

Statutes of the Association MaNEP Switzerland

(followed by the Internal By-Laws)

Articles, which are complemented by provisions in the By-Laws, are marked with an asterisk [*]

I. Denomination, Seat and Goals

Denomination

Article 1

Following the Constitution, approved on January 23rd, 2013, an association is formed according to Article 60 ss of the Swiss Civil Code and by the present clauses amended on June 24th, 2014 as well as on 15th Nov, 2019 and under the name MaNEP Switzerland (Swiss Association for Electronic Quantum Materials and Devices), hereafter called the Association.

Seat

Article 2

The seat of the Association is Geneva (GE).

Goals *

Article 3

- ¹ The purpose of the Association is to promote and reinforce research on functional quantum materials and devices in Switzerland. The Association shall achieve this goal through federating all scientists active in this area in eligible Swiss institutions and industries and by organizing specific initiatives and actions.
- ² The events shall be a platform where scientists, students and postdocs studying in eligible Swiss institutions and industries meet and develop their scientific skills and network.
- ³ The Association shall achieve its goals through a range of initiatives and events, including but not restricted to:
 - a. Organize a biannual workshop to discuss recent advances in the fields of interest to the Association;
 - b. Organize regular Summer and Winter Schools to teach PhD students and postdocs fundamental concepts and recent advances in the fields of interest to the Association;
 - c. Organize short notice meetings on emerging new domains of research in the fields of interest to the Association;
 - d. Organize summer internships for students throughout the member institutions;
 - e. Maintain a website;
 - f. Ensure a proper Swiss representation in relevant national and international bodies;
 - g. Promote public awareness in the fields of interest to the Association.
 - h. Promote woman's carrier in the fields of interest to the Association with Advancement of Woman
- ⁴ In striving for these goals, the Association may conclude employment contracts and sign other legal documents.
- ⁵ The Association will be funded through memberships and external sponsoring to achieve its goals.
- ⁶ The Association is not-for-profit.

II. Members

Members of the Association

Article 4

The Association brings together all active scientists doing research in Switzerland in the area of functional quantum materials and devices. Membership is open to:

- ¹ Full members :
 - a. Individual professors and senior scientists active on permanent positions at a Swiss institution, working on a topic of interest to the Association, and
 - b. Retired professors and senior scientists who are still active in a topic of interest to the Association, and
 - c. Representatives of Swiss industries who do support the Association.
- ² Associate members :
 - a. PhD students, postdocs and scientific collaborators on temporary positions, members of a Swiss institution,
 - b. Swiss professors active at an institution or an industry in a foreign country
 - c. Any former Full Member of the Association who no longer qualifies as a Full Member and wishes to continue to be informed about the activities of the Association and
 - d. Foreign professors, PhD students, postdocs, scientific collaborators active at institutions and industries abroad.

Acceptance

Article 5

- ¹ Eligible individuals of institutions and industries do apply in writing to the Steering Committee to become a Full Member or through the Association web site formular. The Steering Committee approves the admission of Full Members and informs the MaNEP Forum at its next meeting. MaNEP Full Members can make an opposition by writing to the Steering Committee. The opposition letter contains at least three Full members signatures.
- ² Associate Members who are working with a Full Member are announced by their respective group leader to the Steering Committee. The group leader has to be a Full Member of the Association. Others Associate members can announce themselves spontaneously. Associate members in Switzerland that fulfill the conditions stated in art.4.2 a and d are automatically accepted. The Steering Committee approves the admission of Associate Members from abroad.
- ³ Former Full Members of the Association have to apply for Associate Membership at the time of the expiration of their membership as of Article 8, unless she/he has been formally excluded. This Associate membership has to be confirmed by the Forum.

Withdrawal

Article 6

¹ A Member may withdraw from the Association at any time by informing the Steering Committee in writing.

² The Membership fee is due in full for the running calendar year.

Exclusion

Article 7

¹ The Steering Committee may exclude a Member

- in case the Member jeopardizes the reputation or the interests of the Association;
- in case of other just causes.

² The Member may be excluded only if he/she has not complied with his/her obligations within the time limit set by the Steering Committee by written notice to the Member.

³ Within 10 (ten) days after having received the decision, a Member excluded by the Steering Committee may appeal against the exclusion by a letter to the President of the Association. The appeal must be dealt with at the next Steering Committee meeting that has to decide definitively.

⁴ The Membership fee is due in full for the running calendar year by the excluded Member.

Expiration

Article 8

Membership expires automatically :

- in case the Member does not qualify anymore as a Member according to the criteria defined in Article 4;
- in case the Member has not paid the Membership fee after having received the second demand note;
- in the former case the Membership fee is due in full for the running calendar year.

Honorary *

Article 9

¹ Honorary Members are proposed in writing to the Steering Committee, endorsed by at least three Full Members. They must have made important contributions to the field of interest to the Association or make active contributions to promote the field of interest to the Association.

² Honorary members are elected by the Forum.

³ Honorary members are members of the Forum and can vote.

III. Organization

Organs

Article 10

The organs of the Association are :

- A. The Steering Committee;
- B. The Forum;
- C. The Event Committees;
- D. The Control Organ.

III.A The Steering Committee

Competences

Article 11

- ¹ The Steering Committee (hereafter called the SC) is the executive body of the Association.
- ² The Steering Committee:
 - a. takes all decisions for which it is competent according to Swiss law;
 - b. The Steering Committee gives a notice on the admission of Full Members and Associate members who are active abroad;
 - c. ensures that regular scientific events and meetings are organized;
 - d. handles the appeals against exclusions;
 - e. hears presentations on new projects and progress reports;
 - f. hears and discusses the reports from the Forum and from other national and international bodies that have identical or connected activities;
 - g. decides – on recommendation of the Forum – about the admission of Honorary Members;
 - h. decides on the membership fees in consultation with the Forum;
 - i. may call at any time for an extraordinary Forum Meeting.
- ³ In addition, the SC Members may at any time :
 - a. suggest modifications of the Statutes to be decided by the SC (right of initiative). The request must be made in writing and signed by at least two SC Members. The vote takes place during the first SC Meeting following the receipt of the request;
 - b. request that modifications of the Statutes as decided by the SC be submitted to the Forum (right of referendum). The request must be made in writing and signed by at least two Members. The vote takes place during the first Forum Session following the receipt of the request.

Members

Article 12

The SC consists of 7 Members, all elected among the Full Members of the Association according to Article 4; par.1.

- ¹ SC Members are to be chosen in order that each major Swiss activity center in the field of interest to the Association has at least one representative.
- ² An eligible institution or industry may chose not to have a representative in the SC.
- ³ SC Membership is for a duration of four years.
- ⁴ SC Membership can be renewed indefinitely.

President

Article 13

- 1 The president of the SC is elected by the Forum among the 7 Members of the SC.
- 2 The president is elected for a duration of 2 years.
- 3 The president is in charge of calling and presiding the Forum Meetings.
- 4 The president mandate can be renewed indefinitely.

Vice President

Article 14

- 1 The vice president of the SC is elected by the Forum among the Members of the SC.
- 2 The vice president is elected for a duration of 2 years.
- 3 The vice president mandate can be renewed indefinitely.

Treasurer

Article 15

- 1 The treasurer of the Association is elected by the Forum among the Members of the SC.
- 2 The treasurer is elected for a duration of 2 years.
- 3 The treasurer mandate can be renewed indefinitely.

Meeting,
convening *

Article 16

- 1 The SC meets as required but at least twice per year.
- 2 The SC decides on the date, place and time of the meeting.
- 3 The convening of the SC requires an invitation and an agenda.
- 4 The agenda is made available to the SC members at least 20 (twenty) calendar days ahead of the meeting.

Attendance

Article 17

- 1 The SC may decide to invite guests according to the agenda.

Decisions *

Article 18

- 1 Decisions are taken by simple majority of the votes expressed. Abstentions are not counted.
- 2 If a simple majority cannot be reached, the president has the decisive additional vote.
- 3 The SC keeps a written record of its decisions. Complete meeting minutes will only be kept if deemed necessary by the SC.
- 4 A decision on an item not included in the Agenda can only be taken, if a simple majority of the Members present at the SC meeting agrees.

III.B. The Forum

Competences of
the Forum

Article 19

- 1 The Forum is the supreme body of the Association.
- 2 The Forum in particular
 - a. can oppose to the Steering Committee positive notice concerning the acceptance of a Full Member or an Associate member active in a foreign country ;
 - b. proposes the admission of Honorary Members to the SC;
 - c. proposes and discusses actions and initiatives to promote research in the area of interest to the Association;
 - d. hears presentations on new projects and progress reports;
 - e. hears and discusses reports from the Event Committees, from the Forum and from other national and international bodies that have identical or connected activities;
 - f. elects representatives to some of the international bodies;
 - g. approves the Statutes and future amendments thereof, subject to Article 113.

Members

Article 20

- 1 All Full Members and Honorary Members of the Association defined in Article 4; par.1, and Article 9, are member of the Forum.
- 2 The SC may decide on temporary or permanent ex-officio Membership to the Forum, as required (for instance Members having special responsibilities or chairing relevant committees or representing the Association in national and international bodies).

Meeting,
convening *

Article 21

- 1 The Forum meets as required but at least once per year. The SC decides on the date, place and time of the Forum meeting, taking into account to the extent possible the availabilities of the Forum Members.
- 2 The convening of the Forum requires an invitation and an agenda.
- 3 The agenda is made available to the Forum members at least 20

(twenty) calendar days ahead of the meeting.

President

Article 22

¹ The Forum meetings are presided by the president of the SC.

Attendance

Article 23

¹ All Full Members and Honorary Members may attend the Forum meeting.

² The SC may decide to invite external advisers and guests according to the agenda.

Substitution

Article 24

¹ Forum Members who are not able to attend the Forum meeting, may nominate a proxy who acts and votes on their behalf. A Member may act as proxy for at most one Member.

Decisions,
Quorum *

Article 25

¹ All Forum Members have the right to vote.

² The Forum has a quorum when 1/3 (one third) of its Members are present (physically or through their proxy).

³ Decisions are taken by simple majority of the votes expressed, except for the introduction of an item for decision on the Agenda as governed by Article 272 as well as for the dissolution of the Association as governed by Article 36 both requiring a 2/3 (two thirds) majority. Abstentions are not counted.

⁴ A vote or an election can be secret if asked for by a Member of the Forum.

⁵ The Forum keeps a written record of its meetings.

Agenda items

Article 26

¹ The agenda is made available to the Members of the Forum and the Observers by the SC at least 20 (twenty) calendar days ahead of the meeting.

² A decision on an item not on the Agenda can only be taken if 2/3 (two thirds) of the Members present at the Forum meeting so decide.

III.C. The Event Committees

Competences of
the Event
Committee *

Article 27

¹ An Event Committee is a (temporary) body installed in connection with a specific event organized by the Association.

² The Event Committee in particular:

a. is in charge of organizing designated events and initiatives, including but not limited to :

- biannual international scientific workshop in the core topic of the Association;

- regular alternating winter and summer schools for students;

- topical meetings;
- internships;
- b. may form external committees to help organizing events (program committees, prize committees, etc...);
- c. may seek external funding and sponsoring for its event;
- d. submits a financial report to the SC for each event;
- e. remaining funds remain in the general events fund of the Association.

Elections, Term
of office *

Article 28

- 1 The composition of an Event Committee are proposed by the Forum and confirmed by the SC.
- 2 The Forum may propose a participant to an Event Committee who is not a member of the Association.
- 3 Each Event Committee has a president chosen among the members of the Forum and confirmed by the SC.
- 4 There may be more than one Event Committee in effect at any time depending on the number of active events.

Agenda items

Article 29

- 1 The Event Committee may convene at any time as required by the event it is in charge of.

Dissolution

Article 30

Each Event Committee is automatically dissolved once the event it is in charge of is terminated, and a financial report has been received and accepted by the SC.

III.D. The Control Organ

Control organ *

Article 31

- 1 The audit is carried out by either 2 (two) Full Members of the Forum (outside the SC) or a legal person, designated by the SC.
- 2 The audit examines the balance sheet and the annual account, reports to the SC for the attention of the Forum, and proposes the discharge of the Treasurer.

IV. Finances

Financial year

Article 32

The financial year coincides with the calendar year.

Contributions
and Liability *

Article 33

- 1 The Membership fee is limited and proposed by the SC and decided

upon by the Forum.

- 2 There is no personal liability of the Members with respect to the obligations of the Association.

Funds,
accounting *

Article 34

- 1 The Membership fees serve for pursuing the goals of the Association.
- 2 The Association may accept donations, grants and sponsorships.
- 3 Profits generated by events are to be used exclusively for implementing the goals of the Association.
- 4 All revenue and the capital of the Association are to be used exclusively for implementing the goals of the Association.
- 5 The Association establishes a balance and a profit and loss statement, as per 31 December of each year.

V. Modifications of the Statutes and Dissolution

Modification of
the statutes

Article 35

The Statutes can be modified in accordance with Article 113

Dissolution *

Article 36

The Association can be dissolved at any time if decided by the Forum. The corresponding proposal must be put on the agenda of the Forum; it necessitates the usual quorum (as defined in Article 26; par.2) and the approval of at least 2/3 (two thirds) of the voting Members present – including the proxy votes – abstentions are not counted.

Liquidation

Article 37

The SC liquidates the Association. The capital remaining is to be transferred to a Swiss body with the same or similar goals. Such a body is to be determined by the Forum at that time. Reimbursement of capital to Members or donors is excluded.

VI. Final provisions

Adoption

Article 38

These Statutes enter into force at the day of their adoption by the Forum, i.e. on 24 June 2013 and were amended on June 30th, 2014.

Tribunal

Article 39

All legal disputes regarding the present Statutes and the By-Laws shall be submitted to the competent tribunals in the canton of Geneva.

Language

Article 40

The working language of the SC, the Forum and the Event Committees is English.