



International Society for Contemporary Music  
Société Internationale pour la Musique Contemporaine  
Internationale Gesellschaft für Neue Musik

**I S C M**

**S T A T U T E S**

**As agreed by vote in Beijing, China  
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## **I. Name, Headquarters and Legal Status**

### **Art. 1**

The Society shall bear the name:

International Society for Contemporary Music - ISCM  
Société Internationale pour la Musique Contemporaine - SIMC  
Internationale Gesellschaft für Neue Musik - IGMN

### **Art. 2**

The Society's headquarters shall be in Vienna, Austria.

### **Art. 3**

The Society shall be registered at its headquarters as an international association.

### **Art. 4**

- 1) The official languages of the Society shall be English, French, and German.
- 2) The English version of the Statutes shall be legally binding.
- 3) The working language of the Society shall be English.

## **II. The Vision, Purpose, Mission & Values of the Society**

### **Art. 5**

**VISION AND PURPOSE:**

The Society aims to promote contemporary music and raise its public profile through effective global networking, communication, and facilitation of multilateral activities between the members.

### **Art. 6**

#### **1) MISSION**

In order to realise the goals of the Society, the activities aim to:

- a) Raise the profile of contemporary music through the collective strength of the Society's global network and membership makeup.
- b) Pursue exposure, research and performance of contemporary music through initiatives by its membership, as well as collaboration with affiliated bodies.
- c) Showcase the diversity of contemporary music worldwide through the World (New) Music Days Festival.
- d) Produce publications.

#### **2) VALUES**

The values of the Society are:

- f) Artistic diversity in musical creation, without prejudice on differences in musical expressions, styles, genres or media; nor regarding race, gender, religion or politics.
- g) Open and democratic procedures.

### 3) MEANS

The Society shall seek to realise this mission, in particular, by the following means:

- h) the activities of its members in support of the development and promotion of contemporary music;
- i) the organization of international musical events, such as the annual World (New) Music Days.

## III. Income of the Society

### Art. 7

The Society shall operate on a non-profit basis.

### Art. 8

The Society's income consists of

- a) membership fees;
- b) subsidies and donations;
- c) income from concerts and other events;
- d) sponsorship;
- e) advertising revenue;
- f) other income.

## IV. Members

### Art. 9

The Society shall consist of Sections, Honorary Members and Associate Members.

### Art. 10

- 1) A Section shall be an independent organization, representing the vision, purpose, mission and values of the Society, effectively coordinating the endeavours toward furthering contemporary music in a geographical or cultural region of a country, or in a country at large.
- 2) No region shall be represented in the Society by more than one Section.
- 3) A "country" shall be defined as any sovereign state; in case of doubt, membership in the IMC of UNESCO shall be decisive
- 4) The activities of the Sections as provided for in the Statutes must not be in contradiction to the activity of the Society. As far as the regulation of their internal affairs is concerned, however, the Sections shall be independent of the Society.

### Art. 11

Individuals who have achieved particular distinction in furthering contemporary music may be elected as Honorary Members of the Society.

### Art. 12

- 1) Organizations whose objectives correspond to the vision, purpose, mission and values of the Society, but which do not coordinate the endeavours toward furthering contemporary music in a whole region of a country or in a country (Art. 10 1), may be admitted as Associate Members.

- 2) Different categories of Associate Membership may be provided in Rules of Procedure, decided upon by the General Assembly upon motion of the Executive Committee.
- 3) Art. 10 paragraph 4 shall also apply to Associate Members.

## **V. Commencement of Membership**

### **Art. 13**

Membership shall commence with

- a) the admission of Sections and Associate Members,
- b) the election of Honorary Members.

### **Art. 14**

- 1) Sections shall be admitted to the Society by a resolution of the Society's General Assembly, after an application has been filed by the Section.
- 2) The application shall be addressed in writing to the Secretary General of the Society and must be submitted at least two months before the beginning of the General Assembly.
- 3) The application must be accompanied by:
  - a) a copy of the applicant's statutes in force or equivalent document, with an official or notarial attestation concerning the date and place of their adoption;
  - b) a list of all current officers;
  - c) a report on the applicant's activities during the last two years preceding the application for admission; the activities may have preceded the date referred to in sub-para. a);
  - d) finally, a declaration that the right to bear the name: (Section of Internationale Gesellschaft für Neue Musik - IGNM, or Société Internationale pour la Musique Contemporaine - SIMC, or International Society for Contemporary Music - ISCM, will be renounced in the event of the termination of membership.

### **Art. 15**

- 1) Associate Members shall be admitted to the Society by a resolution of the Society's Executive Committee, after an application has been filed by the respective organization.
- 2) The application shall be addressed in writing to the Secretary General of the Society.
- 3) The application must be accompanied by:
  - a) the documents referred to in Art. 14 paragraph 3 sub-paras. a) through d), according to the status of the respective organization;
  - b) if possible, a reasoned response to the potential admission to the Society issued by the Section active in the same region (Art. 10 paragraph 3) the organization has its headquarters; if such recommendation cannot be provided, the Secretary General shall obtain a written opinion from the Section concerned before the decision regarding the application for admission is made; availability and contents of such an opinion shall not be binding upon the Executive Committee of the Society in its decision-making process.

- 4) The Executive Committee shall report its decision to the General Assembly; any deviations from the opinion of the Section referred to in paragraph 3 sub-para b) must be reasoned. Significant overlaps of the fields of activity of the respective Section and the Associate Member, although they are not desirable, shall not prevent the admission of the Associate Member provided that there are important reasons justifying its admission. An Associate Member may also be a member of the Section of its country.

#### Art. 16

Honorary Members shall be elected by the General Assembly, upon proposal of the Executive Committee. The Members are entitled to submit to the Executive Committee, not later than six months before the next General Assembly, the names of persons recommended by them, accompanied by a written explanation of their suggestions. Each of the submitted names should be supported by at least three Sections, excluding the Section to which the proposed person belongs.

## **VI. Termination of Membership**

#### Art. 17

Membership shall be terminated, in the case of Sections and Associate Members, by withdrawal or exclusion. In the case of individuals (e.g. Honorary Members), at time of death; in the case of organizations, by ceasing operation or disassociation from the Society.

#### Art. 18

- 1) Sections, Associate Members and Honorary Members shall have the right to declare their withdrawal from the Society by giving at least three months' notice, which shall take effect from the end of each calendar year.
- 2) The declaration of withdrawal shall indicate the reasons for the withdrawal and shall be sent to the Secretary General by registered mail or email.
- 3) Upon the effective date of the withdrawal, the member that has withdrawn shall lose all rights arising from membership in the Society.

#### Art. 19

- 1) A Section or an Associate Member may be excluded upon decision of the General Assembly if
  - a) one or more of the conditions of admission are no longer met, in particular with reference to Art. 10 and 12 respectively.
  - b) such a member grossly and persistently fails in its duties as a member (despite a written admonition and an appropriate period of grace), in particular if it does not punctually remit the membership fee or fails to fulfil its obligations as outlined in Art. 25.

- 2) If any of the circumstances described in paragraph 1 has occurred, the General Assembly shall be entitled to decide, instead of exclusion, upon the temporary suspension of the rights of membership if it may be expected that the existing ground for exclusion could with the passing of time become invalid. The suspension period may not endure longer than two fiscal years; otherwise the membership in question becomes automatically terminated. During the suspension period the Society is entitled to negotiate alternatives for new membership in the respective region.
- 3) Instead of exclusion, the General Assembly is also entitled to convert the membership-status of a Section in question to one of the categories of Associate Membership, if the conditions of Associate Membership are able to be met by that Section.

#### Art. 20

- 1) In the event of the exclusion of a Section, an Associate Member which has its headquarters in the same region as the excluded Section may, upon agreement with the Executive Committee, be appointed the Section of the region in question by the General Assembly, provided that the Associate Member concerned has given its approval and commits to the added responsibilities of becoming a Section, and that the criteria indicated in Art. 10 are fulfilled.
- 2) The same shall apply if an Associate Member has its headquarters in a region where there is no Section or where the Section has ceased to exist.

#### Art. 21

If a Section wishes to transfer its rights of membership to another organization, such a legal succession shall require the confirmation of the General Assembly to be effective, which, upon application of both organizations, shall be granted only if the successor organization fulfils the criteria indicated in Art. 10 of the Statutes. In case of confirmation, the successor organization shall take the position of its legal predecessor as a member of the Society from the date determined by the General Assembly.

#### Art. 22

If the legal status of a member changes, the ISCM Secretary General must be formally notified. If a consequence of the status change means that the member can no longer comply with the commitments of membership, as per Art. 10, membership shall cease immediately.

#### Art. 23

- 1) Before taking any decision in accordance with Articles 14, 19, 20, and 21, the General Assembly may consult the Legal Counsel of the Society about possible legal implications; the opinion of the Legal Counsel shall not be binding upon the General Assembly.
- 2) The Legal Counsel shall make the inquiries necessary for the opinion. The Sections and the Associate Members shall be obliged to permit these inquiries and in particular to provide the requested information without delay.
- 3) Paragraphs 1 and 2 shall apply *mutatis mutandis* to resolutions of the Executive Committee under Article 15.

## VII. Rights and Duties of Members

### Art. 24

- 1) Members shall be entitled to participate in all events held by the Society, in particular to attend the General Assembly and, unless otherwise provided by the Statutes, to make proposals to the General Assembly.
- 2) Sections and Associate Members shall be represented in the General Assembly by one official delegate each and his/her deputy (second delegate), if any; the official delegate - and his/her deputy - are required to substantiate their legitimacy by a written authorization issued by their section; only the official delegates of Sections have the right to participate in resolutions in the General Assembly and to exercise the voting rights. Each Section has one vote only.
- 3) Honorary Members, Associate Members and officers of the Society who are not members shall have an advisory capacity in the General Assembly.
- 4) The rights of members in the General Assembly may be transferred to another member by written proxy, but no one may thereby exercise rights which he/she himself/herself could not exercise by virtue of his/her membership in the Society; furthermore, no one may exercise more than one proxy vote.

### Art. 25

- 1) As members of the Society, the Sections and the Associate Members shall be obliged:
  - a) to observe the Statutes of the Society, the resolutions of the General Assembly, and the decisions of the Society's officers taken within the framework of the present Statutes;
  - b) to promote contemporary music and to spread the knowledge of contemporary music in general and of the work done by the society in particular by all appropriate means;
  - c) to participate in the events of the Society, in particular to attend the General Assembly, if possible;
  - d) to submit via the ISCM website annually by 30 June a written report on activities of the preceding calendar year, responding appropriately to all parts of the report template, and in addition to supply current information about all important occurrences; to pay to the Society by 30 June the relevant membership fee for the current calendar year as fixed by the General Assembly.
  - e) a member that does not comply with its obligation to supply in due time the annual report (Art. 25 para 1 d) and to pay in due time the yearly membership fee shall be entitled to exercise its rights in accordance with Art. 24 only after fulfilling the aforementioned obligations.
- 2) In exceptional cases the Executive Committee may, after due investigation by the Treasurer, grant individual members for a definite period of time - be it in full or in part - deferral of their obligation to pay the membership fee pursuant to paragraph 1 sub-para. e) if this is necessary to safeguard prime interests pursuant to Art. 5 and if the financial situation of the Society so permits; if this is the case the legal consequences of default referred to in paragraph 2 shall not ensue.

Art. 26

In order to encourage potential candidates for membership in regions without Sections, the Executive Committee may grant, for a period not exceeding two years, some of these rights and duties to organizations sharing the vision, purpose, mission and values of the Society. Such short-term membership shall be called 'Guest Membership'. The Executive Committee shall report its decision to the General Assembly.

## **VIII. Organs of the Society**

Art. 27

The organs of the Society shall be:

- a) the General Assembly;
- b) the Executive Committee;
- c) the Auditors;
- d) the Court of Arbitration;
- e) the Legal Counsel.

## **IX. The General Assembly**

Art. 28

The General Assembly shall be the supreme and sovereign organ of the Society; its decisions shall be binding upon all members and officers without exception.

Art. 29

- 1) The ordinary General Assembly shall take place once a year - if possible during and at the place of international musical events of the Society (Art. 6 para 3 i).
- 2) An extraordinary General Assembly may be held at any time in accordance with the regulations of these Statutes, or upon:
  - a. the demand of the President or;
  - b. the request of at least one tenth of the Sections;
  - c. request of the Auditors;
  - d. the decision of a court-appointed executor.This request must be substantiated in writing and sent to the President with a draft agenda for the Extraordinary General Meeting.
- 3) Upon the demand of the President, the General Assembly shall be convened by the Secretary General by means of a written invitation sent by registered air mail or email to all members and officers of the Society. Unless otherwise provided for in the Statutes, notice of meetings shall be given as follows: a) six months in advance for an ordinary General Assembly; b) two months in advance for an extraordinary General Assembly.
- 4) A draft agenda as well as the President's and the Treasurer's reports (Art. 32 a and b), together with the proposals and the motions, shall be sent, by registered air mail or email, to all members and officers of the Society by the Secretary General not less than one month before the next ordinary General Assembly.

- 5) The periods of notice stipulated in paragraphs 3 and 4 commence on the date of posting; the respective period of notice must have elapsed in full between the end of the day of posting and the beginning of the day of the opening of the General Assembly.
- 6) Proposals from members may be discussed at an ordinary General Assembly only if they have been submitted in writing to the Secretary General at least two months in advance. Exceptions may be granted by the General Assembly in cases for which adequate grounds are furnished.
- 7) An extraordinary General Assembly shall be devoted exclusively to the discussion of those items which have led to its convening.
- 8) In addition to the persons indicated in Art. 24, all members of Sections and of Associate Members may (after due identification) participate in a General Assembly. Furthermore, upon invitation by the President, non-members may participate as observers and, if the President so permits, speak on specific items on the agenda.
- 9) The ordinary General Assembly shall have a quorum only if, at the commencement of each session, at least one third of the Sections are represented (Art. 24 paragraphs 2 and 4). Should this quorum not be constituted after a delay of one hour, the President shall be obliged to convene an extraordinary General Assembly. Those present shall be notified orally of the convening of such a meeting; notice shall be given twenty-four hours in advance, the agenda shall correspond to that of the abortive ordinary General Assembly.

#### Art. 30

- 1) All elections (except elections according to paragraph 4) shall be held by secret written ballot, an absolute majority being required in the first two rounds of voting, a relative majority in the third round. If in the third round of voting two candidates receive the same number of votes, and if in the same round no candidate obtains a higher number of votes, voting must be repeated; should this bring no change, the election of one of the two candidates shall be decided by lot.
- 2) Otherwise, voting shall be effected by show of hands, the votes in favour shall be counted first, then those opposed, and finally the abstentions. Before every vote the President shall be obliged to ask the General Assembly if any person desires a secret ballot; should this request be made by at least two participants entitled to vote (Art. 24 paragraph 2), voting is to be effected by secret ballot.
- 3) Before votes on amendments of the Statutes and on resolutions concerning the dissolution of the Society, the opinion of the Legal Counsel (Art. 50) may be sought by the Executive Committee. Unless otherwise provided, such votes as well as elections in accordance with Art. 16 shall be taken by a two-thirds majority, in all other cases by an absolute majority of the valid votes cast. In case of a tie vote, the motion shall not carry.
- 4) At the beginning of its meeting the General Assembly shall elect two vote-tellers from among the delegates (Art. 24 paragraph 2) who shall remain on duty for the full duration of the General Assembly and whose task it is to supervise all elections and votings and determine the results thereof.

- 5) All candidacies (Art. 32 h and j) shall be announced at least one hour before the election. There must be a reasonable recess between announcement and election. The citizenship of the candidates must be indicated.
- 6) The "citizenship" of an individual within the meaning of these Statutes shall be the country in which he/she normally lives and works.

#### Art. 31

- 1) The President shall chair the General Assembly.
- 2) The Secretary General shall take the minutes of the General Assembly.
- 3) The minutes shall be signed by the Secretary General, and countersigned by the President. The signed minutes shall be sent to all members without delay. Approval of the minutes shall be decided upon at the next ordinary General Assembly.

#### Art. 32

The following matters shall be solely the responsibility of the General Assembly:

- a) acceptance and approval of the President's report;
- b) acceptance of the Treasurer's financial report and the Auditor's report;
- c) ratification of the actions of the Executive Committee;
- d) resolution on Rules of Procedure concerning categories of Associate Membership (Art.12 paragraph 2);
- e) resolutions concerning motions submitted by members and officers of the Society, in particular those on the draft budget of the Treasurer (Art. 42 paragraph 2);
- f) resolution on Rules of Procedure for international musical events (Art. 6 para 3 i) upon motion of the Executive Committee as well as choice of date and place of forthcoming international musical events (appendix 2: Rules of procedure for the organization of the ISCM World (New) Music Days Festival);
- g) the admission, appointment and exclusion of Sections, the confirmation of the legal succession to their memberships, the fixing of membership fees to be paid, and also resolutions on the suspension of the rights of members as set forth in Art. 19 paragraph 2;
- h) the election of Honorary Members;
- i) the adoption of resolutions on the exclusion or suspension of the membership rights of such members as set forth in Art. 19 paragraph 2;
- j) the election of the President, the Vice-President, and three further members of the Presidential Council, and also the election of the other organs of the Society listed under Art. 27 c through e;
- k) amendment of the Statutes;
- l) resolutions on the dissolution of the Society and the disposition of the assets of the Society.

## **X. The Executive Committee**

### **Art. 33**

The Executive Committee of the Society shall consist of the Presidential Council, the Secretary General and the Treasurer.

### **Art. 34**

- 1) The Presidential Council shall consist of the President, the Vice-President, and three ordinary members.
- 2) The President and the Vice-President shall be elected by the General Assembly on separate ballots for a term of three years.
- 3) The other three members of the Presidential Council shall be elected by the General Assembly on separate ballots for a term of two years.
- 4) After the expiration of their terms of office, the members of the Presidential Council may be re-elected in the same mandate (member, Vice-President or President) only once for the immediately following term.
- 5) Each member of the Presidential Council must live and work in a different country; care should be taken to ensure, as far as possible, an even geographical and regional distribution from among the persons standing for election. In particular care should be taken that at least two different continents are represented. If two persons living and working in the same country are elected, the person elected second shall withdraw in favour of the non-elected candidate living and working in a country not yet represented on the Presidential Council and who has received the largest number of votes in the election.
- 6) Nominations for candidates to the Presidential Council must have been presented to the Secretary General at least one hour prior to the General Assembly session in which voting will occur. They should be nominated by one voting member and seconded by another. Candidates for election to the Presidential Council must be delegates or members of the Presidential Council present during the General Assembly session in which voting occurs. Immediately prior to the election, nominees should present their perspective and vision for their candidacy.
- 7) In the exercise of their duties, the members of the Presidential Council shall be responsible solely to the Society. In particular, they shall be independent of the Members from which they come.

### **Art. 35**

- 1) The Presidential Council shall elect the Secretary General and the Treasurer for a term of three years; the provision contained in Art. 30 paragraph 1 shall apply to this election.
- 2) Re-election of the Secretary General and of the Treasurer shall be permissible without restriction.
- 3) The selection of persons for the offices of Secretary General and Treasurer shall not be subject to any national restrictions.

### **Art. 36**

The Executive Committee shall conduct the affairs of the Society in accordance with the resolutions of the General Assembly. The Executive Committee shall be responsible for all matters that are not expressly reserved for treatment by the General Assembly (Art. 32).

Art. 37

- 1) The Executive Committee shall draft rules of procedure for international musical events (Art. 6 para 3 i) and propose them to the General Assembly for resolution.
- 2) After the date and place of the next international musical event have been fixed, the Executive Committee shall ensure through appropriate contacts with the organizer and, if necessary, through inquiries at the place of the event, no later than six months prior to the beginning of the event:
  - a) that the rules of procedure adopted by the General Assembly (Art. 32 f) are scrupulously complied with,
  - b) that the organizer has provided the required funds, and
  - c) that anyone who wishes to participate in the event may, in accordance with the entry provisions of the country of the event, travel to the place of the event.

Art. 38

- 1) The Executive Committee shall hold at least three meetings between any two General Assemblies.
- 2) An extraordinary Executive Committee meeting may be convened any time, if called by the President or requested by at least two members of the Committee; this request, substantiated and accompanied by a draft agenda for the extraordinary meeting, shall be communicated to the President in writing.
- 3) An Executive Committee meeting shall be convened by means of written invitation, accompanied by a draft agenda, sent to all members of the Executive Committee by the Secretary General upon the request of the President. Notice of meetings shall be given as follows:
  - a) for Executive Committee meetings which do not take place immediately after the General Assembly, three weeks in advance;
  - b) for Executive Committee meetings which take place immediately after the General Assembly, twelve hours in advance.
- 4) An extraordinary Executive Committee meeting must take place not later than six weeks after the request has been submitted to the President in accordance with paragraph 2.

Art. 39

- 1) In addition to the Committee members, the President may invite the Auditors and the Legal Counsel to participate in the meetings of the Executive Committee in an advisory capacity.
- 2) A meeting of the Executive Committee shall have a quorum if at least three members of the Presidential Council are present.
- 3) Art. 30 paragraphs 1 and 2 shall apply *mutatis mutandis* to elections and voting in the Executive Committee.
- 4) The President shall chair meetings of the Executive Committee; if the President is unavailable, the Vice-President shall take over the chair for the agenda items involved. The Secretary General shall record the proceedings and sign the minutes. If the Secretary General is unavailable, the Excom may temporarily indicate another person who shall record the proceedings and sign the minutes for the agenda items involved. The minutes shall, after approval by the chair, be sent to all members of the Executive Committee.

#### Art. 40

- 1) The President shall be the official representative of the Society towards third parties and shall sign all written documents of the Society.
- 2) In particular, the President shall
  - a) direct and supervise the activities of the Executive Committee within the framework of the resolutions of the General Assembly;
  - b) maintain permanent contact with the members and officers of the Society; and
  - c) report to the General Assembly on his/her own activities and on the work of the Executive Committee (Art. 32 a).
- 3) The President shall be entitled to delegate in writing his/her rights in accordance with paragraph 1, as far as daily business dealings are concerned, to the Secretary General. The President shall remain fully responsible for the measures taken by the Secretary General by virtue of this delegation.

#### Art. 41

The Secretary General shall conduct the daily business of the Society in accordance with the resolutions of the Executive Committee and the powers delegated to him/her by the President (Art. 40 paragraph 3).

#### Art. 42

- 1) The Treasurer shall be responsible for the financial transactions of the Society in accordance with the resolutions of the General Assembly and the Executive Committee, and in particular for adherence to the budget (Art. 32 b).
- 2) The Treasurer, in co-operation with the Secretary General, shall draw up the financial report for the past fiscal year and a draft budget for the coming fiscal year. After approval by the Executive Committee, these need to be submitted to the General Assembly.
- 3) The Treasurer shall administer the assets of the Society, and shall be obliged to have his/her financial report (Art. 32 b) examined by an officially authorized and sworn examining body and to attach the result of the examination to the financial report.
- 4) Documents involving financial obligations for the Society that go beyond the daily business must be countersigned by the Treasurer. For the daily business transactions the President or (Art. 40 paragraph 3) the Secretary General shall be authorized to sign bank orders; for all transactions going beyond the daily business, the countersignature of the Treasurer shall be required.

#### Art. 43

- 1) All members of the Executive Committee shall have the right to resign from office by written declaration addressed to the President; resignation shall take effect no earlier than the beginning of the next General Assembly.
- 2) In the event of the death of an ordinary member of the Executive Committee, or if a member of the Executive Committee is permanently prevented from fulfilling his/her duties, or in the case specified in paragraph 1, the Executive Committee shall be entitled to co-opt a deputy member, whose period of office shall expire at the end of the term for which the member was elected.

- 3) Should the President resign, be excluded or die, his/her powers, tasks and duties (Art. 33) shall be transferred to the Vice-President; should the post of the Vice-President become vacant as well, his/her functions shall be taken over by the oldest member of the Presidential Council. Co-opted members of the Executive Committee shall in no case be authorized to deputize for the President or the Vice-President.

## **XI. The Auditors**

### **Art. 44**

- 1) The General Assembly shall elect from amongst the official delegates two Auditors for a term of two years.
- 2) The selection of persons for the offices of the two Auditors shall not be subject to any national restrictions.
- 3) Re-election of the Auditors shall be permissible once for the immediately following term.
- 4) The Auditors must not be members of the Executive Committee, nor can an Auditor also be the Legal Counsel.

### **Art. 45**

- 1) The Auditors shall be responsible for checking the financial administration of the Society in relation to the approved budget and the Treasurer's report.
- 2) In particular the Auditors shall re-check the Treasurer's financial report (Art. 42 paragraph 3) after it has been examined by an officially authorized and sworn examining body, and, in the event of the result of the checking being positive, they shall submit to the General Assembly a proposal for the ratification of the actions of the Executive Committee (Art. 32 c).
- 3) The President and the officers of the Society shall be obliged to render any assistance to the Auditors which the latter may require in connection with their work, in particular to give them free access to the documents, books, and receipts of the Society.

### **Art. 46**

- 1) The Auditors shall not be entitled to resign during their term of office.
- 2) In the event of the death, temporary or permanent disability of one of the Auditors, the other Auditor shall take over also the tasks of his/her colleague. Deputies may be elected by the General Assembly for the remaining period of office only in the event of the death of both of the Auditors or if both of them are permanently prevented from exercising their duties.
- 3) If, due to the death and/or permanent or temporary disability, neither of the Auditors is able to move the ratification of the actions of the Executive Committee (Art. 32 c) in the General Assembly, and if the situation cannot be remedied by electing deputies for one or both of the Auditors in default of the possibility of an ad-hoc examination, the ratification of the actions of the Executive Committee must be postponed until the next ordinary General Assembly. The draft budget of the Treasurer (Art. 42 paragraph 2) shall in this case be accepted as a preliminary budget until the ratification of the actions of the Executive Committee shall have taken place.

## **XII. The Court of Arbitration**

### **Art. 47**

All disputes between two or more members of the Society shall be finally decided, to the exclusion of proceedings before courts of law, by a court of arbitration consisting of three arbiters.

### **Art. 48**

- 1) The Court of Arbitration shall be constituted in such a way that the plaintiff, naming one arbiter, shall send a written request to the defendant to name another arbiter. This request must be complied with not later than two weeks after it has been received.
- 2) The Legal Counsel to the Society shall preside over the Court of Arbitration; he/she shall also nominate the second arbiter if the defendant has not complied with the request within the time allowed in accordance with paragraph 1.
- 3) If the Legal Counsel himself/herself is a litigant in the dispute or is indirectly involved in the dispute by virtue of a close personal relationship to one of the parties, he/she shall be precluded from presiding over the Court of Arbitration. In this case the two arbiters nominated by the parties must come to an agreement concerning a president; should no agreement be reached, the President of the Society shall, upon the request of one of the parties, nominate the president and, if he was not nominated in time by the defendant, also the second arbiter.

### **Art. 49**

- 1) The Court of Arbitration shall reach a decision as quickly as possible, to the best of its knowledge and belief, without being bound by particular rules of law.
- 2) The Court of Arbitration may admit any evidence that is pertinent to its decisions and may in particular inspect any documents of the Society, and examine witnesses. A summons to appear before the Court of Arbitration must be obeyed.
- 3) The Court of Arbitration shall decide by a simple majority of votes. The judgement shall be executed in writing and delivered to the parties with a detailed presentation of reasons. If an arbiter has been outvoted, he shall furnish a detailed written explanation of his dissenting opinion in an annex to the judgement.
- 4) The Court of Arbitration shall divide the costs of the proceedings equitably among the parties.
- 5) The parties shall be obliged to respect and observe the judgement unconditionally.

### **XIII. The Legal Counsel**

#### **Art. 50**

- 1) The General Assembly may elect a Legal Counsel who must have the right to practise as judge, attorney at law, or notary public.
- 2) The term of office of the Legal Counsel shall last three years; re-election shall be permissible if the criteria of Art. 50 paragraph 1) are still met at the time of re-election.

#### **Art. 51**

Advice from the Legal Counsel may be sought to investigate the legal implications as indicated under Art. 23 and Art. 30 paragraph 3.

### **XIV. Financial Regulations**

#### **Art. 52**

The fiscal year of the Society shall be the calendar year.

#### **Art. 53**

- 1) All officers of the Society shall on principle pursue their activities on an honorary basis, subject to the provisions set forth below.
- 2) The Society shall reimburse the officers named in Art. 27 b through e the travel and accommodation costs which they necessarily incur in activities outside their place of residence.
- 3) In addition, the Presidential Council shall be entitled to grant the Secretary General and the Treasurer a regular expense allowance.

#### **Art. 54**

- 1) The assets of the Society may only be employed in furthering the aims of the Society (Articles 5 and 6).
- 2) In the event of the dissolution of the Society, the General Assembly shall, in the resolution on dissolution (Art. 30 paragraph 3), decide on the disposition of the Society's assets; in this event the assets of the Society must be donated to a non-profit organization pursuing aims similar to those of the Society and may in no event be distributed among the members.