



Internal Regulations

Internal Regulations of the Benelux Association of Trademark and Design Law

Internal regulations, last amended by the General Meeting of Members on 8 November 2013 in Bruges.

Article 1 Validity of the Internal Regulations

The Internal Regulations of the Association may not conflict with the applicable statutory rules and regulations. The Internal Regulations of the Association may not conflict with the Statutes of the Association, as set down in a notarised deed, nor with the Code of Honour. Where the Internal Regulations unintentionally are found to contain a conflict with the aforesaid rules, conditions, Statutes or Code of Honour, the latter shall prevail. The Internal Regulations shall be adapted if necessary.

Article 2 - General Meeting of Members

The General Meeting of Members aims to convene at least twice a year, usually in the spring and autumn.

Article 3: Committee

The Committee shall convene at least three times a year. It helps to monitor compliance with the Statutes and the Internal Regulations of the Association. The Committee shall make decisions with a majority of votes. If a vote is tied, the vote cast by the Chair of the Committee or his/her substitute shall be decisive.

When dealing with Appeals, a power to act which only includes evaluating whether the Supervisory Board was able to arrive at the decision in a reasonable manner, against which an appeal has been lodged, the non-conflicting Committee members shall decide by unanimous vote. If it is not possible to arrive at a unanimous decision, the Committee will make a decision based on a simple majority of votes.

Article 4 Certification Mark

Where applicable, the members will take the rules pertaining to the Certification Mark into account.

Article 5 Financial Year

The Association's financial year corresponds to the calendar year.

Article 6 Duration of Membership of the Committee, Statutory and Non-Statutory Commissions

Members belonging to the Committee, Supervisory Board or one of the Association's commissions shall hold that position for a period of two years, for a maximum of four successive periods. To guarantee the continuity of commissions whose members have held their seats for longer periods, these commissions have up to one and a half years after this amendment has come into effect to have these members replaced (in phases).

The General Meeting of Members may, if the continuity of the Association thus requires, exceptionally re-elect a member of the Committee, a member of the Supervisory Board or the Editorial Commission for an extra period of two years.

Article 7 Voting procedures

Voting is done by the raising of hands, unless the majority of the members present who are entitled to a vote wish to use written voting. If a vote is tied, the vote cast by the Chair of the Committee or his/her substitute shall be decisive.



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Article 8 Appointment of the Committee and Supervisory Board

Elections to appoint the Committee and Supervisory Board take place once every two years, during a General Meeting of Members or, if necessary, when a vacancy arises in the meantime. Elections are held separately for each position, by means of a simple majority of votes validly cast. Candidates are nominated by the Committee or by at least three members entitled to a vote. When none of the candidates obtains a majority, a second round of voting is held between the two persons who obtained the most votes. The person who gets the most votes in the second round is the one who is elected. If more than two people are eligible for the second round because they had an equal number of votes, a vote will be held between these persons first. If the votes are tied again in this round of voting, lots will be drawn.

Article 9 Payment of the Contribution

The contribution is set by the General Meeting of Members. It must be paid every year in the first quarter of the calendar year.

The legal rules for collecting the contribution apply.

Article 10 Policy Rules

The Committee shall set Policy Rules if necessary, to further explain and clarify the tasks with which it is entrusted.

Article 11 Honorary Members

Besides ordinary membership, the Association also has honorary members according to the Statutes. Honorary members are appointed as such by the General Meeting of Members.

The General Meeting of Members votes on the appointment of an honorary member according to the usual rules, provided this matter has been put on the agenda at the proposal of the Committee or if it has been proposed by at least four members. A proposal to this effect from the members must be addressed in writing to the secretary of the Association, at least four weeks before the start of the General Meeting of Members. Before the start of the meeting, the Committee must announce that one or more honorary memberships will be put to the vote.

Only private individuals who have made long-term efforts in an exceptional and disinterested manner in the interest of and/or for the Association can be appointed as honorary members.

An honorary member can be divested of honorary membership if the honorary member either discredits him or herself into his or her personal actions or causes major public embarrassment or discredit to the Association.

Divestiture of an honorary membership can only be done by the General Meeting of Members with a majority vote.

Article 12 Amendments to the Regulations

The Internal Regulations are amended by a simple majority of the votes validly cast at the General Meeting of Members. If the vote is tied, the proposal is considered to have been rejected. For a decision to be valid, the amendments must be made known to the members of the Association in advance, in writing and with substantiation, along with the Agenda for the General Meeting of Members in question.