

BYLAWS

of

**NETWORK OF EUROPEAN LGBTIQ*IQ* FAMILIES ASSOCIATIONS
(NELFA)**

As of October 2016

Version 1

Title 1: Designation and Registered Office

Article 1- Designation

The association shall be called the “NETWORK OF EUROPEAN LGBTIQ* FAMILIES ASSOCIATIONS (NELFA)”.

This designation shall appear on all official documents, invoices, letters and publications issued by the Association, preceded or followed by the words International Non-Profit Organisation or by the abbreviation “a.i.s.b.l.” together with the Registered Office and Company Number.

The Association is governed by the provisions of Title III of the Belgian law of 27 June 1921 on non-profit associations, foundations and international non-profit associations.

Article 2 - Registered Office

The Registered Office of the Association is established as at 1000 Brussels, Rue du Marché au Charbon 42, in the judicial district of Brussels. It may be transferred anywhere within the Brussels Capital region by resolution of the General Meeting.

TITLE II – Aim

Article 3 - Aim

The association’s aims are, excluding any for profit aims, to:

3.1 Create the conditions that will enable children of LGBTIQ* families (Lesbian, Gay, Bisexual, Transgender, Intersex, Queer) in Europe to enjoy the same rights as those enjoyed by the children of families currently recognized by law.

3.2 Work to ensure that the legal systems of the countries of Europe treat the children of LGBTIQ* families in the same way as they treat the children of families currently recognized by law.

3.3 Encourage the countries of Europe to adopt equal opportunity policies which do not discriminate against LGBTIQ* families in respect of legal, financial, educational, social and any other important issues.

3.4 Ensure that LGBTIQ* families may enjoy the rights guaranteed by the European Union to move freely between the Member States without having their family life compromised in any way by dint of entering, passing through, moving to or settling in another Member State.

3.5 Promote the fact that everyone has the right to found a family without fear of being prejudiced by their sexual orientation or gender identity, and to do so by promoting and advocating equal access to parenting options for all.

3.6 Encourage and promote initiatives and projects aimed at issues faced by specific types of families: families with a trans-parent, families with parents of different sexual orientation, families of same sex parents (gay couples and lesbian couples), single parent families, etc; as well as to enable the social parent (he or she who, while having no legal status, is regularly involved as a parent with the children) to obtain the same status as the legal parent in respect of their children.

3.7 Raise awareness of LGBTIQ* families amongst the general public.

3.8 Assist with the creation of associations for LGBTIQ* families in the European States where such associations do not yet exist.

3.9 Foster solidarity and exchanges of experience and information among associations of LGBTIQ* families in Europe.

3.10 Defend the interests of LGBTIQ* families directly or indirectly and to the extent required.

3.11 The association may carry out any actions relating directly or indirectly with its aims. The association may lend its support and become involved in any activity compatible with its aims.

3.12 NELFA may also carry out, on an ancillary basis, certain economic activities

provided that the proceeds from these activities are used solely to achieve the association's main aim.

3.13 It may create and manage any service or institution that pursues the aims of the association.

3.14 NELFA may co-operate with other international organizations in line with its aims.

4 Duration and spheres of activity

4.1 The association is constituted for an unlimited period. It may be dissolved at any time.

4.2 The association may carry out its activities at national and international level.

TITLE III – Members

Article 5 - Membership

5.1 NELFA's membership is made up of Full Members and Supporting Members.

5.2 Full members

5.2.a Full Members are associations duly constituted in their European States of origin.

5.2.b Full Members are associations that deal wholly or partially with topics concerning LGBTIQ* families and that adhere to NELFA's aims.

5.2.c Individuals eligible for election by the General Meeting to a post on the Board⁵ shall be members of a Full Member of NELFA.

5.2.d Full Members are entitled to vote at the General Meeting; each representative may cast a single vote.

5.2.e Full Members may propose new members.

5.2.f Full members may propose the exclusion of one or more members.

5.2.g Full members may represent and are entitled to express themselves on behalf of the association at official events provided that they have been authorised to do so by the Board and insofar as they respect the values of the association.

5.2.h Full Members enjoy the rights granted to Supporting Members.

5.3 Supporting Members

5.3.a Supporting Members may be groups in the process of organising themselves as associations of LGBTIQ* families or associations dealing substantially with LGBTIQ* families.

5.3.b Supporting members may be other associations or organisations or natural persons that support the objectives of NELFA.

5.3.c Supporting Members are kept fully informed about the activities of NELFA.

5.4 Number of members

5.4.a There is no upper limit on the number of Full Members, although there shall be not fewer than three. The first Full Members are the undersigned founding members.

5.5 Conditions of admission

5.5.a The admission of new Full Members is subject to the approval of two thirds of the votes cast by the Board.

5.5.b The decision of the Board is not open to appeal and the reasons for the decision do not have to be provided.

5.5.c Any organization or legal person wishing to become a Full Member of NELFA shall submit a written application to the Board and shall be presented to the Board.

5.5.d Members are free to leave the association at any time by notifying the Board in writing of their resignation.

5.5.e A decision to exclude a Full or Supporting Member from NELFA may be taken only if approved by a majority of two thirds of the votes cast at the General Meeting.

5.5.f A member whose membership fees are in arrears is deemed to have resigned from NELFA thirty days (30) after the second reminder.

TITLE IV – Membership Fees

Article 6 - Amount and frequency of fees

6.1 Full members pay an annual fee, the amount of which is set by the General Meeting.

6.2 Supporting Members may pay a fee if so agreed by the General Meeting.

6.3 NELFA members assume no personal liability for any undertaking entered into by the association.

6.4 The maximum indexable fee is set at Euro 1250 (one thousand two hundred and fifty) per member per year.

TITLE V – The General Meeting

Article 7 - Composition

7.1 The General Meeting is made up of all the Full Members.

7.2 It is chaired by the Chair of the Board or, if the Chair is unavailable, by another member of the Board appointed to this task by the Board.

7.3 A Full Member may be represented by another Full Member.

7.4 Supporting Members may participate in and address the General Meeting but they do not have a vote.

Article - 8 Powers

8.1 Deliberation of the General Meeting is necessary in order to:

8.1.a Amend these bylaws,

8.1.b Appoint and remove members of the Board,

8.1.c Approve budgets and accounts,

8.1.d Dissolve the association,

8.1.e Exclude a Member,

8.1.f Approve the internal rules of procedure and amendments thereto

8.2 Any powers that are not expressly reserved by law or by these bylaws to the General Meeting shall be exercised by the Board.

Article 9 - Frequency

9.1 The General Meeting is convened at least once a year in March.

9.2 An Extraordinary General Meeting may be convened at any time by decision of the Board or when requested by one fifth of the Full Members.

Article 10 – Convening the General Meeting

10.1 The Annual General Meeting or the Extraordinary Meeting is convened by notice of the Board sent by email at least thirty days (30) before the date of the meeting.

10.2 The notice contains the accounts and budget as well as the agenda set by the Board.

Article 11 - Agenda

11.1 Any proposal signed by at least one fourth of the Full Members is included on the agenda.

Article 12 – Voting Rights

12.1 All Full Members have equal voting rights at the General Meeting.

Article 13 - Representation

13.1 A Full Member may be represented another Full Member holding a duly signed and dated proxy.

13.2 Each Full Member is entitled to give only one proxy.

Article 14 - Resolutions

14.1 The resolutions of the General Meeting are passed by a simple majority of the Full Members present in person or by proxy, unless otherwise provided for by law or these bylaws.

14.2 Invalid and blank votes as well as abstentions are not counted when calculating majorities.

14.3 In the event of an equal number of votes, the Chair or the member of the Board representing the Chair has the casting vote.

14.4 All resolutions of the General Meeting are recorded in the Register of Resolutions kept at the association's registered office or online.

Article 15 - Dissolution – amendment of the bylaws

15.1 The General Meeting may not validly deliberate on any amendments to these bylaws unless such amendments have been explicitly set out in the notice and the General Meeting is attended by at least two thirds of the Full Members present either in person or by proxy.

15.2 Any amendment is adopted by a majority of two thirds of the votes cast by the members present in person or by proxy.

15.3 However, any amendment to the aim(s) for which the association was constituted may only be adopted by a majority of four fifths of votes of the members present in person and by proxy.

15.4 In the event of two thirds of the members not being present in person or by proxy at the first meeting, a second meeting may be convened to validly deliberate on any amendment regardless of the number of members present in person or by proxy, and to adopt the amendments by the majorities provided for in Article 15.2 or Article 15.3.

15.5 The second meeting may not be held within fifteen days of the first meeting.

15.6 The General Meeting may only decide to dissolve the association if the same conditions as apply to amending one or more of the aims of the association are met.

Article 16 - Minutes

16.1 The minutes are drafted by the Secretary of the Board or, in the event of the secretary not being available, by another member of the Board appointed to such a task by the Board.

16.2 The minutes are signed by the Chair and a member of the Board and they are kept in a register at the Registered Office of the association.

16.3 Any Full Member may consult the minutes but may not remove the register from the registered office.

16.4 The minutes may be emailed to the Members.

16.5 Any third party claiming a legitimate interest may request to see excerpts from the minutes signed by the Chair or another member of the Board.

Article 17 - Publication

17.1 Any amendments to the bylaws shall be published in the annexes to Belgian Gazette (Moniteur Belge) in the same month as the resolution is passed.

17.2 The same applies to any appointment, resignation, removal (or death) of a member of the Board.

TITLE VI – The Board

Article 18 - Management

18.1 The association is managed by the Board.

18.2 The Board acts and may make decisions on behalf of NELFA within the remit of these bylaws.

Article 19 Composition – duties

19.1 Individuals eligible for appointment by the General Meeting to a position on the Board shall be members of a Full Member of NELFA.

19.2 The Board is composed of at least three Full Members, or by their alternates, appointed for two years by the General Meeting and are relieved of their duties by it if they are eligible for re-election.

19.3 The Board shall appoint from its members at least a Chair, a Secretary and a Treasurer and, if necessary, a Vice Chair and other posts.

19.4 All members of the Board are members of associations which are themselves Full Members of NELFA.

19.5 The Chair is tasked, in particular, with convening and chairing the meetings of the Board.

19.6 The Secretary is inter alia tasked with drafting the minutes and ensuring that documents are retained. He/she organises the mandatory publications in the Belgian Gazette (Moniteur belge) and regular lodges the list of members and the accounts with the Trade Tribunal (tribunal de commerce).

19.7 The Treasurer or his/her agent is particularly tasked with keeping the accounts. In this capacity, the treasurer may carry out any financial transaction up to an amount of Euro 1250 (one thousand two hundred and fifty) on his/her own authority.

19.8 In case of temporary unavailability of the Chair, the Secretary or the Treasurer, the Board may appoint a member of the Board to substitute on a temporary basis. The General Meeting may appoint a Vice Chair from amongst the members of the Board to replace the Chair when the latter is unavailable.

Article 20 - Representation

20.1 An undertaking on the part of the association may be validly made only by means of the signature of two members of the Board.

20.2 A Board member may be represented by another member of the Board holding a duly signed and dated proxy.

20.3 Each Board member is entitled to give one proxy.

Article 21 – Deliberations

The deliberations of the Board are not valid unless half of the Board members are either present in person or by proxy.

Article 22 - Resolutions

22.1 The resolutions of the Board are taken by absolute majority of the votes of the members of the Board present in person and by proxy.

22.2 Blank and invalid votes as wells as abstentions are not taken into account when calculating majorities. If the votes are shared equally, the Chair has the casting vote.

Article 23 - Convening the Board

23.1 The Board is convened by the Chair or if latter is unavailable, by another member of the Board.

23.2 It meets every time the interests of the association so require. Meetings may be held on Skype, MSN, etc.

23.3 The notice convening the Board is sent by email at least eight days before the date set for the meeting of the Board.

23.4 The notice contains the agenda. The Board may only deliberate on points on the agenda.

Article 24 - Powers

24.1 The Board has the most extended powers to administer and manage the association, including disposing of and mortgaging property and carrying out any other property transactions.

24.2 Any duties that are not expressly reserved to the General Meeting by law, by these bylaws or the internal rules of procedure, shall be performed by the Board.

Article 25 - Validity of documents

25.1 Unless otherwise stipulated in the minutes of the Board, any member of the Board shall validly sign any documents regularly⁹ decided upon by the Board.

25.2 However, the documents for the day-to-day management are validly signed by the Chair of the Board without a resolution of the Board being necessary.

Article 26 - Legal action

Any legal action, as plaintiff or defendant, is initiated or pursued on behalf of the association by the person appointed to this end by the Board.

Article 27 - Personal liability

The members of the Board do not assume, by reason of their office, any personal liability and are responsible only for fulfilling the duties of their office.

TITLE VII – Internal Rules of Procedure

Article 28 - Principle

Internal rules of procedure as well as amendments thereto may be presented by the Board to the General Meeting. These rules come into force once they have been passed by the General Meeting.

TITLE VIII – Sundry provisions

Article 29 - Financial year

29.1 The financial year starts on 1st January and ends on 31st December. Exceptionally, the first financial year shall commence on the day of the constitution of this international non-profit association (AISBL) and shall conclude on 31st December of the same year.

29.2 The accounts and budget are prepared by the Treasurer and are submitted by the Board to the Annual General Meeting for its approval.

29.3 Approval of the accounts by the General Meeting discharges any liability on the part of the members of the Board for any transactions appearing in the accounts and any others that have been communicated to the General Meeting.

Article 30 - Dissolution

In the event of dissolution of the association, the General Meeting shall appoint one or more liquidators. The net assets of the association shall be transferred to another association with similar social aims.

Article 31 - Legal provisions

Anything not expressly provided for in these bylaws is regulated in accordance with the provisions of the law of 27 June 1921 amended by the law of 2 May 2002 regulating non-for-profit associations.

¹⁰ Intentionally omitted