

# **STATUTES of EATA – European association for Transactional analysis (voted on 2019 and 2020)**

## **PREAMBLE TO THE STATUTES**

EATA's guiding principle is to develop, sustain and protect Transactional Analysis philosophy, theory and practice. Fundamental to this is respect for autonomy and the dignity of all humanity. EATA will, therefore, actively promote individuality, diversity and community at affiliate association and individual membership levels.

The association is underpinned by a commitment to TA principles, especially those of confidence and trust in self and others, a contractual method and the human capacity to solve problems and grow.

The association is governed by democratic principles and accountability as defined by contracts between the affiliated associations and EATA.

## **NAME - DURATION - SEAT - PURPOSE**

### **Article 1**

- a. The European Association of Transactional Analysis (EATA) is a non-profit association. It is governed by article 60 and following articles of the Swiss Civil Code and by the present statutes.
- b. The organisation pursues objectives which are exclusively and directly purposes in the public interest. EATA works unselfishly. Any income can only be used in accordance with purpose and goals mentioned in Article 2. Members do not get any share in possible profits and in case of dissolution do not have any claims on the funds of the organisation.
- c. Its duration shall be unlimited.
- d. Its seat is in Geneva, Switzerland.

### **Article 2**

The purpose of the association is to contribute to public well-being through the use of Transactional Analysis. It is the task of the association to promote and develop the knowledge of Transactional Analysis, founded by Eric Berne, as well as to rule and coordinate the professional practice and training of Transactional Analysis.

Concrete goals are:

- a. - to promote TA knowledge and research on Transactional Analysis, to develop its theory and to ensure agreed standards of practice
- b. - to promote co-operation in Europe in the field of Transactional Analysis
- c. - to work to ensure conformity to agreed standards of certification, training and practice of Transactional Analysis in Europe
- d. - to assist European TA associations to co-ordinate their activities, including conferences, training and certification, publications and information
- e. - to organise European and international conferences on Transactional Analysis
- f. - to provide information by way of publications and the distribution of documents and texts
- g. - to support translation of publications and documents about Transactional Analysis into European languages
- h. - to provide codes of ethics and professional practice and facilitate their implementation
- i. - EATA finances the execution of its tasks with membership fees, donations and other income from its activities. The assets of the organisation shall be administered economically

## **AFFILIATION**

### **Article 3**

EATA may affiliate with either national, regional, international or specialist Transactional Analysis associations.

Except as laid down by the statutes, the rights and conditions of affiliation shall be decided by council. They will be specified in council's regulations subject to article 11.c., and in the agreements between EATA and the affiliating associations.

## **MEMBERS OF THE ASSOCIATION**

### **Article 4**

- a. The members of the affiliated associations are members of EATA.
- b. The members of EATA are the supreme authority for amendments to the statutes and the dissolution of the association under the procedures specified in Article 8.a. and 17.

### **Article 5**

Membership implies the obligation to comply with the statutes and council's regulations and with any decisions taken by the organs of EATA.

### **Article 6**

#### **Affiliation or membership may be terminated:**

- a. by resignation
- b. by exclusion, which the council may pronounce in case of harm being caused to the association's interests or breach of obligations inherent to membership. The right of appeal to the general assembly according to Article 8.a.III. hereof is reserved. The decision to exclude remains valid until such time as it is reversed following appeal
- c. by exclusion, after due notice, in case of non-payment of dues as specified in council's regulations.

## **ORGANIZATION**

### **Article 7**

#### **The organs of the association are:**

- a. the general assembly of members
- b. the council of delegates
- c. the financial auditor

### **Article 8**

#### **General assembly**

- a. The general assembly has in particular the following non-transferable powers:
  - I. - to vote on changes of the statutes of the association. See also 8.k
  - II. - to elect the financial auditor
  - III. - to decide on appeal against expulsion or refusal of admission taken by council, if such appeal is made within thirty days from the date the decision has been notified in writing
  - IV. - to approve the report of the council and the accounts
  - V. - to give discharge to the council and the treasurer.
- b. The ordinary general assembly shall be convened by the president once a year by publication in the EATA Newsletter, sent to all members with the agenda, not less than 50 days in advance.
- c. The president may, in agreement with the council, convene an extraordinary general assembly at any time and in a place fixed by the council, respecting the same advance notice as for the ordinary general assembly.
- d. The president must call an extraordinary general assembly upon the request of at least one-fifth of the EATA members or one-fifth of the affiliated associations.
- e. The minutes from general assembly shall be signed by two authorised representatives of the organisation.
- f. The general assembly may only put to the vote items and their attendant proposals which have appeared explicitly on the agenda sent to all members.
- g. The agenda is composed of items proposed by the president or any member.
- h. To appear on the agenda items must be received in writing by the president at least 70 days before the general assembly. Any item received after that deadline and before the beginning of the meeting may be discussed under the heading «any other business» but may not be submitted to a vote.
- i. Quorum: the general assembly may correctly be held and validly deliberate however many members are present, and can vote on all propositions, provided they appeared on the agenda sent out with the convocation at least 50 days before the general assembly.
- j. Unless otherwise provided for by these statutes, the resolutions of the general assembly shall be adopted by majority vote of those voting.
- k. Changes of the statutes shall require a majority of 75% of those voting. Article 1.b and Article 17.c shall be definite and cannot be changed.
- l. Each member shall have one vote.
- m. At general assemblies a member may be present in person or may vote by mail or may be represented by a duly authorised representative, as specified in council's regulations.

## **COUNCIL OF DELEGATES**

### **Article 9**

#### **Composition and representation**

- a. Each country with one or more affiliated associations may send one or more delegates to EATA council as specified in council's regulations.
- b. The collective of all affiliated special interest groups may send one or more delegates to EATA council, as specified in the council's regulations.
- c. Affiliated associations undertake to use a democratic process in the selection of their delegate(s) to EATA.
- d. Affiliated associations undertake to appoint an official replacement when their delegate serving on council is unable to attend a council meeting.
- e. EATA will contribute to the expenses of delegates attending council meetings as specified in council's regulations.
- f. The members of the council normally serve for a period of four years, as specified in council's regulations, or as provided for in Article 10.d.

### **Article 10**

#### **Officers and executive committee**

- a. The council elects from
  - Current members and
  - Former members and officer, who left eATA Council no longer than 4 years before and have served at least for three years
  - And who have the certification of TSTA, PTSTA or CTA-Trainer
  - I. the president elect, who later becomes president
- b. The council elects from current voting members the following officers
  - I. the three vice-presidents
  - II. the general secretary
  - III. the treasurer
- c. The president serves for a term of three years, which starts after the general assembly, and which can exceptionally be extended under point d below. The president elect is elected in the year preceding the end of the current president's mandate.
- d. The treasurer is a co-opted member of council for the duration of his/her period of office, as determined by council, without the right to vote.
- e. In order to ensure continuity in officers' functions, officers, at the end of terms as council delegates, can, with the agreement of their home associations, exceptionally remain as council officers and delegates for their associations for one or at most two additional years. This prolongation will be at the request of EATA council, made to the officer's home association.
- f. Executive Committee consists of the officers of EATA. The committee conducts business of the organisation between council meetings and is liable to council.
- g. Executive Committee elects among its members a deputy who takes the role of the president in case of early withdrawal of the president. His/her task is to continue the work for the president and to prepare the next elections.

### **Article 11**

#### **Council**

- a. The council shall implement the decisions of the general assembly and pursue the purposes of the association.
- b. Council may issue regulations governing the conduct of its business and that of the general assembly concerning matters as provided in the statutes.
- c. Council's regulations and any changes thereof are approved by a three quarters majority of all possible votes on council.
- d. During the financial year and between the general assemblies, the council shall have all powers to manage the association's activities in all matters not specifically attributed to another organ by these statutes.
- e. The council shall have the following powers and duties:
  - I. - to consult with affiliated associations on decisions which would cause significant changes in their organisational, professional or financial functioning. Such decisions, after consultation with affiliated associations, will be subject to the same ratification conditions as in point c. above. They will subsequently be binding on EATA and all its affiliated associations.

- II. - to pronounce by a vote of a majority of 75% of those voting the exclusion of a member or of an affiliated association of EATA who has acted against the interests of EATA.
  - III. - to create or dissolve any standing or temporary committee and task force as it may deem necessary to the carrying of EATA's work. All such committees are accountable to the EATA council, as specified in council's regulations.
  - IV. - to admit new affiliated associations.
  - V. - to determine the year's budget for the ordinary activity of the next financial year.
  - VI. - to fix members' contributions, subject to points c. and e.I above.
  - VII. - to create an administrative secretariat working for the association and directed by the council.
- f. The council may interpret the clauses of these statutes in light of the preamble to deal with new situations.

## **Article 12**

### **Convening and procedure**

- a. The council shall meet as often as required by the association's affairs, but at least once a year. It shall be convened by the president or upon the request of the majority of its members.
- b. The agenda for the council meetings will be sent to reach all delegates and affiliated association presidents in advance of the meeting.
- c. In order that the council be validly held, the majority of the serving delegates should be present.
- d. Delegates will reflect their home association's or their special interest group associations' view point when voting in council.
- e. Serving delegates may call for the following modes of voting on any specific council decisions, except when making changes in council's regulations as specified in article 11.c., or on matters which could cause significant changes as specified in article 11.e.I. above.
- f. Voting modes
  - I. Each delegate has one vote.
  - II. A weighted voting (as specified in the council regulations) can be requested by any delegate any time.

## **Article 13**

The association shall be validly bound, for specific purposes, by the signature of two officers as specified in council regulations.

## **Article 14**

### **Auditor of the accounts**

- a. The audit of the association's accounts is made by a member of the association, elected by the general assembly and by a professional auditor, non member of the association.
- b. The auditor submits to the general assembly a report on the financial situation of the association together with a declaration from the professional external auditor.

## **RESOURCES**

### **Article 15**

- a. The resources of the association consist of:
  - I. any subsidies, legacies and gifts
  - II. any resources which may derive from the association's own activities
  - III. its members contributions.
- b. The council shall fix the annual sum to be paid to EATA by affiliated associations, subject to Article 11.e.I.

## **LIABILITY**

### **Article 16**

- a. The association is only financially liable to the extent of its assets; the association is not liable for professional misconduct of a member; the members are not personally liable for the association's debts and liabilities.
- b. The financial liability of members and of the affiliated associations is limited to payment of the yearly membership fees and fees for services or other commitments made in the affiliation agreements.
- c. No organ or officer of the association is personally liable for the debts or other liabilities of the association.

## **DISSOLUTION**

**Article 17**

- a. All members must be consulted in a postal vote for the dissolution of the association. The dissolution must be approved by a 51% majority of those voting.
- b. In case of dissolution, the council carries out the liquidation or appoints a liquidating committee.
- c. Any remaining assets can only be used according to article 2 of these statutes (i.e. can only be given to non-profit associations, exempted from taxes, with equal or similar purpose and goals).

**JURISDICTION****Article 18**

All lawsuits which concern the association, involving members or organs of the association, shall be submitted to the courts of the canton of Geneva, and possibly to the Swiss Federal Tribunal, Lausanne.