

Standing Orders

CHAPTER 1: General

Article 1.1 – Terminology

- GMM: General Members' Meeting
- NCM: National Council Meeting
- CoC: Code of Conduct

Explanation: standard article.

Article 1.2 - ELSA the Netherlands

ELSA Tilburg is a member of ELSA the Netherlands. The Association and its Members shall conduct its activities in line with the vision and philosophy of ELSA and ELSA the Netherlands.

Explanation: standard article.

Article 1.3 - Disciplinary measures and the Code of Conduct

1. All Members of ELSA Tilburg shall adhere to the following disciplinary regulations:
 - a. The Code of Conduct of ELSA the Netherlands
 - b. The Code of Conduct of Tilburg University.
2. The General Members' Meeting shall appoint a Director for Welfare (otherwise referred to as Confidentiality Person) who shall be independent from any influence of the Board and shall oversee any complaints made about the conduct of all Members of ELSA Tilburg.

Explanation: The basis for this Article is derived from the efforts by ELSA the Netherlands to introduce the Code of Conduct, and a Director for Welfare for every Local Group in the Netherlands.

CHAPTER 2: Internal structure of ELSA Tilburg

Article 2.1 - Members

Members of the General Members' Meeting and ELSA Tilburg shall be divided into these categories:

- General Members
- Committee Members
- Board Members
- Advisory Board Members
- Alumni Members

Committee Members and Board Members shall also be understood as being General Members.

Explanation: Clarify the different members within ELSA Tilburg, with varying level of responsibilities and duties.

Article 2.2

Members of ELSA Tilburg, with the exception of the Advisory Board Members, have the obligation to pay a yearly membership fee, decided by the GMM.

Explanation: standard article, ensuring that Advisory Board Members who have a longer term, but do not take make use of the activities of ELSA Tilburg could be exempt from the yearly membership fee.

CHAPTER 3: The Board

Article 3.1 - Composition, tasks and responsibilities of the Board

1. The Board of ELSA Tilburg is the supreme executive body of the Association and holds all decision-making power that is not conferred upon the General Members' Meeting.
2. Board positions are assumed for an association year.
3. All members of the Board have the obligation and responsibility to represent the Association and form a delegation at the National Council Meetings.
4. The Board of ELSA Tilburg shall consist of the following positions and shall have the following tasks and responsibilities:
 - a. President
The President is in charge of the overall coordination of the work of ELSA Tilburg, the execution of expansion, direction of the work and communication within the Board, and the planning and execution of external relations. The President represents the association towards external actors and is responsible for the communication with them.
 - b. Secretary General
The Secretary General is responsible for directing, organising and maintaining the internal structure of the association, and shall consequently be responsible for ensuring that decisions of the International Council, the National Council and the General Members' Meeting are implemented and respected by ELSA Tilburg. The Secretary General shall also be responsible for identifying any non-observance in this field, and shall take all measures necessary and available to correct any inconsistency. The Secretary General is also in charge of directing the work of the General Members' Meeting.
 - c. Treasurer
The Treasurer of ELSA Tilburg is in charge of the financial management of ELSA Tilburg, and is responsible for the financial planning, management of ELSA Tilburg's assets, accounting, the arrangement of financial control, billing and collecting the annual membership fees together with any other amounts due to ELSA Tilburg from the Members or third parties, presenting the interim and final accounts to the General Members' Meeting, and other tasks related to ELSA Tilburg's finances.

d. Vice Presidents

The Vice Presidents are responsible for the overall planning, coordination and supervision of their respective field of activity; they are responsible for the stimulation and execution of the specific programmes and projects that the General Members' Meeting and the National Council initiates within their respective field of activity.

5. The interest of the Members is presumed to be the interest of ELSA Tilburg.
6. The Board shall fulfil their tasks in the interest of the Association and in line with the current Strategic Plan of ELSA the Netherlands and ELSA Tilburg.
7. If a member of the Board has a personal conflict of interest with regards to a topic, the member of the Board shall disclose it and refrain from participating in the deliberations and voting with regards to the topic. If no decision can be made because of this, the Members' Meeting shall decide on the topic.

Explanation: standard clarification of Board responsibilities and duties, adopted from ELSA the Netherlands.

Article 3.2 - Resignations and dismissal

1. Board Members may resign with a notice period of at least one (1) month. Their vacant position shall be announced to the public. Until a Deputy is appointed for the position, the Board members are jointly responsible for the activities of the vacant position.
2. A Deputy to carry out the vacant position's tasks may be appointed by the Board. The Deputy may be voted in as Board Member at the next General Members' Meeting by the members.
3. A candidate refused by the General Members' Meeting for a position in the Board shall not be appointed as a deputy officer for that respective position in the same term of office.
4. A member of the Board may be dismissed or suspended by the General Members' Meeting by a two-thirds majority of the votes cast if that member violates the standards of Article 1.3. A suspension that is not followed within three months by a decision to dismiss ends by the expiry of that term.

Explanation: clarifying the resignation and the possible suspension or dismissal of Board Members .

Article 3.3 - Decision making

1. Decision making in the Board requires a simple majority, unless stated otherwise in the Statutes or these Standing Orders.

Explanation: ground rule for Board Management.

CHAPTER 4: Committees

Article 4.1: Roles and responsibilities of Committees

1. Board Members may appoint one or more General Members to aid their daily activities. The appointed General Members are referred to as Committee Members and shall form Committees.

2. The appointment of Committee Members happens under the direction of the Secretary General and the Board Member wishing to appoint a committee.
3. The appointing Board Member is the chair of the Committee and coordinates the work of the Committee.
4. The Board determines the tasks of the committees.
5. Committee Members have the right to attend Committee meetings, have regular meetings with the Board Members to discuss the internal affairs of the Association and be invited to the Committee Members' Meeting.
6. Board members are responsible before the General Members' Meeting to ensure that Committee Members represent the interests of ELSA Tilburg in line with the standards of Article 1.3.
7. Unless provided otherwise, Committee positions are assumed from the moment of appointment until June 30th.
8. This Article shall not apply to the Auditing Committee.

Explanation: Establish ground roles and responsibilities of Committees and their rights and duties.

Article 4.2: Resignations, suspensions and dismissal

1. Board Members have the power to request the resignation of any of their Committee Members at any time in the association year, if their involvement cannot be reasonably justified any longer, or is not in line with the standards of Article 1.3 and the Board unanimously agrees with the decision.
2. Should the Committee Member refuse to resign from their position, and their active involvement cannot be reasonably justified, or is not in line with the standards of Article 1.3, the President may initiate the expulsion of said member from the Association, supported by a unanimous vote by the Board.
3. A decision of expulsion may be appealed before the General Members' Meeting within 30 days after the decision has taken effect.
4. Committee Members may receive recognition of their active involvement in the form of a Letter of Recognition if their work was overall in line with the interests of the association and contributed to the sustainability of the association. The responsible Board Member may issue exceptional Letters of Recognition. If a Committee Member has resigned, has been dismissed or suspended during the association year, it is up to the discretion of the Board Member whether they receive a Letter of Recognition.
5. This Article shall not apply to the Auditing Committee.

Explanation: clarifying the resignation and the possible suspension or dismissal of Committee Members, as well as their reward of involvement.

CHAPTER 5: Advisory Council

Article 5.1 - Roles and responsibilities of the Advisory Council

1. The Advisory Council is an objective and impartial internal supervising body of ELSA Tilburg.
2. The Advisory Council assesses whether the Board considers the interests of all stakeholders within the Association and performs its administrative tasks and implements policies in line with the (social) function of ELSA. This consists of, but not limited to, the assurance of:
 - a. The relations of the purpose, aims and goals of ELSA Tilburg (and ELSA the Netherlands)
 - b. The policy and strategic goals of the Association
 - c. The policy and management of the Board, including the corresponding results, achievements and risks
 - d. Compliance with laws and regulations
 - e. Meeting the financial requirements as reported
 - f. Internal control and risk management
 - g. The quality of services that are offered by the Association
 - h. The expediency and efficiency of the Association and its efforts
 - i. The integrity of the Association and its efforts.
3. The roles and responsibilities of the Advisory Council are:
 - a. To monitor the decisions and functioning of the Board
 - b. To advise the Board
 - c. To hold a meeting at least once per year to discuss the performance of the current Board and discuss these findings with the Board as well.

Explanation: Point of this Article is to have a clear guideline of the different tasks of the Advisory Council.

Article 5.2 - Appointment

1. The Advisory Council shall be appointed by the final General Members' Meeting of the association year.
2. The Advisory Council shall consist of a minimum of three (3) and maximum of eight (8) members at all times.
3. The members of the Advisory Council shall consist of board members from a minimum of two (2) different former Boards of ELSA Tilburg. The members of the Advisory Council may not hold a Board position in ELSA the Netherlands or in any other Local Groups of ELSA the Netherlands.
4. There are two terms held in the Advisory Council, which is specified upon appointment:
 - a. One-year (short)
 - b. Three years (long)
5. At least one member of the Advisory Council shall always be appointed from the Board of the previous association year.

Explanation: Appointment of Advisory Council with the introduction for short-term and long-term appointments to facilitate the retention of knowledge between the Board of different years.

CHAPTER 6 - Financial Regulations

Article 6.1 - Financial management

1. The Board shall manage the daily financial executive responsibilities of the Association by the direction of the Treasurer.
2. The Board shall require the approval of General Members' Meeting for carrying out a financial executive decision when:
 - a. The investment does not constitute part of the daily financial executive responsibilities, or
 - b. The investment exceeds 1000 euros
 - c. The Association gains a grant exceeding 1000 euros with a specific purpose to be spent on.
3. The daily financial executive responsibilities shall include:
 - a. The acquisition of promotional materials for ELSA Tilburg;
 - b. The maintenance of ELSA Tilburg subscriptions, including, but not limited to:
 - Telephone line/subscription;
 - Internet domain and related website development and maintenance costs
 - The maintenance of the accounts of ELSA Tilburg, and all resulting banking costs;
 - The acquisition of goods related to the organisation of events of ELSA Tilburg, provided that the value of the goods is proportionate to the object and purpose of said goods within the activities of ELSA Tilburg;
4. Article 3.1 (2) shall not apply to expenses related to the organisation of National Council Meetings or payment duties towards ELSA the Netherlands.

Explanation: define the financial management of ELSA Tilburg and to ensure that the choices of expenses made by the board are in line with the interest of the members and are made in a democratic manner.

CHAPTER 7 - Decisions and Amendments

Article 7.1 - Decisions

The Board of ELSA Tilburg and the GMM may issue Decisions on specific activities of ELSA Tilburg, including but not limited to:

- Academic Activities
- Competitions
- Networking and career events
- Seminars and conferences
- Trips, including but not limited to study and institutional visits
- Social events

Explanation: Allowing the Board and the GMM to adopt specific guidelines on events when reasonably required.

Article 7.2 - Voting

All decisions of the General Members' Meeting shall be implemented with an absolute majority vote, unless otherwise indicated in the Statutes of ELSA Tilburg or these Standing Orders.

Explanation: standardises the voting procedure of the GMM

Article 7.3 - Amendments of the Standing Orders

1. These Standing Orders may only be amended by a two-thirds majority vote of the GMM. Any proposed amendments shall be sent to the Secretary General at least three (3) weeks before the GMM where the amendments will be discussed.
2. Purely grammatical and structural corrections to existing articles of these Standing Orders, that do not change the meaning of the article, can be made unilaterally by the Board. Such corrections must be announced to the Members within seven (7) days of the decision made and only come into effect if there are no objections issued in writing from any Members received within 14 days after the announcement. If there are any objections against specific corrections, these corrections shall be subject to a vote as a proposal at the next GMM.

Explanation: standardises the procedure of accepting the proposals to the Standing Orders.

Article 7.4 - Proposals

1. Board Members may submit proposals to these Standing Orders after the unanimous approval of the Board. Proposals shall be sent to the Members a week before the GMM is taking place. Members may propose amendments to the proposals during the GMM.
2. Proposals to these Standing Orders by the Members shall be sent to the Secretary General two weeks before the GMM is taking place. The Board may, with a unanimous vote, decide not to accept proposals if:
 - a. They conflict with any of the regulations of ELSA Tilburg, ELSA the Netherlands or ELSA International,
 - b. They conflict with the purpose of the Association,
 - c. Otherwise reasoned.
3. If the Board does not accept a proposal, it is obliged to state the reasons of non-acceptance at the GMM.

Explanation: conditions of bringing proposals by Board Members and Members.

CHAPTER 8 - MARKETING

Article 8.1 - Marketing guidelines

1. ELSA Tilburg, with regards to any promotional efforts (including social media content or collateral material) shall follow the Brandbook and marketing kits provided by ELSA International.

2. ELSA Tilburg shall follow the marketing kits and other guidelines provided by ELSA the Netherlands, while creating material pertaining to the following brands:
 - a. ELSA the Netherlands Law Review
 - b. The National Moot Court Competition (NMCC)
 - c. Dutch Focus Month (DFM).

Explanation: this Article is necessary in order to harmonise regulations with ELSA the Netherlands.

CHAPTER 9 - General Members

9.1 Attendance

By registering to the events marked as 'mandatory attendance', the General Member is obliged to attend unless they provide a reasonable excuse. Registration can be withdrawn by the end of the registration period without any repercussions.

- After one failed attendance in the academic year, the General Member will receive a warning;
- After two failed attendances in the academic year, the General Member will be barred from attending the upcoming ('mandatory attendance') events for one year within the local area.

9.2 Academic malpractice

Any use of AI models or systems or other automated tools in competitions or other ELSA Tilburg events is forbidden unless it is authorized in the rules of ELSA. If a member is found guilty of using any of the above mentioned tools, it will lead to immediate disqualification from the ongoing event and a warning that will last for one academic year. If a member gets two warnings, the ban will be placed on the participant making them ineligible to take part in any activities related to the key area that the Member was found guilty in.

The Member in question may appeal the decision within thirty days of the warning with the ELSA Tilburg Secretary General and the board member of the key area that the event was organized by.