

## STATUTES

## PREAMBLE

Desiring to give an organisational structure to international exchange and international co-operation, which are focuses of their activities, leading choir conductors from six European countries and the national unions A CŒUR JOIE (France) and ARBEITSKREIS MUSIK IN DER JUGEND (Federal Republic of Germany) decided on May 15th, 1960, in Geneva to create the EUROPEAN FEDERATION OF YOUNG CHOIRS. The first representative meeting of young choirs, EUROPA CANTAT, which took place from July 28th to August 6th, 1961, in Passau/Federal Republic of Germany and in which 69 groups from 12 countries took part, was a convincing confirmation of this decision.

On August 9th, 1962, during the "Fourth Choralies" of A CŒUR JOIE at Vaison-la-Romaine/France and following a proposal submitted by the provisional executive committee, representatives from eight European countries decided to formalise this union by incorporating a "registered society" in accordance with German law, in the absence of any European legal form of a similar nature. On this basis, the society was founded on February 9th, 1963.

During the Tiroler Sängerkonvent of 1952 in Innsbruck representatives of choir associations in Austria, Germany, the Netherlands and Switzerland established the idea to promote choir singing by exchanging compositions, choirs and other initiatives throughout Europe. In 1954 they proclaimed in St. Gallen the foundation of a West European Union of Singers. The official Foundation Event of the Arbeitsgemeinschaft Europäischer Chorverbände AGEK and the election of the first Präsidium (board) took place in Strasbourg on the 10<sup>th</sup> of December 1955. Since then AGEK consequently used the various abilities of choir singing in order to bring people and nations together. The members of AGEK (national and regional choral federations from all over Europe) aimed to ensure quality by way of composition assignments, conducting courses, training and workshops. In matters concerning the development of singing culture in general, music lessons at schools, the singing amongst young people and the promotion of music education, AGEK played an active role. Other initiatives taken by AGEK were an annual composition prize, the formation of the EuroChor, the EuroFestivalchor and the edition of songbooks.

On May 9<sup>th</sup> 2009 (decision by membership of AGEK) and November 14<sup>th</sup> 2009 (decision by membership of Europa Cantat – European Federation of Young Choirs) it was decided to merge the two choral organisations into one under the name of European Choral Association – Europa Cantat from January 1<sup>st</sup> 2011.

**Article I**  
**Name, registered office, and financial year**

1. The Society's name is  
European Choral Association – Europa Cantat
2. The Society, hereafter referred to as European Choral Association – Europa Cantat, has its registered office in Bonn. It has been registered under the No. VR 2791 in the Register of Societies of the Bonn District Court and its title includes the letters "e.V." which means that it is a registered organisation according to German law.
3. The financial year is the calendar year.

**Article II**  
**Objective, tasks and intention of European Choral Association – Europa Cantat**

1. European Choral Association – Europa Cantat pursues exclusively and direct non-profit purposes in the sense of the tax law. The objective of European Choral Association – Europa Cantat shall be to contribute through its activities with a special focus on young people -, within the scope of European integration, to the mutual understanding among the European nations, their music, their languages and their cultural life.
2. Within the scope of the intention of its Regulations European Choral Association - Europa Cantat shall in particular pursue the following tasks:
  - a ) organisation of meetings of choirs and singers from different nations
  - b) organisation of information and study trips of music teachers and choir conductors, as well as the stimulation of choir exchange.
  - c) organisation of international singing weeks, EUROPA CANTAT *junior* as well as participation in national choir meetings and singing weeks
  - d) the festival EUROPA CANTAT as the main European meeting of choirs across generations with a special focus on including the young generation each time in a different country
  - e) suggestion and support for initiatives taken by member organisations, through which one or several objectives of the European Choral Association – Europa Cantat can be achieved
  - f) exchange of repertoires, publications, literature and audio-visual sources of information
  - g) promotion of contemporary music
  - h) holding of international seminars for choir conductors, composers and music teachers, awarding grants to participants at these events
  - i) contribution to the translation and adaptation of texts of choral literature on the basis of the existing international copyright agreements.
  - j) vocal training and promotion of young talented singers in Europe; e.g. in the Eurochoir.
  - k) membership of European and international music institutions
  - l) all other activities which do not contradict the general aims of the federation as stated in these statutes
  - m) promotion of young musicians

3. The European Choral Association – Europa Cantat works selflessly; it is not of prime importance to provide income for the association. Any financial resources at the disposal of European Choral Association – Europa Cantat shall only be used to further the objective as specified in these statutes. Members shall not receive financial support from the association in their function as members. No person is allowed to be refunded expenses which are not in line with the objectives of the association as stated in these statutes or which are unreasonably high.
4. The association is allowed to draw up financial contributions and donations on a separate account according to the tax laws § 58, Nr. 11, if the donator asks to and the money or the achieved proceeds are used for the objectives as specified in these statutes.

### **Article III Membership**

The European Choral Association – Europa Cantat shall consist of members who consider international co-operation in the musical field in Europe to be an essential matter of concern in their activities.

1. Members of the Society with voting rights may be:
  - a) Not-for-profit choral and conductors' organisations in Europe and other not-for-profit organisations working for the development and promotion of vocal music, in Europe.
  - b) Choirs from European countries
  - c) Individual persons from European countries who identify with the aims of the European Choral Association – Europa Cantat and would like to contribute to and collaborate with the federation.
  - d) Families (1 or 2 adults with all their children under 27)
2. Members of the Society without voting rights may be:
  - a) associated members  
Other choral organisations or choirs that identify with the aims of the European Choral Association – Europa Cantat and would like to contribute to and collaborate with the federation.
  - b) honorary members  
Musical personalities or others who have especially supported the European Choral Association – Europa Cantat. The honorary members may attend the General Assembly. They can neither vote nor be elected.
  - c) Partners:  
Universities, libraries, music schools, organisational bodies of music events, commercial or other businesses with an interest in or connected to choral music etc. Members in this category may attend the General Assembly and speak to the agenda but may not make formal propositions; they may neither vote nor be elected.
3. Membership is to be applied for in writing, and compliance with the conditions of paragraph 1 must be shown. Applications for membership according to Article III, 1 a) and 2) shall be decided by the Board of Directors. Applications according to Article III, 1 b) and c) shall be decided by the Secretary General or the Executive Manager. Not accepted applicants according to article III 1 b) and c) have the right to appeal to the Board of Directors.
4. Retirement from the European Choral Association – Europa Cantat will be possible only at the end of a calendar year. At least three months' written notice to the General Secretariat will be required.
5. Members who offend against the principles fixed by the Regulations may be expelled from the European Choral Association – Europa Cantat by resolution of the Board of Directors.  
Appeal to the General Assembly will be allowed.
6. The members shall pay a differentiated annual subscription which will be proposed by the Board of Directors and approved by the General Assembly. The payment of the membership fee gives the right to benefit from all advantages of membership.  
In order to benefit from their voting rights as well as the other advantages of membership the members will have to pay their annual membership fee for the current year before a certain deadline fixed by the Board of Directors.

**Article IV**  
**The bodies of the European Choral Association – Europa Cantat**

The bodies of the European Choral Association – Europa Cantat shall be:

1. The General Assembly
2. The Board of Directors
3. The Executive Board

The mandate of all elected members is personal It will last 3 years and cannot be renewed more than twice consecutively.

**Article V**  
**The General Assembly**

1. The General Assembly will be the meeting of the members of the European Choral Association – Europa Cantat

2. The powers of the General Assembly shall be:

- a) to elect the members of the Board of Directors among all members with voting rights which have accepted their candidature
  - b) to elect two financial assistants who are not members of the Board of Directors
  - c) to approve the annual action report of the Board of Directors
  - d) to approve the annual financial report of the Board of Directors and to formally approve the actions of the Board of Directors
  - e) to adopt the budget for the following year
  - f) to decide in the case of an appeal by expelled members
  - g) to decide on amendments (article XII) and on the dissolution of the European Choral Association – Europa Cantat (article XIII)
3. At the suggestion of the Board of Directors, the General Assembly may nominate an honorary president who may attend all Board meetings and General Assemblies but has no voting rights.

4. The members shall be entitled to vote at the General Assembly as follows:

- a) Member organisations:
  - Umbrella organisations have 30 votes each
  - National or similar organisations have 26 votes each
  - Regional or small organisations have 10 votes each
  - Conductors associations have 5 votes eachDetails are explained in a separate paper. The Board decides on the classification of the organisations
- b) the choirs have 2 votes each
- c) the individual members and family members present at the General Assembly have 1 vote per nation (according to UNESCO-definition)
- d) The members of the Board of Directors have one vote each

Due to several functions in a), b), c) and/or d) one person may cast a corresponding number of votes. The votes can be split between several candidates.

For the choral organisations and the individual and family members a proxy will not be possible. Choir representatives can cast up to two proxies (in a written form) for other choirs.

The resolutions of the General Assembly shall be passed by a simple majority of the votes unless otherwise provided by the Regulations.

5. The ordinary General Assembly shall be convened once a year; the invitations together with the agenda shall be forwarded in written form to all members at least three months prior to the appointed date. The election takes place every three years. An extraordinary General Assembly shall be held if convened by the Board of Directors or by at least one third of its members.
6. The General Assembly shall be chaired by the President or, if he is not able to attend, by one of the Vice-presidents. If none of these persons can preside the meeting, the General Assembly shall elect a chairman for this meeting.
7. The resolutions passed by the General Assembly shall be recorded in writing by the Secretary General or the Executive Manager. These minutes shall be signed by the President and the Secretary General or the Executive Manager.

## **Article VI**

### **The Board of Directors**

1. The Board of Directors shall consist of 13 members.
2. The members of the Board of Directors shall be elected directly by the General Assembly.
3. The Board of Directors may propose maximum two further Board members to be co-opted who will be confirmed by the General Assembly
4. The Board of Directors shall elect among themselves the Executive Board (see article VII)
5. The members of the Board of Directors are elected for three years. In the case of vacancies on the Executive Board in accordance with § 26 of the German Code of Civil Law (see Article VII - 3), the Board of Directors shall proceed to by-election. In case of vacancies on the Board of Directors, the Board shall co-opt a new Board member who will have to be approved by the next ordinary General Assembly.
6. The Board of Directors shall be responsible for the implementation of the resolutions passed by the General Assembly. Its main powers will therefore be:
  - a) to prepare the working programmes as provided by the Regulations
  - b) to prepare the budgets and to propose the membership fees
  - c) to co-ordinate the working programme and the budgets
  - d) to establish committees and to nominate the committee members
  - e) to admit and expel members according to Article III, 1a) and 2)
  - f) to draw up the agenda for the meetings of the General Assembly
  - g) to carry out the elections fixed by the Regulations
7. The President shall convene the meetings of the Board of Directors whenever the interest of the European Choral Association – Europa Cantat so requires but at least twice a year. The agenda for the meeting of the Board of Directors shall be drawn up by the President in co-operation with the Secretary General or the Executive Manager.
8. Within the scope of management, each member of the Board of Directors shall have one vote. The Board of Directors shall take its decisions by a simple majority of all members present unless otherwise provided in these Regulations. In the event of a tied vote, the President shall have the casting vote.

## **Article VII**

### **The Executive Board**

1. The Executive Board shall consist of 4 to 5 members
  - the President
  - the 1st Vice-president
  - the 2nd Vice-president (= chair of the Music Committee - see Art. X)
  - the 3<sup>rd</sup> Vice-president (optional)
  - the Treasurer

2. The members of the Executive Board are elected for three years
3. The President, the Vice-presidents and the Treasurer shall act on behalf of the European Choral Association – Europa Cantat as executive Board within the meaning of § 26 of the German Code of Civil Law. Each of them may represent the European Choral Association – Europa Cantat individually.
4. The Executive Board is responsible for decisions on current affairs which under time pressure cannot wait until the next meeting of the Board of Directors.
5. The Executive Board meets regularly at least four times a year. It can also come together for an extraordinary meeting if this is the wish of the president or one of its members.
6. The President shall be responsible for the general management of the European Choral Association – Europa Cantat. With the agreement of the Board of Directors, he may delegate certain functions to the Secretary General or the Executive Manager or to other members of the Board of Directors.

### **Article VIII Financial Auditors**

1. Two financial auditors will be elected by the General Assembly from among its members or other competent persons for a duration of three years.
2. The powers of the financial auditors shall be the following:
  - a) to check the figures in the book-keeping
  - b) to check the correct and legitimate use of the means of the federation
  - c) to check if the means have been used in agreement with the regulations of the federation
  - d) to give an annual report of the audit to the General Assembly

The revision will be done in the General Secretariat. The staff of the General Secretariat and the Treasurer will be at the disposal of the financial auditors.

### **Article IX Secretary General / Executive Manager**

1. A Secretary General and/or an Executive Manager shall be proposed by the Executive Board and approved by the Board of Directors. He/she/they shall be responsible to the Board of Directors of how to carry out the tasks.
2. The Secretary General and/or the Executive Manager shall participate in the meetings of all organs and committees of the European Choral Association – Europa Cantat in a consultant capacity. He/she/they may not be a member of the Board of Directors.
3. The Secretary General or the Executive Manager shall direct the General Secretariat. He/she shall implement the resolutions of the Board of Directors and the General Assembly and look after the European Choral Association – Europa Cantat's regular business. (The Secretary General or Executive Manager will be a particular agent within the meaning of §30 of the German Code of Civil Law)
4. The Secretary General or the Executive Manager shall establish budget estimates for each financial year after agreement with the Treasurer who will present it to the Board of Directors for approval.
5. The Secretary General or the Executive Manager shall implement the budget.
6. The Secretary General or the Executive Manager shall establish the annual accounts in agreement with the Treasurer who will present them to the Board of Directors.
7. All other details of the powers of the Secretary General and/or Executive Manager will be fixed in a job description and in a contract.

## **Article X Committees**

### **1. Music Committee**

The Board of Directors must create a Music Committee. The Music Committee shall consist of 6 to 9 members. Its task shall be to propose guidelines for the musical activities to the Board of Directors. The chairperson of the Music Committee must be chosen by the Board of Directors and becomes the second Vice-President of the federation.

### **2. Other Committees**

The Board may create committees for particular subjects. The task of the committees shall be to propose guidelines on the particular subjects to the Board. Each committee shall report on its activities to the Board of Directors. The Board of Directors will choose the chairperson for each committee.

The work of the Committees is limited to the period of mandate of the Board of Directors.

## **Article XI Finances**

The European Choral Association – Europa Cantat’s activities shall be financed as follows:

- (a) by annual subscriptions of the members, fixed by the General Assembly on the recommendation of the Board of Directors
- (b) by grants by local authorities, national organisations, governments of the European states in which the European Choral Association – Europa Cantat has members, as well as by other international institutions
- (c) donations in the form of tax-deductible expenses
- (d) sponsorship and patronage.

## **Article XII Amendments of the Regulations**

Any amendment of these Regulations shall be subject to a two-thirds majority vote by the members present at the General Assembly meeting.

## **Article XIII Dissolution**

1. In order for a resolution to be passed on the dissolution of the European Choral Association – Europa Cantat, the presence of three fourths of the General Assembly entitled to vote shall be required. If a General Assembly does not have a quorum, another General Assembly may be convened without deadline for convocation which shall have a quorum in all events.

2. The General Assembly having decided the dissolution shall appoint the liquidators. The retirement of a member or the dissolution of the European Choral Association – Europa Cantat shall not give rise to any compensation for donations to the European Choral Association – Europa Cantat or to sharing-out of the society’s assets to the members.

In the case of dissolution or when losing the non-profit-status, the existing assets of the European Choral Association – Europa Cantat, in accordance with the resolutions of the General Assembly, shall be transferred to a legal entity or a tax relieved body, with the aim of being used for music (especially choral music). The organisations to which the assets will be transferred at the time of the dissolution must have been recognised by the competent financial authority as non-profit-making organisations. Any resolution concerning the further use of the asset may in any case only be executed after the agreement by the financial authority.