

Bylaws of the National Association of Communal Forests and Pastures - Albania

ARTICLE I: NAME

Section 1.

The name of the Association shall be National Association of Communal Forests and Pastures, hereinafter called the Association. For convenience, the expression NACFP shall be deemed to be an appropriate abbreviation.

ARTICLE II: PURPOSES

Section 1.

NACFP's activities are directly related to the sustainable management of communal forest and pastures. The mission of NACFP is to enhance communal stewardship of forest and to support, through advocacy, education, and information, regional federation and associations' responsible management of the communal property.

Section 2

The NACFP Mission Statement commits the resources of the Association to advancing the restoration, promotion and maintenance of a healthy communal forest, contributing to economic and ecological health in Albania's forests and communities. This commitment includes the following elements:

- NACFP will coordinate and cooperate with other actors to provide services of value to its members
- NACFP management will strive to satisfy all legitimate member and constituent needs.
- NACFP will advocate the improvement of forest policies, decentralisation and management of Communal forest in support of its member interests.
- NACFP will strive to provide accurate information and education concerning forest uses and forestry issues to NACFP members, the public and the media.

ARTICLE III: MEMBERSHIP

Section 1.

Founding member of the Association are the regional federations of communal forests and pastures of Dibra, Korca and Kukesi region.

Section 2

Membership in the Association is open for the newly formed regional federations from the regions others than above-mentioned.

Section 3

Membership in the Association shall be open to any person or organization interested in promoting the objectives of the Association upon written application to the Executive Committee.

Section 4

There shall be three types of members: Regular, Corporate Associate and Honorary.

Section 5

Regular membership is open to any person or organization interested in goals of the Association and upon payment of dues, the amount of which shall be established by the Executive Committee of the Association.

Section 6

Companies or individual supporters may become corporate associate members upon contribution of special dues established by the Executive Committee.

Section 7

The designation Honorary Member is an award of recognition bestowed by the Association on members who have made significant contributions to the activity and advancement of the Association. Honorary Members are entitled to all the privileges of regular members for life, and shall be exempt from payment of dues. Any member can nominate a person for Honorary membership, but each Honorary Member must be approved by the Executive Committee and Council. It will be the usual procedure for the President to announce new Honorary Members at an Annual Meeting of the Association.

Section 8

The rights associated with membership in the Association shall be uniform among all members. Each member, irrespective of type shall be entitled to one vote on all matters properly coming before the membership for a vote.

Section 9

The annual dues of a regular member shall be payable in advance of January 1 of the fiscal year.

ARTICLE IV: REGISTRATION OF MEMBERSHIP

Section 1.

The Secretary of the Association keeps the following data for all registered members: name of the individual or organization, headquarter address, type of member organisation, date of admittance, and reason of admittance.

Section 2

Member organisations need to provide in written representative names of the organisation.

Section 3

In case of changes, all member organizations should immediately provide the necessary information to the Secretary of Association.

ARTICLE V: TERMINATION OF MEMBERSHIP

Section 1.

A member whose dues are six months in arrears shall cease to be a member of the Association. Membership dues not paid by December 31 of the fiscal year are considered in arrears for one year.

Section 2

Upon written request of the member, membership ceases at the end of the account year in which the discontinuation request is made. The requirement should be made at least five months in advance.

Section 3

Membership in the Association ceases when so decided by the General Meeting, upon proposal of the Association Board and with at least two-third majority vote.

Section 4

Membership in the Association ceases when if the member organisation does not fulfil its responsibilities according to these Bylaws.

Section 5

Membership in the Association ceases for members whose actions are in discordance with these Bylaws, or regulations of decisions of the Association

Section 6

Membership finishes if the member organisation goes broke.

Section 7

If the membership finishes during the year the membership, dues for the whole period should be admitted, unless the board approves suspension for it.

ARTICLE VI: FINANCES

Section 1

Finances of the Association are derived from: annual membership dues, subsidies, tariffs for delivered services, and services for third parties.

Section 2

The amount of annual membership dues shall be established by the Executive Committee of the Association

Section 3

If members make use of the services of the Association they need to pay the tariffs set for these services by the General Meetings.

Section 4

Members and ex-members are not personally accountable for agreements signed by the Association.

ARTICLE VII: MEETING OF MEMBERSHIP

Section 1

The annual meeting of the membership of the Association for purpose of transacting business, presenting communications and related activities shall be held at least twice each year at such place and at such time as may be determined by the Executive Committee. The Secretary of the Association shall give, personally or by mail, not less than 14 days prior to the date for such meeting to each member entitled to vote thereat, written notice stating the place, date and hour of the meeting.

Section 2

Special meetings of the membership may be called at any time by a majority of the

Executive Committee. Written notice of such meetings stating the place, the date and hour of the meeting, and the purpose for which it is called shall be given not less than 30 days prior to the date set for the meeting. Notice of such meeting shall be given to each member of record in the same manner as notice of the annual meeting.

Section 3

Special meetings of the membership may be called when this is acquired in written by at least one-third of the members of the Association. Upon receiving the written request specifying the reasons for the call of the meeting, the Association Board is obliged to call the meeting within two months after receiving the request. If the Executive Committee does not call the meeting, the members requesting the meeting can call for a General Meeting themselves as described in section 1 of this article.

Section 4

The Executive Committee presents annually, but before the first of July, an annual report to the General meeting. The annual report contains also the financial report with all accounts of the past account year.

Section 5

The Executive Committee presents annually, but before the first of January, the annual budget for the coming fiscal year.

Section 6

The Executive Committee proposes the agenda of each General Meeting. Members of the Association can propose also agenda points if supported by at least 2 members of the Association and provided in written to the Association Board a minimum of 14 days before the next General Meeting.

Section 7

The members in attendance at a duly called meeting of the membership shall constitute a quorum.

Article 9

Association Board and its competences

1. The Association Board exists of a minimum of seven persons and a maximum of nine who will be appointed by the General Meeting. Persons that are named representatives of a member organisation of the Federation are able to become Federation Board person.
2. The Association Board will be elected every two years and Board persons can be re-appointed for a maximum of three conjugated periods.
3. The General Meeting can at all times discharge a Board person when a two-third majority exists during the General Meeting.
4. A Board membership finished when a Board person does not fulfil anymore the requirements under article 9.1 or till the first General Meeting after the Board person has reached the age of 70 years.
5. If a vacancy exists in the Federation Board during the next General Meeting a successor will be elected.

6. The Chairperson is elected directly by the General Meeting with 50% + 1 vote, every two years and with a maximum of three conjugated periods and is discharged only with a two-third majority of members of the General Meeting.
7. The General Meeting elects the Board persons in general and the Federation Board divides the tasks among the Board persons. At least a Vice-Chairperson, Secretary (when possible with one of them an forestry engineer) and Finance person are appointed.
8. The Association Board will have at least two monthly meetings or more if found necessary.
9. If the General Meeting appoints a Director he/she has an advising role in the Board.
10. All Association Board decisions will be made by majority of votes, for which each Board person has one vote.
11. Of each Association Board meeting minutes will be made, which are open to all Federation members. Association members will be informed of all decisions made by the Association Board.

Article 10

Association Board: tasks and responsibilities

1. The Association Board is responsible for the overall management of the Association.
2. The Chairperson and the Secretary represent the Association together or by the Chairperson and the Finance person. Or by one of the other Board persons if one of the above is not available. (In informal presentation it can be only the Chairperson as well, however for official ones two persons are required.)
3. For the following the Association Board can only take action after approval of the General Meeting:
 - a. Buying or keeping of registered goods, property,
 - b. Making agreements for which the Association makes depths or has budget responsibility, and
 - c. Creation of new staff positions

Article 11

Director and staff

1. The Association Board can appoint a Director through selection process. The Board prepares the instructions describing tasks and responsibilities of the Director.
2. Other staff positions can be created with approval of the Board.
3. The Association Board is allowed with approval of the General Meeting to appoint or discharge staff of the Federation.
4. The Association Board will make salary and other labour conditions.
5. Board persons cannot be in staff positions of the Association.
6. Board positions are unpaid tasks. Expenses made for tasks related to the Association by Board persons will be reimbursed based on declarations supported with bills.

7. Per Diem rates to be used within the Association will be approved by the General Meeting.

Article 15

1. The Association Board will inform attached with agenda of the meeting all the members of the Federation.
2. The Chairperson of the Association Board – and if not available his replacement – functions as Chairperson of the General Meeting.
3. The Secretary of the Association Board keeps the minutes of the General Meeting.
4. Unless the Statutes describe differently, all decisions are made with normal majority of votes of all members present, each member has one vote.
5. Authorised voting is allowed. Every representative person of an organisation can authorise.
6. Voting on normal issues is done verbally, voting on persons will be done in secrete votes (with identification documents), unless the meeting unanimous votes for doing it verbally.
7. Votes with opinions and signed votes are not valid.
8. When voting for persons in a first round not a majority is obtained a second round will be held. If in a second round again no majority is obtained there will be re-voting between those two persons with the highest votes.
9. By equal votes on issues the proposal is rejected. By equal votes on persons the lot decides.
10. Voting with authorisation is only allowed for members of member organisation with an authorisation.

Article 16

Commissions

For specified tasks the General Meeting installs a control commission of 3-5 persons with a period mandate equal of the Association Board.

Tasks of the Commission

1. Verify budget realisation and control financial activities and decisions.
2. Make a yearly financial control and report to the General Meeting.
3. Verify if Association statutes and regulation are implemented proper.
4. The commission reports to the General Meeting, in case of irregularities encountered the General Meeting decides.

ARTICLE VIII: FISCAL YEAR

Section 1.

The fiscal year of the Association shall be from January 1 to December 31.

ARTICLE IX: AMENDMENTS TO THE BYLAWS

Section 1

Upon recommendation of the Executive Committee these Bylaws may be adopted or

amended by a two-thirds majority vote of the membership at the General Meeting or by written ballot. If less than 50% of the membership is participating at the General Meeting, these Bylaws may be adopted or amended with as simple majority if this issue is announced in the invitation and agenda of that Meeting.

Section 2

Proposed amendments to the Bylaws shall be made in writing to the Secretary 60 days prior to the General Meeting and shall be distributed to all members at least 14 days prior to the Annual Meeting.

Section 3

Amendments to the Bylaws enter in force only after legalisation by a Public Notary.

ARTICLE X: DISSOLUTION OR LIQUIDATION

Section 1

Dissolution of the Association can be made in a General Meeting when at least 50% + 1 members participate in the voting process. The Association can declare its dissolution by a two-thirds majority vote. If less than 50% of the membership is available, the dissolution can take place at a following General Meeting if this is announced in the invitation and agenda of that Meeting.

Section 2

In the event of dissolution or liquidation all liabilities and obligations of the Association shall be paid, satisfied and discharged. The Association Board will arrange the settlement of the finances and properties, unless differently decided at the General Meeting

Section 3

All assets remaining shall be transferred to one or more societies or organizations engaged in activities substantially similar to those of the Association and exempt from taxation as will be decided at the General Meeting

ARTICLE XI: GENERAL PROVISIONS

Section 1

The membership mailing list of the Association will be released to private or commercial interests only when in judgement of the Executive Committee such a distribution will be to the benefit of the Association.

Section 2

The Association shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of a candidate for public office.

Section 3

No financial obligations shall be incurred on behalf of the Association by an officer or member unless authorized by the Executive Committee.

Section 4

The Association shall not be organized or operated for profit.

Section 5

No part of the funds of the Association shall or may under any circumstances accrue

to the benefit of any private individual.

Section 6

The society shall not engage in any transactions which result in the diversion of any part of its funds to any officer or member of the Association.

Section 7

Membership in and participation in the Association shall in no way be based upon race, colour, sex, sexual orientation, religion, and physical or mental handicap.

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