

Statutes of Erasmus Student Network Switzerland



History of the document

Every change in this document has to be listed in this History. If the national level changes the Standing Orders it has to inform the sections and explain the reason for the change.

Version	Date	Acceptance	Author	Comment
1.0	14.03.02	unknown	Stefan Bitzi	First known Statutes of ESN Switzerland
1.1	21.11.05	National Platform Yverdon 2004	Unknown	Statute changes
2.0	26.03.06	National Platform at AGM Cracow	Tassilo Breitenbach, Sabine Kollbrunner, Julien Duruz	Revised Statutes; Membership Fee CHF 165
3.0	04.03.07	National Platform Lausanne 2007	Lars Henning, Matthias Fenner, Julien Duruz	Completely revised version. French translation partly pending.
3.1	01.02.08	National Platform Lausanne 2008	Lionel Jeannerat	Final translation into French (no changes in German version)
3.2	02.03.08	National Platform Zürich 2008	Remo Weber	Art. 7.5 changed; variable Membership Fee
3.3	01.03.09	National Platform Bern 2009	Pascal Wilhelm	Art. 10, Cleanup of numbers, abbreviations, more precise wording
3.4	07.03.10	National Platform Winterthur 2010	Fabian Bircher	Art. 2, minor changes
3.5	06.03.11	National Platform Lausanne 2011	Fabian Bircher	Art. 6, introduction of LR Art. 6, rename PM to CLR
4.0	23.02.14	National Platform Lausanne 2014	Brianne Magnat, Kaspar Rothenfusser, Brigitte Eugster Alexandre Hannema	Completely revised version, Abolition of the position of LR to leave more freedom to the sections, Section expulsion rewording and clarification Fixed French translation
5.0	29.04.18	National Platform Winterthur 2018	Sophie Girardin, Nino Wilkins	Modification of the election procedure for the National Board Addition of the Advisory Council
5.1	21.10.18	National Platform Chalet Charmey 2018	Sophie Girardin, Nino Wilkins	Adding Section Requirements, making sure statutes reflect current reality, spelling & consistency corrections in German & French, formatting & numbering
5.2	20.10.19	National Platform Lausanne 2019	David Di Santo	Extracting the mandatory NR position due to ESNreview changes
5.3	21.06.20	National Platform Fribourg Online 2020	David Di Santo	Changes according to ESNreview for coherence with the International SOS
6.0	11.10.20	National Assembly Luzern 2020	Lucia Leoni Dana Mozaffari	Adoption of English version of Statutes as official version
6.1	11.10.20	National Assembly Luzern 2020	David Di Santo Lucia Leoni Dana Mozaffari David Di Santo	Changes regarding the bodies of ESN Switzerland, voting procedures, mandate duration of NB and BS members, miscellaneous topics, redefinition of the Target Group and removal of the possibility for Sections to create their own logo

Preamble

- 1 Erasmus Student Network (AISBL), hereafter called ESN International, is an international student non-profit organisation with headquarters in Brussels, Belgium. ESN International is the owner of the name Erasmus Student Network.
- 2 Erasmus Student Network Switzerland, hereafter called ESN Switzerland, consists of local organisations in the Swiss higher education area, hereafter called Sections.
- 3 ESN International is the umbrella organisation of which ESN Switzerland and its Sections are members.

Part I: General

Art. 1: Name and Headquarters

- 1 ESN Switzerland is an association according to Art. 60 ff ZGB/CC. The name is inspired by the Erasmus Programme of the European Union.
- 2 ESN Switzerland is independent of the Erasmus Programme.
- 3 ESN Switzerland is legally established in Winterthur.

Art. 2: Aims

- 1 ESN Switzerland is a non-profit, politically and religiously independent association.
- 2 ESN Switzerland promotes international exchange between students of Higher Education Institutes (HEIs).
- 3 ESN Switzerland fosters in particular:
 - a The promotion of mobility through the support of local students before, during and after an exchange;
 - b Exchange of information and best practices as well as collaboration between Sections;

- c The improvement in integrating foreign exchange students within their Swiss higher education institution;
- d The enrichment of society through international students;
- e Representation of students' interests on the national level in the field of mobility;
- f Promotion of the Swiss higher education and economic area;
- g Participation in ESN International, especially in representing the interests of Swiss Sections and in supporting the improvement and professionalisation of ESN International.

Art. 3: Target Group

- 1 The services of ESN Switzerland are open to everyone that participates in an exchange programme as well as for all other students that spend their education partially at a host higher education institution.

Art. 4: Finances

- 1 To fulfil its tasks, ESN Switzerland can rely on the following financial means: membership fees, own incomes, grants from Swiss educational institutions and payments of partners and sponsors.

Part II: Bodies

Art. 5: Overview

- 1 The bodies of ESN Switzerland are:
 - a The general meeting, also named National Assembly (NA);
 - b The executive board, also named National Board (NB);
 - c The board of advisers, also named Advisory Council (AC).
 - d The audit body, also named Financial Audit.
- 2 The roles of the mentioned bodies are defined in detail in the implementation rules, hereafter called Standing Orders (SO).

Art. 6 : Definition and composition of the bodies

- 1 The NA is the highest decision-making body of the association. As the general meeting of members, it decides on admission and exclusion of members, elects the NB and decides all matters which are not reserved to the NB. The NA also serves the purpose of supporting the cooperation between Sections themselves and between the Sections and the NB.
- 2 The NB manages the ongoing operations of ESN Switzerland and represents the interests of ESN Switzerland externally. It is acting according to the Statutes and decisions made by the NA. The NB must consist of at least three members, of which one must be the President and one the Treasurer.
- 3 The NB can make changes to the SO. The changes come into power as mentioned in Art. 11 Par. 3.
- 4 The AC ensures the transfer and conservation of knowledge of ESN Switzerland. The AC fulfils its tasks on a voluntary basis.
- 5 The NB fulfils its tasks on a voluntary basis. Every reimbursement request has to be submitted by the end of the mandate. Reimbursement requests which are not submitted by the end of the financial year are invalid.

Part III: Members and Membership

Art. 7: Members of ESN Switzerland

- 1 ESN Switzerland consists of Sections and their members. The Sections of ESN Switzerland are the active members of ESN Switzerland with the right to vote.
- 2 Every ESN member of a Swiss Section is a passive member of ESN Switzerland. Passive members have no right to vote on the national level.

Art. 8: Member Sections (Active Members)

- 1 The Sections of ESN Switzerland are autonomous and independent juridically and financially from ESN Switzerland.
- 2 The Sections are responsible for the direct contact with the students.

Art. 9: Members of a Section (Passive Members)

- 1 The Sections decide over admission and exclusion of their members.

Art. 10: Admission of Sections

- 1 Every association and foundation that exists according to Swiss law and that complies with the aims of ESN Switzerland has the right to apply to become a member of ESN Switzerland.
- 2 Every application must be submitted to the NB of ESN Switzerland for assessment.
- 3 The application must be submitted in written form accompanied by the association's statutes, list of its current members and a description of past and future activities.
- 4 If the applicant is a foundation it must submit its application accompanied by its deed of foundation and a list outlining the members of its board as well as the bodies of the foundation.
- 5 The NB of ESN Switzerland brings the application forward to the NA for provisional admission or refusal. The definitive admission as a Section of ESN Switzerland has to be approved by a two-thirds majority at the following NA.
- 6 A Section being granted membership of ESN Switzerland is simultaneously granted membership of ESN International. This Section becomes subject to the rights and duties defined by the Statutes of ESN Switzerland and ESN International.
- 7 A Section, which is admitted into ESN Switzerland, must include the acronym "ESN" in its official Section name.

Art. 11: Membership Fees

- 1 Each Section pays an annual fee to ESN Switzerland and ESN International. ESN Switzerland is responsible for collecting the membership fee for ESN International from the Sections and submitting the fees to ESN International. A Section must pay the membership fee to ESN Switzerland according to the invoice until the end of June. New Sections receive a reduction of 50% on both contributions in their first year.
- 2 The NA determines the annual membership fee of ESN Switzerland. Unless otherwise specified, the membership fee of ESN Switzerland amounts to 80 Swiss Francs.
- 3 The annual membership fee of ESN International is determined by ESN International at General Assemblies (GA). Unless otherwise specified, the membership fee of ESN International amounts to 120 Euro.
- 4 ESN Switzerland invoices the membership fee of ESN International towards the Sections according to the exchange rate of the Euro on the current market and rounds the amount to 1 Swiss Franc.
- 5 The NB has the right to adjust the membership fee upon request on a case-by-case basis.

Art. 12: Expulsion of Sections

- 1 A Section can be expelled from ESN Switzerland in the following cases:

- a If its objectives are no longer compatible with those of ESN Switzerland;
 - b If it does not pay a membership fee for two consecutive years;
 - c When it has no members active;
 - d When it sends none of its members to 4 consecutive NAs. Furthermore, it must explain its absence at the 4th NA if it has missed 3 consecutive NAs. If the explanation is rejected by one or more Sections, a vote on expulsion can be requested which will be executed at the current or next NA.
- 2 A definitive expulsion of a Section from ESN Switzerland needs to be approved by an absolute two-thirds majority of the NA. An expulsion comes into effect after one month.

Art. 13: Resignation of Sections

- 1 A Section has the right to resign their membership from ESN Switzerland subject to six months' notice to the NB. Membership is not transferable.
- 2 Upon resignation, there is no right for a claim on a share of the association's assets nor a right on a partial or full refund of paid membership fees.

Art. 14: Memberships of ESN Switzerland

- 1 ESN Switzerland and its Sections can join every organisation that works in the field of higher education or in the interest of students and according to the objectives of ESN Switzerland.

Part IV: Other/Final provisions

Art. 15: Liability

- 1 ESN Switzerland is liable solely with its assets.

Art. 16: Signature

- 1 The association is bound by the collective signature of the President and another member of the NB.
- 2 The President and Treasurer are authorised to sign individually for the association's account up to an amount of 500 Swiss Francs. Higher amounts are subject to the NB's decision.

Art. 17: Amendments to the Statutes or Standing Orders

- 1 Amendments to the Statutes must be approved by a simple majority at a NA.

- 2 The NB or a single Section can propose changes to the Statutes up to 14 days before the NA.
- 3 The NB or a single Section can propose changes to the SO.
- 4 A Section that proposes changes to the SO must do so up to 14 days before the NA. A proposal to change the SO must be approved by a simple majority at a NA.
- 5 The NB can propose and approve SO changes internally with a two-thirds absolute majority. If approved internally, the NB presents the change at the beginning of the following NA.
 - a Such changes are announced to the Sections and are subject to be called a Referendum upon by at least 2 Sections within one month since the announcement via email to the NB.
 - b If the required two Sections call the Referendum within a month the decision of the NB is annulled and a NA vote with simple majority is held within the next two months.
 - c The decision of the NA counts.
 - d If no Referendum is called within one month, the change is considered accepted by the Sections.

Art. 18: Dissolution

- 1 The dissolution of ESN Switzerland can be approved at any time by the NA with a two-thirds absolute majority.
- 2 If ESN Switzerland is dissolved, the association's assets will be donated to the Swiss Committee of UNICEF.

Art. 19: Other

- 1 The financial year of ESN Switzerland starts and ends with the calendar year.

Final Provisions

These Statutes came into effect at the general meeting of ESN Switzerland 2020 in Lucerne.

With the following signatures, the National Board confirms the correctness of these Statutes.

For the National Board



Dana Mozaffari
President



Lucia Leoni
National Representative