

## **“Phonegate Alert”**

### **STATUTES**

#### **ARTICLE 1 - NAME**

The adherents of the current statutes hereby create an association, governed by the law of July 1, 1901, and the decree of August 16, 1901, related to the contract of the association called: “Phonegate Alert”.

#### **ARTICLE 2 – PURPOSE**

The purpose of the association is to:

- allow, in both France and internationally, the networking of individuals, organizations and communities fighting for the recognition, protection and defense of the health of users of mobile telephony within the framework, inter alia, of the health and industrial scandal called “Phonegate”;

- contribute with its partners to the definition of a global strategy for the use of mobile phones, digital tablets, connected objects and any other future technology using electromagnetic waves, under conditions which protect the health of users, particularly children;

- assist in the identification, prevention and compensation of damages caused to victims of mobile telephony on a physical, psychological, moral, etc. level and also the harm to their families and loved ones.

In order to achieve its objectives, the association can take legal action directly and/or in support of actions undertaken by its members. It can engage in any useful action or activity, including economic in nature, in order to achieve its objectives.

#### **ARTICLE 3 – HEADQUARTERS**

The headquarters is located at 35 rue François Rolland, 94130 Nogent-sur-Marne. It may be relocated by a simple decision of the Executive Board.

#### **ARTICLE 4 – DURATION**

The duration of the association is unlimited.

#### **ARTICLE 5 – COMPOSITION**

The association is composed of:

- a) Founding members
- b) Honorary members
- c) Benefactor members
- d) Active members (adherents)
- e) Partner members

The association may include private individuals and legal persons. The latter may be represented on the Executive Board by the person they designate.

## **ARTICLE 6 – ADMISSION**

In order to be part of the association, one must be approved by the Bureau which decides, during each of its meetings, on the admission requests submitted.

## **ARTICLE 7 – MEMBERS - SUBSCRIPTIONS**

The founding members are those who originally set up the association.

The active members are those who are committed to paying an annual membership fee, the amount of which is fixed annually by the General Assembly;

The honorary members are those who have rendered significant services to the association. They are exempt from membership fees;

The benefactor members are persons who pledge to make an annual donation in an amount set by the General Assembly;

The partner members are individuals or organizations with which the association cooperates on an international level.

The membership fee is set annually by the General Assembly on proposals from the Executive Board.

## **ARTICLE 8 – EXPULSIONS - EXCLUSIONS**

Member status is lost by:

- a) Resignation;
- b) Death;
- c) Expulsion pronounced by the Bureau for non-payment of the membership fee despite a reminder;
- d) Exclusion pronounced by the Executive Board for serious reasons, the interested party having been invited by registered letter to provide explanations in front of this body, either in writing or orally.

Exclusion can be appealed, the concerned person choosing to state his arguments in writing or orally. The body of appeal is the Executive Board for exclusions which may if necessary refer the decision back to the next General Assembly. The appeal is suspensive.

## **ARTICLE 9 – AFFILIATION**

The association can join other associations, unions or groups by decision of the Executive Board.

## **ARTICLE 10 – RESOURCES**

The resources of the association include:

- 1° The amount of the membership fees;

2° Subsidies from communities, territorial assemblies, the State, the Parliament, international and European Union organizations;

3° Sums allocated by benefactor members, donations, bequests;

4° All resources authorized by the laws and regulations in place. In particular, the association may engage in economic activities related to its statutory objectives.

## **ARTICLE 11 – ORDINARY GENERAL ASSEMBLY**

The Ordinary General Assembly includes, present or represented, all adherents of the association who have duly paid their membership fees as well as founding, honorary, benefactor and partner members. It meets at least once a year on a date fixed by the Executive Board. At least fifteen days before the fixed date, the members of the association are convened by the president, preferably electronically. The agenda is included in the convocation notice.

In order for the Ordinary General Assembly to be validly held, a quorum of 50% plus one of the members of the association present and represented is required. If the quorum is not reached, a second Ordinary General Assembly can be held the same day, on condition that the convocation to the General Assembly has foreseen it.

The president, assisted by the members of the Executive Board, chairs the meeting and presents the current state and activities of the association.

The treasurer reports on its management and submits the annual accounts (statements, balance sheet and annexes) for approval of the Assembly.

It then proceeds to the election of members of the Executive Board succeeding outgoing members.

The other subjects inscribed on the agenda are then addressed.

The General Assembly discusses officially only the items inscribed on the agenda.

Decisions are made by a majority of the votes of members present or represented. All deliberations are taken by a show of hands, including the election of the members of the Executive Board. In case of a tie of votes, the decision to be voted upon is accepted.

Active members can receive at the most two powers per person. The founding members and members of the Bureau can receive an unlimited number of powers.

## **ARTICLE 12 – EXTRAORDINARY GENERAL ASSEMBLY**

If need be, or at the request of half plus one of the members of the association, the president shall convene an Extraordinary General Assembly in accordance with the terms and conditions of the current statutes and only for a modification of the statutes or the dissolution of the association or for acts relating to assets.

The procedures of convocation are the same as for the Ordinary General Assembly.

The deliberations are made by a two-thirds majority of the members present and represented under the conditions of the quorum provided in article 11.

## **ARTICLE 13 – EXECUTIVE BOARD**

The association is directed by an Executive Board comprising up to 20 members, elected for three years by the General Assembly. The members are re-eligible. The initial Executive Board is composed of the founding members appointed for three years. They may appoint, during these three years, additional members. The Board is renewed from the third year.

In the event of a vacancy, the Executive Board provisionally provides for the replacement of its members. Their final replacement is made during the next general assembly. The powers of the members so elected terminate upon expiry of the term of the members replaced. The Executive Board meets at least once every three months, on convocation by the president, or at the request of half of its members. Meetings can be physical or through teleconferences. The decisions are taken by a majority of votes. In the event of a tie, the vote of the president shall be decisive.

The Executive Board manages the association, proposes the amount of the membership fees, decides on legal actions and strategic directions, and reports to the General Assembly. Any member of the Executive Board who, without valid reason, has not attended three consecutive meetings may be deemed to have resigned.

The Executive Board validates, if applicable, the choice of a delegate general proposed by the President, and responsible for assisting the President, representing the association and managing it on a daily basis. He attends the meetings of the Executive Board and ensures the secretariat.

## **ARTICLE 14 – THE BUREAU**

The Executive Board elects through its members a bureau composed of:

- 1) A president and if necessary, one or several vice presidents;
- 2) A secretary and, if necessary, a deputy secretary;
- 3) A treasurer, and if necessary, a deputy treasurer.

The delegate general assists at meetings of the Bureau and ensures the secretariat. He approves through the bureau potential recruitment of employees and interns. In the absence of the delegate general, this responsibility returns to the Bureau.

The title of a function exercised by a woman is feminized.

## **ARTICLE 15 – INDEMNITIES**

All duties, including those of the members of the Executive Board and the Bureau with the exception of the delegate general and other potential employees, are free and voluntary. Only the costs incurred in the fulfillment of their mandate are reimbursed on presentation of valid receipts. The financial report presented to the Ordinary General Assembly shows the reimbursements of expenses for missions, travel or representation.

## **ARTICLE 16 – RULES OF PROCEDURE**

Rules of procedure can be established by the Executive Board, which then has them approved by the general assembly. These proposed rules are intended to establish the various points not provided for by the present statutes, particularly those relating to the internal administration of the association.

## **ARTICLE 17 – DISSOLUTION**

In the event of dissolution pronounced in accordance with the terms set out in article 12, one or several liquidators are appointed, and the net assets, if any, will be distributed to a non-profit organization in accordance with the decisions of the Extraordinary General Assembly which decides on the dissolution. The net assets cannot be distributed to a member of the association, even partially, except for taking back a contribution.

## **Article 18 – DONATIONS**

The report and the annual accounts, as defined in article 11 are sent each year to the Prefect of the Department. The association is committed to presenting its records and accounting documents on any requisition of the administrative authorities with regard to the use of donations that it would be authorized to receive, to allow its establishments to be visited by representatives of these competent authorities and to report to them on the operation of these establishments.

“Executed in Nogent-sur-Marne, March 2, 2018”

Signatures

Marc Arazi, President

Joël Ferbus, Secretary