

**Name and Seat:****Article 1**

The name of the association is: Eurocontrol Guild of Air Traffic Services, abbreviated EGATS. The association resides in Beek (Limburg)

**Objectives and means:****Article 2**

1. The objectives of EGATS are:

- a. To promote the safety, efficiency and regularity of international air navigation.
- b. To contribute in the development and establishment of safe and efficient systems of Air Traffic Control by collective rather than individual research.
- c. To maintain a high standard of professional knowledge and proficiency among Air Traffic Services Personnel.
- d. To protect and safeguard the individual and general interests of its members.
- e. To establish and maintain relations with similar or related professional organisations.
- f. To promote, encourage and enhance in general the work of the Air Traffic Services Personnel and to develop and promulgate knowledge of Air Traffic Control in all its aspects and applications.
- g. To promote and coordinate the social, cultural and sporting activities of its members.
- h. To sponsor and support legislation aimed at increasing the safety of air navigation and the establishment of the profession of Air Traffic Control.

2. EGATS will attempt to achieve its objectives by:

- a. Drafting, processing and offering studies, reports and practical proposals.
- b. Installing committees to study matters concerning Air Traffic Control in general.
- c. Distributing publications.
- d. Organising congresses, lectures, meetings
- e. Using all other legal means promoting the objectives of EGATS.

**Duration:****Article 3**

EGATS is founded for an indefinite period of time.

**Membership****Article 4**

1. EGATS consists of: Ordinary members, Candidate members, Honorary members, Corporate members and Affiliate members. When in the Constitution member or members are mentioned, meant are Ordinary as well as Candidate, Honorary, Corporate and Affiliate members unless the contrary appears from it.
2. Ordinary members are natural persons who accept the objectives of EGATS and are established employees of the Europe an Organisation for the Safety of Air Navigation, Eurocontrol, or after a minimum period of five years of membership of EGATS enjoy a pension from Eurocontrol. ( Retirement, E.T.S. or Invalidity) and

- a. are in possession, or have been in possession for a period of at least five years of an Air Traffic Controllers Licence, issued by Eurocontrol or by the competent authority of a memberstate of ECAC, or
- b. are employed, or have been employed, as a Flight Data Assistant in Maastricht UAC, or coming from such a position, after a minimum period of five years of membership of EGATS, are employed in another function within Eurocontrol outside Maastricht UAC.
- c. Natural persons who accept the objectives of EGATS, and are employed as licenced Air Traffic Controller by a civil or military organisation, within Maastricht UAC, primarily charged with the control of Operational Air Traffic in an Eurocontrol Memberstate can also be admitted as Ordinary member. They may continue their membership after retirement if they have been Member for at least five years.

### 3. Candidate members.

Candidate members are natural persons who accept the objectives of the association and are employed as trainee air traffic controller at Maastricht UAC, until the time that they are in possession of a Air Traffic Controllers licence and have been accepted by the Executive Board as Ordinary Member.

### 4. Honorary members

- a. Honorary members are natural persons, who have rendered noteworthy service to Air traffic control or Air Navigation in general or to EGATS in particular.
- b. Nomination procedure for Honorary Members will be laid down in the Bye-Laws.

### 5. Corporate members

Corporate members are associations, corporations or other organisations, who support EGATS, in kind or financially, with an amount or value, the minimum of which is laid down in the Bye-laws of the Constitution.

### 6. Affiliate members

Affiliate members are natural persons, who support EGATS in kind with an amount or value, the minimum of which is laid down in the Bye-laws of the Constitution.

### 7. The Executive Board decides on acceptance of members.

After refusal by the Executive Board the General Meeting can decide to accept a person as a member.

### **Membership ends by:**

#### **Article 5**

1. a written cancellation of membership to the Executive Board, under terms as laid down in the Bye-laws of the Constitution.
2. legally if and as soon as a ordinary or candidate member no longer fulfils the conditions as laid down in articles 4.2 and 4.3.
3. by expulsion, if the member acts against the Constitution, Bye-laws or decisions of the association, or damages the interest of EGATS in an unreasonable way.
4. by decease, or by dissolution of the legal body.

## **Financial means:**

### **Article 6**

1. The financial means of EGATS consist of contributions of the ordinary and candidate members, gifts of the corporate and affiliate members, of entry-fees, of eventual obtainments from rights of succession, legacies and gifts and finally any other incidental assets.
2. Every ordinary and candidate member pays a contribution which amount will be defined yearly by the General Meeting.
3. Ordinary members will pay an entry-fee; the amount will be defined by the General Meeting.
4. The currency will be the Dutch guilder.
5. The bank accounts of EGATS shall be in the name of Eurocontrol Guild of Air Traffic Services.
6. To take up a loan, as well as to buy, to alienate, to encumber, to rent or to let immovable goods, for agreements whereby EGATS is binded as guarantee or personal creditor, makes itself strong against third parties or bind itself as a guarantee for credit of a third party, the Executive Board needs approval of the General meeting.
7. Expenses will be re-imbursed under the conditions as laid down in the Bye-laws of this Constitution.

## **The Executive Board:**

### **Article 7**

1. The Executive Board shall consist of at least five persons, including a president, a secretary and a treasurer. The number of members of the Board will be defined by the General Meeting.
2. The Executive Board has to be composed in such a way that at all times the majority of the members, and in particular the president, are in possession or have been in possession of an Air traffic controllers licence and furthermore are employed by Eurocontrol in Maastricht UAC.
3. The Executive Board will be charged with the management of EGATS. All the members of the Board together, as well as the president and the secretary together, are allowed to represent EGATS in legal and other matters. The members of the Board may have themselves represented by a thereto in writing authorised representative.
4. The members of the Board will be elected by the ordinary members in the General meeting from among the ordinary members of EGATS.
5. The members of the Executive Board will appoint from among themselves a president, a secretary and a treasurer. The Executive Board may appoint, from among themselves, an acting representative for each of the above mentioned functions.
6. The General Meeting may suspend and discharge a member of the Executive Board when they decide terms present to do so. For such a decision a majority of at least two-thirds of the number of valid votes cast is necessary.
7. At all times the Members of the Executive Board are allowed to resign, provided this is done in writing with a three months notice.
8. The Members of the Executive Board are elected for a period of two years. They are immediately re-electable.

## **General Meetings:**

### **Article 8**

1. Within six months after the termination of each book year a General Meeting (Annual Meeting) will be held. In this meeting the Executive Board will make its yearly report and will render an account of the previous year, whereby the necessary papers will be produced. A budget shall be presented by the Executive Board for approval by the General Meeting.

2. The General Meeting will nominate yearly, but at least thirty days before the annual meeting a committee of at least three ordinary members, who will not belong to the Executive Board, to check the bookkeeping of the actual, casu quo the previous year. This committee will report its findings to the General Meeting.
3. The Executive Board is obliged to give all information to this committee as requested, show the accounts and the debts of EGATS as requested and show the books and documents of EGATS.
4. Approval of the yearly report and accounts by the General Meeting will discharge the Executive Board.
5. If the approval of the report and account is refused, the General Meeting will appoint another committee of three ordinary members, who will carry out a new check on the report and the account. This committee will have the same competence as the previous committee. This committee will report its findings to the General Meeting within forty days of its nomination. If again the approval is refused, the General Meeting will take all measures as deemed necessary under the circumstances in the interest of EGATS.
6. The General Meeting will be called upon by the Executive Board with thirty days notice on beforehand. The convocation shall contain the agenda and will be sent either to all ordinary members in writing, or be announced on the publication board of EGATS, as applicable.
7. The Executive Board shall call upon a Special General Meeting at the request, in writing, of at least one-tenth of the number of ordinary members, taking into account the conditions in art. 6.
8. All members are allowed to attend the General Meeting. Only ordinary members have the right to vote. Each ordinary member is entitled to vote by proxy, carried by another, in writing authorised, ordinary member as laid down in the Bye-laws of the Constitution.
9. Voting on matters will be effected verbally, on persons by written secret ballot. The acceptance by acclamation is possible, provided the president proposes so.
10. Unless the Constitution or the law state otherwise all decisions of the General Meeting are taken by absolute majority of the votes cast by the ordinary members present. When the votes are equal the proposal is considered to be rejected in case of a vote on matters. In case of a vote on persons nobody has the absolute majority, a second vote will be held. If after the second vote the votes are equal, dices will be cast.
11. All points dealt with during the General Meeting will be recorded by the secretary or by an ordinary member appointed by the president.
12. The president of the Executive Board will conduct the meeting. In his absence one of the other members of the Executive Board will act as a Chairman.

#### **Standing Committees and nominated officials:**

##### **Article 9**

1. The Executive Board may establish Standing Committees.
2. The chairman of a Standing Committee shall be appointed by the Executive Board.
3. The Executive Board may appoint a Nominated Official to execute a certain task, during a specific time.
4. The Executive Board may appoint an Editor.
5. The Executive Board can appoint the IFATCA representatives to the IFATCA meetings.

## **Changes of Constitution:**

### **Article 10**

1. Changes of the Constitution can only take place after the General Meeting has decided so, whereby this meeting was called with the announcement that changes to the Constitution will be proposed.
2. They who have called for the General Meeting to deal with a proposal to change the Constitution, shall publish, at least five days before this meeting a copy of the proposal of the changes at a thereto convenient place for the ordinary members, until the end of the day of the meeting.
3. Changes of the Constitution can only be decided by a majority of at least two-thirds of the votes cast, in a General Meeting in which at least two-thirds of the members entitled to vote are present or represented. In case that not two-thirds of the members entitled to vote are present or represented such a decision can be taken in a second meeting with a majority of two-thirds of the votes cast, regardless the number or members entitled to vote being present.
4. The changes of the Constitution only become valid after a notarial deed has been passed.
5. The Members of the Executive Board are obliged to register an original copy of the change and the changed Constitution at the offices of the Chamber of Commerce and Factories in which resort EGATS has its seat.

## **Bye-laws**

### **Article 11**

1. The General Meeting can, through the Bye-laws, lay down further rules, regarding all subjects, as deemed necessary.
2. Changing of the Bye-laws may be decided by the General Meeting if a written request thereto have been received from at least one-third of the total amount of members entitled to vote or if the Executive Board so proposes.
3. The Bye-laws shall not contain any provision contrary to the Law or the Constitution.

## **Dissolution:**

### **Article 12**

1. Dissolution of EGATS can only be decided by a majority of at least two-thirds of the votes cast in a General Meeting in which at least two-thirds of the members entitled to vote are present or represented. In case not two-thirds of the members entitled to vote are present or represented, such a decision can be taken in a second meeting with a majority of two-thirds of the votes cast, regardless the number of members entitled to vote being present.
2. In case of dissolution the General Meeting shall decide, by absolute majority, on the allocation of the capital.
3. The Audit Committee shall be charged with the final check on the bookkeeping and settlement. The Audit Committee determines the amount of the capital and will spend this at the allocation as determined by the General Meeting.

### **Article 13**

In all cases in which the Law, the Constitution or the Bye-laws do not foresee, the Executive Board will decide. In case of dispute over the meaning and interpretation of the English translation of the Constitution, the Dutch version is the legal reference.