

The following is a translation from Italian into English of the Italian version of the Statutes of the FIBIP ONLUS. Its purpose is to inform readers of the contents of those Statutes. Its purpose is not to create a document that constitutes a legal point of reference in English-speaking countries.

**STATUTES**  
**OF THE INTERNATIONAL FEDERATION OF CENTRES AND INSTITUTES OF BIOETHICS OF A**  
**PERSONALIST INSPIRATION**  
**- ONLUS -**

**Art. 1**

*Name*

The International Federation of Centres and Institutes of Bioethics of Personalist Inspiration ONLUS is hereby established. This Federation may also be denominated in the abbreviated form of 'FIBIP ONLUS'

The FIBIP ONLUS carries out its activities in the whole of the territory of the State of Italy and abroad.

The FIBIP ONLUS is expressly obliged, in conformity with article 10, section 1, letter i) of the Legislative Decree n. 460 of 04/12/1997, to employ the phrase 'non-profit making organisation of social utility' or the acronym 'ONLUS' in its name and in any distinctive sign or communication that is addressed to the general public.

**Art. 2**

*Registered Offices*

The FIBIP ONLUS has its legal registered offices in Rome at the Centro di Bioetica U.C.S.C., Largo Francesco Vito, n. 1.

The Governing Council can open offices and establish secondary offices in both Italy and abroad.

The Governing Council can transfer the legal registered offices both within the territory of the State of Italy and abroad.

**Art. 3**

*Duration*

The FIBIP ONLUS has a ten-year duration period starting from the day of the signing of the public act of constitution, with the exception of what is laid down in these Statutes and/or by the law.

**Art. 4**

*Aims and Activities*

The FIBIP ONLUS is exclusively engaged in the pursuit of goals involving social solidarity and has not profit-making purposes. It is expressly forbidden, in conformity with article 10, section 1, letter c) of the legislative decree n. 460 of 04/12/1997, from engaging in activities that are different from those mentioned in article 10, section 1, letter a) of the said legislative decree n. 460 of 04/12/1997, with the exception of other activities that are directly connected with such activities. Within the limits of the aforementioned, the FIBIP ONLUS has as its object the carrying out of the following activities:

The FIBIP ONLUS springs from the awareness that the decisions and the directions that are emerging in the sphere of the biomedical sciences, which are subject to an accelerating and incisive advance and equally innovative forms of application, will have a decisive importance for the future of mankind; and from the view that the central and inviolable value of every scientific and cultural form of progress consists in the search for the common good through the promotion of the good of the human person, *from conception to death*. At the same time, the FIBIP ONLUS perceives the need to unite efforts and intelligences in order to make clear, in new situations, the values that can help in the achievement of authentic progress.

*In the situation of pluralism that is to be encountered within the international panorama of bioethics, reflection on the value of the human person, understood in all his existential conditions, is assured by human reason and can receive a decisive contribution from the Judeo-Christian tradition, from the Magisterium of the Catholic Church and from the great ethnic-cultural traditions, as well as from traditional religions. It is also believed that human reason is able to understand adequately the truth about man and to be open constitutively to Transcendence.*

The FIBIP ONLUS has the purpose of activating collaboration in identifying, and engaging in an in-depth analysis of, bioethical subjects that are connected with health care in developing countries and with the right to care for all people who are threatened by fragility, handicap, poverty and under-development; of adopting and promoting, from an epistemological point of view, a commitment to engage in an in-depth analysis of scientific

facts in a way that respects the specific physiognomy of the disciplines involved in bioethics and to appreciate dialogue between the various disciplines in a vision of integration and overall harmony of all the aspects and the values connected with man, society and the environment, with concern for the needs of future generations.

To this end the FIBIP ONLUS can:

a) Represent the individual Centres and Institutes of Bioethics that together make up the FIBIP ONLUS in relation to Italian and foreign, state, regional, local government, public, private and trade union institutions and authorities, as well as government organisations and non-governmental organisations, defending their general interests, fostering their organisational, technical, economic and cultural development, and representing and promoting the needs of the FIBIP ONLUS and the individual federated Centres and Institutes of Bioethics at the time of the drawing up and discussion of laws and/or administrative measures that bear upon matters that are of interest according to these Statutes.

b) Study and propose solutions in relation to all the organisational, economic, technical, juridical and social problems relating to bioethical subjects that are connected with health care in developing countries and the right to care for all people who are threatened by fragility, handicap, poverty and under-development.

c) Collect and organise information and data, in the form of data banks as well, and promote or engage in study and research in relation to questions that are of relevant interest to the FIBIP ONLUS and the federated Centres and Institutes of Bioethics according to these Statutes.

d) Promote and carry out study and research in the scientific, juridical, health care and philosophical field and the field of all the disciplines involved in bioethics.

e) Promote and establish courses of qualified training in the disciplines involved in bioethics, and in all those disciplines according to these Statutes that the FIBIP ONLUS believes to be of interest – courses of training such as, for example, master's degrees, Ph.D.s, degree courses, etc. – as well as their official recognition on the part of the relevant Italian authorities and the relevant authorities of foreign States.

f) Promote and implement every initiative that works to assure the dissemination of the studies and research promoted by the FIBIP ONLUS and/or the individual federated Centres and Institutes of Bioethics.

g) Provide help to the promotion of initiatives and the development and organisation of events whose implementation is of use in the realisation of the aims of the FIBIP ONLUS according to these Statutes, as well as in the appreciation of the activities that have been engaged in.

h) Draw upon all those public and private, Italian, European and international funds, contributions, grants, forms of finance etc. that are directed towards its own management and/or the achievement of its own aims as set out in these Statutes.

i) Attend to all those tasks that are decided upon by the Governing Council and/or are imposed by law or by connected regulations.

In the carrying out of the aforementioned tasks the FIBIP ONLUS can use external structures, under a regime of special agreement as well.

## **Art. 5**

### *Members*

The following are members of the FIBIP ONLUS:

- The founders.

- The Centres and the Institutes of Bioethics of a personalist inspiration who share the spirit and the aims of the FIBIP ONLUS and which have expressed a wish to enrol in conformity with and according to article 6 as below.

The Governing Council has the task of deciding on the admission of members and does so by unanimous vote.

In the application for membership, the organisation that wishes to join must declare that it accepts without any reservations the Statutes of the FIBIP ONLUS.

Enrolment begins from the date of the decision of the Governing Council.

The FIBIP ONLUS, in conformity with article 10, section 1, letter h) of the legislative decree n. 460 of 04/12/1997, expressly excludes a temporary aspect to taking part in the life of the Federation.

## **Art. 6**

### *Admission*

The Governing Council is the organ that is competent to receive, examine and accept applications for membership.

All the members have the same rights and parity of treatment within the FIBIP ONLUS.

There is no limitation on the number of members of the Federation.

## **Art. 7**

### *Rights and Obligations of the Members*

The members have the right:

- to take part in the General Assemblies (if they have suitably paid their annual membership fee);
- to vote directly (or by proxy) at the General Assemblies on the approval or modification of the Statutes and of the regulations, and on the appointments to the governing bodies of the Federation;
- to engage in work that has been agreed beforehand;
- to take part in activities promoted by the FIBIP ONLUS;
- to know about the programmes by which the FIBIP ONLUS intends to implement the goals of the Federation;
- to rescind their membership of the FIBIP ONLUS;

The members are obliged:

- to respect the rules and regulations of the Statutes;
- to pay the membership fees of the Federation according to an amount established by the Governing Council;
- to engage in conduct that is in conformity with the aims of the FIBIP ONLUS;
- to carry out activities that have been agreed beforehand;
- to contribute to the achievement of the tasks of the FIBIP ONLUS and to provide, in ways and times that are agreed upon, action that is in line with the goals of the Federation itself. All the services provided by the members are unpaid and are of a personal and spontaneous character.

Only those expenses actually met by the members can be refunded and this is done in line with suitable parameters that are valid for all the members and are previously established by the Governing Council.

The status of being a member ceases following:

- voluntary withdrawal;
- a failure to pay the membership fee for three years;
- the ending of the Federation;
- the imposition of impossibility as regards carrying out the services that have been planned;

Expulsions are proposed by the Governing Body and are decided upon by the General Assembly for good cause in a way that respects the principle of reply.

### **Art. 8**

#### *Withdrawal of Members*

At any moment a member can withdraw from the FIBIP ONLUS by presenting a letter of withdrawal to the Governing Council which takes note of it through its deliberations.

### **Art. 9**

#### *Exclusion of Members*

Members can be excluded from the FIBIP ONLUS when:

- Their conduct is contrary to what is laid down in the Statutes and to the aims of the FIBIP ONLUS.
- Without justified motives a member does not specifically carry out the obligations that it has accepted in relation to the FIBIP ONLUS.
- Because of the ascertainment of circumstances which, if they had been ascertained during the act of admission, would have impeded the admission itself of that member.

The deliberations on exclusion adopted by the General Assembly after receiving a proposal to that effect by the Governing Council on the basis of this article of the Statutes must be communicated to the interested party by registered letter.

### **Art. 10**

#### *Official Organs*

The official organs of the FIBIP ONLUS are as follows:

- The General Assembly, which is made up of the Directors of the Centres and Institutes that belong to the FIBIP ONLUS.
- The Governing Council, which is made up of a minimum of seven members and a maximum of eleven members.
- The President.
- The Secretary.
- The Treasurer.
- The College of Auditors.
- The College of Arbitrators.

### **Art. 11**

### *The General Assembly*

The General Assembly is made up of the Directors of the Centres and Institutes that adhere to the FIBIP ONLUS and is chaired by the President of the FIBIP ONLUS.

The General Assembly is convened in ordinary session once a year.

The General Assembly is convened in extraordinary session:

- Each time the President believes that this is suitable, and with at least thirty days notice from the date of the stamp on the letter of convocation.

- When a request has been made for an extraordinary General Assembly by at least a half of the members or at least two-thirds of the members of the Governing Council.

The General Assembly can be an ordinary or an extraordinary meeting of the General Assembly. A decision of an ordinary General Assembly is valid when there is a vote in favour by a majority of the members present and at the same time at least a half of the members are present.

Vote by proxy is allowed and this proxy is conferred by another member in written form. Each member cannot receive more than one power of proxy.

For decisions regarding changes to the founding document and these Statutes to be valid, the presence of at least three-quarters of the representatives of the member associations and the favourable vote of at least two-thirds of those present are required.

For decisions concerning the ending of the FIBIP ONLUS, and the consequent allocation of the remaining assets of the Federation in conformity with article 26 as below, to be valid, the presence of all the member associations and a vote in favour of at least three-quarters of them is required.

The ordinary General Assembly meets at least once a year at the time of the approval of the accounts and budget and is convened by the President or every time that such a meeting is requested by at least a tenth of the members by means of a communication sent by registered letter at least thirty days before the date established for that General Assembly.

### **Art.12**

#### *The Tasks of the General Assembly*

In ordinary session the General Assembly has the following tasks:

- To elect the members of the Governing Body.
- To elect the members of the College of Auditors.
- To elect the members of the (possible) College of Arbitrators.
- To propose to the Governing Body lines of development as regards activities and the annual programme.
- To approve the budget.
- To approve the accounts.
- To deliberate on the question of the exclusion of a member.
- To pronounce on every subject that is submitted to it for its consideration.

In extraordinary session the General Assembly has the following tasks:

- To decide upon modifications to the founding document and to the Statutes by majority vote as laid down in article 11 as above.

- To decide upon the ending of the FIBIP ONLUS and the allocation of the assets of the Federation in conformity with what is laid down in article 11 as above and article 26 as below.

- To appoint a liquidator.

The deliberations of the General Assembly are kept by the President (or Secretary) and are conserved at the registered offices of the FIBIP ONLUS, where they are available to the members for free consultation.

### **Art.13**

#### *The Representation of the Members at the General Assembly*

The representation of the members at the General Assembly is also allowed by proxy, which is conferred on another member in written form. In cases of impediment, members can have themselves represented at the General Assembly by another member, to whom they must give a written proxy. Each member cannot receive more than one proxy.

### **Art. 14**

#### *The Governing Council*

The Governing Council is made up of seven members who are elected by the General assembly from its own members. The Governing Council holds office for four years and its members can be elected for a new term of office.

The Governing Council is invested with full powers as regards the activity of the Federation and the achievement of the goals of the Federation, with the exception of matters that are reserved to the General Assembly for its decision.

As a directive and deliberative organ, the Governing Council has the responsibility of establishing lines of direction as regards policy, strategy and action, and in particular:

- a) It deliberates on questions of general interest.
- b) It delegates to individual Councillors – taking into account specific respective capacities – specific tasks or functions to be carried out according to the indications provided to that Councillor by the Governing Council.
- c) It attends to the achievement of the goals of the Federation as set out in the Statutes.
- d) It decides upon applications for admission and proposes the possible exclusion of members to the General Assembly.
- e) It designates its own representatives within Italian and foreign, state, regional, local government, public, private and trade union institutions and authorities, as well as government and non-governmental organisations.
- f) It elects the President, the Secretary and the Treasurer, who all have four-year terms of office.
- g) It establishes the admission fees (if such fees exist), the financial contributions of members, and the respective modes of payment.
- h) It ratifies the budget and the accounts of the FIBIP ONLUS, which are presented by the Treasurer.
- i) It establishes the annual programmes of the FIBIP ONLUS.

The Governing Council is convened by the President of the FIBIP ONLUS or by at least three Councillors. The communication of this convocation can also be transmitted by fax, at least fifteen days before the date fixed for that meeting, and the decisions that are taken are to appear in the minutes. The decisions of the Governing Council are taken by majority vote with the required presence of at least a half of its members.

In the case of a tie, the vote of the President is decisive. The Governing Council can delegate specific tasks in ongoing fashion to the President or to one or more of its members.

## **Art.15**

### *The President*

The President, who is President of the General Assembly and of the Governing Council, is elected by the Governing Council from amongst its members by majority vote. The President's term of office lasts four years.

The President is the legal representative of the Federation in relation to third parties and in judicial contexts.

The President convenes and chairs the meetings of the General Assembly and the Governing Council. In cases of need or urgency, the President makes provisions that are the responsibility of the Governing Council and subjects them for the approval of the Governing Council at its next meeting. In situations of absence, impediment or discontinuance, the relative functions of the President are performed by the member of the Governing Council who is most senior in years.

## **Art.16**

### *The College of Auditors*

The College of Auditors is made up of three full members and two supplementary members. It elects its President from amongst its own members. The members of the College of Auditors can also be elected from amongst non-members of the Federation. The College of Auditors controls the administration of the FIBIP ONLUS, watches over its observance of the law and its Statutes, verifies the correct maintenance of the accounting records, and certifies that the accounts correspond to what is attested to by the accounting books and records. The College of Auditors is present at the meetings of the General Assemblies of the members and of the Governing Council. The College of Auditors exercises the powers and functions envisaged by article 2,403 and subsequent articles of the Civil Code. It acts on its own initiative, in response to a request made by one of the organs of the Federation, or to an indication made by even one of the members of the Federation that is in written form and signed. Every year the College of Auditors presents to the General Assembly a written and signed report that is distributed to all the members of the Federation.

## **Art. 17**

### *The Secretary*

The term of office of the Secretary last four years. The Secretary assists the President and has the following tasks:

- He attends to the keeping and the up-dating of the register of members.
- He is responsible for the writing and the keeping of the minutes of the meetings of the collective organs of the Federation – the General Assembly, the Governing Council and the College of Auditors.

## **Art. 18**

### *The Treasurer*

The term of office of the Treasurer lasts four years. The Treasurer has the following tasks:

- He draws up an outline for the plan of the budget, which he submits to the Governing Council by the month of October of each year, and of the accounts, which he submits to the Governing Council by the month of March of each year.
- He attends to the keeping of the records and the accounts of the FIBIP ONLUS and to the conservation of the relative documents, with indications as to the names of the subjects that submit funds.
- He attends to the receiving of income and the payment of expenditure in conformity with the decisions of the Governing Council.
- He is head of the staff.

## **Art. 19**

### *The College of Arbitrators*

The College of Arbitrators is made up of three full members and two supplementary members elected by the General Assembly. The College of Arbitrators has the task of examining all controversies between the members of the Federation, between the members of the Federation and the Federation or its organs, between the members and the organs of the Federation, and between the organs of the Federation.

## **Art. 20**

### *The Unpaid Character and the Terms of Office of the Official Positions*

All the official positions of the Federation are unpaid. They have a four-year term of office and can be renewed. The replacements and co-options that are made during a four-year term of office end at the end of that four-year term.

## **Art. 21**

### *Economic Resources and the Budget*

The economic resources of the FIBIP ONLUS come from:

- Fees for the Federation which are established every year by the Governing Council.
- Contributions made by the state, regional governments, public agencies and institutes, and international bodies of the European Union.
- Freely-given contributions and public and private donations
- Sums derived from the assets of the FIBIP ONLUS.
- Gifts and bequests through wills.

The assets of the Federation can be made up of both personal and real property, in conformity with what is established by law. The funds of the Federation are deposited with a bank established by the Governing Council. Every financial operation is made by the Governing Council. The contributions to be made over by the members of the Federation are established every year by the Governing Council.

The FIBIP ONLUS is expressly forbidden, in conformity with article 10, section 1, letter d) of the legislative decree n. 460 of 04/12/1997, to distribute, even in an indirect way, profits and sums that are left over from administration, or funds, reserves or capital, during the life of the Federation, unless such allocation or distribution is imposed by law or is carried out by other non-profit making organisations of social utility which by law, by their Statutes or by their regulations, form a part of the same and single structure.

The FIBIP ONLUS is expressly obliged, in conformity with article 10, section 1, letter d) of the legislative decree n. 460 of 04/12/1997, to employ profits or sums left over from administration for the implementation of institutional activities and activities directly connected with such institutional activities.

The FIBIP ONLUS is expressly obliged, in conformity with article 10, section 1, letter d) of the legislative decree n. 460 of 04/12/1997, to draw up annual accounts or an annual report.

## **Art. 22**

### *Donations, Gifts and Bequests*

The FIBIP ONLUS can receive freely-given donations in money and gifts after a decision to accept them has been taken by the Governing Council, which also decides upon the ways in which they are to be used, and over what times periods, for the institutional purposes of the Federation.

The FIBIP ONLUS can also receive legacies and bequests after a decision to accept them has been made by the Governing Council, with the employment of an inventory in which are laid down the ways the goods received,

and the income derived from them, are to be used and over what time period, in conformity with the goals envisaged in the founding document or the Statutes of the Federation.

#### **Art. 23**

##### *Real Property, Personal Property and Other Property*

The FIBIP ONLUS can own or can purchase real property, registered personal property and personal property. Property of the members of the Federation and/or of third parties can be given *in commodatum* to the FIBIP ONLUS.

#### **Art. 24 -**

##### *Responsibility*

The FIBIP ONLUS meets with its own property and its own financial resources those damages that are caused by a failure to observe agreements and contracts that it has signed. The FIBIP ONLUS can insure itself against damages caused by responsibilities, in contracts or not in contracts, of the Federation itself.

#### **Art. 25**

##### *Financial Year*

The financial year ends on the thirty-first day of December of each year.

#### **Art. 26**

##### *Ending of the Federation and the Allocation of its Assets*

The ending of the FIBIP ONLUS is decided by an extraordinary General Assembly on the basis of what is established in article 11 as above. The FIBIP ONLUS is expressly obliged, in conformity with article 10, section 1, letter d) of the legislative decree n. 460 of 04/12/1997, to allocate the assets of the Federation, when it is ended for whatever reason, to other non-profit making organisations of social utility or with goals of public utility, after hearing the view of the organism of control referred to by article 3, section 190, of the law of 23 December 1996, n. 662, an organism that was established by the DPCM of 26 September 2000, unless a different allocation exists that is required by the law.

#### **Art. 27**

##### *General and Final Rule*

As regards matters not envisaged by these Statutes, reference is to be made to the private national and international juridical system in force, and to applicable international Conventions.