

CONSTITUTION OF THE PAN EUROPEAN ORGANISATION OF PERSONAL INJURY LAWYERS

NAME

ARTICLE 1

The name of the association shall be:

THE PAN EUROPEAN ORGANISATION OF PERSONAL INJURY LAWYERS
(if abbreviated, also called: PEOPIIL).

SEAT

ARTICLE 2

The association has its seat in the municipality of AMSTERDAM.

OBJECT AND DURATION

ARTICLE 3

The association has the following objects:

1. To foster and develop co-operation and networking between legal practitioners practising in the field of personal injury in all jurisdictions within Europe.
2. To promote ease of access to the legal system and legal process for individuals seeking justice or those who are in need of the legal services in the field of personal injury law in any part of Europe.
3. To foster the role of the legal process in the promotion of safety and higher standards of care, particularly in the workplace, in the manufacture and use of products, in transport, in places of public meeting, in the environment and in health and related services.
4. To promote and develop expertise in the practice of personal injury law by education and the exchange of information and knowledge, so as to improve the service for the individual seeking justice, to promote higher standards of safety and to encourage the prevention of accidents.
5. To review and consider the function of damages and personal injury claims generally in society.
6. The promotion of proper and fair compensation for all types of personal injury and access to the legal system by all means including education, the dissemination of information, the advancement of law reform and the administration of justice for the public good,

and further to do all that is related to the above in the broadest sense of the term.

The association has been entered into for an indefinite period of time.

MEMBERSHIP

ARTICLE 4

1. Membership of the association is individual and open to the following categories of persons, regardless of race, gender, religion or belief:
 - a. Legal practitioners whose practice includes practice in the field of personal injury law in any jurisdiction within Europe (hereinafter to be referred to as: "practitioner members").

"Legal practitioner" means any person working in the field of personal injury law and certified as eligible to practice by the professional body governing or controlling the right to practice within that person's jurisdiction.

The Executive Board shall determine the criteria for eligibility for membership after consultation with the appropriate professional bodies within any jurisdiction. The Executive Board may require an applicant for membership to produce for inspection his or her certificate of eligibility to practice.
 - b. Professors and university staff / academic lawyers working for an institute in one of the jurisdictions who are interested in personal injury law and endorse the objects of

- PEOPIL (hereinafter be referred to as "academic members").
- c. Regional and national members who practise legal professions or are academics, who work/are active in the field of personal injury. Regional and national members means practitioners or academics who only joined a PEOPIL Regional or National Group at a discounted subscription fee.
They are not members in the sense of the law and/or these Articles of Association and therefore have no right to vote within the association.
Regional and national members enjoy only limited membership benefits as laid down in the PEOPIL Articles of Association.
 - d. Students interested in the objects of PEOPIL (hereinafter to be referred to as: "student members").
"Student member" means any person in full or part time legal education or training. It includes any such person studying at a university or a similar institute within Europe or undergoing training as an apprentice with or in the office of any person qualified to practise as a lawyer.
Student members are not members in the sense of the law and therefore have no right to vote within the association.
 - e. Legal practitioners, academic lawyers and students as referred to above in any jurisdiction outside Europe. These members shall be no member in the sense of the law and therefore shall have no right to vote within the association.
2. The Executive Board shall have the right to refuse membership to a person who in its opinion does not belong to any of the aforementioned categories or who in its opinion does not support the objects of the association.

REGISTER OF MEMBERS

ARTICLE 5

The Board shall keep a register that includes the names and addresses of all members.

ADMISSION

ARTICLE 6

1. The Executive Board shall decide on the admission of members.
2. In the case of non-admission as a member, the General Board may yet decide to admit the member in question.

END OF MEMBERSHIP

ARTICLE 7

1. The membership may end in the following manner:
 - a. by the death or bankruptcy of the member in question;
 - b. by termination by the member;
 - c. by termination on behalf of the association. This may occur if a member no longer complies with the requirements for membership laid down in these Articles of Association; if he or she does not perform his or her obligations with regard to the association and also if continuation of membership cannot be reasonably demanded from the association;
 - d. By removal. This can only be effected if a member acts in contravention of the Articles of Association, or the regulations or resolutions of the association or unreasonably harms the association.
 - e. By suspension or disqualification as legal practitioner.
2. Termination on behalf of the association shall be done by the Executive Board.
3. Termination of membership by a member shall be done by submitting a written notice to the General Board and shall be effective per the day on which the notice is received. Termination by the association can only occur per the end of the association year and with due observance of a term of notice of at least four weeks.

However, the membership can be terminated with immediate effect if continuation of membership cannot be reasonably demanded from the association or from the member in question.

4. Any termination contrary to the provisions of the first sentence of the preceding paragraph shall result in an ending of the membership per the earliest point of time allowed following the date on which the termination notice was received.
5. A member shall not be authorized to terminate his or her membership with immediate effect if and when a resolution involving an increase of the financial obligations of the members has been adopted.
6. Removal from membership shall be done by the General Board.
7. A member shall be allowed to appeal to the General Meeting against any resolution to terminate his or her membership by the association on the ground that continuation of the membership cannot be reasonably demanded from the association or against any resolution to terminate the person's membership within one month after receipt of the notification of that resolution. For this purpose, he or she will be informed of the resolution in writing and with reference to the reasons as soon as possible. During the term of appeal and pending the appeal the member shall be suspended.
8. If the membership ends during an association year, the member in question shall nevertheless owe the full amount of the annual subscription for the year in question.

ANNUAL SUBSCRIPTIONS

ARTICLE 8

1. The members are obliged to pay an annual subscription fee that will be determined by the General Meeting.
Different subscription fees may be established for the various categories of members.
2. The subscription fee is due in January of each year. New members joining the association during the year have to pay a fraction of the full subscription fee, depending on when they joined. The subscription is due within fourteen (14) days after the receipt of the relevant invoice.
3. In special cases, the Board shall be authorized to grant full or partial dispensation from the obligation to pay a subscription fee.
4. A one-off contribution may be required from new members of the association, which amount shall be established by the General Meeting of members each year. In the absence of such an establishment the amount shall be nil.

ADMINISTRATION

ARTICLE 9

1. The association shall have a General Board and an Executive Board. Members of the Boards can be chosen from practitioner and academic members.
2. The General Board of the association shall - as far as reasonably possible - consist of as many members as there are areas of jurisdiction in which members of the association are residing, supplemented by four Board Members that shall hold the positions of Chair, Vice-Chair, Secretary and Treasurer.
3. The Chair, Vice-Chair, Secretary, Treasurer and a further member - the "Revitalization Officer" (together with the other members of the Executive Board responsible for revitalizing the association) - jointly constitute the Executive Board and are appointed in their position by the other members of the General Board.
No more than two members of the Executive Board shall be allowed to originate from the same area of jurisdiction, while the Chair and Vice-Chair must originate from different areas of jurisdiction.
4. The members of the Executive Board shall be appointed immediately after the appointment of the other members of the General Board at the Annual General Meeting

of Members.

5. The appointment of the members of the General Board, not being members of the Executive Board, shall be done by the Annual General Meeting of members following a binding nomination drawn up by the joint members of each area of jurisdiction, that contains one or more names of members from that area of jurisdiction.
The nomination must be submitted to the General Board in writing in good time before the meeting.
6. If no nomination has been drawn up, then the General Meeting will be free to choose.
7. In the case of termination of membership of the General Board in the course of an association year, the Executive Board members shall appoint a new member of the General Board. If this appointment is not followed by approval of the members in the next General Meeting, this membership will be terminated at the closing of that General Meeting.

END OF BOARD MEMBERSHIP - SUSPENSION

ARTICLE 10

1. Each Board Member of the General Board and the Executive Board, with the exception of the Revitalization Officer, may continue in his or her post for a period of three years, at which time he or she will be required to stand for re-election or stand down. The Revitalization Officer may continue in his or her post for a period of 3 years only and cannot be re-elected to this position once the term of office has expired.
2. Each Board Member may at all times be dismissed or suspended by the General Meeting, also if he or she has been appointed for a definite period of time. A suspension that is not followed by a resolution to dismiss within three months shall end by the expiration of that term.
3. Each Board Member shall resign at the annual General Meeting of members at the moment at which the new Board members have been appointed.
Each resigning Board Member may be re-elected.
4. In addition, the Board Membership shall end in the following manner:
 - a. by the ending of the membership of the association;
 - b. by the resignation as a Board Member.

POSITIONS ON THE BOARD - THE ADOPTION OF RESOLUTIONS

ARTICLE 11

1. The positions of the Board Members, with the exception of those of the Chair, Vice-Chair, Secretary and the Treasurer, shall be established by the General Board. This Board may appoint a deputy for each of them from their midst.
A Board Member may hold more than one position.
2. The General Board shall meet at least twice a year. The Executive Board shall meet as often as the Chair or two other members of the Executive Board deem this desirable.
3. Minutes will be kept by the Secretary of all topics discussed at every Board Meeting, which shall be signed by the Chair and the Secretary.
4. Each Board Member shall cast one vote. Resolutions of both the General Board and of the Executive Board shall be adopted by regular majority of votes. If the votes are equally divided, then the vote of the Chair shall be decisive.
5. Further rules with respect to meetings and the decision-making by the Board and also with respect to the duties of the various Board members may be provided for in Standing Regulations.

DUTIES OF BOARD MEMBERS - REPRESENTATION

ARTICLE 12

1. With due observance of the limitations according to these Articles of Association, the General Board shall be charged with the general administration of the association, while

- the Executive Board shall be charged with the more day-to-day running of affairs.
2. The Executive Board shall be authorized to have carried out under its responsibility certain parts of its duties by commissions that are appointed by this Board.
 3. The association shall be represented in judicial and other matters:
 - a. jointly by all members of the Executive Board and by all members of the General Board;
 - b. or by the Executive Board;
 - c. or by the Chair together with the Vice-Chair or the Secretary, or with the Treasurer;
 - d. or by two other members of the Executive Board.

ANNUAL REPORT - RENDERING ACCOUNT

ARTICLE 13

1. The association year shall run from January the first up to and including December the thirty-first.
2. The General Board is obliged to keep such registration of the capital situation of the association that its rights and obligations can be known by these notes at all times.
3. At a General Meeting to be held within six months after the end of the financial year (unless this period is extended by the General Meeting), the General Board shall issue its annual report and shall render account, under submission of a balance sheet and a list of income and expenses, of the administration conducted in the past financial year. After expiration of the term every member may demand that this account is rendered by the General Board before a court.
4. Every year, the General Meeting shall appoint from its midst a commission of at least two persons, who are not allowed to be Board Members. This commission shall investigate the account rendered by the General Board and shall report its findings to the General Meeting.
5. If the investigation of the account rendered requires special bookkeeping knowledge, then the commission of investigation may have itself assisted by an expert. The General Board shall have the obligation to provide the commission with all information that it requires, to show it upon its request the cash register and the values and to allow it to inspect the books and documents of the association.
6. The mandate of the commission can be revoked at all times by the General Meeting, but only by the appointment of another commission.
7. The General Board shall have the obligation to keep custody of the documents referred to in the paragraphs 2 and 3 for a period of ten years.

GENERAL MEETINGS

ARTICLE 14

1. In the association the General Meeting shall have all powers and authority that have not been assigned to the General Board by law or by the Articles of Association.
2. A meeting - the Annual Meeting - shall be held within six months after the end of the financial year (unless this period is extended by the General Meeting).

At this Annual Meeting the following matters, inter alia, shall be dealt with:

 - a. The annual report and the account as referred to in article 13, together with the report from the commission referred to therein;
 - b. The appointment of the commission referred to in article 13 for the next association year;
 - c. The filling of vacancies, if any;
 - d. Proposals from the General Board or from the members, announced in the letter of convocation for the meeting.
3. Other General Meetings shall be held as often as the General Board deems them desirable.

4. In addition the General Board shall have the obligation to call a General Meeting upon the written request of such a number of members as is authorized to cast one tenth of the votes within a term of no longer than four weeks. If the request is not acted on within fourteen days, the requesting members themselves may then call that meeting themselves by convocation in accordance with article 18 or by using a medium that is accessible to all members.

VENUE, ADMISSION AND RIGHT TO VOTE

ARTICLE 15

1. As much as possible, the venue of the General Meeting shall be chosen from the various areas of jurisdiction from which the members originate on the basis of rotation.
2. All members of the association shall be admitted to the General Meeting. Suspended members shall not be admitted.
3. The General Board shall decide which other persons will be admitted.
4. Each practitioner and academic member of the association that has not been suspended shall have one vote. The student members and the members in jurisdictions outside Europe and Regional and National members shall have an advisory vote.
5. A member may have his or her vote cast by another member entitled to vote who has been authorized in writing to represent that member. A member can only represent one other member.

CHAIRMAN - MINUTES

ARTICLE 16

1. The General Meetings shall be chaired by the Chair of the association or by the Vice-Chair.
In the absence of the Chair and the Vice-Chair, one of the other Board Members, to be appointed by the General Board, shall act as Chair. If no Chair can be appointed in this way either, then the meeting itself will provide a Chair.
2. The Secretary or another person appointed by the Chair for this purpose shall keep minutes of all subjects discussed at each meeting, which shall be signed by the Chair and by the keeper of minutes. The members who call the meeting may have an official report of the proceedings drawn up.

The contents of the minutes or of the official report are notified to the members.

ADOPTION OF RESOLUTIONS OF THE GENERAL MEETING

ARTICLE 17

1. The judgement of the Chair pronounced at the General Meeting that a resolution has been adopted by the General Meeting is decisive.
The same applies to the contents of a resolution adopted in as far as a proposal not laid down in writing was voted on.
2. However, if immediately after the pronouncement of the judgement referred to in the first paragraph the correctness of it is disputed, then a new vote shall take place, if the majority of the meeting or, if the original vote was not done by poll or by ballot, a member who is present and entitled to vote, desires this. This new vote will nullify the legal consequences of the original vote.
3. In as far as not provided for otherwise by law or by the Articles of Association, all resolutions of the General Meeting shall be adopted with absolute majority of the votes cast.
4. Blank votes shall be deemed not to have been cast.
5. If in the case of an election of persons no one has obtained the absolute majority, new votes shall take place until either one person has obtained the absolute majority or there has been a vote between two persons and the votes are equally divided.
In the new votes referred to above, the vote shall always be between the persons who

collected votes in the preceding vote, with the exception of the person who collected the fewest votes upon the occasion of that preceding vote. If in that preceding vote more than one person collected the fewest number of votes, then a lot will be drawn to decide which of those persons will be excluded from the new vote.

If the votes are equally divided at a vote between two persons, the vote of the Chair of the meeting shall be decisive.

6. If the votes on a proposal that does not concern the election of persons are divided, the vote of the Chair of the meeting shall be decisive.
7. All votes shall be oral votes, unless the Chair deems a vote by ballot desirable or if one of the members entitled to vote desires this before the vote. Votes by ballots shall be done by means of unsigned, closed ballots. A resolution can be adopted by acclamation, unless a member entitled to vote desires a vote by poll.
8. A unanimous resolution of all members, on the condition that it was adopted in writing, shall have the same validity and power as a resolution adopted by a General Meeting, on the condition that it was adopted with prior knowledge by the General Board.
9. As long as all members are present or represented at a General Meeting, valid resolutions can be adopted, on the condition that it is done by general vote, with respect to all subjects that are discussed - therefore also with respect to a proposal to amend the Articles of Association or to dissolve the association - even if no convocation took place or the convocation was not done in the prescribed manner or if any other requirement with respect to the calling or holding of meetings or formalities related to this has not been complied with.

CONVOCAATION OF A GENERAL MEETING

ARTICLE 18

1. General meetings are called by the General Board.
The convocation in writing is sent to the addresses of the members according to the register of members as referred to in article 5, but may also take place by means of the association magazine or by electronic communication (e.g. email). The term for convocation is one month.
2. In the letter of convocation, the topics to be discussed shall be mentioned, without prejudice to the provisions of article 17 paragraph 9.

AMENDMENT OF THE ARTICLES OF ASSOCIATION

ARTICLE 19

1. The Articles of Association can only be amended through a resolution of a General Meeting, which has been called with the announcement that a proposal for an amendment of the Articles of Association will be discussed, except in cases as provided for in article 17 paragraph 9.
2. The persons calling the General Meeting for the discussion of a proposal for the amendment of the Articles of Association must place a copy of that proposal in which the proposed amendment is quoted word by word at an appropriate place for inspection by the members at least five days before the meeting until after the end of the day on which the meeting is held.

In addition, a copy as referred to above shall be sent to all members or shall be printed in the association magazine in which a convocation is published.

3. a. A resolution to amend the Articles of Association shall require at least two thirds of the votes cast at a General Meeting amongst members present.
- b. If the Executive Board consider it appropriate, an electronic ballot may be held in respect of the whole membership.

A resolution shall be carried where at least two thirds of the votes cast are cast in favour of the resolution. Notice of the intention to hold an electronic postal ballot of

the membership and when the ballot is to take place shall be sent by email to the membership at least fourteen (14) days in advance of the electronic ballot.

4. An amendment of the Articles of Association shall only be effective after a deed of this has been drawn up by a civil-law notary. Every Board Member is authorized to have this deed executed.

DISSOLUTION

ARTICLE 20

1. The association may be dissolved by a resolution of the General Meeting. The provisions of paragraphs 1, 2 and 3 of the preceding article apply by analogy.
2. The General Meeting of Members shall decide on the destination of the positive balance remaining after the liquidation simultaneously with the resolution to dissolve, it being understood that the destination may only concern a non-commercial purpose.

STANDING REGULATIONS

ARTICLE 21

1. The General Meeting may establish Standing Regulations.
2. The Standing Regulations are not allowed to be in contravention of the law, also where containing no mandatory law, nor of the Articles of Association.”

FINAL ACT