

STATUTES OF THE ASSOCIATION OF SECOND HOME OWNERS AND LONG TERM TENANTS “VERCO R2”

I NAME AND GOAL OF ASSOCIATION

Art. 1

¹ Under the name of “Verco R2” is being constituted an Association in the sense of Art. 60 & alia of the Swiss Civil Code.

² Its registered place is Chalais-Vercorin, its life is unlimited and its geographical scope covers the territory of the Commune of Chalais.

³ Its goal is to make known the concerns and priorities of second home owners and long term tenants, plus to defend their interests. Specifically:

- by formulating proposals which it communicates to the relevant authorities
- by fostering a respectful form of tourism
- by favouring good neighbourly relations among Members of the Association and/or other third parties, as required
- by maintaining a constructive dialogue with the local authorities

II ADMISSION, RESIGNATION AND EXCLUSION

Art. 2

¹ All owners or co-owners of a chalet or apartment situated on the territory of the Commune of Chalais, including any family members who may share such dwellings (partner, children above the age of 18, parents) can ask to be admitted to the Association as long as they accept the Statutes at hand and as long as they are not legal residents of the Commune of Chalais.

Art. 3

Any request to be admitted to the Association needs to be notified to its President. An admission can only be denied on the basis of just grounds.

Art. 4

¹ The Association only recognizes as Member a person who has been recorded in the Association’s register and who has paid his/her annual dues.

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² A Member ceases to be recognized as such if:

- annual dues, even though the Member has received a series of reminders, are in arrears in excess of two years
- the person is no longer a second home owner, or is no longer a long term tenant in the Commune of Chalais
- the person's home is no longer deemed to be a second home, but a principal place of residence
- the person has officially registered his/her legal place of residence in the Commune of Chalais
- in the case of a long term tenancy, if the rental agreement has been cancelled.

Art. 5

¹ A Member can leave the Association at any time by simply notifying its President. The exiting Member relinquishes any claims on the Association's assets.

² The exclusion of a Member can only be decided by the General Assembly, upon prior notice by the Committee:

- when a Member has not respected his/her commitment to the Statutes at hand
- or when the Member acts against the Association's interests

Art. 6

¹ A Member does not incur any personal liability with regards to the Association's commitments

² In the event where the Association had incurred any debt, its liabilities are limited by its tangible assets.

III THE ASSOCIATION'S BODIES

Art. 7

The Association's Bodies are:

1. the General Assembly
2. the Committee
3. the Auditors

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Art. 8

The General Assembly enjoys the following powers:

1. it elects the Committee and the President among the Association's Members
2. it elects the Auditors
3. it approves the minutes of the General Assemblies
4. it approves the management report, the accounts and grants discharge to the Association's Bodies
5. it examines and adopts the action plan for the year ahead and, if needed, it examines and adopts the budget which may be proposed by the Committee
6. it sets the amount of the annual membership fee and, if relevant, it sets the admission fee for new members
7. it approves the by-laws proposed by the Committee
8. it decides on the exclusion of Members
9. it is the legislative body which modifies any statutory provisions
10. it decides on the dissolution of the Association
11. it makes decisions on any subject which does not fall under the authority of any other Body

Art. 9

¹ The Ordinary General Assembly takes place once a year, in principle 6 months after the end of the chosen financial year. The invitation to the General Assembly shall specify an agenda spelled out by the Committee.

² An Extraordinary General Assembly can be called for:

- at the request of the Committee
- at the request of 1/5 of registered Members, who, in doing so, need to indicate the Item(s) or proposal(s) which they wish to submit to a general debate and/or vote

Art. 10

¹ The invitation to the General Assembly should be sent out no later than 30 days prior to the Assembly. The invitation can be sent out via email, or via any other appropriate means, as decided by the Committee.

² The General Assembly is deemed validly constituted, regardless of the number of Members present (i.e. there is no quorum).

³ Each Member can only cast one vote at the General Assembly. The vote by proxy is not permitted.

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Art. 11

¹ Elections and votes shall be taken by a show of hands, or by secret ballot if a Member asks for it and if this option is approved by at least half the Members in attendance.

² Elections and votes are approved based on a simple majority rule of Members attending the Assembly. The exceptions to this rule would be if the Statutes called for other types of majority rules. Should a vote result in a tie, then the President's vote counts for two votes, thereby tipping the balance one way or the other.

³ All decisions are registered in an Assembly's minutes, which are penned down by the Association's Secretary, or by a person designated on a one-off basis as the Assembly's secretary at the start of such Assembly.

Art. 12

¹ The Committee handles the Association's affairs and represents it versus third parties, within the scope of its mandate to further the Association's goals. The Committee's Members, as long as they are acting within the scope of their statutory mandate, do not assume any personal responsibility or liability as they carry out their duties to manage the Association's affairs.

² The Committee is made up of 3 to 7 persons, of which at least:

- a President
- a Secretary
- a Treasurer

³ A Committee Member is elected for a mandate of 3 years and is eligible for reappointment.

⁴ The signatures of the Association's President, plus that of one additional Committee Member are required for the Association to be legally bound by the terms of a contract, or with regards to any official document.

⁵ Over the duration of any given financial year, the Committee is authorized to spend those amounts which have been pre-approved by the budget. The Committee is also authorized to spend up to CHF 1'000 per financial year out of the Association's cash on hand.

Art. 13

The Committee performs the following duties:

- it manages the Association's current affairs and informs the Assembly about the Association's activities
- it implements the decisions taken by the General Assembly
- it prepares the Association's management report, the activity programme and the accounts, which are all presented at the General Assembly
- it takes the necessary steps to implement that Association's goals

Art. 14

The Association's Treasurer provides to the Members the financial records of the Association's most recent completed financial year. Such material will be provided to Members at least 20 days prior to the annual General Assembly.

Art. 15

¹ The Association's financial accounts are reviewed by Auditors, who will report their findings to the General Assembly.

² The Auditors are elected for a mandate of 3 years and can be reappointed for a maximum cumulative mandate length of 9 years.

IV FINANCES**Art. 16**

¹ the Association's financial means are drawn from the following sources:

- annual membership dues, which are identical for all Members
- voluntary contributions
- a potential admission fee
- subsidies from public bodies
- any other useful means

² The financial year starts on October 1st and finishes on September 30th of the following calendar year.

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V REVISIONS OF STATUTES AND DISSOLUTION OF THE ASSOCIATION

Art. 17

¹ Any statutory modifications need to be mentioned ex ante in an Assembly's agenda, which should also mention the key rationale behind the proposed change(s). In the event where such proposed changes have not been mentioned in an Assembly's agenda, then attending Members can only deliberate on the merits of the proposal(s), but the vote (and potential further deliberations) on the proposed modification(s) need to be postponed to the next Assembly.

² The revision of the Association's Statutes has to be approved by the General Assembly, subject to a 3/4 majority of attending Members.

³ The dissolution of the Association can only be decided at an Assembly attended by at least 2/3 of registered Members.

⁴ If the required quorum is not reached, then a new Extraordinary General Assembly shall be called, at the earliest 30 days after the first Assembly where the quorum was not reached. Not reaching the quorum at a given Assembly does not prevent attending Members from deliberating on the merits of a given proposal.

⁵ In both cases (3) and (4), decisions are taken based on a simple majority rule.

⁶ Were the decision taken to dissolve the Association, then the Association's remaining assets at the time of dissolution would go to a local entity engaged in activities of public interest.

Adopted in Vercorin, at the "Verco R2" Association's constitutive sitting on Feb 17th 2018

President

Secretary

Andreas SAURER

Anne KELLER

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