## **Current Statutes Proposed draft statutes Colour Code** Mandatory clauses which do not exist in the current statutes and had to be newly drafted (Colour code: grey) Articles moved from rules of procedure to the statutes (colour code: bright green) - Administrative and other minor changes (Colour code: turquoise) Préambule: - Content defined in art. 1 It has been agreed to set up a non-profit making association with the [Deleted] following statutes: Art. 1 **Legal basis:** ASBL law of 1921 replaced with CSA of 2019 Not required by law: name change approved by the administrative board on June 22<sup>nd</sup>, 2023. This was confirmed by a revote during the meeting of the administrative board on September 12<sup>th</sup>, 2023. - Removal of "à but pédagogique" since the object of the association is covered by art. 3 An international association with educational aims called "The An international association, designated Association of Parents of Association of Parents of Pupils at the European School Brussels II -Pupils at the European School Brussels II Evere-Woluwe, in short Woluwe" is hereby established in accordance with Title III of the APEEE Evere-Woluwe, is established in accordance with the Belgian Law of 27 June 1921 on non profit-making organisations, provisions of Belgian laws applicable to international no-profit foundations, and international non profit-making associations. associations. Art. 2 - Legal basis: Article 2:10, §2, 2° of the CSA: The name and indication of the region in which the AISBL headquarters are located The Association's registered office shall be judicial district of Brussels The Association's registered office shall be located in the Brusselsat an address determined by ordinary decision of the Administrative Capital region, at the place designated by simple decision of the Board, and is at present at the registered office of the school, avenue Administrative Board. Oscar Jespers, 75, Woluwe - St-Lambert. The registered address may be transferred outside the judicial district of It may be transferred outside the Brussels-Capital region by decision of Brussels by means of a decision of the General Meeting. the General Meeting.

Art. 3 §1

accordance with the law.

Any transfer of registered address must be registered and published in

in accordance with the law.

Any transfer of the registered office must be registered and published

- **Legal basis:** article 2:10, §2,3° of the CSA: A precise description of the disinterested **purpose of the AIBSL** and the activities that constitute its object
- Modifications: move of activities from the purpose to art. 3\\$2; align the purpose with the current activities of APEEE as listed in 3\\$2.

The Association's objects shall be:

- 1) to take and encourage any initiative making possible the maximum participation by parents in all aspects of school life and in decisions relating thereto,
- 2) to represent the educational and family interests of parents with regard to the school and local, regional, national and European authorities,
- 3) to make parents' wishes and their suggestions regarding the organisation of the school known to the school authorities,
- 4) to organise extra-curricular activities and any other activities for the benefit of the children or the parents, acting in liaison with the Administrative Board of the school,
- 5) to help resolve any other problem which parents my have with regard to the education of their children,
- 6) to ensure that parents are sufficiently well informed regarding decisions or discussions of the various competent authorities concerning the school,
- 7) to encourage ties, and, where appropriate, to cooperate directly with the Associations of Parents of Pupils at other European Schools,

- §1 The purpose of the Association is:
- 1) To take and encourage any initiative enabling parents to participate as widely as possible in School's life in all its forms and in the decisions relating thereto,
- 2) To represent the educational and family interests of parents with regards to the school, the bodies and administrative authorities of European Schools, and as well as with local, regional, national and European authorities,
- 3) To make parents' wishes and their suggestions regarding the organization of the school known to the school authorities,
- 4) To help resolve any other problem which parents may have with regard to the education of their children, and to provide financial support to children whose parents have insufficient means so to enable them to participate in school activities,
- 5) To ensure that parents are sufficiently well informed of the decisions or resolutions of the various competent authorities concerning the School,
- 6) To offer services and activities for parents and their children,
- 7) To strengthen the school community by supporting cultural events and sporting, recreational and educational activities,
- 8) To encourage ties with the Parents' Associations of other

in particular with those whose registered office is situated in Greater	European Schools.
Brussels.	
Art. 3 §2 – newly drafted text	
- <b>Legal basis:</b> article 2:10, §2,3° of the CSA: A precise description of the disinterested purpose of the AIBSL and <b>the activities</b> that	
constitute its object	
- Mandatory clause which does not exist in the current statutes and had to be newly drafted.	
	§2 In the pursuit of its purposes, the association will carry out, among others, the following activities:
	- To establish a continuous and open communication between the
	association and parents (e.g. website, newsletter, email, social networks, consultation of parents through surveys or meetings);
	- To participate in the work of the school's bodies or the bodies and administrative authorities of the European Schools dealing with educational issues or with school organization;
	- To cooperate with regional and/or federal authorities that have an impact or effect on the School and, in general, with all stakeholders linked to the School;
	- To organize the Association's working groups or task forces; - To organize or contribute to the organization of cultural, sport, recreational or educational activities in or in connection with the school;
	- To organize meetings, workshops or conferences on specific subjects of interest to the school community;
	- To participate in the activities of the umbrella association of all the Parents' Associations of European Schools and to collaborate with the Parents' Associations of the other European schools on matters of common interest;

- To organize transport (school bus), canteen, and after-school activities;
- To enter into and manage any useful or necessary contracts, including but not limited to, contracts with its members, enterprises, and staff; -To acquire movable or immovable property;
- To establish and collect membership fees and charges for services;
- To establish and manage a social fund;
- To appear in court as plaintiff or defendant.

Any economic activities shall only be ancillary and aimed primarily at achieving the aforementioned purposes. The Association may not distribute, or procure directly or indirectly, any economic advantage whatsoever to its founders, members, members of the Administrative Board, or any other person except within the boundaries of the noprofit purpose defined by these Statutes. Any transaction in breach of this interdiction shall be deemed as null and void.

#### Art. 4

- **legal basis**: article 2:10, §2, 5° of the CSA: The rights and obligations of members and, if necessary, of members of various categories
- article moved from Rules of Procedure 2 to new third paragraph in art. 4
- In addition, insertion for coherence paragraph about associate members moved from second paragraph from art. 6
- Not required by law: name change. See also article 1.

The number of members is unlimited and must be at least three. Every member must be a parent of a child at the European School of Brussels II – Woluwe. ("Parent" is understood to mean any person with sole or shared parental authority over the child).

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All parents are associate members, with no membership formalities

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being required. Associate members shall only vote in an advisory capacity at the General Meeting.

being required. Associate members shall only have vote on an advisory capacity at the Annual General Meeting. Only full members have full voting rights at the Annual General Meeting.

Only children of paid-up members may be subscribers to the APEEE services, which include but are not limited to, the provision of bus transport to and from the school, provision of school meals and provision of after-school activities. The Board can set the conditions for other members of the school community to use the services. The level of the APEEE membership fee is set each year at the Annual General Meeting.

All associate members may participate in the work of the Association, in particular in the working groups set up by the Administrative Board as per as Article 17.

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#### Art. 6

- **Legal basis:** article 2:10, §2, 4° of the CSA: Conditions and formalities for the admission and resignation of members and, where applicable, of members in the various categories
- Articles moved from Rules of Procedure: 3, 4, 5, 6, 7, 8, 9.
- New §1 modified existing text to make it more coherent. "membres effectifs" is introduced in art. 4. Coherence needed with art. 4 and subsequent paragraphs in art. 6

Each year, at their request, four parents per class of the school, selected by the parents of each class as their representatives, may be approved by the Administrative Board as full members. The full members (class representatives) shall retain that status until such time as those replacing them are appointed.

Only the votes of full members shall be binding at General Meetings.

§1 Class representatives are full members and shall retain that status until such time as those replacing them are appointed.

§2 For each class, four Class Representatives, to hold office for one school year, are elected by the parents with a child in the class. One representative shall have special responsibility for contacts with the Association's governing bodies. The election of two male Class Representatives and two female Class Representatives is the preferred outcome of the election proceedings. Each child in the class entitles the parents to a single vote. A parent can represent only one class.

- §3 Elections for Class Representatives shall take place during the first term of each school year, not later than the class information meeting to which the parents are invited by the school.
- §4 The election process shall be the collective responsibility of the parents of the children in each class. Nominations may be accepted right up to the time of the voting.
- §5 Parents shall appoint a chairperson to verify the validity of proxies and to ensure the regularity of the voting proceedings. The chairperson must, within fifteen days of the elections, transmit the results of the voting to the Association on the form provided.
- §6 Class Representatives are elected by direct suffrage. The method of election shall be left to the wishes of the class parents. A parent can delegate his / her vote to another parent but no parent can be allowed to accept more than two such proxy votes in regard to the elections within a same class. Proxy votes must be in writing and include the names of the principal and of the proxy and the signature of the previous.
- §7 The candidates receiving the highest number of votes shall be elected. Where voting results in a tie between two or more candidates, a further vote is taken immediately. If this vote again results in a tie, the declaration will be made by drawing lots between concerned candidates.
- §8 If the Administrative Board finds that a class has not held elections, it shall grant such class an additional period of time. If, at the end of this period, election has still not taken place, the Bureau acknowledges that there are no representatives for such class. Every year, all elected class representatives are listed by the Bureau and are thereby confirmed as full members.

## Art. 9 §3

- **Legal basis**: article 2:10, §2, 6° of the CSA: The powers of the General Assembly, the manner in which it is convened and decided, and the conditions under which its decisions are communicated to members
- **Legal basis:** article 2:10, §2, 7°, b) of the CSA): The method of appointment, termination and dismissal of the members of the Administrative Board, their maximum number, their term of office, the extent of their powers and the terms and conditions of their exercise
- article moved from Rules of Procedure 10

The General Meeting shall be convened at least two weeks in advance by means of notices displayed in the school premises and at the registered office of the Association, setting forth the agenda.

The Administrative Board shall ensure that the convening of the meeting is widely publicised.

Documents which have to be considered at the General Meeting shall, at the same time, be made available to members at a place indicated in the convening note, and shall, after having been translated into the official languages of the European Communities as far as this is possible, be sent to all members.

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Nominations for election to the Board shall be sought when the notice convening the General Meeting is circulated. Nominations must be sent in writing to the Secretary of the Association, if possible 48 hours before the elections take place.

new Art. 9 §7 – text inserted from rules of procedure)

new Art. 9 §8 – text inserted from rules of procedure)

new Art. 9 §9 – text inserted from rules of procedure)

- **Legal basis:** article 2:10, §2, 6° of the CSA: The powers of the General Assembly, the manner in which it is convened and decided, and the conditions under which its decisions are communicated to members
- **Legal basis:** article 2:10, §2, 7°, b) of the CSA): The method of appointment, termination and dismissal of the members of the Administrative Board, their maximum number, their term of office, the extent of their powers and the terms and conditions of their exercise

- article moved from Rules of Procedure 13, 14
- Not required by law: §8 regroups electronic voting methods as outlined in Rules of Procedure 14 paragraph 1 and paragraph 6
- **Compliance with GDPR legislation**: §9 made compliant with GDPR legislation in replacing the personal data "nationality" with "site".
  - §7 The Chairperson at the General Meeting shall propose to the meeting for its approval a minimum of 4 tellers selected from those electors who are not candidates, a Presiding Officer being appointed from among the tellers. The Presiding Officer, assisted by the other tellers, shall check the names of the voters.
  - §8 The election of the Administrative Board and the vote on resolutions submitted to the General Meeting may take place by electronic means.
  - §9 Upon the election of the Administrative Board, each attending full member shall indicate his/her choice on a ballot. To be valid, each ballot must contain no more than the number of names as determined by the General Meeting, marked with a "cross".

The election will be by secret ballot, by giving preferences on an alphabetical list of the candidates supplemented by the indication of his or her school site and the linguistic section he or she represents.

The counting of votes shall be carried out by the tellers.

Should the number of candidates be less than or equal to the number of posts to be filled, the General Assembly may decide to elect them by acclamation.

## **Art. 12**

- **Legal basis:** Art. 2:59 CSA
- Clause which does not exist in the current statutes and had to be newly drafted. New text follows wording of art. 2:59 CSA.

The General Meeting may adopt internal rules of procedure. A three- The Administrative Board may adopt internal rules. The internal rules

fifths majority of the full members present or represented shall be required for the purpose of approving or amending the rules of procedure.

shall not contain provisions that:

1° are in conflict with mandatory law provisions;

2° relate to matters for which the Belgian law applicable to international no-profit associations requires a statutory provision; 3° are in conflict with the provision of these Statutes.

The internal rules and any amendments thereto shall be communicated to the members and published on the Association's website. The statutes shall refer to the latest approved version of the internal rules.

## Art. 13.1.A

- **Legal basis:** article 2:10, §2, 7°, b) of the CSA): The method of appointment, termination and dismissal of the members of the Administrative Board, their maximum number, their term of office, the extent of their powers and the terms and conditions of their exercise
- compliance with CSA terminology: making reference to "organe d'administration" as used in CSA
- Conditions of exercise: as a collegial body

The Association is administrated by the Administrative Board of the APEEE. The Board is composed of a minimum of 11 and a maximum of 25 members. The members of the Board are elected by the General Meeting.

The Association is managed by an administration body called Administrative Board; the Administrative Board operates in a collegiate manner within the limits of the powers granted to it by law and by these statutes. The Board is composed of a minimum of 11 and a maximum of 25 members. The members of the Administrative Board are elected by the General Meeting.

#### Art. 13.2

- **Legal basis:** article 2:10, §2, 7°, b) of the CSA): The method of **appointment, termination and dismissal** of the members of the Administrative Board, their maximum number, their term of office, the extent of their powers and the terms and conditions of their exercise
- article moved from Rules of Procedure 11, 12, 13

§1 A mandate shall be deemed as vacant if:

- a) the Administrative Board member has resigned by way of simple letter to the Chairperson of the Administrative Board or
- b) if the member of the Administrative Board has failed to attend half

As of the moment that a member of the Board resigns or leaves the Board his or her mandated expires. Mandates cannot be transferred. Mandates may only become available at the next General Meeting and will be allocated in conformity with section 13.1.D of the general procedure.

plus one of the meetings of the Administrative Board, of the Bureau, or of the General Meeting to which he or she had been invited, during the current year.

- §2 Places becoming vacant while the mandate is pending are not assignable. Mandates may only become available at the next General Meeting and will be allotted in conformity with section 13.1.E of the general procedure.
- §3 Any member of the Administrative Board elected for a term of office extending beyond six consecutive years must quit the Administrative Board at the elapse of the 6th year, and the remainder of his or her mandate is cancelled. No member of the Administrative Board who has served for 6 consecutive years shall be eligible to stand for the Administrative Board in the election following his or her last term of office. The Presiding Officer of the electoral committee of the General Meeting, assisted by the tellers, checks the mandates.

# Art. 14 – newly drafted text

- **Legal basis:** article 2:10, §2, 7°, c) of the CSA): Appointment of persons empowered to represent the AISBL in dealings with third parties
- Mandatory clause which does not exist in the current statutes and had to be newly drafted.
- **Not required by law:** modification of "problems" into "affaires" since "affaires" corresponds better the reality (change in French version only)

The Administrative Board shall elect from among its members the following Bureau:

- one Chairperson, who shall be Chairperson of the Association;
- one Vice-Chairperson especially responsible for educational matters;
- one Vice-Chairperson especially responsible for administrative matters;
- one Secretary;

- §1 At its first meeting, the Administrative Board elects amongst its members a Bureau composed of:
- one Chairperson, who shall be Chairperson of the Association;
- one Vice-Chairperson especially responsible for pedagogical matters;
- one Vice-Chairperson especially responsible for administrative matters;
- one Secretary;
- one Assistant Secretary especially responsible for information;

- one Assistant Secretary especially responsible for information;
- one Treasurer;
- one Member.

The Chairperson may not hold office for more than four consecutive years. However, the Administrative Board may decide unanimously to extend that mandate for a maximum of two further years

- one Treasurer;
- one Member.
- §2 A member cannot hold more than one position.
- §3 The Chairperson may not hold office for more than four consecutive years. However, the Administrative Board may decide unanimously to extend that mandate for a maximum of two further years.
- §4 The mandate of the members of the Bureau expires at the election of members of the Administrative Board at the General Assembly.
- §5 In the period between the election of the Administrative Board and the election of the Bureau, a member of the newly elected Administrative Board, who was also a member of the previous Bureau, shall act as Chairperson ad interim in the order set in §1. If no member of the previous Bureau is a member of the newly elected Administrative Board, the member with most seniority in the Administrative Board will act as ad interim Chairperson. In case there are more than one member with the same seniority, the member of the Administrative Board most senior by age shall act as ad interim Chairperson.
- §6 The members of Bureau are elected one after another in the order in §1, unless another order is agreed upon. The election will be held by secret ballot.
- §7 A candidate will be elected among all members of the Administrative Board: in the first round, by a two-third majority of the members of the Administrative Board; in the second round, by the absolute majority of the members of the Administrative Board, that is half of votes plus one of the members of the Administrative Board. in the third round, by simple majority, that is the highest number of votes. In the event of a tie, more rounds shall be held. The chair has no

## casting vote.

§8 A Member of Bureau may resign from his or her position with immediate effect by way of written resignation to the Administrative Board. A Member of Bureau may be dismissed from his or her position by a motion approved by a two-third majority of the members of the Administrative Board if one-third of the members of the Administrative Board submits a justified request. The vote is secret and the chair has no casting vote.

# Art. 17 §2 – newly drafted text

- Legal basis: 2:10 §2 7 c) d) le cas échéant, le mode de nomination et de cessation de fonction des personnes déléguées à la gestion journalière de l'AISBL, l'étendue de leurs pouvoirs et la manière d'exercer leurs pouvoirs, en agissant soit séparément, soit conjointement, soit en collège.
- Mandatory clause which does not exist in the current statutes and had to be newly drafted
- Daily management as defined in art. 17§2.3 is based on art. 9:10 of CSA

#### Art. 17 §3

- Article moved from the Rules of Procedure art. 15
- Based on the proposal to abolish the current internal procedures and created instead a "Règlement d'Ordre Intérieur" in line with art. 2:59 of the CSA
- **Not required by law**: change of dual term "responsible" and "coordinateur" into single term "coordinateur". In line with existing praxis and compliant that the board is a collegial body as in proposed art. 13.1.A

Full powers of management and administration shall, subject to the powers vested in the General Meeting, be vested in the Administrative Board. The latter may entrust day-to-day management to the Chairperson, an Administrator or to any other person duly authorised for that purpose.

- §1 Full powers of management and administration shall, subject to the powers vested in the General Meeting, be vested in the Administrative Board.
- §2.1 The Administrative Board appoints a delegate for the daily management of the association; the delegate shall not be a member of the Administrative Board. The person entrusted with the daily management is referred to as the "Director". The Director acts separately.
- §2.2 The Director is appointed and dismissed by the Administrative

Board, in accordance with applicable legal and contractual obligations, if at least two thirds of the Board members are attending the meeting and if more than half of the Board members vote in favor. The vote is secret and the Chairman has no casting vote. The Administrative Board shall establish the contractual terms and conditions applicable to the Director. The Administrative Board may establish a working group for selecting and proposing candidates. Reasons must be given for any decision to dismiss the Director.

- §2.3 Daily management includes both actions and decisions which do not exceed the needs of the day-to-day life of the Association and actions and decisions which, either because of the minor interest they represent or because of their urgent nature, do not justify the intervention of the Administrative Board. The list of responsibilities encompassing daily management is set up by the Administrative Board.
- §2.4 Decisions by the Director relating to the appointment and dismissal of employees and the entering into contracts with service providers shall be taken in accordance with the internal procedures defined by the Administrative Board.
- §2.5 The Director shall report to the Administrative Board at least every three months. The Administrative Board shall be responsible for supervising the daily management and may dismiss and/or replace the Director at any time in accordance with paragraph §2.2 above.
- §2.6 In the absence of the Director, the daily management will be carried on in accordance with internal procedures established by the Administrative Board in cooperation with the Director.
- §2.7 The Director is free to resign by written communication to the Administrative Board.

§3.1 The Administrative Board may decide to set up working groups and establish their composition. The Administrative Board shall adopt guidelines for these working groups or for its representatives on official bodies, and establishes the Code of Conduct that all members of the Administrative Board undertake to sign and respect.

§3.2 For each working group, a member of the Administrative Board is ex officio the coordinator

§3.3 The coordinator and its other representatives of the Association on the various bodies of the European Schools shall report back, either orally or in writing, to the Administrative Board of the Association whenever an issue of importance is raised and at least once per school term.

The Administrative Board shall be obliged to examine any matter raised by at least one tenth of the full members or one twentieth of the associate members and, if expressly so requested, to place it on the agenda for the next General Meeting. §4. The Administrative Board shall be obliged to examine any matter raised by at least one tenth of the full members or one twentieth of the associate members and, if expressly so requested, to place it on the agenda for the next General Meeting.

## Art. 20 §1

- Not required by law.
- In line with the principle that the board is a collegial body as in Art. 13.1.A and to be coherent with the newly introduced paragraph 20§2

## Art. 20 §2

- **Legal basis:** (article 2:10, §2, 7°, c) of the CSA): Appointment of persons empowered to represent the AISBL in dealings with third parties
- Article moved from Rules of Procedure 15

The Chairperson shall represent the Association on the Board of Governors of the European Schools. The Chairperson and the Vice-Chairperson especially responsible for administrative matters shall

§1 The Chairperson shall represent the Association on the Board of Governors of the European Schools. The Chairperson and the Vice-Chairperson especially responsible for administrative affairs shall represent the Association on the Administrative Board of the School. They may be represented by an administrator.

represent the Association on the Administrative Board of the School. They are entitled to be represented by an administrator appointed by the Administrative Board.

§2 The Administrative Board shall appoint the Association's representatives on the enlarged Primary and Secondary Enlarged Councils and other bodies on which the APEEE has a seat.

# Art. 22 (paragraph 6)

- Legal basis: ASBL law of 1921 replaced with CSA of 2019

# Art. 22 (paragraph 7)

- Legal basis: 2:10, §2, 9° of the CSA: The conditions for dissolution and liquidation of the association, as well as the disinterested purpose to which the AISBL must allocate its assets in the event of dissolution

Any proposal the object of which is to amend the Statutes or to wind up the Association shall be made by the Administrative Board or by one tenth of the full members or one fifth of the associate members.

The Administrative Board shall give the members of the Association not less than one month's advance notice of the date of the General Meeting which will decide on the said proposal.

The General Meeting may only debate amendments to the Statutes if the amendments have been explicitly indicated in the notice convening the meeting and if at least two thirds of the full members are present or represented at the Meeting.

No amendment may be made without a two-thirds majority of the full members present or represented. However, any amendment affecting the Association's object or objects requires a four-fifths majority of the full members present or represented.

If that General Meeting is not attended by the required number of the If that General Meeting is not attended by the required number of the

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full members of the Association, a further General Meeting shall be convened under the conditions set out above, at least two weeks after the first meeting. It shall decide conclusively and validly upon the proposal in question by a two-thirds majority of the full members present or represented, or by a four-fifths majority if the amendment concerns the Association's objects.

Any amendment to the Statutes shall take effect only if the competent authority under Article 50(3) of the Law and after publication in the Annexes to the Moniteur Belge in accordance with Article 51(3) of that Law.

The General Meeting shall determine the method of winding up and disposing of the assets of the Association. The assets shall be destined to a charitable purpose.

full members of the Association, a further General Meeting shall be convened under the conditions set out above, at least two weeks after the first meeting. It shall decide conclusively and validly upon the proposal in question by a two-thirds majority of the full members present or represented, or by a four-fifths majority if the amendment concerns the Association's purposes.

Any amendment to the Statutes shall become effective only once approved by the competent authority and after publication in the Annexes to the Moniteur Belge in accordance with legislation applicable to associations under Belgian laws.

The General Meeting shall determine the method of winding up and disposing of the assets of the Association. The assets shall be destined to a charitable aim and to a purpose similar to that of the Association

## 6. Divers

- **Legal basis:** ASBL law of 1921 replaced with CSA of 2019

These Statutes shall be interpreted and applied in accordance with Belgian law, and in particular Title III of the Law of 27 June 1921 on non profit-making organisations, foundations, and international non profit-making associations.

These Statutes shall be interpreted and applied in accordance with Belgian laws applicable to international no- profit associations