

European Transplant and Dialysis Sports Federation (ETDSF)

STATUTES

Preamble

Recognising the importance that the organ transplanted and dialysed European people and their federations should co-operate, recognising that these people and their organisations do have common interests, emphasising the significance of non-governmental organisations in the process of European integration, emphasising the fundamental principle of equality, openness and voluntarism, respecting the Laws of the State of seat or registration, emphasising the responsibility felt for each other, we found herewith the European Transplant and Dialysis Sports Federation.

CHAPTER I.

NAME AND SEAT OF THE FEDERATION

1. Name of the Federation in Hungarian: Szervátültetettek és Művesekezeltek Európai Sportszövetsége

Name of the Federation in English: European Transplant and Dialysis Sports Federation

Abbreviation of the Federation in Hungarian: SZMES

Abbreviation of the Federation in English: ETDSF

2. Seat of the Federation: Budapest, Hungary 1138, Esztergomi út 36.

3. ETDSF is a federation of civil organisations.

4. ETDSF is a sports federation.

CHAPTER II.

AIMS AND PRINCIPLES

SCOPE OF ACTIVITIES OF THE FEDERATION

1. ETDSF is a federation of international membership, representing the organisations of transplanted and dialysed people.
2. ETDSF is engaged in not-profit activities pursuant to point, 1 of Section c) of Article 26 of Act CLVI of 1997 on non-profit organisations (safeguarding of health, prevention of illnesses, healing, medical health rehabilitative activities) and point 14 of the same (sports activities, with the exception of sports activities pursued on commission basis within the frame of employment relations and civil legal relations.) Within the framework of this ETDSF pursues activities particularly related to the medical and health rehabilitative activities of persons with organ transplants and undergoing dialysis treatment through the organisation of the transplants and dialysis sports events. Occasionally ETDSF performs activities of information and education related to organ transplantation.
3. ETDSF does not engage in political activities, is independent from political parties and does not grant financial support them.

4. The operation of ETDSF is public. The resolutions of the General Assembly, the Presidential Committee and the President are to be registered and kept in the Book of Resolutions.
5. ETDSF encourages and enhances the establishment of local sports organisations in European countries where they do not exist yet, or they are in the creation phase.
 - a. enhances the expansion of possibilities for persons with organ transplants
 - b. and dialysis in the fields of sports and leisure time,
 - c. provides support for the local sports organisations,
 - d. by pursuing the objectives included in the present Statutes and fundamental principles, initiates communications and communicates with other competent international sports federations,
 - e. elaborates with educational and rehabilitative programmes in the field of sports for the persons with organ transplants and undergoing dialysis treatment,
 - f. its objective is to promote donation and organ transplantation
 - g. organises the European Transplant Games and the European Dialysis Games biennially. These Games should be organised in a different year from the summer World Transplant Games as far as possible.
 - h. Collects support in order to reach its objectives,
 - i. During its activities the organisation proceeds without regard to political , religious or economic orientation, without sexual and racial discrimination, the non-profit services provided by the organisation may be used by others beside the members, as well.

CHAPTER III. MEMBERSHIP

1. Members can be the national organisations of persons with organ transplants and undergoing dialysis treatment, one organisation per each European country.
2. For the registration of the national organisation of persons with organ transplants and dialysis treatment as member the following requirements have to be fulfilled: the national federation of persons with organ transplants and dialysis treatment has to be acknowledged, its aims, short and long term objectives have to be in accordance with the present Statutes.
3. The national federation is qualified as acknowledged if it has been registered by the competent authority of the relevant country.
4. The acknowledged national federation respects all transplanted and dialysed persons as well as their national organisations, and co-operates with them in the organisation of the European Games as far as possible.

CHAPTER IV. RIGHTS AND OBLIGATIONS OF MEMBERS

1. The delegation leader of the member organisation may vote at the General Assembly, has voting rights and may nominate officers. A delegation member of the member organisation – including the head of the delegation as well – may accept the nomination for the positions, may be elected as officer. The member of the organisation participates in the activities of the organisation.

2. Each member has to pay the annual membership fee within the first ninety (90) days of the current year. The maturity payment of every other fee is ninety (90) days from its imposition.
3. Any member can exercise its membership rights provided they have paid the annual membership fee and all other mature fees by the due date , and this can be certified authentically.
4. The members undertake themselves to respect the sponsor agreements of the European Games organised in every two years.

CHAPTER V.
ADMISSION OF MEMBERS
SUSPENSION AND TERMINATION OF MEMBERSHIP RELATION

1. The Presidential Committee has the right to decide on the admission of members. The membership terminates with the announcement of leaving the organisation, by the termination of the member organisation, furthermore by deletion or exclusion in case of default stipulated in Section 6 b) of present Chapter.
2. The membership of the member organisation terminates if it decides to leave the organisation. The member organisation is required to promptly inform the Presidential Committee on its decision to leave the organisation. Subsequently the Presidential Committee takes an action in order to admit another organisation from the country concerned.
3. In case of the termination of the member organisation the Presidential Committee deletes the member organisation.
4. In case the member organisation breaches by default its obligation stipulated in the Statutes or in case of a default stipulated in Point b) of Section 6 of the present Chapter the Presidential Committee may – with unanimous resolution –suspend its membership rights until the next General Assembly. At this General Assembly the Presidential Committee proposes the issue of exclusion or – in case of Section 6 b) – deletion of the suspended member to the General Assembly for voting. At least two thirds of majority of votes of the present delegates authorised for voting are necessary for excluding or deleting a member organisation. In case the exclusion or deletion of the suspended member organisation is not passed through by General Assembly, it can again practice its membership rights.
5. The Presidential Committee has the right to decide on the suspension of membership and may terminate the suspension when the reasons for suspension no longer exist. The Presidential Committee promptly informs the relevant member about its decision in writing.
6. Membership may be suspended in the following cases:
 - a) in case of breach by default of the fundamental principles or stipulations of the Statutes.
 - b) In case of failure to pay the annual membership fee or any other payment obligation after notice. In case the member under the effect of suspension fulfils its fee payment obligation or its obligation for other overdue payment subsequently, the suspension has to be terminated. Otherwise deletion according to point 4 comes into effect.
7. Under the effect of suspension membership rights are permitted.

8. In case the member under the effect of suspension considers the suspension of its rights prejudicial. The member may file an appeal to the General Assembly against the resolution of the Presidential Committee within 30 days of receipt thereof.

CHAPTER VI. ORGANISATIONAL STRUCTURE

1. The General Assembly
 - 1.1. The General Assembly is the supreme body of the federation, which consists of the totality of the member organisations.
 - 1.2. The General Assembly are public.
 - 1.3. The General Assembly to be convened at least once a year. A Special General Assembly is to be convened at the request of the Presidential Committee or – with indication of the reason and objective – if it is requested at least by half of the members authorised for voting. The General Assembly is to be convened when the court orders it. The communication of the agenda is the responsibility of the Secretary.
 - 1.4. A Special General Assembly is to be convened upon the motion of the Supervisor Officer within 30 days of the motion in case the Supervisory Officer is informed that:
 - a. during the operation of ETDSF such violation of legal regulation or an event or default seriously violating the interests of ETDSF otherwise emerged, the termination of thereof or the elimination and mitigation of its consequences requires the resolution of the General Assembly.
 - b. a fact evidencing the liability of the officers or the members of the Presidential Committee emerges.

After unsuccessful elapse of the 30-day deadline the Supervisory Officer is also authorised to convene the Special General Assembly. In case the General Assembly doesn't take the necessary measures in order to restore the legal operation, the Supervisor Officer promptly informs the Prosecutor's Office.
 - 1.5. The member organisations represent themselves by their delegations at the General Assembly. One delegation may consist of maximum two (2) delegates.
 - 1.6. Each member organisation has one vote.
 - 1.7. The head of the delegation exercises the voting rights.
 - 1.8. A person may not participate in the resolution-making of the General Assembly who, or whose near relative (Article 685 b) of Civil Code) or common-law partner is, by such resolution,
 - a. exempted from obligations or common liabilities, or
 - b. granted any other kind of advantage or is interested in the legal transaction to be concluded otherwise. Within the framework of the allocations of the non-profit organisation according to its objectives the non-financial service to be used by any person without limitation and the allocation granted by social organisation to its member, based on the legal relationship of membership, according to the objectives compliant with the present Statutes are not qualified as an advantage.
 - 1.9. The scope of the General Assembly includes:
 - a. the establishment and amendment of the Statutes,
 - b. acceptance of the annual Non-profit Report,
 - c. discussion and approval of the ETDSF budget,

- d. acceptance of the Annual Report according to accounting regulations and simultaneously the acceptance of the Non-profit Report,
- e. announcing its merger with other social organisations or its own dissolution,
- f. Determines the policy of development of the sports of persons with organ transplants and dialysis treatment and defines the basic directions thereof.
- g. Elects and withdraws the members of the Presidential Committee: the President, the Secretary and the Treasurer.
- h. Discusses the motions submitted by the members and the Presidential Committee.

The following rules apply to the motions:

- 1. They are to be submitted at least one (1) month prior to the date of the the General Assembly.
- 2. All the motions submitted to the General Assembly are discussed by the Presidential Committee first. In especially important cases the Presidential Committee may authorise the General Assembly to discuss motions that didn't comply with the requirements of the submission one (1) month before.
- 3. The motion and in case the Presidential Committee deems it for proper, all related proposals and remarks are to be sent to the members together with the agenda of the General Assembly, at least one (1) month prior to the appointed date of the General Assembly with the exception of the case mentioned in point 2).
 - a. Accepts the two-year work schedule,
 - b. j,) Discusses and modifies the competition schedule proposed by the Presidential Committee.
 - c. k) Elects the Supervisory Officer.
 - d. l) Discusses and approves the annual amount of the membership fee.

2. The Presidential Committee

The Presidential Committee is the managing and representing body of ETDSF. It manages and controls the activity of ETDSF between the General assembly and the next, executes the decision of General Assembly

2.1. Members of the Presidential Committee:

- The President
- The Secretary
- The Treasurer

In the Presidential Committee only one person may undertake a function as representative of a member organisation.

- 2.2. The person cannot be elected, as member of the Presidential Committee, who previously held a senior position at a not-for-profit organisations that terminated in such a way that it didn't settle its public duties according to the low taxation rules.
- 2.3. The person cannot participate in the resolution-making of the Presidential Committee who, or whose close relative or common-law partner is by such resolution,
 - a. is exempted from obligations and liability, or
 - b. has any other priority or is otherwise interested in the legal transaction to be concluded. Within the framework of the allocations ETDSF according to objectives the non-cash service to be taken by anyone without restriction will not be qualified as an advantage.

- 2.4. 2.4. The members of the Presidential Committee will occupy their offices for four (4) years, and can be re-elected.
- 2.5. 2.5. The Presidential Committee holds annually at least two (2) meetings that are convened by the President in writing by sending the agenda. The meetings of the Presidential Committee are public.
- 2.6. The Presidential Committee constitutes a quorum in case of the presence of the President and both further members of the Presidential Committee. Each members of the Presidential Committee has one vote. In the case of a tie vote, the vote of the President decides. The resolution making will be carried out by a simple majority of votes and in an open vote.
- 2.7. On motion of the Supervisor Officer the Special Meeting of the Presidential Committee may be convened.
- 2.8. On motion of the Supervisor Officer within 30 days subsequent to the submission of the same the Special Meeting of the Presidential Committee is to be convened if the Supervisory Officer finds that, in course of the operation of ETDSF, such violation of the legal provisions or such event, omission seriously violating the interest of ETDSF otherwise happened, the termination of which or the elimination or mitigation of its consequences necessities the decision of the Presidential Committee. After the unsuccessful elapse of the 30-day deadline, the Supervisor Officer is also authorised to convene the Presidential Committee. In case the Presidential Committee not take the necessary measures in order to restore the legal operation, the Supervisor Officer convenes the Special General Assembly without delay.
- 2.9. Particular duties of the Presidential Committee are:
 - a. To discuss and make recommendations concerning all the proposals and amendments submitted to the General Assembly.
 - b. To prepare a report on its activities and submit it to the General Assembly for approval.
 - c. To communicate with the associated organisations.
 - d. To determine the staff number of the secretariat and the terms of their employment to approve the nomination of employees.
 - e. To establish committees, professional workshops, if necessary.
 - f. To perform inspections in connection with the officers, if necessary.
 - g. To decide on the admission of new members, rejection and suspension of admission applications.
 - h. For disposing over the bank account the simultaneous signatures of two presidium members are necessary. The President is entitled to conclude an agreement with the bank according to which up to the limit of EUR 2500 the president can exercise independent rights of disposal over the bank account. This right can only be exercised subsequent to the submission to the Metropolitan Court of the agreement signed with the bank.
 - i. Everything that the present Statutes refers to its scope.
- 2.10. 2.10. The duties of the President
 - a. To represent the ETDSF.
 - b. To organise and control the Presidential Committee's work.
 - c. To convene General Assembly by sending the agenda.
 - d. To convene the Presidential Committee's meeting by announcing the agenda.
 - e. To exercise the employer's rights over the employees of ETDSF.
- 2.11. The duties of the Secretary

- a. Controls all authorised competitions, in order to ensure that they comply with the established rules and contracts.
- b. Approves the competition calendar of the sports competitions to be submitted to the General Assembly.
- c. Manage the issues of the Federation during the time period between the General Assemblies.
- d. Executes all duties determined by the meeting of the Presidential Committee.
- e. Is liable for keeping the Book of Resolutions, for ensuring its publicity. The Book of Resolution is to be kept in such a way that the content, date and effect of each resolution of the General Assembly and/or the Presidential Committee and the percentage of the members supporting and opposing the decision can be established. In case of open voting also the names of the participants in making the decisions are to be entered in the Book of Resolutions.
- f. Determines the date and agenda of the General Assembly and notifies the members accordingly in writing at least four weeks prior the General Assembly.
- g. Supervises the execution of the resolutions.
- h. Ensures the publishing of the mode of operation, the way of using the services and the reports by publishing them in the National Magazine for Transplants and Dialysis.
- i. Communicates the resolutions of the General Assembly and the Presidential Committee in writing to the interested parties and by posting them at the organisation seat.

2.12. The duties of the Treasurer

- a. To prepare Annual Report and Not-for-profit Report according to the relevant annual accounting regulations and to submit them to the General Assembly.
- b. To report annually on its activities to the General Assembly .
- c. To submit the an annual budget plan to the General Assembly
- d. Presents a yearly budget plan to the General Assembly.

3. The Supervisor Officer

- 3.1. The Supervisor Officer execute control over the operation and management of ETDSF. During such controlling the Supervisor Officer may request report from the officers and information explanation from the ETDSF employees furthermore he may review an examine the books and documents of ETDSF.
- 3.2. The Supervisor Officer participates at the General Assembly and on the Presidential Committee meetings as a consultant.
- 3.3. If necessary, the Supervisor Officer is obliged to initiate call of the forum entitled to action.
- 3.4. A person may not be elected as a Supervisor Officer who:
 - a. is entitled to participate at the General Assembly as representative of a
 - b. member organisation, or member of the Presidential Committee,
 - c. is in employment relation with ETDSF concerning other activities beyond the commission, or in other legal relation concerning the performance of work.
 - d. Is a relative of the persons defined in Points a)-c)
 - e. Is a Citizen of any country that already has representation in the Presidential Committee, or citizen in the Country organising the next Games.
 - f. Held a senior position at non-profit organisation – at least for one year within two years prior to its termination – that has not settled its public duties according to the law on taxation rules.

**CHAPTER VII.
ELECTIONS AND VOTING AT THE GENERAL ASSEMBLY**

1. The General Assembly constitutes a quorum if more than 50 percent of the members entitled to vote are represented.
2. In case the General Assembly does not constitute a quorum, the President convenes an adjourned General Assembly within 30 days with the initial agenda. The adjourned General Assembly constitute a quorum irrespective of the number of the delegations present, if this was communicated to the members in the initial invitation (notice).
3. Each decision is to be made with simple majority votes of the present and voting delegations unless the present Statutes stipulates it otherwise.
4. In the issues of amending the Statutes and accepting the Annual Report the General Assembly decides with two thirds of majority of the participants.
5. The members of the Presidential Committee and the Supervisor Officer are to be elected by secret votes by ballot.

**CHAPTER VIII.
FINANCIAL ADMINISTRATION**

1. The revenues of the Federation are made up of the following:.
2. The annual membership fee and other items payable by the members under any title. The membership fee is EUR 100 (one hundred Euro) per annum. Which have to be paid by the members with Hungarian seat in HUF at the official exchange rate published by the Hungarian National Bank prevailing on 1st January of the current year.
3. Contributions, donations, and sponsor fees.
4. The fiscal year is the calendar year.
5. ETDSF performs business venture activities only in pursuit of accomplishing its non-profit objectives and activities, and not jeopardising the same.
6. ETDSF does not distribute the profits obtained from its business, but they are devoted to non-profit activities stipulated in the present Statutes.

**CHAPTER IX
TERMINATION**

1. The voluntary termination of the Federation may be decided by the General Assembly with the announcement of dissolution or merger with another social organisation. Furthermore the organisation terminates with dissolution or decision on termination. The related duties are performed jointly by the President and Treasurer.
2. In case of the organisation is terminated – subsequent to the indemnification of the creditors – its assets are to be disposed over according to provisions of the Statutes or decision of the General Assembly.
3. In case no disposition over the property was made, subsequent to the indemnification of the creditors it becomes the property of the state and it has to be devoted to public utility purposes. The way of utilising the property is to be made public.
4. To extend stipulated by the Hungarian Law in case of accord of Hungarian authorities the members are allocated equal amounts from the remaining assets subsequent to the indemnification of the creditors.

CHAPTER X
MISCELLANEOUS PROVISIONS

1. The non-profit report must contain following:
 - a. accountant report
 - b. utilisation of the budgetary subsidy
 - c. statement concerning the utilisation of assets
 - d. statement of the allocations according to objectives
 - e. extend of the support received from the central budgetary body, separated governmental funds, local government , the local government of the minority communities, the association of the community municipalities and from all of their organisations
 - f. value and/or amount of the allocations granted to the senior officers of ETDSF
 - g. short summary report on the non-profit activities.

Anyone may examine the Non-profit Report and make copies at his own cost.

The above regulation concerning the accountancy reports does not affect the application of the accountancy rules concerning the obligation of the preparation of the annual report, depositing as well as publication of the same.

1. The language of communication within the Federation is English.
2. The Hungarian Law is applicable to the interpretation of the present Statutes. The authentic and prevailing text of the Statues is in Hungarian language.
3. This Statutes has been accepted on 10th December 2001. at the Forming General Assembly.

Budapest, 10th December 2001.

Berente Judit
President