

UNION DES THÉÂTRES DE L'EUROPE

Including the statutes modifications of the extraordinary General Assembly of 10 April 2016

First article Constitution and title

It is hereby founded among members adhering to an association according to the present statutes under the law of 1st July 1901 and the decree of 16th August 1901, by the name of:
UNION DES THÉÂTRES DE L'EUROPE

Article 2 Objectives

2.1 The UTE is an association of European vocation whose members' mission is the theatrical and artistic creation and whose structure and programming, as far as its members are concerned, is of general interest. They are subsidized by public authorities.

2.2 The objectives

The UTE's objectives are the following:

- To develop common artistic and cultural action beyond the borders of each country in order to encourage the practice and to enrich theatrical art;
- to promote artistic theatre and its role within European society;
- to help raise the status and support the young generations of theatre artists;
- to protect artistic theatre from any political, ideological, economic and commercial oppression.

More particularly, the UTE will pursue its objectives by:

- working on creations and co-productions, by distributing and exchanging theatrical creations and projects which respect the diversity of identities and cultural and artistic heritages;
- supporting the mobility and the meetings among theatre artists and professionals, the exchange of practices, the sharing of experiences, the educational activities and the transfer of knowledge;
- the animation of an international permanent discussion and intervention platform about theatre, cultural policies and its connections to society and the public;
- supporting young theatrical creation;
- contributing to the prestige of European theatre on an international level and by encouraging the dialogue between European and non-European cultures;
- staying in touch with local, national and European political representatives who are in charge of promoting and supporting theatrical art;
- representing and defending the common values and interests of its members in front of European authorities;

- developing any other form of activity which may directly or indirectly contribute to the realization of the association's objectives.

Article 3

Headquarters

The legal headquarters are established in Bobigny (93000).
They can be transferred to any other place in France upon the proposal of the Board of Directors. This decision must be ratified by the General Assembly.

Article 4

Members

The association is composed of:

4.1 – member theatres,

legal entities that are theatre institutions, represented by their director or his / her representative;

4.2 – personal members,

natural persons who are artists or professionals of the European theatre scene and who participate in reaching the association's objective;

4.3 – honorary members,

personalities significantly contributing to the development, the research and the promotion of the values of theatrical art in Europe and throughout the world;

4.4 – beneficiary members,

the Board of Directors can propose the title of beneficiary member to any natural person or legal entity who contributes financially or industrially to the development of the association.

[The minimum amount of this contribution is fixed in the Internal Regulations].

4.5 – associate members,

any other natural person or legal entity, not classifiable under the above mentioned categories and whose activity may contribute in reaching the association's objectives.

Article 5

Voting and majority rules

5.1. The entities with voting rights are:

- the member theatres, for all decisions that are to be taken during General Assemblies. Their vote counts as two.

- the personal members, for all decision that are to be taken during General Assemblies. Their vote counts as one.
- the honorary members. Their vote counts as one.

Entities participating in the discussions without having voting rights: Associate members and other theatrical personalities invited by the President.

A decision that has been taken by the General Assembly is only valid if it has been approved by half plus one of the present or represented member theatres.

5.2 With the exception of particular occasions which are clearly described in the statutes, the decisions are to be taken in General Assemblies by simple majority of the members with voting rights. In case of a tie, the decision shall rest with the President.
The elections are held by secret ballot if requested by a member.

Article 6 Admission

6.1 Member theatres

In order to join the association as a member theatre, the candidate should address an application to the President. This application should contain a letter of motivation, a history of the theatre and its artistic programme. This application will be transmitted to all members. The Board of Directors will appoint a committee to visit the candidate in order to evaluate its artistic qualities. The President will provide the candidate with a copy of the Statutes and the Internal Regulation of the association. Upon proposal by the Board of Directors, a decision as to the admission of the candidate shall be taken by secret vote during the following ordinary General Assembly.

The membership is effective immediately.

If the direction of a theatre changes, the new director will be asked to present his / her artistic project to the General Assembly, who will decide whether to keep the theatre within the Union or not.

6.2 Personal members

In order to become a personal member of the Union, the candidate should be suggested by a member theatre of the association. He / she will address an application to the President. This application should contain a letter of motivation and his / her curriculum vitae. The application will be examined by the Board of Directors and then transmitted to all members. The President will provide the candidate with a copy of the Statutes and the Internal Regulation of the association. Upon proposal by the Board of Directors, a decision as to the admission of the candidate shall be taken by secret vote during the following ordinary General Assembly. The membership is effective immediately.

The title of personal member is assigned for a duration of three years and may be renewed. The total number of personal members cannot exceed by more than two thirds the total number of member theatres.

6.3 Honorary members

In order to become an honorary member of the Union, the candidate should be proposed by a member of the association. The following ordinary General Assembly a decision as to the admission of the candidate shall be taken by secret vote. The candidate becomes an honorary member with a qualified majority of two thirds of the present or represented members with voting rights. The membership is effective immediately.

6.4 Beneficiary members

In order to join the association as beneficiary member, the candidate should be proposed by the Board of Directors. A decision as to the admission of the candidate shall be taken by secret vote during the following ordinary General Assembly.

The membership is effective immediately for the duration of the financial or industrial contribution to the association.

6.5 Associate members

In order to join the association as associate member, the candidate should be proposed by the Board of Directors on the basis of a specific project whose duration is agreed upon by both parties. A decision as to the admission of the candidate shall be taken by secret vote during the following ordinary General Assembly and his / her membership is approved by simple majority. The membership is effective immediately for the duration of the artistic project.

Article 7 Membership fees

7.1 Member theatres

Theatre members have to pay an annual fee that has to be paid at the latest at the end of March of the year in question.

A theatre may exceptionally ask to postpone payment only when providing specific extraordinary reasons explaining the delay. This request has to be addressed to the president of the association. The latest extension that can be granted is the end of June of the year in question.

7.2 Personal members

The personal members shall pay an annual fee, the exact amount in Euros is annually proposed by the Board of Directors after the General Assembly has approved the provisional budget of the year to come. The amount of the fee is ratified by the General Assembly.

A personal member can exceptionally be exempted from the annual fee upon the decision of the General Assembly with a qualified majority of two thirds of the present or represented members.

7.3

Honorary members and associate members are not subject to an annual fee.

7.4

Beneficiary members shall make an annual financial contribution, its minimum amount is fixed by the Internal Regulations.

Article 8 Loss of membership

The membership of the UTE shall cease:

- following the death of an individual or the suspension of activities of legal entities;
- upon the decision of the concerned member, made known by a letter to the President,
- upon the decision of the General Assembly for a serious reason, upon the proposal of the Board of Directors after having asked the member in question by sending him a special letter, to provide explanations;
- members who are subject to pay the annual fee are excluded from the association if they don't fulfil the payment, if not previously exempted from the fee upon the decision of the General Assembly.
- with the non-excused absence in three consecutive General Assemblies. This applies only to member theatres and personal members.

The Board of Directors regularly examines the participation of members in the activities of the association. In case of insufficient participation, the Board may submit to the General Assembly a proposal for excluding the member from the association. The General Assembly shall decide by secret vote.

Article 9 Administration of the association

The association is administered by a Board of Directors which is to report to the General Assembly. The General Assembly is the sovereign body of the association.

Article 10 General Assembly, quorums and representation

The General Assembly shall consist of all the members of the association as stipulated in the paragraphs 1-4 of Article 4.

10.1 – The General Assembly meets at least once a year in an ordinary session and can meet in an extraordinary session by invitation of the Board of Directors or upon the request of at least a quarter of the association's member theatres.

10.2 - The General Assembly does not have the legal power to take decisions and to hold elections unless at least half plus one of the member theatres are present or represented. If the quorum is not achieved, the Assembly is reconvened at least 15 days later. The decision that will be taken during this Assembly will be fully valid regardless of the number of present or represented members.

10.3 – The agenda of the General Assembly is suggested by the President and fixed by the office. The agenda is indicated in the letter of invitation. No other issues than those indicated in the agenda shall be discussed. The letter of invitation including the agenda shall be sent to the members at least 3 weeks before the date of the Assembly. The agenda contains all issues that have been proposed by at least two member theatres.

The procedures for proposing issues for the Assembly are fixed by the Internal Regulations.

10.4 – Each member who is unable to attend the General Assembly can be represented by another member theatre of the association. One theatre cannot represent more than one absentee. Absent honorary or personal members cannot be represented at the meetings of the association.

10.5 – The meetings are transcribed. The reports are signed by the President; they are written down on the special registry. The President and the Board of Directors must look after and assure the timely diffusion of the reports to the other members of the association, both for the General Assemblies as well as for the meetings of the Board of Directors.

10.6 – The President leads the General Assembly and presents the association's moral situation. He / she may be assisted by the director (if one is appointed) or other members of the Board of Directors.

The treasurer presents the financial report and submits the budget to be approved by the Assembly.

Article 11

The President, the Board of Directors, the Director

11.1 – The association is directed by a Board of Directors that is led by the association's President.

The President is elected by the members stated in the paragraphs 4.1, 4.2 and 4.4 of the present statutes. He / she is elected by secret vote at the General Assembly on the basis of a work programme that was previously presented to the members.

He / she is elected as President if he / she reaches the absolute majority of the votes of the present or represented theatre members. If no absolute majority is achieved, a second election round will be carried out where the President will be elected with a relative majority. Between the two rounds, one or more candidates may withdraw from their application.

The President of the Board of Directors is also the President of the office. His / her mandate lasts two years. He / she can be re-elected with a limit of two consecutive mandates. The minimum delay between the end of his / her mandates and the beginning of a new one is set at one year.

Besides the president and the legal member, the Board of Directors is composed of six members who are being elected by secret vote at the General Assembly for a duration of two years among the member theatres, the personal and honorary members, with at least four of them coming from member theatres.

The members of the Board of Directors can be re-elected with a limit of two consecutive mandates. The minimum delay between the end of (one of) their mandate(s) and the beginning of a new one is set at one year.

Among its members, the Board of Directors elects by secret vote three individuals for a two-year-mandate who will form the office of the association together with the President:

- a vice-president
- a secretary
- a treasurer

11.2 – In case of vacancies, the Board sees to the temporary replacement of its members. Their final replacement is carried out during the following General Assembly. The mandate of such elected members shall end at the time when the mandate of the replaced members was due to be concluded.

11.3 - In the accomplishment of their duties, the President and the Board of Directors may be assisted by collaborators and a director that are paid by the association in order to carry out projects and to fulfil the association's objectives.

The Director is recruited by the President upon proposal of the Board of Directors after a call for applications.

The procedures as to the call for applications and the attribution of powers and delegations are described in the Internal Regulations.

11.4

The UTE is legally represented by its President. The President may delegate a part of his / her powers to the Director or other members of the office.

Article 12

The Board of Directors

The Board of Directors meets at least thrice a year by invitation of the President or upon the request of at least a third of its members. The President shall convene the members at least fifteen days before the meeting with an invitation including an agenda and shall also provide them with related documents.

Decisions are taken with the majority of the votes, each member having one vote. In case of a tie, the decision shall rest with the president.

The effective presence of at least half of the Board members is required for validating decisions.

If a member is unable to attend, he / she can give his / her power of vote to another Board member; one member shall not have more than one power of vote.

The members representing a theatre may exceptionally be represented by a collaborator.

The commitment of the Board members is unpaid.

The quality of being a member of the Board of Directors ceases with the non-excused absence of three consecutive Board meetings.

Article 13

Resources of the association

The association's resources are composed of:

- the membership fees of the member theatres and the personal members, the amount of the fee is annually fixed by the General Assembly; their payment is due by the end of March of the current financial year.
- subsidies granted by public authorities (States, cities,...)
- subsidies granted by the European Union;
- contributions from sponsors and beneficiary members;
- any other legally authorized resource.

Article 14

Budget

The budget must be voted in balance.

The President is the only person responsible and has to assure the proper management of the association.

Article 15

Accountancy

The accountancy is held according to the French law approved by the national council of accountants on 17 July 1985.

Article 16
Auditor

The association appoints an auditor who controls in hindsight the truthfulness and accuracy of the accountancy.

Article 17
Status modifications

The statutes can only be modified by an extraordinary General Assembly, especially convened on this purpose, upon the proposal of the Board of Directors or two thirds of the members of the association. The proposed modifications of the statutes must be sent at least one month prior the extraordinary General Assembly. The decisions are valid only if two thirds of the member theatres are present or represented. The vote takes effect with a qualified majority of two thirds.

The modifications are immediately effective.

Article 18
Internal Regulations

Internal Regulations are drafted by the Board of Directors and are handed over to the General Assembly. These regulations are meant to define the points which are not stated in the statutes, especially those regarding the internal administration of the association. They can be modified at all times by the Board of Directors. The modifications are presented in the following ordinary General Assembly.

Article 19
Dissolution

The dissolution of the association is subject to the same procedure as the modification of the statutes as stipulated in article 17.

In case of dissolution, one or more official receivers are nominated by the Assembly and the assets, if applicable, are transferred to organizations pursuing similar goals who have been active for at least two years at the moment of the association's dissolution, with the exception of any organization including one or more members of the UTE or its staff, according to article 9 of the French law of 1st July 1901 and the decree of 16th August 1901.

Article 20
Reports to the police headquarters

The President must report all changes within the statutes to the police headquarters within three months.

