

Association for plant breeding for the benefit of society (APBREBES)

Statutes

Adopted by the APBREBES Constituent Assembly in Geneva, July 13, 2009

Article 1 - Name and Registered Address

The Association for plant breeding for the benefit of society (APBREBES) is an international non-profit association under Swiss law (Article 60ff. of the Swiss Civil Code). APBREBES' registered address is PO Box, 8026 Zürich, Switzerland.

Article 2 - Purpose

The purpose of APBREBES is to promote plant breeding for the benefit of society, fully implementing farmers' rights (including those of small and marginal farmers) on plant genetic resources and promoting biodiversity. This will be done through exchanging information and critical analysis of current frameworks for plant breeding and their various implications, especially amongst members. This will facilitate farmer and citizen involvement in local, national, regional and international decision-making processes, dialogues and debates that affect the development of plant breeding frameworks.

APBREBES has competence in areas of direct relevance to matters governed by the UPOV Convention and other relevant Treaties and national law.

Article 3 - Membership

Membership of APBREBES can be granted to not for profit entities and individuals with competence in areas directly relevant to matters governed by the UPOV Convention and other relevant Treaties and national law.

There is the possibility to be a full member or an associated member. Associated members have no voting rights and cannot be elected as Board members.

Applications for membership are to be sent to the APBREBES Board. A membership application must be sponsored by a current APBREBES member organisation, preferably one from the same country or region of the applicant. An applicant is accepted as member organisation if at least two-third of the members represented at the Assembly agree to the membership.

The Assembly may terminate the membership if a member is found to be working against the purpose of APBREBES. At least a two-third majority of the members present or represented is required for membership termination.

Each member has one vote at the Assembly. Voting by proxy is allowed. Each delegate can represent a maximum of two other members, and a written mandate is required.

A member may withdraw or resign from the membership of the APBREBES by submitting a written application and shall be effective from the date of received by the APB REBES Board.

Article 4 - Rights and Obligations of members

Membership of the Association gives the right to participate and to vote in all meetings of the Association.

In no case may a member express themselves on behalf of another member of the Association, or on behalf of the Association, on policy matters.

Article 5 - Assembly of the Association

A regular Assembly of the Association is to be held at least once every second year (General Assembly). It shall be convened by the Board with a minimum of three months notice. The Assembly of the Association has following powers:

- election of the president
- election of the Board members;
- election of the auditor(s);
- acceptance of the report by the Board of activities of the past year(s);
- acceptance of the report of the auditors;
- acceptance of the new members with two-third majority of the members represented;
- expulsion of a member with two-third majority of the members represented;
- change of the Statutes of the Association with two-third majority of the members represented.

Further Assemblies may be convened by the Board. If at least one-third of the members request an Assembly the board must convene an Assembly.

In every case member organisations must be invited by the Board at least three months before the date of the Assembly. Any member organisation may submit proposals for consideration to the Assembly. Proposals must be received by the Board at least two months before the Assembly. The final agenda must be sent by the Board to all members at the latest six weeks before the Assembly.

Article 6 - Board

The Board is composed of a minimum of three and a maximum of five members. The Board members are elected by the Assembly for a term of two years. The Board has the general responsibility for the daily business of the Association in between General Assemblies.

The Board has no mandate to make policy, or to represent the Association's member organisations in policy matters.

Article 7 - Auditors

There shall be two internal auditors with responsibility to audit the APBREBES accounts before each General Assembly and report their findings there. The auditors are elected by the General Assembly for 2 years. Auditors can not be members of the Board.

Article 8 - Membership Fees and Accountancy

There is no Membership fee.

Neither the Board nor the member organisations are liable for the obligations of the Association. The fiscal year is the calendar year.

Article 9 - Dissolution of the Association

The Association can be dissolved by two-third majority of the member organisations represented at an Assembly of the Association.