

Statutes

Chapter 1. Name, Registered Address and Purpose of Organisation

Article 1.1 – Designation

In accordance with the current law relating to such Organizations, the Association known as **INTER SOCIEDAD VECINOS HISPANÓFILOS** was formally established in 1973 and subsequently amended in accordance with Law 1/2002 dated 22nd March and its clauses, assigning the Association full legal capacity and being without pursuit of profit. The Association is established with no fixed time limit.

Article 1.2 – Registered Address and Purpose

The Association meets the requirements of the democratic principle of solidarity and is defined as an independent and pluralistic body, with no political or religious affiliation, conducting its business in accordance with the Statutes as laid down and reflecting valid decisions taken by its Managing Committee and its authority, and in accordance with Law 191/1964 dated 24th December and its various amendments as validated in Decree 1.440/1965 dated May of that year. The Association is thus designated as a legally authorised entity with all recognised rights and capacities in accordance with the laws regulating such Associations to enable it to attain its designated goals. Registered address: E – 03738 Jávea, Balcón al Mar, Buzón 601. The Association bears the CIF number C.I.F.-G-03 607 058.

Article 1.3 – Aims and Objectives

The aims and objectives of the Association are based on its direct and shared-responsibility to the State, the Province and the Community for the wellbeing of its members, and to make their visits and their living here as pleasant as possible. Furthermore, constant contact with the local authorities and the police is maintained, with the development of initiatives facilitating the resolution of any problems with the local authorities which may be considered to restrict the quality of life for residents.

Article 1.4 – Activities

Assistance with problems relating to security issues in the Complex, communication between people with different mother tongues and advice and information for newly arrived residents in conjunction with the local authority or province. Fostering of cultural programmes and the creation of sport and exercise programmes for people of all ages. Opportunities to take part in language

learning courses. Assistance with dealing with regulations and authorisations. Dissemination of important information to community members through the ISVH House Magazine, information mailboxes and the ISVH website home page.

Article 1.5 – Registered Address

ISVH
Calle Frederick Handel 3
Balcón al Mar
Buzón 601
E – 03738 Jávea

Chapter 2. – Management

Article 2.1 – Official bodies

The Association consists of the following official bodies:

- a) General Membership Body
- b) Committee, composed of:
 - President
 - Vice-President
 - Secretary
 - Treasurer
 - Committee Members
- c) Auditors

Article 2.2 – The General Meeting

The General Meeting (GM) is the foremost body representing the Association. Its duty is to lay down and ratify the guidelines for attaining the aims and objectives of the Association. The GM consists of all members of the Association and is usually convened once a year during the first six months of that year. An Extraordinary General Meeting will be called under the following conditions:

- a) If an absolute majority of the Committee wish to do this, for it in writing or by e-mail
- b) or 15% of the membership propose doing this in writing or by e-mail.
- c) the time period between the proposed Extraordinary General Meeting and the next scheduled General Meeting is not less than 3 months

Article 2.3 – Responsibility of the GM

The GM is responsible for advising and decision making, at the first call with a majority of all members present (absolute majority) and at the second call half an hour later with any number of members present (relative majority).

Article 2.4 – Call to Meeting of the GM

The GM must necessarily be called by the Committee 30 days in advance of the meeting date, stating date, place of meeting and meeting Agenda. In the case of

an urgent Extraordinary GM, a period of 7 days in advance will suffice. All the members who had applied for it will be called to the GM by e-mail.

Article 2.5 – Voting and Proxy Voting

- a) Voting may be carried out openly (show of hands) or by secret ballot. Voting will normally be carried out by show of hands. The decision of whether to vote openly or by secret ballot will be taken by open vote with a majority of a show of hands.
- b) ISVH Committee members, Trustees and other organisations are not permitted to represent the voting rights of absent ISVH members. Each ISVH member may not represent more than one proxy vote authorised in writing from an absent ISVH member. The representative authorised to present a proxy vote must attend in person when voting or when elections take place.
- c) When new Officers of the Committee have to be elected, a vote by post or by e-mail will be accepted. The Committee will ensure that a list of candidates is sent to all Members in due time for the election to take place.
- d) When the Committee decides that the full membership needs to be consulted on any issue and the points raised does not require calling a GM, a vote by post or by e-mail will be accepted.

Article 2.6 – Management of the GM

The President will lead the GM, with the Vice-President standing in for him. Should both the President and the Vice-President be absent at the same time, the remaining Committee members will designate one person from the Committee to lead the meeting. Official Minutes of each meeting will be taken, which will be signed off by the Secretary and the President. The Minutes of the General Meeting will be published in the ISVH Newsletter and on the Internet and will be presented for approval at the next General Meeting.

Article 2.7 – Powers of the GM and the Extraordinary GM

The General Meeting, in addition to its usual duty to approve and take decisions in accordance with the guidelines as laid down, is required to take responsibility for the following:

- a) Decisions relating to the joining and resignation of members on the recommendation of the Committee, with a simple majority.
- b) Election of the members of the Committee. The

GM elects the President, the Vice-President, the Secretary, the Treasurer and the General Committee Members for a period of office of 2 years (simple majority)

- c) Presentation and endorsement of the Annual report of the President and Committees on their activities (simple majority)
- d) Presentation and endorsement of the Treasurer's report (simple majority)
- e) Presentation and endorsement of the Budget and the membership subscriptions (simple majority)
- f) Election of two auditors and one substitute auditor.
- g) Amendment of the Statutes of the Association, for which a two thirds majority of those present is required.
- h) Decisions relating to the dissolution of the Association, for which a two thirds majority of all the members is required, as well as calling an Extraordinary General Meeting.
- i) Asset selling, for which a two thirds majority of the members present is required.
- j) Dismissal of the Committee and any Sub-Committees.

Every GM has the right of decision making.

Chapter 3. – The Committee

Article 3.1 – The Composition

The Committee is the executive body of the Association, acting as its representative and administrator. The Committee is accountable to the GM. The Committee is composed of the President, the Vice-President, the Secretary, the Treasurer and a maximum of 5 other members, all of whom are elected by the GM. The candidates can nominate themselves or be nominated by other members. Such nominations must be put forward with the permission of the nominee submitted in writing to the Committee, 7 days before the date of the election. Public information about the elected candidates and their duties will be presented at the General Meeting.

Article 3.2 – Duration of post

The duration of a post on the Committee is fixed for 2 years. Committee members are exempted from payment of community fees to the ISVH for the duration of their post. The Committee works on a voluntary basis.

Article 3.3 – Representation

In the case of absence, illness, resignation or vacancy of one of the posts on the Committee, deputy cover will be provided as follows:
The Vice President will deputise for the President, the youngest general Committee member will deputise for the secretary, and the eldest general Committee member will deputise for the Treasurer.

Article 3.4 – Powers of the Committee

The Committee has the following powers:

- a) Full legal representation of the Association in the person of the President and Vice-President
- b) Provisional acceptance of new members pending formal proposal at the GM
- c) Ensuring that the current Statutes are correctly carried out, that all legal requirements are fulfilled and that all current agreements are respected. Any problem which the Statutes cannot resolve at the time will be reported back to the next General Meeting and will be approved there if deemed necessary.
- d) Organisation and management of the Associations duties and services
- e) To take decisions relating to proposals and suggestions, and complaints and petitions which are received by the Committee from the membership.
- f) Control of the finances of the Association.

Article 3.5 – Committee Meetings

The Committee will meet following written invitation from the President or from 3 Committee members. The Committee will have decision making powers, provided that at least half of the Committee members plus one Committee member is present. Decisions will be taken by majority vote. A tied vote will be decided by the President. The frequency of Committee Meetings will depend on the urgency of matters to be dealt with. However there should not be a period of more than 2 months between meetings.

Article 3.6 – The President and the Vice-President

The President of the Association is at the same time also President of the Committee. His/Her duties are as follows:

- a) Direction and legal representation of the Association through delegation by the GM and the Committee
- b) He or she represents the Association and its members in the outside world, including with public authorities and offices

- c) He or she officially endorses all documentation relating to the accounts, and manages the collection of funds and the making of payments
- d) He or she is responsible for calling the GM and the Committee meetings
- e) He or she will approve the Minutes and the certificates which are prepared by the Secretary and others.
- f)) In addition he or she will take overall responsibility for all the tasks and duties which have to be dealt with in his/her role as President, such as special tasks which have been allocated to him at the General Meeting.

In case of his or her absence or illness, the President will be represented by the Vice-President, who will be vested with the same powers and duties.

Article 3.7 – The Secretary

His or her duties are:

- a) to hold in safe keeping the various documents relating to the Association
- b) to draw up the Minutes of the Committee meetings and the General Meetings and to hold these in safe-keeping
- c) To manage the membership list and database, and to update this with the arrival and departure of members and to inform the Treasurer of these amendments
- d) To monitor the management of deadlines and duties regarding legal matters relating to the Association and to ensure that these requirements are fulfilled
- e) To provide the General Meeting with a current and accurate list of members and assets
- f) To prepare calls to meetings and financial documentation for the GM
- g) To coordinate all correspondence relating to the Association, including the electronic correspondence.
- h) The administration of the Association's files and archives (files to be kept for a 10 year period).

Article 3.8 – The Treasurer

- a) He or she is responsible to the Committee and the GM for all matters relating to the accounts
- b) He or she is responsible for the accounting process and for the financial administration

- c) He or she will control and monitor the payment of community fees by the membership, and financial transactions relating to advertisements, events and any other income
- d) He or she will keep the books themselves or may delegate this task. The person delegated will carry out all the functions which this post is authorised to deal with, whilst abiding by the legal rules and regulations.
- e) With the agreement of the Committee, he or she will guarantee the security of all cash transactions and minimise all risks by keeping all monies held in cash to a minimum.
- f) He or she will prepare or have prepared a quarterly short term income and expenditure balance, as well as the annual accounts at the end of the financial year (1.1-31.12). He or she will make proposals to the Committee regarding depreciation provision and reserve funds. He or she will draw up a budget for the coming year. He or she is authorised with the agreement of the Committee to bring in expert assistance in order to complete the tasks outlined above.
- g) He or she will keep the records and archives relating to the previous two years and the current year. Should he or she leave the Committee these files will be handed over to the Secretary
- h) He or she will manage the timely inspection of the accounts (ISVH and Sub-Committees) by the Auditors who were elected by the GM in the previous year, and present the auditors' financial reports to the GM, and for approval by the Committee and the Sub-Committee
- i) He or she will present the accounts relating to the past year to the General Meeting, as well as the Budget for the coming year.

Article 3.9 – The General Committee Members

The General Committee members will report to the Committee on any regular or special duties and/or tasks (possibly time limited), and will participate in Committee meetings. They will participate in discussions and decision making regarding policy matters which are dealt with by the Committee. The Committee may extend or restrict their brief regarding tasks and duties as required. They hold voting rights.

Article 3.10 – The Auditors

The Auditors will inspect the accounts, the related documentation, the budget management and the

orderly administration of Community funds, including any miscellaneous investments made by the Association or the Committees. They will provide Auditors' Reports to present to the GM.

Article 3.11 – The Sub-Committees

The Sub-Committees will work in accordance with the tasks allocated to them and will report on these to the ISVH Committee, and when required also to the GM. The Committee and the GM will decide on the number and composition of the Sub-Committees and their remit. The ISVH Committee will coordinate the activities of the sub-Committees and will appoint from each one a delegate and someone who holds overall responsibility. Any purchases of any kind which fall outside the annual budget allocated to them will require prior approval from the ISVH Committee or, in the case of larger amounts, prior agreement by the GM. Each Sub-Committee will present a proposed budget to the GM. Any amendments to the personnel involved and their functions should be notified to the ISVH Committee and to the GM in writing.

Article 3.12 – The Voluntary Fire Service (Bomberos Voluntarios)

- a) The Bomberos Voluntarios are a special Sub-Committee of the ISVH. Their duties are: prevention, aversion and fighting of fires and other natural disasters, as a public **service**.
- b) The Bomberos Voluntarios draw up their own regulations, which are approved by the Committee. In the case of disapproval by the Committee, the final decision will be taken by the GM.
- c) The Bomberos Voluntarios are composed of volunteers who agree to abide by the regulations.
- d) The Bomberos Voluntarios work on behalf of the general public, in accordance with the tasks allocated to them.
- e) The ISV Committee will be informed of the names of the members of the management in writing. The Commander or his Deputy are spokespersons for the group as a whole.
- f) The ISVH will provide funding in their budget for the work of the Bomberos Voluntarios. Any unused funds will when possible be retained in the reserve fund of the Bomberos.
- g) The Commander or a member appointed by him will be delegated as a General Member of the ISVH Committee.
- h) The active Bomberos Voluntarios are exempt from paying ISVH community fees.
- i) A joint meeting of both Committees will be held at least once per year (at the turn of the year).

Chapter 4 – The Membership

Article 4.1 – New Members

The Committee will register as provisional members all persons of legal age who wish to become members of the Association. Membership is provisional and will become definitive following approval by the General Meeting. Nevertheless during the period of provisional membership all rights and responsibilities relating to the Association will apply, apart from the right to be elected to the Committee. These Statutes do not consider partners and children to be members; they do not have the right to vote or to elect. However, they are eligible to enjoy the advantages and privileges available to members of the Association.

Article 4.2 – Duties of Members

With their registration **onto** the Association's Register, members will recognise and abide by the full content of the Statutes of the Association, recognise the agreements made by the Committee and the GM, and to abide by them as follows:

- a) to actively promote the aims of the Association
- b) to pay the annual charges by no later than 31st March of the current financial year by means of a bank standing order. Exceptionally an alternative method of payment can be agreed. Members who fail to do this will not have voting rights at the GM
- c) to accept and abide by the rightfully taken decisions made by the General Assembly and the Committee.

Article 4.3 - Rights of Members

Members have the following rights:

- a) Participation in the activities of the Association and assistance from those who have been selected by the Association.
- b) To elect and to be elected for posts on the Committee or for work on the Sub-Committees
- c) Participation in the GM with the right to speak and to vote
- d) To submit proposals and suggestions to the Committee and to the GM
- e) To obtain information at any time about the decisions made by the Committee
- f) Any expenses incurred by the action of a member when representing or defending the

interests of the Association will be reimbursed to that member. The member must be informed of this in advance.

Article 4.4 – Loss of Membership

Grounds for loss of membership are:

- a) Voluntary resignation by written notice to the Committee
- b) Unpaid annual community fees at the end of the year in question, or an unpaid special payment as agreed by the GM and officially notified in writing
- c) Members whose personal behaviour either within or outside of the ISVH has damaged it or brought the Association into disrepute will be asked to leave the Association. The member concerned will be informed in writing about this decision. The General Meeting will take the final decision on such action in response to a proposal put forward by another member or the Committee.
- d) Paragraphs a and c are also applicable to Committee members. In order to exclude a (Committee) member, a two thirds majority of the whole Committee is required. If the matter is referred to the President, then an extraordinary General Meeting must be called immediately.

Any member has the right to a hearing by the Committee. The Committee must respond in writing to the claims made within 20 days from the date of the members request for a hearing. The definitive exclusion must be confirmed at the next General Meeting by two thirds of those members present.

Article 4.5 – Honorary and Free Members

Under special circumstances, the Committee may confer the title of Free Member or Honorary Member on those members who have given special service to the Association. Free or Honorary Members will pay no community fees. This title must be approved by the General Meeting. No more than 2% of the total membership of the Association may be made Honorary Members

Chapter 5 - Financial Principles

Article 5.1 - Income of the Association

The income of the Association consists of:

- a) The annual community fees from the members, which is fixed by the General Meeting
- b) Any donations and subsidies which may be received
- c) From rental of ISVH property.
- d) From special income of various kinds from the

Committees, which have partly limited control of their tasks. The overall control remains with the Committee.

Article 5.2 – Financial Management

- a) The financial year will conform with the calendar year
- b) The ISVH Committee has overall control over the administration of the Associations' finances, and the various cash holdings and bank accounts of the ISVH and other related Committees.
- c) A single signature is not valid for any financial transactions in connection with the ISVH and related Committees, and is strictly out of order. Only collective signatures are accepted. Signatory rights are held in all cases by Committee members. The collective signature of the ISVH and related Committees are regulated in the following way:

For the ISVH:

The President or the Vice President together
With the Secretary or Treasurer.

For the Committees:

The Chairman or the Treasurer together with the ISVH Treasurer, or in his absence another official signatory of the ISVH.

- d) Any extraordinary expenditure, which is not part of the annual budget plan, must without exception, be approved by the Committee and subsequently by the GM
- e) The Committee members are responsible to the GM for their management of the Association. Furthermore, Committee members bear third party liability for any damages or debts which they may incur whilst carrying out their duties, and which have been brought about due to deliberate or grossly negligent actions on their part. Should the liability not be carried directly or clearly by any one Committee member, then the Committee as a whole will bear the liability.

Chapter 6. – Dissolution of the Association

Article 6.1 – Reasons

- a) No activities have taken place for a period of two complete years.
- b) The Association is no longer able to fulfil its duties and responsibilities.
- c) At least two thirds of all registered members are in agreement. Voting on this can also be carried out by written correspondence.

Article 6.2 - Liquidation

A fixed period of time for purposes of liquidation must precede the dissolution of the Association; the Association will retain its legal status until it ceases to function.

The entire Committee will be given the status of liquidators, and exceptionally also any other specified persons who have been nominated by the Judge or by the General Meeting. In all circumstances, a Notary or a lawyer will act as Chairman of the Liquidators (the Committee).

The liquidators must deal with the following matters:

- a) To employ all necessary measures in order to retain the funds of the Association.
- b) To demand the return of all credit given and the payment of received credit.
- c) Payment and collection on demand of all outstanding invoices.
- d) They must direct any remaining assets of the Association to the purposes as laid down in the Statutes
- f) They must apply for the dissolution of the Association in the relevant Land Registry of the Valencian Community and with the Local Authorities
- g) The ISVH Association building is located on a piece of land owned by the Association. In order to safeguard the interests of the public in the building (post boxes, fire brigade), the Association must inform Jávea Town Council in writing about any proposed liquidation.
- h) Should the Association be unable to make due payments, the Committee, i.e. the liquidators, must immediately institute bankruptcy proceedings before the relevant Judge

Should any remaining funds then be available, these will be directed to charitable purposes. A neutral Notary will be appointed to officially Minute and document any such operations and decisions including handing over the funds to charitable organisations.

Members cannot be held liable for any debt incurred by the Association.

Jávea, 10 April 2010

The Vicepresident:.....

The Treasurer.....