

RULES

I. Scope, Title, and Headquarters of the Organisation

Article I.1

Belgium-based officials and other employees of the European Institutions and organisations except those for whom another member organisation of Union Syndicale Federale exists, seconded national experts, the different types of staff of the European Schools in Belgium, and any other persons having a direct employment contract with those Institutions and organisations in Belgium who have accepted these Rules hereby form a trade union called "Union Syndicale – Service Public Européen – Bruxelles" (Union Syndicale – European Public Service – Brussels) with its headquarters in Brussels.

The short form of the name of the trade union ("Union Syndicale Brussels") and the abbreviation "USB" may equally be used provided it is absolutely clear that the reference is to "Union Syndicale – European Public Service – Brussels".

Article I.2.

Officials and other employees of the Commission's research institutes and of offices, delegations, and agencies outside the main places of employment, seconded national experts and any other persons having a direct employment contract with those institutes, offices, delegations, and agencies may also apply for membership of the Union.

Article I.3.

The Union is affiliated to the Union Syndicale Fédérale des Services publics européens et internationaux (USF) (European and International Public Services Federal Trade Union) and through it to the Public Services International (PSI), with its headquarters in Ferney-Voltaire (France) and to the European Federation of Public Service Unions (EPSU), with its headquarters in Brussels; it is associated with the International Trade Union Confederation (ITUC) and the European Trade Union Confederation (ETUC), both of which have their headquarters in Brussels.

II. Purposes of the Organisation

Article II.1.

The main purposes of the Union shall be to:

- serve and defend the economic, social, professional and moral interests of its members and of the entire staff of the European Institutions and organisations;
- contribute towards defining and fulfilling the objectives and defending the principles of Union Syndicale Fédérale, the PSI, the EPSU, the ITUC and the ETUC by means of practical solidarity with European and international labour.

Article II.2.

To these ends, the Union's activities shall seek to:

- defend the independence, competence and permanent nature of the European public service,
which are necessary for the achievement of the objectives of European integration;
- obtain recognition of or maintain the right of the Union to contribute, through free negotiations and through participation in administration, to determining the working conditions and the conditions of employment of its members and of the entire staff;
- do all within its power to ensure that the structures and the working methods of our institutions, including agencies, are adapted to meet the requirements of a modern and humane multinational administration.

III. Principles of Independence and Solidarity

Article III.1.

The Union shall be independent of all national and international institutions, governments, administrations, political parties, denominational or philosophical movements and interest groups.

Article III.2.

For the purpose of defending common interests, the Union may be affiliated to any federation of unions of staff members of European organisations which are affiliated to the PSI.

Article III.3.

The Union affirms its willingness to cooperate with other democratic trade union organisations which have the same objectives.

IV. Admission, Disbarment, and Resignation

Article IV.1.

Any official, other employee, seconded national expert or any other person having a direct employment contract with the Institutions, organisations, institutes, offices, delegations and agencies referred to in Article I.1 or I.2, even if retired, may seek admission to the Union. No person may simultaneously be a member of Union Syndicale and of another trade union or professional organisation of European or international officials.

Article IV.2.

Admission to the Union shall be by way of an application accompanied by a written declaration which shall imply acceptance of these Rules. The competent Section Committee or by default the Executive Committee shall decide on the application. Admission to the Union shall confer the status of associate member of the international non-profit-making body "La Maison de l'Union Syndicale".

In the event of the said Committee rejecting the application, the applicant may appeal against such decision to the Executive Committee, which shall be obliged to submit the appeal to the next General Meeting, the matter being included explicitly on the agenda.

The General Meeting may reject the appeal only if the majority of the members present decide in favour of such rejection.

Article IV.3.

A member may submit his resignation from the Union at any time. The resignation must be notified to the Executive Committee or to the competent Section Committee in writing.

Article IV.4.

If the resignation or departure of a member happens whilst they enjoy the benefit of USB support for an ongoing legal matter, that support shall cease immediately unless there is an interest in continuing it; the decision on this matter shall be at the entire discretion of the body of USB that decided on the support and that body may also seek the refund of sums paid out if circumstances so justify.

Article IV.5.

Membership shall be withdrawn automatically as a result of a delay of more than twelve months in the payment of the subscription amount which the member owes. In duly justified cases the Executive Committee may dispense a member from payment of the subscription for a maximum period of twelve months. It may also set up a phased reimbursement plan in respect of arrears that are due.

Article IV.6.

Membership shall also be withdrawn automatically if the member has no further statutory link (such as a job contract, unemployment benefit, pension, membership of the JSIS, pending legal case, ...) with the institutions and other bodies referred to in paragraph IV.1. However, the Executive Committee may, upon request by the member, and taking into account the circumstances, authorise the member to remain in USB for a maximum of two years.

Article IV.7.

Expulsion from the Union may be requested by the competent Section Committee or by default by the Executive Committee in respect of any member whose behaviour is such as to be harmful to the Union. The section which makes a reference to the Disputes Board must send a copy of the file to the Executive Committee which may submit its own observations to the said Board within a maximum time limit of 15 days.

Procedure:

- the request from the said Committee must be notified to the person concerned in writing and addressed to the Disputes Board referred to in Article XIII;
- the Disputes Board shall hear the person concerned and shall give a ruling within 30 days;
- if the Disputes Board does not take a decision within those 30 days the Executive Committee shall rule on expulsion by an absolute majority of its members;
- the decision of the Disputes Board (or of the Executive Board, as appropriate) shall be communicated to the person concerned and to the Executive Committee (or to the Disputes Board, as appropriate) and shall take effect the following day.

The requesting committee may at any time withdraw its request and shall notify the person concerned and the Disputes Board accordingly without delay.

RULES

The person concerned may appeal against a ruling on exclusion to the Executive Committee, which shall be required to submit that appeal within 45 days,¹ to a General Meeting, which shall decide by an absolute majority of the members present, the matter being entered explicitly on the agenda. The membership of the person concerned shall be suspended until the General Meeting has taken a decision.

Article IV.8.

Where the request for expulsion concerns an elected member of one of the statutory bodies referred to in Article [VIII](#), it must be addressed to the Disputes Board by a majority of the members constituting the Executive Committee.

Article IV.9.

On the death of a member, his or her spouse, children and other dependent persons who are not entitled to be a member by virtue of Article [I.1](#) or [I.2](#) may, free of charge, enjoy the support and accompaniment of the Union for all procedures and matters related to their statutory rights.

V. Members' Rights

Article V.1.

All members shall have the right to take part in General Meetings and other general Union members' meetings, to contribute to determining the Union's policy and to state their attitude towards any matter relating to the organisation.

Article V.2.

All fully paid-up members shall be automatically entered in the register of voters for the Union's bodies defined in Article [VIII](#). An email reminder will be sent to the members for them to be able to bring their subscription payments up to date before the register of voters is definitively adopted. The Executive Committee shall close the register of voters on the date of the last meeting preceding the General Meeting which opens the electoral procedure.

Article V.3.

Any member shall be entitled to a consultation with one of the Union's legal advisers, in accordance with the procedures decided by the Executive Committee, and to legal assistance in pre-litigation procedures (Article 90 of the Staff Regulations of officials and Articles 46, 73, 117 and 124 of the CEOS) in respect of any matter concerning his professional life.

Any person whose subscription payments are in order may be granted legal assistance in dispute procedures by the Executive Committee, which shall decide in each individual case on the nature and the extent of such assistance. In principle, the beneficiary of such assistance must have been a member whose subscription payments have been in order for at least six months at the time of the act adversely affecting him. The procedure for implementing this provision shall be adopted by the Executive Committee and notified to members.

Article V.4.

Legal assistance may also be granted to spouses and orphans of deceased members.

¹ See Article [XVIII.1](#)

VI. Members' Obligations

Article VI.1.

Members shall undertake to defend the Union's interests and to take an active part in fulfilling the objectives set out in these Rules and in implementing the decisions of the Union's bodies. Members shall be bound by the decisions of the Union's bodies.

Article VI.2.

Members elected to the Staff Committee of a European Institution or organisation, or to a body set up under the Staff Regulations or any other administrative body, shall undertake in that body to defend and respect the principles and purposes of the Union set out in Articles II and III.

Article VI.3.

Members shall refrain from any behaviour likely to be detrimental to the Union.

They shall, in particular, be barred from standing for statutory elections, without prior authorisation of the competent Section Committee, on rival electoral lists and from signing, either individually or in a group, agreements with the latter. The Executive Committee shall be informed of the decision.

Article VI.4.

Members shall pay their Union subscription regularly. The initial subscription shall be payable for the quarter following that in which membership was acquired.

Article VI.5.

Heirs who become members under Article IV.9 shall be exempt from paying a subscription.

VII. Resources and Subscriptions

Article VII.1.

The Union's resources shall consist of members' subscriptions, donations and other revenue.

Article VII.2.

The General Meeting shall determine, on a proposal from the Executive Committee, the amounts of the subscriptions, taking into account the level of the members' basic salaries and the specific circumstances of local agents in Delegations.

Article VII.3.

The method of payment of subscriptions shall be determined by the Executive Committee acting in agreement with the Audit Board.

VIII. The Union's Bodies

The Union's bodies shall be:

- the General Meeting;
- the Executive Committee;
- the Section Committees set up within the Institutions and organisations;
- the Audit Board;
- the Disputes Board.

IX. The General Meeting

Article IX.1.

The General Meeting shall be the supreme body of the Union. It shall consist of all paid-up members. In preference it meets physically, but it may also hold meetings by teleconference. Whichever the case, the participants must be in a position to confirm their identity by any method to the secretariat (member number, professional electronic address...).

Where the General Meeting is held by teleconference, the place from which it is being broadcast must be equipped with the material, data-security authorisations, and the necessary technology to ensure participation.

Article IX.2.

The Executive Committee shall convene the ordinary General Meeting each year. The Meeting convened on expiry of the Executive Committee's term of office shall be a statutory General Meeting.

Article IX.3

The Executive Committee shall convene an Extraordinary General Meeting (whether statutory or not) whenever it considers it to be necessary. At the written request of a Section Committee, by at least 10% of the members of the Union, or by the majority of the members attached to any one Institution, it shall convene an Extraordinary General Meeting within a maximum period¹ of 45 days.

In all cases a General Meeting may only be convened on a working day outside the school holidays of the Brussels European Schools, during the midday period or around 18h, and in one of the buildings of the institutions in Brussels, at the headquarters of Union Syndicale – Brussels, or in teleconference.

Article IX.3.a

Considering Article 110.2 of the EU Staff Regulations, as well as the proximity between the Commission and the Agencies, the Commission Section and the Agencies Section work together.

Members of the Agencies section may set up local working groups in their agency(ies) and appoint/elect their representatives to manage local affairs.

Article IX.4.

The tasks and functions of the General Meeting shall include, in particular

- defining the guidelines for Union policy;
- if appropriate, adopting the Annual Financial Report, after hearing the opinion of the Audit Board;
- if appropriate, voting on an appeal against an exclusion decision or any decision by the Disputes Board;
- determining the amounts of the subscriptions;
- where necessary, the election of additional members to the Audit Board or Disputes Board

¹ Cf Article [XVIII.1.](#)

RULES

- voting motions submitted to it.

The tasks and functions of the statutory General Meeting shall also include:

- voting on the outgoing Executive Committee's Activity Report;
- initiating the electoral procedure for the bodies laid down in these Rules;
- setting a timetable for voting operations;
- designating an Electoral Bureau.

Article IX.5.

The draft agenda and, in the event of a statutory General Meeting, the Activity Report shall be drawn up by the Executive Committee.

A General Meeting shall be validly convened by a written invitation sent to each member of the Union by ordinary mail or e-mail at least 10 days before the date of the Meeting. In the case of an Extraordinary General Meeting, this time limit may be waived for reasons of urgency by a majority of two thirds of the members of the Executive Committee, except for the convening of a statutory General Meeting, or where an appeal against an exclusion decision or a decision by the Disputes Board, the election of members of the Audit Board or Disputes Board, or an amendment to the Rules of the Union or its disbandment is included on the agenda for the General Meeting.

In all cases, points added at the beginning of the Meeting shall be debated but may not under any circumstance be the subject of any decisions.

Article IX.6.

Decisions of the General Meeting shall be taken by a simple majority of the members present. Decisions relating to the amendment of the Rules shall require a majority vote of two-thirds of the members present, decisions relating to appeals brought under Article IV.7 or Article XIII.5 shall require an absolute majority vote by the members present.

Article IX.7.

Any proposal for amending the Rules shall be transmitted to the members of the Union with the notice of the General Meeting and shall be included explicitly on the agenda. Proposals may be considered only if they are submitted by the Executive Committee, a Section Committee or at least 35 members. For the purposes of this provision, members may submit a proposal for amending the Rules to the Executive Committee, which shall examine whether it can support it.

Any appeal under Article IV.7 or Article XIII.5 must be included explicitly on the agenda.

Where at least 5% of members or one third of members belonging to the same section or Section Committee so request in writing to the Executive Committee at the latest before the opening of the General Meeting, the vote on a proposal to amend the Rules or on an appeal under Article XIII.5 shall be carried over to a subsequent General Meeting, convened in accordance with this Article but without the possibility that the carry-over procedure may be invoked again.

X. The Executive Committee

Article X.1.

The Executive Committee shall be responsible for putting into effect the guidelines defined by the General Meeting and for managing the Union's business between two statutory General Meetings.

RULES

In particular, it shall draw up the annual budget estimate and implement it. This estimate may, however, provide for a sum of expenditure exceeding that of revenue by more than 20% only with the approval of a General Meeting convened for that purpose.

Article X.2.

The Executive Committee shall consist of 28 members who shall be elected by a secret ballot in each section (*) for the period between two statutory General Meetings and which may not exceed 36 months.

If serious events so warrant, the Executive Committee's term of office may be extended by a decision of the General Meeting up to a maximum of 48 months in total.

The elected members of the Executive Committee shall become, for the duration of their term of office, full members of the international non-profit-making body "La Maison de l'Union Syndicale".

Article X.3.

At its inaugural meeting, convened by its oldest members, the Executive Committee shall elect its Bureau. This shall be composed of the Chair, the Vice-Chairs, the Secretary-General, and the Treasurer, who must be elected members of the Executive Committee. It may also include a Deputy Secretary-General, a Deputy Treasurer, and an Organisational Secretary or other members of its Bureau. Members of the Bureau may be put in specific charge of a given dossier. The composition of the Bureau may be changed by the Executive Committee during its term of office. Decisions concerning the establishment or modification of the Bureau require the assent of the absolute majority of the elected members of the Executive Committee coming from at least three different sections.

Article X.3.a.

The Executive Committee may delegate to the Bureau elements of its executive powers within the framework of its rules of procedure.

Article X.4.

The Executive Committee may include in its proceedings, without the right to vote, any member of the Union, especially members elected or designated in the various staff representation bodies.

Article X.5.

The Executive Committee shall represent the Union vis-à-vis its members, vis-à-vis the exterior and in all legal matters. The Union shall be represented in legal proceedings by the joint signatures of the Chair and the Secretary-General. In the event that either of them is prevented from signing, the signature of the Chair or of the Secretary-General may be accompanied by that of a Vice-Chair. In the event that both the Chair and the Secretary-General are prevented simultaneously, the Union may be represented in legal proceedings by the joint signatures of three Vice-Chairs.

Article X.6.

The responsibilities of the Executive Committee shall include:

- implementing the decisions of the General Meeting;
- carrying out the tasks laid down by these Rules and by the guidelines defined by the General Meeting and taking all the necessary measures to this end;
- implementing the budget.

Article X.7.

The Executive Committee shall meet at the invitation of its Chair or, in his/her absence, of the Secretary-General. The invitation shall be sent at least three working days before the meeting. At the request of at least 10 of its members, the meeting shall automatically be postponed once.

Article X.8.

The members of the Executive Committee may furnish a procuration to another member of the same section, whether or not limited in time. The procuration may be revoked at any moment with immediate effect. A member may not receive more than two procurations. A procuration shall not be valid for decisions under Articles X.3, X.11 and XIII.

Article X.9.

The Executive Committee shall meet officially if more than half of its members are present or represented. This quorum is deemed to exist unless one member requests verification that this is indeed the case.

Article X.10.

An extraordinary meeting of the Executive Committee may be requested by 10 members of the Executive Committee.

Article X.11.

The decisions of the Executive Committee shall be taken by a simple majority, save where the Rules expressly provide for a different majority.

Article X.12.

The Executive Committee shall adopt its rules of procedure and, if necessary, a financial regulation by the majority provided for in Article X.3.

Article X.13.

In emergencies, the Executive Committee may take decisions by written procedure, in particular via e-mail. Decisions by written procedure shall be taken by the absolute majority of the members of the Executive Committee.

Article X.14.

Where a member of the Executive Committee has permanent residence outwith Belgium, the Committee shall take the necessary measures to ensure they can participate in deliberations.

Article X.15.

At the reasoned request of at least five members, a motion of censure may be lodged against the Bureau or one or more of its members. This may be done in writing, outside a meeting of the Committee, or orally during a meeting of the Committee. Deliberations on the motion of censure shall take place at the first meeting of the Committee following the lodging of the motion. It shall be the first item on the agenda. The vote on the motion of censure shall take place only at the end of deliberations. The majority provided for in Article X.3 is required for adoption of the motion.

Article X.16.

The Executive Committee may also consult individually members of the Union with specialist knowledge or ask them to assume responsibility for specific tasks.

Article X.17.

When a serious problem is submitted to it which concerns one or more groups of officials and/or other employees, the Executive Committee shall be obliged first to consult the members of the Union belonging to this/these group(s). Such consultation may be carried out by electronic means.

Article X.18.

The Executive Committee may also decide to consult all the Union's members, in particular by electronic means.

XI. The Section Committees

Article XI.1.

Each section (*) or organisation may set up a Section Committee and establish its rules of procedure, as well as its method of election or appointment.

With due regard for the guidelines defined by the General Meeting, each Section Committee may conclude agreements, strictly confined to the institution, with other unions or with the appointing authority, in particular with a view to consultations with the administration or the functioning of the institutional bodies set up under the Staff Regulations. The rules of procedure and any agreements must be submitted to the Executive Committee, which may examine them if it considers that they concern interinstitutional matters. In this case, they shall come within the Executive Committee's remit. The Committee shall also have responsibility for approving agreements on the representativeness of trade unions to be concluded within each Institution.

Article XI.2.

The Section Committees shall be composed of elected members of the Executive Committee of the section.

Article XI.3.

The Section Committees shall be responsible for:

- ensuring an exchange of information and liaising between the Executive Committee and the members of the Union;
- promoting Union activities within the Institutions and their departments;
- coordinating and organising the work of delegated activists;
- assisting the Executive Committee in all work relating to any action taken by the Union and preparing the Executive Committee's case files;
- promoting the staff policy line defined by the General Meeting and the Executive Committee and ensuring that it is followed in the Staff Committee of the Institution or organisation concerned;
- drawing up the lists of candidates for elections to the Staff Committee of the Institution or organisation concerned;

RULES

- submitting to the Executive Committee and the General Meeting any suggestions considered useful;
- appointing section delegates for the federal bodies.

Article XI.4.

The Executive Committee shall ensure that trade union action in the various institutions is consistent and shall endeavour to bring Section Committees' positions into line. Decisions by Section Committees which entail expenditure must be approved by the Executive Committee beforehand, either case by case or by the allocation of a budget at the request of a Section Committee. The Executive Committee is responsible for the budget as a whole, including budgets allocated to Section Committees. The Audit Board audits the budget and the accounts as a whole.

XII. The Audit Board

Article XII.1.

The Audit Board, which shall consist of three full members and three alternate members, shall be responsible for supervising the Executive Committee's administration of the Union's treasury and assets. It shall be elected for two terms of office of the Executive Committee. The post of auditor shall be incompatible with that of elected or associate member of the Executive Committee or the Disputes Board.

Article XII.2.

The Audit Board shall be responsible for regularly auditing the accounts on its own initiative, at least once per year. At the Ordinary General Meeting, it shall report thereon and propose that the Executive Committee be given a discharge.

For these purposes, the Executive Committee shall be obliged to grant the Audit Board access on request to any accounting documentation, which may only be consulted in Union Syndicale's offices.

Article XII.3.

The Audit Board shall receive any complaint regarding the Executive Committee's administration of the Union's treasury and assets or in respect of a Section Committee which has financial autonomy.

XIII. The Disputes Board

Article XIII.1.

The Disputes Board shall consist of five full members and five alternate members. It shall be elected for two terms of office of the Executive Committee.

Article XIII.2.

Membership of the Board shall not be compatible with the mandate of elected or associate member of the Executive Committee or the Audit Board.

Article XIII.3.

The Disputes Board shall have jurisdiction over any dispute within the Union. Disputes may be brought before it by the Executive Committee, by a Section Committee, by the Audit Board

or by members of the Union. It must give a hearing to the parties concerned before giving a ruling.

Article XIII.4.

In the event of a dispute relating to the elections of one of the Union's statutory bodies, the Disputes Board shall be competent in any matter going beyond mere electoral questions concerning the vote at issue or where the Electoral Bureau declares that it does not have jurisdiction.

Article XIII.5.

The Disputes Board shall rule on the expulsion of a member from the Union within 30 days, at the request of the Section Committee or by default of the Executive Committee. Appeal against a ruling on exclusion is provided for in Article IV.7.

Any other decision by the Disputes Board may also be the subject of an appeal to the General Meeting lodged by one of the parties to the dispute.

XIV Electoral Procedure

Article XIV.1.

The elections to the Executive Committee shall be held concurrently in each section (*) or organisation, on the basis of applications submitted by Union members of the section (*) or organisation (**). If necessary, in particular in the case referred to in paragraph 5, an Executive Committee by-election may be organised to appoint new Executive Committee members coming from one or more sections(*) for the remainder of the term of office.

Elections to the Audit Board and the Disputes Board shall be held in all the sections (*) and organisations, for which joint candidates shall be put forward.

The terms of office of the bodies to be renewed shall be automatically extended until the newly elected bodies are constituted. Their competence shall however be limited to current or urgent business.

Any person whose subscription payments are in order and who has been a member of the Union Syndicale – European Public Service – Brussels for six months at the date of the General Meeting may stand for election to the Executive Committee and to the Audit Board; any person whose subscription payments are in order and who has been a member for at least three years may stand for election to the Disputes Board. A period of earlier membership of another trade union belonging to Union Syndicale Fédérale shall be taken into account in the verification of the conditions for eligibility.

Whenever a new Member State accedes to the European Union, the conditions for eligibility laid down above shall not apply to Union members from that Member State during the year which follows that accession.

Article XIV.2.

At its last meeting before the General Meeting which opens the electoral procedure, the Executive Committee shall determine the distribution of seats to be filled by each section (*) applying the rule of decreasing quotients, (d'Hondt rule), with the following constraints:

RULES

- a) the largest section shall not receive more than half the seats minus one;
- b) each section shall have at least one seat;
- c) only members who have paid their membership fees are considered for the count.

In the event that seats remain vacant due to an insufficient number of candidates in one or more sections, these seats shall be allocated as follows, provided that there is a sufficient number of candidates in the sections concerned:

- the first of these seats to the European External Action Service section;
- the second of these seats to the General Secretariat of the Council Section;
- the third of these seats in the Eurocontrol Section.

Where the number of applications submitted for the Audit Board or the Disputes Board is lower than the thresholds provided for them respectively under Article [XIV.3](#), the candidates shall be elected directly by the General Assembly.

The Electoral Bureau may however decide to launch a new call for applications for the Board concerned with a time limit of at least 5 days. If the number of candidates provided for in Article [XIV.3](#) is reached, the normal procedure shall be followed with all the candidates. Should that not be the case, the candidates elected by the General Meeting shall take on their role on the day after the meeting setting up the Executive Committee.

In the event that the total number of full and alternate members of the Board in question remains lower than the threshold required under Article [XII](#) ou [XIII](#), the members previously holding office may, if they wish, remain members of the Board as alternate members.

In the event of a tie for the last allocated seat of a body of the Union, priority shall be given to members of the sex less represented and then to the youngest candidate.

Article XIV.3.

At least twenty days before the statutory General Meeting, the outgoing Executive Committee shall make a call for candidates to all members of the Union. Applications shall be submitted, and, if applicable, withdrawn, at the latest before the close of the General Meeting.

Elections shall be held within 30 working days¹ of the statutory General Meeting, without prejudice to the provisions set out in the following subparagraph.

When the call for candidates cannot be sent within the period laid down in the first subparagraph, in particular when the decision to hold elections must be taken by the General Meeting itself, the deadline for declaring candidacy shall be set by the General Meeting itself, in compliance with the minimum period of 20 days starting from the dispatch of the call for candidates. In that case, elections shall be held within 30 working days following the deadline for declaring candidacy.

The General Meeting shall appoint an Electoral Bureau, consisting of an uneven number of members of the Union who are not candidates, with a minimum of 7 and a maximum of 13, which shall be responsible for holding the elections and announcing the results.

¹ Cf Article [XVIII.1](#).

RULES

In the case of a by-election to the Executive Committee, the Electoral Bureau shall consist of an uneven number of members of the Union who are not candidates, with a minimum of 5 and a maximum of 7, of whom 4 must belong to the section (*) or organisation concerned. The General Meeting shall appoint the Chair of the Electoral Bureau from among the members of that Bureau.

All members of the Union whose subscription payments are in order shall have the right to take part in the elections to the Union's statutory bodies. The register of voters shall be adopted on the date of the last meeting of the Executive Committee prior to the General Meeting.

For the election to be launched in a section, the number of candidates must be 20% higher, rounded up, than the number of seats to be filled. In addition, for the Agencies section, candidates must belong to at least two different Agencies.

Elections to the Executive Committee may be held only if the total number of candidates is 31 or more.

Elections to the Audit Board may be held only if the total number of candidates is 8 or more.

Where appropriate, the Board shall be elected in accordance with the procedures set out in Article XIV.2.

Elections to the Disputes Board may be held only if the total number of candidates is 12 or more.

Where appropriate, the Board shall be elected in accordance with the procedures set out in Article XIV.2.

Article XIV.4.

Of the 28 members of the Executive Committee, 8 at the most may be of the same nationality and no single nationality may have an absolute majority among the members of any section (*), unless that section (*) has a maximum of only three seats on the Executive Committee.

If, in the ballot, more than 8 candidates of the same nationality are elected or if more than half of the elected members of a section with more than three seats on the Executive Committee are of the same nationality, those of them who proportionately obtain the fewest votes shall withdraw in favour of the non-elected candidates of other nationalities in the same section (*) who obtain the most votes.

This provision shall not apply if the number of candidates of other nationalities in the section concerned is not enough to fill the remaining places.

Article XIV.5.

In the event of the resignation of a member of the Executive Committee during his term of office, he shall be replaced by the non-elected candidate in his parent section (*) who obtained the most votes, subject to the provisions set out in points 2 and 4. Failing this, with the consent of the Section Committee of the Institution concerned, the Executive Committee may include in the proceedings any other member of the Union, in accordance with Article X.4, or organise an Executive Committee by-election for the section (*) concerned.

RULES

In the case of resignation of a member of the Audit Board or the Disputes Board in the course of their term of office, they shall be replaced by the non-elected candidate who obtained the most votes.

Article XIV.5a.

Where following replacement by non-elected candidates in accordance with the previous subparagraph, the total number of full and alternate members of the Audit Board is fewer than 6 or the total number of members of the Disputes Board is fewer than 10, the Executive Committee may propose that a General Meeting elect, for the remainder of the mandate of the body concerned, the missing members so as to arrive at the normal number of full members and alternate members.

In that case the Executive Committee shall address to all members at least twenty days before the General Meeting a call for candidates for the body or bodies concerned and the intimation of the General Meeting shall mention the election(s). The candidates and their possible withdrawal shall be presented at the latest before the vote of the General Meeting. The General Meeting shall vote by raised hand, except where one of the members present requests a secret vote.

However, where the first General Meeting after achieving the threshold referred to in the first paragraph is a Statutory General Meeting, the alternative members shall be elected by all the members in accordance with the normal electoral procedure.

Article XIV.6.

Except in the case of election by the General Meeting itself in accordance with paragraph 5a, the General meeting shall determine the procedures for the vote which may include:

- electronic voting
- postal voting.

The election shall be supervised and organised by the Electoral Bureau appointed by the General Meeting (Article IX.4).

Each elector shall receive the list of candidates from his section (*) (**) or organisation for whom he may vote, indicating the maximum number of votes corresponding to the number of seats to be filled. He shall also receive, for information, the list of candidates from the other sections. The voting procedures adopted by the General Meeting must ensure that:

- secrecy of the ballot is respected;
- a check is made on eligibility to vote;
- it is impossible to vote more than once.

Each elector shall be duly informed by post or by electronic mail of the exact arrangements for the ballot:

- electronic voting: connection codes, electronic address of the platform, dates and hours when the server is open for access;
- postal voting: envelopes, ballot papers, deadlines and means of dispatch.

The Electoral Bureau shall draw up the minutes of the election proceedings and shall publish the results. These shall be notified in writing to all members of the Union.

XV. Decision to Strike

Article XV.1.

The Executive Committee may decide to call a strike only by 2/3 majority of its members.

Article XV.2.

Where a strike is limited to a section of USB, the lodging of the notice of intention to strike may be decided by the Section Committee in accordance with its own procedures, including, where appropriate, the calling of a general meeting of the staff of the institution concerned.

Article XV.3.

The decision to finance the total or partial reimbursement of salary retentions shall be taken by the Executive Committee in accordance with the procedures laid down in Article XV.1.

XVI. Civil Liability

The civil liability of the Union or of its members shall in all cases be limited to the assets belonging to the Union in its own right.

XVII. Disbandment of the Union and Use of its Assets

Article XVII.1.

Disbandment of the Union may only be decided by a majority of at least two thirds of all its members. The decision shall be taken by a General Meeting, with the item "Disbandment" explicitly included on the agenda distributed with the notice of the meeting. If the General Meeting does not assemble a sufficient number of members to take the decision, that decision may be taken by referendum, by the same majority.

Article XVII.2.

In the event of disbandment, the General Meeting, duly convened and acting by a simple majority, shall decide as to the use of the assets belonging to the Union.

Article XVII.3.

The Audit Board shall make a final audit of the financial administration, shall determine the amount of the assets and shall use them as decided by the General Meeting.

XVIII. Entry into Force of these Rules and Transitional Arrangements

Article XVIII.1.

'Time limits': the months of July and August and the period from 24 December to New Year's Day inclusively shall be disregarded for the calculation of time limits. This provision applies to all 'time limits' mentioned in these Rules.

Article XVIII.2

These Rules were adopted by the General Meeting held on 23 January 1973 and last amended on 30 June 2022.

This version of the Rules shall enter into force on the day following that of its adoption, that is to say on the 1st of July 2022. They shall be published within a period of 45 days.

(*) The sections are as follows:

- Commission
- General Secretariat of the Council
- European Economic and Social Committee / Committee of the Regions are considered as a joint entity.
- Eurocontrol
- European External Action Service
- European Schools
- Agencies

The term "Agencies" covers a) agencies such as "regulatory agencies" established by a legislative act of the Council within the framework of the Treaty on the Functioning of the European Union (TFEU), or even within the framework of the Treaty on European Union (TEU), and to which no USF member organisation exists. b) "Joint Undertakings", established under Article 187 of the TFEU or under Chapter 5 of the EURATOM Treaty, and c) executive agencies established under Council Regulation 58/2003.

(**) Retired members vote for candidates of the section in which they were serving prior to their retirement.