

**STATUTES**  
of the  
**EUROPEAN SENIOR CITIZENS' UNION**  
**(ESCU)**

Adopted at the VI Congress of the ESCU held on 30/09/07 in Pulheim  
and endorsed by the Executive Committee on 12/06/08 in Brussels

## **PREAMBLE**

The senior citizens of the European People's Party (EPP), the consortium of European Christian Democrat, centre and associated parties adhere to the historic mission of creating a united and federal Europe that is based on freedom, justice, solidarity, responsibility and equal opportunities and on the principle of subsidiarity. They are convinced that for the future of Europe the personal commitment of its citizens is of the utmost importance.

The European Senior Citizens Union wants therefore to contribute to the dissemination of the idea of a united Europe among member parties of the EPP and the public in general.

## **ARTICLE 1**

### **Designation, seat and field of activities**

The Association is designated European Senior Citizens Union (ESCU), hereinafter called the "Union". It has its seat in Vienna, is entered in the local register of associations and is subject to Austrian legislation governing associations. Its activities are non-profit making and carried out at European level.

## **ARTICLE 2**

### **The Union has the following objectives and tasks:**

1. Supporting and disseminating the fundamental ideas of the European People's Party (EPP) as well as implementing - within the framework of its activities - their objectives and programmes
2. Defending and strengthening the idea of a democratic Europe as a condition for the establishment of a free community.
3. Strengthening the participation of senior citizens in community life.
4. Actively shaping European policies that affect senior citizens, particularly with regard to the full protection of human dignity and human rights.
5. Encouraging the establishment of national or regional associations of senior citizens in the member parties of EPP, where such associations do not currently exist.
6. Representing and defending the interests of senior citizens in administrative bodies at European level, particularly in the European Parliament, Commission and Council in close cooperation with the EPP.

## ARTICLE 3

### Membership

#### Ordinary members

1. Members of the Association must be senior citizens organizations pursuing the implementation of the tasks and objectives defined in Art. 2. Senior citizens are defined as persons with a residence in a European country who on grounds of a legal or contractual claim receive a pension of any kind, or who have passed the legal age of retirement according to the respective national law.
2. Senior citizens' organisations according to Art. 1 are voluntary associations with legal entity having as their statutory main task the representation of the interests of senior citizens, are non-profit making and have their seat in a European country. Those charged with policy relating to senior citizens in the parties represented in the EPP are deemed to be equal to them.

#### Members with observer status

3. Senior citizens' organisations from countries which are not part of the European Union and do not belong to EFTA may be admitted as members with observer status, as well as umbrella organisations which pursue interests as defined in Art. 2.1.

#### Associate Members

4. Associate Members "of like-minded orientation" in terms of the EPP Statutes in their current version may be admitted to the Union.

## ARTICLE 4

### Financing

1. The activities of the Union are financed from:
  1. Fees from ordinary members, members with observer status and associate members
  2. Subsidies
  3. Income from services
  4. Donations and subsidies

2. The amount of the respective annual fee of member organizations is fixed according to a scale which is suggested by the Secretary General every three years and fixed by the Executive Committee (two-thirds majority). Details are regulated in the financial bylaws.

The Treasurer drafts – in agreement with the Secretary General – the draft budgets and the membership fees proposals, which are then submitted to the Executive Committee for adoption.

## **ARTICLE 5**

### **Admission, withdrawal and exclusion**

1. The admission of members is decided upon by the Board. The decision to exclude members is taken by the Executive Committee.
2. Withdrawal can be submitted at any time after having covered any eventual dues. The withdrawal must be submitted in writing to the Board.
3. A proposal to exclude a member organization can be submitted by any other member organisation in writing. Reasons for exclusion are, in particular, failure to meet the preconditions for membership (Art. 4) or repeated activities in contravention of the present Statutes, in particular non-payment of the membership fee for three years in succession. The proposal is decided upon by the Executive Committee.
4. Membership ends automatically in case of the loss of legal entity (through self-dissolution or dissolution by the authorities).

## **ARTICLE 6**

### **Rights and obligations of the members**

Ordinary members have a voice as well as the right to vote and to be elected. These rights are exercised by representatives who have been delegated by member organizations.

Every member is obliged to pay the membership fee and to adhere to the statutory law. Non-payment of the membership fee according to the financial by laws leads to the loss of the right to vote and to be elected until the payment of the amount due.

## ARTICLE 7

### Bodies

**The bodies of the Union are:**

1. the Congress
2. the Executive Committee
3. the Board
4. the Auditors
5. the Arbitration Tribunal

## ARTICLE 8

### The Congress

1. The Congress is the "meeting of members" within the meaning of Austrian Law Relating to Associations. The ordinary Congress shall take place every three years.
2. An extraordinary Congress can take place upon decision by the Executive Committee or the Congress or after justified written proposal submitted by at least one third of ordinary members.
3. Written invitations to the Congress as well as to extra-ordinary Congresses must be sent to all members at least three weeks before the date of the Congress. The invitation to the Congress must include the agenda. The convocation is made by the Board.
4. Motions to Congress must be submitted to the Board at least six weeks before the date of the Congress.
5. The Congress is composed of:
  1. the members of the Executive Committee and the Board
  2. the delegates of the ordinary members of the Union

The ordinary members of a country are entitled to nominate ten delegates per country. Countries with more than ten million inhabitants are entitled to nominate one additional delegate for every ten additional million inhabitants.

3. auditors, members with observer status and associate members each have consultative status

6. The Congress elects:
  - a) the President
  - b) 10 Vice Presidents
  - c) four auditors and  
- as proposed by the President –
  - d) the Secretary General
  - e) the Treasurer
  - f) the Rapporteur  
- the above offices are subject to re-election -
  - g) and an Honorary President who is a full and lifetime member of the Board and the Executive Committee with the right to vote.
  
7. The Congress decides upon
  - a) the guidelines and the work programme of the Union
  - b) the modification of the Statutes
  - c) dissolution  
and it
  - d) hears and approves the activity report and the balance of accounts
  - e) discharges the Executive Committee
  - f) deliberates and decides upon other questions of the agenda
  
8. The Congress has a quorum when it is convened according to the Statutes and if more than half of those entitled to vote are present. After a quarter hour after opening of the Congress, the Congress has a quorum independent of the number of delegates.
  
9. Elections and the decisions by the Congress are made by simple majority. Decisions to modify the Statutes of the Union or to dissolve the Union require a qualified majority of two thirds of the cast and valid votes.
  
10. The Congress is chaired by the President, and in case of his absence by one of the Vice-Presidents.

## **ARTICLE 9**

### **The Executive Committee**

1. The Executive Committee is the body who - in accordance with fundamental guidelines fixed by the Congress - decides upon the tasks and the activities of the Union in the period between the Congresses. Together with the Board, it is the "management institution" within the meaning of the Austrian Law Relating to Associations. It makes the decisions in order to implement the objectives defined in the Statutes of the Union. It decides in particular also upon the exclusion of a member. It is further entitled to authorize the Board - in the framework of its competences - in all matters.

2. The Executive Committee consists of:
  1. the members of the Board
  2. two representatives for each ordinary member
  3. the auditors, members with observer status and associate members each consultative status
3. The Executive Committee can invite representatives of the European institutions as well as representatives of important organizations defending the interests of the senior citizens to collaborate as guests.
4. The convocation of the Executive Committee is made by the President who is also the chair. A quorum is given if all members have been invited.
5. The Executive Committee makes its decisions with simple majority of votes; in case of equal votes the vote of the President has the casting vote.

## **ARTICLE 10**

### **The Board**

1. The Board consists of the President, the Honorary President, the Vice-Presidents, the Treasurer, the Secretary General and the Clerk.
2. The Board has the following tasks:
  1. attending to the current duties
  2. deciding upon urgent measures to be taken according to the work programme of the Union
  3. planning the activities and the time schedule
  4. the approval of members
3. The President represents the Union in the public. If he/she is excused, representation is assumed by one of the Vice-Presidents.
4. In case that the Secretary-General or the Treasurer needs to be replaced during their three-year term of office, the Executive Committee will, upon proposal by the President, co-opt a new Secretary-General or Treasurer for the rest of the term of office.
5. The Board decides on the seat of the Secretary-General's Office by consensus.

## **ARTICLE 11**

### **The Secretary General**

The Secretary General has in particular the following tasks:

1. carrying out the routine administration, including representing the Union within the scope of their responsibilities
2. directing the General Secretariat
3. the administration of finances and accountancy - in collaboration with the Treasurer
4. preparing the meetings and executing the resolutions of the Congress, the Executive Committee and the Board.

## **ARTICLE 12**

### **The Auditors**

1. Auditing is being conducted by the auditors who are elected according to Article 8 for three years.
2. The auditors are responsible for the auditing of accounts and to report the results of the auditing to the Congress through their respective report, and to apply to the Executive Committee for approval.
3. The examination of accounts is made at the presence of at least two auditors.
4. The auditors are not entitled to have any other assignment within the European Senior Citizens Union.

## **ARTICLE 13**

### **The Arbitration Tribunal**

1. The Arbitration Tribunal decides every dispute arising from Union activities. It is a "conciliation institution" within the meaning of the Austrian Law Relating to Associations and not an arbitration tribunal within the meaning of §§ 577 ff. ZPO.
2. The Arbitration Tribunal is nominated by the Executive Committee in case of disputes. The Arbitration Tribunal consists of three persons who are not entitled to have any other function within the European Senior Citizens Union. The three members of the Arbitration Tribunal appoint a chair from their own ranks. The members of the

Arbitration Tribunal may not belong to any institution – with the exception of the Congress – whose activity is the object of the dispute.

3. The Arbitration Tribunal makes its decisions in the presence of all members with simple majority.
4. Decisions taken by the Arbitration Tribunal are valid within the Association.

<b>ARTICLE 14</b>
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### **Dissolution**

1. The voluntary dissolution of the Union can only be decided upon by a specially convened extraordinary Congress and only with a two-thirds majority of valid votes cast.
2. This Congress also has to decide upon - if such Union assets exist - the subsequent use of assets with a simple majority. The value of any assets is to be transferred to one or several European non-profitmaking organisations, which as far as possible have similar aims to those of the European Senior Citizens' Union.
3. In case of a dissolution or in case of expiration of the preferential legal status as non-profit organization, the existing assets must in no case fall to the benefit of the Union's members, but must be exclusively used for public welfare in the sense of §§ 34 ff of the Austrian BAO.