

Pirate Party Europe

Statutes

Pirate Party Europe 4. September 2013

Preamble

We, the Undersigned,

Convinced that, while remaining proud of their own national identities and history, the peoples of Europe are determined to transcend their former divisions and, united ever more closely, to forge a common destiny,

Based on the Uppsala and Prague Declarations,

Aspiring to be recognized as a Political Party at EU Level,

Promoting the inviolable and unalienable rights of the human being, freedom, democracy, equality and the rule of law.

Supporting the evolution of democracy on every level and assuring transparency for political processes and decision-making,

Focussing on the long-term welfare of European citizens instead of big money,

Emerging from the struggle for a free, open and participative internet as a truly transnational and international movement,

Uniting the forces of Pirates and Pirate Parties from all over Europe to influence European policy together, but with respect for the autonomy of its members,

Hoping to contribute to prosperity and peace all over Europe,

Subject to the ratification of the member parties,

agree to create an international non-profit association according to Belgian law and determine its statutes as follows:



General Provisions

Art. 1 – Name

The official name of the association shall be “European Pirate Party” and „European Pirates“, abbreviated “PPEU” or „PIRATES“. Both the full and the abbreviated names may be used indistinguishably.

A list of official translations of the association's name which may be used by the member parties is included in Annex A.

Art. 2 – Seat

The seat of the European Pirate Party is situated at 47A Rue Gerard, 1040 Etterbeek, Brussels, Belgium.

The Council may move the seat anywhere in Belgium by simple majority vote. To move it to any other location the Council has to decide unanimously.

Art. 3 - Language

In the event of divergence or of doubt between these statutes in the original version in English and any version in another language, the English language version prevails.

English shall be the working language of the Association. Any initiatives and proposals can only be adopted, if they have been translated into English prior to the start of the decision-making-process on the level of the Association.

Art. 4 – Principles

The Association shall pursue international aims in respect of the principles on which the European Union is based, namely principles of freedom, equality, solidarity, democracy, respect of Human Rights and Fundamental Freedoms, and respect for the Rule of Law.

The Association shall work as transparent as possible, regarding the protection of personal data and the right to privacy of the people involved.



The Association shall take into account the opinions of the individual Pirates who are members of any of the member parties. Important decisions shall be based on democratic principles for the inner workings of the Association.

The Association shall adhere to all regulations necessary to being recognized as a Party at European level.

The members of the Association shall adopt a common Pirate Manifesto (Annex C) which shall reflect the principles and policies of the European Pirate movement.

All decisions concerning choices and attitudes of PPEU member parties or political organizations in their own countries remain strictly under the sovereignty of national parties.

The Association may carry out all operations and conduct all activities (including real estate transactions), both in Belgium and abroad, which directly or indirectly increase or promote its objectives under the condition that these activities adhere to the principles of this organisation stated in this article. The Association does not undertake industrial or commercial transactions and does not seek to procure a profit to its members.

Art. 5 - Objectives

Purpose of the organisation is to represent the European Pirate movement towards the European institutions and to work in the interest of its members by, amongst other things:

- Facilitating coordination and cooperation between its members.
- Assisting its members to promote the Pirate movement in Europe.
- Taking as its principles the Pirate manifesto, as will be annexed to the statutes.
- Functioning as a link between European Pirate Parties and Pirate MEPs.
- Encouraging and support its members in organizing events focused on European topics.



Members

Art. 6 – Membership

The number of members is unlimited, but may not be less than five Ordinary Members. All Members, except for natural persons, shall be legal entities constituted according to the laws and customs of their country of origin. If a member does not possess legal personality according to the laws and customs of its country of origin, it must appoint a natural person to act in the name and on behalf of its organisation and its members as a common attorney-in-fact. In case of a change of representation, the Board of the association is immediately informed in writing.

There are two categories of members: Ordinary Members and Observer Members.

In Annex B to these Statutes all the member parties and member organisations are listed. A register of all the members will be kept at the registered office of the Association. This register lists the surname, first name, place of residence, date and place of birth of members or, in the case of legal persons or de facto associations, the name, legal form, address of the registered office, identity of the representative and, where applicable, the registration number in accordance with existing legislation and/or regulations. The list shall be updated every year by recording membership changes by name in alphabetical order. Any member of the association may consult the list of members at the association's registered office free of charge.

Within one month of announcement of the statutes, a list must be deposited with the registry of the civil court for the place where the association is established, recording the name, legal form, address of the registered office, identity of the representative and, where applicable, the registration number in accordance with existing legislation and/or regulations of all the Ordinary members of the association in alphabetical order. The list shall be updated every year by recording membership changes by name in alphabetical order.

Art. 7 – Ordinary Members

Eligible as Ordinary Members are all parties which

- are established as a political party or in another form, if their country or state does not allow them to become a party (or makes it very difficult for them) in a country or state of the European Union OR in a country or state which territory lies at least



partly in the geographical Europe without being a member state of the European Union,

- are not subordinate to any other party in this country or state,
- carry the term „Pirate“ or any translation of that term somewhere in their party name,
- intend to participate in elections to the European Parliament or their national parliament,
- maintain a democratic political base and a democratic internal structure,
- are politically active,
- accept and comply with the regulations of these Statutes and orders of its bodies and
- accept the Pirate Manifesto.

They have the following obligations:

- to comply with all the regulations of the Statutes of the Association and all orders of the bodies of the Association,
- to cease and desist any actions which may harm the Association or are contrary to the objectives and principles of the Association or go against the policies laid down in the Pirate Manifesto or damage the Association in any other way,
- to regularly attend Council meetings of the Association,
- to participate in the political discussion and decisions of the Association,
- to stay politically active and participate in elections,
- to send their yearly accounts and election results to the Association or a link to them, if they are published accessible for everyone online,
- to conduct their financial organisation in a transparent and accountable manner,
- to pay their designated fee as Ordinary Members in a timely manner and
- to report every year to the Association on party and policy developments.

They have the following rights:

- to vote in the Council on every matter,
- to participate in the political discussions and to speak at Council meetings,



- to participate in the development of the political agenda,
- to participate in the decision making process,
- to have access to all non-confidential documents of the Association,
- to table resolutions and amendments as well as contribute other items to the agenda of Council meetings,
- to participate in common campaigns,
- to appoint delegates and propose candidates for the Board
- to have access to use of the Associations logo and other representational devices.

Art. 8 – Observer Members

Eligible as Observer Members are

1. all parties which

- are established as a political party or in another form, if their region, country or state does not allow them to become a party (or makes it very difficult for them), in a region, country or state of at least a part of the geographical Europe,
- are subordinate to another Ordinary Member Party or one eligible to become such a member party,
- carry the term „Pirate“ or any translation of that term somewhere in their party or organisation name,
- intend to participate in elections in their region, country or state, if legally possible and feasible,
- maintain a democratic political base and a democratic internal structure,
- are politically active,
- accept and intend to comply with the regulations of these Statutes and orders of its bodies and
- accept the Pirate Manifesto.

2. all parties which



- are established as a political party or in another form, if their region, country or state does not allow them to become a party (or makes it very difficult for them), in a region, country or state outside of geographical Europe,
- are not subordinate to another party or organisation,
- carry the term „Pirate“ or any translation of that term somewhere in their party or organisation name,
- intend to participate in elections in their region, country or state, if legally possible and feasible,
- maintain a democratic political base and a democratic internal structure,
- are politically active,
- accept and intend to comply with the regulations of these Statutes and orders of its bodies and
- strive for similar political goals as the Association.

3. All organisations which

- carry the term „Pirate“ or any translation of that term somewhere in their organisation name,
- maintain a democratic political base and a democratic internal structure,
- are politically active,
- accept and intend to comply with the regulations of these Statutes and orders of its bodies and
- strive for similar political goals as the Association and are closely linked to it.

4. The Pirate Group in the European Parliament and the European Pirate Youth Organisation and each Pirate Member of the European Parliament

The Pirate Group in the European Parliament and the European Pirate Youth Organisation will be treated like an Ordinary Member concerning their rights and like an Observer Member concerning their obligations.

Each Pirate Member of the European Parliament may also become an Observer Member, if it is eligible.

They have the following obligations:



- to comply with all the regulations of the Statutes of the Association and all orders of the bodies of the Association,
- to cease and desist any actions which may harm the Association or are contrary to the objectives and principles of the Association or go against the policies laid down in the Pirate Manifesto or damage the Association in any other way,
- to stay politically active and participate in elections, if possible and feasible,
- to send their yearly accounts and election results to the Association or a link to them, if they are published accessible for everyone online,
- to conduct their financial organisation in a transparent and accountable manner and
- to report every year to the Association on the party / organisation and policy developments.

They have the following rights:

- to participate in the political discussions and to speak at Council meetings,
- to participate in the development of the political agenda,
- to participate in the decision making process,
- to have access to all non-confidential documents of the Association,
- to participate in common campaigns and events and
- to have access to use of the Associations logo and other representational devices.

A party which is eligible to become an Ordinary Member may decide to apply only for the status of an Observer Member. It may at any time apply for Ordinary Member status, if it fulfils the necessary conditions. The procedure is detailed under Art. 10 (Procedure for admitting new Members) and needs to be repeated to change the membership status.

Art. 10 – Procedure for admitting new Members

To be eligible to become a Member of the Association, any aspiring party, organisation or individual needs to send an application to the Board of the Association to the address of the official seat. An email will suffice.



The membership is granted, if the Council decides on it with a two-third majority. The Council shall give reasons for accepting or rejecting applications. As soon as the decision of the Council is valid and the new member has paid its membership fee, it may exercise all its rights and is bound to all obligations of its membership.

Art. 11 – Change of name and mergers

A Member that changes their name or merges with another political party/organisation must inform the Board.

The Board shall assess the degree of continuity of the new party/organisation with the Association's member and will decide on the confirmation of the membership status. This decision shall be confirmed by the Council. Both decisions require a two-third majority.

In case of confirmation of the continuity of the membership status; the member will be considered having accepted the Association's decisions applicable to the former member and will be responsible for all its obligations vis-à-vis the Association, including financial.

In case of non-confirmation, the Council shall give reasons for the decision and the new party/organisation may submit a new application for membership.

Art. 12 – Resignation, Exclusion, Suspension, Loss of Membership and Death /Dissolution/Bankruptcy

Any member, whatever their identity, may at any time resign from the Association. The resignation must be notified to the Board by registered letter from a duly mandated person to the registered office of the Association. The resignation shall come into effect immediately or as otherwise specified in the letter of resignation, but the member resigning remains bound by all outstanding debts contracted with the Association until the end of the financial year in which the resignation came into effect.

If a new Ordinary Member Party is superordinate to an existing Ordinary Member Party, the subordinate party shall automatically become an Observer Member Party.

Any member may also be suspended or excluded by the Council on at least one of the following grounds:

- non-compliance with its obligations,



- non compliance with the criteria for membership.

A suspended member is obliged to uphold its financial obligations to the Association. The suspended member may attend meetings of the Association but without voting rights. A suspended member can regain its membership if it complies with its obligations and the criteria for membership. Such compliance must be formally notified to the Board who then may recommend to the Council to lift the suspension.

The exclusion of a member is also decided by the Council. The exclusion comes into effect immediately after the decision of the Council but the excluded member remains bound by all outstanding debts contracted with the Association until the end of the financial year in which the exclusion came into effect.

A proposal for suspension or expulsion of a member may be submitted by any Ordinary Member or the Board, but not more than once on the same grounds. All decisions on the suspension and exclusion of a member are taken by a three-quarter majority. The concerned members may not vote on such a decision. The names of the concerned parties, organisations or individuals on whose suspension or exclusion the Council will vote and the grounds on which the proposed suspension or expulsion is based shall be named in the agenda of the meeting and sent to all Council members with the invitation to the next Council meeting. If this was not done, the non-attending Council members shall be allowed to send their vote on the suspensions and exclusions after the Council meeting. The concerned member shall have the opportunity to plead its case during the Council meeting and hand out a statement which shall be published with the minutes of the Council meeting. The suspension or expulsion decision sets forth the grounds on which the suspension or expulsion is based but apart from that, the decision does not need to be justified, but it shall give reasons. A copy of the letter shall be sent to the expelled member by registered letter, within 15 calendar days.

A member's affiliation ceases automatically upon death, dissolution, disqualification, liquidation or in cases of temporary administration, court-ordered settlement or insolvency.

Resigning, deceased/dissolved/bankrupt or excluded members and their successors or rightful claimants shall have no entitlement to the assets of the Association.

They may not claim restitution or reimbursement of subscriptions paid or payments made.

They may not demand or claim a report, statement of accounts, sealing or inventory.



Art. 13 – Membership Fees

A fee is requested of the Ordinate Member parties. The amount of which is set annually by the Council on proposal of the Board represented by the Treasurer. The Treasurer will meet up with all the Ordinary Member Parties' Treasurers to discuss the obligations of the member parties in regard to the annual fee in advance of the first Council meeting of the year. The Ordinary Member Parties have to hand out to the Treasurer a copy of their last annual account in advance of the meeting. If no agreement can be reached, the member parties will pay the same fee as last year. Membership Fees are fixed in Euro; they are payable without deduction of incurred costs.

The annual Membership Fees of the Association's Ordinary Members consist of a basic fee and an additional part based on decision of the Council.

The membership fee will be multiplied by the number of additional and supplementary votes of each Ordinary Member.

After the conditions listed in Art. 24 (Transitional Clause) are fulfilled, the Association will make a new decision about the details of determining the membership fees.

Observer Members do not have to pay a fee. All members may further contribute by giving donations to the Association.

Member parties who do not meet their financial commitments will lose all voting and speaking rights within the organs and bodies of the association as well as their right to propose candidates for positions within the association, until they have paid off their arrears. A list outlining the current Membership Fees' situation will be distributed at each Council meeting by the Treasurer.

Members must pay their annual contribution between the first of January and the date of the annual Council meeting. On request of the concerned Ordinary Member party the Council may allow them under special circumstances with a 2/3-majority of the votes cast to delay their annual contribution for up to one year or relieve them of the payment or a part of it. The member party concerned may not vote on such a decision.

If a Member Party did not pay their due membership fee for two consecutive years until the first Council meeting of the second year, they are deemed to have left the Association by resignation automatically.



Council

Art. 14 - Composition and Powers of the Council

The Council is the highest decision making body of the Association.

Council meetings are normally open to the public unless the Council itself decides otherwise for all or part of its proceedings. This shall be the exception and may only be decided for reasons of protecting the data of an individual or for similar concerns.

The Council shall consist of delegates representing Ordinary Members, Pirate Group in the European Parliament and the Young Pirates of Europe (YPE) determined according to the Rules for the allocation of delegates and votes as provided for in Article 15. Non-voting representatives of Observer members and Non-Voting-Delegates from Ordinary Members, and Members of the Board may participate as well.

The Council:

- co-ordinates initiatives and activities consistent with the Association's Manifesto and agreed common policy and the Statutes of the Association;
- is responsible for the political agenda of the Association and adopts policy papers and resolutions;
- elects and recalls the Board and other representatives of the Association, if stated in these statutes;
- decides on the admittance, suspension and exclusion of Ordinary and Observer Members;
- advises the Pirate Group in the European Parliament on their decisions on the admission of MEPs who do not belong to a Member of the Association, after consultation with the national Pirate party concerned;
- supports and evaluates the Board's activities;
- approves the budget, reports and accounts
- adopts and changes the Statutes of the Association;
- adopts Rules of Procedure
- decides on all other topics assigned to the Council in the Statutes
- approves all other fundamental decisions of the Association



The Council may validly decide to dissolve the association or amend the statutes only in accordance with the provisions of Belgian law of 27 June 1921 on non-profit associations (ASBL), international non-profit associations (AISBL) and foundations, as amended by the Act of 2 May 2002.

On the proposal of one-third of the Ordinary Members any member of the Board may be suspended or dismissed by the Council by a two thirds majority of the votes cast after debate in Council where the member is given adequate opportunity to present her/his case.

The Council will meet at least once in a calendar year, more often if requested by at least 1/4 of the Ordinary Members or by a decision of the Board. Meeting may be in person or online. If the Council meeting is in person, remote participation of non-attending members shall be possible. The Board will prepare the meetings and invite all members by email at least one month before the date of the Council meeting. In urgent cases this time may be shortened to an appropriate length. The invitation to the Council meeting has to specify date, time, place and the draft agenda of the meeting. A link to a website with the agenda in the invitation shall be sufficient and necessary.

Save in the cases provided for in Articles 8, 12 and 20 of the Belgian law of 27 June 1921 on non-profit associations (ASBL), international non-profit associations (AISBL) and foundations, as amended by the Act of 2 May 2002, the meeting may legitimately consider items not announced on the agenda, provided that all members of the Council are present and/or represented and so agree at the meeting by a simple majority vote. of all the voting Ordinary Members.

Counter-proposals directly related to items on the agenda shall be published on the website containing the agenda and send by email to all Members preferably one week in advance of the meeting, but the meeting may also adopt proposals handed in until the voting by a simple majority vote of all the voting Ordinary members. If they have been handed in a week in advance of the meeting, they are automatically admitted.

Minutes of all Council meetings will be published on an appropriate website of the Association at the latest six weeks after a Council meeting. The minutes shall entail all decisions of the Council and the votes of each Ordinary member, the Pirate Group in the European Parliament and the Young Pirates of Europe (YPE).

Art. 15 - Allocation of Votes and Delegates

Each Ordinary Member has a minimum entitlement of one vote.



The Ordinary Member is entitled to one additional vote for each of the following thresholds reached during the last National or European elections: 150.000 votes; 400.000 votes; 800.000 votes; 1.200.000 votes; 1.600.000 votes; 2.000.000 votes and every additional million votes. The Ordinary Member is entitled to a supplementary vote for each of the following thresholds reached during the last National or European elections: 4%, 8%, 12%, 16% and 20%.

Each Ordinary Member has a minimum entitlement of two delegates.

Ordinary Members are entitled to 2 additional delegates if their total number of votes is 4 or more, or to 4 additional delegates if their total number of votes is 8 or more.

For those sovereign states with more than one Ordinary Member in the European Pirate Party the rules of paragraphs 1 and 2 are applied as follows: Election results for regional parliaments are not used for the allocation system in the European Pirate Party. The additional voting rights based on absolute numbers of votes as allocated under Paragraph 1 apply to each Ordinary Member.

For the additional voting rights based on National and European % election results, the following system is used to give effect to the provisions of § 1 and § 2: The highest national or European % election result of both Members are calculated together and that sum is used for the allocation system. The additional voting rights are distributed to the Ordinary Member with the highest % electoral result. In the case of Ordinary Members which are regional parties these additional voting rights are proportionally distributed among those Members based on the highest % electoral results those Members have in the area where they run respectively.

Where Ordinary Members participate in an electoral alliance or coalition, their votes will be calculated in proportion to the Pirate votes in the total votes of the alliance/coalition based on the seats gained respectively by the alliance and the Ordinary Member.

Adjustments to the number of delegates and votes shall be made immediately following elections, whose results change them.

The highest result reached in the last National or European elections is used for calculating the number of votes and delegates.

In addition to Ordinary Members, the Pirate Group in the European Parliament and the YPE have the right to four delegates each and to 2 votes each.

Any Ordinary member may also choose to use the lower result for the allocating of votes and delegates. Any Ordinary Member may also forgo additional or supplementary votes deliberately which will also lower their membership fee.



Board

Art. 16 - Composition and Powers of the Board

The Board consists of one Chairperson, two Vice-chairpersons, one Treasurer, and up to five Board members.

The Board is responsible for the permanent political representation of the European Pirate Party, the execution of the Council's decisions and the activities of the European Pirate Party's office.

It is entitled to make political statements on behalf of the European Pirate Party based on the Council's decisions and the political agenda of the European Pirate Party and is politically responsible to the Council.

The Board is responsible for the management of the European Pirate Party within the budget and the guidelines approved by the Council. It reports annually to the Council on the activities of the Board and its members. This report shall also contain all political and organisational developments and policies of the European Pirate Party. It shall ensure communication and coordination between the European Pirate Party Members and the other European Partners and promote cooperation on the European level as well as inter-party cooperation.

The Board is responsible for the organisation and convening of Board and Council meetings and the making and publishing of the minutes of those meetings.

The Board may table resolutions and amendments as well as contribute other items to the agenda of Council meetings.

Internal Regulations may be adopted by the Board to regulate its procedure and the tasks of its members. If Internal Regulations are adopted, they shall be sent to all the members. If Internal Regulations of the Board conflict with the Statutes, the Statutes shall prevail.

For the purposes of certain actions and duties or everyday management functions, the Board may transfer its powers to one or more members of the Board or even another person, who may or may not be a member of the Association. The Board will have the faculty of special delegate. The powers of the said person(s) shall be defined precisely by the Board; the Board may at any time revoke these powers with immediate effect.

Any appointment, resignation or dismissal of a member of the Board must be deposited with the registry of the commercial court and published in the Annex to the Belgian



State Gazette.

Art. 17 - Election of the Board Members

Each candidate must be nominated by an Ordinary Member.

All nominations must specify the particular post for which the candidate is being proposed (i.e. Chairperson, Vice-Chairperson, Treasurer or a Board Member without a special function). Each Ordinary Member may nominate and support several candidates.

All nominations shall be done at least a month prior to the meeting at which the election takes place.

All posts will be voted on separately, but if more than one person shall be elected for a certain position (e.g. two Vice-Chairpersons and the Board members without a special function), the election may be done in one round of voting.

If only one candidate is to be elected, the candidate who gains more than 50% of the votes cast and most of the votes in the first round, is the person elected. Should no candidate gain more than 50% of the first round voting, a second round will be run between the two highest scoring candidates. The candidate who receives more than 50% of the votes cast and most of the votes in the second round is elected.

If several candidates are to be elected, the candidates who gain more than 50% of the votes cast in order of the highest result to the lowest are elected, until all positions are filled. If not enough candidates have reached 50% of the votes cast, a second round of voting will be held. In the second round only those candidates who got the highest number of votes will be eligible. The number of candidates shall be double the number of positions still needing to be filled. The candidates who gain more than 50% of the votes cast in order of the highest result to the lowest are elected in the second round, until all positions are filled.

The Council may decide on additional rounds of voting and the admission of new candidates, if a position could not be filled.

Method of voting will be approval voting, meaning that every voter may have one vote per candidate.

The order of voting:

1. Chairperson
2. Vice-Chairpersons



3. Treasurer
4. further Board Members

If a candidate is elected as a Board member and they accept, they will automatically loose any mandate as a delegate in the Council after the meeting of the Council is over. They may not accept a new delegation while still in office.

An election of the Board must take place at the first council meeting of the year.

In case of resignation or dismissal of a member of the Board, an election to replace the member will take place at the following Ordinary Council meeting. The person elected will stay in office for the period coinciding with the end of term of all the other Board members.

The Board must be elected anew completely, if the number of the active Board members in office drops below four. The Council may decide with a simple majority of the votes cast that a Board member is inactive. The remaining active Board members have to issue an invitation to an Extraordinary Council meeting. If no active Board members are left, any Ordinary Member may issue an invitation to an Extraordinary Council meeting acting by at least one of their official delegates. The Extraordinary Council meeting shall only convene to elect a new Board. No other topics may be decided upon. Except for an appropriately shortened time between the invitation and the date of the Council meeting, all other rules regulating Ordinary Council meetings shall apply.

Art. 18 - Chairperson and Vice-Chairpersons

The Chairperson represents the association to the public. The Chairperson shall ensure that the Board convenes on regular intervals.

The Vice-Chairpersons shall support the Chairperson in their tasks and fulfill the Chairperson's obligations and tasks in their absence, if the chairperson is hindered to fulfil their obligations and tasks or if the Board delegates a task or obligation to them.

Art. 19 - Treasurer

The main focus of this function is to supervise the budget and the accounts and to exercise financial control. All payments are made by the Treasurer or the person authorized to make payments.



The Treasurer will initiate legal ways to enlarge the financial means of the Association.

The Treasurer, and in his absence the Chairperson shall be empowered to accept, either provisionally or definitively, the gifts made to the Association and to complete all formalities necessary in order to acquire them.

The Treasurer will initiate, monitor and publish financial protocols to ensure openness and transparency. The Treasurer shall report to the Council once every three months.

The Treasurer shall be responsible for accounting requirements and control of donations, as described in Articles 6 - 10 of Regulation (EC) No 2004/2003 and other relevant legislation.

The Treasurer is responsible for the grant application to the European Parliament and the implementation and execution of the financial rules.

Art. 20 - Representation

The Board represents the Association in all judicial and extra judicial acts. Represented by the Chairperson or the person substituting for them, it acts as plaintiff or defendant in all the judicial actions and decides whether or not to use recourse. The Board may appoint an attorney-in-fact, and is legally bound by acts of such a person within the limits of their power of attorney.

The Chairperson, the Vice-Chairperson, the Treasurer, and any person so appointed by the Board are individually authorised to legally represent the association and to sign contracts on behalf of the association.

Finances

Art. 21 – Financial Provisions

The financial year of the Association shall run from 1 January to 31 December of the same year.

At the end of each financial year, the Board shall adopt the annual accounts for the past financial year and the budget for the next year in the manner provided for by law and shall then submit them annually for approval by the Council.



After approval of the annual accounts and the budget, the Council shall vote separately on granting discharge to the members of the Board.

At least two weeks before the annual Council meeting, the accounts and budget shall be communicated to the members of the Council, who may then ask to inspect, without removal, any of the documents on which these accounts and budgets are based.

A surplus shall be added to the assets of the Association and may not under any circumstances be paid to the members as a dividend or in any other way.

The Board shall ensure that the annual accounts and the other documents referred to in the Law on Not-for-profit Associations are deposited within thirty (30) days of approval at the Registry of the Court of First Instance or, if the law so requires, the National Bank of Belgium.

Art. 22 – Reimbursement

The Council may decide to grant reimbursement of costs in relation with offices and functions fulfilled for the Association, if the financial situation of the Association allows. This decision will be made at the annual Council meeting together with the adoption of the budget for the next year.

The Association will only reimburse the travel costs or accommodation costs or other costs relating to each meeting under presentation of original receipts and tickets. The original tickets/receipts for any event, including the Council meetings, must be sent to the PPEU office before the last day of February of the year after the event. After that date, no reimbursement may be requested.

Art. 23 – Audit

If, pursuant to the provisions applicable to it, the Association is so required, auditing of the financial condition, annual accounts and their regularity from the point of view of the Law on Not-for-profit Associations and the status of transactions to be reflected in the annual accounts shall be entrusted to one or more auditors appointed by the Council from among the members of the Belgian Institute of Company Auditors (Institut des Réviseurs d'Entreprises/Instituut der bedrijfsrevisoren).

The Council shall determine the number of auditors and their remuneration. The auditors shall be appointed for a renewable term of three years. The Council may revoke their mandates at any time, but have to appoint new auditors at the same time. Any



auditor appointed to replace an auditor who has resigned in the course of his term of office completes the latter's term.

The auditors shall jointly or severally have an unlimited right to scrutinise any transactions of the Association. They may inspect on the premises the books, correspondence, minutes and generally any documents of the association.

The accounts of the Association are to be audited annually or as often as the law necessitates.

Change of Statutes and the Pirate Manifesto and Decision-making-Process

Art. 24 - Decision-making-Process

If not otherwise specified in these Statutes, all decisions taken by the Council or the Board will be decided by a simple majority of the votes cast.

All votes will be public and published in the minutes of a meeting, including those for elections. They shall be done in writing, if appropriate. Votes done in writing are usually appropriate for the election of members of the Board. To fulfil the requirement of a written vote, an email or chat protocol will be enough. Abstentions will not be taken into account.

Art. 25 – Change of Statutes

Proposals must be presented in writing by any means (electronic, paper or otherwise) to the Board which will transmit them to the Members of the Council for deliberation at least four weeks prior to the meeting at which the Council will deliberate and decide on those proposals. The proposed amendments to the Articles of Association must be attached to the notice calling the meeting of the Council. A reference to a website displaying the proposed changes of the Statutes would also be sufficient.

Decisions regarding amendments to the Statutes can only be taken if there is an attendance quota of two-thirds of the members entitled to vote present or represented and shall be taken with a double majority of two-thirds of the votes cast by two-thirds of the Ordinary Members taking part in the voting, except for decisions on the Principles



(Art. 4) and Objectives (Art. 5) where consent of all the Ordinary Council Members is necessary.

Any decision amending the Statutes shall be submitted to the Belgian Minister of Justice and published in the Annexes to the Belgian Official Gazette.

Art. 26 – Change of the Pirate Manifesto

The Pirate Manifesto combines the identified common policies of the member parties in a document representing the common policies of the Association and is an integral part of these Statutes.

Any changes to the Pirate Manifesto will be following the same procedure as those to the Statutes.

Duration and Dissolution

Art. 27 – Duration and Dissolution

The Association shall be set up for an unlimited period of time.

The Association is not dissolved as a result of the death, dissolution or resignation of a member, provided the number of members is not less than five Ordinary Members.

In the event that European legislation provides for a different legal status for political parties and the Council of the Association decides to adopt such a status, the financial and other assets of the Association (aisbl) shall be transferred to the new legal entity upon the cessation of the activities of the aisbl.

Except in the event of judicial dissolution and automatic dissolution due to the requirements of the law, the association may be prematurely dissolved only by a decision of the Council acting in accordance with Article 20 of the Law on Not-for-profit Associations.

It may be dissolved by a four-fifth majority decision of the Council with an attendance quota of two-thirds of the members entitled to vote present or represented. If the quota is not reached, a new meeting of the Council shall be called no earlier than 15 calendar days after the first meeting. The second meeting of the Council shall be entitled to take



valid decisions irrespective of the number of members with voting rights present or represented.

As from the moment the decision of dissolution is taken, the Association is required to mention at all times that it is 'in dissolution'.

In the event that the Association is dissolved, the Council shall decide by a simple majority of the votes cast on (i) the appointment, powers and remuneration of the liquidators, (ii) the methods and procedures for the liquidation of the Association and (iii) the destination to be given to the net assets of the Association. The net assets of the Association will have to be allocated to a non-profit purpose. They may be divided among the member parties according to their financial contributions.

All such decisions have to be duly filed at the clerk's office of the competent Commercial Court and published in the Annexes of the Belgian Official Gazette in line with the applicable legislation.

Transitional Provisions

Art. 28 – Entry into Force

When and if at least 5 European Pirate Parties who are eligible to become Ordinary Members have signed and ratified these Statutes the Members of the European Parliament representing the Swedish Pirate Party shall call for a founding Council meeting of the association, to be held in Brussels at which time these statutes shall enter into force.

The founding Council meeting shall in all respects be carried out as a regular council meeting with the following exceptions:

- Any European Pirate Parties who are eligible to become Ordinary Members and have signed and ratified these Statutes represented by delegate(s) at the Founding Council shall be considered a founding member.
- Number of Delegates and votes given to each founding member at the founding Council meeting shall be the same as for a regular council meeting in accordance with these statutes.
- All functions related to the meeting normally carried out by the board shall be carried out by the Pirate Members of the European parliament.



Any European Pirate Party who are eligible to become Ordinary Members have signed and ratified these Statutes have to send notification of any of these acts:

a) signing of the Statutes, b) ratification of the Statutes or c) electing or choosing in any other way a delegate or candidate for the Board of the Association.

This shall be done by both of the following means:

a) by email to the Members of the European Parliament representing the Swedish Pirate Party b) by sending a letter to the official seat of the Association according to these Statutes. Art. 29 – Transitional Clause

Within 6 months from the day when the PPEU is recognised by the EU as a Political Party at the EU level an extraordinary convention shall convene to revise all statutes and in particular to decide on new paragraphs regulating a) membership fee and b) voting allocation for the Council.

At the convention Ordinary Members will have the right to send delegates with voting rights according to the current statutes regulating voting rights in the council.

If no agreement on a change can be reached, the current regulation in the statutes will continue to apply.

