

# **STATUTES**

## **TITLE: DENOMINATION**

### **CHAPTER 1: THE CONSTITUTION AND AIMS OF THE ASSOCIATION**

#### **Art. 1 Name of the Order**

Consists of The British Society of Catalunya (Societat Britanica de Catalunya), a non-profit making organisation, an autonomous group in the grounds of current legislation.

**Art 2** The Association has its own governing council with full capacity to administer and dispose of funds collected.

#### **Art 3 The Aims**

It is a non-lucrative association with the following aims.

- To promote a sense of community between the residents of Catalunya and Northern Catalunya.
- To help newly arrived British citizens to integrate into the community and to welcome British visitors.
- To achieve means of communication and information between the British Community.
- To take part in any charitable activity approved by the governing body, when it is within the financial means of the Association.
- To serve loyally Her Majesty the Queen of England.

#### **Art. 4 Home Address and Territorial Area**

The address of the association has been established as Carrer del Bon Aire 8, 17470 Sant Pere Pescador, Girona, Spain.

The address can be changed with the agreement of the Council observing current dispositions.

That way, it is possible to establish different locations whilst carrying out their activities. The extended area of the association consists of the Territory of Catalunya, and the French territory known as Catalunya Nord, but especially concentrates in the region of L'Alt Empordà.

## **CHAPTER TWO: - ASSOCIATION MEMBERS THEIR RIGHTS AND OBLIGATIONS.**

#### **Art. 5 Conditions for Membership**

Any person over the age of 18 years of age residing in the area already stated can become a member of the Association.

- Any British National
- Any other Nationality, but they must take into consideration that all activities are in English.
- All must accept the rules and regulations of the Association expressed in the Statutes.

**Ordinary Members:** To obtain ordinary membership a written application must be presented to the governing council, which will be reviewed at the next meeting. If the applicant complies with the conditions stated in the statutes, the governing council cannot deny admission.

**Lifelong Members:** The condition of lifelong membership is awarded by the governing council to a person who has given many years of service to the association or has been of great importance; therefore no longer required to pay their annual subscription for life.

**Honorary Members:** By right, not members of the Association, but on occasion have the title of member. These are people who at the discretion of the governing council are invited to participate in certain activities of the association. Their membership is exclusively for the duration of the act or acts in which they participate.

**Art 6      The rights, which apply to ordinary members and lifelong members are the following:**

1. To attend General meetings with the right to vote and speak.
2. To elect or be elected to places of representation or carry out directive orders.
3. To exercise the representation which has been conferred.
4. To participate with the arrangements and governing, also with the services and activities of the association in accordance with the legal rules of the statutes
5. To bring to the notice of the assembly or the governing council anything which is considered can contribute more life and more efficiency to the realisation of the basic social objectives.
6. To apply for and obtain explanatory documentation about the administration, the governing of the council or the mandates of the association.
7. To receive information about the activities of the Association.
8. To have access to services established or which are at the disposition of the Association.
9. To form a part of work-groups.

**Art. 7      The duties of the Association members are:**

1. To maintain their actions to the statutory rules.
2. To carry out the agreements of the General Assembly and the rules signalled by the governing council during the term of the accords.
3. To pay punctually subscriptions, charges and other payments which have been established.
4. To collaborate fully to maintain the good functioning of the Association.

**Art.8      Withdrawal of membership**

1. Voluntary by the interested party, communicated in writing to the governing council.
2. Non-payment of subscriptions (Lifelong members are exempt)
3. Non-compliance with statutory obligations.
4. Having been charged and found guilty of committing a crime. The agreement to withdraw membership for causes established in this Article shall be by the governing council.

## **TITLE II: THE ORGANISATION AND FUNCTIONING OF THE ASSOCIATION**

### **CHAPTER 1: THE GENERAL ASSEMBLY**

- Art. 9** 1. The General Meeting is the supreme body of the Association, ordinary and lifelong members form part in their own right, is un-renounce able and absolute equality.  
2. Members of the association both ordinary and lifelong, united at a General Assembly, legally constituted shall decide by majority the affairs of the assembly.  
3. All the members will be subject to the agreements of the General Assembly, including those absent, and those even though were present, abstained to vote.
- Art. 10** The General Assembly, when it is exercised in conformity with the rules of Article 11, has the following authority:
- a) To improve the statutes of the Association.
  - b) To adopt the agreements relative to the legal representation, management and defend the interests of the members.
  - c) To control the management and activity of the Governing Council.
  - d) To approve the annual budget if income and expenditure in the memos of the annual activities.
  - e) To elect members to the Governing Council.
  - f) To establish guidelines within which the Association is permitted to act in fulfilling its aims.
  - g) To set the price of subscriptions that members of Association shall pay.
  - h) The inspection of compliance and interpretation of the statutes.
  - i) To dissolve and liquidate the Association.
- Art. 11** 1. The assembly shall re-unite in ordinary session during the month of February at a date, time and place determined by the governing council. At this assembly proposals shall be discussed, which were announced at notification of the meeting. Also the account of the previous year shall be reviewed together with the auditors accounts. The ordinary general assembly shall take charge of the election of members of the council.  
2. An extra ordinary general assembly can be called, at the request of the governing council or has been requested by members who represent a minimum of 10% of the membership. This assembly shall deal with any issues, which have been proposed and especially the modification of articles written in the present statutes.
- Art. 12** **NOTICE OF MEETINGS**
- 1. The convening of General Assemblies, either Ordinary or Extraordinary shall be in writing. The notices for the meetings shall be placed at pre-agreed locations, with a minimum of 7 days prior to the assembly. Whenever possible, the notice shall address all elements individually. The notice will show the day, time and place of the meeting and also the order of the day. Included in the order of the day for the General Assembly shall be any questions raised by any working group always when prior notice has been given to the governing council.
  - 2. The General meeting will be presided over by the Chairman. In absentia shall be substituted successively the Vice-Chairman, then the longest serving member on the council. The secretary of the governing council shall act as secretary.
  - 3. The Secretary shall write down the acts of every reunion with an extract of deliberations, the text of agreements, which have been approved and the numeric results of votes.

4. At the beginning of every general assembly the acts of the previous meeting will be read out to be approved or disapproved. 5 days before an assembly the acts and other documentations shall be placed at the disposition of the members at the place of the meeting.

### **Art. 13    CONSTITUTION**

The assembly will be constituted valid at the first meeting consisting of 25 per cent of the members are present, except in the case of paragraph 3 of the article. Also will constitute a valid assembly a second meeting without importance of members present, the second meeting will have to be held half an hour after the first meeting, held in the same place, but must have been announced at the first meeting.

- Art 14**
1. In the General Assembly each ordinary member or lifelong member will have one vote.
  2. Agreements shall be taken with the majority of votes present.

### **CHAPTER 2 - THE GOVERNING COUNCIL**

- Art. 15**
1. The Association managed, administered and represented by the governing council, consisting of:
    - a) The Chairman of the Association
    - b) The Vice-Chairman
    - c) The Secretary
    - d) The Treasurer
    - e) Committee members (numbers may vary in accordance with the size of the Association, but with a minimum of three) Committee members shall be elected through a free and secret ballot and shall be formed by at least two men and two women.
  2. The election of the governing council shall be by voting at the General Assembly.
  3. The list of candidates shall be open, i.e. any ordinary or lifelong member can submit their name even when the number of names and places differ. The candidates elected to the governing council shall be those who obtained the most votes.
  4. The posts on the governing council shall be elected amongst themselves. The posts of Chairman, Secretary and Treasurer must fall on three different people.
  5. The incoming and outgoing of posts must be certified by the outgoing Secretary, overseen by the outgoing Chairman. The Registrars Office of Associations must be notified of any changes.
  6. All the positions are completely voluntary.

- Art. 16**
1. The members of the governing council can occupy a post for 3 years and can be re-elected consecutively for two more periods. The Chairman can only be re-elected consecutively once.
  2. Leaving before the full completion period can be for one of the following reasons:
    - a) Voluntary Resignation presented in writing stating the reasons, -
    - b) Through ill health.
    - c) By sanction imposed for incompleteness of their duties, having special relevance for non-attendance of reunions of the governing council or not carrying out commissions set. Agreement to accept the resignation of a member of the governing council, for reasons set out in article 16, shall be taken by the governing council.

3. Any vacancies on the governing council shall be filled at the next General Assembly. In the event of a vacancy needing to be filled beforehand, governing council can provisionally appoint another member of the Association to fill the vacancy.

- Art. 17** 1. The governing council has the following authority:
- a) To bear and execute the representation of the Association to carry through the administration in its fullest possible way, the decisions of the General Assembly in accordance with the rules, instructions and directives established by the General Assembly.
  - b) To take necessary agreements to comply with legal recourses and public organisations.
  - c) To suggest to the General Assembly ways in which to protect the interests of the Association.
  - d) Establish the subscriptions members have to pay at the General Assembly.
  - e) Summon the General Assembly and check that agreements adopted are complied with.
  - f) To present the balance sheet of the accounts at each General Assembly to be approved and prepare the budget for the following term.
  - g) Submit an account of the annual activities for acceptance by the General Assembly.
  - h) To contract any employees needed by the Association.
  - i) To inspect the accountancy and check the services function normally.
  - j) To establish work-groups, to achieve by the most efficient manner the aims of the Association which have been authorised to be realised.
  - k) To nominate a member of the governing council to over-see each working-group.
  - l) Carry out whatever arrangements are necessary to comply with public organisations, companies or people to obtain: -
    - a) Subsidies or other aids.
    - b) The use of premises or buildings that could one day be a place of meetings, communication and also a civil centre.
  - m) To open current accounts and savings accounts at any Bank or Building Society and deposit whatever funds are raised in these accounts. The disposition of the funds is determined in article 31.
  - n). To resolve provisionally any problems encountered which are not covered by the statutes and give account at the next General Assembly.
  - o). The commissions expressly recognised in the Statutes
  - p). Any other commission not assigned to another body of the Association or has been specifically delegated by the Governing Council.

- Art. 18** 1. The Governing Council convened previously by the Chairman or by the person who substitutes him will meet at an Ordinary session with the frequency decided by the members but in any case must not be more than 2 months.
2. The Governing Council shall meet in Extraordinary Session when, it has been called for by the Chairman or another member of the governing council.

- Art. 19** 1. The Governing Council shall be constitutionally valid after prior notice has been given and it has a quorum of half plus one.
2. The members of the Governing Council are obliged to attend all meetings that are called but can be excused attendance with justifiable cause. In any case it is necessary the attendance of the Chairman or Secretary or the persons who are in substitution
3. The Governing Council shall make its agreements by simple majority of the votes present.

- Art. 20** 1. The Governing Council is able to delegate some of its powers to work groups if they have a favourable vote of two thirds of its members.  
2. Also, it can nominate with the same quorum, one or various agents to execute a function the Council thinks is suitable.
- Art. 21** The agreements made by the governing council will be noted in the Book of Acts. At the start of each meeting of the governing council a record of the previous session shall be readout, so that it can be approved or rectified as necessary.

### **CHAPTER 3 - THE CHAIRMAN AND VICE-CHAIRMAN OF THE ASSOCIATION**

- Art. 22** 1. The Chairman of the Association will also be the Chairman of the Governing Council.  
2. His responsibilities are as follows:  
a) The management and legal representation of the Association by delegation of the General Assembly and Governing Council.  
b) The chairmanship and management of debates whether it be General Assembly or Governing Council meeting.  
c) To make the casting vote in the event of a tie.  
d) To give notice of meetings of the General Assembly or the Governing Council.  
e) To check and countersign all acts and certificates prepared by the Secretary of the association.  
f) To carry out whatever matters have been delegated by the General Assembly or the Governing Council.  
3. The Chairman, shall be substituted in case of illness or absence by the Vice-Chairman or the council member with the longest time served - in that order.

### **CHAPTER 4 - TREASURER & SECRETARY**

- Art. 23** The Treasurer will have custody and control of the resources of the Association, the preparation of budgets, balance sheets and payment • of accounts and finally submitting them to the governing council. He shall carry an account of the books, sign receipts of subscriptions and other documents of the treasury. Pay the bills as approved by the governing council, which have been checked beforehand by the Chairman. To deposit surplus monies into the Bank or Building Society accounts.  
The distribution of the funds is determined in Art. 31.
- Art. 24** The Secretary has custody of the documentation of the Association. To draft and sign minutes of the General Assembly and Governing Council meetings acting as secretary at these functions. To edit and authorise whatever documents are deemed necessary and also to keep account of the members registration book.

### **CHAPTER 5 – COMMISSION OR WORKING GROUPS**

- Art. 25** The creation and formation of any special commission or working group shall be set up and instructed by the governing council. Members of the Association who wish to take part shall have their activities explained and the proposed duration of the term.  
The Council is responsible for the overseeing of special commissions or workgroups. Once a month the person in charge of said group must present a detailed account to the Governing Council.

### **TITLE III - ECONOMIC SYSTEM OF THE ASSOCIATION**

- Art. 26** At its formation the Association had no personal patrimony.
- Art. 27** The Association achieves its economic resources by:
- a) Subscriptions fixed at the General Assembly. The rate of subscription is proposed by the governing council and approved at the General Assembly. This can be modified when it is thought to be necessary.
  - b) By official or private subsidies.
  - c) By donations, collections or inheritance.
  - d) By interest on Savings or other accounts held by the Association.
- Art. 28** All members of the Association have the obligation to financially maintain the Association through subscriptions or charges, in a way and proportion determined at a General Assembly, proposed by the governing council.  
The Governing Assembly can establish admission charges, periodical monthly charges - to be paid monthly, quarterly or half-yearly, in accordance with the arrangements of the governing council - and extraordinary quotas.
- Art. 29** The financial year begins on the 1st September and ends on the 31 August of the following year. Each year, during the month of October, a report of income and expenditure of the Association are presented to the Ordinary Assembly.
- Art. 30** In the current accounts or savings accounts open at banks or building societies, the signatures of the Chairman, Vice-Chairman, Treasurer, Secretary and one council member must be recorded. To dispose of funds it is necessary for only two signatures, one of which must be either the Chairman or the Treasurer.

### **TITLE IV - INSPECTIONS**

- Art. 31** The inspection of the compliance or the interpretation of these statutes corresponds to the General Assembly.
- Art. 32** The Governing Council shall do its utmost to ensure that the rules of the Statutes are complied with, in accordance with the decisions of the General Assembly.

### **TITLE V - THE DISCIPLINARY SYSTEM**

- Art. 33** The Governing Council can sanction any infractions committed by its members for incompleteness of their obligations. These infractions can be classified as slight, grave or severe and the corresponding sanction can go from a verbal warning to expulsion from the Association, in accordance with regulations already established. The procedure to sanction is initiated by official memo or by obtaining a denouncement. Within a period of ten days, the governing council must nominate an inspector who shall transmit the sanctioning dispatch and to propose a resolution within 15 days, with previous audience of the presumed infraction, the final resolution must be placed in motion and approved by two-thirds of the members of the governing council, the governing body must pass a resolution within a period of 15 days.  
Against sanctions for grave and severe infractions, the interested parties can appeal, if established by an interior ruling to do so, in front of the first possible General Assembly.

**Art. 34** The Association can be dissolved if an Extra Ordinary General Assembly has been called specifically for that purpose.

**Art. 35**

- 1). Once dissolution has been agreed, the General Meeting must take appropriate measures to liquidate all assets of the Association and ensure payment of all outstanding bills, ratify the governing council or appoint another.
- 2) The members of the Association are exempt from any personal liability. Their responsibility is limited to completing any obligations for which they have volunteered.
- 3) The function of liquidation and execution of the aforementioned tasks stated in this article are the responsibility of the governing council.
- 4) Once the Association has been dissolved, all remaining funds shall be destined to the Association A.D.I.R. (Associació de Disminuïts de Roses).