

## ***Statutes of the Association CHIPP (Swiss Institute for Particle Physics) (followed by the Internal By-Laws)***

Articles, which are complemented by provisions in the By-Laws, are marked with an asterisk [\*]

### ***I. Denomination, Seat and Goals***

Denomination **Article 1**

*Following the Constitution, approved on 2 October 2003, revised on 8 September 2008, an association is formed according to article 60 ss of the Swiss Civil Code and by the present clauses and under the name CHIPP (Swiss Institute for Particle Physics), hereafter called the Association.*

Seat **Article 2**

*The seat of the Association is Gersau (SZ).*

Goals **Article 3\***

<sup>1</sup> *The purpose of the Association is to strengthen particle, astroparticle and nuclear physics in Switzerland by being active in particular in the following fields:*

- a. To help towards a successful participation of Swiss groups in projects;*
- b. To advise the Universities/ETHs on vacant professorships and academic strategies, and coordinate teaching activities;*
- c. To ensure a proper Swiss representation in relevant national and international bodies;*
- d. To promote public awareness on particle, astroparticle and nuclear physics.*

<sup>2</sup> *In striving for these goals, the Association may conclude employment contracts and sign other legal documents.*

<sup>3</sup> *The Association is not-for-profit.*

### ***II. Members***

Members of **Article 4**

the

Association

*Members of the Association are:*

- the particle, astroparticle and nuclear physicists holding a Master in physics and working for a Swiss institution, and*
- the Swiss PhD nationals working at CERN.*

Acceptance **Article 5**

*Membership is automatic upon fulfilment of the criteria mentioned in Article 4. The new Members are informed about their Membership directly by the institute which they work for. New Members are accepted at any time.*

Withdrawal	<p><b>Article 6</b></p> <p><sup>1</sup> A Member may withdraw from the Association at any time by informing the Executive Board in writing.</p> <p><sup>2</sup> The Membership fee is due in full for the running year. New Members who refuse their automatic status within 30 (thirty) days of being informed of their status are freed from this obligation.</p>
Exclusion	<p><b>Article 7</b></p> <p><sup>1</sup> The Board may exclude a Member</p> <ul style="list-style-type: none"><li>- in case the Member jeopardizes the reputation or the interests of the Association;</li><li>- in case of other just causes.</li></ul> <p><sup>2</sup> The Member may be excluded only if he/she has not complied with his/her obligations within the time limit set by the Board by written notice to the Member.</p> <p><sup>3</sup> Within 10 (ten) days after having received the decision, a Member excluded by the Board may appeal against the exclusion by a letter to the Chair of the Association. The appeal must be dealt with at the next Plenary Session that has to decide definitively.</p> <p><sup>4</sup> The Membership fee is due in full for the running year by the excluded Member.</p>
Expiration	<p><b>Article 8</b></p> <p>Membership expires automatically</p> <ul style="list-style-type: none"><li>- in case the Member does not qualify anymore as a Member according to the criteria as defined in Article 4;</li><li>- in case the Member has not paid the Membership fee after having received the second demand note.</li></ul> <p>In the former case the Membership fee is due in full for the running year.</p>
Honorary Members	<p><b>Article 9*</b></p> <p>Members that have retired from the active professional life or have acquired the status of Professor emeritus may be admitted as Honorary Plenary Members or Honorary Board Members of the Association, according to their former status.</p>
Observers	<p><b>Article 10*</b></p> <p>Institutions may be admitted in the Association as Observers.</p>

### III. Organisation

Organs	<p><b>Article 11</b></p> <p>The organs of the Association are :</p> <ul style="list-style-type: none"><li>A. The Plenary Session;</li><li>B. The Board;</li><li>C. The Executive Board;</li><li>D. The Control Organ</li></ul>
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### III.A. Plenary Session

Members	<b>Article 12</b> <i>Plenary Members are the Members of the Association according to Article 4.</i>
Meeting, convening	<b>Article 13*</b> <sup>1</sup> <i>The Plenary Session meets as required but at least once per year. The Executive Board decides on the date, place and time of the Plenary Session.</i> <sup>2</sup> <i>The convening of the Plenary Session requires an invitation.</i>
Attendance	<b>Article 14</b> <sup>1</sup> <i>All Plenary and Board Members as well as all Honorary Plenary and Honorary Board Members and the Observers may attend the Plenary Session.</i> <sup>2</sup> <i>The Board may decide to invite guests.</i>
Substitution	<b>Article 15</b> <i>There is no substitution for a Member unable to attend the Plenary Session.</i>
Decisions, Quorum	<b>Article 16*</b> <sup>1</sup> <i>All Members have the right to vote. The Members who have been appointed as auditors shall not vote on the annual report.</i> <sup>2</sup> <i>The Plenary has a quorum when 5 % (five) of the Association's Members are present.</i> <sup>3</sup> <i>Decisions are taken by simple majority of the votes expressed, except if stated otherwise. Abstentions are not counted.</i> <sup>4</sup> <i>The Plenary Session keeps a written record of its decisions.</i>
Agenda items	<b>Article 17</b> <sup>1</sup> <i>The agenda is made available to the Members, Honorary Plenary Members, Honorary Board Members and Observers by the Executive Board at least 20 (twenty) calendar days ahead of the meeting.</i> <sup>2</sup> <i>A decision on an item not on the Agenda can only be taken if 2/3 (two thirds) of the Members present at the Plenary Session so decide.</i>
Extraordinary Plenary Session	<b>Article 18*</b> <i>The Executive Board may call at any time for an extraordinary Plenary Session.</i>
Competences of the Plenary Session	<b>Article 19</b> <sup>1</sup> <i>The Plenary Session is the supreme body of the Association.</i> <sup>2</sup> <i>In addition, the Plenary Session is a forum for scientific information, thereby providing annually an overview of the Swiss research and committee activities in particle, astroparticle and nuclear physics.</i> <sup>3</sup> <i>In particular, the Plenary Session</i> <i>a. takes all decisions for which it is competent according to Swiss law, the present Statutes and the Internal By-Laws;</i> <i>b. handles the appeals against exclusions;</i> <i>c. hears presentations on new projects and progress reports;</i>

- d. *hears and discusses the reports from the Board, from CERN Council and from other national and international bodies that have identical or connected activities;*
- e. *elects – on recommendation of the Board – the Swiss representatives to some of the international bodies;*
- f. *decides – on recommendation of the Board – about the admission of Honorary Members.*

2 *In addition, the Members may at any time*

- a. *suggest modifications of the Statutes to be decided by the Board (right of initiative). The request must be made in writing and signed by at least 50 (fifty) Members. The vote takes place during the first Board Meeting following the receipt of the request;*
- b. *request that modifications of the Statutes or the By-Laws as decided by the Board be submitted to the Plenary Session (right of referendum). The request must be made in writing and signed by at least 35 (thirty five) Members. The vote takes place during the first Plenary Session following the receipt of the request.*

<sup>5</sup> *The provisions of Article 27 litt. S and t are reserved.*

### **III.B. Board**

Members

#### **Article 20**

<sup>1</sup> *The professors with activities in experimental or theoretical particle,  $\square$ stroparticle and nuclear physics and the heads of the experimental and theoretical particle physics groups at Paul Scherrer Institute (hereafter PSI) are automatically Board Members. Article 6 is applicable.*

<sup>2</sup> *Universities without activities in particle,  $\square$ stroparticle or nuclear physics may nominate one representative in the Board.*

Meeting,  
convening

#### **Article 21\***

<sup>1</sup> *The Board meets as required but at least twice per year. The Executive Board decides on the date, place and time of the Board meeting, taking into account to the extent possible the availabilities of the Board Members.*

<sup>2</sup> *The convening of the Board requires an invitation.*

Attendance

#### **Article 22**

<sup>1</sup> *All Board Members as well as the Honorary Board Members may attend the Board meeting. The attendance of the Observers is subject to Article 27 litt. J.*

<sup>2</sup> *The Board may decide on temporary or permanent ex-officio Membership to the Board, as required (for instance Plenary Members having special responsibilities or chairing relevant committees ["Officers"] or representing the Association in national and international bodies).*

<sup>3</sup> *The Board may decide to invite external advisers and guests.*

Substitution

#### **Article 23**

<sup>1</sup> *Members who are not able to attend the Board meeting, may nominate a proxy who acts and votes on their behalf. A Member may act as proxy for at most one Member.*

<sup>2</sup> *Observers may send a substitute.*

Decisions, Quorum	<p><b>Article 24*</b></p> <p><sup>1</sup> <i>All Board Members have the right to vote. The Board has a quorum when 1/3 (one third) of its Members are present (physically or through their proxy).</i></p> <p><sup>2</sup> <i>Decisions are taken by simple majority of the votes expressed, except for the introduction of an item for decision on the Agenda as governed by Article 25.2 below as well as for the dissolution of the Association as governed by Article 38 below, both requiring a 2/3 (two thirds) majority. Abstentions are not counted.</i></p> <p><sup>3</sup> <i>The Board keeps a written record of its meetings.</i></p>
Agenda items	<p><b>Article 25</b></p> <p><sup>1</sup> <i>The agenda is made available to the Members of the Board and the Observers by the Executive Board at least 10 (ten) calendar days ahead of the meeting.</i></p> <p><sup>2</sup> <i>A decision on an item not on the Agenda can only be taken if 2/3 (two thirds) of the Members present at the Board meeting so decide.</i></p>
Extraordinary meetings of the Board	<p><b>Article 26*</b></p> <p><i>The Executive Board may convene at any time and in writing an extraordinary Board meeting.</i></p>
Competences of the Board	<p><b>Article 27</b></p> <p><i>The Board in particular</i></p> <ul style="list-style-type: none"><li><i>a. oversees the activities of the Association and of the Executive Board;</i></li><li><i>b. makes recommendations on projects on request, discusses and eventually publishes future strategies, recommends policies and priorities regarding the Swiss participation in international projects, and initiates studies as required;</i></li><li><i>c. actively helps to secure the financial resources needed to fulfil the Swiss obligations in an approved or existing project;</i></li><li><i>d. hears and discusses the reports from the Executive Board, from CERN Council and from other national and international bodies that have identical or connected activities;</i></li><li><i>e. elects and revokes the Members of the Executive Board, the Control Organ and the officers of the Association, who are Members having been assigned special responsibilities, chairing relevant committees or representing the Association in national and international bodies;</i></li><li><i>f. decides about possible remunerations for Members having been assigned special responsibilities;</i></li><li><i>g. decides on temporary or permanent ex-officio Membership to the Board;</i></li><li><i>h. decides on the exclusion of a Member;</i></li><li><i>i. submits proposals for Honorary Membership to the Plenary Session;</i></li><li><i>j. rules about requests for Observer status and decides about the attendance of Observers in the Board meetings;</i></li><li><i>k. decides about the Membership fees;</i></li><li><i>l. may set up temporary or permanent subcommittees for specific tasks;</i></li><li><i>m. nominates the scientific Member of the Swiss CERN delegation and submits this nomination to the Federal Administration in charge;</i></li></ul>

- n. may formulate recommendations for the curricula at the level of the Bachelor, Master and Doctorate and helps to ensure that appropriate courses are taught at all Swiss Universities;
- o. may propose common PhD teaching programmes;
- p. may advise the Universities / ETHs on vacant professorships during the selection process and provide input to academic strategies;
- q. decides on special events in the field (like workshops, PhD Schools, exhibitions, prize) and on efforts to promote public awareness of particle physic (e.g. publications, websites), and selects prize winners;
- r. decides about dissolving the Association and liquidates it;
- s. approves the Statutes and future amendments thereof, subject to Art. 19 par. 4;
- t. may modify the internal By-Laws, subject to Art. 19 par. 4;
- u. approves the annual report, the annual accounts and the budget;
- v. discharges the Executive Board;
- w. keeps the Association informed about its decisions.

### III.C. Executive Board

Composition, meetings, convocation	<b>Article 28*</b> <sup>1</sup> <i>The Executive Board represents the Association. Its Members are unsalaried thus providing a complimentary service to the community of the particle physicists. The Board may decide on exceptions.</i> <sup>2</sup> <i>The Executive Board is composed of up to 4 (four) individuals: the Chair and 1 (one) to 3 (three) Vice-Chairs.</i> <sup>3</sup> <i>The Executive Board meets as required; meetings may be called in writing at any time by the Chair.</i>
Elections, Term of office	<b>Article 29*</b> <i>The term of office for the Members of the Executive Board is 2 (two) years and renewable.</i>
Decisions, Quorum	<b>Article 30*</b> <sup>1</sup> <i>All Members of the Executive Board have the right to vote. The Executive Board has a quorum when 2 (two) Members are present.</i> <sup>2</sup> <i>Decisions are taken by simple majority of the votes expressed, abstentions not counted.</i> <sup>3</sup> <i>The Executive Board keeps a record of its meetings.</i>
Agenda items	<b>Article 31</b> <i>The agenda is circulated to the Members of the Executive Board at least 5 (five) calendar days ahead of the meeting.</i>
Competences of the Executive Board	<b>Article 32</b> <sup>1</sup> <i>The business management of the Association is incumbent on the Executive Board. It decides all issues, which are not explicitly assigned to the Board or the Plenary Session. It organises itself. It has the right to conclude contracts and sign other legal documents on behalf of the Association. The right to sign is decided by the Chair in writing.</i>

<sup>2</sup> *The Executive Board keeps the Board and the Plenary informed about its work.*

<sup>3</sup> *Within its overall task of conducting the day-to-day business of the Association, the Executive Board is specifically responsible*

- a. for the convocation, the agenda and the organisation of the Plenary Sessions and the Board meetings as well as for the follow-up of the decisions taken there;*
- b. for establishing the annual reports, the budget, the annual accounts and the balance sheet;*
- c. for hiring an Administrator;*
- d. for specifying the right to sign;*
- e. for organizing further events in the field (like workshops, PhD Schools, exhibitions, prize competition) and for initiating or carrying out activities under public awareness and outreach (like publications, webpage);*
- f. for the rolling financial planning tables and for possible common requests to Swiss and international funding agencies;*
- g. for liaising and keeping close contact with the Swiss funding agencies, with the Swiss Academy of Natural Sciences and its member organisations – in particular with the Swiss Physical Society – and with the Research Framework Programmes of the EU;*
- h. for initiating and organising the graduate students education coordination;*
- i. for keeping the Association informed about its work.*

### **III.D. Control Organ**

Control Organ **Article 33\***

<sup>1</sup> *The audit is carried out by either 2 (two) Members or a legal person, designated by the Board.*

<sup>2</sup> *The audit examines the balance sheet and the annual account, reports to the Executive Board for the attention of the Board, and proposes the discharge of the Accountant.*

### **IV. Finances**

Financial year **Article 34**

*The financial year coincides with the calendar year and closes for the first time on 31 December 2011*

Contributions and Liability **Article 35\***

<sup>1</sup> *The Membership fee is limited and decided upon by the Board.*

<sup>2</sup> *There is no personal liability of the Members with respect to the obligations of the Association.*

Funds, accounting **Article 36\***

<sup>1</sup> *The Membership fees serve for pursuing the goals of the Association. The Association may accept donations and grants.*

<sup>2</sup> *All revenue and the capital of the Association are to be used exclusively for implementing the goals of the Association.*

<sup>3</sup> *The Association establishes a balance and a profit and loss statement, as per 31 December of each year.*

## V. Modifications of the Statutes and Dissolution

Modifications **Article 37**

of the Statutes *The Statutes can be modified in accordance with Article 19 par. 4 and Article 27 litt. s.*

Dissolution **Article 38\***

*The Association can be dissolved at any time if decided by the Board. The corresponding proposal must be put on the agenda of the Board; it necessitates the usual quorum (as defined in Article 24) and the approval of at least 2/3 (two thirds) of the Members present – including the proxy votes – abstentions not counted.*

Liquidation **Article 39**

*The Board liquidates the Association. The capital remaining is to be transferred to a Swiss body with the same or similar goals. Such a body is to be determined by the Board at that time. Reimbursement of capital to Members or donors is excluded.*

## VI. Final provisions

Adoption **Article 40**

*These Statutes enter into force at the day of their adoption by the Board, i.e. on 26 January 2011. They cancel and replace the Constitution approved on 2 October 2003, revised on 8 September 2008.*

Tribunal **Article 41**

*All legal disputes regarding the present Statutes and the By-Laws shall be submitted the competent tribunals in the canton of Schwyz.*

The Chair



Professor Dr. Martin Pohl

The Administrator



Dr. Jean-Pierre Ruder



## **Internal By-Laws**

*All the following clauses are compatible with the Statutes; the Statutes prevail in case of discrepancy with the internal By-Laws.*

### **1. Denomination, Seat and Goals**

#### **1.1 Goals (Art. 3 of the Statutes)**

*Within the provisions of Art. 3.1 of the Statutes, the following activities are carried out within the Association:*

- a1. Dialogue: The Association initiates and promotes a continuous dialogue between the institutes concerned, aiming at having at hand in a timely and transparent manner the information about ongoing and planned research activities of the groups including funding and manpower needs. This information allows to providing active help towards a successful participation of Swiss groups in international projects in particular*
  - o by making recommendations on projects on request;*
  - o by recommending a policy and priorities;*
  - o by initiating studies; and*
  - o by expressing an independent viewpoint in the matter.*
- a2. Financial resources: The Association strives to secure the financial resources needed to fulfil the Swiss obligations in an approved or existing project by keeping close and regular contact with the Swiss funding agencies, the Swiss research administration, and the Swiss Academies.*
- b1. Professorship and strategies: The Association may advise the Universities and ETHs on vacant professorships during the selection process and provide input to academic strategies.*
- b2. Curricula and teaching: The Association may formulate recommendations for the curricula in Switzerland at the level of the Bachelor, Master and Doctorate and helps to ensure that appropriate courses are taught at all Swiss Universities. In this context, the Association may propose common PhD teaching programmes.*
- c. National and international bodies: The Association elects the Swiss representatives to the relevant national and international bodies (such as the European Committee for Future Accelerators, hereafter ECFA, the Advisory Committee from CERN Users, hereafter ACCU, the European Particle Physics Outreach Group, hereafter EPPOG, the Computing Board, the Outreach Board) and may propose candidates for the scientific member of the Swiss CERN delegation.*
- d. Public awareness and Outreach: The Association decides on efforts to promote public awareness, sets up an appropriate structure for Outreach, and decides on special events in the field (like courses, schools, publications, prizes, or exhibitions).*

#### **1.2 Honorary Members (Art. 9 of the Statutes)**

*The Honorary Members are admitted by the Plenary Session; they enjoy the same rights as the Members, but have no voting rights and are not subject to the annual Membership fee.*

#### **1.3 Observers (Art. 10 of the Statutes)**

<sup>1</sup> *Representatives from the funding agencies and from institutions working or interested in the field (like the State Secretariat for Education and Research hereafter SER, Swiss National Science Foundation hereafter SNF, ETH Board, Swiss Academy of Natural Sciences (hereafter SCNAT), Schweizerische Universitätskonferenz (hereafter SUK) may become Observers. A request for Observer status is addressed to the Chair of the Association, who submits it at the next meeting to the Board.*

<sup>2</sup> Observers may attend the Plenary Sessions without restriction; their presence in the Board meetings may be restricted by decision of the Board.

## **2. Plenary Session**

### **2.1 Meeting and Convening** (Art. 13 of the Statutes)

The invitation for a Plenary Session goes to the Plenary and the Board Members, to the Honorary Plenary and the Honorary Board Members and to the Observers, and is sent out at least 30 (thirty) calendar days in advance of the meeting.

### **2.2 Decisions and Quorum** (Art. 16 of the Statutes)

In case of a tie vote the Chair – and in his/her absence, the most senior Vice-Chair (in years of office) – has the decisive additional vote.

### **2.3 Extraordinary Plenary Session** (Art. 18 of the Statutes)

The Executive Board may call for an extraordinary Plenary Session if business requires. An extraordinary meeting must be called if requested by 20% (twenty) of the Board Members or 5% (five) of the Plenary Members, in which case the request must be in writing and list the points on which the Plenary must vote.

## **3. Board**

### **3.1 Meeting and Convening** (Art. 21 of the Statutes)

The invitation for a Board meeting goes in writing to the Board Members, the Honorary Board Members as well as to the Observers, and is sent out at least 20 (twenty) calendar days in advance of the meeting.

### **3.2 Decisions and Quorum** (Art. 24 of the Statutes)

<sup>1</sup>The Chair does not participate in the voting. In case of a tie vote the Chair – and in his/her absence, the most senior Vice-Chair (in years of office) – has the decisive additional vote.

<sup>2</sup> In the case of elections, the Chair participates in the ballot in the same way as a regular Board Member does.

<sup>3</sup> Decisions may also be taken by written procedure, unless a Member of the Board asks for a discussion.

### **3.3 Extraordinary meetings of the Board** (Art. 26 of the Statutes)

The Executive Board may call for an extraordinary meeting of the Board if business requires. An extraordinary meeting must be called if requested by 20% (twenty) of the Board Members.

## **4. Executive Board**

### **4.1 Composition, meetings and convocation** (Art. 28 of the Statutes)

<sup>1</sup> The Executive Board may rely on additional support staff or may be supported by an Administrator, who works under the supervision of the Chair. The decision is taken by the Executive Board. If required, a contract for this task is concluded with the Administrator. The Administrator may act as recording secretary and Accountant, and participates in the meetings of the Executive Board as adviser; he has no voting rights.

<sup>2</sup> Meetings of the Executive Board may be held as telephone or video conference if agreed by all the Members.

#### **4.2 Election and Term of office** (Art. 29 of the Statutes)

<sup>1</sup> Each of the Members of the Executive Board is elected separately.

<sup>2</sup> In the case of a vacancy during the term of office (e.g. due to a resignation), a new Member is elected for a full term of office of 2 (two) years.

#### **4.3 Decisions and Quorum** (Art. 30 of the Statutes)

<sup>1</sup> In case of a tie vote the Chair – and in his/her absence, the most senior Vice-Chair (in years of office) – has the decisive additional vote.

<sup>2</sup> Decisions may also be taken by written procedure, unless a Member of the Executive Board asks for a discussion.

### **5. Control Organ** (Art. 33 of the Statutes)

The Board appoints the two Members as auditors or approves the contract with a legal person. The mandate of the Control Organ is decided by the Executive Board and is 1 (one) year renewable. The audit report shall be submitted to the Board for approval in time for the second Board meeting after the end of the budget year.

## **6 Finances**

### **6.1 Contribution and Liability** (Art. 35 of the Statutes)

The Board decides upon a Membership fee and the modalities for its payment. The Membership fee is annual.

The Membership fee may be

- a. a fee for each Plenary Member;
- b. a fee for each Board Member only;
- c. an institutional fee per institute or university;
- d. a combination of two or three of these elements;
- e. or may rely on any other calculation mechanism as decided by the Board.

### **6.2 Funds and Accounting** (Art.36 of the Statutes)

<sup>1</sup> The Membership fees, donations and grants may serve for covering

- a. the Membership fee charged to the Association by umbrella organisations;
- b. the costs for the Administrator or the audit by a legal person;
- c. travel expenses in connection with the activities of the Chair, the Vice Chairs, and the Swiss representatives to international bodies;
- d. the annual prize;
- e. support to publications, workshops, the CHIPP School and other events, meetings and activities.

<sup>2</sup> Accounting is carried out either within the Executive Board (Accountant, Administrator), by the accounting service of one of the institutes active in the Association or is outsourced to a competent company or organisation. In the case of outsourcing, a contract will have to be concluded. The tasks of the Accountant comprise in particular budgeting, accounting, collection of the Membership fees, and drawing up the annual accounts.

## **7. Modifications of the Statutes and Dissolution**

### **7.1 Dissolution (Art. 38 of the Statutes)**

*If the quorum set out in Article 24 par. 1 of the Statutes is not reached for the decision to propose the dissolution of the Association, a second meeting has to be held within 1 (one) month of the first one. At that meeting, the dissolution proposal can be decided by a 2/3 (two thirds) majority, even if the quorum is not reached.*

## **8. Final provisions**

*The working language within the Association is English.*

*These internal By-Laws can be modified by the Board at any time and in writing.*

*They enter into force at the day of their adoption by the Board, i.e. on 26 January 2011.*