

Statutes of the Association Swiss School Beijing (24 February 2021)

Purpose, domicile, membership

Art. 1

The name of the association is „Association Swiss School Beijing“ (to be called the **Association** in what follows). The Association is a non-profit association as per Art.60 of the Swiss Civil Code. The purpose of the Association is to operate a Swiss School in Beijing within the framework provided by the „Federal law for the provision of Swiss education abroad“ (SSchG). The purpose of the association cannot be amended.

Art. 2

The Association is registered in Bern, Switzerland.

Art.3

The following can apply for membership of the Association:

As Collective Members:

1. Public sector corporations and institutions.
2. public-private companies, legal entities, partnerships and private law individual companies (companies, federations, foundations, associations).

As Individual Members:

Any natural person.

Each parent and/or guardian of student(s) of the Swiss School Beijing automatically becomes an Individual Member of the Association, for the duration of the enrolment of their child or children at the Swiss School Beijing, unless the parent or guardian explicitly declares that he or she does not wish to be a member.

All other persons or institutions wishing to become a member of the Association must apply for membership in writing to the Board of the Association. The Board of the Association may decline an application without having to provide justification for its decision.

Art.4

The membership of parents and/or guardians of students of the Swiss School Beijing is automatically cancelled upon the student(s) leaving the Swiss School in Beijing. Other members of the Association can cancel their membership by means of a written notice with one month of notice. Members who do not fulfil their duties as described in these statutes, or who act in contradiction to the interests of the Association, can have their membership revoked by the Board of the Association, without the Board having to provide justification for its decision.

Art. 5

The Association's year is the same as the school year of the Swiss School Beijing and runs from August 1st to July 31st of the following calendar year.

Art. 6

The annual membership fee for Individual Members is CHF25.- or RMB175.-, and for Corporate Members CHF 100.- or RMB700.-.

The annual membership fees of parents and/or guardians of student(s) of the Swiss School Beijing are included in the tuition fees of the Swiss School in Beijing.

Association membership fees are not pro-rated and owed for each Association year.

The Association may obtain funds through revenues of its own events or services, subsidies, donations or grants.

Art.7

Persons who have made significant contributions to the Swiss School Beijing can be awarded Honorary Membership by the General Assembly of the Association. A Honorary Member has the same rights as a regular Member, but is exempt of the annual membership fee.

Organisation

Art. 8

The Association comprises at least 5 members.

The organisational structure of the Association includes the following bodies:

1. The General Assembly
2. The Board of the Association (the School Board)

A. The General Assembly

Art.9

The General Assembly meets ordinarily once per year during the last term of the school year and extraordinarily as often as convened by the Board of the Association or when requested by a fifth of all members.

Art.10

The responsibilities of the General Assembly include:

- a) Elect the President of the Association, who is also President of the School Board.
- b) Elect the members of the School Board.
- c) Approve the annual reports of the School Director and the President.
- d) Approve the annual financial reports.
- e) Approve purchase and sale of land and buildings.
- f) Approve changes in the statutes.
- g) Dissolution of the Association.

Art.11

All resolutions and elections require the majority of the members in attendance. Changes in the Statutes of the Association or the dissolution of the Association require three quarters of the votes of the members in attendance.

The President is entitled to vote. In case of a tie, the President has a casting vote. The voting process is open, unless the General Assembly requests otherwise.

During a General Assembly, a member of the association can appoint another member of the association as proxy. Such an appointment must be done in writing.

Art.12

Motions that are submitted at the General Assembly only and refer to a topic that has not previously been deliberated by the School Board, can form the basis for deliberations during the General Assembly but can be voted on in a future General Assembly only.

Art.13

The President convenes the General Assembly and circulates the agenda of the upcoming General Assembly at least three weeks in advance. The President chairs the General Assembly and appoints the person responsible for recording the minutes of the meeting. The minutes are submitted to the General Assembly for approval at its next meeting and will be signed by the President.

B. The School Board

Art. 14

The School Board consists of the following elected members:

- The President
- The Vice-President
- The Treasurer
- And at least two members of the Association

The following persons may participate as advisors in the Board meetings of the Association, but are not members of the Board:

- The Director of the School
- A representative of the Swiss Embassy in Beijing
- A representative of the partner school, Western Academy of Beijing
- A representative of the Association Swiss School in China.
- A representative of SwissCham Beijing
- A representative of the teachers of the school, except for matters related to personnel and salary matters. (Art.18 SSchV)

The members of the School Board are elected for a period of two years. Re-election is possible. A majority of the members of the School Board must be of Swiss nationality (Art. 3 SSchG). Should an elected member of the School Board resign before the end of the respective tenure, the School Board appoints a successor, who will be in office until the next General Assembly.

The members of the School Board work in an honorary capacity. The annual membership fees are waived for the members of the School Board.

Teachers of the Swiss School Beijing cannot be elected as voting members of the School Board.

The School Board is convened, in general, four times per year by the President or at the request of three members of the Board.

The Board of the School has a quorum when the majority of its voting members are present. Members who participate in the meeting of the School Board through tele- or video-conference are also considered to be present.

For urgent matters, the President of the Board may take an executive decision, subject to the later endorsement by the Board.

Art.15

The School Board is responsible for the strategic leadership of the School. Its deliberations are confidential.

The School Board operates in German, English and French.

The responsibilities of the School Board include:

- a) Admission of new members.
- b) Appointment of the Vice-President and the Treasurer
- c) Approval of policies and regulations that are of relevance to the School.
- d) Selection of a School Director with Swiss teaching qualifications (Art. 3SSchG) and approval of the corresponding salary.
- e) Approval of the tuition fees and award of a scholarships based on the School's scholarship policy.
- f) Approval of annual budget and supervision of budget discipline.
- g) Review of annual financial statements, for the Association as well as the School.
- h) Review of the annual reports that the President and the School Director are to present to the General Assembly.
- i) Setting of strategic goals for the development of the School.
- j) Ensuring that the School fulfils the requirements of the law (SSchG) and regulation (SSchV) for Swiss Schools Abroad.
- k) Exemption of individual members from their duty to pay a membership fee.
- l) Registration of the Association in the Commercial Register.
- m) Other matters arising that do not fall under the responsibility of another body of the Association.
- n) Appoint other authorised persons.

C. Special committees

Art. 16

The School Board may establish special committees to address specific topics or tasks. The School Board elects the members and the President of each special committee, specifies the committee's purpose and its authority.

Liability

Art.17

The liability of the Association shall be limited to the assets of the Association.

Dissolution and Liquidation

Art.18

In the case where the liquidation of the Association is decided, the General Assembly appoints the person who will carry out the liquidation.

Should any assets be left after the liquidation of the Association, this capital shall be transferred to „Educationsuisse“.

Final provisions

Art. 19

The German version of these statutes prevails.