



STATUTES 2019

Article 1: Title, Location

1. The Federation is called "Europäischer Nierenpatientenverband". The English name is "European ESKD Patients' Federation", Known as "EKPF".
2. The legal seat of the Federation is in Vienna (Austria). EKPF operates throughout Europe only.

Article 2: Aims

1. EKPF is non-profit making and aims, at European level to:

- A. Raise End Stage Kidney Disease (ESKD) on the European public health agenda
- B. Promote the prevention of ESKD diseases.
- C. Establish an early detection and a European quality standard in the treatment of patients with CKD.
- D. Improve the well-being, treatment, social security and living conditions of all ESRD-patients and their relatives and carers.
- E. Increase Co-operation and information exchange with organisations and institutions involved in renal diseases.
- F. Increase Organ donation and transplantation.

2. The aims shall be achieved by:

- A. Promoting a general chronic and acute kidney disease policy to protect the interests of ESKD patients and their carers.
- B. Monitoring EU developments in the field of chronic kidney disease.
- C. Making legislative proposals and influencing decisions which will give effect to its aims.
- D. Offering an ESKD patient's view on an International level.
- E. Offering a European view on National kidney matters.
- F. Developing a network with all organisations and bodies involved in ESRD policies and providing a means by which we will collect and disseminate information and education for all kidney patients and CARERS.
- G. Promoting, developing and supporting quality management in Renal Replacement Therapy (RRT) and standards for RRT in medical and non-medical matters.
- H. Promoting, the rights and strengthening the position of ESKD patients and their carers to participate in all decisions that concern them.
- I. Promoting medical, educational and social rehabilitation and integration of all ESKD patients and their carers.
- J. Supporting and representing the aims of the member organisations on National and European level when deemed appropriate.
- K. Supporting non-member organizations which share the aims of the Federation
- L. Informing the general public about organ donation and organ transplantation
- M. The Federation may carry out any activities it considers necessary or useful to promote its aims.
These activities include the publication of journals, the organisation of conferences, training seminars and exhibitions, the realisation of research, studies analyses and/or any other scientific or educational work
- N. All elected functions must be honorary.
- O. The Federation works is altruistic, it does not have selfish motives.
- P. The finance and other assets of the Federation may only be used for the purposes in Article 2. The Individual members of the member associations do not receive any payment from the Federation.

Article 3: Membership - Admission

1. In accordance with its aims, the Federation is open to kidney organisations and foundations, societies and federations which advocate for kidney patients.
 - # which operate on the national, regional or European level
 - # which are legally constituted pursuant to the laws and customs of their country of origin
 - # which have no profit-making purpose,
 - # which are independent of governments, political parties, religions and commerce interests
 - # which carry out their activity in pursuit of the aims of Article 2
 - # individuals cannot be members
2. Applications for membership are accepted by a decision of the Executive Committee. The written application for membership must include a copy of the Statutes in the language of the country and a translation copy in English. A copy of the register of the organisation, the latest valid balance (cash-report) and the latest valid auditing report.
3. If Membership is declined, the applicant can lodge a written appeal against such refusal to the Executive Committee within

one month. This appeal will be discussed at the next General Assembly. Decisions on membership made by the General Assembly shall be final.

4. New members shall receive a copies of the Statutes.

5. The member's obligation is to pay their fee. Members are not, in any way, responsible for EKPF's liabilities.

Article 4: Membership - Exclusion

1. Each member can withdraw from the Federation at the end of a year, provided that it gives three months prior written notice to the Executive Committee.

2. Any member infringing the provisions of these Statutes, or no longer complying with the conditions laid down in Article 2, may be excluded from the Federation by the General Assembly by a majority of two-thirds of the votes of the members present, on recommendation of the Executive Committee and after having been given the opportunity to be heard by the General Assembly.

3. Each member which has not paid the membership fees for three years can be deemed to have resigned from the Federation. The Executive Committee shall inform the concerned member thereof at least three months before the end of the third year.

4. Anyone who ceases to be a member of the Federation shall have no rights whatsoever on any Federation's funds.

Article 5: Membership fees

1. Each member organisation pays a yearly membership fee. The full annual fee is to be paid in advance the 31. of March each year.

2. The level of the membership fees is fixed by the General Assembly.

3. In some substantiated cases, the Executive Committee can grant, reduce or waive the payable fee after written application.

Article 6: Organs of the Federation

Organs of the Federation are:

1. General Assembly
2. The Executive Committee
3. External Auditors
4. The Court of Arbitration

Article 7: General Assembly

1. The General Assembly is the Federations' governing body and the place where the broad policy of the Federation is discussed by the members. It is chaired by the President or his/her designate. It comprises all members.

2. Each full paid up member organisation has a vote and each member can send up to two Delegates to the meetings. The voting structure is determined by the executive committee.

3. A member of the Executive Committee can be a delegate for an organization.

4. No postal ballots or proxy voters are allowed.

5. The General Assembly is open for member delegates and invited guests only.

6. You cannot be a delegate for more than one organisation of the general assembly

Article 8: General Assembly – Conduct

1. The General Assembly must meet at least once every year.

2. The President may call an extraordinary General Assembly. He must call such an extraordinary General Assembly if this is in the interest of the Federation or at least one tenth of the Federations members request this in writing naming the reason and the context for the request. Such Assemblies are convened by letter or e-mail mailed out at least four weeks before the extraordinary General Assembly is to take place.

3. The General Assembly is convened by the President by letter or e-mail, mailed out at least four weeks before the General Assembly takes place. The notice shall contain the agenda. If there will be a change of the Statutes, the invitation should include the proposed and the existing version of the statutes

4. Each member can demand by letter or e-mail an addition to the agenda up to two weeks before the General Assembly starts. The members are to be informed about such amendments by letter or email. If this is not possible, the Chairman of the General Assembly announces the new agenda at the beginning of the General Assembly.

5. Alterations to the agenda that are not deemed of importance, can still be included by means of a vote at the beginning of the General Assembly. (Important affairs of the Federation are e.g. a change of the Statutes, the dissolution of the Federation.)

Article 9: General Assembly - Competence

The role of the General Assembly is to:

1. determine the strategy of the Federation
2. Elect and dismiss the members of the Executive Committee
3. Approve the budget for the current year as presented by the Executive Committee
4. Discuss and adopt the reports of the Executive Committee, the treasurer and the auditors
5. Elect the external auditors
6. Vote on the level of the annual membership fee.
7. Decide whether to exclude members upon recommendation of the Executive Committee
8. Vote on the modification of the Statutes and the dissolution of the Federation
9. Discharge the Executive Committee

Article 10: General Assembly — Consultation and voting

1. The President or his/her designate leads the General Assembly.
2. The Chairman of the General Assembly chooses the kind of voting. The vote has to be made in written form, if at least one third of those present demand it.
3. The General Assembly shall only be quorate if at least one third of the members are present. Changes to the Statutes, changes to the purpose of the Federation, and/or the dissolution of the Federation can only be decided if at least half of the members are present.
4. Should the quorum not be reached, a second Annual General Assembly may be convened the same day with the same agenda, provided that this procedure was announced in writing in the notice calling the original meeting. This second Annual General Assembly shall deliberate validly, irrespective of the numbers present.
5. No decision shall be valid unless it is voted by a simple majority of the votes of the members present. The change of the Statutes, the change of the purpose of the Federation and the dissolution of the Federation shall not be valid unless it is voted by three fourth of the votes of the member present.
6. At elections, the candidate is elected, who has got more than the half of the votes. If this is not reached between the two candidates who have got the most votes a new election occurs. Then the candidate is elected, who reaches the most votes. When there is a tie vote, the Chairman of the General Assembly decides by casting vote.
7. The minutes of the General Assembly, signed by the chairman of the General Assembly and the secretary are sent to the member organisations within six months after the General Assembly.
8. In exceptional cases and when the urgency of the matter so requires, the General Assembly may take decisions by a written, telecommunication / electronic procedure. To that effect, the Executive Committee shall send, via whatever means a communication, the proposed resolution to all members. The communication shall be accompanied by a note from the Executive Committee specifying the reasons that have led to the utilisation of the procedure and the context of the proposed resolutions. The proposed resolutions shall be deemed adopted, if within three weeks after having been sent, the number of duly completed communications returned to the attention of the Secretary General by the members is sufficient to meet the quorum and voting requirements set forth in these Statutes.

Article 11: Executive Committee - Formation

1. The federation is administered by an Executive Committee comprising of the President, the Secretary General, the Treasurer and a Vice President, and as many other members as required and agreed upon by the General Assembly in the election year or non-election year if appropriate.
2. Only one member of the Executive Committee per member organisation and country is allowed.
3. Executive Committee members are elected by the General Assembly.
4. Members of the Executive Committee shall be elected for a period of 3 years and this period is renewable. Every member of the Executive Committee has to be elected individually and is in charge until his successor is elected. If a member of the Executive Committee retires sooner from his position, the Executive Committee can name a representative member until the next General Assembly takes place. The tenure of office of this later elected member of the Executive Committee ends with the tenure of office of the other members of the Executive Committee.

Article 12: Competence

Without prejudice to the powers of the General Assembly, the Executive Committee shall possess and exercise all of the Federation powers and the management and control of the affairs of the Federation. The Executive Committee leads the Federation and executes the resolutions of the General Assembly. In particular the tasks are to

1. Make the budget plan, the report of the Executive Committee and the financial statement
2. Accept new members and make a proposal for the exclusion of members
3. Prepare and run the General Assembly
4. Change the internal rules
5. Run the office
6. Manage the assets and funds of the Federation undertake all the duties of an employer as appropriate, including the hiring of staff and the firing of staff

Article 13: Executive Committee - Convocation and voting and special tasks

1. The President represents the Federation in public. He leads the General Assembly and the Executive Committee.
2. The treasurer is responsible for the accurate use of the funds of the Federation.
3. The Secretary General supports the President in running the Federation. He runs the daily business and coordinates the activities of the Federation.
4. All actions that bind EKPF shall be signed by the President and the Secretary General or in the case of any absence by one of the Vice Presidents. Actions concerning the treasury shall be signed by the President and the Treasurer or in case of his absence by the Secretary General.
5. In case of absence of the President, one of the Vice Presidents replaces him.
6. The Executive Committee decides in non-public meetings convoked by letter or email, mailed out at least three weeks before the meeting is to take place. Guests are allowed. In urgent cases, the mail out can be one week before the meeting starts.
7. The Executive Committee meeting shall only deliberate validly if at least three members are present.
8. No meeting is necessary if all members of the Executive Committee agree to a proposal or a resolution in a written form (letter or email).
9. Decisions of the Executive Committee are taken by a simple majority of the members present. If there is a tie vote, the President has the casting vote.
10. The minutes of the Executive Committee meeting are signed by the President and the secretary.

Article 14: Consultative Committee

The Executive Committee can create Consultative Committees for special topics Consultative Committee members advise

the Executive Committee. They do not have voting rights.

Article 15: Annual accounts. Auditors

1. The accounting year begins on January 1st and ends on December 31st.
2. The General Assembly appoints an external auditor for a period of 3 years to check the regularity of the accounts all the time, at least one time per year. They report in writing to the General Assembly. The election period is renewable.
3. If the work of the Executive Committee was accordingly, the auditors ask for the discharge of the Executive Committee

Article 16: Court of Arbitration

1. The Court of Arbitration decides in all legal disputes resulting from the affairs of the Federation.
2. The Court of Arbitration consists of three members. The combatant parties name two members as representatives to the President within two months. It will then elect with a majority of votes the President of the Court of Arbitration.
3. The Court of Arbitration decides in the presence of all members with simple majority. It decides at its best knowledge. Its decisions are definitive. The costs are to be taken over by the combatant parties (each party one half).

Article 17: Dissolution

1. The dissolution of the Federation results from a resolution of the General Assembly. The President and the treasurer together liquidate the Federation. This rule is also valid, if the Federation is dissolved because of another reason, by losing its rights as well as by losing its purpose
2. The net capital remaining after the dissolution of the federation shall be distributed to a not for profit organisation with similar aims and objectives.

Article 18: General provisions

1. The Federation may accept gifts and loans, provided that this does not affect its independence and the Federation remains free to set its own priorities.
2. The working language of the Federation and the language used for all official documents shall be English.
3. In matters requiring legal interpretation, the law of the country in which the Federation is based will apply. In case of matters requiring interpretation of Articles of the Statutes, the version which is binding in the country the Federation has the seat will be binding.
4. The Federation might also secure financing from resources granted by any authority, and more in particular the European authorities, access to government funds and participating to European Structural Programs.

Article 19: Commencement

1. The present Statutes have been voted on the General Assembly in Friday 28th September 2018 in Madrid and replace the statutes of 2014. They become effective with the registration at the responsible authorities.