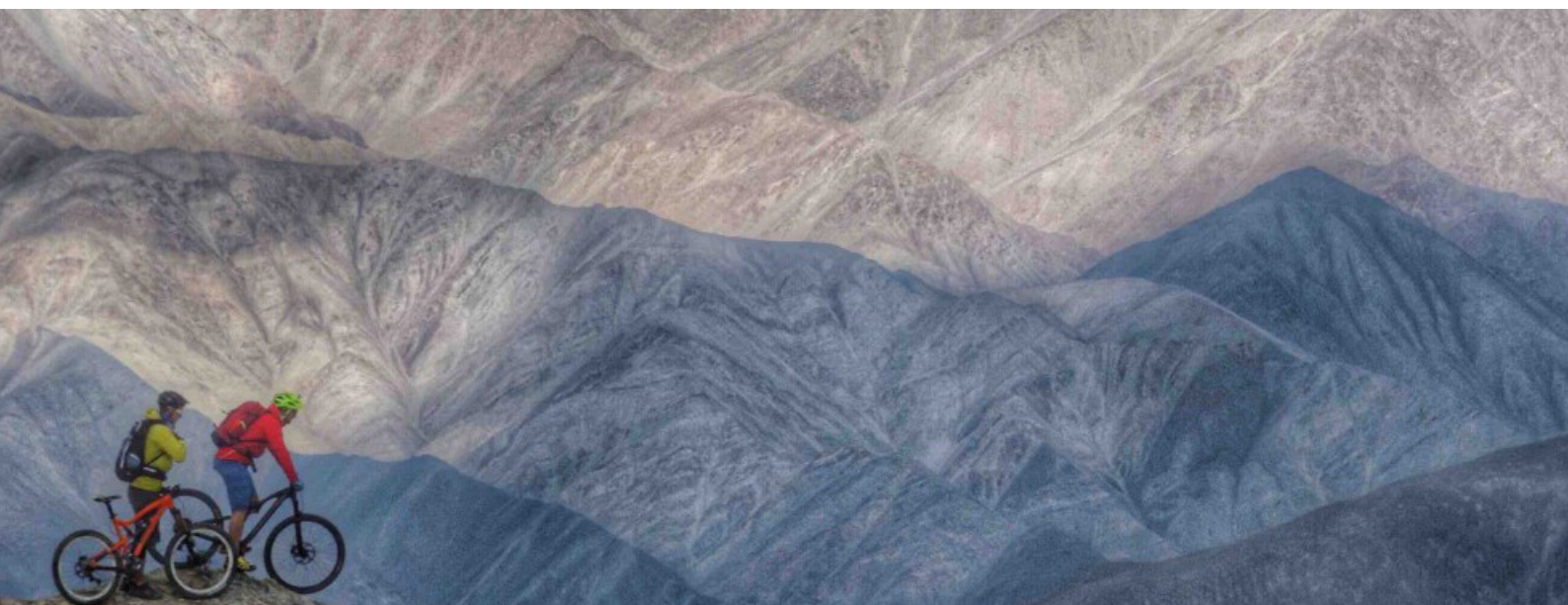


CAPS MTB



Creating a European Professional Standard for Mountain Bike Instructor-Guides



D2.3 - EO-MTBing project delivery organisation's articles of association



Co-funded by the
Erasmus+ Programme
of the European Union

Project reference : 579731-EPP-1-2016-1-FR-SPO-SSCP



Articles of Association (English Version)

EO-MTBing (European Organisation of Mountain Bike Instructor-Guides)

Creation date	February 2016 (France)
Author	EO-MTBing Working Group
Modification date	/
Reviewed by	Annual General Meeting
Date of approval	/
Approved by	Annual General Meeting
Lastest modification	/
Modified by	Annual General Meeting
Articles of Association	Final

CHAPTER I: NAME - HEADQUARTERS – OBJECTIVES

Art 1

The association is called "European Organisation Of Mountain Bike Instructor-Guides" - EOMTBing.
The association complies with the provisions of French legislation, in particular Article 5 of the Law of 1 July 1901 and article 1 of its decree of application of 16 August 1901.

Art 2

The Headquarters is located, Tourist Office, 14 rue de la Republique, 38000 Grenoble.
It may be transferred by decision of the Board.

Article 3

The association is declared in France at the Prefecture of Grenoble (Isère).

Article 4

The organisation's objectives are:

- The legal and social recognition of the profession of mountain bike instructor-guide in member states of the European Union, the European Economic Area and in all countries where the organisation is involved
- Assistance in the establishment and recognition of professional associations of mountain bike instructor-guides
- The harmonization of minimum levels of professional competence for training and certification of mountain bike instructor-guides.
- To represent the associations in the various national, European and international organisations; To have the issues of professional mountain bike instructor-guides taken into account by the various administrations and other relevant organisations.
- To foster relations, exchanges and partnerships between associations and professionals.
- Contribute to the establishment and respect of treaties

and conventions signed in the territory of the European Union and at international level, in particular concerning the freedoms and fundamental rights of citizens;

- Actively contribute to the sustainable management of the natural environment, as a resource for mountain bike instructor-guides, and the sustainable development of the activity.
- Actively contribute to public information.
- To organize and support all tourist, scientific, sporting, cultural, artistic activities related to the profession of Mountain Bike Instructor-Guide.
- Any other actions that will help work towards these objectives.

Article 5

The duration of the association is unlimited.

Article 6

The Organisation prohibits any political or religious discussion.

Article 7

Organisation of Revenue shall consist of:

- Membership dues.
- Legacies or gifts.
- Grants (from government or communities).
- Income from movable or immovable assets.
- Miscellaneous income resulting from its activity.

Article 8

The reference documents of the Organization are the current versions of training standards and certification. They should serve as an expert document, as well as specific legal requirements for each member country.

Article 9

The official languages of the EO-MTBing are English and French.

CHAPTER II: MEMBERS OF THE ORGANIZATION

Article 10

A country is represented within EO-MTBing by their main national association and by additional national organisations at the discretion of the Executive Committee.

Article 11

The European Organisation Of Mountain Bike Instructor-Guides consists of several categories of members:

- Executive members.
- Full Members.
- Aspiring members.
- Candidate members.

Art 12

To become a full member of EO-MTBing, applicant organisations should:

1. Be a legally recognised entity
2. Represent the profession of mountain bike instructor-guide at the national or federation level
3. Provide and deliver MTB instructor-guide training courses to the EO-MTBing European standard, approved by the EO-MTBing board.
4. Be commercially independent and open to all MTB instructor-guides from the respective nation who hold, or are working towards, the organisation's diploma.

Aspiring members should :

1. Be a legally recognised entity
2. Represent the profession of mountain bike instructor-guide at the national or federation level
3. Have started the training/conversion process enabling them to deliver MTB instructor-guide training courses to the EO-MTBing European standard.
4. Be commercially independent and open to all MTB instructor-guides from the respective nation who hold, or are working towards, the

organisation's diploma.

The founding countries/organisations are referred to as Executive members.

Full members may apply to acquire the status of Executive member as demonstrated by their management capacity. The decision will be taken by the other executive members by agreement.

Art 13

Organisations wishing to become 'Aspiring' members must have started the process of achieving official recognition for their award/diploma in their own country and have begun the process of structuring its diploma to meet the requirements of the EO-MTBing training standard.

Aspiring members may participate in meetings and have an advisory role in the committee. They can use the logo and the title only in their administrative correspondence as a national association.

The Aspirant member, after having been appraised according to the defined procedures, can be admitted as A Full Member by a vote of the General Meeting by a majority of 2/3 of the votes present.

Art 14

Organisations may become Candidate members by starting the process of recognition of its awards/diplomas by EO-MTBing by attending open meetings.

The status of Candidate member is transitory and must lead, within a year, to the status of Aspirant member.

During this transitional period, Candidate members may not use the logos/branding of the Organization.

The procedure for recognizing this status is based on the presentation of a file defined by the Internal Operating Procedures.

The Candidate member may be admitted as an Aspirant by a vote at the Annual General Meeting by a majority of 2/3

of the votes cast.

Article 15

The procedures pertaining to the evaluation of candidate and aspirant organisations are detailed in the Internal Operating Procedures.

Article 16

The organization of the training and certification of mountain bike instructor-guides must comply with the requirements of the current version of the EO-MTBing standard.

CHAPTER III: ADMINISTRATION AND FUNCTIONING

A: The EO-MTBInG Board

Article 17

The Organization (EO-MTBing) is administered by the Board, composed of delegates. Delegates are nominated by the member national associations/organisations.

Art 18

Their appointment is entrusted to members organisations, who will ensure continuity of management of current projects. They must have senior roles within their national association/organisation and be empowered to represent it.

Article 19

The Board meets at least once a year at the Annual General Meeting.

To be valid, the Annual General Meeting must have a quorum of 2/3 of the full members.

Art 20

On the proposal of the President, the Executive Committee or one of the member associations, the Board may appoint persons considered as experts to participate in the work of the organisation.

Article 21

The system of representation when voting is defined by Article 12 of the Internal Operating procedures. The

decisions shall be taken by a simple majority of the votes of the members present. In the event of a tie, the vote of the President shall prevail.

Article 22

The proceedings shall be registered in the minutes and ratified by the signature of the chairman of the meeting and of the Secretary, or his/her delegate.

Article 23

The Annual General Meeting manages the affairs of the Organization and has the power to create job roles. It determines the amount of any financial contributions, administers the Organization's activities according to the law, decides the use of available funds, approves the budget, orders expenditures and collections, accepts donations, bequests and grants, decides on purchases and can appoint and dismiss the agents and employees of the Organization.

Article 24

The Annual General Meeting is convened at least 30 days in advance by the Executive committee. The agenda prepared by the Executive Committee is sent to members at least 15 days before the Annual General Meeting.

Article 25

The Annual General Meeting involves a general and a financial report on the previous year. It is used to approve the accounts for the financial year, and gives discharge to the Executive Committee, validates the budget of the following year and includes the statutory elections. It shall vote on any issues raised.

Minutes of the deliberations signed by the President and the Secretary shall be drawn up. The resulting notes of the General Meeting shall be brought to the attention of the members.

Article 26

Decisions of the General Meeting are taken by simple majority, but changing articles of association may only be accepted by a majority of 2/3 of the votes cast.

Art 27

The General Meeting shall decide on the admission or exclusion of members by a majority of 2/3 voices.

Art 28

The General Meeting will see voting by number of hands raised, unless a quarter of the members present request a secret ballot.

Article 28 bis

When the delegates of EO-MTBiNG must vote on a particular subject urgently thereby rendering impractical the usual voting system in the Annual General Meeting, a remote voting (using new technologies) system can be used. The process is under control of the Executive Committee and is the responsibility of the Secretary. The existing weighted voting system applies and the decisions taken are equivalent to votes taken at an Annual General Meeting.

Article 29

The organization of the Annual General Meeting meets standards defined by the association Internal Operating Procedures.

Art 30

At the request of the Executive Committee or a third of the Board members, an Extraordinary General Meeting may be convened. It will be held at the headquarters of EO-MTBiNG.

The minimum notice period for an Extraordinary General Meeting is 30 days.

B: The EO-MBiNG Executive Committee**Article 31**

The Executive Committee of the Organization is composed of up to 6 members, including a President, a Secretary and a Treasurer, along with other specified roles.

The members of the Executive Committee are elected from amongst the executive members. The terms of office of the

Executive Committee are 3 years. Each member has the right to vote. The outgoing President assists the new President, in the role of an expert with an advisory vote, until the next Annual General Meeting.

The members of the Executive Committee are elected from the delegates of the referring members. They are mandated by their association for the duration of their term of office and must have experience pertaining to their roles.

The members of the Executive Committee of the EO-MTBInG are re-eligible with the approval of their organization.

Article 32

Removed

Article 33

Travel expenses of members of the Executive Committee and experts appointed may be covered by the Organization in accordance with the Rules of Procedure.

The travel expenses of the delegates of the member organisations are borne by the associations themselves.

Article 34

The President is the guarantor of the proper functioning of the Organization, he/she directs and represents it in all activities in line with the stated goals. He/she convenes the meetings, fixes the agenda and chairs the debates.

Article 35

The Secretary administers the Organization. He/she ensures coordination between member organisations and Delegates. He/she is the depositary of the registers, records and documents concerning the administration of the Organization. He/she shall keep the correspondence and may sign it by delegation of the President. He/she drafts minutes of the meetings.

Article 36

The Treasurer is custodian of the funds of the Organization, collects the contributions, give receipts against these payments, balances the expenditure of the President, draws up the accounts for the financial year

which will be submitted at the Annual General Meeting (AGM).

CHAPTER IV: COPYRIGHTED BRANDING

Article 37

The Organization owns a number of brands, logos, designs, patents and models deposited and duly registered with the National Institute of Industrial Property (INPI), in France.

Article 38

Only the Organization, its members and their members may use the trademarks, logos, designs, patents and registered designs registered with the National Institute of Industrial Property, as have been filed, without amendments or additional entries.

Article 39

The use of trademarks, logos, designs, patents and utility models by groups or Mountain Bike instructor-guides are subject to the authorization of the Organization. The request must be made to the Executive Committee which shall decide.

Article 40

The standards defined in the context of the filing with the National Institute of Industrial Property must be respected.

Article 41

Non-compliance with these articles and industrial property legislation may make individuals/organisations subject to prosecution, and / or disciplinary sanctions, as requested by member organizations.

CHAPTER V: SANCTIONS - RADIATION - DISSOLUTION

Article 42

The Organisation is not intended to replace the member organisations in the management of their internal affairs and domestic operations. It shall refrain from interference in rules of the Member National

Associations/organisations, provided that they are not contrary to the aims and spirit of EO-MTBing.

Art 43

Members may be excluded from the Organization for:

- Non-payment of the agreed financial contribution.
- The non-fulfillment, on a repetitive basis, of the decisions taken by the Board pertaining to the member organisation.

In all cases, in order to rule on the exclusion of a member association, the Board shall make its decision by a two-thirds majority of the votes of the members present, having heard the opinions of the association in question.

The Board may also issue a temporary exclusion or a warning.

Article 44

The reinstatement of an excluded member is, after a request by the latter, by a vote of the Board by a majority of 2/3 of the votes of the members present.

Article 45

The Organization may be dissolved by a vote of the Board taken by a majority of 2/3 of the members present. The Executive Committee will be responsible for the liquidation and the Executive Committee will decide the use of the net assets, in accordance with the laws in force.

Art 46

The Internal Operating Procedures specify the Organization's operating procedures.

Members of the Executive Committee of EO-MTBING

President :

MORRIS Samuel

Born on 26/09/1977 in Farnington (USA)

Chemin des Guilles

73210 Landry

la France

Secretary:

REBUFFET-GIRAUD Julien

Born on the 16/12/1977 in Echirolles (FR)

17 Rue Lakanal

38000 Grenoble

la France

Treasurer:

HONIG, Mathijs

Born on the 14/12/1973 in Heerhugowaard (Holland)

Kromdel 22

1831 AA Koedijk

Holland