

CMFE

COMMUNITY MEDIA FORUM EUROPE

Constitution Act: International Non-profit Association

"COMMUNITY MEDIA FORUM EUROPE", abbreviated "CMFE"

Not authorized English language translation dated 22 July 2011

Start date: 9 February 2010
 Business registration number: 0822.992.342
 Official seat: Rue Garibaldi 94 – 1060 Brussels –Belgium
 Secretariat: Heliendoorstraat 3 – 6534SH Nijmegen – The Netherlands

Before us, Mr **Veerle Boere**, Notary having residence in Antwerp (Borgerhout).
 APPEARANCES

1. The non-profit "**VERBAND FREIER RADIO ÖSTERREICH**" Wien (Austria)
 Here represented by:
 Mr Helmut Peissl, president, (Austria) with powers to represent the association under articles of association.
 Who is represented in turn by:
 Mr Petrus Marinus Gerardus de Wit, (Netherlands) under the attorney attached to this act.
2. The non-profit "**CORAX E.V. - INITIATIVE FÜR FREIES RADIO**", Halle / Saale (Germany)
 Here represented by:
 Mrs Haman Helen, (Germany), with the powers represent the association under the statutes of the association
 Mrs Caroline Wolff, (Germany), having the powers of represent the association under the statutes of the association
 Who is represented in turn by:
 Mr Petrus Marinus Gerardus de Wit, under the attorney attached to this act.
3. The non-profit "**INDVANDRER TV (ITV)**", Aarhus (Denmark)
 Here represented by:
 Mr Rui Farina Manuel Monteiro, secretary, (Portugal), with powers to represent the association under the proxy attached to this act.
 Who is represented in turn by:
 Mr Petrus Marinus Gerardus de Wit, under the attorney attached to this act.

Who agreed to form a non-profit international association whose statutes shall be as follows:



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www.cmfe.eu We prefer mail to be sent electronically to president@cmfe.eu

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 Our details: CMFE IBAN: NL10 ABNA 0441 2794 73 BIC: ABNANL2A

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STATUTES

TITLE I: NAME - REGISTERED OFFICE - PURPOSE OFFICE - DURATION

Article 1: Name

An international non-profit international association is established called "COMMUNITY MEDIA FORUM EUROPE", abbreviated "CMFE".

This association is governed by the Belgian law of 27 June 1921 on non-profit associations, international associations and non-profit foundations.

Article 2: Location and judicial district

The head office of the association is established at 1040 Brussels, Rue Garibaldi 94. It can be transferred to any other place in Belgium by simple decision of the board of directors.

The board of directors may also decide to open offices of the association at a place other than headquarters, in Belgium or abroad. The decision shall be published in the month of its date in the appendices of the Belgian Monitor.

The district court is Brussels.

Article 3: Nature, objects, activities and principles

Nature:

The term "media" in the context of the CMFE refers to "radio and television serving specific communities on a not-for-profit basis.

Objectives:

- Strengthening awareness for the alternative media sector (non-profit-making, community media) within the media landscape at European level
- Establishing a platform for continuous dialogue and discussion between not-for-profit community media organizations and the European institutions
- Promotion of cultural diversity, freedom of expression and democratization of communication
- Recognition of the alternative media sector (not-profit-making community media) at European level



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Activities:

- Establishing a dialogue between the different European levels
- Making contributions to this dialogue
- Activities at European level in support of the work of community media in the various countries
- Public relations for community media
- Organising and facilitating the exchange of information between different community media
- Scientific research in the community media field

Common Principles of Community media:

1. Access for the communities and citizens to the means of media communication
2. Freedom of speech and media plurality
3. Free access to information
4. Public access and parity
5. Encouragement of local participation
6. Cultural diversity and respect to minorities
7. Participatory and self-determined structures
8. Editorial independence

Article 4: Duration

The association is established for an unlimited duration.



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TITLE II. MEMBERSHIP - SUBSCRIPTIONS - EXIT

Article 5: Membership - Admission

The association is composed exclusively of members.

The number of members of the association is not limited. Its minimum is fixed at five (5).

Members can be physical persons or legal entities, legally founded according to the laws and customs of their country of origin.

Members of the association are:

1. the founding members;
2. members approved by the board of directors;
3. affiliate members that are accepted as such by the board of directors;

Affiliate members have no right to vote at the General Assembly.

To become a member, candidates must make a written request to the board of directors. The board of directors must accept their application. The submission of an application implies total commitment to observance of these statutes and the internal organisational regulations. In the event of refusal, the board of directors will not have to justify itself.

The board of directors decides with a simple majority. A decision is forwarded to the applicant, by ordinary mail or fax within 15 days of the decision. Any refusal of an application can be the subject of a new request.

Article 6: Voting rights - rights of members

Each member has the right to vote at the meetings of the general assembly.

Affiliate members are not entitled to vote at the meetings of the general assembly.

Article 7: Resignation - Suspension - exclusion

§ 1. Any member of the association is free to withdraw it at any time by sending it by registered mail his resignation to the Board of Directors. Any member who no longer meets the conditions, which justified its original membership admission, can be excluded. The cases where the member is guilty of serious violations of rules or the dignity of the association, justify exclusion.

§ 2. The exclusion of a member cannot be announced without their defence having been heard. The board of directors by means of a two-thirds majority declares the exclusion. The excluded member has the right to appeal against the decision at the next general assembly.



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Article 8: Subscription

Members of the association, as mentioned in section 5, will pay an annual fee as determined by the general assembly.

TITLE III. ORGANIZATION AND OPERATION

Section 1: Organs of the association

Article 9: Bodies of the association

§ 1. The bodies of the association are:

- The general assembly;
- The board of directors.

Section 2: General assembly

Article 10: Powers

The general assembly possesses a plenitude of capacities allowing the realization of the objectives of the association

The following powers are at the exclusive preserve of the general assembly:

1. the modification of the statutes;
2. the appointment and dismissal of members of the board of directors and, if necessary, commissioners;
3. the determination of election procedure
4. discharge to be granted to members of the board of directors and, where applicable, Commissioners;
5. the approval of the budget and annual accounts;
6. the voluntary dissolution of the association;
7. verification of the exclusion of a member;
8. the adoption of internal regulations;
9. the determination of membership fees;
10. all cases where the statutes require it.

Article 11: Composition

§ 1. The general assembly consists of all members.

§ 2. The general assembly is chaired by the president of the board of directors, or by a member of the board of directors appointed by him or, failing that, by the oldest member of the board present.



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Article 12: Convocation

§ 1. A general assembly must be held at least every year. It will be held at the head office or at the address in the municipality's head office indicated in the invitation letter. If this day is a legal holiday, the meeting will be held the next business day. All members must be invited.

In addition, the meeting may be convened in an extraordinary way at any time by the board of directors, the chairperson or at the request of at least one fifth of all members.

§ 2. The general meeting is convened by the board of directors, by ordinary mail, fax, email or other communication addressed to each member at least fifteen days before the meeting, without prejudice to Article 13, and signed by the chairman or member of the board on behalf of the board of directors. The agenda is mentioned in the notice.

Any proposal for the agenda by a member, have to be communicated to the board of directors no later than two (2) weeks before the general assembly. . If the board of directors refuses them, they can be proposed again at the general assembly. They have to be put on the agenda if a simple majority represented at the meeting votes for it.

In the event of a modification of the statutes, the modifications suggested must be explicitly mentioned in the convocation.

§ 3. Representation in the general assembly

Each member at the meeting may be represented by a representative, whether or not a member of the international non-profit association with a document bearing his signature (digital signature included, see Article 1322, paragraph 2 of the Civil Code), whose knowledge was proved by letter, fax or e-mail. It is allowed to give a proxy to a member or a third party to take the floor and vote at a particular meeting.

Article 13: Decision-making method

§ 1. The general assembly - convened under the statutes - can deliberate only when one third of members are present or represented. Each member has one vote.

§ 2. Another full member may represent full members at the general meeting by a special written mandate. The meeting may require proof of this mandate. No member may hold more than one proxy.

§ 3. Except in the exceptional cases envisaged by these statutes or the law, resolutions are taken by simple majority of the actual members present or validly represented. In the event of equality of votes, that of the president or his substitute is decisive.



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§ 4. Votes on the appointment and dismissal of members of the board of directors and commissioners as well as votes on the exclusion of members, take place by three-quarters majority of the members present or validly represented at a secret ballot. Other ballots take place by a show of hands or by secret ballot at the request of at least a third of the members present or validly represented. The mode of presentation of candidates and the election procedure are determined by the internal regulations.

§ 5. The resolutions are brought to the attention of all members by e-mail or other means of communication within 30 days after their adaption. They are recorded in a register of records kept at the registered office, where all members can read without moving the register and are available on the web site of the organization.

The minutes as well as copies and extracts are signed by the president or by any two members of the board of directors.

All persons showing a legitimate interest may request, at its expense, copies of minutes of general assemblies of the association.

Article 14: Financial Control

At the annual general meeting, three members, not having a mandate in the board of directors will be appointed to monitor the financial reports of the treasurer. They will write a report containing their comments before the next general assembly.

Article 15: Amendment of statutes and dissolution of the association:

A proposal to amend the statutes or dissolution of the association can be made by the board of directors or one third of the members of the association. The board will communicate the content of the agenda to members at least fifteen days before the date of the general assembly, which deliberated on such a proposal. The general assembly may amend the articles with a majority of two thirds. If a majority of two-thirds is not reached, a second general assembly will be held.

This second general assembly may validly decide if it occurs earlier than thirty days after the first and if the decision is taken with a majority of two-thirds, without quorum.

The general assembly determines the manner of dissolution and liquidation. It regulates also the method of liquidation, appoints one or more liquidators and specifies their powers and emoluments, it indicates the assignment to give the net assets after liquidation.



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Section 3. The Board of Directors

Article 16: Responsibilities - extent of authority - representation of the association

§ 1. The board of directors possesses the most extensive capacities to act in the name of the association and to perform all acts of management, administration and provision which are in the interest of the association, subject to the powers of the general assembly.

Generally, the board of directors lays down the policy to be followed and the means to be applied to pursue the activities of the association in order to achieve its goals.

§ 2. The board of directors elects within its self, for one period, which cannot exceed the duration of their mandate, a president, one or more vice president/s, a treasurer and a secretary. In the event of the president's impeachment, his functions are assumed by oldest of the vice-presidents or, failing this, by the oldest of the board of directors present.

§ 3. The board of directors can delegate the day-to-day management, with the use of the signature and the representation coming under this management, or grant special powers limited to one or more persons, who may or may not be members of the board of directors or members.

The revocation of the mandate of a delegate managing the day-to-day work can only be carried out through a justified decision made by the board of directors by a majority of two thirds of the votes. The board of directors can create any committee, council or board, of which it defines the capacities and powers.

§ 4. Representation – The members of the board of directors, exercising their function in a collegial way, represent the association in judicial and extra-judicial actions, either as an applicant or respondent

Without prejudice to the capacity of representation of the board of directors, and with the exception of special proxies, the association is duly represented in judicial and extra-judicial actions, including its proceedings with the administration, by the president and within the limits fixed by the board of directors, by the person(s) assigned with the management of the day-to-day business. When there are several, each one exerts its power of representation separately.

§ 5. The president and, in his absence, two members of the board of directors acting jointly, are entitled to accept, on a provisional or definitive basis, the responsibilities given to the association and to carry out all the formalities necessary to do.



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§ 6. The members of the board of directors may not contract, by reason of their position, any personal obligation and are only responsible for the execution of their mandate before the general assembly of members of the association.

§ 7. The members of the board of directors adopt the organisation's budget, prepare the financial reports and present the verified financial statements for adoption at the general assembly.

§ 8. The board of directors is responsible for organizing the process of appointment of members of the board of directors and, where applicable, Commissioners;

§ 9. The board of directors is responsible for admission and suspension of members.

Article 17: Composition

§ 1. The association is managed by a board of directors made up of three directors at least and fifteen at most, chosen from among the effective members.

§ 2. The directors are appointed by the general assembly by simple majority of votes present or represented for a term of three years, renewable only once. They can be dismissed by the general assembly adopted the three-fourths majority vote of members present or represented. The members of the board of directors may be recalled by the general assembly. Until the general assembly has not made the renewal of the board beyond the terms of the members of the board of directors, they continue to perform their duties.

§ 3. The duties of the members of the board of directors cease upon the death, resignation, and incapacity or placed under civilian interim administration, cancellation or expiration of the mandate. A member of the board of directors is free to withdraw at any time from office by written resignation addressed to the board of directors, which shall take note and bring it to the attention of the next general assembly meeting.

In the event of vacancy in the course of a mandate, the board of directors can name a provisional member of the board of directors. This nomination will be submitted for ratification by the next general assembly. The provisional member of the board of directors completes in this case the mandate of the member who he/she replaces.

§ 4. The mandate of a member of the board is not paid, unless the general assembly decides otherwise.



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Article 18: Meetings and convocations

§ 1. The board of directors meets at least twice a year. The board of directors convened by the chairman or, failing him, director. The notice is sent by letter, fax, email or other communication within 14 days before the meeting.

§ 2. The board of directors forms a college and can only rule if a majority of its members are present or represented.

Its decisions are taken by simple majority votes of the directors present or represented, except in cases where it decided otherwise by law or by these statutes. In case of an equality of votes the president or his substitute is overriding.

Decisions of the Board on a proposal to amend the statutes or dissolution of the association or remove of a director or commissioner to submit to the general assembly, and decisions on the admission of a new member or suspension of a member can only be taken if at least half the board's directors are present.

None of these decisions will be adopted if it is not voted for by simple majority of the directors present or validly represented.

Any director unable to attend may give written proxy to another director. None of them can hold more than one proxy.

In the absence of the president, his duties are assumed by the oldest vice-president or by a director appointed by the president and in default, the oldest of the directors present.

§ 3. The decisions are recorded in the form of minutes. These minutes are signed by the person who chaired the meeting or by a director and recorded in a special register. A director will sign the extracts or copies produced.

PART IV. Budget and annual accounts

Article 19: The financial year of the association begins the first of January and end on the thirty first of December.

Under Article 53 of the Act, each year the annual accounts for the previous year and the budget for the current year are written by the board of directors and submitted for approval at the next general assembly.



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PART V: General

Article 20: All that is not provided in the statutes, especially publications in the Annexes of the Moniteur belge, will be treated in accordance with the provisions of Title III of the Act from the twenty seventh June nineteen hundred twenty-one on “associations non-profit”.

Article 21: Language

The official language of organizational work is English.

PART VI. Transitional and Final Provisions

The appearing parties, represented as stated above, meet and make decisions following the unanimous vote:

Contributions

The minimum amount of contributions paid by members:

- 1) Individual member: Ten (10) Euros per year.
Organization member: Fifty (50) Euros per year.
- 2) Affiliates, individual: Ten (10) Euros per year.
Affiliates, organization: Fifty (50) Euros per year.

The first general assembly and the first accounting period

The first general assembly will take place in two thousand and eleven at the headquarters or at the municipality of the headquarters office indicated in the invitation letter. If this day is a legal holiday, the meeting will be held the next business day.

The first year shall begin on the date of obtaining legal personality by the association and will be ended on the thirty first of December two thousand and ten.



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Board of directors

A. The following persons are appointed directors for a period of three years:

1. Mr Helmut Peissl (Austria)
2. Mr Farina Rui Manuel Monteiro, (Denmark)
3. Mr Petrus Marinus Gerardus de Wit, (Netherlands)
4. Mr Thomas Kreiseder, (Austria)
5. Mr Péter Giczey Bela (Hungary)
6. Mr Christer Hederström Karl, (Sweden)
7. Ms Nadia Bellardi, (Switzerland)
8. Mr Salvatore Scifo, (Turkey)
9. Mr Henry Grinnell Loeser, (Czech Republic)
10. Ms Mojca Plansak, (Slovenia)
11. Mr Arne Hintz, (Canada)
12. Ms Nuria Reguero, (Spain)
13. Mr Ciaran Murray Francis Joseph, (Ireland)
14. Mr Francesco Diasio, (Italy)

All accepting the mandate and represented here by Mr Petrus Gerardus Marinus de Wit under proxies, from which the originals are in the annexes.

Mr Petrus Gerardus Marinus de Wit, is here accepting the mandate as director of the INGO "CMFE"

B. The administrator shall meet and appoint the following persons:

1. Chairman: Mr Petrus Gerardus Marinus de Wit, (Netherlands);
2. Vice President: Mr Helmut Peissl, (Austria);
3. Vice President: Ms Nadia Bellardi, (Switzerland);
4. Treasurer: Mr Faria Rui Manuel Monteiro, (Denmark);
5. Secretary: Mr Salvatore Scifo, (Turkey);

All accepting the mandate and represented here by Mr Petrus Gerardus Marinus de Wit under proxies, from which the originals are in the annexes.

Mr Petrus Gerardus Marinus de Wit, who is here, accepted the mandate of the president of the INGO "CMFE".



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