

## CONSTITUTION AND STATUTES

### Article 1. Title and Place of Registration

1.01 The Association shall be known by the following titles:

**BETH**  
**Bibliothèques Européennes de Théologie**  
**European Theological Libraries**  
**Europäische Bibliotheken für Theologie**

1.02 The seat of registration for the Association is Nijmegen, the Netherlands.

1.03 here after the Association shall be referred to as **BETH**

### Article 2. Duration and Fiscal Year

2.01 The duration of the Association has no stipulated limits.

2.02 The fiscal and budgetary year shall run from September 1 of each year to August 31 of the following year.

### Article 3. Aims

3.01 The aims of BETH shall be:

- a. to promote cooperation among its members;
- b. to serve the interests of its members in the international sphere;
- c. in general, to contribute, in accordance with its possibilities, to the progress of theological libraries, and to include those libraries which are not members of member associations—in particular those libraries which are established in remote areas and those which are found in developing regions.

3.02 In furtherance of these aims, BETH shall undertake:

- a. to communicate information among its members;
- b. to study any special problems;
- c. to aid in the execution of common tasks;
- d. to represent our common interests to those outside of the Association.

### Article 4. Members

BETH has two types of members: ordinary members and extraordinary members.

### Article 5. Membership Requirements

- 5.01** Ordinary Members:  
Associations of libraries or directors of libraries, which have as their primary activity the advancement of theological libraries, or those who have a high degree of involvement in theological collections, such associations may be admitted as ordinary members.
- 5.02** Extraordinary Members:  
Libraries, persons or bodies, which on an international scale, are of benefit to theological libraries may be admitted as extraordinary members.

**Article 6. Membership Procedure**

- 6.01** Application for membership should be addressed to the secretary.
- 6.02** The decision to admit a member shall be made by the General Assembly. To be admitted as an extraordinary member the application must be supported by a two-thirds majority vote of the ordinary members.
- 6.03** Any decision for admission to the membership shall not take effect until the secretary shall receive in writing an agreement from the proposed new member to abide by the current Constitution and Statutes, and to comply with the decisions taken by the General Assembly, accompanied by the payment of the entrance dues.

**Article 7. Conflict of Interest**

The members are obliged to respect each other's respective interests and, in the case of any conflict of interest, they should make an agreement between themselves either privately or through the auspices of BETH.

**Article 8. Termination of Membership**

- 8.01** Membership shall cease when
- a. a member dies or a particular body that held membership ceases to exist.
  - b. a letter of withdrawal of membership is received by the secretary. Such a withdrawal shall not take place until a period of three months has passed following the submission of the withdrawal notice. In general, any withdrawal of membership shall not be deemed in effect until the end of the fiscal year in progress in which the notice of withdrawal was received, or will be deemed effective immediately in such cases where it is unreasonable to insist that membership continue. Furthermore, in the event that a decision which increases the obligations of the members has been put into effect and has been communicated to the membership, any member may have the privilege of submitting a notice of withdrawal and of,

therefore, disregarding the application of such a decision with respect to the member who chooses to withdraw.

- c. a membership is terminated by BETH. Such termination of membership may apply when a member has ceased to satisfy the conditions of admission to membership, or in such a case where a member cannot be reasonably obliged to continue on as a member. A termination of membership shall be decided by the General Assembly.
- d. the General Assembly takes a decision to foreclose against a member for actions which are deemed in opposition to the Constitution and Statutes of BETH, against the decisions of the General Assembly or a member acts unreasonably in a way that is deemed detrimental to the Association.

**8.02** When a membership is terminated, the obligation of submitting the annual subscription is discharged.

## **Article 9. Legislative Bodies**

The legislative bodies of BETH are:

- a. the General Assembly, and
- b. the Executive Committee.

## **Article 10. The Membership of the General Assembly**

**10.01** The General Assembly is composed of:

- a. two persons appointed as representatives from within the membership of each ordinary member;
- b. one person appointed to represent each extraordinary member;
- c. any extraordinary member who is a member in his own right;
- d. any persons, named by those who, in accordance with the preceding paragraphs of this article, have the right to petition the General Assembly, provided there are at least five persons present in the General Assembly.

**10.02** Any person who has been appointed as a delegate to the General Assembly can, at any time, be discharged of the obligation by the appointing body.

**10.03** If any person who has been appointed as a delegate to the General Assembly is unable to attend the meeting, the appointing body may name a substitute.

**10.04** In accordance with the terms laid out in the preceding paragraphs, each person who is in attendance at the meeting of the General Assembly has one vote.

**Article 11. The General Assembly**

- 11.01** The General Assembly shall meet at least once in every calendar year; the Executive Committee shall call for the meeting of the General Assembly. The announcement of the meeting, along with a proposed agenda of the business before the Assembly, shall be made in written form and sent to the members at least two months prior to the opening day of the meeting. This meeting shall take place during the three months immediately following the closure of the fiscal year.
- 11.02** Should ten members make a request in writing for a meeting, the Executive Committee shall call a General Assembly to convene within four weeks. In such a case, the only order of business that will be discussed is that for which the members deemed it necessary to call for a General Assembly.
- 11.03** The General Assembly is charged with the general administration of the Association. The General Assembly shall not become involved in the affairs of its members; it shall respect the autonomy of each of its members.
- 11.04** No decision shall be taken outside of the order of business. A quorum of two-thirds of the delegates who are representatives of the ordinary members is required for any decision of the General Assembly to be deemed valid. All decisions shall be made by a simple majority, except in those cases where the law or the Constitution and Statutes require a greater majority vote. Any invalid votes shall not be counted. The election of officers shall be made by secret ballot if the meeting so requests.
- 11.05** The financial account of the meeting of the General Assembly shall be sent out to the members within three months. This accounting shall be submitted for approval at the next earliest meeting.
- 11.06** A decision of the members, even when the membership is not gathered in one place to meet, has, provided that the decision was called for by the Executive Committee, the same force as a decision taken by the General Assembly.
- 11.07** A record of the decisions taken by the General Assembly shall be maintained.

**Article 12 The Executive Committee**

- 12.01** The General Assembly shall elect from among the delegates a President, and a Vice-President. In addition the Assembly shall elect one secretary, one treasurer, and one or more other persons; these persons, along with the President shall comprise the Executive Committee. Each member of the Executive Committee is elected to

serve a term of five years, and may be re-elected to serve an additional term of office.

- 12.02** The Executive Committee shall handle the daily administration of the Association and shall take all necessary decisions to accomplish that end.
- 12.03** The Executive Committee has the authority to act and to represent BETH before the law. The Executive Committee must have the approval of the General Assembly for any loan, purchase, transfer, mortgage, placement or lease of any stationary assets, for any contract in which the Association engages as guarantor or as an equal partner in debt, or to carry the responsibility for a third party or be the respondent for payment of debt incurred by a third party.
- 12.04** The Executive Committee shall submit an annual report within the three months following the end of the fiscal year, at a meeting of the General Assembly, and shall also give account of the financial records of the fiscal year immediately previous to the meeting by distributing the necessary documents to the membership present.
- 12.05** The General Assembly, when it deems it necessary, may suspend or remove a member from the Executive Committee. Such a decision requires a minimum two-thirds majority vote to take effect.
- 12.06** The members of the Executive Committee have, at all times, the right to resign from their position; such a resignation must be presented in writing three months prior to coming into effect.

### **Article 13. Subscriptions**

- 13.01** All new members shall be required to pay the entrance subscription, which shall be determined by the General Assembly, unless, in a special case, the General Assembly decides otherwise.
- 13.02** Each year the members shall be required to pay the annual subscription which has been determined in accordance with the annual budget; it is understood that annual subscription rate for the extraordinary members shall be approximately two-thirds of the amount decreed for the ordinary members. The annual subscription rate shall be set within two months following the approval of the budget.

### **Article 14. Changes to the Constitution and the Statutes**

- 14.01** Only the General Assembly shall have the power to amend the Constitution and the Statutes. The call for the General Assembly to meet, along with a notice of intent, shall go out to the membership at least two months prior to the date of the meeting.

- 14.02** Likewise, from the first day of the meeting until the afternoon of the business meeting in question, a copy of the text with the proposed changes shall be made available to the delegates present.
- 14.03** A change to the Constitution and Statutes must carry at least a two-thirds majority vote of the General Assembly to come into effect.
- 14.04** The restrictions cited in paragraphs 14.01 and 14.02 shall be superseded if all of the members are present or have been present at the General Assembly and if the decision to amend the Constitution and the Statutes is an unanimous decision.
- 14.05** Any change to the Constitution and the Statutes does not take force until it has been notarised.
- 14.06** The Executive Committee is required to deposit a copy of the amended Constitution and Statutes with the *Kamer van Koophandel en Pabricken* of the region, or the Association in its place.
- 14.07** A stipulation of the Constitution and Statutes, which limits the power to change one or more requirements, may only be changed in adherence to the same limitation.

**Article 15. Dissolution**

- 15.01** The Association shall cease to exist when the number of ordinary members is insufficient to sustain it.
- 15.02** It is also possible to dissolve the Association by a decision of the General Assembly, provided the decision has been carried by a two-thirds majority vote during the course of a meeting at which at least half of the membership has been in attendance.
- 15.03** If the meeting fails to achieve a quorum, a meeting following—without taking into consideration the number of members or representatives present—may decide to dissolve the Association, with the condition that such a meeting takes place at least eight days and not more than thirty days after the preceding meeting and that the decision is carried by a majority two-thirds vote.
- 15.04** At the time of the call to the meeting mentioned in paragraphs 15.02 and 15.03, the members should be notified that they are being called to act on a decision to dissolve the Association. This notice shall be given at least eight days prior to the meeting.

**Article 16. Liquidation**

- 16.01** A decision to dissolve the Association is understood to implicate a liquidation of its assets.

- 16.02** If, at the time of a decision to dissolve the Association, there has been no designation of liquidators, the Executive Committee shall take charge of the liquidation.
- 16.03** Any surplus of assets shall be dedicated to the ends as defined by the General Assembly and to those ends, which most closely agree with the aims of the Association.
- 16.04** After a decision to dissolve, the Association shall continue to exist as long as the disposition of its assets demands. During the liquidation process, all of the requirements of the Constitution and the Statutes shall remain in force as much as is possible. When the Association is in this process, all documents and communications issued by the Association shall bear the notation ‘*in liquidation*’.
- 16.05** In the absence of ordinary members, the extraordinary members shall have charge of the liquidation process. If there are no extraordinary members and, at the same time in circumstances of absolute necessity the dissolution of BETH is indeed being carried out, the tribunal of the first place where BETH is registered shall appoint a liquidator. This latter shall be responsible for selling off the surplus of BETH’s assets, should there be any, for the benefit of theological libraries in accordance, as much as is possible, with the aims put forth by BETH.

Originally registered and notarised in Nijmegen, 1980.

This up-dated and amended version of the Statutes was ratified at the General Assembly at Brixen, Italy, September 2003.

*NOTE: Should there be any discrepancy between this English text of the Constitution and Statutes and the French text, the French text shall take precedence.*