

**International Association of Physics Student (IAPS)**

# **Charter**

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## Part I – The Association

### Article 1 Name

The association is known as The International Association of Physics Students (IAPS) hereafter referred to as the Association. It is governed by Articles 21 onwards of the local Civil Code for Alsace-Moselle, and is registered at the *Tribunal d'Instance* in Mulhouse, France, in accordance with the provisions of Articles 55 onwards of the local Civil Code.

Note that Alsace-Moselle uses a different law than the rest of France. This is often referred as "the law of 1908" (compared to the "law of 1901").

### Article 2 Identity

2.1 IAPS is an international, student-run educational association. It comprises students enrolled in a university or similar institution on a physics or physics-related course, as well as up to twelve months after receiving a degree from a university or similar institution, hereafter referred to as "physics students".

This broad definition of physics students accounts for possible national differences, which should not restrict membership of the Association under most circumstances. For example, Ph.D. students are legally considered working professionals in some countries. The definition above is meant to be inclusive of such categories.

2.2 IAPS does not pursue any profitable, political or religious objectives, and does not discriminate on the basis of race, colour, gender, creed, religion, national or ethnic origin, political opinion, age, sexual orientation or disability.

Consequently, IAPS may not affiliate itself with any political party or movement, but it may promote the interests of its members via appropriate means of student advocacy.

2.3 The official language of IAPS is English.

English is chosen because of its widespread use in teaching and research on an international scale. IAPS does not adopt a multilingual model (as, for instance, the European Union) since its added complexity would bring little benefits in its operation.

## Article 3 Aims

The aims of the Association are:

3.1 To encourage physics students in their academic and professional work in an international context.

3.2 To promote peaceful relations among physics students around the world.

3.3 To introduce physics students to the international community, help them to build professional relations and foster a collaborative attitude amongst young physicists across the globe.

3.4 To organise international conferences and events run by physics students for physics students.

Aims are expected to be rather general and not pose strong limitations. Also *adding* to the aims is not considered as *changing* them (which is subjected to special requirements in the French law, see Article 23).

## Article 4 Registered Office

The registered office of IAPS is located at 6, Rue des Frères Lumière, 68200 Mulhouse, France.

This location is also the headquarters of the European Physical Society (EPS). Hence IAPS is subject to the laws of Alsace-Moselle, France and the EU.

## Article 5 Duration

The duration of the Association is unlimited.

The duration of an association is part of the model French association charter, so it should be maintained.

## Article 6 Financial year

The financial year runs from September 1st to August 31st.

The financial year ends shortly after the Annual General Meeting of IAPS takes place.

## Part II – Members

### Article 7 Membership

7.1 The Association is made up of:

1. National Committees (NCs): associations representing physics students whose membership is open to all physics students in a given country or countries.

NCs are not required to be legal persons, as many associations are part of larger entities.

2. Local Committees (LCs): associations representing physics students whose membership is open to all physics students from one or more research or higher education institutions and which exist in countries not already represented by a National Committee.

Local Committees should not be confused with local groups that may exist within NCs, depending on regulations of the latter. However, any communication between members of such local groups and the IAPS Executive Committee shall be through the leaders of the corresponding NC or on their behalf.

3. Individual Members (IMs): physics students who do not have access to a National or Local Committee.

If individuals have access to a higher-level member in their area (e.g. a NC or LC), they must join it rather than gain individual IAPS membership.

4. Individuals who do not qualify for individual membership as defined in the above articles may be accepted as members in exceptional cases.

This article allows flexibility in special circumstances to allow someone who does not qualify as a physics student to be involved in IAPS activities if appropriate.

7.2 In order to be a NC or LC, it is necessary to be accepted by the Executive Committee (EC) and to have paid the annual membership fee as well as fulfilling the criteria for membership. New NCs or LCs who have been approved by the EC are given probationary membership. IMs gain the status of probationary membership upon payment of the fee. Probationary members who have paid the membership fee may take part in IAPS activities but have no voting rights.

Probationary memberships exist to give new members a chance to participate in IAPS events before the next General Meeting.

If more than one association seeks the position of NC in the same country, or the position of LC in the same city, it is expected that they resolve their conflicts on their own. In the meantime, the standard procedure is to accept none of them.

7.3 Full membership in IAPS can only be awarded by the General Meeting (GM).

1. The IAPS EC must inform the next GM about any committee membership applications.

The GM has the power to overrule any decisions of the IAPS EC and re-consider any committee applications that were previously rejected.

2. Full membership status may be granted to probationary members by a decision of the next GM.

7.4 The title of honorary member may be awarded only by the GM to individuals or organisations who have rendered distinguished services to the Association, and may be proposed by any member of IAPS with voting rights. This title confers on its bearers the right to participate in the Association without paying any annual membership fee or needing to qualify for membership, but not to participate in voting or hold office.

In the past, honorary members were called honorary fellows.

## Article 8 Membership Fees

8.1 Membership fees are set by the GM.

8.2 Fees may in principle differ between and within membership categories, in consideration of social and economic circumstances.

8.3 Membership fees for a given financial year must be paid by June 1st at the latest, with the exception of new memberships.

The deadline of June 1st is tied to the financial year ending on August 31st. This gives some time to act upon possible missing/late payments before the Annual General Meeting, when a complete list of members that have paid is required.

## Article 9 Termination of Membership

9.1 Membership can be terminated by:

1. Death or dissolution;

*Honorary membership, being an award in nature, is not terminated upon death.*

2. Resignation in writing addressed to the President of the Association;

3. Expulsion for any act prejudicial to the Association or due to no longer fulfilling membership criteria, as agreed by the GM;

*A member committee limiting its membership (for example, an NC may rule not to accept students from a particular university of that country as its members) may result in no longer fulfilling membership criteria.*

4. Expulsion for non-payment of membership fees, as agreed by the GM.

9.2 In the case of expulsion, the member (NC, LC or individual) in question must be informed by the IAPS EC in advance and may submit a written public defence prior to discussion of the matter by the GM.

## Part III – Executive Committee

### Article 10 Composition of the Executive Committee

10.1 The Executive Committee of the Association comprises of a President, a Treasurer, a Secretary and 2 to 6 additional members.

*All EC decisions are made democratically so that all of its members have equal power towards the decision.*

10.2 The role of Vice-President is assigned by democratic vote of the entire EC to one of its additional members. Election to the position of Vice-President corresponds to additional responsibilities with respect to the primary role that any EC member is assigned upon election.

10.3 The EC can appoint any person in a consultative capacity or form sub-committees to carry out specific tasks. The EC cannot delegate any power that is specifically given to an EC member, nor the EC as whole.

*Examples are the power to undertake legal tasks (as the Charter requires two EC members to do this) or to delegate any power that the EC itself does not have.*

10.4 The EC cannot give voting rights in EC meetings to anyone not elected by the GM.

The EC is authorised to work under the mandate given by the GM and is dependent on its trust.

## Article 11 Election of the Executive Committee

11.1 Only individuals who are IAPS members or members of an NC or LC may be elected to the IAPS EC.

11.2 Members of the EC are elected by secret ballot for one year at the AGM, in accordance with the voting arrangements described in Article 18, and their election takes effect at the change of financial year.

11.3 Outgoing members can be re-elected up to a maximum of 2 years in any one role and a maximum of 4 years total on the Executive Committee.

The limit exists so that IAPS leadership is periodically renewed.

11.4 A GM may at any stage expel any member from the EC through a vote of no confidence (refer to Article 18.14).

The GM is in no way bound by previous elections. Therefore, if an EC member is found to be unsuitable for her/his task, a vote of no confidence can force a resignation at any time.

11.5 Should an EC member resign or otherwise leave the EC, a replacement may be elected by a GM to hold office for the remainder of the financial year.

If an EC member believes not to be able to carry out her/his duty, resignation from the EC may be appropriate. The elected replacement has the same rights and duties as the resigned EC member.

## Article 12 Role of the Executive Committee

12.1 The EC is invested with powers which are limited only by the law, the Charter of the Association and by the decisions of the GM (see Article 17). The EC is expected to act in the best interest of all members of IAPS.

12.2 The EC takes care of all IAPS daily business in between two GM's and reports to the GM for any of its actions.

12.3 The EC applies for grants and agrees on all contracts and transactions necessary to the pursuit of its objectives.

12.4 Under special circumstances, an EC member may delegate all or part of her/his duties to other EC members, in accord with the entire EC.

## Article 13 Role of the President and Vice-President

13.1 The President directs the work of the EC and ensures that the Association which she/he represents operates in a fair and civil manner. She/he chairs EC meetings. She/he can, with the agreement of the EC, delegate her/his powers to another member of the EC.

13.2 The Vice-President is responsible for chairing meetings if the President is temporarily unavailable.

*As part of his role, the Vice-President may also be asked by the President to take over representative tasks and be involved in IAPS external relations and general operation of the EC.*

13.3 The Vice-President temporarily assumes all duties of the President if she/he resigns or is removed from the EC. In this case, the Vice-President must organise the election of a new President by convening a GM as soon as possible.

*The Vice-President is not supposed to stay in power any longer than necessary.*

## Article 14 Meetings of the Executive Committee

14.1 The EC meets whenever requested by the President or Vice-President or by at least a quarter of its composition.

*This may include online meetings, telephone calls or any other means agreed by all EC members.*

14.2 An EC meeting may take formal decisions only if the convener, or a representative, is present.

14.3 In order for a decision to be valid, it must have the support of a simple majority of all EC members, whether present at the meeting or not. In the event that a vote is tied, the President has the casting vote.

14.4 Any IAPS member may attend an EC meeting unless a simple majority of EC members vote to keep all or part of the meeting private.

*At times, the EC may handle sensitive information that should not be shared outside of the committee.*

14.5 Any member of the EC who fails to attend two consecutive meetings without sending their apologies to the rest of the EC and fails to respond to attempts at communication, is deemed to have resigned; he or she must be replaced in accordance with the provisions of Article 11.

If EC members become inactive, getting majority to vote becomes harder. Therefore, inactive EC members must be replaced.

14.6 Minutes should be taken by the Secretary. In her/his absence, her/his tasks should be assigned to another EC member to be agreed upon at the beginning of the meeting.

14.7 Meeting minutes must be made available by the EC to the members as soon as practically reasonable, and a physical or electronic copy must be kept in the IAPS archive. The following meeting should confirm the accuracy of the minutes from the previous meeting.

## Article 15 Payments and Allowances

15.1 EC members may not receive payments from IAPS or any IAPS subsidiary for their work. However, expenses incurred in the course of carrying out their duties, such as travel and accommodation expenses, are refundable as agreed by the EC.

EC members should not get payments for their work, as there is a conflict of interest when they are also handling the assets.

15.2 IAPS members who are not elected to the EC can only receive expense refunds if specifically agreed by the EC.

Non-EC members do not get expense refunds by default. While EC meetings should be open to everyone, IAPS cannot afford to pay for non-essential people to attend. The EC can, however, decide to pay refunds if they need to have someone outside of the EC to act in consultative capacity in the meeting.

## Article 16 Signatories

16.1 Any contract involving IAPS requires the signatures of at least two EC members specifically authorised for this instance by the EC.

This prevents any member of the EC from acting independently and without authorization from the rest of the EC. This means that no contracts can be signed without the simple majority of the EC first agreeing with the contract.

## Part IV – General Meetings

### Article 17 Organisation of General Meetings

17.1 The General Meeting of the Association comprises all members, as defined in Article 7, who are up to date with their membership fees.

*Any GM is open to all IAPS members.*

17.2 The Annual General Meeting (AGM) is convened once per year. Additionally, a GM may be convened upon request of at least 2 members of the EC or when requested in writing by members representing at least 20% of the votes.

17.3 The AGM is held between June 1st and August 31st. In case an International Conference of Physics Students (see Article 19) is organised during this time, the AGM must be convened at the conference.

17.4 The notice of the meeting including a provisional agenda must be sent to all members 6 weeks in advance. During the following 2 weeks any IAPS member with voting rights or the EC may request additional items to the agenda. The convener (the EC, or the members who have called for the meeting) are required to add these to the final agenda.

17.5 The final agenda of the GM must be distributed to all members no later than 4 weeks in advance. The GM can only pass resolutions on items included on the final agenda.

17.6 If the convener fails to distribute an agenda for the AGM the meeting should follow the standing agenda in Article 17.7.

*The agenda should be distributed well in advance and no other things shall be handled in the meeting so that members have time to prepare.*

17.7 The AGM should go through and/or discuss the items included in the standing agenda below and any additional item in the distributed agenda:

1. Elect a chair, secretary and officials to count votes for the meeting;

*None of the meeting officials should belong to an EC whose accounts will be checked in the meeting nor a candidate to avoid conflicts of interest.*

2. Agree the minutes of the preceding GM;
3. Confirm or deny full membership for any probationary members (after this point new members may vote);
4. Discuss any proposed expulsions;

Article 9 regulates termination of membership.

5. Approve the Auditors' Report and accounts of the EC being assessed;

At an AGM, three EC's are normally being discussed. The EC being elected, which will be in power in the next financial year; the outgoing EC, which will shortly end its term, but is still in power until the end of the current financial year; the EC that was elected two AGM's ago, for which the Auditor's report has become available. If everything is in order, the latter EC should be discharged of responsibility.

The approval/discharge is based on the Auditors' recommendation, which depends on the information that the EC has provided (to the Auditors and the GM). The discharge does not apply if the EC has hidden any information (for example, if it is later found that the EC has committed fraud, criminal charges can and should be pressed).

6. View the report on activities and the current accounts for the outgoing EC;

The accounts will not yet be approved, as the financial period is not yet over. However, the EC should be prepared to give a report on what has been happening financially since its election.

7. Discuss a provisional budget and plans for the following accounting period;

The current EC should have a rough budget for the next year based on the current financial report and experience from their time in office. Based on this information, the GM may vote on a mandate that shall bind the new EC.

Membership fees should not be discussed every year, but can be part of the discussion of the provisional budget if desirable.

8. Determine the roles of EC members to be elected by the following AGM. These have to include the roles of President, Vice-President, Treasurer and Secretary as outlined in Article 10.

The AGM should select the roles of the EC for the elections at the following AGM. This allows the EC to collect more applications for their successors and the following AGM to select the most suitable candidates. As candidates can stand for multiple offices, also the order of elections should be determined first (usually starting with the election of the President).

9. Elect EC members and Auditors;

10. Elect the National or Local Committees that will host IAPS major events, as specified in Article 19.

11. Elected organising committees of IAPS major events are required to briefly update the AGM on their progress at the GM following their election.

Should it seem that any organising committee is not up to the task, members of the GM may request a vote of no confidence, as regulated in Article 18 of this Charter. If the vote of no confidence is accepted, a new host should be elected.

12. Discuss any modification of the Charter and Regulations, in accordance with the requirements of Article 23.

17.8 The GM may appoint any person, within or outside the EC, in a consultative capacity or form sub-committees to carry out specific tasks.

17.9 Minutes of the GM must be taken by an elected minute taker. The EC shall distribute the minutes to all members within 4 weeks of the meeting, and a permanent copy shall be kept in an archive.

These four weeks should be used to check the names of attendees, candidates and so on and to gather all the reports/presentations given in the meeting.

## Article 18 Voting Rights and Decision-making at General Meetings

18.1 All full members, with the exception of honorary members, have voting rights at a GM if they are up to date with their membership fee as stated in Article 8.

18.2 New members obtain voting rights immediately after acceptance.

18.3 The GM may grant voting rights to members who did not pay their membership fees by the official deadline, but have paid before the start of the GM.

18.4 The votes are distributed as follows:

1. Each National Committee has seven votes;
2. Each Local Committee has two votes, except where there are more than three Local Committees in a country, when they shall share a maximum of six votes;
3. All of the individual members from one country share one vote between them.

Giving more votes to more organised associations should encourage students to present a more unified front.

18.5 EC members may not represent their National or Local Committee at a GM. If an Individual Member is a member of an IAPS Executive Committee whose matters are discussed in the GM she/he has no voting rights.

EC members cannot personally cast votes to avoid conflicts of interest. While the votes with conflicts of interest are a minority of all votes, it would be difficult to predict all the possible situations and list them in this Charter.

18.6 Members are allowed to send in remote votes during the GM. This process is referred to as "GM online voting". Remote voting after the GM is referred to as "delayed online voting".

18.7 GM decisions are immediately valid only if members representing a quorum of at least half of all possible votes are physically or remotely present.

18.8 If a quorum cannot be reached, the meeting must continue and delayed online voting over the two weeks following the GM shall contribute to the total vote counts, thus determining the outcomes of the GM. Delayed online voting is allowed for all IAPS members with voting rights.

18.9 If the quorum is not reached even with delayed online votes, then all missing votes are counted as abstentions.

In the absence of a quorum, the GM should continue its functions, although no final decisions may be announced before the deadline for delayed online voting.

18.10 Decisions on all matters except modifications to the Charter and the Regulations (see Article 23), dissolution of the Association (see Article 24) and votes of no confidence (see Article 18.14) are decided by simple majority of cast votes. Abstentions do not count as votes.

These three cases are considered important enough to require a larger majority. A higher vote threshold is implemented in order to prevent non-representative minorities taking decisions on behalf of the Association.

18.11 The election of the Executive Committee, Auditors and IAPS major event hosts must be by secret ballot.

18.12 In elections for the specific posts of President, Treasurer, Secretary and major event hosts, if there are more than two candidates the voting shall proceed in stages, with the candidate having the least votes eliminated at each stage until a majority of votes for one candidate is reached.

18.13 In elections for other posts, if there are more candidates than posts, the voting for all posts shall take place simultaneously, with the candidates having the most votes being selected.

If there are M candidates and N posts, where  $M > N$ , the N candidates with most votes are elected. Note that N can be equal 1.

18.14 A vote of no confidence can be proposed at any time of the GM by members representing 20% of the votes present or by a simple majority of the EC. The vote of no confidence requires a two-thirds majority of cast votes to pass and takes place as secret ballot.

18.15 All matters that are not explicitly referred to in other articles of this Charter should be decided by open ballot, or by secret ballot if requested by any physically or remotely present member with voting rights.

## Part V – Events

### Article 19 Organisation of IAPS Events

19.1 IAPS annually organises events which bring together students from multiple NCs and LCs, as well as IMs from all over the world. One of these events, the International Conference of Physics Students (ICPS), also normally hosts the AGM of IAPS.

19.2 An international activity is considered to be an IAPS event if the IAPS EC or a GM formally approves and supports its organisation in any form for the year the event takes place.

19.3 All major events of IAPS are in locations that are chosen by the AGM through an annual bidding process. All IAPS major events have a rotating-host system.

19.4 Organisers of IAPS events of any size are expected to present the following documents to the IAPS EC:

1. an early event planning description
2. a final event report following completion of all activities.

19.5 In collaboration and agreement with the IAPS EC, any organising committee of an IAPS event may use the IAPS logo and network in order to apply for external financial support, to advertise and to run the activities.

19.6 As defined by Article 2.2 of this Charter, no discrimination can be made for the selection of participants to any IAPS events. The inclusion of caps on participants of a single nationality is an exception and must be agreed by an organising committee and the IAPS EC.

19.7 A balance of different backgrounds should be pursued by the organisers of an IAPS event, who retain the power to make decisions based on their perception of what is most appropriate.

19.8 The IAPS EC may exclude particular individuals from participating in an IAPS event in case of severe objections to their past or expected future behaviour. Such action in every case requires a written explanation to that individual and a report to be submitted to the GM.

[Such exclusion may be decided before or during an event.](#)

19.9 A GM may pass a vote of no confidence in the organisers of a major event at any time before the event takes place. If such vote of no confidence is passed (see Article 18.14), an alternative host may be rapidly selected or the event may be cancelled for the current year.

19.10 Under no circumstances may the organisers of an IAPS event make a personal profit.

## Part VI – Finances

### Article 20 Resources of the Association

The resources of the Association comprise all membership fees, grants, donations and legacies that may be payable, any profits from events, interest and rents from goods it possesses, as well as payments made for services rendered; and all other resources which are not in conflict with current laws.

*This is a standard wording allowing all legal ways to raise funds.*

### Article 21 Accounts

21.1 The Treasurer is responsible for keeping a day to day income and expenditure account, in which all financial transactions are recorded. The current budget of IAPS must be made available upon request by any NC or LC or by any member of the EC in a reasonable time, but maximum 7 days. Receipts must be given for all payments received. No IAPS funds may be kept in any personal bank account at any time.

*IAPS should maintain a central bank account that stays the same year after year. At the time of writing, this is handled with the assistance of EPS.*

21.2 The President and the Treasurer are authorised to access the IAPS bank account and to handle IAPS bank transactions. Moreover, the EC may choose to give the same powers to additional EC members.

21.3 In general, any bank transfer from the IAPS bank account requires specific authorisation by the EC. However, following its election, the EC may vote on a maximum amount that the President and/or the Treasurer may transfer without explicit authorisation by the EC. The EC may also vote to impose a maximum total expenditure over a certain time period. Every bank transaction must be reported in the EC meetings.

### Article 22 Auditors

22.1 The accounts kept by the EC shall be inspected annually, in arrears, by at least two Auditors. The Auditors are elected for one year by the AGM. They cannot perform or have performed any function within the EC for the current year or the year they are auditing.

*The number of Auditors is normally 2 or 3. These individuals should have previous experience with auditing. Preferably, one of them is a professional. Auditors are not allowed to be in the EC in order to remain neutral.*

22.2 During its term, the current EC must prepare a Financial Statement every three months and submit it to the Auditors within one month from the end of this time period.

22.3 After handing over its power following an election, an EC must prepare a Financial Statement and a Report of Actions and submit them before October 1st to the Auditors and the current EC along with copies of any relevant documents concerning the previous financial year. The Financial Statement must include a report of every transaction made during the term of this EC.

Receiving this information from the previous EC is tied to the end of the financial year. One month is enough time to gather all documents, particularly since all information should be prepared for reviews by the AGM anyway.

22.4 The Auditors decide upon their report with a majority, but the minority may include their opinion in the report. If no majority can be reached, then all relevant opinions must be included in the report.

22.5 The Auditors submit their report to the current EC, for distribution to the members, no later than three months after receiving all needed documents from the EC they have been assessing, but no later than April 30th of the following year. The current EC must make the Auditors' report, the Financial Statement and the Report of Actions available to the members. The Auditors should keep the current EC informed of their progress. A GM may at any stage request extra information from the Auditors or the former EC.

When the Auditors have all the required financial documentation, there is no reason to wait long to make the report, even though the AGM may be distant. The April limit is in place in case the outgoing EC fails to provide material in time - a situation that members should be informed about.

## Part VII – Legal Responsibilities

### Article 23 Modification

23.1 The Charter can only be modified at a GM, by a three-quarters majority of votes present. Proposed modifications to the Charter must be submitted to the EC at least 8 weeks before the meeting, and distributed to all voting members with the meeting agenda.

Giving the proposal 8 weeks in advance to the EC gives the EC 4 weeks to react before the deadline to officially distribute the agenda of the meeting.

23.2 The modified Charter shall take effect immediately after the GM.

23.3 Modification of the aims of the Association requires the consent of all members; if any members are not present at the meeting their consent must be obtained in writing.

Modifications mean change in content. Fixing typos, grammar and even rewording for clarification does not require the trouble of contacting all members. As aims are the fundamental points that every member agreed

to support when joining IAPS, they should not be changed without everyone agreeing. This is also mentioned in the law, although it allows for some exceptions.

## Article 24 Dissolution

The dissolution of the Association can only be decided at a GM. Such a decision requires a three-quarters majority of votes present.

## Article 25 Distribution of Funds following Dissolution

In the case of the GM deciding to dissolve the Association, it shall appoint one or more persons to liquidate the assets of the Association and distribute the resulting funds. It shall allocate these funds to one or more designated associations having similar aims to IAPS. Under no circumstances may any individuals receive any part of these funds, apart from the refund of their subscriptions.

## Article 26 Obligations to the Court

26.1 The EC must inform the *Tribunal d'Instance* of the names and addresses of each new EC member and submit a copy of their valid identification document. The names of outgoing EC members should also be given.

26.2 The modified Charter and minutes of the meeting when it was agreed must be translated into French and signed by all EC members before submission to the *Tribunal d'Instance*.

26.3 The EC must declare to the *Tribunal d'Instance* the dissolution of the Association.

These clauses are demanded by the law.

## Article 27 Regulations

The Association is regulated by this Charter and by the internal and subordinate "IAPS Regulations". Modifications to the existing Regulations require a three-quarters majority of votes present in a GM.

The Regulations are a document binding the Association as much as the Charter. However, if the Regulations and the Charter disagree, the Charter overrules the Regulations.

## Article 28 Distribution of the Charter to members

A copy of the current Charter must be made available to each member of the Association upon joining the Association or whenever the Charter is modified.

Physical copies are not required: it is sufficient to upload the Charter on the IAPS website and ensure that it is accessible to members.