

Articles of association

Articles of association of LEDHA - Lega per i diritti delle persone con disabilità (*League for the rights of disabled persons*)

Article 1 - Establishment

1. LEDHA - Lega per i diritti delle persone con disabilità (*League for the rights of disabled persons*), also named briefly "LEDHA", is established with its legal headquarters in Milan.
2. LEDHA is an association for social advancement, according to the provisions of law n. 383/2000. It is a democratic, unaligned and non-confessional non-profit organization.
3. LEDHA has unlimited duration.

Article 2 - Objects

1. LEDHA is a federative coordination agency open to associations which act on behalf of the rights of persons with disabilities ; the objects of LEDHA are to promote and protect the rights of persons with disabilities and to act in order to overcome every obstacle to full social inclusion and full human development of persons with disabilities, to implement article 3 of the Constitution and of the UN Convention on the rights of persons with disabilities.
2. Associations which join LEDHA commit themselves to cooperating in achieving the following aims:
 - a. Respect, protection and promotion of the rights of persons with disabilities, particularly concerning rights to health, to education, to work, to social security, to mobility and autonomy;
 - b. Creation of a social and cultural system which provides that every form of discrimination and marginalization of the persons with disabilities is overcome;
 - c. Promotion, coordination and achievement of agreements on common objectives, paying particular attention to the relations with the public authority in relation to local policy issues regarding scientific research, prevention, treatment and rehabilitation, introduction and inclusion in the social, economical and cultural life of persons with disabilities. Particular attention is paid to persons with serious disabilities, for whom concrete and anyhow not marginalizing life-long solutions have to be found.
 - d. Promotion and implementation of a continuous relation with local and central public administration and policy institutions, and with other sociopolitical, cultural and economic bodies to obtain non sector-based laws by overcoming the inadequacy of the regulations in force and ensuring the actual users' participation at an advisory level;
 - e. Urging the State and Region Authority, the Local Government and private subjects to implement interventions aimed at the creation of a capillary network of services necessary to reach the previously indicated goals. Such interventions should grant a concrete local health policy by actively involving the users in service management and control;
 - f. Awareness of public opinion, by using media (press, radio, TV) in a rational and convergent way.

Article 3 - Activities

1. To achieve the aims previously enumerated for the promotion and protection of the rights of persons with disabilities, LEDHA undertakes the following activities:
 - a. coordination and representation of the associations in every institutional and social field, if needed;
 - b. provision of information, protection and legal counseling, not job-oriented training, orientation

- and attendance, addressed to persons with disabilities and their relatives, associations and every institution or organization concerned;
- c. leisure-time activities and cultural growth focusing on the themes of the rights of persons with disabilities;
2. Any other activity pertaining to its aims.

Article 4 – Bodies

The bodies of LEDHA are:

- a) Assembly of the affiliated associations
- b) Board of directors
- c) Board of auditors
- d) President
- e) Vice President
- f) Treasurer

Article 5 – Affiliated associations

1. LEDHA members are associations with headquarters in many provinces or working at a regional level in Lombardy and local federations. Such associations of persons with disabilities and their relatives become members if they apply in full autonomy and their application is accepted. They must not be members of other LEDHA affiliated coordination agencies.

No affiliated association is subject to discipline or management limitations. Local federations that want to become LEDHA local representatives can apply to the Assembly to use LEDHA denomination and logo, committing to respecting the statute principles and the decisions taken by the bodies of LEDHA.

2. The application form – containing, amongst other things, the declaration of acceptance and of commitment to respect the LEDHA statute, and a copy of the statute of the applying association – must be submitted to the Assembly. Anyway it is necessary that the associations intending to affiliate to LEDHA publicly prove a real qualified and attested commitment to defending the rights of persons with disabilities with their presence and activity.

3. An affiliated association ceases to be a member of the confederation in case of:

- a) voluntary withdrawal;
- b) lack of payment of the membership fee for more than three years;
- c) closing of the association;
- d) decision of exclusion by the Assembly for verified reasons of incompatibility or for having contravened rules and obligations of this statute.

Article 6 – Rights and obligations of affiliated associations

1. The affiliated associations, through their delegates, have the right to participate in general meetings, to vote and to perform tasks previously agreed upon.

2. The affiliated associations have the right to withdraw from the confederation membership without charges, after sending a written communication by registered mail to LEDHA Board of directors six months in advance.

3. The affiliated associations have the obligation to respect the rules of this statute, to pay the membership dues and any contribution in the amount established by the Assembly, and to perform the tasks previously agreed upon.

Article 7 - Assembly

1. Each Affiliate has the right to participate in the Assembly represented by a legal representative or delegate.
2. The Assembly is chaired by the President.
3. The Assembly holds its ordinary meetings once every six months; moreover, an extraordinary meeting can be held when arranged by the Board of directors or on motivated request of at least one tenth of the members.
4. The convocation of the Assembly should be done through a written communication to the Members a fortnight in advance specifying the items of the agenda, the place, the date and the hour of both the first and the second convocation.
5. The Assembly is validly established in first convocation in the presence of one half plus one of the Members. In second convocation, which can also be held the same day of the first one, the Assembly is valid whatever the number of attending Members.
6. The meetings of the Assembly are open to the persons invited by the Members, after being authorized by the President.
7. An affiliated association can delegate another affiliated association to represent it in an Assembly. One association can represent no more than one other Association.
8. The resolutions of the Assembly are taken either by a show of hands or by a nominal roll-call or by secret ballot, by a majority of vote of attending members.
9. The Assembly elects the members of the Board of directors; the election of the Board's members takes place by secret ballot. Each association can present up to a maximum of two candidates during the election of the Board of directors. The same candidate can be proposed by several associations. The candidates achieving at least the majority of the votes of attending voting members are elected.
10. The minutes of the meetings of the Assembly should be entered in the minutes book, that should be signed by the President and the secretary.

Article 8 – Assembly's duties

1. Assembly's responsibilities include:
 - a) electing the members of the Board of directors;
 - b) electing the members of the Board of auditors;
 - c) determining the action lines of the Board of directors;
 - d) establishing the annual membership fee to be charged to the affiliated associations, and any other contribution;
 - e) approving the budget plan and the final balance;
 - f) deliberating the extension of the power of the Board of director in office;
 - g) assessing (paying particular attention to the compatibility of the respective statutes) and approving or rejecting the applications for membership of the LEDHA;
 - h) deliberating the expulsion of affiliated associations, in the cases provided for in art. 5, comma 3, par. D;
 - i) modifying the statute;
 - j) deliberating the potential dissolution of the confederation.

Article 9 – Board of directors

1. The Board of directors consists of either five, seven or nine members elected by the Assembly. The number of the Board's members will be deliberated from time to time by the Assembly, after the acknowledgement of candidate submissions and before the poll.
2. The Board of directors elects the President, the Vice President and the Treasurer from among its members.
3. The Board of directors remains in office three years; the powers of the Board Members in office can be extended by the Assembly for a given period.
4. The Board of directors meets every time the President feels it is necessary or when it is explicitly requested by at least two of its members. The Board is chaired by the President; in his absence, by the Vice President; in their absence, by the oldest of the attending members.
5. The Board of directors is considered valid if the majority of its members is actually present. For a resolution to be taken, the majority of the vote of the elected members is required. With an equal number of votes, the vote of the Board meeting chairman prevails.
6. Board of directors meeting minutes should be entered in the minutes book and signed by the President and the secretary appointed from among the attending members.

Article 10 – Board of director's duties

1. The Board of directors implements Assembly's resolutions; promotes and coordinates the activities of LEDHA; exercises the powers of ordinary and extraordinary administration.
2. The Board of directors, if it thinks it appropriate, can cooperate with study committees of experts, also external to the confederation.
3. The Board of directors summons the Assembly.
4. The Board of directors submits the annual balance sheet to the Assembly for approval.
5. The Board of directors ratifies the measures under its applicable legislation taken by the President for reasons of necessity and urgency in the first following session.

Article 11 – Board of auditors

1. The financial management of the organization is carried out by a board of auditors comprised of three members elected every three years by the Assembly of representatives. They can be totally or partially chosen from among persons external to the confederation, in regard of their competence.
2. Auditors should check the regular keeping of social accounting and draw up a report of the annual balance sheets.
3. Auditors may verify the cash in hand and the existence of common property titles and values, and can proceed with acts of inspection and control at any time even on an individual basis.

Article 12 - President, Vice President and Treasurer

1. The President is the Association's legal representative.
2. The President chairs the Assembly, as well as the Board of directors.
3. In case of necessity and urgency, he takes the measures under the jurisdiction of the Board of directors, submitting them for ratification in the first following session.
4. In case of absence, impediment or cessation the relative functions are carried out by the Vice President.
5. Every financial operation is executed by the Treasurer.

Article 13 - Offices

1. No payment or remuneration of any kind will be issued for the offices.
2. The offices last respectively the time established by the present statute; they can be reappointed.
3. The substitutions made during the mandate expire at the end of the mandate itself.

Article 14 – Economic resources

1. The funding of LEDHA to achieve the statutory aims is based on:
 - a) membership dues and contributions by affiliated associations;
 - b) private contributions, donations and legacies;
 - c) contributions by state and governmental authorities;
 - d) contributions by international bodies;
 - e) reimbursements from conventions;
 - f) incomes from services which make part of the medical insurance plan;
 - g) proceeds of the assignment of goods and services to members and third party, also by carrying out economic and business activities in an auxiliary and subsidiary way, and aiming at the achievement of the institutional objectives;
 - h) incomes from fundraising and promotional events such as parties and free subscription prize draws;
 - i) rental of movables and immovables given to the organization in any capacity.
2. The purchase of real estate and the acceptance of donations and legacies must adhere to the procedures and authorizations provided for by current laws in force. It should also be properly promulgated, in respect of the wishes of the donor.
3. The funds should be deposited in the bank established by the Board of directors.

Article 15 – Balance sheet

The financial year starts on 1st January and ends on 31st December every year. By thirty days from the end of each financial year the Board of directors draws up, according to the report of the auditors, the balance of assets, the final balance as well as the budget plan of the following financial year. They are subject to the approval of the Assembly, which decides by a majority of vote with open vote. The members are forbidden to share, even indirectly, the proceeds of the activities, and have the duty to invest the potential budget surplus in support of statutory activities.

Article 16 - Modification of the Articles of Association

Each modification of these articles of association should be approved in an extraordinary Assembly, in the presence of three quarters of the Members and the favorable vote of the majority of the attending Members.

Article 17 - Dissolution

1. The dissolution of LEDHA can be determined by:
 - a) infringement of the statutory aims;
 - b) resolution of the extraordinary Assembly assumed by the favorable vote of at least three quarters of the Members.
2. In case of dissolution or closing, for whatever reason, of LEDHA, the goods left after winding-up are donated to other associations pursuing the same or analogous aims, according to the conditions established by the Assembly.

Article 18 – Reference regulations

In connection with anything not provided for in this agreement, it is necessary to refer to the civil code and the relevant current national laws.