



STATUTES – English version

CHAPTER I – GENERAL RULES

Article 1 – Name

The international non-profit association (IVZW) is called '**Europese Federatie van Beeldende Therapie**', in English '**European Federation of Art Therapy**', abbreviated '**EFAT**' in all languages (hereafter the 'association'). The association is governed by the provisions of the Belgian law of 27 June 1921 concerning non-profit associations, foundations and European political parties and foundations.

Article 2 – Domicile

The registered office of the association is established at
B-1560 Hoeilaart,
Tenboslaan 70,
in the judicial district Brussels.

The registered office may be transferred to any other location within Belgium, by decision of the Board, adopted by simple majority and published in the annexes of the Belgian State Gazette.

Article 3 – Purpose, Social objective and Means

A - Declaration of Purpose

The association aims to unite Art Therapists using the visual and plastic arts and professional Art Therapy associations from geographical and political Europe (see Rules of Internal Order (RIO) for definition) to promote further development of professional practice and the recognition of the profession. Art therapy using the visual and plastic arts will be hereafter referred to as Art Therapy (AT).

B - Social objective

The objectives of the association are:

1. to promote the professional identity for Art Therapy (AT) within Europe whilst respecting cultural, social and economic diversity, as well as different approaches;
2. to provide further research and collaborative opportunities in AT and related fields;
3. to work towards European wide recognition and parity / fair remuneration of AT as a profession;
4. to seek representation of the AT profession with the authorities of the European Union and any other authority and/ or organisation that deals directly or indirectly with issues related to AT;
5. to offer opportunities for networking and dialogue for developing national associations, trainings and practitioner roles;
6. to investigate and promote the potential exchange of practitioners, teaching staff and students within Europe;
7. to promote quality assurance, ethical conduct and clinical governance;
8. to support any other activity that may favour the accomplishment of the objectives mentioned above.



C - Means

For the realisation of the aforementioned objectives the association may:

1. organize meetings, conferences and trainings;
2. create working groups and committees;
3. collect and exchange information and research;
4. create digital exchange platforms;
5. offer consultation and support;
6. lobby/dialogue with public authorities;
7. and may plan any other activity deemed necessary for the realization of this purpose.

Article 4 - Duration

The association is being founded for an undetermined period of time.

CHAPTER II – MEMBERS OF THE ASSOCIATION

The association is open to any physical person or legal entity that supports the objectives of the association that are mentioned in article 3.

Article 5 – Membership categories The association consists of the following main member categories

A - Full members

There are three subcategories of *full members*: individuals, organisations and pioneers.

B - Associate members

There are three subcategories of *associate members*: students, affiliate and honorary.

A - Full members

A 1 - Full individual members are Art Therapists from geographical and political Europe fulfilling requirements for full individual membership as defined in the RIO.

A 2 - Full organisational members are the national professional Art Therapy associations from geographical and political Europe fulfilling requirements for full membership as defined in the RIO.

If there are several Art Therapy associations in one country all of them can be members of the association.

National associations which include a range of arts therapy modalities (e.g. Drama Therapy, Dance Movement Therapy, Music Therapy) can only represent that part of their membership who identify themselves as being Art Therapists using visual and plastic arts.

A 3 - Pioneer members are Art Therapists fulfilling requirements for pioneer membership as defined in the RIO.

B - Associate members

B 1 - Student members are individuals who are still undergoing training to become Art Therapists.

B 2 - Affiliate members are individuals and organizations (such as Art Therapy research institutes) that are interested in the aims and activities of the association.

Affiliate membership can also be granted to those individuals and organizations who as of yet do not meet the criteria of *Full Individual or Organizational membership*.

B 3 - Honorary membership may be conferred to individuals who have significantly contributed to the association and/or the profession of Art Therapy in general.



Article 6 - Admission of members

6.1 **Full membership (individual, organisational and pioneer) and student membership** applications will be examined by a committee created for this purpose: *the Application Review Committee (ARC)*. The ARC recommends membership status to the Board for formal approval.

Honorary membership is conferred according to the rules and procedures defined in the RIO.

Affiliate membership is granted on simple demand.

6.2 All members commit to abiding by the present statutes, as well as the RIO and the Code of Ethics with which they have acquainted themselves beforehand.

6.3. Membership takes effect upon payment of annual membership dues.

Article 7 – Voting rights and representation

7.1 All **full members** can vote in the General Assembly and be elected on the Board.

7.1.1 Each **full individual** and **pioneer member** has one vote.

Full individual and *pioneer members* may vote by proxy (see Article "Voting modalities" 13.3 and specific rules in the RIO).

7.1.2 Each **full organisational member** (association) must appoint a physical person as its representative and a deputy.

Each *full organisational member* has one vote.

Full organisational members exercise their voting rights according to the rules in the RIO.

7.1.3 The representative of a **full organisational member** can be at the same time a **full individual member**.

7.2 **Student members** have limited voting rights. They can be formally requested to vote on Art Therapy training and its content. They cannot be elected on the Board.

7.3 **Affiliate** and **honorary members** cannot vote in the General Assembly or be elected on the Board.

7.4 Ponderation of votes is defined in the RIO.

Article 8 – Withdrawal, suspension and exclusion of Members

8.1 Withdrawal - Each member who wishes to withdraw from the association must inform the Board in writing.

8.2 Suspension - Membership is suspended in the event of nonpayment of the yearly membership fees which are due within the first three months of the year. The member is readmitted upon settlement of the outstanding payment.

8.3 Exclusion - Any member may be excluded by proposal of the Board and if adopted by $\frac{2}{3}$ of the General Assembly by secret ballot when one:

- no longer fulfils the general conditions of membership;
- commits an act that is liable to cause damage to the interests of the association;
- does not comply with the RIO or any other acts adopted by the association.

Prior to taking an eventual decision for exclusion, the concerned member will beforehand be invited to submit a written explanation to the Board.



CHAPTER III – THE BRANCHES OF THE FEDERATION

Article 9 – The Branches

The branches of the federation are:

A - *The General Assembly (GA)*

B - *The Administrative Board*, hereinafter in short the 'Board'.

A – The General Assembly

Article 10 – Composition

The General Assembly consists of two Chambers:

- the *Chamber of Full Individual Members and Pioneers* (referred to hereinafter as '*Chamber of Individuals*') and
- the *Chamber of Full Organisational Members* (referred to hereinafter as '*Chamber of Associations*'), represented by their delegates.

Article 11 - Mode of convocation

11.1 The Ordinary General Assembly is called together by the Board at least once a year. The Board decides on its location, date and time.

11.2 The Ordinary General Assembly must be called together by email (or letter by request) stating the agenda of the meeting. The invitation is to be received a minimum of 30 days before the date of the meeting, on pain of nullity.

11.3 An Extraordinary General Assembly can be called together at any time by the Board or by a minimum of $\frac{1}{3}$ of the Full Members of the association. All other requirements and rules of the General Assembly also apply to the Extraordinary General Assembly.

11.4 The General Assembly can be attended by members in person, by telephone ("conference call") or by video conference. Each member unable to attend in person, can be represented by a proxy holder by means of a proxy.

Article 12 – Authorities

The General Assembly possesses full authority, allowing the realisation of the objectives listed in Article 3.

The following decisions are reserved for the General Assembly:

1. exclusion of members;
2. election and dismissal of members of the Board;
3. approval of the full statement of accounts, justification of every previous fiscal year and approval of the budget plan for every forthcoming fiscal year;
4. the yearly discharge given to the members of the Board and to the statutory auditor(s), if any, of the financial report;
5. setting the membership fees and other fees;
6. adoption and modification of the RIO;
7. modification of the statutes;
8. modification of the Code of Ethics;
9. dissolution of the association and allocation of its assets after payment of the debts.

Article 13 – Voting modalities

13.1 The decisions relating to the modification of the statutes and the RIO must be made by a $\frac{2}{3}$ majority of the expressed votes. Decisions relating to all other matters are made by simple majority of the expressed votes. In the event of an even count the decision will be deemed not to have been taken and the status quo is maintained.



13.2 Voting procedures:

- Elections and ballots are held and counted separately in the Chamber of Associations and the Chamber of Individuals.
- The results will be calculated according to the rules for ponderation put down in the RIO.
- Votes are public for ordinary matters or as agreed by the General Assembly,
- Votes are secret for elections.

13.3 All full members can participate in elections and/ or voting. The voting method can include: online voting, telephone voting or any other means as determined by the Board. If a voting member is unable to vote by these methods, he/she can give a voting right authority to another member (for procedures see RIO).

Article 14 – Writing of the Minutes

14.1 Minutes must be written for each General Assembly and made available to all members by email (or letter by request).

14.2 The minutes must contain the following information:

- Place, date and time of the beginning and end of the General Assembly
- Number of persons present
- Agenda items
- Procedure, content and result of votes, i.e. number of votes for, against, and abstentions

14.3 The minutes must be signed by the President and the minute taker.

B – The Administrative Board

Article 15 – Composition

15.1 The Administrative Board is composed of a minimum of four people: President, Vice-President, Secretary-General and Treasurer.

Other roles and functions may be defined as needed.

15.2 The members of the Board are elected by the General Assembly from the members of the association, at least one member being elected from each Chamber.

15.3 At the time of election onto the Board the Board members lose their voting rights as individual or organisational members in the General Assembly. A delegate of a full organisational member who is elected on the Board will be replaced in the GA by his/her designated substitute to assure representation of the organisational member.

15.4 Board members are elected for a period of two years. They are eligible for re-election.

15.5 If an active member is suspended or excluded by the General Assembly in application of these statutes, he/ she is automatically excluded or suspended as a member of the Board, under the same conditions.

15.6 The resignation of a Board member requires written notification to the President with a period of notice of at least three months.

15.7 In case of the revocation, resignation or death of a member of the Board, the Board may co-opt a temporary substitute. A re-election will take place at the next General Assembly. The modalities for the revocation or exclusion of Board members are specified in the RIO.

Article 16 - Mode of convocation

16.1 The Board meets, physically, by telephone ("conference call") or by video conference, at least three times per year or by special convocation by the President or at least two Board members. The convocation will be transmitted by email beforehand.

16.2 The convocation, together with the meeting agenda, will be addressed by the President at least 14 days before the meeting.



Article 17 – Authorities

17.1 The Board has all decisive, managerial and administrative authority, with the exception of any acts reserved to the General Assembly by these Statutes or the Law.

17.2 The Board has the authority to engage the association towards third parties and in judicial matters /legal actions.

Without prejudice to the general power of representation of the Administrative Board as a board, the association is validly represented in justice and towards third parties, including any public officer (such as the mortgage officer) by two Board members, acting jointly.

They will not be required to provide any evidence of a prior resolution of the Administrative Board.

17.3 Members of the Board shall not be personally held liable for any obligation of the association. Their liability is confined by the scope of their mandate. Members of the Board shall not draw any personal profit from their mandate. Their mandate shall be unpaid. Their expenses shall be reimbursed by the association.

17.4 It is the responsibility of the Board to provide an activities report for the General Assembly on at least an annual basis.

Article 18 – Voting modalities

18.1 Board meetings are validly constituted if two thirds ($\frac{2}{3}$) of the Board members are present or represented, physically, by telephone ("conference call") or by video conference. In cases where this quorum has not been reached, the Board can be called together a second time, in which case it will be constituted validly if half of the administrators are present or represented, physically, by telephone ("conference call") or by video conference.

Each administrator is allowed, by means of a document carrying his signature, including the digital signature as defined in article 1322 of the Civil code, transmitted by letter, electronic mail or by any other means of communication provided for in article 2281 of the same Code, to give a proxy to another administrator to represent him at a given Administrative Board meeting and to vote in his name.

While complying with the rules of deliberation and collegiality, an administrator may represent one or more of his colleagues and he can, besides his own vote, emit as many votes as he received proxies.

18.2 Each Board member has one vote for Board decisions.

18.3 The decisions of the Board are made by a simple majority of the votes issued.

Article 19 – Board Minute Writing

19.1 The decisions are written into the minutes by the Secretary-General and signed by the President and one other Board member after validation by the entire Board.

19.2 The Secretary-General is responsible for keeping an archive of the minutes. The minutes must be available to all members of the association.



CHAPTER IV – ACCOUNTING AND BUDGETING

Article 20 – Fiscal Year

The fiscal year shall begin on January 1st and end on December 31st of each calendar year.

Article 21 – Membership fees

Each member pays an annual membership fee, the amount of which is determined by the General Assembly upon proposal of the Board and recorded in the RIO.

Article 22 – Funding

22.1 The funds of the association can originate from various sources including:

- membership fees,
- donations,
- subsidies,
- sponsorship,
- acquisitions and gifts according to the law.

22.2 Acquisitions will only be accepted with the prerequisite of an inventory.

Article 23 – Financial accountability

23.1 The treasurer prepares the financial report of the previous fiscal year, in accordance with the legal provisions regulating this matter. The treasurer also draws up the budget for the forthcoming year.

23.2 The General Assembly appoints an auditing committee for an auditing of the accounts. Board members cannot be members of this committee. In extraordinary circumstances, it could require an external expert to act for them at the expense of the association.

23.3 Approval of the financial report by the General Assembly leads up to the discharge of the Board members.

23.4 If the approval of the financial report by the General Assembly is withheld, the Board has the responsibility to take the necessary measures deemed to be in the best interest of the association.

CHAPTER V – FINAL DISPOSITIONS

Article 24 – Dissolution

The Association can be dissolved at any time by a decision of the General Assembly. The allocation of the possible net assets of the association shall be determined by the General Assembly. This asset will have to be allocated for a disinterested purpose as close as possible to the purpose of the Association.

Article 25 – Supplementary dispositions

All points that are not included in the present Statutes or the RIO will be regulated in accordance with the dispositions of the Belgian law.



TRANSITIONAL PROVISIONS

1. Closing of the first financial year

The first financial year shall commence on the day on which the association acquires legal personality and will close on 31 December 2019.

2. The first annual meeting

The first annual meeting will be held in 2020.

3. Board - Executive Committee – Control

3.1 The number of administrators was initially set at six (6).

Have been appointed as **administrators**, for a term that will end immediately after the annual meeting of 2020:

1. Ms Maria d'ELIA (née POSCHENRIEDER)
2. Mr Dominik Jamie HAVSTEEN-FRANKLIN
3. Ms Irina KATZ-MAZILU
4. Ms Natacha PIROTTE
5. Ms Taniis VERBIST
6. Ms Nada IVANOVIC

Their mission is not remunerated.

3.2 Ms Maria d'ELIA (née POSCHENRIEDER) has been appointed **President** of the Administrative Board.

Mr Dominik Jamie HAVSTEEN-FRANKLIN has been appointed **Vice-President** of the Administrative Board.

Ms Natacha PIROTTE has been appointed **Secretary-General** of the Administrative Board

Ms Taniis VERBIST has been appointed **Treasurer** of the Administrative Board.

Their duties shall not be remunerated.

COPY CERTIFIED AS CORRECT

Vincent Vroninks, associate notary.

Simultaneous deposit:

- expedition of the deed of incorporation with appendices: - 35 proxies;
- issue of the Royal Decree of 15/07/2018, with regard to the acquisition of the legal personality.

In case of doubt, the original Dutch version of the present Statutes, as deposited by notarial deed and published in the Belgian State Gazette and available on EFAT's website, is legally binding.