



<b>Date:</b>	<b>05 – 03 -2013</b>	<b>Document:</b>	<b>F13-006 EN</b>
<b>Title:</b>	<b>Proposal for Amendment of FEMS Statutes</b>		
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### **EXCERPT OF FEMS CURRENT STATUTES:**

#### Art. 16.- Amendment to the Articles of Association:

The Plenary Assembly may modify, at the majority of the 2/3, the Articles of Association, provides that the changes are put on the agenda and notified to the Delegations at least two months in advance.

#### Art 13 .-Duration of offices:

The duration of offices is 3 years for all the mandates.

When a member of the Board is permanently unable to fulfill his functions, his replacement must be provided at the next plenary Assembly. The duties of a member called upon to replace another expire with those of the other elected members.

The mandate of the individual member of the Board may be terminated by the Plenary Assembly by the majority of 3/4 of the votes, on proposal of 1/3 of the delegations.

### **1.-LAST PROPOSAL BY BOJAN POPOVIC (Strasbourg 2012)**

#### Art 13 .-Duration of offices:

The duration of offices is 3 years for all the mandates.

When a member of the Board is permanently unable to fulfill his functions **in a factual or legal permanent impossibility** his replacement must be provided at the next Plenary Assembly. The duties of a member called upon to replace another expire with those of the other elected members.

The mandate of the individual member of the Board may be terminated by the Plenary Assembly by the majority of ¾ of the votes, on proposal of 1/3 of the delegations.



## 2.- PROPOSAL BY ARANZAZU ALBESA

### Art 13 .-Duration of offices:

The duration of offices is 3 years for all the mandates.

When a member of the Board is permanently unable to fulfill his functions **in a factual or legal permanent impossibility** his replacement must be provided at the next Plenary Assembly. The duties of a member called upon to replace another expire with those of the other elected members.

The mandate of the individual member of the Board may be terminated by the Plenary Assembly by the majority of  $\frac{3}{4}$  of the votes, on proposal of  $\frac{1}{3}$  of the delegations **or on the proposal of the Association by which the Member of the Board was delegated.**

### Argumentation:

- "**...in a factual or legal permanent impossibility**": Factual impossibility: For example, an illness. Legal impossibility: Legal issues according to FEMS' statutes or to any kind of regulations of the Association by which the Member of the Board was delegated, for example, the statutes of the association, internal regulations, national law, etc.

- "...by the Plenary Assembly by the majority of  $\frac{3}{4}$  of the votes, on proposal of  $\frac{1}{3}$  of the delegations **or on the proposal of the Association by which the Member of the Board was delegated**": In order to avoid arbitrary decisions and prioritize national interests over European interests, the Plenary Assembly will make the final decision but the Association will be able to propose the expiration of his mandate due to other permanent impossibilities such as politic or ethic issues.