



European Network of Councils
for the Judiciary (ENCJ)

Réseau européen des Conseils
de la Justice (RECJ)

<p>Financial regulations of the International not-for-profit Association ENCJ</p>
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Relevant articles from the Statutes

Article 7 – Contributions

1. Members shall pay an annual membership fee which will be used to cover the operating costs of the Association. The membership fee shall be decided annually by the General Assembly, on a proposal from the Steering Committee, based on the Association's needs.
2. The annual membership fee per European Union Member State thus fixed may not exceed the sum of € 20.000.
3. A member shall not enjoy voting rights at any time whilst any membership fees payable by it remain unpaid.
4. Any member which resigns from membership of the Association shall not be entitled to be reimbursed any membership fees already paid and shall be liable to pay the membership fee for the year in which it resigns.
5. Further arrangements for deciding annual membership fees, their payment and collection may be laid down in financial regulations adopted by the General Assembly on the proposal of the Steering Committee.

Article 9.10

The General Assembly shall approve the budget and the accounts.

Article 10.3

The General Assembly shall act on the basis of a simple majority of the votes cast, with the exception of:

- the matters specified in Article 6 which require differing majorities;
- the public statements of the General Assembly which must be approved by a two-thirds majority of the General Assembly;
- changes to these Statutes, the adoption and the amendment of the Internal Rules and Rules of procedure, the determination of the amount of the annual membership fee and the financial regulation specified in Article 7, and the dissolution of the Association, all or any of which must be decided by at least three quarters of the votes cast.

Article 15 – Remuneration

Neither the President nor any member of the General Assembly, Steering Committee, or Executive Board, nor any participant in an activity shall be remunerated by the Association for the exercise of their mandate within the Association. Actual bona fide expenses may be reimbursed in accordance with provisions set out in the Financial Regulation.

Article 16 – Annual Budget and administration of the accounts

1. The financial year shall commence on 1 January and end on 31 December.
2. The funds of the Association shall be used for the purpose of financing the structure and the administration of the Association under the direction of the Executive Board which shall be accountable to the Steering Committee.
3. Contributions in kind and money for specific projects and activities will be fixed by individual agreement between participants in the project. All such agreements shall be brought to the knowledge of all members.
4. The Executive Board shall draw up an annual budget for the running costs for the following calendar year which shall be presented to the General Assembly for approval. The Executive Board has the duty to submit the previous year's accounts to the General Assembly for approval.
5. Every two years, the General Assembly shall appoint two auditors from within the membership who shall present their report each year to the General Assembly when the accounts are to be submitted for approval.

Financial regulations (draft)

Regulation 1 Revenues

The revenues of the ENCJ shall consist of:

Contributions by the Members

Annual membership fees payable by all ENCJ members
Voluntary contributions in money or in kind by the members
Contributions for specific projects by the members

Contributions by the Observers and Guests

Registration fees fixed by the Executive Board for working group meetings, General Assembly meetings or other ENCJ activities payable by the ENCJ observers/guests

Contributions by Third Parties

Grants from the European Commission or
any other lawful source that may be consistent with the aim and objectives of the ENCJ

All membership and registration fees shall be payable only in EUROS

Regulation 2 Membership fee

The membership fee will be decided annually by the General Assembly for the following year.

The membership fee will be the same for all EU Member States save that any Member State with less than 2 Million inhabitants shall only pay 50% of the fixed membership fee.

The membership fee will be due on 31st January each year. Following a reasoned request addressed to the President, a Member State may be allowed to defer payment until, at the latest, one month before the date of the General Assembly for that year.

Regulation 3 Expenses

Expenses incurred on Association business shall be reimbursed, should the budget allow, on the basis of the EU regulations for foreign travel.

Every endeavour shall be made to refund personal expenditure within fourteen (14) days of receipt of any agreed and supported claim.

All primary financial records (receipts, bank statements, etc.) shall be retained for a period of 7 years

Regulation 4 Reports

Regular reports on the Association's financial position shall be prepared for the Executive Board and the Steering Committee.

Regulation 5 Authorization of expenditure and Bank account

A current account shall be opened in Brussels in the name of the Association

Signatories to bank account

The three signatories to the Current Account shall be as follows:

The President

The Director

The member of the Executive Board entrusted with the financial affairs of the Association.

The mandate shall require that any withdrawal from the bank account must be authorised by at least 2 of 3 of the signatories to association's bank account.

By mandate of the Steering Committee the Director of the Permanent Office may be authorized to incur the day to day costs of running the Permanent Office and to make payment of those costs;

(NB: Regulation 5 will be published in the 'Moniteur Belge' in order to guarantee an effect against third parties)

Regulation 6 Annual accounts

The director shall not later than 31st January prepare a statement of account for the preceding year to show the receipts and expenditure of the Association in the preceding year and a Balance Sheet for the Association.

The Director's annual financial statement shall show, by way of a note all receipts in kind as much as possible, the monetary values of such receipts in kind should be indicated.

Article 7 Audit

Not later than 7th February each year, the Director shall submit the annual financial statement for the preceding year to the appointed auditors, for audit scrutiny. The auditors shall present their report to the next General Assembly following the presentation of the financial statement by the Executive Board..

The appointed auditors shall have unlimited access to all the records of the Association including minute books, accounting records and bank statements for the purpose of their audit. They shall also have the right to call for explanation on any matter from any officer of the Association who during the period under audit carried out any for of financial transaction for, on behalf of, or under the umbrella of the Association.

In the performance of their duty, the appointed auditors shall act independently.

Steering Committee, London, 15 February 2008