

Bylaws of the Assistants' Association of the University of Basel (avuba)

Amended at the General Meeting of **December 4, 2017**

A) Legal form, registered office, purpose (sections 1-3)

1. Legal form

The Assistants' Association of the University of Basel (avuba) is an association pursuant to Art. 60 et seq. Swiss Civil Code (ZGB). The Association is non-profit and politically independent.

2. Registered office

avuba has its registered office in Basel.

3. Purpose

The purpose of the avuba is to represent and support the academic and professional interests of members of Group III of the University of Basel. In accordance with the resolution passed by the Rectorate on August 14, 2012, Group III comprises doctoral students who are employed by the University, doctoral students who are not employed by the University, as well as postdoctoral researchers who are financed by the University.

The avuba represents the interests of Group III within the University of Basel, in public, and when dealing with public authorities, in accordance with their regulations. When necessary, avuba coordinates and supports the election of representatives of Group III into the Senate and into the university committees and commissions.

The General Assembly can resolve that the avuba takes on additional tasks.

To safeguard the interests of members and with the consent of the Board, the Presidium is authorized to lodge complaints and draft statements on behalf of members of the Association.

B) Membership (sections 4-6)

4. Membership

In accordance with section 22 of the Bylaws of the University of Basel of May 3, 2012, members of Group III are automatically members of avuba.

Members pay a bi-annual membership fee that is determined by the General Assembly.

According to the resolution passed by the Rectorate on January 15, 2013, all assistants shall be liable to pay membership fees to avuba from the Fall semester, 2013.

Doctoral researchers in their first **matriculated** semester are not required to pay avuba membership fees.

5. Termination of membership

Assistants who do not wish to belong to avuba must give written notification to the University Rectorate if they have not already waived their membership during the application process.

By terminating their membership, assistants relinquish their right to participate in avuba.

Membership ceases through permanent resignation from the group as defined in section 3 of these Bylaws, or through failure to pay the membership fee. The full membership fee must be paid to avuba for each semester of membership or part thereof.

6. Expulsion

At the request of the Board and for just reasons, the General Assembly may exclude a member from avuba with a two-thirds majority of members present.

C) Organization (sections 7 -12)

7. General Assembly

The General Assembly is the highest organ of avuba. It has the following functions in particular:

- Definition of the scope of avuba activities
- Election of the Board, the co-presidents and the Audit Committee
- Setting of membership fees
- Approval of the annual report and the report of the Audit Committee
- Amendment of the Bylaws
- Dissolution of the Association

Resolutions: Resolutions are passed with a simple majority of members present via the raising of hands. This means that the majority of members present must agree with the resolution.

Candidate elections: If there are more candidates than seats, an election will be held as follows:

- Ballots will be prepared on which the name of each candidate will appear once.
- Each person entitled to vote can choose as many candidates as there are seats to fill.

- The candidates themselves are not entitled to vote.
- The candidates who receive the most votes will be elected.
- In the event of a tie, a second ballot will be held following the same procedure.

The ordinary General Assembly takes place annually and is convened by the Board. The invitation is sent at least 30 days prior to the meeting. Extraordinary General Assemblies may be convened by the Board or by a minimum of 30 members. Requests from members are to be submitted to the Board in writing at least 7 days before the General Assembly.

8. The Board

The Board is the executive organ of avuba. It conducts its business and represents avuba in the University, when dealing with public authorities and in public.

The Board consists of at least 7 and a maximum of 10 persons and comprises:

- two co-presidents
- Senate representatives who represent faculty assistants in the Senate
- Additional Board members who are elected by the General Assembly

The executive board is committed to ensuring that its composition reflects the diversity of the avuba members.

Board members are elected for a period of office of one year and can be reelected.

Membership of the Board ceases through resignation or when a Board member is voted out.

The Board is responsible for the following tasks:

- Carrying out the day-to-day business, including the handling of all applications for assistance from avuba funds up to a single amount of CHF 10,000. Any applications exceeding this amount must be approved by the General Assembly
- Convening and organizing the ordinary and extraordinary General Assemblies
- Implementation of resolutions passed by the General Assembly
- Administration of the finances for which the Board is held accountable to the General Assembly
- Preparation of the annual financial statement and the budget proposal for the General Assembly
- Proposal to members of candidates to represent Group III on university committees and commissions
- The Board shall have all powers that are not transferred to another organ by law or by explicit mention in these Bylaws.

The Presidium is to convene a Board meeting at least two times each semester, in which resolutions may be passed with a simple majority. Each co-president has one vote.

In addition, each faculty has one vote even if more than one Board member from the same faculty is present. In the case of a tied vote, the Presidium decides together. The resolutions are recorded in a protocol and published. Members are informed of the publication.

Board members are entitled to claim back all expenses incurred through their official duties.

9. Presidium

The Presidium comprises two equal presidents (Co-Presidium) who are elected by the General Assembly. The Presidium is part of the Board and ideally comprises one doctoral researcher and one postdoctoral researcher from different faculties. If possible, both genders should be represented.

The co-presidents may decide how they wish to share the duties of internal and external university representatives of avuba.

They are also responsible for the negotiation of the performance agreement between the University of Basel and avuba, and they make decisions concerning avuba publications in consultation with the Board, such as the contents, type of publication and the publication body.

To safeguard the interests of members and with the consent of the Board, the Presidium is authorized to lodge complaints and draft statements on behalf of members of the association.

The signatures of one co-president and another Board member are legally binding.

The Presidium must present a progress report to the General Assembly.

The co-presidents are recompensed for their work on behalf of avuba. The amount of financial compensation, which is paid for one year according to the tariff defined by the Swiss National Science Foundation (SNF), is proposed by the Board and approved by the General Meeting. The co-presidents are entitled to claim back all expenses incurred through their official duties.

10. Administration

The Administration supports the Co-Presidium and the Board of avuba in their day-to-day administrative business.

The Co-Presidium appoints members to the Administration and decides on the amount of compensation for the Administration in consultation with the Board.

The Administration is paid using the financial resources of avuba.

11. The Audit Committee

The annual financial statement is checked annually by two members of avuba. The Audit Committee may not comprise members of the Board and must be impartial.

12. avuba working groups

avuba working groups are committees that support one or more of the avuba objectives defined in the bylaws (see Section 3, Purpose). Their role includes developing opinions and proposals for submission to the avuba executive board.

Applications to form working groups are submitted to the avuba executive board in writing. The simple majority of the executive board approves the setting up of an avuba working group and may dissolve it again at a later point in consultation and upon mutual agreement with the project manager.

Working groups are responsible for their own organization. All members of Group III at the University of Basel are entitled to join a working group. The principal goal is to achieve equal representation for all faculties. Further details of voting procedures are to be set out in the application to be submitted to the executive board.

The working group appoints a project manager from among its number to act as a link between the working group and the avuba executive board. As a rule, the project manager and avuba executive board review the progress of the project and the working group's general mandate and objective once per semester. The project manager may attend avuba executive board meetings in an informal capacity. The outcomes of this meeting, usually part of the executive board meeting, are published. The working group reports on its work at the annual avuba General Meeting.

Communication that goes beyond internal communication within the working group is conducted in consultation with the avuba Co-Presidium.

The avuba working groups can apply to the avuba executive board for financial support.

D) Funds, liability (sections 13-14)

13. Funds

According to section 22 of the Bylaws of the University of Basel dated May 3, 2012, avuba has at its disposal funds from the global budget of the University, from membership fees as well as from other sources of income for the performance of its tasks.

The sum from the University is defined in the performance agreement between the Rectorate of the University of Basel and avuba. In addition to the financial obligations of each contractual partner, the performance agreement also defines the general rights and tasks of each party.

The membership fee is approved annually by the General Assembly.

The funds of avuba are to be implemented in accordance with the purpose of avuba (section 3). The Board may take decisions regarding funds up to a single amount of CHF 10,000. Any expenditure exceeding this amount must be authorized by the General Assembly.

The Presidium is responsible for the administration of the funds with the support of the Management Board. The scope and use of the funds are to be reported to the General Assembly on an annual basis.

14. Liability

avuba's liability is limited to the assets of the Association.

E) Dissolution (section 15)

15. Dissolution of avuba

avuba may be dissolved with a two-thirds majority of members present at a General Assembly.

Any remaining assets go to the University of Basel, to be passed on to a successor organization.

F) Final provisions (sections 16-18)

16. Amendments to the Bylaws

The General Assembly may amend the Bylaws with a two-thirds majority of those present.

17. Entry into force

These Bylaws were accepted at **December 4, 2017** by the General Assembly of avuba and came into force on this date.

18. Severability clause

If individual provisions of these Bylaws are partly or wholly invalid or inexecutable, or if they become invalid or inexecutable as a result of changes in legislation that were made since these Bylaws were approved, the remaining terms and conditions and the validity of the Bylaws as a whole remain unaffected.

The invalid or inexecutable provision is to be replaced by a valid and executable provision that comes closest to the intended meaning and purpose of the original provision.

In the event of gaps or omissions in these Bylaws, the provisions that correspond to the meaning and purpose of the decree and would otherwise have been included are legally valid.

Basel, **December 11, 2017**

In cases of doubt, the German version of this document is the legally binding version.