

# EUROPEAN ASSOCIATION OF VERTEBRATE PALAEOLOGISTS

## Constituted

on the 16.07.2003

### § 1 Name, location and legal nature

1. The Association has the name "European Association of Vertebrate Palaeontologists" (in German: "Europäische Gesellschaft für Wirbeltierpaläontologen")
2. The Association is based in Karlsruhe, Germany.
3. The Association is registered.
4. By means of this constitution the rights and duties of the members as well as all organs of the Association is regulated. Who applied to become a member of the Association should read the constitution before becoming a member. Each new member receives a copy of this constitution together with the membership approval.

### § 2 Aims

The aim of the Association is the promotion of scientific research into European vertebrate palaeontology.

The statutes achieve this aim by

1. the creation of a common forum that brings together and supports vertebrate palaeontologists that collaborate in Europe-wide research, and thereby supports serious scientific work as well as the exchange of the results of research for the benefit of all.
2. the publication of a scientific journal/periodical "ORYCTOS".
3. The EAVP supports the public interest in European Vertebrate Palaeontology both in international events and in other institutions.
4. The Association supports the continuation of a plurality of methods which is traditionally anchored in Europe with respect to the future, and supports the establishment of a forum for students and the interested public.
5. The Association stands for the protection and preservation of Vertebrate Lagerstätten. Prohibited trade in fossils is rejected by the EAVP.

### § 3 Business year, public utility, use of budget

1. The business year is the calendar year.
2. The Association pursues exclusively and directly aims of public utility in the sense of the section for tax reduced aims according to the German tax regulation. The Association acts without self-interest, and does not pursue financial gain as its primary aim.
3. The budget of the Association must only be used for aims in accordance with the constitution. It is not allowed to favour individuals with money for things which are outwith the aim of the Association or by excessively high payments.
4. The committee has to contact the responsible financial office (Finanzamt Karlsruhe Stadt) before changes of constitution that might interfere with public utility mentioned above.

### § 4 Membership

1. Individuals can apply for membership of the Association regardless of nationality, legal association, authorities and institutions regardless of national jurisdiction. The application must be written.
2. Acceptance or rejection is decided by the committee; with the acceptance the membership becomes legal.
3. For the rejection of a membership application, no reason need be given. The decision on a membership application cannot be legally challenged.

### § 5 Types of memberships

The Association consists of

1. Ordinary members
2. Honorary Members

## **§ 6 Ordinary members and their rights**

1. Ordinary members are
  - a) active members
  - b) corresponding members
2. The rights of ordinary members are
  - a) to be invited to the events organised by the Association;
  - b) to be sent to events to which representatives of the EAVP are invited;
  - c) to practise the active and passive right to be elected or elect in the annual meeting.
3. Corresponding members only have the active right to elect and vote.
4. The transition from a corresponding to an active membership and vice-versa can happen any time in written form.
5. Each ordinary member that has paid the fees, and each honorary member receives the journal "ORYCTOS", edited by the Association, without cost.

## **§ 7 Honorary Members**

1. Normally, only such persons can become honorary members, which have earned high merits in supporting and increasing the recognition of vertebrate palaeontology in general or the EAVP.
2. Honorary members will be elected by the annual meeting with a two-third majority on the proposal of the committee. Proposals concerning honorary members are suggested during the annual meeting for the following year.
3. Honorary members are not liable for the payment of fees.
4. Honorary members have the same rights and duties as the ordinary members.

## **§ 8 Duties of members**

The duties of all members are

1. To promote the aims and purposes of the Association as well as possible and to take over duties within the Association without payment.
2. To produce a written review of manuscripts on the request of the chief editor of Oryctos concerning a specialist subject.
3. To respect the decisions of the annual meeting and the orders of the committee and of the representatives of the committee.
4. To pay the fees promptly and without delay.

## **§ 9 End of membership**

1. The membership ends by
  - a) departure,
  - b) expulsion,
  - c) death.
2. With the termination of membership, all outstanding responsibilities and commitments [duties, financial aspects before expulsion, donations, etc] to the Association remain intact.
3. With the termination of membership all obligations of the Association to the member ends.

## **§ 10 Resignation**

Resignation is only valid through a written declaration prior to the 30<sup>th</sup> of September of each year. In the event that the declaration comes later, the Association can demand the following year's annual fees, even if the member cannot participate to the benefit of the Association anymore. It is essential to keep to this timetable, so that the declaration of intention to leave reaches the Committee by the correct time.

## **§ 11 Expulsion**

1. The expulsion of a member can happen
  - a) if a member did not respect the civil rights of others,
  - b) if a member failed to execute his duties according to the constitution of the EAVP,
  - c) if a member failed to pay the appropriate fee to the Association despite being receiving two written warnings.
2. Expulsion of a member happens by decision of the committee. The excluded member has the right to appeal to the following annual meeting – for this purpose, the expulsion can be rejected within 14 days by means of a certified letter to the committee which must contain the reasons for the rejection of the expulsion decision. The executive board must then place the rejection case on the agenda for the following annual meeting.
3. With expulsion, all duties and rights within the EAVP terminate.

## **§ 12 The organs of the Association**

1. The organs of the Association are
  - a) the annual Members' Meeting
  - b) the committee.
2. The committee membership is unpaid; payments on behalf of the duty can be refunded to a reasonable extent.

## **§ 13 Responsibilities of the Members' Meeting**

The following falls into the responsibility of the Members' Meeting:

1. To receive the annual report of the committee and the report of the treasurer's assessors,
2. to approve the actions of the committee,
3. to elect the committee,
4. to approve the actions of the executive board, including those relating to §11 No. 2, Sentence 1,
5. changes of the constitution,
6. the dissolution of the Association.

## **§ 14 Annual Members' Meeting**

1. The annual Members' Meeting takes place in changing locations. Its purpose is to execute its tasks according to the constitution (§ 13) and to provide a forum for scientific exchange.
2. The annual Members' Meeting is called within 3 months of the end of the business year with a limit of 3 weeks after posting for an agenda.
3. Application for topics for the annual Members' Meeting have to be presented to the committee 2 weeks beforehand in written form. All applications, including those of the committee, have to be brought to the knowledge of all members at least 1 week before the annual Members' Meeting. This can happen in written form by mail, by fax or by e-mail.
4. The agenda of an annual Members' Meeting must contain at least the items referred to § 13, Nos. 1. and 2. as well as at least every 3 years the topics mentioned in § 13, Nos. 3. and 4.

## **§ 15 Extraordinary Members' Meetings**

Extraordinary Members' Meetings can be called by the committee at any time where circumstances require it. They have to be called if one fifth of the voting membership, demand it by signature. 14 days notice is required. For each calling of an extraordinary Members' Meeting the reason for the calling has to be brought to everyone's attention.

Proposals for an extraordinary Members' Meeting have to be at the committee 8 days before the meeting and have to be brought to the knowledge of all members at least 4 days before the meeting according to § 13, 3., sentence 3. In extraordinary Members' Meetings the subject of proposals, elections, and decisions is exclusively the reason for the meeting being called.

## **§ 16 Procedure for the Members' Meeting**

1. A regularly called Members' Meeting can make decisions regardless of the number of participating members which are able to vote.
2. The president of the Members' Meeting is the president of the committee.
3. Each regular member has one vote in the Members' Meeting. Transferral of vote is not possible.
4. A protocol has to be produced for each Members' Meeting which must be signed by the secretary and the president of the meeting. The protocol has to contain
  - a) the number of voting participants,
  - b) the results of the ballot(s),
  - c) the proposals submitted, including the results of the votes,
  - d) the text of the decisions.
5. The protocol has to be ready for distribution to the members in the bureau of the committee between the 10<sup>th</sup> and the 30<sup>th</sup> day following the Members' Meeting. According to § 13, 3., sentence 3, it has to be brought to the attention of all members.
6. Decisions by the Members' Meetings are taken with a simple majority of the voting members present during the ballot. In case of a tie, the president has the casting vote.
7. Changes to the constitution require a two third majority of the voting members present.
8. Votes according to § 13, 3. and 4. have to be written and carried out in secret. All other elections and decisions of the Members' Meeting can be show-of-hands votes. However, if one of the voting members present applies for a secret ballot this application has to be decided through a majority show of hands.
9. The votes according to § 13, 3. and 4. are carried out separately for each post. However, if the majority of voting members present are in agreement, then it is permissible to vote on all functions to be occupied in a single block.
10. Eligible members who are not present during the Members' Meeting can only be elected, if they have agreed to accept a nomination for election in advance in writing. Applications to the Members' Meeting are only discussed, if the proposer is personally present at the Members' Meeting and verbally presents his proposal on request. In case of a problem the proposal can be presented by a substitute member nominated by the proposer.
11. Elections and decisions of the Members' Meeting can only be challenged within 6 weeks after the day of the ballot or the decision, giving the reason for the challenge. A later challenge is not possible.
12. The scientific exchange (§ 14, 1., sentence 2) takes place after the negotiation of the topics described in § 14, 4. and § 15. Subjects of discussions can be submitted formally as proposals to the topics according to § 14, 3. or directly in place without form.

## **§ 17 Composition and responsibilities of the committee**

1. The committee is composed of
  - a) the president; the president is the head of the Association and provides direction for the committee;
  - b) the vice-president who supports the president in the duties for the Association and replaces the president when required;
  - c) the treasurer who administers the budget of the Association;
  - d) the secretary who is responsible for the protocols of the meetings in accordance with the president and the running of the Association;
  - e) the editor of "ORYCTOS" who is responsible for the production of "ORYCTOS", the internet presence, and other publications of the Association. The editor decides on acceptance and rejection of manuscripts and contributions;
  - f) a maximum of 3 further members.

2. During election of the members of the committee, the suggested position of the candidates has to be brought to the knowledge of the Members' Meeting.
3. The president, the vice-president and the treasurer have the right to represent the Association in front of justice and elsewhere. The president and the vice-president have an independent right to represent each other in front of court or outside. The treasurer is only allowed to represent the Association in combination with the president or the vice-president in front of justice and elsewhere.
4. The members of the committee are elected at the annual Members' Meeting for 3 years; the committee acts beyond this period only until the new committee comes in act.
5. A member of the committee can only be reelected once. Two exceptions from the single re-election are the treasurer and the editor of "ORYCTOS".
6. The committee guides the business of the Association according to the general law, the constitution, and the decisions taken by the members. The committee has its own internal regulation.

#### **§ 18 Assessors of the treasurer, annual conclusion of budget, controlling of budget**

1. The assessors of the treasurer are elected for 2 years.
2. The committee has to establish the annual conclusion of budget within 3 months of the end of the business year.
3. This annual conclusion of budget has to be checked by the assessors of the treasurer in time before the annual Members' Meeting. It is the purpose of the assessment to clarify if the book keeping and the annual conclusion of the budget are in accordance with the constitution and the decisions of the members. The results of the assessment have to be written and presented at the annual Members' Meeting.
4. It is the duty of the assessors of the treasurer to satisfy themselves as to the regularity of the book keeping and the utilisation of the Association budget according to the law and constitution. They should carry out controls to achieve this irregularly, and without informing the committee.
5. Complaints and recommendations have to be noted and immediately presented to the committee.
6. Only regular members can be elected as assessors of the treasurer. The members should be experienced for that purpose. They can be re-elected ad infinitum.

#### **§ 19 Membership and other fees**

1. Membership and other fees are decided by the Members' Meeting.
2. A fee of acceptance becomes liable when an individual becomes a member, membership fees have to be paid at the beginning of the business year or immediately during the business year in case of a new membership.
3. If a corresponding member becomes an active member the difference between the fee of acceptance for active and corresponding member must be paid retrospectively.

#### **§ 20 Dissolution of the Association**

1. The dissolution of the Association takes place if the annual Members' Meeting decides on the dissolution, or if the number of members falls below 3.
2. A Members' Meeting which has to decide on the dissolution of the Association can only make such a decision if two thirds of the voting members are present. The dissolution itself can only be decided by a three quarter majority of the present voting members. If the Members' Meeting cannot decide, a new Members' Meeting has to be called, which must be decisive in any case. This has to be made explicit in the invitation for this new meeting.
3. In both cases, the acting president at the time of the decision of dissolution becomes the liquidator. The budget remaining after the dissolution goes to the European Palaeontological Association with the demand that it is directly and exclusively used for common aims in the sense of the constitution of the EAVP.

#### **§ 21 Duty of Notification**

Decisions on changes in the composition of the committee, changes of the constitution, as well as the dissolution of the Association have to be indicated to the court of registry and the Finanzamt Karlsruhe Stadt.

## **§ 22 Coming in act of the constitution and constitutional meeting**

This constitution was decided by the first Members' Meeting of the EAVP on 16.07.2003. It comes into force with the registration as an Association in the Amtsgericht Karlsruhe.

An English version of this constitution was agreed upon by the first Members' Meeting of the Association in the constitutional meeting at (16.07.2003) in Basel, Switzerland, and signed by the founding members. This document will be placed in the bureau of the committee at the location of the Association in Karlsruhe. The basis for judicial affairs is the German version alone.