

Statutes of the Clean Air Action Group (Hungary)

1. General provisions

- 1.1. Name of the organization: Levegő Munkacsoport Országos Környezetvédő Szövetség (Clean Air Action Group, National Environmental Protection Federation)
- 1.2. Name of organization
 - a) Shortened form: Levegő Munkacsoport
 - b) In English: Clean Air Action Group, CAAG
 - c) In French: Groupe de Travail "Air Pur"
- 1.3. Clean Air Action Group is a public benefit organization which is a legal entity.
- 1.4. Office address: Károly körút 3/a. III. 2., Budapest, 1075 Hungary
- 1.5. Emblem:



- 1.6. The Clean Air Action Group is a politically neutral organization without any party affiliation. It is independent of political parties, and it does not support financially nor does it receive any financial support from any political party. It does not nominate or support candidates for Parliamentary and local governmental elections at the county, municipality or district level.
- 1.7. According to Act CLVI of 1997 on Public Benefit Organizations the Clean Air Action Group is a "highly beneficial" public benefit organization. Its declared activity is the protection of the environment, and it performs public activities, defined in points b), g) and h) of clause (1) of paragraph 38 of Act LIII of 1995 on the general rules of protecting the environment and in clause (1) of paragraph 8 of Act LXV of 1990 on Local Governments, which should be performed by governmental and local governmental organizations.

2. Aims of the Clean Air Action Group

- 2.1. The Clean Air Action Group works to implement the principle that the most fundamental human right is the right to live and to be healthy, and all other human rights can only be put into effect with full respect of this basic human right.
- 2.2. With the condition described in point 2.1. the Clean Air Action Group supports efforts that aim at keeping the impact of human activities within the limits of nature's capacity or at diminishing the impacts of human activities to these limits.
- 2.3. The Clean Air Action Group helps to maintain or reestablish a healthy environment for people in built-up areas including the interior parts of buildings.
- 2.4. The Clean Air Action Group is especially interested in helping to put into practice "the polluter pays" principle, that is to make the users pay for the use of nature and the damages they cause to the environment and for the costs of preventing these damages and for re-establishing the environment to a good condition.
- 2.5. The Clean Air Action Group is active in reducing the use of non-renewable energy sources and other natural resources. At the same time it supports activities that can be improved without using non-renewable resources in great quantities or without causing enormous damage to the environment, and at the same time improve human society, that is culture, arts, education, healthcare, scientific research and any other form of social activity for the betterment of living conditions in society.
- 2.6. The Clean Air Action Group does its best to increase public participation in the field of environmental protection, to improve the direct forms of strengthening democracy and to increase the spread of information and public access to information.
- 2.7. The Clean Air Action Group primarily works for making the state budget and transport policy and regional policy and energy policy of Hungary more environment-friendly and for protecting and increasing the territory of green areas in settlements.
- 2.8. The Clean Air Action Group promotes the socialization of consumer protection and the creation of conscious consumer behaviour in the society.

3. Services of the Clean Air Action Group

- 3.1. The Clean Air Action Group provides the following services in order to reach its goals:
 - 3.1.1. Raising awareness and informing the public and decision-makers.
 - 3.1.2. Obtaining and distributing data concerning the state of the environment.
 - 3.1.3. Organizing meetings and demonstrations.
 - 3.1.4. Organizing and supporting research work and development projects.
 - 3.1.5. Preparing proposals to help make government and local government decisions.
 - 3.1.6. Counseling in legal procedures.
 - 3.1.7. Maintaining contact with different governmental and local governmental bodies.
 - 3.1.8. Fostering contact with NGO's and institutions, especially with Hungarian and foreign environmental organizations.
 - 3.1.9. Participating in environmental education.

- 3.1.10. Providing environmental counseling.
- 3.1.11. Enhancing economic activities which help protect the environment.
- 3.1.12. Publishing
 - a) the monthly magazine "Lélegzet" (Breath)
 - b) a regular circular for the members of the organization and for the Board of Experts, and
 - c) studies, information and other materials
 - d) Internet homepage with updated information.
- 3.2. Services listed under 3.1. comply with the public benefit activities defined in clause 26. c) in Act CLVI. of 1997 in items
 - 1. health preserving, prevention of disease, health curing and rehabilitation activities
 - 3. scientific activities, research
 - 4. education, development of abilities, information
 - 5. culture activities
 - 8. nature and animal protection
 - 9. environmental protection
 - 10. child and youth care, representation of child and youth interests
 - 11. fostering equal chances for those groups in disadvantageous circumstance
 - 12. protection of human and civil rights
 - 13. consumer protection
- 3.3. The public benefit services of the Clean Air Action Group are available to everyone.

4. Clean Air Action Group membership

- 4.1. Clean Air Action Group members can be:
 - a) ordinary members,
 - b) members of the Board of Experts, and/or
 - c) supporting members.
- 4.2. Ordinary members can be:
 - a) non-governmental organizations and foundations with legal entity, and
 - b) non-governmental organizations without legal status that have at least 10, easily identifiable, private members and a founding document signed by these members.
- 4.3. Ordinary members must
 - a) accept the Statutes of the Clean Air Action Group,
 - b) be active in working for its goals, and
 - c) pay the membership fee.
- 4.4. A member of the Board of Experts can be a natural or legal entity who possesses expertise, is active in environmental protection and in this way can help Clean Air Action Group in reaching its goals.
- 4.5. A supporting member can be a natural or legal entity or an organization without legal status that
 - a) accepts the goals of Clean Air Action Group,
 - b) helps to reach these goals either financially or any other way, and
 - c) pays the membership fee.
- 4.6. Members of the Board of Experts have the same rights as ordinary members except for the right to vote in the General Assembly.
- 4.7. Supporting members have the same rights as the ordinary members except

for the right to vote in the General Assembly and in the General Meetings of the Clean Air Action Group.

- 4.8. Members of the Clean Air Action Group have access to the services of the organization and are supplied with essential information about its activities.
- 4.9. A member can be expelled from the Clean Air Action Group if he or she
 - a) fails to accomplish his/her tasks defined in the Statutes or
 - b) is deprived of the right to participate in public affairs or causes harm to the Clean Air Action Group with his/her behavior.

5. The General Assembly

- 5.1. The General Assembly is the supreme body of the Clean Air Action Group consisting of one representative of each ordinary member.
- 5.2. Each ordinary member is entitled to have one vote in the General Assembly.
- 5.3. The President of the General Assembly should convene the assembly as needed or at least once a year. The General Assembly should also be convened if requested by at least 20 per cent of the members.
- 5.4. The President is required to inform the Members, the Vice-Presidents, the Members of the Board of Experts and the Supervisory Board, the Director and the Business Manager about the exact venue, time and agenda of the General Assembly in written form at least two weeks in advance.
- 5.5. In the General Assembly a quorum exists if at least half of the ordinary members are present. If this is not the case, in the General Assembly, repeatedly convened within 30 days, a quorum is deemed present in all the items on the previous agenda irrespective of the number of members present.
- 5.6. A decision of the General Assembly is made by the agreement of two-thirds of the members present.
- 5.7. There is usually an open vote but secret balloting should be carried out if at least one-third of the members present request it.
- 5.8. The exclusive powers of the General Assembly are:
 - a) to approve and modify the Statutes,
 - b) to approve the annual report and the report on financial activities,
 - c) to approve the coming year's work program and budget
 - d) to accept and exclude members,
 - e) to elect the President and the Vice-Presidents, and members of the board
 - f) to elect the Chairperson and Deputy Chairpersons of the Board of Experts,
 - g) to elect the Chairperson and Members of the Supervisory Board,
 - h) to define membership fees,
 - i) to approve the public benefit report,
 - j) to approve union with other civil society organizations, or dissolve the organization.
- 5.9. The annual report of the Clean Air Action Group is approved after discussion by the General Assembly every year by the 30th of April at the latest on the basis of the mutual written proposal of the President and the Business Manager of the Clean Air Action Group, with the notes of the Supervisory Board.
- 5.10. The General Assembly is open to the public.

6. The Board

- 6.1. The Board consists of minimum five, maximum nine members including the President.
- 6.2. The President and Vice-Presidents are representatives of the Clean Air Action Group. In accordance with Act CLVI of 1997, they are the responsible persons.
- 6.3. The Board is responsible for implementing the decisions of the General Assembly of the Clean Air Action Group.
- 6.4. The Board is entitled to take a decision in cases that are not covered by the scope of the General Assembly of the Clean Air Action Group.
- 6.5. The Board is obliged to consider each and every suggestion of the members.
- 6.6. The Board should consider the proposals of the General Meetings of the Clean Air Action Group, and should justify if it reaches different decisions.
- 6.7. Board Meetings are normally convened orally by the President. The Board convenes at least once a month. The President should inform the members of the Board and the Supervisory Board one week earlier about the exact location and date of the Board Meetings and 3 days earlier about the agenda.
- 6.8. The Board is a quorum if at least half of its members are present. The Board makes its decision with a simple majority. In the case of equal votes it is the vote of the President that decides. The ordinary members of the Clean Air Action Group should be informed about the minority view if requested by any of the Board Members.
- 6.9. The Board writes a memo about each Board Meeting and these are published in the circular letter named in 3.1.12.b.
- 6.10. Board Meetings are open to the public.
- 6.11. The election and re-election of the Board Members takes place every four years.

7. General Meetings of the Clean Air Action Group

- 7.1. The General Meetings of the Clean Air Action Group take place in regular intervals, where the following have the right to vote:
 - a) one representative of the ordinary members appointed by the given member organisation.
 - b) members of the Board of Experts.
- 7.2. The General Meetings of the Clean Air Action Group are convened by the President when required but usually monthly. The President shall notify the persons listed in clause 6.1, the members of the Supervisory Board, the Director and the Business Manager about the exact place and time of the General Meetings at least two weeks in advance and about the agenda at least four days in advance in writing.
- 7.3. In the General Meetings there is a quorum if at least ten persons with the right to vote are present.
- 7.4. Decisions of the General Meetings of the Clean Air Action Group require the approval of at least two-thirds of the representatives who are present and have the right to vote. If it requires so, the opinion of the minority shall be made public as well.
- 7.5. The General Meetings of the Clean Air Action Group give proposals to
 - a) the most important individual plans, demonstrations and statements of the Clean Air Action Group based on the yearly work program,
 - b) publications,

- c) the most important external relations,
 - d) members joining or leaving the Board of Experts,
 - e) other important issues
- 7.6. The General Meetings of the Clean Air Action Group can be attended with right of consultation by members of the Supervisory Board, supporting members and persons involved in the items of the agenda.
- 7.7. The General Meetings of the Clean Air Action Group are open to the public.

8. The Board of Experts

- 8.1. The Board of Experts and/or its members may announce their expert opinion on the activities of the Clean Air Action Group and on issues within the scope of activities of the Clean Air Action Group.
- 8.2. The opinion of the Board of Experts and/or its members as defined in clause 8.1 shall be made available for the members of the Clean Air Action Group.
- 8.3. The rules of operation of the Board of Experts is defined by the Board of Experts itself.
- 8.4. The Board decides on questions of members joining or leaving the Board of Experts

9. The Supervisory Board

- 9.1. The Supervisory Board consists of three members including the Chairperson.
- 9.2. In the Supervisory Board has a quorum if at least two members are present.
- 9.3. The Supervisory Board has a meeting as necessary but at least twice a year. It is convened by its Chairperson.
- 9.4. The Supervisory Board determines its own internal procedures.
- 9.5. The Supervisory Board is put directly under the General Assembly and it shall not act on orders from others.
- 9.6. The members of the Supervisory Board have a voice at the General Assembly and the General Meetings of the Clean Air Action Group.
- 9.7. The members of the Supervisory Board may require a report from the President and Vice-Presidents and the Financial Manager and they may inquire of the staff members about their issues of interest. They also may review and inspect the books and documents of Clean Air Action Group.
- 9.8. The Supervisory Board
- a) examines whether the operation of the Clean Action Group is performed in accordance with the provisions of law and the Statutes,
 - b) supervises the financial affairs of the Clean Air Action Group, with special attention to the proper and lawful use of the amounts approved in the budget,
 - c) examines the final accounts of the Clean Air Action Group and notifies the General Assembly about its opinion,
 - d) may move for a disciplinary action against the members and/or staff of the Clean Air Action Group.
- 9.9. If and when the Supervisory Board finds that the operations of the Clean Air Action Group are against the Statutes and Rules of Operation of the Clean Air Action Group it is entitled to convene the General Assembly.
- 9.10. Based on the statement and proposal of the Supervisory Board the empow-

ered body of the Clean Air Action Group shall take the proper actions and supervise their implementation and accomplishment and it shall notify the Supervisory Board about the events.

- 9.11. The Supervisory Board shall notify and initiate the convening of the empowered body if it learns of
 - a) the occurrence of a violation of law, or an event otherwise seriously violating the interests of Clean Air Action Group in the course of its operation which requires the decision of the governing body empowered to take action in order to terminate the event or to avoid and/or reduce its consequences;
 - b) a fact giving rise to liability of the President or the Vice-Presidents.
- 9.12. The governing body empowered to take actions shall be convened within thirty (30) days following the motion of the Supervisory Board. If the invitation to the convention is not sent to the members of the governing body within twenty (20) days by the governing body, the Supervisory Board is empowered to convene the governing body.
- 9.13. If the empowered body does not take action in order to restore the legality of operation, the Supervisory Board shall immediately notify the organ carrying out the supervision of the legality of the activities of the Clean Air Action Group.
- 9.14. The Supervisory Board gives a written and oral report about its activity as required, but at least once a year it produces a written report for the General Assembly.

10. The Secretariat

- 10.1. Clean Air Action Group operates a Secretariat to manage office affairs and perform organizational tasks.
- 10.2. The Secretariat is supervised by the Director in accordance with the scope of activities adopted by the Board and countersigned by the president and according to the Internal Regulations of the Clean Air Action Group.
- 10.3. With the approval of the Board, the President exercises employer's rights on the Director. The Director exercises employer's rights on the staff members of the Secretariat.
- 10.4. The Secretariat is responsible for
 - a) keeping records about the content, date and force of decisions taken by the General Assembly, the General Meetings of the Clean Air Action Group and the Board of Experts and about the numbers (if possible the identity) of supporters and opponents of decisions;
 - b) informing those affected by the decisions in clause a) and making the decisions public;
 - c) making documents in connection with the operation of the Clean Air Action Group available for inspection;
 - d) making public the operation, services and reports of the Clean Air Action Group in publications listed in 3.1.12., with notices placed in the office, or in written or oral form if requested.
- 10.5. The decisions listed in 10.4 can be made public in writing or in electronic form as listed in 3.1.12, or with notices placed in the office or in personal letters or orally. The means of informing should be decided by the decision-making body.
- 10.6. The documents listed in 10.4.c) can be viewed by anyone after pre-arranging an appointment with the Secretariat.

11. Financial Management

- 11.1. The President and the Financial Manager separately and together are responsible for the direct control of financial management. The Financial Manager is responsible for the legal daily businesses and the financial and accounting discipline.
- 11.2. The Financial Manager is appointed by the President and informs the General Assembly about his decision.
- 11.3. The Clean Air Action Group has the right to establish a public benefit company to provide financial support for the accomplishment of its goals.
- 11.4. The Clean Air Action Group may pay for the work done for reaching its goals.
- 11.5. The Clean Air Action Group may only perform business activities with a view to accomplishing its public benefit goals and not endangering them.
- 11.6. The Clean Air Action Group shall not distribute its profits, but shall spend them on the activities defined in its Statutes.
- 11.7. With the exception of "normative" support from the state, the Clean Air Action Group may only receive support from the subdivisions of state budget on the basis of a written contract. The terms and the manner of accounting for the support shall be determined in the contract.
- 11.8. The availability, amount and terms of the support described in clause 11.7 shall be published in the press. Information prepared by the Clean Air Action Group concerning earmarked grants from the state is available to the public.
- 11.9. The Clean Air Action Group shall not provide "earmarked" grants to responsible persons as defined by Act CLVI of 1997, supporters and their relatives, with the exception of services available to anyone without limitation and grants provided on the basis of the legal relationship between civil society organizations and their members.
- 11.10. The Clean Air Action Group shall not issue bills of exchange or other securities creating a credit facility.
- 11.11. The Clean Air Action Group
 - a) shall not draw credit with the aim of developing its business activity to an extent which jeopardizes its public benefit activity;
 - b) shall not use supports received from the subdivisions of the state budget as credit security or repayment of credit.
- 11.12. The Clean Air Action Group shall record its income and expenditures derived from its targeted activity and its business activity separately.
- 11.13. Types of income of Clean Air Action Group may include:
 - a) support or donations received from the subdivisions of the state budget, or other donors, for public benefit purposes or covering operational costs;
 - b) income derived from or related directly to pursuing public benefit activities;
 - c) income derived from or related directly to pursuing other targeted activities;
 - d) income derived from investing the organization's funds;
 - e) membership fees;
 - f) other resources determined by other laws;
 - g) income derived from business activities.
- 11.14. Expenses of Clean Air Action Group may include:
 - a) direct expenses (expenditures, costs) occurring in the interest of

- public benefit activities;
 - b) direct expenses (expenditures, costs) occurring in the interest of other targeted activities;
 - c) direct expenses (expenditures, costs) occurring in the interest of business activities;
 - d) indirect expenses (expenditures, costs) occurring in the interest of public benefit and other, business activities, which must be divided in proportion to income.
- 11.15. The President and Vice-Presidents authorized by the President have the right to be in command of the bank account of the Clean Air Action Group.
- 11.16. Upon any liquidation or dissolution of the Clean Air Action Group, all remaining assets of the organization must be distributed to another not-for-profit organization with similar purposes or to a governmental instrumentality.

12. Document-filing, record-keeping and reporting rules

- 12.1. The Clean Air Action Group shall continuously conduct the document-filing, record-keeping and reporting activities defined in clause 10.5.
- 12.2. Otherwise bookkeeping of the records of Clean Air Action Group shall be conducted in accordance with Hungarian law.
- 12.3. Simultaneously with approving the annual report, the Clean Air Action Group shall prepare a public benefit report.
- 12.4. The public benefit report shall contain:
- a) the financial report
 - b) a report on the utilization of budgetary support;
 - c) a report on the use of assets;
 - d) a report on earmarked grants;
 - e) a report on the extent of support received from central budgetary organs, separate state funds, local governments, minority local governments, local government associations, health insurance authorities (local governments) and the organs of all of these;
 - f) the value and amount of benefits granted to operating officers of the Clean Air Action Group;
 - g) a brief summary of public benefit activities.
- 12.5. Anyone may review the annual public benefit report of the Clean Air Action Group and may copy it at his or her own expense.
- 12.6. The Clean Air Action Group shall make the main data of its activities and financial activity public in its national monthly magazine "Lélegzet" and on its home page on the Internet.

13. Incompatibility

- 13.1. No person shall take part in the decision-making process of the General Assembly, the General Meetings of the Clean Air Action Group, the Board, the Board of Experts and the Supervisory Board if that person or his or her close relative defined in clause b), section 685 of the Civil Code or common law spouse (hereafter: relative) on the basis of the decision
- a) is exempt from an obligation or liability, or
 - b) obtains other benefits or is otherwise interested in the legal transaction to be concluded. The non-financial service that can be obtained by anyone

- in the frame of the targeted benefits of the Clean Air Action Group does not count as advantage and neither do the targeted benefits upon the membership of Clean Air Action Group according to the Statutes.
- 13.2. No person shall be the president, a member or auditor of the Supervisory Board who
- a) is the President of Clean Air Action Group or a member of the Board or the member of the General Assembly or member of the General Meeting of the Clean Air Action Group (clause 6.1);
 - b) is an elected member of any other governing body of the Clean Air Action Group;
 - c) apart from his or her commission, is employed or stands in another legal relationship aimed at employment with the Clean Air Action Group, unless otherwise provided by law;
 - d) is a recipient of the targeted benefits of the Clean Air Action Group – except for those receiving non-financial benefits that can be obtained by anyone in the frame of the targeted benefits of the Clean Air Action Group according to the Statutes;
 - e) is a relative of the persons defined in clauses a) through c).
- 13.3. Non-financial services available for anyone, without limitation, within the framework of earmarked grants of Clean Air Action Group and earmarked grants granted on the basis of the relationship between civil society organizations and their members are not regarded as a benefit.
- 13.4. A person who held a leading position for at least one of the last two years in a public benefit organization which was terminated without paying its public debts as defined in the Act on Order of Taxation shall not be an operating officer of the Clean Air Action Group for two years following such termination.

The modified Statutes were accepted by the General Assembly in Budapest on the 28th of April, 2008.