

# EUROCONTROL GUILD OF AIR TRAFFIC SERVICES

## STATUTES

### TITLE, SCOPE AND PRINCIPLES

#### ARTICLE 1

The association carries the following title: EUROCONTROL GUILD OF AIR TRAFFIC SERVICES (EGATS).

The head office of EGATS is located at the EUROCONTROL Maastricht Upper Area Control Centre, currently in the town of Maastricht-Airport, the Netherlands.

#### ARTICLE 2

1. EGATS is independent of all national and international institutions, governments, administrations, political parties and confessional or philosophical movements.
2. For the purpose of defending common interests, EGATS may be affiliated to any federation of associations of European and international organisations.
3. EGATS affirms its willingness to co-operate with other democratic organisations having the same objectives.

### HEAD OFFICE

#### ARTICLE 3

The head office is located at the EUROCONTROL Maastricht Upper Area Control Centre, currently in the town of Maastricht-Airport, the Netherlands.

### PURPOSE

#### ARTICLE 4

1. The main objectives of EGATS are:
  - a. To promote the safety, efficiency and regularity of international air navigation;
  - b. To contribute to the development and establishment of safe and efficient air traffic control systems through collective rather than individual research;
  - c. To maintain a high standard of professional knowledge and proficiency among air traffic service personnel;
  - d. To protect and safeguard the individual and general interests of its members;
  - e. To establish and maintain relations with similar or related professional organisations;
  - f. To promote, encourage and enhance, in general, the work of air traffic services personnel and to develop and promulgate knowledge of air traffic control in all its aspects and applications;
  - g. To sponsor and support legislation aimed at increasing the safety of air navigation and establishing the profession of air traffic control.

2. EGATS will attempt to achieve its objectives by:
  - a. Drafting, processing and offering studies, reports and practical proposals;
  - b. Distributing publications;
  - c. Participating constructively in projects;
  - d. Organising congresses, lectures and meetings;
  - e. Using all other legal means to promote the objectives of EGATS.

## MEMBERS

### ARTICLE 5

1. EGATS is a EUROCONTROL association by nature. Anyone fulfilling one of the following requirements may seek membership of the association.
  - a. Individuals who are employed by EUROCONTROL may seek membership if they:
    - i. Are in possession of an Air Traffic Controller licence or hold an Air Traffic Controller position, on the condition that their EGATS membership persists for a minimum period of five years;
    - ii. Are working in any other function within the MUAC OPS Room;
    - iii. Have been working at a position within the MUAC OPS Room, on the condition that their EGATS membership persists for a minimum period of five years while working in the MUAC OPS Room;
    - iv. Are training for any position within the MUAC OPS Room;
    - v. Are working in any function within the MUAC simulator environment.
  - b. Individuals receiving a EUROCONTROL pension or who have retired as employees of DFS Maastricht (retirement, early termination of service (ETS), invalidity) may be accepted as members on the condition that their EGATS membership persists for a minimum period of five years.
  - c. Other individuals may be accepted as members, as proposed by the Executive Board and subject to a 2/3 majority vote of the members present during the EGATS Annual General Meeting.
2. The Executive Board must keep a register of the names, addresses and e-mail addresses of all members.

## ADMISSION

### ARTICLE 6

In the event of the Executive Board rejecting an application, the matter may be referred to the Annual General Meeting, who may decide to allow admission after a 2/3 majority vote.

## TERMINATION OF MEMBERSHIP

### ARTICLE 7

1. Membership will cease:
  - a. Upon the death of the member concerned;
  - b. Upon resignation of the member concerned before the first day of December of the year in which the resignation was presented;
  - c. If the conditions laid down in Article 5.1 are not fulfilled;
  - d. Upon expulsion. This may occur only in cases where a member acts in contravention of these Statutes or decisions reached by EGATS or causes unreasonable prejudice to EGATS;
  - e. If the member concerned fails to pay their contribution before the first day of April.
2. The Executive Board is required to declare termination on the part of the association to the individual concerned.
3. Resignation or expulsion may occur at any time and must be notified in writing.
4. If an individual's membership is terminated in contravention of the provisions set out above, the individual's membership is to be ended at the earliest point permissible after the date of termination.
5. The Executive Board is required to notify cessation of membership to the individual concerned.
6. In the event of a decision to terminate membership on the grounds that the association cannot reasonably be expected to allow membership to continue, or in the event of a decision to expel a member, the member concerned will be entitled to appeal to the General Meeting within one month of receiving the notification of the decision. The member will then be informed of the decision and of the reasons behind this decision in writing as quickly as possible.

The General Meeting will decide by a 2/3 majority of the votes cast by the members present. The member concerned will be suspended during the period for appeal and pending the appeal.
7. If an individual's membership expires in the course of a calendar year, the full subscription fee for the year will remain payable.

## ANNUAL SUBSCRIPTION FEES

### ARTICLE 8

1. Members are required to pay an annual subscription fee and an entry fee.

The annual subscription fee is due at the start of each financial year.

The General Meeting sets the subscription/entry fees on proposal by the Executive Board. EGATS may receive other income in the form of donations and other revenue.
2. The Executive Board is entitled to grant partial or complete exemption from payment of subscription/entry fees in particular circumstances.

## MEMBER'S RIGHTS

### ARTICLE 9

1. Each member has the right, by taking part in EGATS meetings and elections, to contribute to the determination of EGATS policy and the composition of its bodies, and to state their opinion on any matter relating to the association.
2. Each member will receive a membership card.

## MEMBER'S DUTIES

### ARTICLE 10

1. Each member will undertake to defend EGATS interests and to play an active part in fulfilling the objectives set out in these Statutes and in the decisions of EGATS bodies.

## EGATS BODIES

### ARTICLE 11

EGATS bodies include:

- The General/Election Meeting
- The Executive Board
- The Audit Board
- The committees set up by EGATS

The Election Meeting will coincide with the Annual General Meeting.

## THE EXECUTIVE BOARD

### ARTICLE 12

1. Members of the Executive Board are elected for a period of two years.
2. At least 45 days before the General/Election Meeting, the Executive Board will send every member a request for applications. Applications from candidates will be accepted up to 15 days before the General/Election Meeting. The list of candidates will be published with the final agenda.
3. The Executive Board must consist of at least five members:
  - The President
  - The Secretary
  - The Treasurer
  - Two other members
4. The number of seats of the Executive Board is to be defined during the General Meeting.
5. The Executive Board must be composed in such a way as to guarantee that, at all times, the majority of the Board members, and in particular the President, are in possession of or have been in possession of an Air Traffic Controller licence and are employed by EUROCONTROL at the Maastricht UAC.
6. During an election, members will vote for the available positions on the Executive Board. Members will have a number of votes corresponding to the number of available seats.
7. In case a vacancy arises during the election period, the vacancy is to be filled at the next General Meeting.
8. Members of the Executive Board may be elected by written or electronic ballot.

## TERMINATION OF EXECUTIVE BOARD MEMBERSHIP – TEMPORARY SUSPENSION OF MEMBERSHIP

### ARTICLE 13

1. Any member of the Executive Board may be dismissed or suspended by the General Meeting at any time. Any suspensions that are not followed within three months by a decision to expel the member concerned will end with the expiry of the three-month period.
2. Each member of the Executive Board is elected for a period of two years. The election period will last until the next General/Election meeting takes place.
3. In addition, membership will end:
  - a. Upon cessation of membership or disbandment of the association in the case of Board members elected from among the membership;
  - b. Upon resignation.

## FUNCTIONS AND DECISION-MAKING ON THE EXECUTIVE BOARD

### ARTICLE 14

1. A record of the proceedings of each meeting must be kept.
2. More detailed rules relating to the Executive Board's meetings and decision-making processes may be laid down by the Executive Board in the form of internal rules.
3. Executive Board decisions must be taken by the usual majority of votes cast if the majority of the Board members are present.

Should the number of votes for and against a proposal be equal, the President will have the casting vote.
4. Each member of the Executive Board may, at any time during a discussion, request suspension or adjournment of the discussion or of the meeting in question.

## RESPONSIBILITIES OF THE EXECUTIVE BOARD AND REPRESENTATION

### ARTICLE 15

1. Subject to the limitations under the Statutes, the Executive Board is responsible for running the association.

The Executive Board's tasks include:

- a. The implementation of the decisions reached by the General Meeting;
  - b. The implementation of the tasks listed in the Statutes and the policy outlined by the General Meeting in respect of the measures appropriate for the purpose in question.
2. If the number of Executive Board members drops below five, the Board will retain authority. However, it is obliged to convene, as swiftly as possible, a Special Election Meeting, at which the filling of the vacant post(s) will be on the agenda.
3. The Executive Board is entitled, under its own responsibility, to delegate the implementation of certain parts of its tasks to sub-committees or experts to be nominated by the Board.

## ANNUAL REPORT – ACCOUNTS AND RESPONSIBILITIES

### ARTICLE 16

1. The financial year of EGATS runs from 1 January to 31 December.
2. The Executive Board is required to keep records of the association's assets to allow a clear picture of its rights and obligations to be gained at any time.
3. The Executive Board must present its Annual Report to a General Meeting within six months of the end of the financial year, unless there has been an extension granted by the General Meeting, and must account for its management over the past year by reference to the balance sheet.

After the expiry of the deadline, any member is entitled to have sight of these accounts and the discharge given.

## THE AUDIT BOARD

### ARTICLE 17

1. Each year, the General Meeting must appoint from among the members an Audit Board of at least two persons who are not on the Executive Board. This Audit Board must check the Executive Board's accounts and then provide a report on these accounts to the General Meeting.
2. The Audit Board will be responsible for regularly auditing the accounts on its own initiative, at least once per year. The Executive Board is obliged to grant the Audit Board access to any document that the Audit Board may wish to see, to show the Audit Board the cash at bank and to allow the Audit Board to view the association's books and records.

The Board is not empowered to dispose of any such documentation.

The Audit Board is also empowered to receive any complaints regarding the Executive Board's financial administration.

The Audit Board is elected for a one-year term of office, on the understanding that the said period will run until the next Ordinary General Meeting. This period, however, may not be longer than 18 months.

3. The Board may be relieved of its duties by the General Meeting at any time, but only if it appoints new Board members.
4. The Executive Board is obliged to keep the documents referred to in Article 17 (2) for a period of ten years.

## GENERAL MEETING

### ARTICLE 18

1. The General Meeting is a forum for all those entitled that do not have a seat on the Executive Board.
2. Each year, at the most six months after the end of the financial year, a General Meeting – also referred to as the “Annual General Meeting” – will be convened.

It must be validly convened by a written invitation sent to each member by the Executive Board at least 30 days before the date of the General Meeting. The invitation must also be displayed on the noticeboard.

The Annual General Meeting will, inter alia, review the following:

- a. The accounts and reports referred to in Article 17;
  - b. The nomination of Board members as referred to in Article 17;
  - c. The filling of vacancies;
  - d. The introduction of the Executive Board or its members, as announced in the convocation for the meeting.
3. Other General Meetings will be held as often as the Executive Board deems desirable.
  4. The Executive Board may also, where it considers it necessary, call an Extraordinary General Meeting on its own initiative. The Executive Board is obliged to call such a meeting if it has received written requests from at least 25 members.

The Extraordinary General Meeting is to be validly convened by means of an invitation displayed on the noticeboard.

5. The tasks and functions of the General/Election Meeting include the following:
  - Defining the guidelines for the association's policy;
  - Voting on the Annual Report (the procedure for granting discharge to the whole Executive Board is to be carried out every year);
  - Voting on the Financial Report after hearing the Audit Board, the procedure for granting discharge to the treasurer is to be carried out every year);
  - Determining the subscription fees;
  - Voting on motions addressed to the General Meeting.
6. If a General Meeting cannot be held in person due to external circumstances, the Board may decide to hold the meeting online.  
Additional provisions, if applicable, are detailed in the bye-laws.

## ACCESS AND VOTING RIGHTS

### ARTICLE 19

1. All members of the association are entitled to attend the General Meeting. Members under suspension or Executive Board members under suspension are not entitled to attend, except for the purpose of lodging a complaint against expulsion or resignation as per Article 7.
2. The General Meeting is responsible for deciding on the admission of persons other than those referred to in Article 19 (1).
3. Every member of the General Meeting who is not under suspension will have a vote.
4. Each member is entitled to vote only if they are not behind on the payment of membership fees.
5. New members have a voting right only if they have been a member for at least one month and have paid their fees in full.
6. Each member can make use of a maximum of two proxy votes.
7. The voting rights are to be determined by the President of the meeting.
8. If only one candidate has been nominated for a position, this candidate is to be considered elected without an election being held, provided that the correct nomination procedure has been adhered to.

## CHAIRMANSHIP – MINUTES

### ARTICLE 20

1. General Meetings are to be led by the President of EGATS or the Secretary. If the President and the Secretary are both absent, one of the other members of the Executive Board, to be selected by the Board, will serve as Chair. If a Chair still cannot be found, the meeting will fulfil this function itself.

The Election Meeting must be led by a person elected by the meeting.

2. The Secretary or another person appointed by the Chair must keep a written record of the proceedings of each meeting.
3. The contents of the minutes or record are to be brought to the attention of the members.

## DECISION-MAKING AT THE GENERAL MEETING

### ARTICLE 21

1. Opinions expressed by the Chair to the General Meeting that the Meeting has reached a decision are to be deemed final. The same applies to the content of a decision taken, insofar as there is a vote on a proposal which has not been submitted in writing.
2. If the accuracy of any statement covered by Article 21 (1) is disputed directly after it is made, a new vote is to be held where the majority of the meeting, or, where the original vote was not taken by call or in writing, one person present entitled to vote so demands.

Under this procedure, the legal consequences of the original vote are nullified.

3. Unless the Statutes or the law provide otherwise, all decisions in a General Meeting are to be taken by a simple majority of the votes cast by the members present.
4. Blank votes are considered to be votes not cast.
5. If a simple majority cannot be secured during an election, there must be a second vote, or in the event of a binding proposal, a second vote between the proposed candidates.

Should there once again be no outright winner, there must be a revote until one person secures the relevant majority. Otherwise, the vote must be between two people and the votes must be evenly divided.

In the case of such revotes, not including the second vote, the choice will always be between the persons voted for in the previous round, less the person scoring the fewest votes in the previous round.

If there are two people both scoring the fewest votes in the previous round, a draw must be made to establish who will be eliminated from the next round.

If there is a tie between two people, there will be a draw to decide who will be elected.

If there is a tie in the vote but no election is involved, the proposal must be rejected.

6. Irrespective of the method used (oral, written or electronic), voting on individuals will be conducted through a system that ensures individual votes remain confidential.
7. Decision-making by acclamation is possible, unless a member entitled to vote requests a vote by call.
8. The results of written and electronic voting procedures will be made available to members upon request.

9. A unanimous decision reached by all members, even if they are not gathered in a meeting, has, if taken with prior knowledge of the Board, the same force as a decision of the General Meeting.
10. As long as all members are present or represented at a General Meeting, valid resolutions may be passed, provided that they are passed unanimously, on all items to be discussed - i.e. including a proposal to amend the Statutes or to dissolve the association - even if no convocation has taken place or it has not taken place in the prescribed manner, or any other regulation concerning the convening and holding of meetings or if a related formality has not been observed.

## CONVOCATION OF THE GENERAL MEETING

### ARTICLE 22

1. General Meetings are to be convened in writing by the Executive Board. Notices of meetings are to be posted on the noticeboard.

Annual General Meetings are to be convened at least 30 days before they take place.

2. The convocation must give details of the matters to be discussed, notwithstanding the provisions of Article 24.

## AMENDMENTS TO THE STATUTES

### ARTICLE 23

1. No amendments may be made to the Statutes of the association in ways other than by means of a decision by the General Meeting if the members of the General Meeting were notified that there would be proposals for amendments to the Rules.
2. Those responsible for calling on the General Meeting to consider an amendment to the Rules must notify the members of their proposed amendment in writing at least five days before the meeting, showing clearly the amendment proposed, in an appropriate place, where it must be left until after the end of the day of the meeting.

Proposals for amendments to the Rules are to be considered only if submitted by the Executive Board or at least 35 members.

The members will submit proposals for the amendment of the Rules to the Executive Board, and the Board will establish whether it can support the proposals.

A decision to amend the Rules will require at least two-thirds of the votes cast, at a meeting in which at least 30% of the members are present or represented.

If not at least 30% of the members are present or represented, a second meeting will be convened and held within four weeks. At this meeting, a decision may be taken on the proposal as it appeared on the original agenda, regardless of the number of members present or represented, provided that there is a majority of at least two-thirds of the votes cast.

3. An amendment to the Rules will not come into force until a notarial deed has been drawn up. Every member of the Executive Board is entitled to have such a deed drawn up.

## ELECTIONS TO THE STATUTORY BODIES

### ARTICLE 24

1. All members who are up-to-date with their subscription fees are entitled to be elected to the association's bodies.
2. Elections to the Executive Board and the Audit Board are to be held at the General Meeting with due regard to the provisions set out below.
3. The elections will be held at a place, date and time notified to all the members of EGATS and will be supervised by the Executive Board.
4. A Returning Board designated by the General Meeting will count the votes cast.

## DISBANDMENT

### ARTICLE 25

1. Disbandment of the association may be decided upon only by a majority of at least two-thirds of the votes cast in a General Meeting in which at least two-thirds of the members entitled to vote are present or represented.

If two-thirds of the members entitled to vote are not present or represented, a second meeting will be convened and held within four weeks. At this meeting, a decision may be taken, regardless of the number of members present or represented, provided that there is a majority of at least two-thirds of the votes cast.

2. The provisions of Article 24 (1) and (2) apply in the same way.
3. In the event of the association being disbanded, the General Meeting, duly convened and acting by a simple majority, will decide as to the use to be made of the assets belonging to the association.
4. The Audit Board will conduct a final audit of the financial administration. It will determine the amount of the assets and will use them as decided by the General Meeting.
5. The credit balance remaining after settlement shall be paid to those who were members at the time of the decision to disband.
6. Each of them will receive an equal share of the assets. When the decision to disband is taken, other arrangements may be preferred for the use of the credit balance.

## INTERNAL REGULATIONS

### ARTICLE 26

1. The General Meeting may draw up internal regulations.
2. The internal regulations may not be in contradiction with the Statutes or the law, even in cases where they do not impose any binding obligations.