

STATUTE OF THE ASSOCIATION

Chapter I

General provisions

§ 1.

The Hospice Friends' Association, hereinafter referred to as the Association is a voluntary, self-governed, and persistent society aiming at inspiring and advertising initiatives, ideas, and actions promoting development of the hospice movement, helping people suffering from cancer, and supporting individuals and organizations undertaking such actions.

§ 2.

The town of Chojnice is the registered office of the Association.

§ 3.

The Association acts in virtue of the Association Act of 7 April 1989, law of 24 April 2003 on public benefit activities and volunteering, and this Statute, and therefore is recognized as a legal person.

§ 4.

The Association is entitled to conduct business if so decided by the General Meeting of the Association. The profits of such business are assigned to implement the objectives of the Association.

§ 5.

The Association may become a member of domestic and international organizations with similar objectives.

§ 6.

The Association conducts its business on the principle of voluntary work of its members, however, it may also hire remunerated staff in order to achieve its objectives.

§ 7.

The Association acts on the territory of the Republic of Poland.

§ 8.

The duration of the Association is perpetual.

§ 9.

1. The activities of the Association focus on achievement of the following objectives:

- 1) organizing and taking professional palliative care of patients,
- 2) helping and training family members and / or carers in skills needed for proper health care in home conditions,
- 3) accompanying patients in their terminal phase of life,
- 4) moral encouragement given to the family members during the time of disease and after the patient's death.

2. The Association achieves its objectives by means of:

- 1) a stationary hospice (SH) and a home hospice (HH),
- 2) money collections among the public,
- 3) the members' co-operation and mutual assistance,
- 4) co-operation with individuals and organizations in order to acquire information and exchange experience relevant to palliative care,
- 5) advice and support offered to organizational and economic activities of the Association as well as training its members and other subjects interested in the palliative care activities,
- 6) cultural, recreational and social events integrating the members,
- 7) protection and promotion of health care,
- 8) promotion and organization of volunteering,
- 9) continual improvement of the members' professional skills,
- 10) efforts to obtain means allowing improvement of life comfort of HH patients,
- 11) improvement of living conditions,
- 12) increase in the association members,
- 13) public relations.

3. The Association abides by the following rules in its activities:

- 1) the Association initiates care of a patient at his/her family members' request or at least with their consent,
- 2) a patient and his/her family members are informed of the care method in the advanced phase of the disease in HH conditions before commencement of the palliative care,
- 3) a patient's philosophy and values are respected,
- 4) a patient's will and preferences relevant to palliative care are respected,
- 5) a patient and his/her family are fully informed of their situation and morally supported, and the Association alleviates them as far as possible in activities which could exceed their abilities,
- 6) a patient's denial regarding application of distressful medical procedures extending only the process of dying is respected, however, the patient is protected against euthanasia and it is explicitly rejected.

Chapter II

The Association members' rights and responsibilities

§10.

Any adult citizen of the Republic of Poland, a non-resident included, as well as a foreign citizen, may become an ordinary member of the Association. In order to become a member one has to present: recommendation by at least 2 members of the Association and a membership declaration.

Legal persons may become supporting members of the Association.

§ 11.

Membership of the Association is granted by the Board of the Association which takes a relevant resolution by ordinary majority of votes.

§ 12.

1. Members of the Association are under an obligation to:
 - 1) enhance the role and importance of the Association by their standing and activities,
 - 2) care for the best possible reputation of the Association,
 - 3) strive for public opinion improvement and concern for the community of the people suffering from cancer,

- 4) support and achieve the objectives of the Association,
- 5) respect the commonly binding law regulations and comply with this Statute,
- 6) pay membership fees on a regular basis.

2. An ordinary member of the Association is entitled to participate in daily life and activities of the Association, and in particular:

- 1) he/she has full elective rights,
- 2) he/she has the right of proposal in all matters relevant to the objectives and functioning of the Association,
- 3) he/she may benefit from recommendations, guarantees, and support provided by the Association in his/her statutory activities.

§ 13.

1. Legal persons may become supporting members by submission of their declaration of intent to the Board which takes a resolution in this matter.
2. The same procedure applies in case of termination of supporting membership.
3. The supporting members agree upon the form and type of support with the Board.
4. The supporting members have the same rights as those granted to ordinary members defined in § 12 item 2 clauses 2 – 3.

§ 14.

Membership shall be terminated through:

- 1) written renouncement submitted to the Board,
- 2) exclusion by the Board:
 - a/ for activities against the rules of this Statute and resolutions of the Association,
 - b/ for unjustified lack of participation in the activities,
 - c/ for delayed payments of membership fees exceeding three payment terms,
 - d/ upon an explained proposal by at least 10 members for reasons mentioned in clause a and b above,
 - e/ due to loss of public rights resulting from a court decision in force,
- 3) death of the member.

§ 15.

In case of membership termination a member is entitled to appeal against the decision of the Board to the General Meeting of the Association at least 21 days before the date of the General Meeting. The decision taken by the General Meeting is decisive.

Chapter III

Bodies of the Association

§ 16.

The Association bodies are:

1. the General Meeting of Members,
2. the Board,
3. the Supervisory Board,
4. the Arbitration Panel of Fellow-Members.

§ 17.

All elected Bodies' office takes 4 years.

§ 18.

Resolutions of all bodies of the Association are taken by ordinary majority of votes in presence of at least fifty per cent of members entitled to vote, however, if there are no further clauses in this Statute stating otherwise. The body taking a given resolution decides in each case if the voting is open or secret.

§ 19.

1. The General Meeting is the most important body in the Association.
2. The General Meeting is convened by the Board at least every 12 months upon a written request of at least twenty five per cent of the Supervisory Board members, or a request in writing by 1 / 3 of all ordinary members of the Association, notifying all the members of the date, place, and suggested agenda by registered letter or by any other reliable means of communication at least 14 days before the date of the meeting.

3. An Extraordinary General Meeting may be convened at any time. The notification is to be sent at least 3 days before the planned date of the meeting.

4. Resolutions of the General Meeting are taken by ordinary majority of votes in presence of at least fifty per cent of members entitled to vote, and in case of even votes, the Chairman's vote or his/her proxy's one is decisive.

5. Supporting members and invited guests may participate in the General Meeting.

6. The General Meeting has the following rights and responsibilities:

- 1) approval of the Association projects,
- 2) determination of the number of members of the Board in accordance with § 20 clause 1,
- 3) looking into and approval of the reports prepared by the Board and the Supervisory Board,
- 4) approval of the rules governing the General Meeting,
- 5) approval of the Board at the end of its office,
- 6) appointment and recall of the Board and the Supervisory Board,
- 7) amendments to the Statute,
- 8) resolutions concerning the membership fee rates and frequency,
- 9) a resolution concerning dissolution of the Association,
- 10) looking into appeals submitted by the members against resolutions taken by the Board,
- 11) appointment and recall of the Arbitration Panel members and looking into appeals against their decisions,
- 12) looking into claims submitted by the members against activities of the Board.

7. Amendments to the Statute, recall of the members of the Board, the Supervisory Board, the Arbitration Panel, and dissolution of the Association require an absolute majority in presence of at least fifty per cent of members of the Association on the first appointed date, however, on the next date, the requirement concerning majority does not apply.

8. Each member has one vote.

§ 20.

1. The Board consists of 5 to 11 members appointed by the General Meeting, the number depending on the resolution taken by the General Meeting.

2. The Board consists of the Chairman, two Vice-Chairmen, a Treasurer, a Secretary, and up to 6 other members of the Board.

3. The Chairman, two Vice-Chairmen, a Treasurer, a Secretary and up to 6 members of the Board are appointed during the first Meeting.

4. The Board has the following rights and responsibilities:

- 1) approval of new members of the Association,
- 2) representation and acting on behalf of the Association,
- 3) management of daily business of the Association,
- 4) convening the general Meeting,
- 5) preparing and executing the budget.

5. Meetings of the Board take place every three months and relevant minutes of the meetings are prepared.

§ 21.

1. The Supervisory Board consists of 3 members appointed by the General Meeting.

2. The Supervisory Board has the following rights and responsibilities:

- 1) supervision of daily activities of the Association,
- 2) proposals of approval of the Board during the General Meeting,
- 3) proposals of convening the General Meeting,
- 4) proposals of an audit at the General Meeting,
- 5) reports of its own activities at the General Meeting,
- 6) financial audit of the Association at least once a year.

3. A member of the Supervisory Board cannot become at the same time a member of the Board.

4. A member of the Supervisory Board cannot be next of kin, married to, leading conjugal life with, related or subordinated at his/her job to any member of the Board.

5. A member of the Supervisory Board cannot receive remuneration for performing his/her statutory duties.

6. Any person sentenced with a court judgement in force for a deliberate offense cannot be appointed member of the Supervisory Board.

§ 22.

1. The Arbitration Panel of Fellow-Members consists of 3 members of the Association who are not members of the Board or the Supervisory Board.

2. Responsibilities of the Arbitration Panel include looking into each suggestion or complaint submitted in writing by a member of the Association regarding matters of the Association and its members

excepting suggestions and complaints against the Bodies of the Association.

3. The Arbitration Panel holds its meetings upon a request submitted by a member of the Association and provides its opinions within a period of time not longer than 1 month.
4. The Arbitration Panel closes the case by notifying all members of its decision.
5. The parties of the litigation may appeal against the decision to the earliest General Meeting.
6. The Arbitration Panel takes its decisions only if all 3 members are present.

§ 23.

1. In case the number of members of the Bodies of the Association mentioned in § 16 items 2, 3 and 4 diminish during the statutory office, the number may be completed by co-option.
2. The remaining members of the Body appoint other members, however, such an appointment cannot exceed fifty per cent of members.

Chapter IV

Assets of the Association

§ 24.

1. The assets of the Association include funds, real property, and movable property.
2. The assets of the Association arise from membership fees, donations by supporting members, gifts, donations, contributions, inheritance, income from movable property, and money collections among the public.
3. The Board makes decisions regarding purchase, sale, and mortgaging the Association assets.
4. Two members of the Board jointly, including the Chairman or a Vice-Chairman, represent the Association and have the power of financial commitments of the Association.
5. It is prohibited to:
 - 1) grant loans or guarantees covered with the Association assets to the members of the Association, members of its Bodies, the staff, and individuals to whom the staff are married, related as relatives or by adoption, fostering, or custody, hereinafter called "close people".
 - 2) transfer the assets to the members of the Association, members of the Bodies, the staff and their "close people" on terms and conditions different from those applicable to the third party, and in particular if such a transfer is effected free of charge or under preferential conditions,
 - 3) use the assets to the benefit of the members of the Association, members of the Bodies, the staff and their "close people" on terms and conditions different from those applicable to the third party unless a

use results from the statutory objectives of the Association,

4) acquire goods and services from entities in which participate: members of the Association, members of the Bodies, the staff or their "close people" on special conditions different than from third parties or on prices higher than the market prices.

Chapter V

Amendments to the Statute and dissolution of the Association

§ 25.

1. The General Meeting takes resolutions relating to amendments to the Statute and dissolution of the Association.
2. The General Meeting determines the manner in which the Association is liquidated and what the assets shall be allocated to.
3. The Association Act applies in all matters not provided for in this Statute.