



## TITLE I DENOMINATION - DURATION – REGISTERED OFFICE - PURPOSE

### **Article 1 – Constitution and denomination**

On November 5, 2009, in London (United Kingdom), the following organisations: Fédération Française des Ecoles de Cirque (France), Circuscentrum (Be), BAG Zirkuspädagogik (Germany), Finnish Youth Circus Association (Finland), Circomundo (Netherlands) founded a non-profit organisation / association governed by the law of July 1st, 1901, named “European Youth Circus Organisation”, with the acronym EYCO.

### **Article 2 – Registered office**

The registered office is at the registered office of the Fédération Française des Ecoles de Cirque, in Paris, 7 rue Taylor (75010).  
The registered office can be transferred by simple resolution of the management committee.  
The ratification by the general assembly shall be needed.

### **Article 3 – Duration**

The duration of the non-profit organisation / association is unlimited.

### **Article 4 – Aims**

The non-profit organisation / association pursues the following non-profit aims of European utility:

#### **§ 4/1. Preamble**

EYCO defines ‘Youth Circus’ as:

- A multidisciplinary art form (accessible to everyone);
- A means of formal and non-formal learning in the personal, social, cultural and artistic development, mainly for children and young people;
- Based among others on: creativity, solidarity, equality, diversity, social citizenship and ‘teaching respect for oneself and others’.

#### **§ 4/2. General objectives**

EYCO aims at stimulating and supporting **on a national and European level:**

- The process of **recognising and structuring** youth circus and its contributors,
- The **quality improvement** of youth circus and its contributors,
- The promotion of youth circus - by its nature a popular, accessible and inclusive art form – as a means for participants to take **an active role in society**.



### § 4/3. Operational objectives

(On the process of **recognising and structuring** of youth circus and its contributors)

- EYCO will provide *and manage* a **platform** for co-operation in the development of youth circus and its contributors,
- EYCO will stimulate and support **the creation of national representative organisations** on youth circus in all European countries,
- EYCO will **promote** youth circus to **National and European authorities**,
- EYCO will help to promote the youth circus to the **general public**,
- EYCO seeks to **co-operate with other relevant contributors and networks** in the field of Circus, to further develop and recognise circus as an art form,
- EYCO seeks to **co-operate with other relevant contributors and networks** in the field of youth work and its social cultural areas,
- and all relevant activities.

(On the **quality improvement** of youth circus and its contributors)

- EYCO will develop a central **resource and information centre** for youth circus by gathering, sharing and spreading information to the national partners,
- EYCO will co-operate on the **quality improvement** of youth circus (training, accreditation, pedagogical tools, security and health),
- EYCO will stimulate **new creative and artistic developments** in the field of youth circus,
- and all relevant activities.

(On the promotion of youth circus as a means for children and youngsters to take **an active role in society / citizenship**)

- EYCO will stimulate **international exchanges** in the field of youth circus, and generate reflection on the intercultural dialogue and multicultural awareness, related to the national and European youth exchange programs,
- EYCO will support and promote the development of **circus as a tool** for young people with fewer opportunities to actively participate in society (social circus, adapted circus, etc.),
- and all relevant activities.

## TITLE II COMPOSITION - ORGANISATION

### Article 5 – Members

The non-profit organisation / association is composed of three types of members:

#### § 5/1. Full members

Are active members, non-profit organisation and institutions, governmental or non-governmental with a national representation in the field of youth circus.

#### § 5/2. Candidate full members

Are active members non-profit organisation and institutions, governmental or non-governmental in the process of formalising their national representation in the field of youth circus.



### **§ 5/3. Associated members**

Are Youth circuses, schools or other individual organisations with an expertise in the field of youth circus and a specific engagement towards EYCO.

## **Article 6. – Admission, resignation and exclusion**

The admission, resignation and exclusion of all members are subject to the following terms:

### **§ 6/1. Admission**

- The non-profit organisation / association admits members (as defined hereinbefore) who come from countries that are part of the European Union. There shall not be more than one full member by country. Exceptions to this rule are covered by the by-laws.
- Applications are submitted to the management committee. Successful applications must obtain two-thirds (2/3) of the votes of the members of the management committee or management committee representatives in order to recommend the application to the general assembly. The general assembly shall rule according to its own particular decision-making terms.
- Once accepted, members have to send the written decision of their own management committee nominating their representative and pay the annual subscription. It is up to them to inform the non-profit organisation / association of any change of representative.

### **§ 6/2. Resignation**

Any member can resign by a registered letter with acknowledgement of receipt, sent to the president.

### **§ 6/3. Exclusion**

- The recommendation of exclusion of a member shall be subjected to a vote by the members of the management committee. For a recommendation to be accepted, it shall require two-thirds (2/3) of the votes by the members of the management committee present.
- The exclusion of a member shall be decided according to the own decisions-making terms of the general assembly.
- The member affected by this exclusion must be informed that he can be present at the management committee and at the general assembly to defend himself. His capacity as a member is suspended until the next meeting of the general assembly.
- The criteria which could justify a recommendation of exclusion are the following:
  - ✓ Failure to adhere to the terms of the statutes,
  - ✓ Failure to adhere to the by-laws, subject to the existence of the latter,
  - ✓ Failure to follow decisions of the general assembly,
  - ✓ Any other important reason, explanations shall be provided by the person concerned before the relevant management committee;
- For non-payment of subscription,
- For ceased operations.

## **Article 7. – Subscriptions**

All members of the non-profit organisation / association pay an annual subscription which amount is decided by the general assembly, on proposal of the management committee. The subscription fee varies according to the type of memberships. The amounts are defined



in the by-laws.

<b>TITLE III ADMINISTRATION OF THE NON-PROFIT ORGANISATION / ASSOCIATION</b>
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**Article 8. – Ordinary general assembly**

**§ 8/1. Composition**

The general assembly is composed of all members of the non-profit organisation / association. The general assembly is presided over by the president of the management committee, or in his absence by someone designated for that purpose by members of the general assembly.

**§ 8/2. Attributions**

The general assembly:

- approves, on proposal of the management committee, the admission of new members,
- approves, on proposal of the management committee, the exclusion of members,
- hold the election of members of the management committee,
- approves, if needed, the by-laws and its modifications,
- listens, deliberates and gives a decision on the policy report, the financial report and direction report, prepared by the management committee,
- approves last year accounts and give full discharge to the treasurer,
- ratifies transfers of the registered office,
- designates, if needed, the auditors,
- decides, on proposal of the management committee, the amount of subscriptions,
- approves the budget projection and its modifications prepared by the management committee, as well as the corresponding program of activities.

**§ 8/3. Annual general assembly**

The general assembly will be held once every calendar year.

It shall be convened by the management committee or at least half the full members and candidate full members. It shall be convened on a day, hour and place decided upon by the management committee.

All members must be invited to the annual general assembly.

**§ 8/4. Method of invitation**

The general assembly is invited by the management committee by ordinary or electronic mail sent to each member at least four weeks before the assembly, and signed by the president or the secretary on behalf of the management committee.

The agenda, fixed by the management committee, is written in the invitation. All proposals signed by at least half the full members and candidate full members shall be included in the agenda.

The ordinary general assembly cannot rule on a point that is not in the agenda, except if two-thirds (2/3) of the full members and candidate full members of the management committee or their representatives at the ordinary general assembly decide, for urgent reasons, to deliberate on this point.



### **§ 8/5. Representation**

Full members have the right to delegate a mandate to another full member.

Candidate full members have the right to delegate a mandate to another candidate full member.

Any proxy vote must be written. Only one proxy vote by full members and candidate full members is accepted.

### **§ 8/6. Right to vote and quorum**

All members do not have equality of rights to vote at the ordinary general assembly. Rights to vote are assigned as follow:

Full members: 2 votes, except particular disposals written in the by-laws.

Candidate full members: 1 vote, except particular disposals written in the by-laws.

Associated members: 0 vote.

A general assembly can validly deliberate if half the full members and candidate full members or their representatives are present. If a quorum cannot be reached, a new general assembly must be convened with the same agenda after a minimum delay of fifteen days. At this new general assembly, full members and candidate full members or their representatives can validly deliberate regardless of numbers of members present.

### **§ 8/7. Method of decision**

Resolutions are taken by an absolute majority of the votes of the full members and candidate full members or their representatives who are present.

Spoiled, blank votes and abstentions are not part of the calculation of majorities.

In case of a tied vote, the president has the casting vote.

### **§ 8/8. Publishing the decisions**

The decisions of the ordinary general assembly are to be written in a register, signed by the president and kept by the secretary at the registered office of the non-profit organisation / association. Each member will be able to access the register, without travelling, and can request samples of the register.

The resolutions and minutes taken by a general assembly will be sent to the members by ordinary or electronic mail.

## **Article 9. – Extraordinary general assembly**

### **§ 9/1. Composition**

The extraordinary general assembly is composed of all members of the non-profit organisation / association. The general assembly is presided over by the president of the management committee, or in his absence by someone designated for that purpose by members of the extraordinary general assembly.

### **§ 9/2. Method of invitation**

An extraordinary general assembly can be convened by the president or by at least a third of the members of the management committee. Notification will be sent to each member at least four weeks before the assembly by ordinary or electronic mail. This will be signed by the president or the secretary on behalf of the management committee.

An extraordinary general assembly can also be convened if two-thirds (2/3) of the full members and candidate full members request it.



The agenda will be written in the invitation.

### **§ 9/3. Representation**

Full members have the right to delegate a mandate only to another full member.

Candidate full members have the right to delegate a mandate only to another candidate full member.

Any proxy vote must be written. Only one proxy vote by full members and candidate full members is accepted.

### **§ 9/4. Right to vote and quorum**

All members do not have equality of rights to vote at the extraordinary general assembly. Rights to vote are assigned as follow:

Full members: 2 votes, except particular disposals written in the by-laws.

Candidate full members: 1 vote, except particular disposals written in the by-laws.

Associated members: 0 vote.

An extraordinary general assembly can validly deliberate if two-thirds (2/3) of the full members and candidate full members or their representatives are present. If the quorum cannot be reach, a new extraordinary general assembly must be convened after a minimum delay of fifteen days using the same agenda. At this new extraordinary general assembly, full members and candidate full members or their representatives can validly deliberate regardless of numbers of members present.

### **§ 9/5. Method of decision**

Resolutions are taken by an absolute majority of votes of the full members and candidate full members or their representatives who are present, with the exception of resolutions regarding statutes (art."17").

Spoiled, blank votes and abstentions are not part of the calculation of majorities.

In case of a tied vote, the president has the casting vote.

### **§ 9/6. Publishing the decisions**

The decisions of the extraordinary general assembly are to be written in a register, signed by the president and kept by the secretary at the registered office of the non-profit organisation / association. Each member will be able to access the register, without travelling, and can request samples of the register.

The resolutions and minutes taken by an extraordinary general assembly will be sent to the members by ordinary or electronic mail.

## **Article 10. – Management committee**

### **§ 10/1. Composition**

The non-profit organisation / association is administrated by the management committee composed of a minimum of three members. The members of the management committee are assigned according to the following dispositions:

- Full members:
  - ✓ Each full member has one seat on the management committee,
  - ✓ Each full member is represented on the management committee by his nominated representative as defined in article "§ 6/1",
  - ✓ The general assembly will ratify the choice of the full member representatives,



- ✓ If the representative of a full member stands down then another representative of the full member, nominated according to the terms in the article "§ 6/1", can be co-opted by the management committee. The new representative must be ratified at the next meeting of the general assembly.
- Candidate full members:
  - ✓ Candidate full members have one seat on the management committee,
  - ✓ Each candidate full member is represented on the management committee by his nominated representative as defined in article "§ 6/1",
  - ✓ The general assembly will ratify the choice of the candidate full member representatives,
  - ✓ If the representative of a candidate full member stands down then another representative of the candidate full member, nominated according to the terms in the article "§ 6/1", can be co-opted by the management committee. The new representative must be ratified at the next meeting of the general assembly.

According to needs and their consultative title, the management committee can invite to his meetings a person who is not a member of the management committee or the non-profit organisation / association.

#### **§ 10/2. Duration of the mandates**

The mandate for members of the management committee is three years. They can be re-eligible according to the terms of the by-laws.

A mandate ends only through the loss of the capacity of being member as defined in the article 5. This decision must be noticed by the management committee and ratified by the next general assembly.

#### **§ 10/3. Method of invitation**

The management committee must meet at least two times in a calendar year. Notification is to be fifteen days before by the president or by the half plus one of his members. The management committee shall be convened by ordinary or electronic mail sent to each member.

The agenda will be written in the invitation.

#### **§ 10/4. Representation**

Each member of the management committee has the right to delegate a mandate to another member. A full member can only delegate to another full member and each candidate full member can only delegate to another candidate full member.

Any proxy vote must be written. Only one proxy vote by full members and candidate full members is accepted.

#### **§ 10/5. Right to vote and quorum**

All members do not have equality of rights to vote at the management committee. Rights to vote are assigned as follow:

Full members: 2 votes, except particular disposals written in the by-laws.

Candidate full members: 1 vote, except particular disposals written in the by-laws.

The management committee can validly deliberate if half the full members and candidate full members or their representatives are present.

#### **§ 10/6. Method of decision**



Resolutions are taken by a simple majority of votes of the full members and candidate full members or their representatives who are present.

In case of a tied vote, the president has the casting vote.

#### **§ 10/7. Publishing the decisions**

The decisions of the management committee are to be written in a register, signed by the president and kept by the secretary at the registered office of the non-profit organisation / association. Each member will be able to access the register, without travelling, and can request samples of the register.

The resolutions and minutes taken by the management committee will be sent to the members by ordinary or electronic mail.

#### **§ 10/8. Attributions and extension of powers**

- The management committee has the duty to manage and administrate the non-profit organisation / association, considering the statutory attributions of the general assembly.
- The management committee has the right to delegate a mandate for the daily management according to disposals that the management committee had planned for this purpose (Executive director).
- The management committee can hire and dismiss employees and determinate their statutes.
- The management committee has the duty to establish, write and publish the by-laws of the non-profit organisation / association as well as any other policy of internal functioning.
- Given the agreement of the management committee, the President or two members of the management committee have the mandates to sign the acts on behalf of the non-profit organisation / association and to follow legal actions as well as claim and defend.

#### **Article 11. – Daily board**

The management committee elects, by the majority of its full members and candidate full members or their representatives who are present from among the full members, and on proposal of the latest, at least a president, a secretary and a treasurer.

They are elected for one year and can be re-eligible according to the terms of the by-laws.

#### **§ 11/1. Attributions**

The duties of members of the daily board are defined by the by-laws.

#### **§ 11/2. Attributions of the president**

The president invites the general assemblies and the management committee. He represents the non-profit organisation / association in all civil acts and he has the mandate for these matters. He has in particular the capacity to come up for trial as a defender on behalf of the non-profit organisation / association and as claimant with the authorization of the management committee. He can appeal, in the same conditions. He can compromise only with the authorization of the management committee.

He presides all assemblies. In case of absence or illness, assemblies will be presided over by someone designed, for that purpose, by members of the management committee.

#### **§ 11/3. Representation of the non-profit organisation / association toward third party**

All acts that commit the non-profit organisation / association are signed, unless a special delegation of the management committee, by the president or two members of the daily board



acting together.

#### **Article 12. – By-laws**

By-laws are proposed by the management committee and approved by the general assembly.

Modifications to the by-laws are proposed by the management committee and will be approved by the next general assembly.

By-laws fix modalities of functioning of the non-profit organisation / association that is not covered by the statutes.

## **TITRE IV FINANCE**

#### **Article 13. – Resources of the non-profit organisation / association**

Resources of the non-profit organisation / association consist of:

- Membership subscriptions ;
- Grounds ;
- Products of activities ;
- And all other resources that are not forbidden by the law.

#### **Article 14. – Remuneration for members**

Members of the non-profit organisation / association cannot receive remuneration for any work undertaken on behalf of the non-profit organisation / association.

The members of the non-profit organisation / association can receive remuneration for work undertaken in the non-profit organisation / association with regard to their professional competency, under the limits of the law.

#### **Article 15. – Accountancy period**

The financial year of the non-profit organisation / association will be from January 1<sup>st</sup> to December 31<sup>st</sup>.

#### **Article 16. – Annual accounts**

Accountancy is set following the convention of the financial plan of associations.

Annual accounts of the last accountancy period as well as the budget of the next accountancy period are prepared by the management committee each year and submitted to the general assembly at the next meeting for agreement.

## **TITRE V MISCELLANEOUS**



### **Article 17. – Modification of statutes**

Statutes can be modified only by a vote of two-thirds (2/3) majority of votes of the extraordinary general assembly convened for that purpose.

If the quorum cannot be reached, a new extraordinary general assembly must be convened after a minimum delay of fifteen days. At this new extraordinary general assembly, full members and candidate full members or their representatives can validly deliberate regardless of numbers of members present. The resolutions has to be voted by a vote of two-thirds (2/3) majority.

### **Article 18. – Dissolution**

Dissolution of the non-profit organisation / association can only be decided at an extraordinary general assembly convened for that purpose. The dissolution has to be voted by a vote of two-thirds (2/3) majority.

If the quorum cannot be reached, a new extraordinary general assembly must be convened after a minimum delay of fifteen days. At this new extraordinary general assembly, full members and candidate full members or their representatives can validly deliberate regardless of numbers of members present. The resolutions has to be voted by a vote of two-thirds (2/3) majority.

### **Article 19. – Distribution of assets**

In case of dissolution, the general assembly of the non-profit organisation / association proceeds to the distribution of assets of the non-profit organisation / association.

The non-profit organisation / association shall give the assets in favor of a non-profit organisation following the same aim.

### **Article 20. – Governing statute**

Present statutes are governed by the French law. The French law will be authentic. However, members are allowed to translate the present statutes in their language.

**In London (UK), on November 5, 2009.**

### **Signature of founding members**

**The President,  
Karl Köckenberger  
(BAG)**

**The Secretary  
Christophe Crampette  
(FFEC)**

**The Treasurer  
Jan Tjeerd Wymbriteradeel  
(Circomundo)**