

27.06.2018

EDTNA/ERCA MOTIONS 2018

Dear EDTNA/ERCA Member,

We hereby have the pleasure to inform you of the motions that will be presented to you for voting at the Annual General Meeting in Genoa, Italy, September 16th, 2018.

MOTION TO BE PRESENTED AT THE AGM FROM THE EXECUTIVE COMMITTEE

MOTION - NEW CONSTITUTION

Introduction

At the Annual General Meeting (AGM) 2017 the EC asked the AGM to approve changes to the Constitution to enhance compliance with requirements for Swiss Association.

At the end of 2017 the Executive Committee learned that

- The changes approved are not sufficient for a successful renewal of registration as Non-for-Profit Organization in the Canton of Lucerne and commercial registration
- The trustee office who gave EDTNA/ERCA domicile over more than 20 years will finally abandon the activity to legally host entities such as charities and foundations in Switzerland
- Registration of EDTNA/ERCA at the chamber of commerce is prerequisite for achieving Non-for-Profit Status and financial, fiscal and legal activity in Switzerland

Consequently, the EC decided to move the legal venue from the Canton of Lucerne to the Canton of Nidwalden and to hold Swiss and legal office in the premises of Alpina Treuhand AG, Seestrasse 91, Hergiswil, NW and to apply there for commercial and legal registration. Under the new address EDTNA/ERCA is already registered for Swiss VAT for a long time.

The current Constitution and other documents were prepared in a parallel version of German and English, the draft was amended in a number of points for compliance with the official constitutional template for Swiss Associations and was put forward to Swiss lawyers for review.

The review showed that some parts such as the setup of the Executive Committee, terms for members and officers, election processes and further explanations shall be described by "Policy and Procedure" and not in the Constitution. The core of a Swiss Constitution shall be to outline the purpose of the Association which is unchanged in the draft and the institutions and the authority, so the WHAT and WHO, but to have the HOW and WHEN in an operational document, the Policy and Procedure.

The Executive Committee is proposing a new draft Constitution which shall be in full compliance with Swiss regulations for Associations and which has been reviewed and is fully supported by Swiss lawyers holding office in the Canton of Nidwalden.

The Executive Committee is convinced EDTNA/ERCA should keep the legal office in Switzerland.

Motion

The Executive Committee kindly invites the Members to accept the motion and approve the new draft of the Constitution.

Thank you in advance for your collaboration.

With best regards,



Edita Noruisiene
EDTNA/ERCA President



Maria Teresa Parisotto
EDTNA/ERCA Secretary



Evgenia Golland
EDTNA/ERCA Treasurer



Ilaria de Barbieri
EDTNA/ERCA EC Member



Maria Cruz Casal Garcia
Co-opted Member