

## I. Description, Location and Objective

**Art.1** ESTA is an Association with an exclusively artistic, educational, scientific, and co-operative objective, in particular, it aims to improve:

- the standard of string teaching,
- the professional training of string-players,
- the general interest in string playing.

In addition, ESTA may promote:

- a) meetings and congresses,
- b) the publication of a periodical and other papers of professional interest and importance,
- c) the cultivation of all matters relating to the common good of European String-Players,
- d) support other foundations who serve the aims of ESTA.

**Art.2** ESTA is an Association in accordance with Art. 60 et seq. of the Swiss Civil Code. Its duration shall be unlimited.

ESTA is a non-governmental organisation with consultative status at the Council of Europe. The official languages of ESTA are English, French and German.

**Art.3** The domicile of ESTA shall be in Bern.

## II. Membership

**Art.4** ESTA as the parent organisation is composed of European national groups (branches).

**Art.5** Membership of ESTA is available to any association of professional string-players which has been formed in a European country as a national group (branch) of ESTA. Each such branch, or corporate body shall accept without reservation the objectives of the Association and carry out its duties in accordance with the statutes and policies of ESTA.

A country or a cultural region can become a corporate member of ESTA.

An application for admission of a branch shall be addressed to the Secretary of the Central Committee accompanied by the statutes of the branch. In addition, a list of the members of each branch, with the names of the members of its Council (or Executive Committee), shall be submitted to the Secretary of ESTA.

The Delegates Meeting shall decide on the admission of new branches following a proposal by the Central Committee.

Up to the time of admission by the Delegates Meeting a branch shall have the status of "Awaiting Membership or Membership Candidate". Statutes and/or regulations of Branches, together with any amendments, are subject to approval by the Central Committee.

**Art. 5bis** A branch may receive the status of "non active", in cases where that branch does not fulfil its commitments, provided that a re-forming of that branch is foreseen.

During the time of the "non active" status of a branch, that branch will not receive any services, benefits nor publications.

The decision lies with the Delegates Meeting.

**Art.6** Each branch of ESTA shall send to the Secretary of the Central Committee a list of its members and the members of its committees by 31st October each year.

Each branch of ESTA shall fix the subscription of its respective members. The proportion of collective subscriptions to be allocated by each branch of ESTA shall be determined every year by the Delegates Meeting based on the number of members of each branch on 31st October of the preceding year.

All subscriptions to ESTA are payable within 30 days of receiving due notice.

**Art.7** The Delegates Meeting of ESTA may elect a president or a member, who has given outstanding services to the Association to be Honorary President or Honorary Member.  
Honorary Presidents and honorary members have no voting rights.

**Art.8** Corporate Membership of ESTA lapses:

1. by withdrawal from membership or by dissolution of any particular branch of ESTA. Such a withdrawal or dissolution can only be effective at the end of December in any year, provided also that six months' notice is given in writing, together with details of the reasons for withdrawal.
2. by default. The Central Committee can exclude branches from the membership list if they do not pay their annual subscriptions in spite of a second notice, and if they are in delay of payment for at least 60 days. The financial responsibility regarding the subscription owing shall remain in existence in spite of the exclusion.
3. by expulsion. Any branch of ESTA whose policy contradicts the interest of ESTA or the obligations of membership may be expelled from such membership. The expulsion would follow the adoption of a motion to this effect being proposed, either by another branch or by the Central Committee, and carried at a Delegates Meeting of ESTA.

### **III. Organisation**

**Art. 9** The constituent bodies of ESTA are:

- A. The Delegates Meeting
- B. The Central Committee
- C. The Auditors
- D. The Forum of Presidents

**Art. 10** The Delegates Meeting is the supreme authority of ESTA. It is composed of:

1. The Central Committee
2. Delegates representing each branch entitled to speak and vote.

**Art. 11** The business of the Delegates Meeting shall be:

1. To adopt the annual report of the President and the annual audited accounts and release the members of the Central Committee from their liability.
2. To approve the budget submitted by the Central Committee.
3. To fix the annual proportion of the collective subscriptions to be paid by the branches to ESTA.
4. To elect the members of the Central Committee, the President and the Vice-President and the Treasurer in accordance with Article 19.
5. To elect the auditors.
6. To elect Honorary Presidents and Honorary Members.
7. To admit new branches or remove branches from the membership list.
8. To amend the statutes.
9. To deal with all the items submitted by the General Committee or by the branches.
10. To decide the dissolution of the Association.

**Art. 12** The Delegates Meeting takes place once a year.  
Extraordinary Delegates Meetings shall be convened following a decision of the Central Committee, upon a request by one fifth of the branches, or upon the request of the auditors.  
An Extraordinary Delegates Meeting must be held at the latest within 6 weeks after receipt of such a request.

**Art. 13** 90 days notice of the Delegates Meetings will be given to the branches.  
Each branch shall be responsible for the nomination of its delegates at the Delegates Meeting.  
Requests of branches for items to be dealt with at the Delegates Meeting must be sent in writing to the Central Committee 60 days before the meeting.  
Detailed written material, with the Agenda and the Budget will be sent to the branches 30 days before the Delegates Meeting in the 3 official languages.

- Art. 14** Ordinary and Extraordinary Delegates Meetings may take decisions and hold elections by a majority vote of those present and entitled to vote.  
At the Delegates Meeting resolutions are passed and elections held by the majority of votes represented at the Delegates Meeting. In case of a tie, the President has the casting vote.  
As a rule, the voting and elections shall be proceeded with on a show of hands unless a secret poll be requested by the Central Committee or by a delegate.  
Resolutions regarding the amendment of the statutes of ESTA or the dissolution of the Association shall be made valid by a two- third majority of the votes represented at the Delegates Meeting.  
The Delegates Meeting shall be presided over by the President or, in his absence, by the Vice-President.
- Art. 15** All members of the branches may attend the Delegates Meeting, but only the delegates attending the Delegates Meeting are qualified to vote.
- Art. 16** As a rule, the Delegates Meeting will be held on the occasion of a conference in one of the countries belonging to ESTA.
- Art. 17** The Secretary of the Central Committee keeps the minutes in English, French and German.  
The minutes of the Delegates Meeting shall be sent to the branches after the Delegates Meeting.

#### **IV. Representation**

- Art. 18** Each branch should only be represented by 2 members at the Delegates Meeting.  
Each delegate shall have one vote at the Delegates Meeting. A voting by proxy is not possible.

#### **V. The Central Committee**

- Art. 19** The Central Committee shall consist of a President, a Vice- President, a Treasurer and at least two advisers. At least 3 members of the Central Committee must be representatives of different branches. The members of the Central Committee shall be elected, as a rule, for a period of 3 years and may be re-elected twice. The names of the candidates for election or re-election will be sent to the branches 90 days before the Delegates Meeting.  
The five branches with the lowest membership together are entitled to be represented on the Central Committee by one member.  
If a supplemental election shall be necessary, the term of office of the newly elected member expires at the end of the regular term of office of his predecessor.  
The Central Committee shall elect a Secretary who must not be necessarily a member of a branch of ESTA. He is not a member of the Central Committee and has no voting rights, but shall attend the Meeting of the Central Committee with deliberative voice.
- Art. 20** The Central Committee represents the Association and deals with all matters of ESTA which are not reserved for the Delegates Meeting. It acts legally on behalf of ESTA with the joint signature of the President or Vice-President, together with one other member of the Central Committee.
- Art. 21** The Central Committee meets upon notice from the President or in his absence from the Vice-President whenever the Association's business requires it or upon request of 2 members of the Central Committee. The notices of meetings must indicate the agenda.  
The notices of Meetings shall be sent to the members of the Central Committee in writing and mailed not less than 30 days before the meetings. In emergency cases this period may be shortened by communication via E-mail or Fax.  
Resolutions are passed and elections effected by a majority of the members attending the Meeting. Voting is only valid if the majority of the members of the Committee are present.  
Resolutions of the Central Committee can be validly taken in the form of a written assent (letter, E-mail or Fax) to a motion by a majority of the members of the Central Committee unless a member demands that the matter be discussed at a Meeting.  
Minutes of the meetings reproducing the passed resolutions must be kept and sent to the branches.

## VI. Accounts and Auditing

- Art. 22** Auditors of a recognised auditing firm or auditors elected by the Delegates' Meeting must examine the annual account of ESTA. The auditors produce a written report of the book keeping to the Delegates Meeting.
- Art. 23** Any personal liability by branches or their members for liability of ESTA is excluded. The liabilities of ESTA relate to its own property.  
The funds of ESTA are raised mainly by the agreed proportion of the subscription as well as from other income and revenue.
- Art. 24** Branches which have withdrawn or have been expelled from membership and deleted from the membership list are not entitled to the funds of ESTA.
- Art. 25** The financial year runs from 1st January to 31st December.

## VII. Legal Status of the Association

- Art. 26** The statutes of the Association become effective on 18<sup>th</sup> October 2002. They replace any former statutes of the Association.  
In addition to these statutes the provisions of the Swiss Civil Code are applicable.  
The statutes of the Association have been written in German language and translated into English and French. If there are differences from the German text, the German text will govern.

## VIII. Arbitration

- Art. 27** Any dispute arising between ESTA and its branches shall be decided definitively by the final decision of the board of arbitration.  
The board of arbitration meets in Bern.
- Art. 28** The board of arbitration consists of 3 arbitrators. Each party shall appoint one arbitrator and the two arbitrators so appointed shall in turn appoint the third arbitrator who shall preside over the board of arbitration.  
The appointment of arbitrators by the parties shall take place within 30 days counting from the date on which one of them shall have given notice recorded letter, E-mail or fax to the other of its intention to have recourse to the arbitration procedure and of the name of its arbitrator.  
The two arbitrators so appointed shall appoint the third arbitrator in turn within 30 days.  
In the event of failure by one of the parties to appoint an arbitrator, or by the arbitrators to appoint the third arbitrator within that time limit, it shall be incumbent on the president of the Court of Commerce of Bern to appoint such arbitrator upon request of one party. The arbitration procedure is ruled by the Swiss intercantonal Arbitration Convention of March 27/August 27, 1969.  
The decisions of the Court of Arbitration are final and binding for all the parties involved.

The President



The Central Secretariat



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