

# EUROPEAN BUDDHIST UNION

(UNION BOUDDHISTE EUROPEENNE)

## CONSTITUTION

### TITLE I

#### CONSTITUTION-NAME-OBJECTS-POWERS-REGISTERED ADDRESS-DURATION

##### CLAUSE I : CONSTITUTION AND NAME

Hereafter, by the members following the present statutes, an association, registered under the “1<sup>st</sup> July 1901 French Law and the 16<sup>th</sup> August 1901 decree”, is established. The name of the Association is “EUROPEAN BUDDHIST UNION” (hereinafter called "the Association").

##### CLAUSE 2 : OBJECTS

The Association follows the previous association similarly called “European Buddhist Union” founded in London in 1975 and has the same aims and objects. The Association is established to advance the Buddhist religion, in particular:

- (a) To promote the fellowship of Buddhists in Europe,
- (b) To encourage co-operation between the Buddhists in Europe through their various organizations on matters of common concern,
- (c) To work in harmony with all Buddhist organizations throughout the world.

### CLAUSE 3 : POWERS

In furtherance of the said objects but not otherwise, the Association, which is a non-profit making organization, may :

- (a) Employ and pay any person or persons to supervise, organize and carry on the work of the Association.
- (b) Bring together in conference representatives of voluntary organizations, Government departments, statutory authorities and individuals.
- (c) Promote and carry out or assist in promoting and carrying out research, surveys and investigations and publish the useful results thereof.
- (d) Arrange and provide for or join in arranging and providing for the holding of exhibitions, classes, seminars and training courses.
- (e) Collect and disseminate information on all matters affecting the said objects and exchange such information with other bodies having similar objects in Europe.
- (f) Undertake, execute, manage or assist any charitable trusts which may lawfully be undertaken, executed, managed or assisted by the Association.
- (g) Cause to be written and printed or otherwise reproduced and circulated, gratuitously or otherwise, such papers, books, periodicals, pamphlets or other documents or films or recorded tapes (whether audio or visual or both) as shall further the said objects.
- (h) Purchase, take on lease or in exchange, hire or otherwise acquire any property and any rights and privileges necessary for the promotion of the said objects and construct, maintain and alter any buildings or erections necessary for the work of the Association.
- (i) Make regulations for any property which may be so acquired. Subject to such consents as may be required by law, sell, let, mortgage, dispose of or turn to account all or any of the property or assets of the Association.
- (j) Subject to such consents as may be required by law, borrow or raise money for the said objects and accept manual gifts on such terms and on such security as shall be deemed to be necessary.
- (k) Raise funds and invite and receive manual contributions from any person or persons whatsoever, provided that the Association shall not undertake permanent trading activities in raising funds for the said objects.
- (l) Invest the monies of the Association not immediately required for the said objects in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) as may for the time being be imposed or required by law.

- (m) Do all such other lawful things as are necessary for the attainment of the said objects.

#### **CLAUSE 4 : REGISTERED ADDRESS**

The registered address is 90 rue du Faubourg Poissonnière, Paris (75010)

It shall possibly be transferred upon decision of the Administrative Council, subject to ratification by the General Meeting.

#### **CLAUSE 5 : DURATION**

The duration of the Association is, in principle, unlimited.

### **TITLE II**

#### **MEMBERSHIP**

#### **CLAUSE 6 : MEMBERS**

- (a) Full membership of the Association shall be open to all such bona-fide Buddhist organizations:
  - (1) Which have a constitution or statutes that include items (2) and (3) below,
  - (2) For whom the cause of Buddhism is their main purpose,
  - (3) Whose prime function is to undertake Buddhist activities,
  - (4) Whose membership is predominantly Buddhist,
  - (5) Whose Council or Board is under the control of professed Buddhists,
  - (6) Whose membership is of reasonable size,
  - (7) Who carry out Buddhist activities in Europe,
  - (8) Who are willing to support the objects of the Association,
  - (9) Which have been in existence as an organization for at least one year,
  - (10) Which have paid the annual subscription as it is fixed each year by the Association.
  - (11) Which respect and are willing to work in harmony with other Buddhists.
- (b) All applications for membership shall be submitted to the Administrative Council which shall make adequate enquiries as to whether the applicant fulfils the criteria for membership and shall circulate to the members at least one month before the date of the next General Meeting a recommendation with reasons to approve or reject the application.

- (c) Approval or rejection of applications for membership shall be decided at General Meetings of the Association.
- (d) Each member organization shall appoint one individual person, who shall be a professed Buddhist, to represent it and vote on its behalf at General Meetings of the Association. In the event of such an individual person resigning or otherwise leaving the organization, he or she shall forthwith cease to be a representative thereof.
- (e) Each member organization may nominate:
  - (1) A deputy, who shall be a professed Buddhist, to replace its appointed representative to vote at a General Meeting of the Association if the latter is unable to attend any particular meeting of the Association,
  - (2) Observers who may be invited by the President to attend any such meeting, but who shall not be entitled to vote.

#### **CLAUSE 7 : TERMINATION OF THE MEMBERSHIP**

- (a) The Administrative Council shall have the right to recommend the termination of the membership of any organization or Honorary Member or such individual appointed representative or deputy for good and sufficient reasons and, on such recommendation, a General Meeting shall have the right to terminate such membership, subject to the procedure specified in Clause 12 (b) (3), provided that the individual member concerned or the individual representing such organization (as the case may be) shall have the right to be heard by the said General Meeting before a final decision is made.
- (b) Any member may leave the Association by giving three months' notice before the end of a year, in writing to the President.

### **TITLE III**

#### **ADMINISTRATION AND PROCEDURE**

#### **CLAUSE 8 : OFFICERS**

- (a) At an Annual General Meeting hereinafter mentioned, the Association shall elect a President and two Vice-Presidents and a Treasurer as established Officers of the Association, provided that the President and the two Vice-Presidents shall come from different countries in Europe.

- (b) The Officers shall hold office for 3 years until the conclusion of the Annual General Meeting 3 years after their election and, with the exception of the President, shall be eligible for re-election.
- (c) The President shall:
  - (1) Represent the Association at law to outside bodies,
  - (2) Convene and preside over General Meetings of the Association
  - (3) Prepare agendas for meetings,
  - (4) Have a casting vote in the event of a tie in voting at meetings of the Association.
- (d) Upon the election of the Vice-Presidents, the Annual General Meeting shall nominate one of them as Deputy to the President and one of them as Chairman of the Administrative Council.
- (e) The Treasurer shall be responsible to the Association for all financial affairs as set forth in Clause 14.
- (f) The President shall ensure that:
  - (1) Minutes are kept of all meetings of the Association,
  - (2) All necessary notices and documents for meetings are prepared,
  - (3) The activities of such staff as the Association may from time to time employ, are supervised,
  - (4) A register of members of the Association is kept,
  - (5) The archives of the Association are maintained.
- (g) The President shall appoint a Secretary to assist in the execution of items clause 8 (f) (1) –(5).

#### **CLAUSE 9 : ADMINISTRATIVE COUNCIL**

- (a) Subject as hereinafter mentioned, the general management of the affairs of the Association shall be directed by an Administrative Council (hereinafter called 'the Council') and shall consist, at least, of the four established Officers elected under Clause 8 (a), and others, nominated each year by the Annual General Meeting, as necessary.
- (b) The Council may make recommendations to the Annual General Meeting but the Council does not have the authority to make or implement any new decisions on matters of religion or policy.

#### **CLAUSE 10 : MEETINGS OF THE ASSOCIATION**

- (a) The first General Meeting of the Association shall be held not later than the 31<sup>st</sup> December 2005 and once in each year thereafter an Annual General Meeting of the Association shall be held at such time (not being more than 15 months after the holding of the preceding Annual General Meeting) and place as the Council shall determine. At least 28 clear days' notice shall be given in writing by the President to each member. At such Annual General Meetings the business shall include, when appropriate, the election of Officers (being also representative members) to serve on the Council; the consideration of an annual report from the President

of the work done by or under the auspices of the Council; the annual financial report of the Treasurer; and the transaction of such other matters as may from time to time be necessary.

- (b) The President shall at any time at his/her discretion within 21 days of receiving a written request so to do, signed by not less than fifteen full representative members, and giving reasons for the request, call a Special General Meeting of the Association.

#### **CLAUSE 11 : NOMINATIONS OF OFFICERS**

- (a) Nominations for Officers may be made by member organizations of the Association in writing and must be in the hands of the President 21 days before the Annual General Meeting at which such elections will be held. Should nominations exceed vacancies, election shall be by ballot, provided that the first members of the Council shall be elected by personal vote at the first General Meeting of the Association.
- (b) Any casual vacancy in the Council with the exception of the office of President may be filled up by the Council and any person appointed to fill such a casual vacancy shall hold office until the conclusion of the next Annual General Meeting of the Association and shall be eligible for election at that Meeting.
- (c) The proceedings of the Council shall not be invalidated by any failure to elect or any other defect in the election, appointment, co-option or qualification of any member or any vacancy.
- (d) The council may appoint and fix the remuneration of all staff (not being members of the Council), as may in their opinion be necessary.

#### **CLAUSE 12 : RULES OF PROCEDURE AT ALL MEETINGS**

- (a) Quorum  
The quorum at a meeting of the Association shall be one-third of the total actual membership of the Association or in the case of the Council shall be three.
- (b) Voting
  - (1) Save as otherwise herein provided, all questions arising at any meeting of the Association shall be by consensus.
  - (2) Save as otherwise herein provided, in the case of no consensus being reached after two consecutive Annual General Meetings, voting shall take place in the third year, after the failure of a final attempt to reach a consensus. 75 % of those present must vote in favor of a motion for it to be accepted.
  - (3) In order to terminate the membership of any organization or Honorary Member or such individual appointed representative or deputy on the grounds that they no longer fulfill the criteria for membership, a vote of 75% of those present at an Annual General Meeting is required.
  - (4) Arrangements for proxy voting may from time to time be approved by the Council.

- (c) Minutes shall be kept by the Association and the Council must record all proceedings and resolutions.
- (d) The Association shall have power to adopt and issue Standing Orders and/or Rules for the conduct of the Association from time to time. Such Standing Orders and/or Rules shall come into operation immediately.

### **CLAUSE 13 : NOTICES**

Any notice may be served by the President on any member either personally or on its appointed representative as the case may be, or by sending it through post in a prepaid letter addressed to such member at his, her or its last known address and any letter so sent shall be deemed to have been received within 14 days of posting.

## **TITLE IV**

### **FINANCE AND ACCOUNTANCY**

### **CLAUSE 14 : FINANCE**

- (a) The finance of the Association will be composed of the membership fees, grants, manual gifts and funds as said in clause 3, subject to such consents as may-be required by law.
- (b) All monies raised by or on behalf of the Association shall be applied to further the objects of the Association and for no other purpose, provided that nothing herein contained shall prevent the payment in good faith of reasonable and proper remuneration to any employee of the Association or the repayment to the Officers of reasonable out-of-pocket expenses for agreed duties.
- (c) The Treasurer shall collect and deposit at the Bank all monies due to the Association, pay all invoices of monies owed and shall keep proper accounts of the finances of the Association.
- (d) A statement of accounts for the last financial year and the Bank Statement shall be submitted by the Treasurer to the Annual General Meeting as aforesaid.
- (e) A bank account shall be opened in the name of the Association with such bank as the Council shall from time to time decide. The Council shall authorize in writing the Treasurer of the Association to sign cheques on behalf of the Association.
- (f) The Council may, at their discretion, make arrangements to have the financial accounts audited.

- (g) In the execution of the duties hereof no officer shall be liable for any loss to the property of the Association arising by reason of any improper investment made in good faith or for the negligence or fraud of any agent employed by him/her or by any other officer hereof in good faith (provided reasonable supervision shall have been exercised) or by reason of any mistake or omission made in good faith by any officer or by reason of any other matter or thing other than willful and individual fraud or wrong-doing on the part of the officer who is sought to be made liable.

#### **CLAUSE 15 : TRUST PROPERTY**

The title to all real or personal property and investments which may be acquired by or on behalf of the Association shall be invested in a corporation lawfully entitled to act as Custodian Trustee in accordance with the law as it applies to the particular country in which such property is situated.

### **TITLE V**

#### **ALTERATIONS TO THE CONSTITUTION**

#### **CLAUSE 16 : ALTERATIONS TO THE CONSTITUTION**

Any alterations of this Constitution shall receive the assent of not less than 75 % of the full membership of the Association at a meeting specially called for the purpose, provided that notice of any such alteration shall have been received by the President in writing not less than 28 clear days before the meeting at which the alteration is to be proposed. At least 21 clear days' notice in writing of such a meeting, setting forth the terms of the alteration, shall be sent by the President to each member of the Association, provided that no alteration shall be made which would have the effect of causing the Association to cease to be a Charity at law. In such a case postal votes by duly appointed representatives shall be accepted.

## **TITLE VI**

### **DISSOLUTION OF THE ASSOCIATION**

#### **CLAUSE 17 : DISSOLUTION**

If the Council by a simple majority decide at any time that on the ground of expense or otherwise it is necessary or advisable to dissolve the Association, it shall call a meeting of all members of the Association who have the power to vote, of which meeting not less than 28 clear days' notice (stating the terms of the Resolution to be proposed thereat) shall be given. If such decision shall be confirmed by 75 % majority of those present and voting at such meeting of the Association, the Council shall have power to dispose of any assets held by or on behalf of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Association as the Council may determine.

Munich, September 26<sup>th</sup> 2004

Mrs Maria Angela FALA **President**

Mrs Claudine SHINODA **Vice-President**

Dhammachari DHAMMARATI **Vice-President**

Lama TCHEUDREUN **Treasurer**