

CONSOLIDATED VERSION OF THE EOTA STATUTES

24 April 2018

- original version, fixed by Royal Decree of 8 September 1994, published in the Belgian Official Journal p. 24785 of October 1, 1994, and published in the Annexes to the Belgian Official Journal N 141 of January 11, 1995;
- amended modification of the registered office of the organisation, endorsed by the EOTA ExCom on May 18, 2000 and published in the Annexes to the Belgian Official Journal N 20609, p 10517, of September 14, 2000;
- amended by Belgian Ministerial Decree of January 20, 2004 and published in the Annexes to the Belgian Official Journal of March 10, 2004;
- amended modification of Articles 1 to 21 and repeal of Articles 22 to 24, endorsed by the EOTA General Assembly on June 11, 2013 and published in the Annexes to the Belgian Official Journal N 13121725 of August 2, 2013;
- amended and endorsed by the EOTA General Assembly on April 15, 2015 and published in the Annexes to the Belgian Official Journal BS:15065103 of May 7, 2015;
- amended and endorsed by the EOTA General Assembly on 24 April 2019 and published in the Annexes to the Belgian Official Journal of May 13, 2019.

Abbreviations

For the sake of these Statutes and the Internal Regulations, the following abbreviations will have subsequent meaning:

- “**CPR**” - Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC;
- “**EAD**” - European Assessment Document;
- “**EC**” - European Commission;
- “**EFTA**” - European Free Trade Association;
- “**EOTA**” - European Organisation for Technical Assessment;
- “**ETA**” - European Technical Assessment;
- “**ETAG**” - European Technical Approval Guideline;
- “**EU**” - European Union;
- “**TAB**” - Technical Assessment Body

Article 1

Name and purpose of the Organisation

1.1 The name of the Organisation is "European Organisation for Technical Assessment" (Organisation Européenne pour l'évaluation technique) abbreviated as "EOTA" (hereinafter referred to as EOTA).

1.2 EOTA was initially established as “European Organisation for Technical Approvals” under the provisions of the EC-Council Directive of December 21, 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to

construction products (89/106/EEC-Official Journal of the European Communities L40 of 11/02/1989).

1.3 EOTA is the organisation for technical assessment according to Article 31 of the CPR.

1.4 Reference in the Statutes or in the Internal Regulations to the CPR shall be construed as reference to the corresponding provisions of the Directive 89/106/EEC as regards the transitional period and provisions in order to ensure the proper use of the assessment procedures and guidelines produced by EOTA before July 1, 2013 (Article 66 CPR).

1.5 This organisation is subject to the provisions of Title III of the Belgian law of June 27, 1921 on the non-profit making associations, the international non-profit making associations and the foundations.

Article 2

Duties

2.1 EOTA is a non-profit organisation which - using the scientific and technological expertise of its members - has the duty to develop and adopt EADs and to support and coordinate its members with regard to the preparation and granting of ETAs.

2.2 EOTA ensures that examples of best practice are shared between its members to promote greater efficiency and provide a better service to industry, and that adopted EADs and references to ETAs are kept publicly available.

2.3 EOTA also informs the EC and the Standing Committee on Construction of any question related to the preparation of EADs and suggests improvements to the EC based on its experience gained.

2.4 EOTA can also deal with other matters concerning the making available and the use of construction products and the facilitation of innovation in construction.

Article 3

Registered Office

The registered office of the organisation is located at (1040) Brussels, Avenue des Arts 40, Belgium. It may be transferred within Belgium by decision of the General Assembly as described hereinafter. Information about such transfer will be sent for publication within one month as from the date the decision was taken in the annexes of the Belgian Official Journal.

Article 4

Organs and Officers

4.1 EOTA consists of the following organs:

- the General Assembly,
- the Executive Board and
- the Technical Board.

All organs are described separately and in detail hereinafter.

4.2 EOTA has 4 officers, namely a President, a Treasurer, a Chair of its Technical Board and a Secretary General, whose duties are described hereinafter.

Article 5 Membership

5.1 The General Assembly of EOTA shall, based on a written demand to EOTA, accept as members all "Technical Assessment Bodies" (hereinafter referred to as TABs) meeting the following cumulative criteria:

- The body has been designated by the respective Designating State (in the context of these Statutes a Member State of the European Union, another state being member of the European Economic Area, or a state which is entitled to designate a Technical Assessment Body based on a relevant agreement with the European Union) according to Article 29 of the CPR and complies with all requirements set forth in Article 30 of the CPR and the related annexes (Annex IV, Table 2); and
- The body has accepted in writing and guaranties to comply with the Statutes and the Internal Regulations of EOTA by way of signing the Membership Commitment.

5.2 At any time, each Designating State has the right to choose, amongst the TABs which have been designated by this Designating State and that comply with the criteria as set forth in Article 5.1, a Spokesbody.

If the Designating has not chosen a Spokesbody, the designated TABs of this Designating State should choose a Spokesbody. In case there is only one designated TAB in a Designating State, that TAB automatically becomes the Spokesbody for that Designating State.

The Spokesbody is responsible to coordinate the positions of the TABs of the respective Designating State for the purpose of decisions in the General Assembly and the Technical Board.

5.3 In case a designated Spokesbody is absent during a meeting of the General Assembly or the Technical Board, and unless the Spokesbody has given proxy to another TAB, the other designated TABs from that Designating State that are present or validly represented at that particular meeting shall agree on a common position for the purpose of decisions in that meeting. This position shall be expressed by one TAB chosen by the TABs of this Designating State that are present or validly represented at that meeting, acting as the Spokesbody for that particular meeting.

In case a Designating State has not designated a Spokesbody and the designated TABs of this Designating State have not yet chosen a Spokesbody according to Article 5.2, the designated TABs from that Designating State that are present or validly represented during a meeting of the General Assembly or the Technical Board, shall agree on a common position for the purpose of decisions in that meeting. This position shall be expressed by one TAB chosen by the TABs of this Designating State that are present or validly represented during a meeting of the General Assembly and the Technical Board, acting as the Spokesbody for that particular meeting.

5.4 If a Designating State withdraws the designation of a TAB according to Article 30, clause 3 of the CPR, the membership of this TAB expires automatically. The TAB shall duly and promptly inform EOTA of such decision by registered letter. The President shall inform the General Assembly thereof. The TAB remains responsible to fulfil its outstanding obligations to EOTA. In that event and as from the date the decision to withdraw the designation has become effective and EOTA has accordingly been informed, the TAB concerned shall no longer be involved in the creation and/or adoption of EADs.

5.5 In case a state having designated a TAB (i.e. a state which was entitled to act as Designating State) does not have any more the status of a Designating State, the membership of TABs which have been designated by this state expires automatically as from the date such Designating State lost this status. The President shall inform the General Assembly thereof. The TAB remains responsible to fulfil its outstanding obligations to EOTA. In that event and as from the date EOTA was informed about the expiration of the membership, the TAB concerned shall no longer be involved in the creation and/or adoption of EADs.

5.6 If EOTA considers, based on sufficient evidence, that a member does not or no longer fulfil its tasks according to the CPR, or in case of any other relevant observation, the President of EOTA, upon proposal of the General Assembly, informs the EC, the Standing Committee on Construction, the Standing Committee of the EFTA States and the relevant Designating State thereof according to Article 31.4 (f) of the CPR.

5.7 Upon proposal of the Executive Board, the General Assembly of EOTA can suspend for a maximum of six months, or withdraw the membership of a TAB when:

- the TAB has not paid the membership fee within 30 days as from receipt of the formal reminder thereto by registered mail; or
- the TAB no longer fulfils the conditions to be a member as defined by the Statutes or the Internal Regulations.

The President shall inform the EC, the Standing Committee on Construction, the Standing Committee of the EFTA States and the relevant Designating State of such decision of the General Assembly.

In case a TAB is suspended, the General Assembly reserves the right to prolong the suspension period upon termination of the initial period or to withdraw the membership of the TAB, should that TAB omit from paying its membership fee or to fulfil the conditions to be a member as defined by the Statutes or the Internal Regulations.

Upon request of the suspended TAB or at its own discretion, the General Assembly reserves the right to withdraw its suspension before termination of the suspension period, in case the suspended TAB has paid its membership fee or (again) fulfils the conditions to be a member as defined by the Statutes or the Internal Regulations.

5.8 The measure according to Article 5.7 shall follow a procedure as defined in the Internal Regulations. The member concerned has the opportunity to appeal.

5.9 The organisation, its members and the members of the Executive Board cannot be held liable for any damage that would result, directly or indirectly, from a decision taken by the General Assembly on the membership of a TAB.

5.10 Members of EOTA on 30 June 2013 which are not yet designated as TABs remain for a transitional period a member in EOTA unless the respective Designating State or the body itself inform EOTA otherwise. If the body is not designated as a TAB by 30 June 2014, its participation will expire by this date, unless the General Assembly decides to extend this period upon request of the respective Designating State.

5.11 Candidate TABs from Designating States or from states negotiating with the European Union in order to receive this status may become observer by decision of the General Assembly.

Article 6

Co-ordination with other Entities

6.1 EOTA is committed to work in close co-ordination with the EC, the Standing Committee on Construction and the Standing Committee of the EFTA States. Consequently, for the development and adoption of EADs according to the CPR, representatives of the EC and the Standing Committee of the EFTA States have the right to attend all related meetings of EOTA in the capacity of observers.

6.2 EOTA is committed to work in close co-ordination with European Standardisation Organisations, European Manufacturing Associations, European Contractors' Associations, European Technical Organisations and European Research Associations. Consequently, for the development and adoption of EADs according to the CPR, EOTA may invite representatives from relevant organisations to all related meetings of the Technical Board of EOTA in the capacity of observers.

Article 7

General Assembly

7.1 The General Assembly of EOTA consists of a nominated representative of each member as referred to in Article 5.

7.2 The President, the Treasurer, the Chair of the Technical Board and the Secretary General will attend all the meetings of the General Assembly. In the event that an officer cannot be present at the meeting, this officer may nominate one of the other officers of EOTA or a representative of a TAB to represent him. The nomination shall be approved by the meeting.

7.3 Only the Spokesbodies are entitled to vote. If a Designating State has not designated a TAB as the Spokesbody, the Spokesbody shall be chosen by the TABs of this Designating State, in application of Article 5.3. The votes are weighted according to the voting procedures as specified in the Internal Regulations.

7.4 The President, the Treasurer and the Chair of the Technical Board are not entitled to take part in any vote, unless they act as the official representative of a Spokesbody in the General Assembly. The Secretary General is not entitled to take part in any vote.

7.5 The General Assembly is empowered with full powers to take decisions in particular on the following subjects:

1. Adoption and modifications of the Statutes and of the Internal Regulations;
2. Acceptance, withdrawal and suspension of members;
3. Acceptance and withdrawal of observers according to Article 15;
4. Election of the officers and members of the Executive Board except the Secretary General;
5. Discharge of the officers and members of the Executive Board;
6. Appointment and termination of employment of the Secretary General;
7. Appointment of an independent financial auditor;
8. Approval and termination of contracts of other employees than the Secretary General in case the decision is to be taken by the General Assembly according to Article 8.6 no 7;
9. Adoption of the yearly budget;
10. Approval of the yearly accounts and of the report of the auditor;
11. Establishment of member fees and observer fees;
12. Approval of rental agreements;
13. Adoption of EADs for which no agreement can be achieved in the Technical Board;
14. Communication of observations concerning a member not fulfilling its tasks in accordance with the procedures set out in the CPR to the EC, the Standing Committee on Construction, the Standing Committee of the EFTA States and the Designating State which designated the TAB;
15. Dissolution and liquidation of the organisation.

7.6 Meetings of the General Assembly shall be held at least once a year before the 1st of May. The meetings of the General Assembly are called by the President of EOTA or by the Secretary General on behalf of the President, giving at least one month notice of the meeting.

7.7 At the request of the Executive Board or of no less than one third of the members of the General Assembly, the President or the Secretary General will call extra-ordinary meetings. For these meetings it is necessary to establish in advance the agenda in which the reasons and the subject of the meeting are clearly stated.

7.8 The agenda for the meeting of the General Assembly, whether or not extra-ordinary, shall be sent to all members at least two weeks before the meeting. The agenda is established by the Executive Board, taking into account any proposals put forward by the TABs.

7.9 No business will be conducted at the General Assembly unless at least two thirds of Spokesbodies are present or validly represented. Only Spokesbodies are allowed to vote.

7.10 Resolutions concerning Article 7.5, subjects 1 to 12, 14 and 15 shall be taken by a majority of at least two thirds of votes expressed by Spokesbodies present or validly represented. For the election of the officers and other members of the Executive Board and for the appointment of the Secretary General the vote takes place as a secret ballot. Resolutions concerning Article 7.5, subject 2, only with regard to the acceptance of members, as well as subjects 6, 7, 8 and 12 can also take place in a written procedure.

7.11 Resolutions concerning Article 7.5, subject 13 (adoption of EADs) shall be taken by a majority of at least two thirds of votes expressed by those Spokesbodies present or validly represented, which represent a Designating State having designated a TAB in the respective product area.

The adoption of EADs can take place in a written procedure and do not necessarily require the organisation of a meeting of the General Assembly.

7.12 All other resolutions shall be taken by a simple majority of votes expressed by the Spokesbodies present or validly represented.

7.13 Resolutions adopted by the General Assembly shall be laid down in the minutes, signed by the President of EOTA and kept by the Secretary General, who will make it available for inspection by the members at the registered office.

7.14 Voting by proxy validly signed and mentioning the agenda of the meeting of the General Assembly, is authorized. However, no more than one proxy may be held by one member.

Article 8

Executive Board

8.1 The Executive Board consists of the officers mentioned in Article 4 and at least three other representatives of TABs, appointed by the General Assembly upon proposal by the President.

8.2 The appointments of the other representatives are for terms of two years starting immediately after the meeting of the General Assembly which makes the appointment. In case the term ends within 3 months before a meeting of the General Assembly, the representative may further act as member of the Executive Board until this General Assembly meeting.

The appointments can be renewed.

8.3 In the event that any of the members of the Executive Board cannot be present at the meeting, this member may nominate one of the other members of the Executive Board or a representative of a TAB to represent them. The nomination shall be approved by the meeting. No decisions will be taken unless at least five members of the Executive Board are present.

8.4 The Secretary General is not entitled to take part in any vote.

8.5 The Executive Board is responsible for the administration and management of the organisation, and the handling of all the administrative matters and provisions which relate to the aim of the organisation, except for matters which are by law or by the Statutes assigned to the General Assembly. The Executive Board has hereby to implement decisions of the General Assembly.

8.6 The Executive Board is in particular responsible for:

1. Negotiations with the EC and with the Standing Committee of the EFTA States;
2. Liaison with other European organisations;
3. Proposals to the General Assembly on the Statutes and the Internal Regulations of EOTA and any changes of them as may become necessary;
4. Budgetary matters of EOTA, in particular proposals for the General Assembly on the annual budget, the annual fees of the members and observers, and the follow-up of the annual accounts of EOTA;

5. Proposals to the General Assembly on the appointment of the President, the Treasurer, the Chair of the Technical Board, the Secretary General and an independent financial auditor;
6. Extension of the terms of the President, the Treasurer or the TB Chair according to Articles 10.2, 11.2 or 12.2;
7. Approval and termination of contracts of other employees than the Secretary General, based on a proposal of the Secretary General and an unanimous decision of all members of the Executive Board. In case of at least one member of the Executive Board votes against such decision, the issue has to be decided by the General Assembly according Article 7.5 no 8;
8. Proposals for the management of technical and administrative matters;
9. Proposals for strategic and other issues.

8.7 The meetings of the Executive Board are called by the President or by the Secretary General on behalf of the President at least two weeks in advance, unless there is an extraordinary urgent reason for holding a meeting within a shorter delay.

8.8 The agenda for the meetings shall be sent out to all members of the organisation at least one week before the meeting unless there is an extraordinary urgent reason for holding a meeting within a shorter delay. The agenda is established by the Secretary General in agreement with the President, taking into account any proposal put forward by the members of the Executive Board.

8.9 The meetings of the Executive Board are normally held five times per year.

8.10 The Executive Board shall seek to take any decision by consensus. If, in spite of efforts made to this effect, it is impossible to obtain consensus, decisions shall be taken by a vote.

8.11 Resolutions shall be taken on a two thirds majority of all members of the Executive Board, with the exception of decisions according to Article 8.6 no 7, and shall be laid down in the minutes signed by the President.

8.12 Voting by proxy validly signed and mentioning the relevant agenda item of the Executive Board is authorized. However, no more than one proxy may be held by a member.

Article 9 Technical Board

9.1 The Technical Board is responsible for the management of all technical issues of EOTA, and in particular for the following issues:

1. The creation of EAD Working Groups;
2. The working procedures for EAD Working Groups;
3. The coordination of EAD Working Groups;
4. The adoption of EADs;
5. Any other technical issue related to EADs and ETAs;
6. Acceptance and withdrawal of observers according to Article 15.3.

9.2 The Technical Board consists of a nominated representative from each TAB.

9.3 The Technical Board reports to the Executive Board, in particular on the following issues:

1. Adoption of EADs;
2. Activities of the Working Groups, including information required for the EC and for funding issues;
3. Issues which cannot be resolved by the Technical Board and which require a decision of the General Assembly.

9.4 The Secretary General is not entitled to take part in any vote. The Chair of the Technical Board is not entitled to take part in any vote, unless the Chair acts as the nominated representative of a TAB in the Technical Board.

9.5 Technical issues specific for a certain product area (e.g. adoption of EADs) shall be submitted to the TABs designated for the product area in question. The other TABs should be informed and act as observers if they wish to do so.

9.6 Other resolutions, i.e. those concerning technical issues of a general relevance shall be submitted to all the TABs.

9.7 The resolutions should be made by consensus of the nominated representatives of the TABs designated for the product area in question for technical issues specific for a certain product area, or by consensus of the nominated representatives of all the TABs for technical issues of a general relevance.

9.8 All such resolutions of the Technical Board can take place in a written procedure.

9.9 A consensus will be reached if there is no written objection of the nominated representative of any TAB designated for the product area in question for technical issues specific for a certain product area, or of the nominated representative of any TAB for technical issues of a general relevance.

9.10 If it is impossible to obtain consensus,

- the resolutions concerning technical issues specific for a certain product area shall be taken by a majority of at least two thirds of votes expressed by those Spokesbodies according to Art. 7.3 present or validly represented, which represent a Designating State having designated a TAB in the respective product area;
- other resolutions, i.e. those concerning technical issues of a general relevance, shall be taken by a two thirds majority of votes expressed by Spokesbodies according to Art. 7.3 present or validly represented.

9.11 Such resolutions can also take place in a written procedure.

9.12 If the above mentioned majority cannot be reached, the matter is referred to the Executive Board to be submitted to the General Assembly.

9.13 Voting by proxy validly signed and mentioning the meeting of the Technical Board, is authorized. However, no more than two proxies may be held by one member.

9.14 The number of meetings of the Technical Board is decided by the Technical Board depending upon work load, but there will be at least two meetings per year.

Article 10 President

10.1 The President shall be a representative of a member of the organisation.

10.2 The appointment is for two years starting immediately after the meeting of the General Assembly which makes the appointment. The Executive Board is entitled to extend the term for a period of not more than 3 months. The appointment can be renewed for one additional term of two years.

10.3 If, for any reason, the President is no longer able to fulfil his function, the General Assembly shall appoint a successor within 3 months. Until a successor has been appointed, all activities will provisionally be administered by the Secretary General, who shall report on them to the General Assembly.

10.4 The President of EOTA chairs all meetings of the General Assembly and of the Executive Board. The President looks after the activities of EOTA.

10.5 If the President cannot be present at a meeting of the General Assembly or the Executive Board, the President may nominate one of the other officers of EOTA to represent him. The nomination shall be approved by the meeting.

10.6 The President shall take action to inform the members of the organisation rapidly about any important matter and shall consult with them to obtain advice on matters of policy concerning EOTA.

Article 11 Treasurer

11.1 The Treasurer shall be a representative of a member of the organisation.

11.2 The appointment is for two years starting immediately after the meeting of the General Assembly which makes the appointment. The Executive Board is entitled to extend the term for a period of not more than 3 months. The appointment can be renewed for one additional term of two years.

11.3 If, for any reason, the Treasurer is no longer able to fulfil his function, the General Assembly shall appoint a successor within 3 months. Until a successor has been appointed, all activities will provisionally be administered by the Secretary General, who shall report on them to the General Assembly.

11.4 The Treasurer has the duty:

- To deal with and sign for the financial matters of the organisation;
- To report to the Executive Board and the General Assembly on the financial status of the organisation;
- To prepare with the Secretary General the annual budget for submission to the Executive Board and the General Assembly;

- To prepare the EOTA annual accounts for auditing and subsequently to report the results of this auditing to the Executive Board and General Assembly.

11.5 If the Treasurer cannot be present at a meeting of the General Assembly or the Executive Board, the Treasurer may nominate one of the other officers of EOTA to represent him. The nomination shall be approved by the meeting.

Article 12

Chair of the Technical Board

12.1 The Chair of the Technical Board shall be a representative of a member of the organisation.

12.2 The appointment is for two years starting immediately after the meeting of the General Assembly which makes the appointment. The Executive Board is entitled to extend the term for a period of not more than 3 months. The appointment can be renewed for one additional term of two years.

12.3 If, for any reason, the Chair of the Technical Board is no longer able to fulfil his function, the General Assembly shall appoint a successor within 3 months. Until a successor has been appointed, all activities will provisionally be administered by the Secretary General, who shall report on them to the Executive Board.

12.4 The Chair of the Technical Board chairs the meetings of the Technical Board.

12.5 If the Chair of the Technical Board cannot be present at the meeting, the Chair may nominate one of the other officers of EOTA or a representative of a TAB to represent him. The nomination shall be approved by the meeting.

12.6 The Chair of the Technical Board is, assisted by the Secretary General, responsible for the agenda of the meetings of the Technical Board. The Chair reports to the Executive Board and the General Assembly on all matters relating to the activities of the Technical Board.

Article 13

Secretary General

13.1 The Secretary General is an employee of the organisation.

13.2 If, for any reason, the Secretary General is no longer able to fulfil his function, the General Assembly shall appoint a successor within 3 months. Until a successor has been appointed, all activities will provisionally be administered by the President or by an interim Secretary General, who shall report on them to the General Assembly. The interim Secretary General is not an officer and is appointed for a fixed-term by the General Assembly upon proposal of the Executive Board.

13.3 The Secretary General has the duty to:

- manage the organisation's current and daily business, having all the powers related thereto;

- ensure that the activities of EOTA's organs are carried out in accordance with the Statutes, the Internal Regulations and all prescriptions and decisions taken by virtue of the Statutes or Internal Regulations;
- attend the meetings of the General Assembly, the Executive Board and the Technical Board in an advisory capacity;
- record the minutes of the ordinary and extraordinary meetings of the General Assembly, the Executive Board and the Technical Board and to distribute the minutes to the members;
- hold the records of the organisation and the updated list of the ETAGs under the Directive 89/106/EEC, of EADs and of issued ETAs.

13.4 The Secretary General may delegate activities for fulfilling the duties according to Article 13.3 to EOTA personnel under his supervision.

13.5 The Secretary General is entitled to sign deeds of current and daily management.

Article 14 Financial Auditor

Upon proposal of the Executive Board, an independent financial auditor is appointed by the General Assembly, which will fix the conditions of his appointment. The appointment is limited to the task and for the time as set out in the conditions of this appointment and can be renewed.

Article 15 Observers

15.1. The following observers are being distinguished:

- A. Candidate TABs that are not yet member of EOTA;
- B. *Ex officio* observers such as EC, EFTA;
- C. Observers representing parties directly referred to in Regulation (EU) N° 305/2011, such as CEN-CENELEC and European *de jure* or *de facto* organizations representing the interests of those parties (notified bodies, notifying and market surveillance authorities), other than technical assessment bodies;
- D. Parties representing the interests of the whole construction sector, such as CPE, FIEC, SBS, ECCREDI, ENBRI, ...;
- E. Parties representing the interests of parts of the construction sector.

15.2. A candidate observer of category D or E shall submit the following documents as information accompanying their request to become observer:

- Its Statutes;
- List of members;
- Statement that the organization has pan-European membership and permits members from all EEA Member States;
- Statement that they shall not behave against the interest of EOTA.

Once complete, the EOTA secretariat shall make these documents available to the General Assembly or Technical Board members for decision according to Art. 15.3.

There are no eligibility requirements for observers of categories A, B and C.

15.3. The General Assembly decides on overall applicable observership of categories A and D. EOTA's Technical Board decides on the observership of category E. In case of doubt, EOTA TB may request the General Assembly to decide.

15.4. The General Assembly may specify observership fees, except for the EC and the Standing Committee of the EFTA States.

15.5. Observers may be invited to the following EOTA structures:

- General Assembly: Category A and category B, upon specific invitation of the EOTA President or SG and possibly for parts of the meeting
- EOTA Executive Board: none
- EOTA Technical Board, public part: Categories A, B, C and D
- EOTA Working Groups and horizontal project teams: All categories

15.6. Observers are not entitled to take part in any decision or vote. Representatives of observers cannot become officers or members of the Executive Board.

Article 16

Internal Regulations

16.1 The Internal Regulations of the organisation are established by the General Assembly on proposal of the Executive Board. The Internal Regulations complement the Statutes and are mandatory for all members.

16.2 The original copies of the Statutes and the Internal Regulations are kept at the registered office. A copy is given to all the members of EOTA, to the EC and to the Standing Committee of the EFTA States. The same applies for any changes of the Statutes and the Internal Regulations.

Article 17

Actions Committing the Organisation

All actions which commit the Organisation, with the exception of special authorisations, shall be jointly signed by the President, the Treasurer and the Secretary General who will not have to justify their powers to third parties.

Article 18

Judicial Affaires

All judicial actions, either as plaintiff or defendant, will be handled by the President or by a member of the Executive Board mandated for that reason by the Executive Board.

Article 19

Modifications of the Statutes and Internal Regulations, Liquidation and Dissolution

19.1 All proposals to modify the Statutes or the Internal Regulations or to dissolve the organisation shall be made by the Executive Board or from one third of the members of the General Assembly. Any decision on modification of the Statutes or of the Internal Regulations or of the dissolution of the organisation shall be taken by the General Assembly.

19.2 The Executive Board shall bring to the attention of the members of the General Assembly any proposal to modify the Statutes or the Internal Regulations at least one month, and any proposal to dissolve the organisation at least three months before the convocation of the General Assembly.

19.3 Statutory modification will only take effect by Royal decree and only after the conditions for advertising, as required by the law of 9th July, 2004 are met.

19.4 The General Assembly shall detail the manner of the liquidation and dissolution of the Organisation, designate the liquidator(s), decide upon their powers and determine the destination of assets remaining after payment of the liabilities. Such destination shall be non-profit and have a close connection to the object of the Organisation.

Article 20

Member Fees

The members pay a yearly member fee agreed in advance by the General Assembly.

The member fee may consist of different parts as specified in the Internal Regulations. This may include a part which is proportional to the national weighting factor which will be applied for voting.

Article 21

Book Year

The book year starts on January 1 and ends on December 31 of each year.

Article 22

Other Issues

All items which are neither discussed within these Statutes, nor provided for by modifications published in the Belgian Official Journal, shall be subject to all legal provisions in force.