

Proposal for the

Call for candidates to host ISOC-ECC legal entity

(CfC document)

prepared by the ISOC-ECC Legal Entity Committee

June 2005

The Council will have one week to comment this document and to propose amendments (from Thursday 16th June to Thursday 23rd June).

Afterwards the LEC will have another week to review this document according to the Council's comments and amendments (from Friday 24th June to Friday July 1st).

Finally this document will be submitted to the approval of the Council.

Call for candidates to host the legal entity

1. Candidates

- 1.1. The eligible candidates to host the legal entity of ISOC-ECC are all the current signatory chapters (hereafter chapter members) of the Memorandum of Understanding of ISOC-ECC (hereafter MoU) which they have been established with its own legal entity.

2. Model of the legal entity

- 2.1. The legal entity shall be a non-profit association or equivalent.
- 2.2. The legal entity shall reflect an association of existing legal bodies (ISOC Chapters with legal status) and non legal bodies or individuals (ISOC Chapters without legal status)¹.

3. Bylaws of the legal entity

- 3.1. The bylaws shall be identical to the MoU.²
- 3.2. Nevertheless concrete changes could be applied to adapt the MoU³ to the non-profit's local law, for example to include a treasurer as a new officer, conditions to cancel a membership, etc.
- 3.3. Bylaws shall guarantee equal representation to all member chapters, according to the MoU, regardless their legal status.⁴

4. Duties of the hosting chapter

- 4.1. The hosting chapter has to assume the responsibility for all the legal procedures and associated costs related to the incorporation of the legal entity.
- 4.2. The hosting chapter has to assume the responsibility for the costs related to the legal maintenance of the association during the first 3 years.
- 4.3. The hosting chapter can assume the responsibility for the costs related to the additional services defined in appendix 2 (hereafter additional services).

¹ See Appendix 4

² <http://www.isoc-ecc.org/modules.php?op=modload&name=Sections&file=index&req=viewarticle&artid=50&page=1>

³ As it is specified in the MoU "All proposed changes to these Bylaws (MoU) shall have been approved by the Internet Society Vice President of Chapters before being formally presented to the General Assembly for approval. At least a quorum of the Chapter Members of the Council must approve a change to these Bylaws". (The Council has already agreed to present the new bylaws to the ISOC Board, even without any changes to the MoU. If there are any changes to the MoU, the Assembly can vote right after receiving the approval of the ISOC's Board.)

⁴ Thus, if needed, it shall include both types of membership: legal persons and individuals.

5. Content of the candidatures

- 5.1. The information requested in Appendix 1.
- 5.2. If the candidate offers any of the additional services it also has to fulfil the information requested in Appendix 2 and an extended description of the main characteristics of the additional services, including how long the provision of those services will be guaranteed by the candidate.⁵
- 5.3. The chapter's financial report for 2004.
- 5.4. A written commitment guaranteeing the fulfilment of all the services and resources included in the candidature signed by the legal representative of the chapter.

6. Candidates submission

- 6.1. Candidates have to announce in the ISOC-ECC mailing list that they are preparing a candidature during the two weeks following the Council's approval of this document.
- 6.2. The candidates have to submit their proposals to the Chair of the Legal Entity Committee that will guarantee the publication of all candidatures in the ISOC-ECC website.

7. Terms and procedures

- 7.1. The terms are defined in the appendix 3 of this document.
- 7.2. Before the call for candidates this document shall be submitted to the approval of the Council according to the Electronic Voting Procedures.⁶
- 7.3. Once this document is approved, the Council will vote, using the same procedures, to select the best candidate. If there is a tie, the voting procedure will be repeated including only those candidates that have achieved more ballots.

⁵ In the case of offering an office, it should describe the location, space, services... In the case of human resources, their experience running such services, the amount of hours per week available... In the case of hardware, the main features of it.

⁶ http://www.isoc-ecc.org/docs/Virtual-Council_decisions_Dec2004.pdf

Appendix 1

Set of questions to the candidates

1. Description of the legal entity
2. Does this legal entity allow to participate in EU funded projects?
3. Which are the steps and the time frame of the legal incorporation procedure?
4. Do you need to modify the MoU in order to adapt it to your local law? If yes, please include the revised MoU underlining the required changes.
5. Describe how would member chapters that are not established as legal entities be represented in the legal entity you propose.
6. Does the incorporation procedure require the physical gathering of all members?
7. What information and documents do you need from the rest of the member chapters? Describe how will your candidature cover these associated costs.
8. A brief description of the minimum annual maintenance costs of the legal entity you propose, including a description of the fiscal policies for non-profit associations.
9. Does your candidature offer financial resources? If yes, where do these resources come from and when and how will they be paid out?
10. Is your chapter located in a member country of the European Union?
11. Is your chapter located in a country candidate to join the European Union? If yes specify when is the joining going to take place.
12. Is your country a member of the Euro zone? If not, please specify when is the joining going to take place.

Appendix 2

Summary of additional services

	YES/NO	Guaranteed time (years)	ANNUAL COSTS
Office with a part time secretary			
Office. Rental costs			
Part time secretary			
Computer			
Telephone			
Fax			
Internet connection			
Telephone costs			
Design and impression of promotional brochures			
Other office material: ink, paper, etc.			
Travel and representation costs for the Ex. Com.			
Travel expenses			
Design and impression of business cards			
Part time coordinator and webmaster			
Part time coordinator-head of office			
Part time Webmaster			
Coordinator's travel expenses			
Servers			
Servers			
Internet connexion of the servers			
Technical assistant			
Video and audio conference utilities			
Video & audio conference utilities			
Technical assistant			
Other technical assistance			
Occasional assistance of a graphic designer			
Occasional assistance of a web programmer			
Operational costs and others			
Translation costs			
Operational costs: projects and events			
TOTAL AMOUNT			

Please remember to include an extended description of the main characteristics of the additional services, including how long the provision of those services will be guaranteed by the candidate. In the case of offering an office, it should describe the location, space, services... In the case of human resources, their experience running such services, the amount of hours per week available... In the case of hardware, the main features of it.

Appendix 3

Terms of the call for candidates

Terms	Inter-stages days	Total days	Dates
LEC sends the CfC document to the ISOC-ECC list.	0	0	June 16th
Chapters comment the CfC document.	7	7	From June 16th to June 23rd
LEC reviews the CfC document and calls for the vote.	7	14	From June 23rd to June 30th
Council votes on the CfC document.	14	28	From June 30th to to July 14th
If the CfC document is approved by the Council			
LEC calls for candidates to host the legal entity.	1	29	July 14th
Announcement of the candidatures in preparation	14	43	From July 14 th to July 28th
Candidates prepare candidatures.	46	89	From July 14th to September 14th
LEC publishes the list of candidates and calls the Council to vote to select the best candidate.	7	96	From September 14th to September 21st
Voting period	14	110	From September 21st to October 6th
LEC presents the bylaws of the legal entity to ISOC and asks for its approval	30	140	From October 6th to November 6th
If ISOC approves the bylaws of the legal entity			
Launching the incorporation			November 6th

Appendix 4

Legal incorporation of members chapters

according to the ISOC-ECC member chapters database

	ChapterName	LegalStatus
1	ISOC Belgium	ASBL
2	ISOC Wallonie (Belgium)	other
3	ISOC Bulgaria	other
4	ISOC Finland	other
5	ISOC France	legal, non-profit
6	ISOC Hungaria	other
7	ISOC Italy	legal, non-profit
8	ISOC Luxemburg	ASBL
9	ISOC Netherlands	other
10	ISOC Norway	
11	ISOC Poland	other
12	ISOC Slovenia	legal, non-profit
13	ISOC Spain	legal, non-profit
14	ISOC Aragon	legal, non-profit
15	ISOC Asturias	
16	ISOC Catalonia	legal, non-profit
17	ISOC Galicia	other
18	ISOC Sweden	other
19	ISOC Turkey	other
20	ISOC Ex-Officio (Reston)	other
21	ISOC Germany	other

We don't know what does "other" stand for in each case.

If this information is not correct please update it at:

<http://www.isoc.be/isocecc/selectChapter.asp>

if you don't remember your password please ask for it at:

info@isoc-ecc.org