

Bylaws

Bylaws of ASVA Student Union



ALV 3 april 2024



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Status: Decision making

Dear GA,

At the AGM on 10 October 2023, the new statutes were approved. Among other things, these bylaws changed the name of the association. It was also decided to no longer have a Supervisory Board. In its place, a the idea of a Policy Council emerged. These changes mean that the Internal Regulations also need to be amended. These changes can therefore be found in this document. Furthermore, the decision to increase membership fees is also included herein. The board hopes for the support of the ALV.

Kind regards,

On behalf of B79,

Henk van den Bosch

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The Dutch-language bylaws of the ASVA Student Union take precedence over translations in the event of disputes. The document is subordinate to the statutes of the association and Dutch law. It is also subordinate to other regulations of the association, such as the GA regulations, the Executive Board regulations, the Financial regulations, the Social Safety policy, and the working agreements with employees.

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Version register

Effective date	Change(s)	Date of decision
3 April 2024	Contribution change, abolishing Board of Supervisors and adding Policy Council	ALV 3 April 2024
7 June 2022 (current)	General revision, additions regarding WBTR law	GA 7 June 2022
27 October 2014	Unknown	GA 27 October 2014
7 June 2010	Unknown	GA 7 June 2010
17 January 2005	Unknown	GA 17 January 2005
10 December 2001	Unknown	GA 10 December 2001
3 September 2001	Unknown	GA 3 September 2001
10 July 2000	Unknown	GA 10 July 2000
6 September 1999	Bylaws ASVA Student Union	GA 6 September 1999
8 December 1997	Bylaws ASVA OBAS	GA 8 December 1997

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Title I: General provisions

Article 1 Definitions

For the purposes of the regulations, the following definitions shall be used:

1. **The association:** ASVA Student Union. Statutory registration as ASVA Studentenvakbond, established in Amsterdam and entered in the Commercial Register of the Amsterdam Chamber of Commerce under number 40539596, also referred to as ASVA.
2. **The statutes:** the statutes of the association.
3. **The board:** the board of the association, as referred to in articles 8, 9 and 10 of the statutes.
4. **A member (or members):** a member of the association as referred to in Article 4 and reunionists, as meant as in article 8 of these bylaws.
5. **The policy year:** an administrative year that relates to the policy plan and runs from 1 January until 31 December.
6. **The financial year:** an administrative year related to the budget and runs from 1 January until 31 December.
7. **The association year:** an administrative year that relates to the academic year of the educational institutions and the term of office that runs from 1 September until 31 August.
8. **The General Assembly,** hereinafter referred to as the GA:
 - a. either the voting members of the association together in a meeting. They are the highest body of the association;
 - b. or the meeting about the policy pursued and to be pursued by the association, as referred to in Article 12.
9. **The student desk:** the secretariat of the association and the physical contact point for members of the association.

Met opmerkingen [Hv1]: Was Studentenunie

Met opmerkingen [Hv2]: Added

Article 2 Purpose of regulations

1. The bylaws elaborate on the statutes of the association where required. In this case, elaboration means that the statutes are explained and supplemented where necessary. The bylaws do not reflect the policy of the board.

Article 3 Validity

1. Each member of the association shall, by entering into membership, be obliged to comply with the provisions of these regulations.
2. Each participant in activities and meetings of and co-organised by the association is obliged to comply with the provisions of the social safety policy.

Met opmerkingen [3]: was code of conduct

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Title II: Membership

Article 4 Members

1. Members are persons or organisations who have applied to the student desk and have been accepted as members.
2. Members pay annual membership fees, as described in article 9 of these regulations.
3. Membership is automatically renewed yearly, unless the membership ends as described in Article 5 section 4 of the Statutes.
4. Members are kept informed as much as possible by the board about the affairs of the association.
5. Members receive clear information about their rights and opportunities to participate in the association.
6. Personal data of and information about members will only be used for and by the Association. These will only be provided to third parties with the consent of the respective members.

Met opmerkingen [4]: was 8

Article 5 Honorary members

1. Honorary members are persons who have rendered special service to the association.
2. Honorary members may be nominated to the GA with the consent of the person concerned.
3. The vote on honorary members shall take place during the GA. The appointment of honorary members shall take place immediately after the relevant vote.

Met opmerkingen [5]: "door bestuur" verwijderd

Article 6 Employees

1. Employees are defined as persons working for the association and being paid by the association for their work.
2. Employees are members of ASVA for free.
3. Interviews for employee positions should never be done by a single person. At least one member of the board must always be involved in each interview for an employee position.
4. Efforts are made to ensure that each new employee is inducted by their predecessor. If this is not possible or desired, the board will see to it.
5. If the board decides to dismiss an employee, this decision must be taken by the board as a whole. Before the dismissal is approved, it is highly desirable that the board repeatedly and specifically notifies the employee of its doubts concerning

Met opmerkingen [6]: new

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the employee's performance. A written record must be made of every notification. The employee must receive a copy of this.

Article 7 Volunteers

1. Volunteers are people who work for ASVA on a voluntary basis.
2. Volunteers may be eligible for a volunteer allowance.
3. Volunteers are members of ASVA for free.
4. Volunteers can send their application to the vice chair and are appointed by the board or the GA.

Article 8 Reunionists

1. Reunionists are persons who have been volunteers, employees or board members at ASVA and are no longer students.
2. Reunionists pay annual dues, as described in Article 9 of these regulations.
3. Reunionists have access to the services of ASVA

Met opmerkingen [Hv7]: Added

Title III: Finance

Article 9 Contribution

1. Members of the Association pay an annual membership fee. This is collected in the month in which they became a member.
2. The contribution for the first year is €17.50 (in words: seventeen euros and 50 cents).
3. Members of a member association receive a discount of €5.00 (five euros) for the first year of their membership, as a result of which their membership fee for the first year is €12.50 (in words: twelve euros and 50 cents).
4. The membership fee from the second year onwards is €15.00 (in words: 15 euros).
5. At least ten days before collecting the membership fee, the person liable for payment shall be informed that membership is to be extended.
6. The fee for membership organisations is €20 (in words: twenty euros)

Met opmerkingen [Hv8]: From now on 1 higher

Met opmerkingen [Hv9]: Everything +€2,50

Met opmerkingen [10]: new

Article 10 Financial tasks of the Board

1. Before the close of the financial year, a new budget is presented and put to vote at a GA.
2. As soon as possible, but no later than two months after the close of the financial year that has already ended, a financial report shall be presented to the General Assembly and put to the vote.
3. The time of testing the equity is the end of the financial year.

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4. The equity should be equal to one third of the structural subsidies received by the association.
5. If equity is not at the target level, it should be replenished by budgeting money in favour of equity until the equity has reached the target level again.
6. If the equity exceeds the target level, the board may choose to subtract money from the equity. This must be stated in the budget.

Article 11 Financial responsibility of the Board

Board members are jointly and severally liable in case of bankruptcy if the board has manifestly not fulfilled its duties and it is likely that this is a major cause of the bankruptcy.

Title IV: General assembly

Article 12 General meeting of shareholders

The association has its own GA regulations. In the GA regulations all procedures and further agreements concerning the GA are laid down.

Title V: Administration

Article 13 General Management

1. The board forms the daily management of the association and represents the association.
2. The term of office runs concurrently with the association year.
3. The board shall divide its tasks among itself insofar as these have not been given by the GA. The board shall present its portfolio allocation to the GA at the same time as the policy plan, and shall inform the GA when changes occur. The board may change its own allocation of tasks at any time for good reason.
4. The board should ensure that proper records are kept and that there is adequate retention of information to prevent loss.
5. As soon as possible, but in any case within 4 months of its appointment, the board shall submit a policy plan and a budget to the GA for approval.
6. The board shall make further agreements on working and meeting arrangements among itself. These are laid down in the board regulations.
7. The outgoing board shall ensure that each new board member is trained for their new position.

Article 14 Temporary replacement of management tasks

1. Board duties will be assumed on a temporary basis:

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- a. when a board member is temporarily absent, for example due to holidays or illness;
 - b. in case of a conflict of interest of a board member. A conflict of interest exists if a board member has a direct or indirect personal interest in a decision that conflicts with the interest of the association.
2. In principle, the temporary assumption of an individual management task is distributed within the board.
3. If the management tasks of the full board must be temporarily taken over, the GA shall decide on the steps to be taken, with due observance of the statutes. The Policy Council, can support the GA in this.
4. In case of decision-making in which a board member has a conflict of interest, the board member only has the right to speak and no right to vote.

Article 15 Application procedure

1. Any ordinary member of the association may apply to the selection committee for a seat on the board.
2. The search committee is responsible for the recruitment of candidates.
3. The selection committee is in charge of forming a candidate board.
4. The selection committee shall, subject to these rules and the statutes, determine its own mode of operation.
5. The search committee and selection committee shall treat the information from and about the applicants and their number as confidential.
6. As an exception to section 5, the selection committee may organise a team day.

Article 16 Appointment of the Board

1. The selection committee makes a non-binding nomination for a new board. The GA then takes the decision to appoint or reject the entire board.
2. During the GA, the selection committee will explain the nomination made and the process that preceded it. Afterwards, there is the opportunity to ask questions about the nomination to the selection committee and the candidate board.
3. If the nomination is rejected, the selection committee shall give members the opportunity to make their objections known to the committee in writing or orally.
4. If the nomination of the candidate board is rejected, a new application procedure will be started and a new nomination must take place.

Article 17 Resignation of the board

1. The entire board shall resign at the end of the association year.

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2. The board shall present a half-yearly report and a half-yearly realisation to the GA after the change of board. After approval of the half-year report and the half-year realisation, the board can be discharged.
3. If discharge is not granted, the full board shall remain in office after the end of the association year in order to complete only the tasks as assigned by the GA, after which the GA may still grant discharge.
The granting or denial of discharge shall not affect the commencement of a new association year..

Article 17 Premature resignation of board members

1. A board member may resign at any time.
2. If a board member resigns prematurely, an GA shall be held within two months to fill the vacancy, unless the board decides to wait with the filling until the change of board.
3. During the existence of one or more vacancies, the board shall remain a competent body.

Article 19 Financial compensation for members of the board

1. If a board member is not eligible for a (full) board scholarship, this board member is entitled to a financial contribution from the association.
2. The financial allowance is compensation for voluntary work.
3. The financial compensation must be determined in the budget and depends on whether a board member is a part-time or full-time board member. The financial compensation is never higher than a board scholarship of an educational institution for the same time investment.
4. In the event that a board member does not serve out the term, the compensation is calculated on a pro rata basis for the number of months the board member has been in office.

Title VI: Supporting bodies

Article 20 Supporting bodies general

1. The association has supporting bodies and (special) committees that are characterised as supporting bodies.
2. The members of a supporting body shall be appointed by the GA upon nomination by the board.
3. The supporting body shall, together with the board, ensure good communication and information exchange.

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4. The supporting body, together with the treasurer, is responsible for the body's budget.
5. The board shall inform the GA about changes in the composition and/or structure of the supporting body.

Article 21 Policy Council

1. The association has a Policy Council, hereinafter referred to as the PC.
2. The duty of the PC is to give solicited and unsolicited advice to the Board, the GA, committees and other bodies of the association. In addition, the council strives to safeguard the continuity and the long-term vision of the association.
3. In the case of a formal request for advice, the Policy Council should be informed in a timely manner and in writing. From the dispatch of the request for advice, the Policy Council should respond substantively as soon as possible, and at most within 3 working weeks. Depending on the needs of the Board and the capacity of the members of the Policy Council, ad hoc oral or written consultation may take place.
4. The PC meets with the board at least twice every year.
5. The PC consists of at least two and no more than five members. Persons who have been members of the board less than six months ago may not sit on the PC.
6. The full PC is appointed once a year by the General Assembly.
7. The Policy Council is appointed once a year in its completeness by the ALV. In doing so, the ALV seeks to reappoint at least one member of the Policy Council.
8. A member of the PC may not hold this position for longer than four calendar years.

Met opmerkingen [11]: was supervisory board

Met opmerkingen [12]: Verplaatst zodat dit valt onder "streven tot" en niet taak

Met opmerkingen [13]: new

Met opmerkingen [14]: weg: The presence of at least one member of the PC at the GA is mandatory.

Met opmerkingen [15]: was: once every quarter

Met opmerkingen [16]: was:3

Met opmerkingen [17]: was:1 jaar

Met opmerkingen [18]: new

Article 22 Advisory Council

1. The association has an Advisory Council, hereinafter referred to as the AC.
2. The task of the AC is to support the board in both their individual growth and the group process.
3. The AC has the right to address the AC and, if its members deem it necessary, to issue an opinion on matters relating to the functioning of the board.
4. The AC shall organise a meeting of the management at least three times a year. The content and duration of these meetings are at the discretion of the board and the AC together.
5. On the initiative of a board member or a member of the AC, a joint meeting may be organised at any time.

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6. The AC has six members. If the number of members drops below this level, the board, together with the AC, will ensure that the vacancy(s) are filled as soon as possible.
7. Members of the AC may not be members of the board or the PC.
8. Members of the AC are appointed for a period of one year and are immediately eligible for re-election after this period.
9. No member of the AC may hold this office for more than four years.

Article 23 Financial audit committee

1. The association has a financial audit committee, hereinafter referred to as the FAC.
2. The task of the FAC is to advise the board, the GA and other bodies of the association on financial matters in the broadest sense of the word.
3. The FAC checks the accounts for accuracy and reasonableness at least once every ten weeks.
4. The FAC checks financial documents that are presented to the GA for accuracy and provides an opinion on them.
5. After the half-yearly realisation, the FAC advises the GA on granting the board discharge based on the treasurer's financial reporting.
6. The board must give its full cooperation to the FAC in the performance of its duties.
7. The committee has at least two and no more than four members. If the number of members falls below this minimum, the FAC and the board must jointly make a nomination to fill the vacancy(s) as soon as possible.
8. Persons who have been members of the board less than one year ago may not sit on the FAC.
9. There must always be at least one FAC member who has held the position for at least three months.
10. It is not permitted for a member of the FAC to hold this position for longer than four calendar years.

Article 24 Confidential adviser

1. The association has a confidential adviser.
2. The duty of the confidential adviser is to support the creation of a safe atmosphere within the association. This implies that:
 - a. the confidential adviser is a contact point for active members of the association with regard to confidential matters;

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- b. the confidential adviser in the execution of the task described in section 2a mainly has a referral function.
3. The role of confidential adviser can only be held by a person who has never been active in the association before. This role is incompatible with other roles within the association.
4. The confidential adviser is appointed by the GA.
5. The confidential adviser has a strict duty of confidentiality.

Article 25 Complaints Committee

1. The association has a complaints committee.
2. The task of the complaints committee is to advise the board on complaints concerning undesirable behaviour.
3. The complaints committee consists of the confidential adviser, an external member and the vice chair of the association. The external member is appointed by the GA.
4. The external member and the confidant shall have the right to exclude the vice chair from handling individual complaints.
5. If the handling of a complaint is not completed before the resignation of a vice-chair, the resigning vice-chair retains their seat on the complaints committee during the handling of this individual complaint.
6. The role of external member of the complaints committee can only be held by a person who has never previously worked for the association. This role is incompatible with other roles within the association.
7. The complaints committee has a strict duty of confidentiality. It may not be broken under any circumstances.
8. The opinions of the complaints committee are strictly confidential and may not be shared with third parties under any circumstances.

Article 26 Selection committee

1. The association has an selection committee, hereinafter referred to as the SeCo.
2. The SeCo's task is to make the best possible nomination of a candidate board to the GA. This nomination is non-binding.
3. The SeCo should always receive a motivation and a CV from an applicant. The SeCo invites applicants for one or more interviews or other activities to assess the applicant.
4. The Board must make a nomination for the establishment of SeCo at the last GA of the policy year.

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5. The SeCo has a duty of confidentiality. It only reports to the GA on the content of the application of nominated candidates.
6. If the nomination is rejected, the GA may decide that the SeCo must come up with a new nomination within a specified period.
7. The SoCo consists of a minimum of five and a maximum of seven people.
8. The members of the SeCo shall include at least:
 - a. two members of the current board of the association;
 - b. two members who have never held a position with the association before.
9. Members of the SeCo may not themselves apply for the new board.
10. The SeCo should present an evaluation of the application process to the GA after the change of board. After this, the SeCo is discharged.

Article 27 Search committee

1. The association has a search committee, hereinafter referred to as the SearchCo.
2. The task of the SearchCo is to motivate people to apply for a management position in the association.
3. The board must make a nomination for the establishment of the SearchCo no later than at the last GA of the policy year. In principle, the appointment is for the duration of one year.
4. The SearchCo consists of a minimum of six and a maximum of ten people.
5. The members of the SearchCo include at least:
 - a. two members of the current board of the association;
 - b. two members who have never held a position with the association before.
6. The SearchCo should present an evaluation of the search process to the GA during the nomination of the candidate board.
7. The SearchCo will be discharged at the GA after the change of board.

Title VII: Other provisions

Article 28 Inventory

1. The association has an inventory that should be handled with care.
2. The inventory should be used primarily for purposes related to the association's activities.
3. Parts of the inventory may not be used in violation of the articles and/or regulations of the association, and/or in violation of (the activities of) the association.

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Title VIII: Social Safety Policy

Met opmerkingen [19]: was: code of conduct

Article 29 General Social Safety Policy

1. The association has a code of conduct. Article 3 section 2 applies to this.
2. By way of exception, the board may draw up additional rules for activities and meetings. The board must announce these in advance, within a reasonable period of time.
3. If an activity or meeting takes place at a third-party location, the house rules and rules of conduct of that location automatically (also) apply.
4. The board shall monitor compliance with the Code of Conduct.
5. In the event of non-compliance with the code of conduct, the board may impose sanctions. sanctions are recorded in writing by the board.
6. In principle, the association recognises the following sanctions, increasing in severity:
 - a. one-off removal of an activity or meeting;
 - b. a formal warning;
 - c. a temporary suspension, as described in Article 6 of the statutes;
 - d. definitive expulsion from membership, as described in Article 5 section 4d of the statutes.

Article 30 Violence, harassment and other unwelcome conduct

1. There is a zero tolerance policy on violence, intimidation and other unwelcome behaviour.
2. If necessary, the board may proceed with the immediate removal of a member from an activity or meeting. This may be followed by further sanctions.
3. Before any further sanction is imposed, all parties involved will be heard and, if necessary, assisted. The Complaints Committee can support the board in this.

Met opmerkingen [20]: was: sb

Title IX: Final provisions

Article 31 Final provisions

1. An absolute majority of the votes cast at the GA is required to amend these regulations.
2. In principle, an amendment of these bylaws shall take effect from the date as determined by the GA. If the GA does not set a date, an amendment shall take effect immediately after it has been decided.
3. Amendments to these regulations shall be kept in a version register.
4. The board shall ensure that members have access to the latest version of these bylaws at all times.

Met opmerkingen [Hv21]: Was: decoration register

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5. If one or more provisions of these regulations prove to be null and void, the remaining provisions shall not be affected.