

FECTU

FEDERATION Europeenne du Cheval de Trait pour la promotion de son Utilisation [A charitable organisation]

On 1st November 2003, the following associations agreed to found a charitable organisation bound by the constitution defined below:

Interessengemeinschaft Zugferde e.V., an association subject to German legislation, [registered office at Hennef-Uckerath, Altenkirchener Strasse 3, Germany] represented by Dr. Reinhard Scharnhözl and Mr. Friedrich Burgath.

Skogshasten,Föreningen för Körning med Häst, an association subject to Swedish legislation, [registered office at Kulturens Ostarp, S-270 35 Sverige, Sweden] represented by Ms. Jenny Göransson via a proxy vote allocated to Dr. Scharnhözl.

Traits de Génie, an association subject to the French legislation of 1st July 1901 [registered office at Amiens Cedex 3, 19bis rue Alexander Dumas, France] represented by Mr. Jean-Philippe Andrieu.

Hippotese, an association subject to the French legislation of 1st July 1901 [registered office at Levier, 2 place de l'église, Villers sous Chalamont France] represented by Mr. Michel Schnoebelen.

Comité Européen des Chevaux de Débardage a.s.b.l., an association subject to the Belgian legislation of 27 June 1921 [registered office at Libramont, 50 rue des Aubépines, Belgium] represented by Mr. Jean-Claude Louis.

Jut en Aer vzw, an association subject to the Belgian legislation of 27 June 1921 [registered office at Berkendreef 33, Wuustwezel, Belgium] represented by Mr. Willy Mertens.

International Draft Animal Consultants a.s.b.l. an association subject to the Belgian legislation of 27 June 1921 [registered office at Diepensteyn, 1 B-1840 Steenhuffel, Belgium] represented by Mr. Charlie Pinney.

The CONSTITUTION

Article 1 Name and legal status.

1.1 The charitable association shall be known as: FECTU [Fédération Européenne du Cheval de Trait pour la promotion de son Utilisation].

1.2 FECTU, hereafter referred to as “The Association”, is a charitable organisation, subject to the Luxembourg Law of 21 April 1928 and its subsequent amendments, concerning the establishment and operation of charities.

Article 2 Registered office.

2.1 The registered office of FECTU is located in The Grand Duchy of Luxembourg at an address designated by the Annual General Meeting.. The office is registered with the appropriate official bodies.

Article 3 Duration.

3.1 There is no time limit on the life span of FECTU.

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Article 4 Aims of the Association.

The Association aims to encourage cooperation between those European organisations involved in the promotion and advancement of the working heavy horse [and other draught animals], to collectively represent those organisations and to promote and look after their common interests without compromising the autonomy or special interests of any member organisations. The Association will thus participate in the preservation of the common European draught animal heritage, and in the promotion of both working and leisure use of those animals, paying particular attention to sound working practices with regard to the animals and the humans involved, and the environment.

The Association supports any initiatives undertaken by member societies which seek to encourage and make better use of draught animals and which ensure high standards of welfare for those animals.

Article 5. Membership.

5.1 The Association must have at least 3 members.

5.2 Only associations, societies or clubs are eligible for membership of FECTU.

5.3 Membership is restricted to properly constituted organisations whose rules and regulations are recognised in their country of origin. The administrative council will accept only written requests for membership, which should be addressed to the President of FECTU, and which must also include a copy of the constitution [in the relevant language, plus a translation into German, English or French] and a list of the committee members of the organisation seeking membership.

5.4 The joining fee is fixed by the Annual General Meeting and can not exceed 1,000 Euros.

5.5 Membership of FECTU shall be rescinded under the following circumstances :

* Upon the receipt of a written request to resign addressed to the Committee.

* The non-payment of membership fees. Failure to pay the fee 3 months after having received a recorded delivery request for payment will be interpreted as resignation .

* Expulsion for conduct prejudicial to the aims of FECTU. Prejudicial conduct is defined as any activity or stance taken in conflict with the constitution or which reflects ill upon the Association. Expulsion cases shall be placed before the Annual General Meeting by the Committee. Before expulsion, the party concerned will be invited to explain its behaviour to the Committee and the A.G.M.. An expulsion decision shall be fully explained in a recorded delivery letter to the party concerned. The party may appeal for a review of the expulsion order 3 months after the receipt of this letter, in which case the Annual General Meeting will make a binding decision with a 2/3 majority.

5.6 Loss of membership shall automatically include the loss of any rights over any and all funds and assets of FECTU.

Article 6. Governing bodies.

The governing bodies of FECTU shall be the Administrative Council [Committee] and the General Assembly [Annual General Meeting] of the membership.

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Article 7. The Annual General Meeting.

7.1 The AGM shall be composed of all members of FECTU, each represented by one delegate, and shall meet once a year before 31 March. Notice of the date of the meeting and its agenda as set out by the Committee shall be sent to members at least one month before the meeting. 3 days before the meeting, the President must be informed by each member association as to who will represent and vote on behalf of that association at the meeting.

7.2 The AGM shall be chaired by the president or his representative.

7.3 An Extraordinary AGM may be called by the Committee or by a request from one fifth of the membership. Such a request must demonstrate the need for an Extraordinary AGM, which will be organised in a similar fashion to the normal AGM.

Article 8. The powers of the AGM.

The AGM shall have the following powers:

- * To elect the Committee
- * To approve and adopt the accounts presented by the Committee
- * To approve the budget for the following year
- * To appoint auditors
- * To set membership fees
- * To modify the terms of the Constitution
- * To relocate the registered office of the Association
- * To ratify the expulsion of members
- * To disband FECTU

Article 9. Voting at the AGM.

9.1 Each paid up member shall have one vote at the AGM

9.2 Decisions shall be by simple majority

9.3 The AGM can only change elements of the constitution if the suggested changes appear on the agenda and if at least 2/3 of its members are present in person or by proxy. No changes can be made without a 2/3 majority. If 2/3 of the members are not present in person or by proxy, a second AGM may change the constitution as per Article 8 of the Luxembourg Law of 28 April 1928.

9.4 Elections and voting shall be by secret ballot unless the AGM shall decide otherwise.

9.5 No member may represent more than one other member by proxy vote.

9.6 Resolutions made by the AGM shall be a matter of written record signed by the President and one other Committee member.

Article 10. Signatories.

The President and at least one other Committee member must be joint signatories on behalf of the Association.

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Article 11. The Committee.

11.1 The Committee shall consist of between 3 and 15 members : the President, the Vice President, the Treasurer, and other members. Committee members must be members of a member association or organisation. The precise number of Committee members shall be decided by the A.G.M. for the subsequent elections.

11.2 Committee members shall be elected by the Annual General Meeting to serve for 3 years. The initial Committee shall consist of 7 members serving for 3 years.

11.3 Any serving Committee member shall be eligible for re-election.

11.4 The Committee shall choose the President, Vice President and Treasurer from amongst its members and may appoint a secretary.

11.5 The Committee shall be convened by the President by written invitation including the agenda at least 3 weeks before the date of the meeting each time the activities or business of FECTU necessitate such a meeting, or if a majority of Committee members request a meeting, and in any case the Committee shall meet at least once a year.

11.6 The Committee may only take decisions when at least half of its members are present either in person or have issued a signed proxy voting mandate. No Committee member may act by proxy for more than one other member. Decisions are to be reached by a majority vote; in the absence of a majority, the President has a casting vote.

Article 12. The President.

The President shall carry out the decisions of the Committee and ensure the smooth running of the Association, which he shall represent in law and in civil activities. He shall be the official spokesman for the Association, but may delegate these powers to a Committee member.

Article 13. Duties and powers of the Committee.

13.1 The Committee shall organise the business of FECTU in accordance with the provisions of Article 4 of the constitution.

13.2 The Committee has the following specific powers and duties :

- * To organise the Annual General Meeting and to summon the membership
- * To carry out the resolutions of the AGM
- * To develop policy and pursue projects
- * To make decisions on new membership applications
- * To prepare a budget for future activities
- * To prepare annual accounts
- * To represent FECTU

13.3 Committee decisions and elections to the Committee shall be recorded in writing. Minutes of the Committee shall be ratified at the following meeting.

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Article 14. Finance.

14.1 The funds of the Association shall consist of annual membership subscriptions, joining fees should such fees be deemed necessary, subsidies received, gifts and donations and any other funding permitted in law.

14.2 The annual subscription fee shall be set by the A.G.M. and can not exceed 1,000 Euros.

Article 15. The financial year.

15.1 The Association's financial year shall correspond to the calendar year.

15.2 The initial financial year shall commence on 01.11.2003 and end on 31.12.04

Article 16. Disbanding and winding up the Association.

16.1 The AGM can not disband the Association unless 2/3 of the membership are present or have registered a proxy vote. If this condition does not prevail, a second AGM must be called which may decide the issue but only if a 2/3 majority of those present or having proxy votes, prevails.

16.2 Any residual funding shall be granted to any association whose objectives correspond to those of FECTU.

Munshausen [Luxembourg] 1 November 2003.

Signed and approved by the nominated representatives of :

I G Z e.V
S F K H
Traits de Genie
Hippotese
C E C D asbl
J A vzw
IDAC asbl

Extraordinary Annual General Meeting

1 November 2003

The constitution of the Association having been approved by those present, the founding members of the Association thus duly constituted held the initial A.G.M. and unanimously passed the following resolutions:

1. Members elected to serve on the Committee:

Willy Mertens [J.A. vzw]

Luc Delas [Traits de Genie]

Marc Mousny [C.E.C.D. asbl]

Jenny Göransson [S.F.K.H.]

Jean-Louis Cannelle [Hippotese]

Pit Schlechter [I.D.A.C. asbl]

Reinhard Scharnhölz [IGZ e.V.]

2. The registered office of the Association is L- 7475 Schoos, 9 rue principale GDL.

3. The joining fee is set at 150 Euros.

Signed at Munshausen, 1 November 2003

Pit Schlechter, President.

Willy Mertens, Committee member.

