

**STATUTE
of the EVU**

European Association for Accident Research and Analysis

1. NAME AND REGISTERED OFFICE

The association shall carry the name ‘EVU, European Association for Accident Research and Analysis’, hereinafter referred to as the Association. As an officially registered association (AG Wiesbaden 24 VR 2768), it has its registered offices in Wiesbaden, Germany.

Its headquarters are at Borgweg 6, 22303 Hamburg, Germany,
tel. +49 (0)40 6360 9988, fax +49 (0)40 6366 9986.

The EVU shall function as the umbrella association for the country groups affiliated to it.

2. AIMS AND OBJECTIVES

2.1 The Association shall serve the purpose of promoting improvement of the basic principles and the methodology of accident analysis, in order to contribute to increased legal security, including in the areas of maintenance and technical evaluation of vehicles. This can be effected by embracing, amongst others, the pertinent European norms regarding accreditation and certification. Within the realm of its possibilities, the Association shall promote road traffic safety, by way of compiling information and developing concepts which shall publicly be made available.

2.2 The Association shall carry out its own research, and/or participate in suitable research projects. The results shall primarily be made available to its members. However it shall also inform the public of its findings by way of publications and congresses.

- 2.3 Members appointed by the Association shall sit on international expert panels, with the objective of contributing the Association's expertise. The Association shall foster international co-operation for the further development of science and research in the field of road traffic safety and accident research. The Association shall also commit itself to the harmonisation of training and appointment of experts.
- 2.4 The Association shall have the following duties, rights and obligations: keeping and publishing a list of its members; publishing official technical documentation; reviewing and adopting technical documentation developed by the country groups or expert committees; establishing an online service for the distribution of technical information; collaborating with authorising and certifying bodies; dealing with the main concerns of the profession and representing these on the relevant panels; organising and holding the Association's annual general meeting; awarding the rights to hold the EVU annual conference; appointing and supervising expert committees; reviewing and recommending basic and further training courses & activities; carrying out publicity work for the Association; sanctioning the rules of the EVU Country Groups.

3. STRUCTURE OF THE ASSOCIATION

- 3.1 The affiliated Country Groups shall implement the Association's aims and objectives on a national level. There shall be only one Country Group for each country.
- 3.2 The rules of the respective Country Groups are to be sanctioned by the Association.
- 3.3 So far, Country Groups have been established for Germany, Austria, Switzerland, Slovakia, Slovenia, the Czech Republic and Hungary.
- 3.4 The chairperson of the Board of each Country Group shall automatically become a member of the Board of Directors of the Association.

4. CONDITIONS OF MEMBERSHIP ADMISSION

- 4.1 Natural and legal persons may become members of the Association. Where a Country Group has already been established, a member shall be admitted to the Association only by joining the respective Country Group. A Country Group as a legal person, however, may not be admitted to the Association.
- 4.2 Membership shall be applied for in writing. It is initially decided on by the Board of the respective Country Group, and subsequently by the Board of Directors of the Association. Members from countries in which no country group has been established yet are to apply directly to the Board of Directors of the Association.

The Board may refuse the consideration of an application for membership without being bound to give any reasons.

4.3 Members can be either:

a) Ordinary members:

Generally, natural and legal persons who actively work in the fields in which the Association is active may become ordinary members.

b) Sustaining members:

Natural and legal persons who are interested in symbolically, morally and financially lending support to the aims and objectives of the Association may become sustaining members.

c) Honorary members:

Individuals who have made valuable contributions to the Association may be appointed honorary members. Honorary members enjoy the same rights as ordinary members, and do not pay annual fees.

The appointment of honorary members shall take place at the proposal of the Presidential Council or the Board of Directors. Such proposal is to be made to the Presidential Council at least 4 weeks prior to the

AGM, for inclusion in the order of business. Honorary members shall be appointed by the Presidential Council.

5. TERMINATION OF MEMBERSHIP

- 5.1 Membership of the Association shall cease to exist upon a member's written resignation, by expulsion, suspension, or death.
- 5.2 Any member wishing to resign his or her membership from the Association must give notice in writing at least six weeks prior to the end of the current year. This must be addressed to the relevant Country Groups, or, where no country group exists, to the Board of the Association.
- 5.3 Any member may be removed from the membership for grossly infringing upon the interests of the Association. Such misconduct shall be particularly considered in cases where a member's conduct casts doubts upon his or her professional qualifications, or is in any other way capable of damaging the Association's members, or the reputation of the profession represented by it.

An expulsion shall be decided upon by the Board by a two-thirds majority, at a board meeting with the requisite quorum present. Reasons for the decision are to be given in writing to the member by way of a registered letter.

- 5.4 A member whose membership fee remains unpaid despite at least two reminders may be temporarily suspended from the Association. The suspension shall only take effect if the arrears have not been paid within three months of the second reminder having been sent. The member is to be informed of his or her suspension.
- 5.5 Members who terminate their membership, or have their membership terminated, shall in no way be entitled to any part of the association's funds.

6. ACCOUNTING YEAR

- 6.1 The association's accounting year shall be the calendar year.
- 6.2 The accounts of the preceding year are to be audited by two auditors, who shall be elected, for the term of one year, at the AGM.

7. MEMBERSHIP FEES

- 7.1 The amounts of membership fees and subscriptions charged are set down in the bye-laws of the Association. These bye-laws shall be enacted and amended by the Board, and are to be approved of by the General Assembly. Membership fees shall be paid annually via the Country Groups. By 31 January each year, each Country Group shall update the Association on its membership numbers for the preceding year, as well as forward the corresponding fees due. The Country Groups are at liberty to charge additional fees to their respective members, the amount of which shall remain with the Country Groups for the carrying out of their duties and responsibilities.

Members not belonging to any Country Group shall be invoiced directly by the Association.

- 7.2 Members are at liberty to make further voluntary contributions or donations.
- 7.3 Fees for the provision of any incidental services may be determined by the Board upon authorisation by the Presidential Council.
- 7.4 In special circumstances, the Board is at liberty to waive a member's fees and subscriptions in part or in full.
- 7.5 Honorary members do not pay a membership fee.

8. ORGANS OF THE ASSOCIATION

Organs of the Association shall be the Board of Directors, the Presidential Council and the General Assembly.

9. THE BOARD OF DIRECTORS

9.1 The Board shall comprise the Chairman, the Vice Chairman, the Treasurer and the Secretary on the one hand (Executive Committee), and the chairpersons of the Country Groups on the other.

9.2 Judicially and extrajudicially, the Association shall be represented by the Chairman, or jointly by two other members of the Executive, by virtue of special authorisation by the Chairman.

9.3 The Board shall be in charge of the affairs of the Association, unless they are, as per the statute, assigned to another organ of the Association.

The Board's functions are in particular:

- a) preparation, convocation and organisation of the Annual General Meeting
- b) implementation of resolutions passed at the AGM
- c) preparation of a budget, accounting statements and an annual report for each accounting year
- d) making and terminating employment contracts
- e) decisions on membership admission and expulsion
- f) authorisation of the individual Country Groups' rules

On important matters, the Board shall consult the Presidential Council.

9.4 The appointment or the recall of the Executive Committee takes place at the AGM, following nomination by the Presidential Council.

Persons elected to serve on the Executive Committee must be members of

the Association.

The Chairman's and the Vice Chairman's term of office shall be six years, the term of office of the other two members of the Executive Committee three years, with each member of the Executive remaining in office until new elections have been held. The term of office of the other members of the Board, who also chair the respective Country Groups, shall correspond to their term of office in their Country Group.

In the event of a member of the Executive Committee retiring before their term of office ends, the Board of Directors shall elect a substitute to serve as acting member of the Executive until such time as the General Assembly meets.

- 9.5 The Board of Directors shall meet at least once a year, this meeting usually coinciding with the AGM. In addition, the Executive Committee shall meet at least once more per year. The meetings shall be convened and chaired by the Chairman, or, in case of being prevented for any reason, by his deputy. Notice of a meeting shall be given no less than one month in advance.

The Board of Directors shall have a quorum if at least half of its members are present. The Executive Committee shall have a quorum if at least three of its members are present. To pass a resolution, a simple majority is required. In the event of a tie, the Chairman - or, in his absence, his deputy - shall have the casting vote. Minutes are to be kept on all resolutions passed by the Board or the Executive.

The Board or the Executive may pass a resolution in written form, provided all its members are in agreement on the resolution concerned.

10. THE PRESIDENTIAL COUNCIL

- 10.1 The Presidential Council shall comprise particularly prominent personalities from the realms of academia, politics, administration and industry, and shall

consist of no less than three and generally no more than eleven members.

Election to the Presidential Council shall take place at the Annual General Meeting upon nomination by the Board of Directors. The term of office shall be five years, and shall not end until a new election takes effect. Re-election and co-option are permitted at all times.

10.2 The Presidential Council shall advise the Board on important Association matters, as well as with regard to maintaining the essential goals of the Association.

10.3 The Presidential Council shall elect a President and several Vice Presidents from its midst. The President, or one of the Vice Presidents in his stead, shall chair the Presidential Council.

10.4 In the event of a member of the Presidential Council being a legal person, or having been appointed on account of his official position, his term of office shall expire when the preconditions of his appointment cease to apply.

10.5 The Presidential Council shall be convened by the Chairman in writing. Notice of a meeting shall be given no less than one month in advance. On request by either the President, half of the Presidential Council's members, or half of the Board members, the Chairman shall have to convene the Presidential Council.

10.6 The Presidential Council shall have a quorum if more than half of its duly convened ordinary members are present. In the event of a tie, the President shall have the casting vote.

10.7 Minutes are to be kept on all resolutions passed by the Presidential Council.

10.8 In special cases in the interest of the Association, the Presidential Council elected at the AGM may be augmented by other, Associate, members, such as representatives from regulatory authorities, academics and others. This is effected through nomination by the Board of Directors or the Presidential

Council itself.

10.9 Upon application, members of the Presidential Council as well as the Executive Committee may have their expenses reimbursed.

11. GENERAL ASSEMBLY

11.1 The General Assembly shall meet once a year at the Annual General Meeting, which shall be convened by the Chairman or his deputy. Notice of a meeting shall be given in writing no less than four weeks in advance, and shall include the order of business.

11.2 An extraordinary general meeting shall be convened upon the request of a minimum of one third of the Association's members.

11.3 The functions of the General Assembly are in particular:

- election of the Executive Committee
- election of the Presidential Council
- election of two auditors
- adoption of the Presidential Council's report
- adoption of the annual report, and exoneration of the Board
- passing resolutions on changes to bye-laws or the statute, and on the dissolution of the Association
- fixing the amount of the annual membership fee

11.4 At the General Assembly, each natural person as a member shall have a vote. The voting right may be exercised directly, or by proxy. As proxy agent, an ordinary member shall be appointed, in writing, for the duration of one meeting of the Assembly only. The Board is to be notified in writing of the appointment of proxy at least two weeks prior to the meeting of the General Assembly. As the vote by proxy shall remain an exception, the number of permitted proxy votes shall be limited to twenty per each meeting. Eligibility for a proxy vote shall be determined on a first come first

serve basis by the time of receipt of the written notice of appointment by the Board.

11.5 The Chairman of the meeting shall determine the voting system used. Upon request of at least one third of the members present, voting shall be by secret ballot.

11.6 The General Assembly shall pass resolutions by a simple majority. Any meeting of the General Assembly shall have a quorum regardless of the number of members present.

11.7 Resolutions on the changing of the aims and objectives of the Association, or on its dissolution, shall require a majority of three quarters of its members to be passed.

11.8 Minutes are to be kept by the Secretary on the meeting of the General Assembly and any resolutions passed in its course, and are to be signed by the Chairman of the assembly meeting.

12. DISSOLUTION

12.1 The dissolution of the Association can be effected by a resolution of the General Assembly. A liquidator is to be appointed in this case.

12.2 Following the resolution to dissolve the Association, liquidation is to be carried out according to the regulations of the German Civil Code (BGB).

12.3 The Association's remaining funds shall fall to its members in equal parts.