

Statute current

Statute proposed - any changes to the wording and/or punctuation are indicated in blue

Draft Explanation/Comment for the General Assembly

Art 2.2 c.

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to represent the interests of its Members, and library and information organisations and the communities they serve throughout the world.

ANBI status requires that 90% of IFLA's work and activity should be for public benefit. The amendment reflects this by stating that IFLA represents the interests of all library and information organisations and the communities they serve, in addition to those of its Members. The amendment also more accurately reflects the current work and role of IFLA.

Art 10.1

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The amendment corrects a minor error in the first line of the English translation.

Art 12.2

The number of votes shall be in accordance with the following formula:

a. the votes of National Association Members are determined according to their operating expenditure:

- if the operating expenditure is less than fiftythousand Euros (€ 50.000,-) then the National Association Member has ten (10) votes;

- if the operating expenditure is between fifty- thousand Euros (€50.000,-) and four hundred ninety-nine thousand nine hundred ninety-nine Euros (€ 499.999,-) then the National Association Member has twenty (20) votes;

- if the operating expenditure is between five hundred thousand Euros (€ 500.000,-) and two million nine hundred ninety-nine thousand nine hundred ninety-nine Euros (€ 2.999.999,-) then the National Association Member has thirty (30) votes;

- if the operating expenditure is three million Euros (€ 3.000.000,-) or more

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- if the operating expenditure is between five hundred thousand Euros (€ 500,000.-) and two million nine hundred ninety-nine thousand nine hundred ninety-nine Euros (€ 2,999,999.-) then the National Association Member has thirty (30) votes;

- if the operating expenditure is three million Euros (€ 3,000,000.-) or more

The amendment corrects minor errors in the punctuation used where the operating expenditure of National Association Members is described in numbers. (In certain places a comma is replaced with a full stop.)

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Art 14.5

The Governing Board may delegate some of its powers to one or several of its members or to the Secretary General. Such persons shall report to the Governing Board. The powers delegated remain vested in the Governing Board and the delegation may be revoked by it at any time.

Art 14.5

The Governing Board may delegate some of its powers to several of its members or to the Secretary General. Such persons shall report to the Governing Board. The powers delegated remain vested in the Governing Board and the delegation may be revoked by it at any time.

A delegation of powers may not enable any single person to dispose of the institution's assets as if they were their own.

Under Dutch law no single person may be able to dispose of any institution's assets as if it were their own. The new wording makes it clear that this applies to any delegation of powers agreed by the Governing Board.

Article 15.3

In the event of the prevention or permanent absence of one or more members of the Governing Board the remaining member(s) of the Governing Board shall be in charge of the entire management of the Federation; in the event of the prevention or permanent absence of all the members of the Governing Board the General Assembly shall appoint a person to be in that event temporarily in charge of the management of the Association.

Prevention in this paragraph means in any case the circumstances that

- a. the member of the Governing Board during a period in excess of fourteen days cannot be reached due to illness or any other cause; or
- b. the member of the Governing Board has been suspended.

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Such appointment may not enable any single person to dispose of the institution's assets as if they were their own.

Prevention in this paragraph means in any case the circumstances that

- a. the member of the Governing Board during a period in excess of fourteen days cannot be reached due to illness or any other cause; or
- b. the member of the Governing Board has been suspended.

Under Dutch law no single person may be able to dispose any institution's assets as if it were their own. To ensure this, the amendment requires a minimum of three individuals to be appointed by the General Assembly to be in charge of IFLA in the event of the prevention or permanent absence of all the Governing Board members.

Art 23.2

In the event of dissolution, the proposals for dissolution shall provide that the liquidation surplus shall be applied for the benefit of the common good of library and information associations and service in accordance with the purposes of the Federation and the provisions of Article 7.2.

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A positive liquidation balance must be spent on behalf of a public benefit organisation (“*algemeen nut beogende instelling*”) with a similar purpose or a foreign institution that is at least ninety percent (90%) focused on the public benefit and that has a similar purpose.

The wording of the amendment is taken directly from Dutch law detailing the requirements for an organisation holding ANBI status.

On being wound up or dissolved, IFLA must transfer any remaining assets to another organisation which has a similar purpose, and is either:

a. a Dutch organisation with ANBI status, or

b. a foreign institution whose work and activity is at least 90% focused on public benefit (as ANBI organisations are required to do).

Art 15.14

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The Governing Board members appointed as Chair of the Professional Council, Chair of the Regional Council, or Chair of the professional unit representing the interests of National

This amendment is required to ensure that the Statutes conform with the Dutch Civil Code.

All Governing Board members must act in line with the Statutes and purposes of the Federation as approved by Members at a General Assembly. If they do not, they may be suspended or dismissed from being a Governing Board member at a General Assembly.

Association Members will cease to be members of the Governing Board if they cease to hold that role for any reason. Suspension or dismissal from that role by the body that elected them shall also constitute suspension or dismissal of these chairs as members of the Governing Board..

In addition, the Dutch Civil Code also allows for the electors of the Chairs of the Professional Committee, Regional Committee and MLAS to suspend or dismiss the post holder from the role of Chair. Should this happen, the post holder also ceases to be a Governing Board member. When a new Chair is elected, that individual is also appointed as a Governing Board member in line with Art 15.9.