



## **Libera Regulations**

**approved at the National Assembly of Libera Bologna**

**March 22, 2015**

### **ART. 1-LIBERA MEETINGS**

(Reference articles 9/10/11 of the Articles of Incorporation)

The national Assembly is presided over by the Chair of Libera, who disciplines the work along with the Office of the President.

The Regional Assembly shall be chaired by the regional Guardian.

The Provincial Assembly is chaired by a provincial Guardian.

The Assembly shall be convened by the President (or Guardian) as governed by the by-laws; it may be convened upon request of at least 1/10 of its members.

The conduct of the Assembly complies with the following procedures.

The President, on opening of work, shall put to the vote on the agenda, to be approved or modified by a majority vote of the members present.

Two tellers are appointed for the election.

The Chair opened the discussion on each agenda item. The discussion is open to all those who sign up to speak.

Each intervention will last for ten minutes, except for waivers that may be decided by the President. Each member may intervene only once on each point, except as otherwise decided by the President and responses of the speakers.

The discussion is declared closed at the end of the speaking by those registered.

During or at the end of the discussion, the following may arise:

suspensive or referral issues;

proposals for resolutions, motions, amendments, agendas and sub-amendments.

In the course of voting each member may explain his or her abstention or vote. Voting cannot normally last longer than three minutes.

The tally is made by the President, assisted by the tellers, who state aloud the votes cast during the election.

The Chair, after the vote, assisted by the tellers, proclaims the results.



On the seating of the Regional Assembly, with the withdrawal of the regional Guardian on the agenda, there must be at least one member of the Office of the President.

For the revocation of the regional Guardian, a qualified majority is required.

The Regional Assembly can, while respecting the principles and statutory purposes, adopt organizational linkages that meet the characteristics of the territory and facilitate more effective social roots.

The regional secretariat shall be convened by the Coordinator of the Secretariat and shall meet at least once a month.

At the time of the Provincial Assembly, with the agenda containing the revocation of the provincial Guardian, the regional Guardian or his or her representative or a member of the Bureau must be present.

For revocation of the Provincial Coordinator, a qualified majority is required.

The Provincial Assembly can, while respecting the principles and statutory purposes, adopt organizational linkages responding to the characteristics of the territory and facilitate more effective social roots.

## **ART. 2-VALIDITY OF THE ASSEMBLY- REPRESENTATION AT THE MEETING – VOTES**

(Reference articles 9/10/11 of the Articles of Incorporation)

The ordinary shareholders' meeting is valid on first call when present or represented by proxy half plus one of those entitled to vote and, on second call, regardless of the number of participants.

The special meeting is valid on first call when they are present in person or represented by proxy 2/3 of those entitled to vote and, on second call, regardless of the number of participants.

The members in good standing with the payment of dues shall be entitled to be represented in the Assembly by another Member with voting rights, to whom a written proxy is granted.

Voting will take place by show of hands.

All members have the right to vote if they are in good standing with the payment of dues, made at least 30 days prior to the meeting, based on a special list drawn up by the Treasurer.

The resolutions of the ordinary meetings shall be taken by a simple majority of those present entitled to vote; in the event of a tie, the vote of the President is decisive.

The resolutions of the extraordinary general assembly shall be adopted by a majority of 2/3 of those present entitled to vote. In resolutions to approve the financial statements and in those relating to their responsibilities, the members of the Office of the President are not



entitled to vote (*art. 21 of the Civil Code*)

### **ART. 3 - ELECTIONS**

(reference articles 9/10/11 of the Articles of Incorporation)

The elections for the renewal of the company offices are held every 3 years in the National Assembly. Each Member can advance his candidacy, which must be submitted in writing within 30 days to the Bureau after the expiration of the mandate.

- 1) The person who assumes the position of Chairman or Secretary in a political party; that is, elected to institutional appointments at the municipal, provincial, regional or national, if holding an office in the Libera association must resign. In these cases, the termination of the associated mandate is provided.
- 2) The campaigning candidate cannot use references to his or her activities within the Libera association in an instrumental manner.

### **ART. 4-CONTACTS FOR MEMORY**

(reference article 15 of the Articles of Incorporation)

There is one Regional Guardian for Memory for each region in which Italy is divided, taking into account the specificities of the territory and the number of members of the families of innocent victims present, on a proposal from the Office of the President.

Election of the provincial Guardian for Memory is determined based on the presence of a consistent number of relatives enrolled in Libera making it necessary, on proposal of the Regional guardian for memory and on advice of the Office of the President. The provincial Guardians for Memory have the role in their territories of coordinating activities inherent to the topic of memory.

Regional Guardians for memory and, if elected, provincial representatives, participate with provincial and regional Representatives on definition and approval of the unit.

### **ART. 5 - UNITS**

(reference to article 13 of the Articles of Incorporation)

Units must consist of at least 10 members of Libera (individuals and/or legal entities). The units meet on the initiative of their contact people at least once a month.

The unit coordinator may be dismissed by members of the unit and a qualified majority is required.

The unit meeting with revocation of the Guardian on the agenda must be called in the same



manner as convening regional and provincial assemblies. The meeting attended by provincial and regional Representatives.

The Constitution of units in foreign countries is promoted and approved by the President's office. The units with headquarters outside Italy shall report their actions to the President's Office and their activity is regulated by the Articles of Incorporation and this regulation. Representatives of units in foreign countries participate with the right to vote at the National Assembly.

### **ART 6-LIBERA MEMBERSHIP**

(reference articles 5/6 of the Articles of Incorporation)

Collective entities wishing to join Libera must apply in writing to the Office of the President, attaching:

- a) copy of the articles of association or the articles of incorporation (not required for schools);
- b) payment of the membership fees;
- c) profile presentation;
- d) declaration of acceptance and signing the "code of ethics" of Libera.

Members must give prompt notice to Libera of any change concerning the legal form and executive bodies.

Members undertake to promote membership of its territorial structures in Libera.

The membership procedures for supporters are regulated and up to date, under the rules of the Association, from the deliberations of the Office of the President.

### **ART 7-USE OF THE LIBERA LOGO OR OTHER DISTINCTIVE MARKS**

- 1) With the exclusion of regularly constituted provincial and regional coordinating teams, the use at any site and for whatever reason the logo, name and any other distinctive character of Libera association is closely bound by obtaining (documented) of explicit approval by the Presidency.
- 2) Individual Associations may use the Libera logo on its own informational material and on letterhead using the statement "the Association is a member of Libera."
- 3) Failure to follow the rules above will result in the immediate revocation of the relationship between Libera and the author of the default whether a single person or an Association.
- 4) Libera will provide information to the associations about "usage rules" of own logo that they must follow scrupulously.



5) Libera reserves the right to every civil and criminal action and against any abuse of its logo.

#### **ART. 8-AUTONOMY OF REGIONAL AND PROVINCIAL ASSEMBLIES**

(reference article 12 of the Articles of Incorporation)

The assemblies are entitled, pursuant to article 12 of the Articles of Incorporation, to form the associative and independent legal entities (under the laws governing the nonprofit membership activities), subject to authorization of the President.

The evaluation criteria used for that purpose by the Bureau refers to development needs in the territory. Therefore, they concern: the number of members – partners-, the activities, the ability to involve local realities, and administrative autonomy (which will be demonstrated through a budget).

The assemblies that have obtained the authorization will be coordinated by the contacts and will represent the structures responsible for the activities carried out in their area of competence, which will have as statutory peculiarity the purposes of Libera. These objectives will be achieved through the development and coordination of the partners and through the development and implementation of projects and interventions that meet the needs of the territory.

Each Assembly, having received permission from the Office of the President to constitute itself as an autonomous legal and associative entity and must take as its code of ethics that endorsed by Libera and the national Articles of Incorporation for the areas of its competence. By obtaining permission the Assembly must request attribution of a tax code in order to obtain their legal autonomy.

The Assembly thus constituted will assume the name "Libera"-followed by a reference to the region – upon recognition of the autonomy of art. 12 of the Articles of Incorporation. Each general meeting to which autonomy was granted must provide an annual budget estimate and final balance sheet (see paragraph "administrative rules" of this Regulation). These budgets should be prepared and approved by the respective.

Regional and provincial assemblies and presented to the National Assembly at least 15 days before its convocation.

Paying membership fees to national Libera will determine automatic membership in the autonomous regional/provincial Assembly. Applications for membership will therefore continue to be sent to national Libera, which, based on the specific needs (assessed on the



basis of the budget presented) will return a share to the regional/provincial assembly.

### **ART 9 DESIGN AUTONOMY**

Associations and regional and provincial Guardians who head and participate in regional and provincial Assemblies pursuant to arts. 10 and 11 of the Articles of Incorporation can, based on the strategic guidelines adopted by the National Assembly and after obtaining the consent of the Bureau, submit projects with local value in accordance with the principles and purposes of Libera.

Such projects must be programmed on a quarterly basis and must be provided at the time of the formulation of the pertinent budget.

The projects listed above must not contradict similar projects nationwide.

Projects must be funded by associations that present them, unless a national Libera participation at its sole discretion may decide whether to participate or not.

The associations proposing projects are directly responsible for their success; they ensure their performance in terms of efficiency, attention and verification of the cost-benefit ratio.

The project will be prepared and presented in accordance with the following requirements:

- description of the project;
- area of application;
- place and duration;
- public involved
- 
- financial plan.

The President's Office or the Director, once all the above requirements have been met, approves the implementation of the project.

### **ART 10-MEMBER DELEGATES**

(reference to article 5 of the Articles of Incorporation)

Pursuant to art. 5 of the Articles of Incorporation in the provincial assemblies have the right to vote 1 members ' individual delegate for every 25 provincial members in good standing with membership and not enrolled in the units of the provincial territory.

The number of delegates appointed for the Regional Assembly by each provincial assembly is established as one for every 50 individual members in good standing with membership and not enrolled in units in the province.



The number of delegates of the individual members appointed to the National Assembly by each regional Assembly is established as each 100 members in good standing with the accession and not enrolled in garrisons in the region.

#### **ART 11. EXCLUSION OF THE PARTNER**

The exclusion of the partner, as regulated by article 7 of the Articles of Incorporation, are:

- a) continued default of membership obligations, including non-payment of the annual membership fee;
- b) assuming behaviors that are incompatible with the aims of the association;
- c) all behaviors that can cause injury or damage to the image of the Association or on achievement of social objectives.

As an indication and not restrictively, the following circumstances are cited;

1. unauthorized or improper use of the name of the Association;
2. behavior contrary to the purposes and principles of the Association;
3. failure to comply with the Articles of Incorporation, regulations and resolutions adopted by entities of the Association;
4. unlawful use of items of the Association;
5. failure to pay the annual membership fee; personal use of sums of relevance of the Association;
6. any prohibition or disqualification measures or conviction with a penalty involving temporary disqualification from holding public office;
7. any criminal or disciplinary proceedings, although not defined by judgment, for serious offences against the statutory purposes of the Association and contrary to the ethics of responsibility.

#### **ART. 12 - COMMISSIONS**

Libera may establish permanent advisory committees or working groups, on a proposal from and with direct supervision by the Office of the Presidency.

#### **ART 13 REVIEWERS AND SPONSORS**

(reference articles 19/20 of the Articles of Incorporation)

The Board of Auditors and guarantors are invited to attend the first meeting by Libera, for the establishment and appointment of their Chairmen.

Each Board shall also be convened by the President of Libera in case of forfeiture for any



reason by the Chairman of the Board.

Subsequently convened and chaired by the Chairs of the boards. Each Board may adopt its own rules of procedure.

Each resolution requires the affirmative vote of a majority of eligible voters.

The time limit for appeal to the Board of Trustees is 30 days from the date on which the person concerned had full knowledge of the measure against which it intends to rely.

#### **ART 14. ADMINISTRATIVE RULES**

The Libera association can operate economically under the laws governing the nonprofit membership activities.

All expenses and entries are budgeted in their full amount, i.e. gross without any reduction or compensation for correlative effect on expenditure and revenue. Expenditures mentioned in the budget are contained in their overall amount within the limits of expected income, according to criteria of prudence. Any management of funds outside the budget is excluded. Budget changes are approved by the Assembly.

The budget will be provided with the following documents:

- a) annual activity program with the President (or Guardian), containing the policies and activities planned for the year;
- b) Treasurer's report (or Administrative), containing the explanations on revenue and expenditures entered in the budget.

The final balance sheet consists of the profit and loss statement, the income statement and the integrative and illustrative notes. The final accounts shall be approved by the Assembly by the end of the year following the reporting period.

#### **ART 15 REFERENCE STANDARDS**

Although not specifically covered in these regulations, reference is made to the applicable regulations.

The Libera association, inspired by a culture respectful of gender differences, recognizes the need to indicate in the language the presence of both sexes in their statutory entities. Please note that each charge, function, role that appears as the generalized masculine also includes women in every case.





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The recorder  
Simona Perilli

The President of the Session  
Marcello Cozzi