at European level and the rules regarding their funding (stating that, the funding of political parties at European level from the general budget of the European Union or from any political parties, which shall continue to be governed by national rules) the Association shall not fund directly or indirectly political parties that are members of the Association.

The Association is financed by membership fees, donations , public subsidies and other legal

contributions authorised by the Board.

Article X – Co-organised and Co-financed Projects

The Association may co-organise and co-host events or publications or other projects with the Member Parties and the Pirate Group in the European Parliament. The general principle is that the contribution of the Association to that event will be limited to the contribution of each applicant and will not be higher than the 50% of the total costs of the event. The final amount to be provided to the event is to be decided by the Council. For this decision, the political objectives and the activity programme of the Association will be taken into consideration.

Appropriations received from the general budget of the European Union in accordance with Regulation (EC) No. 2004/2003 may only be used to meet expenditure directly linked to the objectives set out in the common political program. Such expenditure shall include administrative expenditure and expenditure linked to technical assistance, meetings, research, cross-border events, studies, information and publications.

Rules on co-organised and co-financing projects:

- The party applying for co-financing needs to send its application to the Association four (4) months before the date planned for the event. If there is an urgent need, the Council may decide to accept an application that does not meet the deadline. It should table a description of the project, indicating the objectives, methods and budget.
- A document with the agreement on co-financing including a short description of the project is to be accepted and signed by all the parts and handed to the Treasurer.
- The distribution of the resources will be done as equally as possibly between all the projects tabled by the applicants, taking into account the resources available and the amount of requests.
- An official invoice with all the original tickets/receipts has to be sent to the Association for the payment.
- The proposed activities shall respect the objectives of the Association and its political goals.

(g) Visibility of the financing of the European Parliament:

- The visibility of the financing of the European Parliament must be guaranteed in every publication, leaflet and/or product concerning the activity programme as requested in the Convention annually signed between the Association and the European Parliament.
- Every publication, leaflet and/or product destined for the public must indicate that it has been financed with the support of the European Parliament. It is also necessary to clearly indicate that

the communication/publication engages only its author and that the European Parliament is not responsible for the use which could be made of the information contained in the communication or publication.

Art. X – Reimbursement

The Council may decide to grant reimbursement of costs in relation with offices and functions fulfilled for the Association, if the financial situation of the Association allows. This decision will be made at the annual Council meeting together with the adoption of the budget for the next year.

The Association will only reimburse the travel costs or accommodation costs or other costs relating to each meeting under presentation of original receipts and tickets. The original tickets/receipts for any event, including the Council meetings, must be sent to the PPEU office before the last day of February of the year after the event. After that date, no reimbursement may be requested.

Art. X – Audit

If, pursuant to the provisions applicable to it, the Association is so required, auditing of the financial condition, annual accounts and their regularity from the point of view of the Law on Not-for-profit Associations and the status of transactions to be reflected in the annual accounts shall be entrusted to one or more auditors appointed by the Council from among the members of the Belgian Institute of Company Auditors ((Institut des Réviseurs d'Entreprises/ Instituut der bedrijfsrevisoren).

The Council shall determine the number of auditors and their remuneration. The auditors shall be appointed for a renewable term of three years. The Council may revoke their mandates at any time, but have to appoint new auditors at the same time. Any auditor appointed to replace an auditor who has resigned in the course of his term of office completes the latter's term.

The auditors shall jointly or severally have an unlimited right to scrutinise any transactions of the Association. They may inspect on the premises the books, correspondence, minutes and generally any documents of the association.

The accounts of the Association are to be audited annually or as often as the law necessitates.

Change of Statutes and the Common Manifesto

Art. X – Change of Statutes

Proposals for modifications of the Statutes may be introduced by the Board, Ordinary Member Parties, Associated Member Parties or by the PIRATES Group at the European Parliament.

Proposals must be presented in writing by any means (electronic, paper or otherwise) to the Secretary General who will transmit them to the Members of the Council for deliberation at least four weeks prior to the meeting at which the Council will deliberate and decide on those proposals. The proposed amendments to the Articles of Association must be attached to the notice calling the meeting of the Congress. A reference to a website displaying the proposed changes of the Statutes would also be sufficient.

An attendance quorum of at least two-thirds of the members entitled to vote are present or represented is required for decisions regarding amendments to the Statutes. Where this quorum is not reached, a new meeting of the Council shall be called no earlier than 15 calendar days after the first meeting. The second meeting of the Council shall be entitled to take valid decisions irrespective of the number of members with voting rights present or represented.

Decisions regarding amendments to the Statutes shall be taken with a majority of two-thirds of the votes cast, except for decisions on the Principles (Art. 7) and Objectives (Art. 8) and Art. X, X and X, where consent of the Ordinary Council Members is necessary.

Any decision amending the Statutes shall be submitted to the Belgian Minister of Justice and published in the Annexes to the Belgian Official Gazette.

Art. X – Change of the Common Manifesto

The Common Manifesto combines the identified common policies of the member parties entitled to vote in a document representing the common policies of the Association adopted by the Council with a two-third majority.

Any changes to the Common Manifesto will be following the same procedure as those to the Statutes.

Duration and Dissolution

Art. X – Duration and Dissolution

The Association shall be set up for an unlimited period of time.

The Association is not dissolved as a result of the death, dissolution or resignation of a member, provided the number of members is not less than ten Ordinary Members.

In the event that European legislation provides for a different legal status for political parties and the Council of the Association decides to adopt such a status, the financial and other assets of the Association (aisbl) shall be transferred to the new legal entity upon the cessation of the

activities of the aisbl.

Except in the event of judicial dissolution and automatic dissolution due to the requirements of the law, the association may be prematurely dissolved only by a decision of the Council acting in accordance with Article 20 of the Law on Not-for-profit Associations.

It may be dissolved by a four-fifth majority decision of the Council with an attendance quota of two-thirds of the members entitled to vote present or represented. If the quota is not reached, a new meeting of the Council shall be called no earlier than 15 calendar days after the first meeting. The second meeting of the Council shall be entitled to take valid decisions irrespective of the number of members with voting rights present or represented.

As from the moment the decision of dissolution is taken, the Association is required to mention at all times that it is 'in dissolution'.

In the event that the Association is dissolved, the Council shall decide by a simple majority of the votes cast on (i) the appointment, powers and remuneration of the liquidators, (ii) the methods and procedures for the liquidation of the Association and (iii) the destination to be given to the net assets of the Association. The net assets of the Association will have to be allocated to a non-profit purpose. They may be divided among the member parties according to their financial contributions.

All such decisions have to be duly filed at the clerk's office of the competent Commercial Court and published in the Annexes of the Belgian Official Gazette in line with the applicable legislation.

Transitional Provisions

Art. X – Entry into Force

This Treaty enters into force, when and if at least 10 European Pirate Parties who are eligible to become Ordinary Members have signed and ratified these Statutes and elected or in any other way chosen their delegates and candidates for the Board.

All members have to notify any member or potential member of any of these acts:

- a) signing of the Statutes,
- b) ratification of the Statutes or
- c) electing or choosing in any other way a delegate or candidate for the Board of the Association.

This shall be done by both of the following means:

- a) by email to the official mailing list of the Association and

b) by sending a letter to the official seat of the Association according to these Statutes.

Art. X – Founding Conference

After entry into force of these Statutes the Ordinary Member which has fulfilled all the conditions set up in **Art. X** first, shall either host the Founding Conference themselves or choose a volunteering other Ordinary Member to do so.

The date for the Founding Conference shall not be set earlier than three months after the entry into force of these Statutes. Any new member accessing to the Association during this period shall also be invited to the Founding Conference and regarded as founding members.

At the Founding Conference all attending members will elect a Chairperson for the meeting from among the participating delegates. The Chairperson shall moderate the meeting and shall hold the elections for the Board **and the Arbitrators** and ensure the appointment of any necessary Auditors.

The Council will also decide about the amount of and the deadline for paying the first membership fees. It shall take into account the funds of each Ordinary and Associate Member and the number of members of each Ordinary and Associate Member Party. Therefore each Ordinary and Associate Member Party shall provide the relevant information at the Founding Conference.

The first financial year will start with the date of the Founding Conference and finish at the 31st December of the same year.

The Founding members are obliged to present the necessary documents for becoming a member of a certain class to the Secretary General until the next annual Council meeting. After examining and assessing those documents, the Board shall make a recommendation to the Council, if they shall accept the Founding member as a member of the relevant member class it has been sorted into temporarily on a permanent basis. During the temporary membership phase all rights and duties of the relevant member class shall apply, notwithstanding any derogating statutory provisions. If a Founding member is not accepted, its membership status will be revoked directly after the Council made its decision.