



The undersigned, meeting in General Assembly on 3 November 2019, declare that they constitute among themselves and with all those who, by virtue of these Statutes, will subsequently accede to it, the de facto association

"AUDENTES Benelux", hereinafter referred to as "the association"

Seat and object :

Article 1: The seat of the association is fixed at the residence of the Secretary.

Article 2: The purpose of the association is

- to promote and foster the spirit of the Mackinnon clan, to encourage its members to establish, facilitate and maintain contacts with each other and with other persons of Scottish or other origin who share their attraction to Scotland,
- to encourage and promote the Scottish history, tradition and cultural activities, especially those of the Mackinnon clan.

Members :

Article 3: (2)

Is a member

- any major person who, whether or not a member of the Mackinnon clan, declares that he or she supports the actions and objectives of the association, whether or not he or she resides in the territory of the Benelux Member States, and pays the contribution defined in article 10 § 2, 1)

Only members having paid their membership fee have the right to vote and can be elected to the Board.

Admission of new members:

Article 4: Any effective member or an ex officio member may nominate a new member sponsored by him.

The Board receives candidate-members as soon as possible after receipt of the candidature, in order to assess their motivation and willingness to adhere to the values of the association.

Pending its actual adoption, the candidate will be asked to pay the fee provided for in article 10 § 2, 1) and to participate in all activities of the association.

The Board, taking into account the candidate's personality, his real attachment to the values of the association and his assiduousness, will propose its final adoption or the rejection of the candidacy to the next General Assembly, but not earlier than 6 months after the submission of the application.

The decision to admit the new member or the rejection of his candidacy taken by the General Assembly – which is not required by the opinion of the Board - is taken as a last resort and must not

be justified. The successful candidate will be adopted by the Commissioner within the Clan Mackinnon Society and invited to pay her membership fee.

Rights and obligations of members:

Article 5: By joining the Association, the member, on behalf of himself and his successors, renounces to assert any right whatsoever over the assets of the Association.

Article 6: The member of the association is obliged, at all times, but especially when he represents the clan or when he is wearing the colors of it, to always behave as a gentleman, which will result in his attitude in particular, her oral expression and dress appropriate to the circumstances.

Members owe each other mutual respect and support.

Article 7: Membership Lost

- By the death,

- By resignation notified in writing (post or e-mail) to the Commissioner,

- By compulsorily resignation; he who fails to pay the amount of the contribution within 3 months of the due date shall be deemed to have resigned. Anyone who, having paid the contribution to the Mackinnon Society, but fails to pay the contribution referred to in Article 10, § 2, 1) remains a member, but loses his right to vote at the General Assembly and, where appropriate, his mandate as Director.

- By exclusion. The exclusion may be pronounced by the General Assembly on a proposal from the Board or the Commissioner for serious breach of the clan's spirit or reputation.

Article 8: Without prejudice to freedom of expression and the exchange of ideas, recognized and encouraged within the Association, any discussion concerning political or religious opinions, sexual orientation or linguistic affiliation and, in general, any controversial matter is proscribed.

The organs of the association:

The General Assembly:

Article 9: The General Assembly is the supreme organ of the association; it is chaired by the Commissioner

It shall be composed of all members and shall be competent in all matters relating to its operation, in particular:

For the election of the members of the Board, except for the Commissioner, whose function is not elected,

for the approval of accounts and budgets,

for the admission of new members,

for the exclusion of a member,

for fixing the maximum amount of the contribution, which may not exceed the amount required by the Clan Mackinnon Society or its equivalent in euros,

for the approval of the organization of events by the care and at the expense of the association

for the conclusion of commercial contracts valued at more than EUR 1,000,

for any collaboration agreement in the field of its subject matter and generally,
to decide on the allocation of placements to more than one year,
for any matter not specifically assigned to the competence of the Board.

It meets at least twice a year, during the months of April and October, convened by the Commissioner including an agenda and sent in writing (by post or electronically). (1)

Decisions are taken by a simple majority of the effective members present or represented, that of the Commissioner or his representative being preponderant.

A full member can give proxy to another full member; each full member can only carry a maximum of two proxies.

The Board :

Article 10:

§ 1: The Bureau is composed, in addition to the Commissioner, who chairs it, of a minimum of two and a maximum of four Directors, including a Secretary and a Treasurer, elected during the month of October (1) for a period of two years, renewable; It meets at least twice a year.

Directors must be full members; two members of the same household or the same family cannot sit together on the Board.

In the event of the resignation of a director and provided that the number of seats falls below the minimum set in the previous paragraph, the General Assembly will be invited to elect a new director who will end the term of his predecessor. (1)

§ 2: The Board is competent

1) for fixing the amount of the annual contribution, within the limits fixed by the General Assembly in accordance with Article 9.

2) for all matters relating to the day-to-day management of the association, in particular for expenses of 250 to 1,000 euros and for investments of up to one year.

§ 3: The decisions of the Board shall be taken by a simple majority of the votes cast or represented; in the case of a division of votes, that of the Commissioner will prevail.

The Directors and the Commissioner may grant a power of attorney to another Administrator; each Administrator may only carry one power of attorney.

The Commissioner :

Article 11: The Commissioner is appointed by the Board of Directors of the Clan Mackinnon Society.

Its function is not elective. The Commissioner shall have the right of veto over any decision which would conflict with the interests, image or traditions of the clan or Clan Mackinnon Society or the Scottish traditions in general.

He has the right to sign the ordinary correspondence of the association.

It is competent to engage the association up to a maximum of 250 euros.

The Treasurer shall:

Article 12: The Treasurer manages the assets of the association entrusted to him alone and under his own responsibility. It shall execute the payments accepted by the competent bodies and shall continue to recover the claims. It has the power to sign bank payment orders alone and to require the opening of bank accounts. It shall be accountable to the General Assembly for its management.

A Director shall act as an auditor with the power to consult bank accounts. The accounting year shall begin on 1 April and end on 31 March of the following year

The Secretary :

Article 13: The Secretary is responsible for the preservation of the archives of the association and in particular the register of decisions of the General Assembly and the Board and the list of members. He shall sign jointly with the Commissioner contracts in return for payment

Final provisions:

Article 14: Any matter not covered by these statutes shall be governed by the statutes (By-laws) of the Clan Mackinnon Society and any provision which would be contrary to the same text shall be deemed to be unwritten.

Article 15: These Statutes are written in French and Dutch, each version being considered original.

(1) As amended at the General Meeting on April 3, 2021

(2) As amended at the General Meeting on December 10th, 2022